



Convention on the Rights of the Child

Distr.: General
18 August 2011
English
Original: French

Committee on the Rights of the Child Fifty-fifth session

Summary record of the 1593rd meeting*

Held at the Palais Wilson, Geneva, on Friday, 21 January 2011, 1 at 3 p.m.

Chairperson: Ms. Lee

Contents

Other matters

Sixth informal meeting with States parties

* No summary record was issued for the 1592nd meeting.

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Editing Unit, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 3.10 p.m.

Other matters

Sixth informal meeting with States parties

1. **The Chairperson** welcomed the participants to the sixth informal meeting with States parties and said that the Committee wished to discuss a number of issues relating to the following three points: follow-up to concluding observations; treaty body reform and the harmonization of working methods; other matters.

Follow-up to concluding observations

2. **The Chairperson** said that States parties must not only widely disseminate the Committee's concluding observations but also take practical steps to ensure that they were followed up. She would like regional workshops on the follow-up given to the Committee's concluding observations to be held more frequently. Due to limited human, material and financial resources, the last subregional seminar on implementation measures taken with respect to the Committee's concluding observations had been held in Ouagadougou (Burkina Faso) back in 2007.

3. **Mr. Sjøberg** (Norway) said that the Government of Norway noted with regret that the concluding observations formulated after the Committee had considered the fourth periodic report of Norway relied heavily on the shadow reports prepared by the Ombudsman for Children and by NGOs and did not adequately reflect the information provided by the delegation during its dialogue with the Committee. While the Government understood that shadow reports were useful to the Committee for the purpose of formulating questions to put to the delegation of the State party whose situation was under consideration, it was essential that the information provided by the State party itself on the measures and policies that had been implemented to solve the problems it experienced was reflected in the concluding observations.

4. The Norwegian authorities considered it important that the Committee should give States parties enough time to correct any factual errors in concluding observations before they were published. During the drafting of the concluding observations on the fourth periodic report of Norway, the secretariat had only allowed the Permanent Mission two or three hours to make the necessary corrections. Furthermore, the concluding observations had been published in advance of the approved deadline for comments. The procedures should be reviewed to give States parties a reasonable amount of time to comment on concluding observations. The Government of Norway was firmly committed to honouring its obligations under the Convention and looked forward to future dialogue with the Committee.

5. **The Chairperson** thanked the representative of Norway for his constructive remarks and emphasized that the Committee was always anxious to improve its working methods. When drafting its concluding observations, it constantly strove to give balanced consideration to the information received from different sources. The dialogue with States parties was its primary point of reference, even if it also took into account the information transmitted by institutions such as the Ombudsman or civil society organizations.

6. **The Chairperson** said that the Committee's procedure for drafting concluding observations differed from that used for drafting conclusions and recommendations in the context of the universal periodic review. However, the Committee always took note of factual corrections. In the future, it would make every effort to transmit draft concluding observations to permanent missions on Thursday night so that they could be adopted on Friday.

7. **Mr. Krappmann** expressed great interest in the remarks made by the representative of Norway. He said that it might be worth introducing a practical procedure to allow Governments to bring such comments and reactions to the attention of the Committee. While States parties should have sufficient time to consider the draft concluding observations, they should not lose sight of the Committee's workload. Concluding observations were often finalized only a few hours before the close of the session.
8. **The Chairperson** emphasized that the Committee could only make factual corrections to its concluding observations and not corrections based on the interpretation of those facts.
9. **Mr. Rátkai** (Hungary) asked how States parties should submit their comments to the Committee.
10. **The Chairperson** said that States parties would soon receive a letter from the Office of the United Nations High Commissioner for Human Rights (OHCHR) informing them that a consultation exercise for States parties and the treaty bodies would be held in Sion (Switzerland) on 12 and 13 May 2011 in the context of the call by OHCHR for the reinforcement and rationalization of the treaty body system. The question raised by the representative of Hungary could be included under one of the agenda items, as it concerned a procedure that applied to all treaty bodies and that should be harmonized.
11. **Mr. Guran** said that more resources should be mobilized on a regional level to facilitate the implementation of the Convention. He looked to Hungary and Poland, the countries that would successively assume the rotating presidency of the European Union in 2011, to undertake initiatives to promote children's rights throughout Europe.
12. **Ms. Maurás Pérez**, taking up the example of Latin America, said that the country visits conducted by Committee members to monitor the implementation of the Convention and the follow-up given to the Committee's concluding observations and other recommendations created a virtuous circle, in that they served to strengthen the links between State institutions and civil society and to establish a dynamic that favoured children's rights.

Treaty body reform and the harmonization of working methods

13. **The Chairperson** said that the Committee had adopted harmonized guidelines on the form and content of State party reports to be submitted in accordance with article 44, paragraph 1 (b), of the Convention, which could be consulted on the OHCHR website.

Other matters

14. **The Chairperson** said that a lack of human and financial resources and the problems with documentation, in particular the fact that States parties' written replies were not translated into the Committee's working languages in a timely fashion, prevented the Committee from effectively fulfilling its mandate. The Committee considered on average 30 State party reports each year, but in 2008 and 2010, when it had been granted permission to hold meetings in two chambers, it had considered 54 each year and had been able to clear some of its backlog.
15. In order to continue along those lines, the Committee had asked the General Assembly for permission to hold one of the three annual sessions in two chambers as a matter of course. It had argued that the Committee's workload had increased, as the Convention was the most widely ratified human rights instrument and there were now two Optional Protocols whose implementation had to be monitored by the Committee.
16. Moreover, she noted with regret that the annual oral report that the Chairperson of the Committee on the Rights of the Child delivered to the Third Committee was not

followed up with a dialogue with States Members on children's rights. She asked the representatives of States Members present for their views on the subject, reminding them that they were participating in an informal meeting and that by sharing their views they were in no way committing their respective Governments.

17. **Mr. Rátkai** (Hungary) said that, in general, it would be useful for those at United Nations Headquarters to develop a better understanding of the work of the United Nations Office at Geneva. He therefore supported holding a debate on children's rights with the Third Committee.

18. The Committee could inform States parties of its views on the most appropriate method for clearing the backlog of reports to be considered. States parties could include a proposal on the subject in the omnibus resolution to be submitted to the General Assembly in 2011.

19. **Ms. Aidoo** said that it would be particularly helpful if the permanent missions to the United Nations Office at Geneva could provide the Committee, when it was not considering periodic reports, with regular updates on the obstacles encountered by the authorities responsible for practical follow-up on concluding observations.

20. **Mr. Zermatten** said that, given the large number of States parties to the Convention (193), to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (144) and to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (139), the backlog of reports was due not to the inefficiency of the Committee, but to the success of the aforementioned instruments.

21. It had been proposed that, in order to clear the backlog of reports, the Committee should meet four times a year instead of three, hold four-week sessions instead of three or even hold meetings in two chambers as a matter of course. The proposed bicameral system for one of its annual sessions was both the most modest and the most feasible proposal.

22. **Mr. Rátkai** (Hungary) said that, in the context of the universal periodic review, States drew heavily on the conclusions of the Committee on the Rights of the Child that appeared in the compilation of information prepared by OHCHR. He would like to know whether, conversely, the Committee systematically referred to the observations drafted for States parties during the universal periodic review when it considered periodic reports.

23. In view of the current budgetary restrictions, the Committee's proposal to meet in two chambers once a year was a practical one, insofar as the arrangement would not put a strain on the Organization's budget. That question would be all the more relevant when the Optional Protocol to the Convention on the Rights of the Child to provide a communications procedure entered into force, as the latter would increase the Committee's workload.

24. **The Chairperson** said that the Committee was aware of the budgetary implications of the various proposals and would be sure to submit a request that was realistic from the financial point of view.

25. The Committee attached great importance to the work and conclusions of the universal periodic review and systematically referred to them during its consideration of periodic reports. The recommendations formulated by States in the context of the review enabled the Committee to have a clearer idea of the angle from which the States approached human rights and provided valuable information to the Committee.

26. **Ms. Issa** (Syrian Arabic Republic) said she was concerned that if the Committee were to meet in two chambers, the State party could not benefit from the full range of the

Committee members' knowledge and experience, which were vital for constructive dialogue.

27. **The Chairperson** said that the dialogue, which invariably lasted for six hours, would be just as constructive when the Committee met in two chambers with nine experts in each.

28. **Mr. Zermatten** said that the Committee was aware of the increased workload that the imminent entry into force of the new Optional Protocol to the Convention would entail. The opportunity to consider individual complaints would allow the Committee to expand its area of competence and to deal with the violation of children's rights, even when it was not considering periodic reports.

29. **The Chairperson** said that, in the space of a few years, all States parties to both protocols would have submitted their initial report. Subsequent reports submitted under those two instruments would be incorporated into the periodic reports on the implementation of the Convention, which should reduce the Committee's workload.

30. **Ms. Morales** (OHCHR), drawing on her experience in dealing with communications submitted under other international instruments, said that the Committee should begin receiving complaints the year following the entry into force of the Protocol. Therefore, it would need to decide quickly on how it wished to consider those complaints, namely, in a plenary meeting or through an ad hoc working group.

31. **The Chairperson** thanked the State party representatives present and said that the Committee would hold a similar informal meeting in two years' time. In the meantime, it would have the opportunity to meet States parties during the regular inter-committee meetings and meetings of the treaty body chairpersons.

The meeting rose at 4.15 p.m.