



Convention on the Rights of the Child

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Committee on the Rights of the Child

Fifty-fifth session

Summary record of the first part (public)* of the 1542nd (Chamber A) meeting

Held at the Palais Wilson, Geneva, on Monday, 13 September 2010, at 10 a.m.

Chairperson: Ms. Lee

Contents

Opening of the session

Statement by the Representative of the Secretary-General

Submission of reports by States parties

Consideration of reports of States parties

Cooperation with other United Nations bodies, specialized agencies and other competent bodies

Days of general discussion

General comments

Future meetings

Adoption of the agenda

* No summary record was prepared for the second part (closed) of the meeting.

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The meeting was called to order at 10.10 a.m.

Opening of the session

1. **The Chairperson** declared open the fifty-fifth session of the Committee on the Rights of the Child. She expressed appreciation for the excellent work of the outgoing Secretary, Ms. Andrijasevic-Boko, and welcomed the interim Secretary, Ms. Mathews.

Statement by the Representative of the Secretary-General

2. **Mr. Salama** (Director, Human Rights Treaties Division, Office of the United Nations High Commissioner for Human Rights (OHCHR)) said that, in March 2010, the Human Rights Council had adopted resolution 13/3. The resolution extended the mandate of the Open-ended Working Group on an optional protocol to the Convention on the Rights of the Child until the seventeenth session of the Council and also mandated the Working Group to elaborate an optional protocol to provide a communications procedure. Several of the Committee members had participated in the first session of the Open-ended Working Group in December 2009 and in the expert consultations organized by OHCHR the following June in Geneva. At the request of the Council, a proposal for an optional protocol had been put forward by the Working Group in August 2010. The proposal, which would constitute the basis for the negotiations during the second session of the Working Group in December 2010, contained innovative features such as provisions relating to collective communications, protection measures for petitioners and measures to maintain the confidentiality of their identity. Furthermore, the proposal enshrined the principle of the best interests of the child as a primary consideration in all actions concerning the child. He was confident that Committee members would study the proposal in detail and continue to provide valuable advice thereon. The elements paper to be submitted by the Committee at the forthcoming second session of the Open-ended Working Group, which would be held in Geneva in December 2010, would play an important role in informing the negotiations.

3. The eleventh Inter-Committee Meeting and the twenty-second meeting of the chairpersons of the human rights treaty bodies had been held in June and July 2010 respectively. Several points of agreement reached at the Inter-Committee Meeting had been endorsed by the meeting of the chairpersons, including with regard to the difficulties encountered in ensuring the availability of processed and translated documents. He shared the concerns that had been expressed and was aware of the persisting difficulties faced by treaty bodies in receiving timely translation of documents, including replies to lists of issues sent by States parties: the situation had been deteriorating in recent years. In that regard, he welcomed the emphasis placed by the Inter-Committee Meeting on the need for all treaty bodies to enforce the page limitations set in the harmonized and treaty-specific guidelines and the agreement that a standard sentence be inserted in the concluding observations of each treaty body, requesting States parties to respect page limits with the explanation that lengthy reports might not be processed and translated in time for the session. On the recommendation of the Inter-Committee Meeting, the secretariat had informed all States parties of the page limits by note verbale on 8 September 2010. States parties whose reports did not meet the length requirements would be advised by the secretariat on how to reduce them.

4. A further issue discussed at the Inter-Committee Meeting had been the initiative by the Committee on the Rights of the Child (CRC) and the Committee on the Elimination of Discrimination against Women (CEDAW) to prepare a joint general comment on harmful traditional practices. The Inter-Committee Meeting had recommended that other committees should also explore the possibility of issuing joint general comments.

5. The eleventh Inter-Committee Meeting had noted with interest the optional reporting procedures adopted by the Committee against Torture (CAT) and the Human Rights

Committee (HRC) in respect of lists of issues prior to reporting. It had encouraged all treaty bodies to consider whether such procedures could be applicable to them and had recommended that CAT and the HRC report back to the twelfth Inter-Committee Meeting on their experiences in implementing those procedures.

6. It had been decided that the following Inter-Committee Meeting would discuss the structure of the dialogue with States parties and interaction with stakeholders, as well as continuation of the discussion on the structure and length of the concluding observations. In addition, one thematic working group would meet once at the beginning of each year. The first thematic working group to convene in mid-January 2011 would focus on follow-up and be divided into two subgroups: one on reporting to treaty bodies and one on individual communications.

7. The twenty-second meeting of the chairpersons of the human rights treaty bodies, held in Brussels, had been the first to be held outside Geneva, an initiative designed to bring treaty bodies closer to the implementation level and to non-governmental organizations and regional mechanisms as well as to raise awareness in Europe about treaty body work in order to strengthen linkages, synergies and implementation between international and regional human rights mechanisms. The chairpersons had engaged with high-level representatives from various European Union institutions, including the European Commission and the European Parliament. Bilateral meetings had been organized with the Registrar of the European Court of Human Rights and with the secretariat of the European Union Agency for Fundamental Rights (FRA). The chairpersons had discussed the applicability of the United Nations human rights conventions to European Union actions and its consequences for European Union policymaking, legislation and practical work; and the role of the European Union in promoting treaty ratification as well as implementation and follow-up to the recommendations of United Nations treaty bodies.

8. Among the positive outcomes of those meetings had been an increase in the visibility of the treaty body system. They had enabled regional and international human rights mechanisms to collaborate and to mutually reinforce one another and they had provided tools to OHCHR regional offices that would ensure greater impact of treaty body output through their activities in the field. The chairpersons had agreed that meetings in different regions could provide significant added value to their work and they had therefore requested OHCHR to look into the possibility of organizing the chairpersons' meeting at a regional level every other year.

9. In the context of regional cooperation, he welcomed the growing collaboration between the Committee and the African Committee of Experts on the Rights and Welfare of the Child. Several members of the African Committee would be present during the current session and the two committees would meet to further explore how they could mutually reinforce their mandates and exchange experiences and information.

10. The High Commissioner's repeated call to different stakeholders to reflect on how to strengthen the treaty body system had led to a number of initiatives. A meeting of treaty body experts, to which all treaty body chairpersons were invited, would be held shortly in Poznan. In addition, OHCHR intended to facilitate consultations among treaty body members through the organization of a series of consultations involving the eight treaty bodies having reporting procedures. Depending on the options offered by the calendar of meetings, each consultation would involve the participation of one or two treaty bodies.

11. The chairpersons of the treaty bodies had issued a joint statement for the first time on the occasion of the United Nations High-level Plenary Meeting on the Millennium Development Goals which would be held in New York in September. In the statement, the chairpersons urged Member States to be guided by human rights in finalizing the summit outcome document and in establishing national action plans. They drew attention to the

guidance offered by human rights treaties and the work of treaty bodies and emphasized that realizing the Millennium Development Goals should be an important step in achieving all human rights for all.

12. The interim Secretary of the Committee, Ms. Mathews, would bring with her a wealth of expertise on economic and social rights, which would be a significant asset to the Committee. The present Committee session would be the last of three sessions held in double chambers as a temporary special measure to deal with the backlog of reports. While sessions in double chambers could be resorted to as a temporary measure, the secretariat faced difficulties in supporting their work. There was a need to reflect on possible future modalities to handle reviews of the very high number of State party reports to the Committee.

13. The secretariat had presented a report pursuant to General Assembly resolutions 63/243 and 63/244, in which the General Assembly had decided to assess the situation regarding the meeting time of the Committee on the Elimination of Racial Discrimination and the Committee on the Rights of the Child at its sixty-fifth session on the basis of an evaluation made by the Office of the High Commissioner, taking into account a more comprehensive approach to the backlog of human rights treaty bodies and the increasing number of reports of States parties to the human rights conventions. The report provided information on the use of the approved additional meeting time by both Committees, placing their efforts within the context of the increasing workload faced by the human rights treaty body system as a whole. The report would be made available to the Committee once it had been published in an advance edited version.

14. The secretariat was implementing new travel procedures which he hoped would make travel arrangements smoother.

15. At the current session, in addition to State party reports, the Committee would be discussing three different general comments and would adopt new harmonized treaty-specific reporting guidelines, revised rules of procedure and an elements paper on the draft optional protocol on a communications procedure to be submitted to the second session of the Open-ended Working Group in December. The Committee would also hold meetings with United Nations system entities as well as non-governmental organizations.

16. An expert consultation would be organized by the Secretary-General's Special Representative on Violence against Children on child-sensitive counselling, complaint and reporting mechanisms at the end of September. It was hoped that a representative of the Committee would be able to participate and contribute to the discussions at the event. After the session, representatives of the Committee would attend a seminar in Sion on "harmful practices and human rights", the last day of which was set aside for a special meeting between CRC and CEDAW members to discuss the development of the joint general comment on harmful traditional practices in a joint working group.

Submission of reports by States parties (CRC/C/55/2)

17. **Ms. Mathews** (Secretary of the Committee) said that seven reports had been received since the previous session, of which five had been submitted under the Convention and two had been submitted under the Optional Protocols. Israel and Kuwait had submitted their second periodic reports; combined third and fourth periodic reports had been submitted by China, Kyrgyzstan and Luxembourg; and initial reports had been submitted under both Protocols by Egypt. A total of 610 reports had been received by the Committee of which 453 had already been considered. There had been 136 State party ratifications of the Optional Protocol on the involvement of children in armed conflict, while the Optional Protocol on the sale of children, child prostitution and child pornography had been ratified by 139 States.

Consideration of reports of States parties

18. **The Chairperson** said that the Committee would consider 18 reports from 10 States parties during the session.

Cooperation with other United Nations bodies, specialized agencies and other competent bodies

19. **The Chairperson** said that, as at previous sessions, the number of additional meetings would need to be limited because of the heavy workload. However, meetings had already been scheduled with many partners, including United Nations specialized agencies and non-governmental organizations.

Days of general discussion

20. **The Chairperson** recalled that, in view of the heavy workload, the Committee had agreed not to hold a day of general discussion in 2010. A possible theme for general discussion in 2011 would be discussed during the current session.

General comments

21. **The Chairperson** said that the Committee would pursue the elaboration of the principles and provisions of the Convention, focusing in particular on article 3, which concerned the best interests of the child and article 19, on abuse and neglect. The joint general comment with CEDAW would also be pursued.

Future meetings

22. **The Chairperson** said that the next session would be held from 17 January to 4 February 2011 at which time the Committee would convene in one chamber.

Adoption of the agenda (CRC/C/55/1)

23. *The agenda was adopted.*

The public part of the meeting rose at 10.30 a.m.