



General Assembly

Distr.: General
19 July 2018
English
Original: Russian

Seventy-second session

Agenda item 72 (a)

Promotion and protection of human rights: implementation of human rights instruments

Letter dated 2 July 2018 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement delivered by the representative of the Russian Federation during the seventeenth meeting of States parties to the Convention on the Rights of the Child under agenda item 6, entitled “Other matters” (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly under agenda item 72 (a).

(Signed) V. Nebenzia



Annex to the letter dated 2 July 2018 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Statement delivered by the representative of the Russian Federation, Ms. Ghuzal M. Khusanova, during the seventeenth meeting of States parties to the Convention on the Rights of the Child under agenda item 6, entitled “Other matters”

29 June 2018

The Russian Federation is committed to strictly upholding its international legal obligations to protect the rights of children. The Convention on the Rights of the Child has been the main reference point and indisputable authority in this field for the entire international community for almost three decades. That is why we attach great importance to the work of the Committee on the Rights of the Child, which was established in accordance with this international treaty. An important prerequisite for constructive and effective engagement with States parties is that the Committee should strictly abide by its mandate.

In that context, and based on our own experience, we would like to comment on certain aspects of the Committee’s work.

We are obliged to note with regret that this treaty body often departs from its core task, namely assisting States parties to the Convention and its Optional Protocols in fulfilling their obligations under these international instruments.

The Committee’s practice of holding closed meetings with representatives of civil society would appear to go against the principles of transparency and impartiality. Building on the positive experience of the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women, we recommend that such meetings be held in open session.

The working methods for the participation of children in the reporting process of the Committee on the Rights of the Child, adopted by the Committee in 2014 (CRC/C/66/2), continue to be unacceptable. The theme of the general discussion during the Committee’s seventy-ninth session in September 2018 — “Protecting and Empowering Children as Human Rights Defenders” — is another serious concern.

In the light of the presentation by the Russian Federation of its initial report on the implementation of the provisions of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, we would like to comment on a number of the Committee’s concluding observations.

First of all, we believe that the concluding observations should not include passages whose content was not discussed during the consideration of the report. This particularly pertains to the observation in paragraph 36 (the recommendation to ratify the Optional Protocol on a communications procedure).

The excessive trust that Committee experts place in unsubstantiated and unverified information provided by non-governmental entities is a matter for concern. The allegations in paragraphs 23 and 25 concerning sex tourism and child pornography, for example, are based on such unverifiable statements made by civil society.

Furthermore, the information provided by the delegation both in the report and in additional written replies, as well as in the explanations given during the dialogue

with treaty body members, were not taken into account in the following concluding observations: paragraph 6 (on data collection); paragraph 13 (on awareness-raising); paragraph 19 (on children at risk); paragraph 21 (on child marriage); paragraph 26 (on measures to prevent and address online sexual child exploitation and abuse); and paragraph 28 (on conformity of existing criminal legislation with the provisions of the Optional Protocol).

The recommendation in paragraph 17 — to implement the Committee's general comment No. 19 (2016) on public budgeting for the realization of children's rights — is unacceptable. We consider that such initiatives, which have not been intergovernmentally agreed, are solely the private opinions of experts and may not impose new obligations on States additional to those undertaken by them when ratifying or acceding to an international treaty, unless otherwise declared by a State on a voluntary basis. We shall continue to be guided exclusively by the articles of the Convention and its two Optional Protocols in the follow-up to their implementation.

The recommendations contained in paragraph 8 (taking into account the outcomes of the world congress against commercial sexual exploitation of children) and paragraph 24 (dissemination of the Global Code of Ethics for Tourism and the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism) clearly go beyond the Committee's mandate. We should like to recall that, in accordance with article 12 of the Optional Protocol, the Committee may request from States parties further information relevant to the implementation of that Protocol, but reports related to the implementation of other international instruments do not fall within the Committee's mandate.

In view of the above, the Russian Federation wishes to declare that it does not consider itself bound by an obligation to comply with the recommendations of the Committee contained in the aforementioned concluding observations.
