



Convention on the Rights of the Child

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Committee on the Rights of the Child Eighty-third session

Summary record (partial)* of the 2431st meeting

Held at the Palais Wilson, Geneva, on Monday, 20 January 2020, at 10 a.m.

Chair: Mr. Pedernera Reyna

Contents

Opening of the session

Cooperation with other United Nations bodies, specialized agencies and other competent bodies

Submission of reports of States parties

Organizational matters

Adoption of the agenda

* No summary record was prepared for the rest of the meeting.

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

Opening of the session

1. **The Chair** declared open the eighty-third session of the Committee on the Rights of the Child.

Statement by the representative of the United Nations High Commissioner for Human Rights

2. **Mr. Ward** (Director ad interim, Human Rights Council and Treaty Mechanisms Division, Office of the United Nations High Commissioner for Human Rights (OHCHR)) said that, during events held to commemorate the thirtieth anniversary of the Convention in November 2019, a number of States parties had renewed their commitment to the full implementation of the Convention. However, while 70 children had travelled to Geneva for the celebrations, millions of others had been prevented from celebrating owing to poverty, exclusion, violence, discrimination, armed conflicts, climate change and other challenges. More must be done to prevent children from always being the ones most left behind.

3. The coming year would be an active one for the Committee. The extraordinary outreach session to be held in Samoa in March would permit, in particular, broader engagement with the States parties, civil society and children of the Pacific region. The third report of the Secretary-General on the status of the treaty body system would shortly be published, reiterating the well-known challenges faced, particularly in terms of budget funding. As linear growth of the treaty body system could not be sustained, innovative solutions – such as coordinating State party reviews to reduce duplication, leveraging technology and further simplifying the reporting process – would be required. The Office stood ready to support the 2020 review of the treaty body system, including by providing technical advice and facilitating dialogue between stakeholders. The review would also provide an opportunity to reaffirm the crucial role of the OHCHR capacity-building programme in supporting States' engagement with the treaty bodies.

4. Unfortunately, the regular budget recently adopted by the General Assembly for 2020 had not corrected the shortfall in resources to support the human rights mechanisms. Without the requisite resources, the treaty bodies were again falling behind in their work, with potentially dire consequences for those who had turned to them for assistance. As a result, the sustainability of the gains achieved through the treaty body strengthening process was under threat. The Office was seeking voluntary contributions from States Members to pilot innovative ideas, such as the extraordinary outreach session in Samoa, but relying on such contributions to support the treaty bodies was not a viable long-term option. It was thus to be hoped that the 2020 review would result in the development of a fully resourced and sustainable system for the future.

5. Despite the continuing financial difficulties, the Office planned to hold the same number of sessions for the Committee in 2020 as in 2019, with the addition of the extraordinary session. He hoped that cash-flow problems would not reappear to hamper those plans. He was pleased to report that the webcasting of treaty body sessions had been placed on a more solid foundation by the allocation of regular budget resources for that purpose. In addition, the General Assembly had supported the principle of multilingualism by reallocating an additional working language for each of the treaty bodies. However, the precise implications of that decision for the work of the Committee remained to be discussed.

6. At the intergovernmental level, the annual high-level panel discussion on human rights mainstreaming would take place in February, during the high-level segment of the forty-third session of the Human Rights Council, and would focus on mainstreaming children's rights in the United Nations system. The one-day discussion on children's rights, which would focus on realizing the rights of the child through a healthy environment, had been postponed to the forty-fourth session of the Council in June. The dialogues with the Special Representative of the Secretary-General on Violence against Children and the Special Representative of the Secretary-General for Children and Armed Conflict had also been moved to the June session on an exceptional basis. The Office would soon be preparing inputs on child rights and the 2030 Agenda for Sustainable Development ahead of the 2020 High-Level Political Forum on Sustainable Development.

7. Pursuant to Human Rights Council resolution 41/13, the Office would be organizing a full-day intersessional seminar on challenges and opportunities of young people in the field of human rights in the first half of 2020, in cooperation with the Committee. At the current session the Committee would hold its twelfth informal meeting with States and its biennial meeting with the United Nations Children's Fund (UNICEF), as well as meetings with the Special Representative of the Secretary-General on Sexual Violence in Conflict and the Special Rapporteur on the right to privacy. In addition, the Committee would continue its work on its next general comment on children's rights in the digital environment; the organization of the next day of general discussion on alternative care; and the work of the joint working group between the Committee and the Committee on the Rights of Persons with Disabilities, aimed at harmonizing procedures.

Cooperation with other United Nations bodies, specialized agencies and other competent bodies

8. **Ms. Guerras** (Office of the United Nations High Commissioner for Human Rights (OHCHR)) said that the previously mentioned panel discussion on human rights mainstreaming would bring together high-level representatives from the three main pillars of the United Nations – human rights, development, and peace and security – and be moderated by a member of the Committee. The discussion on realizing the rights of the child through a healthy environment would provide opportunities for building on the work undertaken to engage with schoolchildren and young people both locally and internationally about issues relevant to them and to various United Nations mechanisms.

9. As the General Assembly had recently requested OHCHR and other relevant United Nations agencies to consider the issue of children deprived of liberty within their respective mandates, discussions would be held with partners in 2020 about how best to strengthen work in that area.

10. The intersessional seminar on challenges and opportunities of young people in the field of human rights would take place on 21 April, and the possibility of a thematic focus on young people and protests was being explored. She looked forward to working jointly with the Committee on the development and implementation of the activities outlined.

11. **Mr. Swiniarski** (Office of the United Nations High Commissioner for Refugees (UNHCR)) said that the situation for displaced and stateless children remained alarming. An estimated 30 million children worldwide lived in forced displacement, and a stateless child was born every 10 minutes. Refugee, displaced and stateless children regularly experienced violence and exploitation, while the holding of children in immigration detention remained a widespread practice.

12. In 2019, UNHCR had pledged to work more closely with States, United Nations organizations and civil society to uphold and promote the principle of non-discrimination, which was frequently violated by immigration policies that restricted refugee children's access to liberty, safety, family unity, education and health. He wished to call on all actors to join in the effort to ensure that refugee and displaced children benefited from the same rights as other children. Likewise, he urged the Committee to continue highlighting the plight of refugee, internally displaced and stateless children.

13. On the thirtieth anniversary of the Convention in 2019, UNHCR had pledged to build the capacity of States and other partners to apply the principle of the best interests of the child in all decisions affecting forcibly displaced and stateless children. In 2020, the Guidelines on Assessing and Determining the Best Interests of the Child would be finalized in order to ensure that best interest procedures were part of a holistic child protection process that supported the child's well-being.

14. Achieving progress on ending immigration detention also remained a crucial priority for UNHCR. He commended the Committee for its continued focus on that issue when monitoring States parties' implementation of the Convention.

15. The first ever Global Refugee Forum, convened by UNHCR in December 2019, had led to a significant number of new commitments by States to include refugees in national systems including education, birth registration, access to work and financial services. UNHCR would continue to work with partners to ensure that refugee children remained at the heart of the implementation of the global compact on refugees.

16. Although numerous challenges lay ahead, he applauded the work of the Committee in focusing on the rights of refugee and displaced children. In many countries, UNHCR used the Committee's concluding observations to advocate for the rights of forcibly displaced children, and it observed the positive influence of the Committee's recommendations.

17. **Mr. Conte** (Child Rights Connect) said that, as the progress made in the recognition and protection of children's rights had been uneven, the Convention and the Committee's work were as vital as ever. Many actors continued to view children as objects of protection rather than as rights-holders, and children and their representatives continued to face barriers when attempting to gain access to justice.

18. In 2020, Child Rights Connect would continue to engage with and support the Committee while pushing for synergies between the Committee's work and that of other United Nations mechanisms. A permanent children's advisory team had recently been established to inform and engage with the work of the organization. In addition, guidelines were being developed for children human rights defenders on the intersection between the Convention and the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (Declaration on Human Rights Defenders). Lastly, the recently launched website on the Optional Protocol to the Convention on the Rights of the Child on a communications procedure would continue to be improved in order to assist States to implement that Protocol in a strategic manner.

19. **Mr. Stahlhofer** (World Health Organization (WHO)) said that WHO was undergoing a process of transformation that had allowed it to increase its capacity to deal with the health-related aspects of child rights issues. It was hoped that the process would incorporate key elements from the 2020 workplan being discussed within the Framework of Cooperation between WHO and OHCHR.

20. As part of the WHO Reproductive, Maternal, Newborn, Child and Adolescent Health Policy Survey, 150 member States had submitted more than 5,000 documents, including policies, strategies, guidelines, laws and regulations. From February 2020, WHO would work with its partners to conduct an analysis of the documents, with a particular focus on the laws and regulations related to children's rights, in order to provide an understanding of the legal barriers to quality health care. It was hoped that, before the end of 2020, a comprehensive database of those laws would be created and that an analysis would be conducted to give an overview of the legal and regulatory framework for child and adolescent health in each country. Peer-reviewed articles would be published to highlight the importance of laws and regulations for improving child and adolescent health.

21. WHO had recently finished developing an analytical framework for defining the rights of newborns under 28 days old. While there had been a global reduction in mortality rates among children under 5 years of age, the reduction in the mortality rate among newborns had stagnated in many countries, partly because many newborns and their mothers still did not receive the care to which they were entitled by law. The framework would be used to establish standards and indicators for newborn and maternal health care, and to develop advocacy and assessment tools that would help governments conduct a more systematic review of their health services from a rights-based perspective.

22. Research was being conducted on practices in relation to breast milk and food for infants, looking in particular at how private companies were using human rights standards and the associated language to shape their marketing strategies and target mothers. WHO planned to develop a human rights framework on child nutrition in 2020. There had been a call for a community of practice to be set up to explore a human rights-based approach to nutrition and gather examples of best practice, with a view to developing a common approach across all United Nations bodies.

23. Practical guidelines were being drafted to assist policymakers in protecting children from the harmful effects of food marketing. The guidelines would be based on the set of recommendations on the marketing of foods and non-alcoholic beverages to children, which had been adopted by the World Health Assembly in 2010. It was hoped that the guidelines would help States introduce effective regulations to curb levels of child obesity, which had continued to rise over the previous 10 years. A joint commission established by UNICEF, WHO and The Lancet medical journal on children's rights in the era of the Sustainable Development Goals would publish its final report in February 2020.

24. **Mr. Defourny** (United Nations Educational, Scientific and Cultural Organization (UNESCO)) said that, in November 2019, UNESCO had marked the thirtieth anniversary of the Convention with a conference attended by the President of France, Emmanuel Macron, who had underscored the need for a new international policy declaration for the protection of children in the digital environment. UNESCO welcomed the Committee's initiative to publish a general comment on the issue. The digital environment offered unique opportunities for promoting children's rights, but also posed new risks and created new forms of harm. The challenge, therefore, was to maximize the opportunities, prevent or mitigate the harm and weigh up the necessary risks.

25. Although the digital environment had enhanced children's rights to freedom of expression and freedom of information to an unprecedented extent, children's views were not necessarily heard in policymaking and family and school life. Particular attention should therefore be paid to understanding how the exercise of freedom of expression online could be translated into the offline world. Better and bolder media literacy policies should be developed to empower children and their families to deal with the many challenges arising from the digital revolution, in line with Sustainable Development Goal 4. UNESCO had developed Internet Universality Indicators, which included indicators related to children's rights, to assess States' compliance in the areas of rights, openness, accessibility and multi-stakeholder participation. Many member States had started applying the tool, thus creating a potential source of information for the Committee when drafting its new general comment. UNESCO was in the process of gathering information and developing tools related to other technological advancements affecting children's rights, such as artificial intelligence, the Internet of things and big data.

26. **Ms. Grandjean** (United Nations Children's Fund (UNICEF)) said that work was being finalized on six case studies on how engagement with the United Nations human rights mechanisms, including the Committee, had affected children and which engagement strategies had proved most effective. The studies had been conducted in cooperation with the Universal Rights Group, and the report would be launched at two round table meetings with representatives of permanent missions: one in Geneva in spring 2020 and the other in New York later in the year.

27. Building on the success of the child-friendly version of the Convention, a new version for younger children would be produced, most likely in the form of a video animation. A plan was in place to create an online tool to provide guidance to UNICEF country offices when assisting governments in developing and reviewing child rights legislation. The tool would bring together existing guidance, address shortcomings and provide examples of good practice in terms of legislative processes and provisions.

28. Work would continue on strengthening the Fund's application of a human and child rights-based approach to its operations and, in 2020, a global steering group would be established to enhance staff training courses in that regard. Guidance would be developed for UNICEF country offices to enable them to provide support in establishing and strengthening independent human rights institutions. It would build on the existing toolkit for national human rights institutions, which included modules on outreach work and children's rights advocacy, and the participation of children in the work of human rights institutions.

Submission of reports of States parties

29. **Ms. Franchetti** (Secretary of the Committee), giving an overview of developments since the previous session, said that the number of States that had ratified the Convention remained at 196. A total of 45 reports were pending consideration; that figure would fall to 39 by the end of the current session. Six reports had been submitted under the Convention: the initial report of Somalia; the combined fifth and sixth periodic reports of Albania, Israel and Kyrgyzstan; the sixth periodic report of the Dominican Republic; and the combined sixth and seventh periodic reports of the Russian Federation. While the Committee had received a hard copy of the initial report of South Sudan, submission of the electronic version was pending.

30. The Gambia and Myanmar had become parties to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, bringing the number of ratifications to 170. Maldives had ratified the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, bringing the total

number of ratifications to 46. The number of ratifications of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography remained unchanged at 176, and Liechtenstein had submitted its report under that instrument.

Organizational matters

31. **The Chair**, reviewing the items on the agenda, said that five periodic reports and one initial report from States parties would be considered by the Committee during the current session. He welcomed the many partners, including United Nations agencies, non-governmental organizations, national human rights institutions and even children, who contributed to the work of the Committee. Discussions would continue on the Committee's methods of work, as well as on follow-up to the treaty body strengthening process and the 2020 review of the treaty body system. The Committee would consider any communications and information received under the Optional Protocol on a communications procedure. In March 2020, the Committee would hold a one-week extraordinary outreach session in the Pacific region for the review of Cook Islands, Federated States of Micronesia and Tuvalu.

Adoption of the agenda (CRC/C/83/1)

32. The agenda was adopted.

The discussion covered in the summary record ended at 11.05 a.m.