### Table of pending cases before the Committee on the Rights of the Child

<table>
<thead>
<tr>
<th>State party and communication number</th>
<th>Subject matter</th>
<th>Articles invoked</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Spain</strong> 42/2018</td>
<td>Subjecting unaccompanied child to medical test to determine his age (Greulich &amp; Pyle test); detention in a migrant detention centre for adults pending deportation</td>
<td>CRC 3, 8, 20, 27, 29</td>
</tr>
<tr>
<td><strong>Spain</strong> 44/2018</td>
<td>Subjecting unaccompanied child to medical test to determine his age (Greulich &amp; Pyle test); detention in a migrant detention centre for adults pending deportation</td>
<td>CRC 3, 8, 20, 27, 29</td>
</tr>
<tr>
<td><strong>Switzerland</strong> 46/2018</td>
<td>Deportation of Syrian refugee family with three children to Greece, where they had previously lived for 2-3 months in a situation of destitution, with no access to shelter, health or education services.</td>
<td>CRC 2, 3, 12, 22, 23, 24, 26, 27, 28, 29, 31, 32 and 37</td>
</tr>
<tr>
<td><strong>Spain</strong> 44/2018</td>
<td>Subjecting unaccompanied child to medical test to determine his age (Greulich &amp; Pyle test); detention in a migrant detention centre for adults pending deportation</td>
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<tr>
<td>50/2018</td>
<td>detention in a migrant detention centre for adults pending deportation. Sometimiento de niño no acompañado a pruebas médicas de determinación de la edad (test Greulich y Pyle); detención del mismo en centro de detención de migrantes adultos pendiente su deportación</td>
<td></td>
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<tr>
<td>Finland</td>
<td>Deportation of homosexual couple with a child to the Russian Federation, with an alleged risk of irreparable harm based on the sexual orientation of the child’s mother</td>
<td>Finland</td>
</tr>
<tr>
<td>51/2018</td>
<td>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</td>
<td>Belgium</td>
</tr>
<tr>
<td>55/2018</td>
<td>Subjecting unaccompanied child to medical test to determine his age (Greulich &amp; Pyle test); detention in a migrant detention centre for adults pending deportation. Sometimiento de niño no acompañado a pruebas médicas de determinación de la edad (test Greulich y Pyle); detención del mismo en centro de detención de migrantes adultos pendiente su deportación</td>
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<td>Subjecting unaccompanied child to medical test to determine his age (Greulich &amp; Pyle test); detention in a migrant detention centre for adults pending deportation. Sometimiento de niño no acompañado a pruebas médicas de determinación de la edad (test Greulich y Pyle); detención del mismo en centro de detención de migrantes adultos pendiente su deportación</td>
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<td>58/2018</td>
<td>Subjecting unaccompanied child to medical test to determine his age (Greulich &amp; Pyle test); detention in a migrant detention centre for adults pending deportation. Sometimiento de niño no acompañado a pruebas médicas de determinación de la edad (test Greulich y Pyle); detención del mismo en centro de detención de migrantes adultos pendiente su deportación</td>
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<tr>
<td>59/2018</td>
<td>Subjecting unaccompanied child to medical test to determine his age (Greulich &amp; Pyle test); detention in a migrant detention centre for adults pending deportation. Sometimiento de niño no acompañado a pruebas médicas de determinación de la edad (test Greulich y Pyle); detención del mismo en centro de detención de migrantes adultos pendiente su deportación</td>
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<tr>
<td>62/2018</td>
<td>Spain</td>
<td>Sometimiento de niño no acompañado a pruebas médicas de determinación de la edad (test Greulich y Pyle); detención del mismo en centro de detención de migrantes adultos pendiente su deportación</td>
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<td>63/2018</td>
<td>Spain</td>
<td>Subjecting unaccompanied child to medical test to determine his age (Greulich &amp; Pyle test); detention in a migrant detention centre for adults pending deportation</td>
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<td>67/2018</td>
<td>Spain</td>
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<tr>
<td>68/2018</td>
<td>Spain</td>
<td>Subjecting unaccompanied child to medical test to determine his age (Greulich &amp; Pyle test); detention in a migrant detention centre for adults pending deportation</td>
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<td>69/2018</td>
<td>Spain</td>
<td>Subjecting unaccompanied child to medical test to determine his age (Greulich &amp; Pyle test); detention in a migrant detention centre for adults pending deportation</td>
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<td>70/2019</td>
<td>Spain</td>
<td>Subjecting unaccompanied child to medical test to determine his age (Greulich &amp; Pyle test); detention in a migrant detention centre for adults pending deportation</td>
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<tr>
<td>71/2019</td>
<td>Spain</td>
<td>Subjecting unaccompanied child to medical test to determine his age (Greulich &amp; Pyle test); detention in a migrant detention centre for adults pending deportation</td>
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<tr>
<td>72/2019</td>
<td>Spain</td>
<td>Adults pending deportation</td>
</tr>
<tr>
<td>73/2019</td>
<td>Belgium</td>
<td>Deportation of family with children to Armenia; Administrative detention of children pending their deportation</td>
</tr>
<tr>
<td>74/2019</td>
<td>Switzerland</td>
<td>Deportation of family with children (one with a hearing impairment and one with PTSD) to the Russian Federation</td>
</tr>
<tr>
<td>75/2019</td>
<td>Germany</td>
<td>Enforcement of visiting rights; right to maintain personal relations and regular contact with both parents</td>
</tr>
<tr>
<td>76/2019</td>
<td>Spain</td>
<td>Subjecting unaccompanied child to medical test to determine his age (Greulich &amp; Pyle test); right to education, housing and social integration in a new environment</td>
</tr>
<tr>
<td>77/2019</td>
<td>France</td>
<td>Group of children of French nationality detained in refugee camps in Syria (Kurd region); parents allegedly associated with the Islamic State; request of repatriation of the group of children</td>
</tr>
<tr>
<td>78/2019</td>
<td>Spain</td>
<td>Subjecting unaccompanied child to medical test to determine his age (Greulich &amp; Pyle test); detention in a migrant detention centre for adults pending deportation</td>
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<td>79/2019</td>
<td>France</td>
<td>Group of Children of French nationality detained in refugee camps in Syria (Kurd region); parents allegedly associated with the Islamic State; request of repatriation of the group of children</td>
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<tr>
<td>80/2019</td>
<td>Switzerland</td>
<td>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.</td>
</tr>
<tr>
<td>No</td>
<td>Country</td>
<td>Description</td>
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</tr>
<tr>
<td>82/2019</td>
<td>Germany</td>
<td>Deportation of Somali mother and child with disabilities to Sweden under the Dublin regulation, where they would allegedly be excluded from accommodation and access to social services for having left Sweden after their asylum request was rejected.</td>
</tr>
<tr>
<td>83/2019</td>
<td>Denmark</td>
<td>Deportation of single mother and daughter to Somalia, with an alleged risk of being subjected to female genital mutilation.</td>
</tr>
<tr>
<td>84/2019</td>
<td>Georgia</td>
<td>Corporal punishment at school and lack of police investigations into repeated complaints filed by family members.</td>
</tr>
<tr>
<td>85/2019</td>
<td>Denmark</td>
<td>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.</td>
</tr>
<tr>
<td>86/2019</td>
<td>Switzerland</td>
<td>Deportation of Tamil family of failed asylum seekers, including two sons, to Sri Lanka; one of the boys suffering from hypothyroidism, which could allegedly not be treated within the public health system in Sri Lanka.</td>
</tr>
<tr>
<td>88/2019</td>
<td>Spain</td>
<td>Subjecting unaccompanied child to medical test to determine his age (Greulich &amp; Pyle test); lack of representation; detention in a migrant detention centre for adults pending deportation</td>
</tr>
<tr>
<td>89/2019</td>
<td>Argentina</td>
<td>Condena penal de un niño sin tomar en cuenta su condición de niño al establecer el quantum de la pena, sin promover su resocialización, y sin tratamiento diferenciado durante la ejecución de la pena.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>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.</td>
</tr>
<tr>
<td>Code</td>
<td>Country</td>
<td>Case Study</td>
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</tr>
<tr>
<td>91/2019</td>
<td>Chile</td>
<td>En el marco de un proceso judicial por incumplimiento de la pensión alimenticia de un padre para sus tres niños, los tribunales nacionales encontraron que prevalecía el pagaré de un banco sobre la obligación de manutención con los menores de edad.</td>
</tr>
<tr>
<td>92/2019</td>
<td>Spain</td>
<td>En un proceso penal por violación de un padre hacia su hijo, la madre solicitó como medidas provisionales que le retiraran la patria potestad al padre y la posibilidad de visitar al niño. No obstante, el juez nacional restringió provisionalmente el derecho de visitas del padre –incluido el número de visitas, la eliminación de la posibilidad de pasar la noche, y la restricción de los lugares y condiciones para realizar las visitas, en presencia de otras personas-.</td>
</tr>
<tr>
<td>93/2019</td>
<td>Slovakia</td>
<td>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.</td>
</tr>
<tr>
<td>94/2019</td>
<td>Ireland</td>
<td>Removal of Canadian children to Ireland by mother without the father’s consent (having been later granted sole custody of the children);</td>
</tr>
<tr>
<td>Year</td>
<td>Country</td>
<td>Event Description</td>
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<tr>
<td>95/2019</td>
<td>Switzerland</td>
<td>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.</td>
</tr>
<tr>
<td>96/2019</td>
<td>Denmark</td>
<td>Deportation of Syrian mother and her stateless child to Bulgaria under the Dublin Regulation. The journey to Switzerland took more than one year and was highly traumatizing for the child. In Bulgaria, the mother and the child have no family support, the child do not have access to school and they will likely be homeless. The child had been subjected to xenophobic verbal and physical abuse, had been detained under inhuman conditions, and had endured inhuman living conditions in the camps where he would be likely to stay if they were returned to Bulgaria. Additionally, the child requires the integrated medical follow up that he is currently receiving in Switzerland.</td>
</tr>
<tr>
<td>97/2019</td>
<td>Denmark</td>
<td>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 she is not circumcised, claiming that she had not been able to prevent her first two daughters from being circumcised against her will in Somalia.</td>
</tr>
<tr>
<td>99/2019</td>
<td>Denmark</td>
<td>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.</td>
</tr>
</tbody>
</table>

**95/2019**

Switzerland

Deportation of Syrian mother and her stateless child to Bulgaria under the Dublin Regulation. The journey to Switzerland took more than one year and was highly traumatizing for the child. In Bulgaria, the mother and the child have no family support, the child do not have access to school and they will likely be homeless. The child had been subjected to xenophobic verbal and physical abuse, had been detained under inhuman conditions, and had endured inhuman living conditions in the camps where he would be likely to stay if they were returned to Bulgaria. Additionally, the child requires the integrated medical follow up that he is currently receiving in Switzerland.

**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 she is not circumcised, claiming that she had not been able to prevent her first two daughters from being circumcised against her will in Somalia.

**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.

**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.
<table>
<thead>
<tr>
<th>Case Number</th>
<th>Country</th>
<th>Description</th>
<th>Relevant Paragraphs</th>
</tr>
</thead>
<tbody>
<tr>
<td>100/2019</td>
<td>Finland</td>
<td>Children of Finish nationality detained in Al-Hol refugee camp in Syria (Kurdish region) with their mothers; parents allegedly associated with the Islamic State; request of repatriation of the group of children by family members in Finland</td>
<td>CRC 2, 6, 19, 20, 24, 27, 28, 37, 39 and 40 CRC-OP-AC 7</td>
</tr>
<tr>
<td>101/2019</td>
<td>Switzerland</td>
<td>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.</td>
<td>CRC 3, 16, 24, 37 and 39</td>
</tr>
<tr>
<td>102/2019</td>
<td>Switzerland</td>
<td>Deportation to Urania 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.</td>
<td>CRC 2, 3, 6, 12, 13, 14, 19, 22, 24, 29 and 39</td>
</tr>
<tr>
<td>103/2019</td>
<td>Denmark</td>
<td>Deportation of mother and child (failed asylum seekers) to DRC.</td>
<td>CRC 3, 6, 12, 22 (1) and 37 (a)</td>
</tr>
<tr>
<td>104/2019</td>
<td>Argentina</td>
<td>Complaint filed by 16 children from various nationalities. The authors claim to be victims of climate change, and that the respondent States are responsible for a) failing to prevent foreseeable human rights violations caused by climate change by reducing its emissions at the “highest possible ambition”, and b) delaying the steep cuts in carbon emissions needed to protect the lives and welfare of children at home and abroad.</td>
<td>CRC 3, 6, 24, 30</td>
</tr>
<tr>
<td>105/2019</td>
<td>Brazil</td>
<td></td>
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<tr>
<td>106/2019</td>
<td>France</td>
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<tr>
<td>107/2019</td>
<td>Germany</td>
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<tr>
<td>108/2019</td>
<td>Turkey</td>
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</tr>
<tr>
<td>109/2019</td>
<td>France</td>
<td>Children of French nationality detained in refugee camps in Syria (Kurdish region); parents allegedly associated with the Islamic State; request of repatriation of the group of children</td>
<td>CRC 2, 3, 6, 20, 24, 37</td>
</tr>
<tr>
<td>Case No.</td>
<td>Country</td>
<td>Description</td>
<td>Treaty Articles</td>
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<tr>
<td>110/2020</td>
<td>Switzerland</td>
<td>Deportation of a Georgian child and her family to Georgia; risk of irreparable harm to mental health</td>
<td>CRC 3, 19(1), 24(1), 37(a), 39</td>
</tr>
<tr>
<td>112/2020</td>
<td>Georgia</td>
<td>Denial of victim status to autistic boy by the domestic authorities in the criminal proceedings conducted against his father on charges of domestic violence.</td>
<td>CRC 2, 12, 19</td>
</tr>
<tr>
<td>113/2020</td>
<td>Spain</td>
<td>Rejection from the public education system of an unschooled Moroccan child who was born and raised in Spain (Melilla) based on residence status</td>
<td>CRC 2, 3, 28, 29</td>
</tr>
<tr>
<td>114/2020</td>
<td>Spain</td>
<td>Rejection from the public education system of an unschooled Moroccan child born and raised in Spain (Melilla) based on residence status</td>
<td>CRC 2, 3, 28</td>
</tr>
<tr>
<td>115/2020</td>
<td>Spain</td>
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<td>116/2020</td>
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<td>CRC 2, 3, 28, 29</td>
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<tr>
<td>118/2020</td>
<td>Spain</td>
<td>Rejection from the public education system of an two unschooled Moroccan children who were born and raised in Spain (Melilla) based on nationality</td>
<td>CRC 2, 3, 28, 29</td>
</tr>
<tr>
<td>119/2020</td>
<td>Paraguay</td>
<td>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”</td>
<td>CRC 3, 4, 5, 8, 18, 19</td>
</tr>
<tr>
<td>120/2020</td>
<td>Switzerland</td>
<td>Deportation of 6 children and their parents (failed asylum seekers) to El Salvador, where they risk to become victims of gang violence.</td>
<td>CRC 3, 6 (6), 12, 24, 27, 37 (a)</td>
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<tr>
<td>121/2020</td>
<td>Chile</td>
<td>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.</td>
<td>CRC 3, 9, 11, 23</td>
</tr>
<tr>
<td>122/2020</td>
<td>Spain</td>
<td>Subjecting unaccompanied child to medical test to determine his age (Greulich &amp; Pyle test); interned at the Center for Migrants of the Red Cross of Almería, a centre that is not suitable for unaccompanied minors</td>
<td>CRC 3, 8</td>
</tr>
<tr>
<td>123/2020</td>
<td>Argentina</td>
<td>Denial of any sort of outing or parole despite numerous request for a juvenile sentenced to 21 years in prison.</td>
<td>CRC 37</td>
</tr>
</tbody>
</table>

Last update: 19.10.2020