



Convention on the Rights of the Child

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Committee on the Rights of the Child Fifty-ninth session

Summary record (partial)* of the 1669th meeting

Held at the Palais Wilson, Geneva, on Monday, 16 January 2012, at 10 a.m.

Chairperson: Mr. Zermatten

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

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The meeting was called to order at 10.10 a.m.

Opening of the session

1. **The Chairperson** declared open the fifty-ninth session of the Committee on the Rights of the Child and announced that, thanks to a group of NGOs, the Committee's public meetings would from then onwards be broadcast live on the Internet at <http://childrightsnet.org/NGOGroup/CRC/StatePartyReporting/>. He emphasized that the adoption of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, which demonstrated the international community's will to strengthen oversight of respect for children's rights, led the Committee to reconsider the organization of its work.

2. *At the invitation of the Chairperson, the Committee observed a minute of silence in tribute to the memory of Mr. Amor, member of the Human Rights Committee.*

Opening address by Ms. Kyung-wha Kang, Deputy High Commissioner for Human Rights

3. **Ms. Kyung-wha Kang** (Deputy High Commissioner for Human Rights) said that children had become fully-fledged rights holders with the adoption by the General Assembly of the Optional Protocol on a communications procedure on 19 December 2011 through resolution 66/141. The Committee would therefore be able to receive individual complaints of violations of the Convention on the Rights of the Child; the Optional Protocol on the sale of children, child prostitution and child pornography; and the Optional Protocol on the involvement of children in armed conflict; and to draft recommendations for the State concerned. The Committee would also be able to initiate inquiries into grave and systematic violations of the Convention on the Rights of the Child and the Optional Protocols thereto. Children would now benefit from the full range of international protection procedures that safeguarded their rights and were aimed at ending all forms of violence, abuse and exploitation.

4. The Office of the United Nations High Commissioner for Human Rights (OHCHR) would actively encourage all States to move expeditiously towards ratification of the new Optional Protocol so that it could enter into force as soon as possible, following the tenth ratification. OHCHR would also call upon all national, regional and international partners to build capacity, awareness and support for its implementation. Now that the Committee would be developing innovative rules of procedures, she stressed the importance of introducing child-sensitive procedures and safeguards to prevent the manipulation of children by those acting on their behalf under the Protocol and to ensure that the communications procedure was accessible to children and their representatives.

5. The consultations on the treaty body strengthening process, launched in Dublin in November 2009, had culminated in the Dublin II meeting on 10 and 11 November 2011, at which the Committee on the Rights of the Child had been represented by Ms. Lee, Vice-Chairperson of the Committee. The clear recommendations that had painstakingly emerged from the long process of reflection were addressed to treaty bodies, to States and to OHCHR respectively. Noting that many recommendations could not be implemented independently of others, she invited the Committee to reflect on them and to consider their applicability to the Committee. Some States considered that the consultation with States had been too brief for all the issues to be addressed in full. The High Commissioner would therefore organize two informal consultations: in Geneva on 7 and 8 February 2012, and in New York on 2 and 3 April 2012 and would publish a report on treaty body strengthening in mid-2012.

6. The members of the Committee on Enforced Disappearances, the tenth treaty body, had been elected on 31 May 2011 and had held its first session in Geneva from 8 to 11 November 2011.
7. Following Human Rights Council Resolution A/HRC/RES/16/12, the High Commissioner for Human Rights had produced a report on the protection and promotion of children working and/or living on the street (A/HRC/19/35), which would be considered during the nineteenth session of the Human Rights Council. In her report, the High Commissioner invited the Committee on the Rights of the Child to prepare a general comment on non-discrimination and children in street situations, so as to provide States parties to the Convention on the Rights of the Child with more detailed guidance on adopting a holistic, rights-based approach to support for children in street situations. The report drew on a wide variety of submissions from States, national human rights institutions, and civil society, as well as on the results of an OHCHR-organized expert consultation in November 2011, in which Mr. Zermatten and Ms. Herczog had participated.
8. The next Human Rights Council day of discussion, scheduled for 8 March 2012, would be devoted to children and the administration of justice. An expert consultation on ways to combat and prevent violence against children within the juvenile justice system would be held beforehand on 23 and 24 January in Vienna. The meeting, in which Ms. Sandberg would participate, would be organized jointly by the United Nations Office on Drugs and Crime, the Special Representative of the Secretary-General on Violence Against Children, and OHCHR.
9. Although the timeliness of translations of essential documents had slightly improved, there were still problems with the translation of replies to the list of issues. She thanked the United Nations Children's Fund (UNICEF) for having once again provided informal translations of some documents for the session.
10. **Mr. Kotrane**, welcoming the interest shown by OHCHR in the work of the Committee, said that it would be expedient to improve the coordination of treaty body activities. He regretted that the informal meeting organized on 7 and 8 February 2012 to follow up on the Dublin process consultations and to which he had been asked to represent the Committee, coincided with the pre-sessional working group meetings.
11. **The Chairperson** hoped that, in future, it would be the Committee itself that was invited to participate in meetings organized by OHCHR, leaving it to choose its own representative.
12. **Ms. Kyung-wha Kang** (Deputy High Commissioner for Human Rights), remarking on the difficulty of taking into account the obligations of all stakeholders, including those of the High Commissioner herself, nonetheless assured the Committee that OHCHR would endeavour to respond to each stakeholder's requirements.
13. **Ms. Mauras Perez** deplored the fact that, although the issue had already been raised several times, Spanish translations of States parties' reports and the Committee's concluding observations were still not employing the terms in the glossary that had been established in cooperation with members of the Spanish Translation Section.
14. **Ms. Lee** asked whether OHCHR considered expedient the initiative submitted to the General Assembly by the Russian Federation on the reform, rather than strengthening, of the treaty body system.
15. **Ms. Kyung-wha Kang** (Deputy High Commissioner for Human Rights) said that the concerns of Ms. Mauras Perez regarding translation into Spanish would be communicated to the Spanish Translation Section of the United Nations Office at Geneva.

16. The discussions in New York sparked by the Russian initiative were being closely followed by OHCHR, which had made it clear to co-author States that the initiative could not be allowed to undermine OHCHR efforts to strengthen the treaty body system. The intergovernmental initiative demonstrated the usefulness of drawing member States' attention to the needs of treaty bodies and should assist OHCHR to raise further awareness of its participative and fully transparent endeavours to strengthen the system.

Adoption of the agenda (CRC/C/59/1)

17. *The agenda was adopted.*

Submission of reports by States parties

18. **Ms. Franchetti** (Secretary of the Committee) said that, as at 16 January, Nauru, Tonga and Tuvalu remained the only three States parties not to have presented an initial report under the Convention. The Central African Republic had submitted its second periodic report, the Gambia its combined second and third periodic reports, Jamaica its combined third and fourth periodic reports, Kazakhstan its fourth periodic report, and Colombia its combined fourth and fifth periodic reports. Cambodia, Singapore and the Netherlands had submitted their initial reports under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and Greece and Switzerland had submitted their initial reports under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. In total, 143 States had ratified the Optional Protocol on the involvement of children in armed conflict, and 151 the Optional Protocol on the sale of children, child prostitution and child pornography.

Consideration of reports of States parties

19. **The Chairperson**, having read out the timetable for the consideration of periodic reports submitted by States parties found on page 4 of the agenda, noted that the number of States parties submitting initial reports to the Committee under the two Optional Protocols was constantly rising and that it was therefore more important than ever to reflect on how the reports could be most efficiently handled.

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

20. **The Chairperson** said that, as at previous sessions, it had been necessary to limit the number of additional meetings, owing to the Committee's heavy workload. He invited Committee members to take note of the list of meetings that the Committee would hold in private, which was detailed in the personal file they had been given. He was pleased that the Committee would meet with Thai children during the session.

Days of general discussion

21. **The Chairperson** recalled that the Committee had decided during its fifty-eighth session that the 2012 day of general discussion, which would take place in September, would be devoted to children in migration situations. It was therefore a good idea to begin reflecting on the issue during the current session, and to set the priorities.

General comments

22. **The Chairperson** said that the Committee would continue to work on the general comments currently being drafted which focused notably on the best interests of the child,

the right to play, the right to the highest attainable standard of health, and on business and children's rights.

Future sessions

23. **The Chairperson** announced that the sixtieth session of the Committee on the Rights of the Child would be held at the Palais Wilson from 29 May to 15 June 2012.

The discussion covered in the summary record ended at 10.50 a.m.