



Convention on the Rights of the Child

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Committee on the Rights of the Child Fiftieth session

Summary record of the first part (public)* of the 1370th meeting

Held at the Palais Wilson, Geneva, on Monday, 12 January 2009, at 10 a.m.

Chairperson: Ms. Lee

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

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The meeting was called to order at 10.05 a.m.

Opening of the session

1. **The Chairperson** declared open the fiftieth session of the Committee on the Rights of the Child.
2. She recalled that 2009 marked the twentieth anniversary of the adoption of the Convention on the Rights of the Child and emphasized that significant progress had been achieved since the adoption of the instrument in 1989.
3. Recent events had nevertheless demonstrated that children's rights continued to be violated and that the implementation of the Convention and its Optional Protocols was far from complete. The Committee had noted the suffering endured by children in many countries, including the Democratic Republic of the Congo, Uganda, Sierra Leone, Colombia and Sri Lanka.
4. She expressed serious concern about massive violations of children's rights in Gaza. She called on all parties to respect human rights and humanitarian law. According to some reports, one third of those killed or wounded were children. With a view to protecting children affected by the conflict, the Committee urged all parties to comply with resolution 1860, adopted on 8 January 2009 by the United Nations Security Council, which called for an immediate ceasefire.

Statement by the representative of the Secretary-General

5. **Ms. Connors** (Chief a.i. of the Human Rights Treaties Branch of the Office of the United Nations High Commissioner for Human Rights) said that on 10 December 2008, the United Nations General Assembly had adopted by consensus the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, which established a complaint and inquiry procedure regarding violations of the human rights enshrined in the Covenant. The text of the Optional Protocol had been adopted by the Human Rights Council in June 2008 and had subsequently been submitted to the Assembly for final approval and adoption. The Protocol was of particular interest to the Committee on the Rights of the Child in the light of the relationship between the Convention on the Rights of the Child and the International Covenant, especially with respect to health, education and child labour. The Committee thus had an important role to play in promoting the ratification of the Optional Protocol. Moreover, the drafting process of the Optional Protocol constituted a precedent of relevance to the Committee which, in 2008, had expressed itself in favour of the possible establishment of a complaint and inquiry procedure in relation to the Convention on the Rights of the Child.
6. A Committee on the Rights of Persons with Disabilities, composed of 12 members, had been elected at the first session of the Conference of States Parties to the Convention on the Rights of Persons with Disabilities, held on 3 November 2008. The first session of the Committee would be held from 23 to 27 February 2009, in Geneva. The Convention on the Rights of Persons with Disabilities contained many references to children and future cooperation between the two committees would undoubtedly be of great value.
7. The eighth Inter-Committee Meeting of the human rights treaty bodies had been held from 1 to 3 December 2008. It had been devoted exclusively to the issue of harmonization of working methods and discussions had been held on the revised guidelines specific to the various instruments, the follow-up to concluding observations and the Universal Periodic Review (UPR). The possibility of strengthening the decision-making role of the Inter-Committee Meeting with a view to further harmonizing working methods had been considered. Most of the treaty bodies had adopted specific revised guidelines for the various instruments in order to supplement the harmonized guidelines on the common

core document. It had been agreed that those treaty bodies that had not yet completed the revision of their reporting guidelines, in particular the Committee on the Rights of the Child, would endeavour to do so by the end of 2009.

8. The Inter-Committee Meeting had proposed setting up a working group responsible for defining best practices and possible areas for harmonization with regard to the follow-up to concluding observations, which would be composed of one member of each committee. The Committee on the Rights of the Child might wish to consider ways in which it could contribute to that process.

9. With respect to the Universal Periodic Review, the need to promote effective cooperation between the treaty bodies and the Human Rights Council, with a view to the mutual strengthening of the human rights mechanisms, had been stressed during the meeting. Drawing attention to the fact that the Universal Periodic Review was largely based on the observations and recommendations of the treaty bodies, she encouraged the Committee on the Rights of the Child to follow the example of other committees — both in the context of the dialogue with States parties and in its concluding observations — by referring to the commitments made by States and the recommendations addressed to them under the Universal Periodic Review. She recalled that the Netherlands and Tunisia, whose reports were due to be considered at the fiftieth session of the Committee, had already been subject to the Universal Periodic Review.

10. In addition, in its resolution on the rights of the child, adopted in December 2008 at its sixty-third session, the United Nations General Assembly had requested the Director-General to submit to it a thematic report on national progress in tackling child labour and progress towards meeting the target of eliminating the worst forms of child labour by 2016, as agreed in the context of the International Labour Organization.

11. Concerning the working methods of the Committee, the General Assembly had authorized the Committee to meet in two chambers during the three sessions in 2010, as a temporary and exceptional measure to clear the significant backlog of reports facing it.

12. She congratulated Ms. Lee, Mr. Zermatten and Mr. Pollar, who had been re-elected to the Committee, and thanked Ms. Al-Thani, Ms. Aluoch, Mr. Parfitt, Mr. Siddiqui, Ms. Smith and Ms. Vuckovic-Sahovic, outgoing members, for their significant contribution to the work of the Committee. She announced that the following six new members had been elected: Ms. Al-Asmar (Syrian Arab Republic), Ms. Devi Varmah (Mauritius), Mr. Guráň (Slovakia), Mr. Koompraphant (Thailand), Ms. Maurás Pérez (Chile) and Ms. Villarán de la Puente (Peru). With nine men and nine women, the Committee would be composed of six members from African States, three members from Western European and other States, three members from Eastern European States and three members from Latin American and Caribbean States.

13. At its fiftieth session, the Committee would consider the reports of the following six States on the implementation of the Convention: Malawi, Chad, the Netherlands, the Democratic Republic of the Congo, the Democratic People's Republic of Korea and the Republic of Moldova. It would also consider the reports of the Netherlands and Maldives on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and the reports of Maldives, the Republic of Moldova and Tunisia on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

14. The Committee would also continue its discussions with a view to the adoption of two general comments, one on article 12 of the Convention and the other on the rights of indigenous children, placing emphasis on non-discrimination and on article 30 of the Convention. An informal meeting would be held with the States parties to the Convention,

meetings would be held with United Nations agencies and NGOs, and a dinner-debate should be held with the Committee on the Elimination of Discrimination against Women.

15. She wished the members of the Committee a very productive session.

Submission of reports by State parties (item 3 of the provisional agenda)

16. **Ms. Andrijasevic-Boko** (Secretary of the Committee) said that, since the September 2008 session, the Committee had received 15 reports from States parties, including 10 under the Convention, 3 under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and 2 under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

17. To date, the Committee had received a total of 510 reports, including 399 under the Convention and 111 under the two Optional Protocols. The Committee had considered 389 reports at its previous sessions. It had still not received the initial reports of Afghanistan, the Cook Islands, Nauru, Niue, Tonga and Tuvalu.

18. As at 9 January 2009, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict had been ratified by 126 States and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography had been ratified by 130 States. The most recent ratification had been that of Uzbekistan.

Organizational matters (item 2 of the provisional agenda)

19. **The Chairperson**, referring to item 4 of the provisional agenda, said that, as scheduled, the Committee would have 11 reports to consider, submitted by 8 States parties. Regarding item 5, the Committee would continue to cooperate with its partners. The dinner-debate with the Committee on the Elimination of Discrimination against Women would take place on 26 January 2009.

20. With regard to item 8, as noted by Ms. Connors, the Committee looked forward to the adoption of the general comment on the rights of indigenous children and the general comment on article 12 of the Convention.

21. The fifty-first session of the Committee would open on 25 May 2009.

Adoption of the agenda (item 1 of the provisional agenda) (CRC/C/50/1)

22. *The agenda was adopted.*

The first part (public) of the meeting rose at 10.25 a.m.