



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Fifty-sixth session

#### Summary record of the first part (public)\* of the 1584th meeting

Held at the Palais Wilson, Geneva, on Monday, 17 January 2011, at 10 a.m.

*Chairperson:* Ms. Lee

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

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*The meeting was called to order at 10.15 a.m.*

### **Opening of the meeting**

1. **The Chairperson** declared open the fifty-sixth session of the Committee on the Rights of the Child. She noted that it was children who were most affected by the troubles, violence and difficult climatic conditions in the world.

### **Address by the United Nations High Commissioner for Human Rights**

2. **Ms. Pillay** (United Nations High Commissioner for Human Rights) said that sustainable solutions had to be found to the problems faced by the Committee in its work, as the backlog of pending reports, which had been stabilized when the double-chamber system was in use, was beginning to grow again.

3. The consultations on the treaty body strengthening process, begun in Dublin in November 2009, had continued with a session of the Inter-Committee Meeting Working Group on Follow-up in Geneva from 12 to 14 January 2011, where the Committee had been represented by two members. The session had focused on the follow-up procedures relating to concluding observations, decisions on communications, and visits and inquiries. A consultative meeting for States parties was to be held in May in Sion, and further such meetings for United Nations entities and civil society actors would be held in the spring. The consultative phase would conclude the following autumn with a meeting in Dublin. The Office of the United Nations High Commissioner for Human Rights was also organizing a series of consultations to bring together two committees at a time, with the aim of providing opportunities for members to discuss in advance the topics of the subsequent Inter-Committee Meeting. The Committee on the Rights of the Child was to meet on 29 January 2011 with the Committee on the Elimination of All Forms of Discrimination against Women. The various consultations would culminate with a compilation of proposals that she would present in 2011, with the hope that they would result in tangible recommendations to strengthen the ever-expanding treaty body system, which was faced with increasing challenges and resource scarcity.

4. The Committee on the Rights of the Child had prepared a very useful written contribution to the work of the open-ended working group tasked with drawing up a third optional protocol to the Convention on the Rights of the Child, which was to establish a communications procedure. It was hoped that an agreement, specifically on a collective communications procedure, would be reached in February and the final text would not only reflect the optional protocols adopted to complement other human rights treaties, but would also provide approaches best suited to the special needs of child victims of violations.

5. She asked the Committee to move speedily towards adoption of its general comment on article 19, which would support the work of the Special Representative of the Secretary-General on Violence against Children and the Office of the High Commissioner for Human Rights. The drafting of a joint general comment on harmful traditional practices by the Committee and the Committee on the Elimination of Discrimination against Women to develop was an interesting initiative.

6. By the time of the Committee's fifty-seventh session in May 2011, the new secretariat team would be complete and the post of secretary would have been filled; in the interim, Ms. Lee Wan-Hea would assume those functions. The volume of documentation and its translation were still thorny issues, and the efforts of the Committee members to limit the length of their concluding observations were to be welcomed.

7. The situation of many children had improved thanks, in no small part, to the work of the Committee, but many other children continued to be victims of poverty, negligence or of unscrupulous persons seeking to exploit them, or even of their own families or

communities. It was a matter of great concern that some countries had lowered the age of criminal responsibility and that the financial crisis and other factors were reversing the progress that had been made towards eradicating child labour. Fears and superstitions could also be a source of exploitation, as in the recent rise in the branding of children as witches, where already poor families became further indebted in order to pay for exorcisms. In his recent report on children and armed conflict, the United Nations Secretary-General had noted that, in the countries considered, there was near total impunity for perpetrators of grave crimes against children involved in armed conflict.

8. She reiterated her Office's support for the Committee and invited all the members to continue to actively engage in the process of strengthening the treaty body system.

9. **Mr. Zermatten**, thanking the High Commissioner for her support for the drafting of an optional protocol to establish a communications procedure, emphasized the serious work that was done by the Committee during and between sessions. He expressed concern at the logistical problems resulting from the change of secretariat team, whose competence was not being questioned, and noted that the documents arrived late and were not always translated on time. Given that the Convention was based on a holistic approach, the Committee had to deal with all sorts of situations and, to do so, needed the assurance of complete and reliable high-level support from the secretariat.

10. **Mr. Krappmann** said that the Committee's working conditions had changed since he had joined it eight years previously; it now received less support. More experienced, stable and reliable support would allow it to do more and to overcome certain problems. The present situation meant a loss of institutional memory, which was vital to the Committee's work. Moreover, the Committee would be taking on new functions and that could only be done with the support of the Office.

11. **Ms. Pillay** (United Nations High Commissioner for Human Rights) emphasized that she was closely following the selection process for the staff needed by the Committee for its work, but pointed out that her Office had to cope with many different requests for staff and other resources, particularly because of the growing number of treaty bodies. It was thus of crucial importance that the treaty bodies should streamline their working methods.

12. **The Chairperson** said that the Committee would spare no effort in streamlining its working methods and pointed out that the member States should also support the work of the treaty bodies.

#### **Adoption of the agenda (CRC/C/56/1)**

13. *The agenda was adopted.*

#### **Organizational matters**

14. **The Chairperson** said that the Committee was to consider 12 reports submitted by eight States parties under the Convention and the two optional protocols during its fifty-sixth session.

15. It should be able to finalize and adopt its draft general comment No. 13 on the right of the child to freedom from all forms of violence (article 19 of the Convention) and to continue working on the draft general comment on the best interests of the child (article 3 of the Convention) and, in collaboration with the Committee on the Elimination of Discrimination against Women, on the draft joint general comment on harmful traditional practices.

16. The Committee was planning to hold a day of general discussion on children of prisoners during its fifty-eighth session on 23 September 2011.

17. The open-ended working group had held its first meeting in December 2010, giving a first reading to the draft third optional protocol, which was to establish a communications procedure. It was to hold a second meeting from 10 to 17 February 2011 to consider the revised draft that would be submitted to the Office of the United Nations High Commissioner for Human Rights.

**Submission of reports by States parties**

18. **Ms. Lee Wan-Hea** (interim secretary of the Committee) said that, since its previous meeting, the Committee had received two initial reports (Cook Islands and Niue) and five periodic reports (Congo, Germany, Gambia, Indonesia and Togo) under the Convention, five initial reports under the Optional Protocol on the involvement of children in armed conflict (Albania, China, Cuba, Paraguay and Russian Federation) and two initial reports under the Optional Protocol on the sale of children, child prostitution and child pornography (Paraguay and the Republic of Moldova). Since the previous session, Oman and Thailand had withdrawn their reservations to the Convention.

19. **The Chairperson** said that, to date, only three States parties (Nauru, Tonga and Tuvalu) had not yet submitted their initial report under the Convention.

*The first (public) part of the meeting rose at 10.55 a.m.*