



**Convention on the  
Rights of the Child**

Distr.  
GENERAL

CRC/C/1991/SR.17  
16 October 1991

Original: ENGLISH

---

COMMITTEE ON THE RIGHTS OF THE CHILD

First session

SUMMARY RECORD OF THE 17th MEETING

Held at the Palais des Nations, Geneva,  
on Friday, 11 October 1991, at 10 a.m.

Chairman: Mrs. BADRAN

CONTENTS

Cooperation with other competent bodies

Future meetings of the Committee

---

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 10.25 a.m.

COOPERATION WITH OTHER COMPETENT BODIES (agenda item 9)

1. Mr. HARDER (International Save the Children Alliance) said that ISCA was an association of 22 groups working for the betterment of children through development assistance and children's rights activities around the world. Its programmes currently affected over 90 countries; the annual budget for 1990 had been over \$US 230 million.

2. ISCA's activities focused on a participatory and integrated approach to development in sectors such as primary health care, small-scale enterprise development, agriculture, education, appropriate technology and training. The assumption was that those it served must participate fully in development decisions affecting their lives and that self-sufficiency and sustainability were critical objectives.

3. He could not overemphasize the extent to which the Convention on the Rights of the Child had influenced ISCA's work, not only that of the secretariat in Geneva, but also that of field workers throughout the world. It had contributed to the drafting of the Convention and had worked actively to give greater visibility to that new and important instrument. It had adopted a resolution urging all Governments to seek unconditional ratification of the Convention as soon as possible. It had emphasized the Convention's provisions in a charter and a number of general strategy papers it had drafted recently and had also produced position papers on specific articles.

4. The Committee's cooperation with non-governmental organizations should complement and enhance the work that Governments, intergovernmental organizations and other competent bodies were doing. The NGO community should provide practical solutions that built on its own strengths, fill in any existing gaps and avoid duplicating the ongoing efforts of others.

5. Establishing a new overall structure for NGO input might be more cumbersome than useful. A good structure already existed in the form of the NGO group on the Convention. Any NGO structure that interacted with the Committee should have strong contacts at the grass-roots level and experience relating to specific articles of the Convention. The contacts should be able to provide documentation and research to assess current trends and activities in the area of children's rights at the national level. It might be useful to have a national focal point, which might be an intergovernmental organization in whose work NGOs could participate regularly.

6. ISCA had recently carried out a study of the guidelines on refugee children produced by the Office of the United Nations High Commissioner for Refugees and could work with UNHCR officials in providing information under article 22 of the Convention.

7. Members of ISCA had gained vital experience in southern Africa in family tracing, family reunification and the provision of psycho-social services for children - something about which a great deal less was known than about the treatment of physical trauma. They could be of assistance in providing

background data and documentation on children traumatized by war. The sexual exploitation of children was also a matter of concern to ISCA and one of its members had recently completed a study on that problem in developing countries. A mechanism should be established for receiving NGO input on that subject.

8. Those were just some of the practical links between ISCA's activities and specific articles of the Convention. Measures should be taken to ensure that NGOs with child-centred strategies and significant field experience at the grass-roots level could contribute to the Committee's work. Such measures would also further the aim of establishing a platform for advocacy, education and public visibility in relation to the Convention.

9. Ms. BERNARD-MAUGIRON (International Service for Human Rights) said that ISHR assisted non-governmental organizations in gaining an understanding of and using United Nations human rights procedures. It attended all meetings of human rights treaty bodies held in Geneva and published reports on them. It sent out circulars to non-governmental organizations, advising them of imminent meetings of such bodies and of the specific States parties whose reports were to be considered. Some non-governmental organizations transmitted documents to treaty bodies through ISHR. Others chose to attend meetings and, in such cases, ISHR accompanied and assisted them.

10. ISHR did not specialize in the rights of the child, but it needed to be informed about how the Committee functioned in order to advise non-governmental organizations that wished to contribute to its work. She therefore requested clarification on a number of points.

11. The phrase "other competent bodies concerned", used in rule 34, paragraph 2, of the draft provisional rules of procedure (CRC/C/L.1), was clearly intended to refer to non-governmental organizations, but which ones? Some non-governmental organizations that were not in consultative status with the Economic and Social Council had not been permitted to make statements during earlier meetings of the Committee. Did the Committee really plan to exclude organizations that did field work, had never been in contact with the United Nations and had therefore never needed to request consultative status? It was those very organizations that could make a vital contribution to the Committee's work.

12. ISHR would like to know how the Committee understood the word "observers", as used in rule 34, paragraph 2: it endorsed the interpretation given by Miss Mason. Other members of the Committee had seemed to imply that observers had the same rights as the members of the Committee except in connection with the adoption of decisions. Did that mean non-governmental organizations could make statements at any time during a discussion?

13. ISHR was interested in the transmission of documents referred to in articles 45 and 69 of the Convention and in rule 37, paragraph 2, of the draft provisional rules of procedure. Article 45 provided that the Committee could "invite" organizations to provide expert advice, but what happened if non-governmental organizations had pertinent documents to offer, but had not been specifically invited to do so? If they could circulate such documents only at the Committee's meetings, as was currently the case for most human

rights treaty bodies, the members of the Committee would be unable to take full advantage of the information. The Committee had discussed the establishment of a pre-sessional working group and it would be preferable for such documents to be submitted to that group. Alternatively, the Committee could authorize the secretariat to receive information from non-governmental organizations and transmit it to members between sessions.

14. Non-governmental organizations often had problems in acquiring documents, especially if they had no correspondent in Geneva. ISHR advised such organizations to obtain reports by States parties and summary records of meetings from their local United Nations information centre. Yet the organizations often replied that those documents were not available at such centres. That was why ISHR welcomed the proposal that a fourth paragraph should be added to rule 37 of the draft provisional rules of procedure concerning the provision of documentation to United Nations information centres or that a recommendation on the subject should be drafted.

15. It would be useful for the Committee to publish periodic press releases providing the latest information on the receipt of reports by States parties, the deposit of instruments of ratification and other news.

16. Ms. EDMONDS (World Association for the School as an Instrument of Peace) said that her organization promoted the teaching of human rights, especially the rights of the child, throughout the world. Its sister organization, the International Centre for the Training of Educators in Human Rights and Peace, had organized seminars on teaching human rights to instructors in Western Africa and Central America and was planning similar seminars in Asia. The two organizations sought to popularize the purposes outlined in article 29 of the Convention through action by teachers in primary, secondary and vocational schools.

17. As a result of a recent reorganization, her association was helping to monitor the implementation of article 42 of the Convention by developing methods of evaluating whether the Convention's principles and provisions were truly being made widely known in States parties. The Association had been using multimedia facilities and dialogue among older children, inter alia, to expand awareness among children of their rights and to encourage them to fight, within the limits of the law and the Convention, for those rights. The Association stood ready to help the Committee in all areas of concern to it.

18. Ms. MULLER (International Movement ATD Fourth World) said that her organization represented families living in extreme poverty, as well as individuals and non-governmental organizations with a long-standing commitment to such families. Founded in Paris in the 1950s, the Movement had spread to all countries of the world, to the most varied of impoverished areas in both industrialized and developing countries. It had created an environment in which families crushed by inhuman living conditions, violence and neglect could give voice to their sufferings, join together and ultimately take their place as partners in society. The Movement served as an interpreter of the experience, thoughts and hopes of families and children living in extreme poverty. It stood ready to give the Committee in-depth information to help it rebuild the bridges between the most disadvantaged population groups and human rights advocates.

19. The primary source of anxiety for highly disadvantaged families was their children's future and the preservation of the family unit, for such families were constantly in danger of being broken up.

20. In both industrialized and developing countries, extremely impoverished children and their families lived in the most unsanitary, isolated, poorly equipped and unsavoury areas. Where armed conflict was in progress, they were among the least well-protected groups in the civilian population. In other cases, they were forced to wander from place to place to escape famine, natural disasters or hostility. In extreme circumstances, families were obliged to send their children out onto the streets. Whatever the economic, social or cultural situation of the country, the lives of extremely impoverished children contrasted sharply with those of other children.

21. Yet the children themselves were largely the motive for change: their situation so clearly illustrated what each child should be spared, was so intolerable, that it had prompted the adoption of the Convention and the Declaration of the Rights of the Child. Unhappily, the very children who had sparked the change would not benefit from the improvements, owing to their extreme poverty and isolation, unless the measures adopted were tailored to their needs and regularly refitted to their situation.

22. The crucial issue facing all human rights advocates was how to ensure that the progress envisaged by the Convention on the Rights of the Child touched extremely impoverished children. Her organization called on the Committee to give special attention to such children. In the guidelines for the reports of States parties, it should indicate that States should constantly investigate how extremely impoverished children were affected by their programmes on children's rights. They should look, for example, at whether steps taken to ensure education for all had truly enabled all children to go to school. They should determine whether handicapped children from extremely poor areas had really benefitted from special programmes. It was also important to identify any measures that had enabled children to remain in the family and not be separated from it as a result of poverty.

23. The purpose of such investigations was not to blame States, institutions or families for situations of extreme poverty: the research should be carried out with a view to encouraging the collaboration and commitment of everyone involved with the most impoverished, in line with the constructive approach the Committee was constantly seeking. Such analysis would show children and families living in extreme poverty that they were no longer alone in their daily struggle and that they could henceforth count on each member of the Committee to be determined to see that no child failed to benefit from the Convention's provisions.

24. Mrs. UNDERHILL (International Association of Penal Law) said that AIDP, which had members in over 90 countries, consisted of lawyers, barristers and judges. She herself had been a barrister and judge in juvenile and other courts in a number of countries.

25. AIDP maintained a close relationship with the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs and had worked with it in the drafting of a number of conventions.

26. She pointed out that the Committee was the first body in which her delegation had been given full documentation, a practice not followed in other Committees. She had also received copies of the various amendments to the rules of procedure and had had an opportunity to follow the proceedings of the Committee.

27. It was essential that all relevant documentation should be distributed to all non-governmental organizations so that they could continue to make a contribution to the work of the Committee.

28. Mr. CANTWELL (Defense for Children International Movement) said that the item under consideration related not only to non-governmental organizations, but to other competent bodies as well, including regional intergovernmental organizations such as the Organization of African Unity, which had its own convention on the rights and welfare of children, the Organization of American States, the Council of Europe and the Arab regional bodies. It also concerned quasi-official international bodies, such as INTERPOL, which had participated in the Committee's informal meeting in May 1991, and the Interparliamentary Union, which had adopted some important resolutions concerning the rights of children.

29. The item was also related to national research institutes, which had made a very important contribution. It was conceivable that, on certain issues, the Committee might wish to invite governmental agencies, such as national commissions on the rights of the child or children's ombudsmen, which existed in a number of countries, to participate in its work not as representatives of a particular State party, but because of the information they could provide.

30. His own organization intended to provide the Committee with information on the progress which had been made and on any obstacles that might exist in the implementation of the Convention in States parties. It had more than 30 national sections throughout the world, many of which were located in States parties to the Convention. It also intended to assist in the compilation of international standards and would like to contribute to the study on reservations and declarations.

31. His organization had specialized in certain issues, such as juvenile justice and adoption, and was beginning to expand that expertise into questions concerning family unity in general. In Latin America, it had organized no fewer than five regional seminars concerning juvenile justice and three national seminars on the same topic. It had also provided technical advice, in cooperation with other non-governmental organizations, to individual countries, such as Romania, Barbados, Uganda and Myanmar.

32. His organization also had a working relationship with non-United Nations bodies such as The Hague Conference on Private International Law, with which it had worked on the question of international adoption.

33. It should be noted that his organization did not intend to interfere in the work of the Committee. He suggested that the Committee's approach to other competent bodies should be as flexible as possible and should include organizations such as the ones he had mentioned. Written input to the Committee's work was perhaps more important for his organization than actual

participation in meetings. However, he was concerned that the Committee might begin to receive written communications from non-governmental organizations in languages which the majority of members did not know. It was therefore important that the Committee should take steps to ensure that at least certain kinds of written communications would be accessible to all the members.

34. His organization would have more to contribute in subcommittees or working groups than in plenary meetings. It had considerable experience in the matter and intended to do its utmost to help the Committee achieve its goals.

35. Mr. O'DONNELL (Defense for Children International Movement) said that, as convener of the NGO group for the Convention, he wished to ensure that the Committee was fully aware of the ongoing existence of that structure for cooperation among NGOs which had been extremely active in connection with the drafting of the Convention.

36. It should be noted that the NGO group had reorganized itself into thematic subgroups in order to discuss specific issues such as the exploitation of child labour so that the combined network of NGOs could be put to maximum use in ensuring that appropriate information reached the Committee and other United Nations bodies. Through the subgroups, it was also possible to reach out to the national level and the NGO community in general in terms of feeding information from the Committee and other United Nations bodies so that the non-governmental community could continue to be informed of development within the United Nations system.

37. National coalitions among non-governmental organizations already existed in a number of countries, such as the United Kingdom and Chile, and it would be useful for Governments to consult them in preparing their reports. It should also be noted that those groups could provide the Committee with grass-roots information about the situation in the various countries, thereby supplementing the information contained in the reports submitted by States parties.

38. In conclusion, he noted that the Committee was surrounded by a wide range of intergovernmental and governmental groups working in the same direction to ensure the full implementation of the Convention and that the NGO group was a strong force in those efforts.

39. Mrs. DUTLI (International Committee of the Red Cross) recalled that ICRC was concerned with the fate of children in situations of armed conflict and above all with the promotion, observance and implementation of the Geneva Conventions. It was therefore prepared to take part in the Committee's work on the implementation of article 38 of the Convention.

40. Mrs. BELEBAOGO drew attention to the active role played by non-governmental organizations on behalf of children. Although the Convention did not refer specifically to those organizations, it did call for their active participation as competent bodies. She asked whether the secretariat could make available a list of non-governmental organizations in consultative status with the Economic and Social Council and requested information on the criteria for granting consultative status with United Nations bodies.

41. Mr. HAMMARBERG said that the Committee had not yet completed the adoption of its rules of procedure, as it had wanted to take account of the dialogue with non-governmental organizations in order to determine what type of relations it should maintain with them and to decide on the distribution of documents before and after sessions.

42. He agreed with Mrs. Balembaogo that the Committee should maintain a constructive relationship with non-governmental organizations, even though it was a treaty body, not a political body, and had to strike a balance between receiving too much information and spending too much time in meetings, on the one hand, and benefiting from the information available from non-governmental organizations, on the other. Non-governmental organizations, particularly those with both international contacts and members at the national and local levels, had information that could be of great value to the Committee.

43. In cooperation between the Committee and non-governmental organizations, the primary emphasis should be on contributions during pre-session periods, as in the case of the United Nations specialized agencies, so that information would be available before the Committee discussed reports by States parties. Efforts should be made to ensure that there was a two-way flow of information between the Committee and non-governmental organizations. The Committee would probably have to take the initiative in calling for the information it would need for much of its work, but, to that end, it would have to be kept abreast of the activities of non-governmental organizations.

44. Mrs. SANTOS PAIS said she agreed that there must be a two-fold approach to relations with non-governmental organizations. It was to be hoped that non-governmental organizations would be able to follow the Committee's work and that the Committee would make documents and information available to them in order to keep them up-to-date on important issues.

45. The Committee also had to decide whether information submitted by non-governmental organizations should be considered unofficially and privately or whether some of that information should be given official status and included in the documentation to be distributed by the Committee. The nature of the participation of non-governmental organizations at the pre-session stage should also be discussed. Other aspects to be considered included the capacity of non-governmental organization, both at the international level and at the national and community levels, and the need for complementarity as an important element of efforts to guarantee effective action and avoid duplication.

46. She asked what steps had been taken by non-governmental organizations in relation to computerization and data processing, as such experience might be of use to the Committee.

47. Mrs. EUFEMIO, noting that some non-governmental organizations were classified as professional groups, said that, in future, the Committee might need research and scientific studies on relevant subjects. While the Committee could recommend to the General Assembly that studies should be undertaken on specific issues, it might also consider the possibility of an informal arrangement by which non-governmental organizations would undertake studies and make the results available to it.



48. Mrs. KLEIN (Representative of the Secretary-General), replying to a question raised by Mrs. Belembaogo, said that a list of non-governmental organizations in consultative status with the Economic and Social Council was updated and published on a regular basis and could be made available to the members of the Committee. Applications for consultative status were submitted on a two-yearly basis to the relevant Committee of the Economic and Social Council, which took account of the activities of the organizations concerned and decided on their status and category on the basis of those activities and their relevance to compliance with the United Nations Charter.

49. Miss MASON suggested that a subcommittee might be established in which the non-governmental organizations concerned could take part as appropriate under items corresponding to the headings contained in the guidelines.

FUTURE MEETINGS OF THE COMMITTEE (agenda item 10)

50. Mr. HAMMARBERG noted that there had been much informal discussion concerning dates for the Committee's future sessions. Based on the members' desire to hold two sessions a year, January and September appeared to be suitable from 1993 onwards. Regarding 1992, during which the General Assembly would be considering the request for two sessions, sessions could be held in the spring and the autumn. The spring session might deal with the Committee's contribution to the World Conference on Human Rights, its working methods, documentation, technical advisory groups and pre-sessional meetings to prepare for the consideration of reports of States parties.

51. By the autumn session of 1992, he hoped that the Committee would have some reports of States parties before it. The exact dates of that session would depend on the ability of the secretariat to process the reports and of the members to read them, as well as on the availability of United Nations facilities.

52. Another proposal that had been put forward related to the holding of an informal meeting in May, at the invitation of UNICEF, in Brazil or Colombia. A formal decision need not be taken at present, but the informal meeting should be kept in mind in view of the fact that it would take the place of the regular session in May.

53. Mgr. BAMBAREN GASTELUMENDI pointed out that the 1 September deadline for the submission of reports would make it virtually impossible for the members to read them in time for a September session. In October 1992 the Latin American countries would have a heavy agenda in connection with the 500th anniversary of the discovery of the Americas. The end of October or beginning of November would thus appear suitable. With regard to the informal meeting, the dates and venue should be left open for the time being. As to sessions in January, it would be difficult for him to be present during the third and fourth weeks of January and he wondered whether they could not be held in February instead.

54. Mrs. KLEIN (Representative of the Secretary-General) said that she had had preliminary contacts with members of the Conference Services Division concerning the Committee's future sessions. Since a number of other conferences were already scheduled for May 1992, the dates 15-26 June had been

suggested. For the autumn session, the Conference Services Division had suggested 28 September-9 October. A later date would be difficult, since several other treaty bodies had meetings scheduled in mid-autumn or late autumn, after which it would be too close to Christmas to schedule another session. In any event, the time required to translate and reproduce the reports, as well as the six weeks allotted to members to read them, would make it impossible to consider reports of States parties at an autumn 1992 session.

55. With regard to 1993, the Conference Services Division saw no problems in scheduling a January session. The second and third weeks would be possible if they suited Mgr. Bambaren Gastelumendi better. February, however, was out of the question, since it was impossible to schedule another conference while the Commission on Human Rights was in session. Late September through early October was also possible in 1993.

56. Replying to a question by Miss Mason, she said that, once the General Assembly had taken a decision concerning the Committee's two sessions a year, the Centre for Human Rights would communicate the proposed dates in writing to the Conference Services Division for confirmation.

57. Mrs. SANTOS PAIS proposed that the Committee should adopt a recommendation to the General Assembly in connection with its request for two sessions a year.

58. Mr. KOLOSOV said that he was certain that the June agenda proposed by Mr. Hammarberg would be adopted. However, he wondered what the agenda would be for the autumn 1992 session if reports by States parties were unavailable. If that were the case, he proposed that the January 1993 session should be three weeks in length.

59. Mr. HAMMARBERG noted that the Committee did not have all the necessary information before it to take a decision. He proposed that the Chairman and the Rapporteur should work out a schedule of sessions, including agendas and working groups.

60. The CHAIRMAN said that, if she heard no objection, she would take it that the Committee accepted Mr. Hammarberg's proposal.

61. It was so decided.

The meeting rose at 1 p.m.