



**Convention on the
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD
Thirty-eighth session
Geneva, 10-28 January 2005

PROVISIONAL AGENDA AND ANNOTATIONS

Note by the Secretary-General

1. The thirty-eighth session of the Committee on the Rights of the Child will be held at the United Nations Office at Geneva from 10 to 28 January 2005. The first meeting of the session will be convened on Monday, 10 January 2005 at 10 a.m.
2. In accordance with rule 6 of the provisional rules of procedure, the Secretary-General has prepared, in consultation with the Chairperson of the Committee, the attached provisional agenda for the thirty-eighth session. Annotations to the provisional agenda are also attached.
3. Pursuant to rule 32 of the provisional rules of procedure, the meetings of the Committee shall be held in public unless the Committee decides otherwise.
4. The attention of the States parties is drawn, in particular, to the annotations to item 4, containing the list of reports that will be before the Committee at its thirty-eighth session.
5. A pre-sessional working group, established in accordance with rule 63 of the provisional rules of procedure, met at the United Nations Office at Geneva from 4 to 8 October 2004.

Provisional agenda

1. Adoption of the agenda.
2. Solemn declaration by the new member of the Committee.
3. Organizational matters.
4. Submission of reports by States parties.
5. Consideration of reports of States parties.
6. Cooperation with other United Nations bodies, specialized agencies and other competent bodies.
7. Methods of work of the Committee.
8. General comments.
9. Future meetings.
10. Other matters.

Annotations

Item 1. Adoption of the agenda

1. Under rule 8 of the provisional rules of procedure, the first item on the provisional agenda shall be the adoption of the agenda, except for the election of officers when required under rule 16. In accordance with rule 9 of the provisional rules of procedure, the Committee may revise the agenda and may, as appropriate, add, defer or delete items. Only urgent or important items may be added to the agenda.

Item 2. Solemn declaration by the newly elected member of the Committee

2. In accordance with rule 15 of the provisional rules of procedure, the new member of the Committee, Ms. Alison Anderson, will make the following solemn declaration in open meeting:

“I solemnly declare that I will perform my duties and exercise my powers as a member of the Committee on the Rights of the Child honourably, faithfully, impartially and conscientiously.”

Item 3. Organizational matters

3. Under this item, the Committee may wish to consider its programme of work for the session, as well as any other matter concerning the modalities of discharging its functions under the Convention.

Item 4. Submission of reports by States parties

Reports received

4. In addition to the reports which are scheduled for consideration by the Committee at its thirty-eighth session (see the timetable for consideration of reports under item 5 below), the Secretary-General has received the following initial reports:

<u>State party</u>	<u>Date due</u>	<u>Symbol</u>
Bosnia and Herzegovina	1994	CRC/C/11/Add.28

5. The Secretary-General has also received the following second periodic reports, in addition to those scheduled for consideration at the thirty-eighth session:

<u>State party</u>	<u>Due in</u>	<u>Symbol</u>
Ecuador	1997	CRC/C/65/Add.28
Mauritius	1997	CRC/C/65/Add.35
Mongolia	1997	CRC/C/65/Add.32
Nepal	1997	CRC/C/65/Add.30
Philippines	1997	CRC/C/65/Add.31

<u>State party</u>	<u>Due in</u>	<u>Symbol</u>
Uganda	1997	CRC/C/65/Add.33
Ghana	1997	CRC/C/65/Add.34
Hungary	1998	CRC/C/70/Add.25
United Republic of Tanzania	1998	CRC/C/70/Add.26
Azerbaijan	1999	CRC/C/83/Add.13
Latvia	1999	CRC/C/83/Add.16
Lithuania	1999	CRC/C/83/Add.14
China	1999	CRC/C/83/Add.9
Thailand	1999	CRC/C/83/Add.15
Trinidad and Tobago	1999	CRC/C/83/Add.12
Algeria	2000	CRC/C/93/Add.7
Luxembourg	2001	CRC/C/104/Add.4
Saudi Arabia	2003	CRC/C/136/Add.1
Liechtenstein	2003	CRC/C/136/Add.2

6. The Secretary-General has also received the following third periodic reports:

<u>State party</u>	<u>Due in</u>	<u>Symbol</u>
Costa Rica	2002	CRC/C/125/Add.4
Nicaragua	2002	CRC/C/125/Add.3
Peru	2002	CRC/C/125/Add.6
Russian Federation	2002	CRC/C/125/Add.5
Australia	2003	CRC/C/129/Add.4
Colombia	2003	CRC/C/129/Add.6
Denmark	2003	CRC/C/129/Add.3
Finland	2003	CRC/C/129/Add.5
Norway	2003	CRC/C/129/Add.1
Yemen	2003	CRC/C/129/Add.2

7. The Secretary-General has also received the following initial reports under the Convention's Optional Protocols, in addition to those scheduled for consideration at the thirty-eighth session.

**Optional Protocol to the Convention on the
involvement of children in armed conflict**

<u>State party</u>	<u>Due in</u>	<u>Symbol</u>
Finland	2004	CRC/C/OPAC/FIN/1
Italy	2004	CRC/C/OPAC/ITA/1
Andorra	2004	CRC/C/OPAC/AND/1
Switzerland	2004	CRC/C/OPAC/CHE/1
Denmark	2004	CRC/C/OPAC/DEN/1
Iceland	2004	CRC/C/OPAC/ISL/1

**Optional Protocol to the Convention on the sale of children,
child prostitution and child pornography**

<u>State party</u>	<u>Due in</u>	<u>Symbol</u>
Morocco	2004	CRC/C/OPSA/MOR/1
Italy	2004	CRC/C/OPSA/ITA/1
Kazakhstan	2004	CRC/C/OPSA/KAZ/1
Andorra	2004	CRC/C/OPSA/AND/1
Iceland	2004	CRC/C/OPSA/ISL/1

Reports due

8. Under rule 67 of the provisional rules of procedure, the Secretary-General is required to notify the Committee at each session of all cases of non-submission of reports. Accordingly, the States parties whose initial reports were due by 3 November 2004 but have not yet been received are listed below:

<u>State party</u>	<u>Date due</u>	<u>Number of reminders sent</u>
Turkmenistan	19 October 1995	8
Congo	12 November 1995	8
Afghanistan	26 April 1996	7
Nauru	25 August 1996	7
Samoa	28 December 1996	7
Malaysia	19 March 1997	6
Swaziland	5 October 1997	6
Tuvalu	21 October 1997	6
Tonga	5 December 1997	6
Kiribati	9 January 1998	5
Niue	18 January 1998	5
Cook Islands	5 July 1999	4

9. At its twenty-ninth session (see CRC/C/114, paragraph 561), the Committee decided to send a letter to all States parties whose initial reports were due in 1992 and 1993, requesting them to submit that report within one year. The Committee further decided to inform those States parties in the same letter that should they not report within one year, the Committee would consider the situation of child rights in the State in the absence of the initial report, as foreseen in the Committee's "Overview of the reporting procedures" (CRC/C/33, paras. 29-32) and in light of rule 67 of the Committee's provisional rules of procedure (CRC/C/4). In this regard, the Committee noted with satisfaction that all concerned States parties whose initial reports were due in 1992 and 1993 have since submitted them

10. At its thirty-third session the Committee decided to send a letter to all States parties whose initial reports were due in 1994 (Albania, Bosnia and Herzegovina and Equatorial Guinea), requesting them to submit that report within one year. The Committee informed States parties in the same letter that, should they not report within one year, the Committee would consider the situation of child rights in the State in the absence of the initial report. The Committee noted with satisfaction that concerned States parties have submitted their initial reports.

11. The States parties whose second periodic reports were due by 3 November 2004 but have not yet been received are listed below:

<u>State party</u>	<u>Date due</u>
Benin	1 September 1997
Bhutan	1 September 1997
Guinea	1 September 1997
Holy See	1 September 1997
Kenya	1 September 1997
Saint Kitts and Nevis	1 September 1997
Senegal	1 September 1997
Sierra Leone	1 September 1997
Gambia	6 September 1997
Guinea-Bissau	18 September 1997
Seychelles	6 October 1997
Zimbabwe	10 October 1997
Venezuela	12 October 1997
Mali	19 October 1997
Democratic Republic of the Congo	19 October 1997
Brazil	23 October 1997
Malta	29 October 1997
Namibia	29 October 1997
Niger	29 October 1997
Chad	31 October 1997

<u>State party</u>	<u>Date due</u>
Barbados	7 November 1997
Burundi	17 November 1997
Grenada	4 December 1997
Uruguay	19 December 1997
Angola	3 January 1998
Djibouti	4 January 1998
Malawi	31 January 1998
Serbia and Montenegro	1 February 1998
Guyana	12 February 1998
Côte d'Ivoire	5 March 1998
Maldives	12 March 1998
Bahamas	21 March 1998
Dominica	11 April 1998
Lao People's Democratic Republic	6 June 1998
Sao Tome and Principe	12 June 1998
Mauritania	14 June 1998
Bulgaria	2 July 1998
United Republic of Tanzania	9 July 1998
Dominican Republic	10 July 1998
The former Yugoslav Republic of Macedonia	16 September 1998
Cuba	19 September 1998
Israel	1 November 1998
Estonia	19 November 1998
Kuwait	19 November 1998
San Marino	24 December 1998
Trinidad and Tobago	3 January 1999
Zambia	4 January 1999
Bosnia and Herzegovina	5 March 1999
Bahrain	14 March 1999
Albania	27 March 1999
Lesotho	8 April 1999
Latvia	13 May 1999
Central African Republic	23 May 1999
Cape Verde	3 July 1999
Equatorial Guinea	14 July 1999

<u>State party</u>	<u>Date due</u>
Ireland	27 October 1999
Cambodia	13 November 1999
Slovakia	31 December 1999
Cameroon	9 February 2000
Republic of Moldova	24 February 2000
Papua New Guinea	31 March 2000
Suriname	31 March 2000
Micronesia (Federated States of)	3 June 2000
Greece	9 June 2000
Liberia	3 July 2000
Saint Lucia	15 July 2000
Monaco	20 July 2000
Comoros	21 July 2000
Armenia	5 August 2000
Vanuatu	5 August 2000
Fiji	11 September 2000
Turkmenistan	19 October 2000
Gabon	10 March 2001
Afghanistan	26 April 2001
Mozambique	25 May 2001
Iraq	14 July 2001
Uzbekistan	28 July 2001
Nauru	25 August 2001
Eritrea	1 September 2001
Kazakhstan	10 September 2001
Samoa	28 December 2001

12. Under this item, the Committee will have before it notes by the Secretary-General concerning the list of States whose initial reports under article 44 of the Convention were respectively due in 1992 (CRC/C/3), 1993 (CRC/C/8), 1994 (CRC/C/11), 1995 (CRC/C/28), 1996 (CRC/C/41), 1997 (CRC/C/51), 1998 (CRC/C/61) and 1999 (CRC/C/78) (no initial reports were due in 2000). The Committee will also have before it a note by the Secretary-General containing the list of States whose second periodic reports were due in 1997 (CRC/C/65), 1998 (CRC/C/70), 1999 (CRC/C/83), 2000 (CRC/C/93), 2001 (CRC/C/104) or 2002 (CRC/C/117).

13. Further, the Committee will have before it a document indicating the status of submission of reports under the Convention and its two optional protocols (CRC/C/144) which also indicates exceptional measures granted by the Committee to States parties that are encountering problems

in complying with the strict time frame for submission of reports established by the Convention in article 44, paragraph 1, or the consideration of whose reports has been delayed. These recommendations apply as exceptional measures taken for one time only.

14. Under this item, the Committee will also have before it a note by the Secretary-General on the follow-up to the consideration of initial reports by States parties to the Convention (CRC/C/27/Rev.11).

Item 5. Consideration of reports of States parties

15. A tentative timetable for consideration of reports at the thirty-eighth session, prepared by the Secretary-General, in consultation with the Chairperson and subject to approval by the Committee, is given below.

Tentative timetable for consideration of reports of States parties

Tuesday, 11 January, 2005	10 a.m.-1 p.m. 3-6 p.m.	Sweden	CRC/C/125/Add.1
Wednesday, 12 January, 2005	10 a.m.-1 p.m. 3-6 p.m.	Albania	CRC/C/11/Add.27
Thursday, 13 January, 2005	10 a.m.-1 p.m. 3-6 p.m.	Luxembourg	CRC/C/104/Add.5
Friday, 14 January, 2005	10 a.m.-1 p.m. 3-6 p.m.	Austria	CRC/C/83/Add.8 and Corr.1 and CRC/C/OPAC/AUS/1
Monday, 17 January, 2005	10 a.m.-1 p.m. 3-6 p.m.	Belize	CRC/C/65/Add.29
Wednesday, 19 January, 2005	10 a.m.-1 p.m. 3-6 p.m.	Bahamas	CRC/C/8/Add.50
Thursday, 20 January, 2005	10 a.m.-1 p.m. 3-6 p.m.	Islamic Republic of Iran	CRC/C/104/Add.3
Friday, 21 January, 2005	10 a.m.-1 p.m. 3-6 p.m.	Nigeria	CRC/C/70/Add.24
Monday, 24 January, 2005	10 a.m.-1 p.m. 3-6 p.m.	Togo	CRC/C/65/Add.27
Tuesday, 25 January, 2005	10 a.m.-1 p.m. 3-6 p.m.	Bolivia	CRC/C/125/Add.2

16. In accordance with rule 68 of the provisional rules of procedure, representatives of the States parties shall be invited to attend the meetings of the Committee when their reports are examined. Such representatives should be able to answer questions put to them by the Committee and make statements on reports already submitted by their State, and may also submit further information.

17. In light of articles 44 and 45 of the Convention, the Committee will adopt concluding observations and recommendations for all States parties considered at its thirty-eighth session during its last meeting, scheduled to take place on 28 January 2005 at the Palais Wilson, Geneva.

Representatives of the 10 States parties that are scheduled to be considered at this session are invited to attend this public meeting. Representatives of other States parties, United Nations agencies and bodies and all other competent bodies and observers are also invited to attend this meeting.

18. In accordance with rule 68 of the Committee's provisional rules of procedure, the Secretary-General has notified the States parties concerned of the opening date, duration and place of the thirty-eighth session of the Committee, at which their respective reports will be examined, and has invited them to send representatives to attend the meetings of the Committee at which their reports will be examined.

Item 6. Cooperation with other United Nations bodies, specialized agencies and other competent bodies

19. Under this item, the Committee may wish to pursue its discussion of ways and areas in which existing cooperation with various relevant bodies could be further strengthened to enhance the promotion and protection of the rights of the child.

Item 7. Methods of work of the Committee

20. Under this item, the Committee may wish to pursue its discussion concerning the organization of its future work, as well as the procedure to be followed in the consideration of reports by States parties and their follow-up, including where necessary areas identified for technical assistance.

21. The Committee will have before it a note by the secretariat containing a compilation of the conclusions and recommendations adopted by the Committee at its first to twenty-ninth sessions (CRC/C/19/Rev.10).

Item 8. General comments

22. Under this item, the Committee may wish to pursue the elaboration of general comments based on the various principles and provisions of the Convention.

Item 9. Future meetings

23. Under this item, the Committee will be informed of any developments relating to the schedule of its future meetings.

Item 10. Other matters

24. Under this item, members may wish to discuss such other matters relating to the work of the Committee as may be necessary.
