Statement by Ms. Kirsten Sandberg

Chairperson of the Committee on the Rights of the Child

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ORAL REPORT ON THE WORK OF THE
COMMITTEE ON THE RIGHTS OF THE CHILD

Ms. Kirsten Sandberg, Chairperson of the Committee on the Rights of the Child

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New York, 16 October 2013

Mr. Chairperson, Excellencies, distinguished delegates, colleagues and friends from the United Nations system and non-governmental organizations,

Allow me to begin by stating what a great honour it is for me to be here today as this is my first statement before the General Assembly as Chairperson of the Committee on the Rights of the Child. I would like to take advantage of this occasion to warmly thank the outgoing Chairperson, Mr. Jean Zermatten, for his wise guidance and leadership over the past two years, a period when the Committee has had to face important challenges including the increase in the reporting backlog and preparations for the entry into force of the Optional Protocol on a communication procedure.

Mr. Chairperson,

Through our work of examining reports from States parties we see some encouraging improvements in governments’ awareness of children’s rights and their willingness to implement them. There are many good efforts and results, not only in areas like health and education, but also with regard to child participation. However, the variations are great and there are some disturbing developments. Violence is still widespread – in the family, in schools, in institutions, as is sexual and other forms of exploitation. There are disparities between rural and urban areas and inequalities affecting children in poverty and other vulnerable situations. We see discrimination of children with disabilities, girls, children of ethnic minorities, and large scale unnecessary placement of children in institutions, as well as unaddressed issues in juvenile justice. And, as we know, in times of conflict and crisis children are the ones worse off. It is all the more important to strengthen children’s individual rights.

Mr. Chairperson,

The Committee is following with great interest the Intergovernmental Process on the strengthening of the treaty body system which is being considered by the Assembly. A very welcome aspect of the process has been the manner in which it allowed for the input of treaty body experts, including the Committee on the Rights of the Child. This included the opportunity to engage directly with the former co-facilitators of the process via video-conference during the Committee’s sixty-third session on 12 June 2013. The Committee reiterated its support for the five key principles for a successful outcome of the treaty body strengthening process decided during the 25th Annual Meeting of Chairpersons, namely:
(1) strengthened human rights protection;
(2) respect for the independence and impartiality of the treaty bodies and their members;
(3) the need for a comprehensive and sustainable outcome.
(4) costs savings to be reinvested in the treaty body system; and
(5) modernizing of the work of treaty bodies by taking full advantage of new technologies.

The treaty body strengthening process is particularly important for the Committee as the Convention on the Rights of the Child is the most widely ratified UN human rights instrument, ratified by 193 States. This translates into a large number of reports being submitted for consideration by the Committee, including reports under the two Optional Protocols on, respectively, the sale of children, child prostitution and child pornography, which has by now been ratified by 166 States, and on children involved in armed conflict, ratified by 152 States. The backlog of reports pending consideration by the Committee now stands at 87, including 39 initial reports under the two Optional Protocols. The Committee has been adopting an average of eleven concluding observations for each session which allowed to reduce the backlog from 96 to 87 reports. But more is needed. To respond to the situation, the General Assembly in 2012 authorised the Committee to meet in double chambers during the pre-sessional working group in June 2014 and the session in January 2015. This will expedite and strengthen the Committee’s work. We also note that the draft elements for a resolution contained in the co-facilitators’ report include the recommendation of an increase in the meeting time of the Committee by three weeks per year, which we consider a recognition of our workload. However, a sustainable solution is required, and hence the Committee’s strong support for the intergovernmental process, which we note has been extended until the first half of February 2014. In this regard, the Committee on the Rights of the Child expresses the hope that a final, comprehensive and sustainable solution will be reached by then.

For its part, the Committee has continued to improve its working methods, seeking greater efficiency. A number of the recommendations contained in the High Commissioner’s report on treaty body strengthening have been implemented. For example, during the sixty-fourth session, which ended on 4 October, for the first time the Committee used the country task force system to prepare the examination of State party reports. This procedure resulted in the more efficient use of time during the interactive dialogue between the Committee and the State party. In addition, during the sixty-second and the sixty-fourth sessions, the Committee reviewed two States parties, Niue and Tuvalu, via video-conference from the UNICEF office in Fiji, allowing for fruitful and interactive dialogues which might otherwise not have been possible.

Mr. Chairperson,

Allow me now to update you on some of the work done by the Committee from its sixty-second to its sixty-fourth sessions. The Committee reviewed and adopted its concluding observations on 34 States parties’ reports. Furthermore, at its sixty-second session, the Committee finalized its work on four General Comments, some of which have been in preparation for some years as members of the Committee undertook the work mostly outside official meeting times and on weekends. The aim of General Comments is to provide States parties with an authoritative interpretation of the rights contained in the articles and provisions of the Convention and its Optional Protocols, provide guidance with respect to particular issues and assist States in understanding how to fulfil their treaty obligations. The issues considered by the Committee were the right of the child to have his or her best
interests taken as a primary consideration; the right of the child to the enjoyment of the highest attainable standard of health; State obligations regarding the impact of the business sector on children’s rights; and the right of the child to rest, leisure, play, recreational activities, cultural life and the arts. The Committee also sent letters to five States parties in order to raise its concern about violations of children’s rights and issued five press releases on country or thematic issues.

Mr. Chairperson,

The Committee is looking forward to the imminent entry into force of the **third Optional Protocol on a communications procedure**. With only two further ratifications children will be empowered to have access to international human rights bodies. Receiving and examining individual complaints from children will be a new way of looking into the implementation of children’s rights in practice and will shed new light on the interpretation of their rights. The possibility under the Optional Protocol to undertake country visits where there are allegations of systematic and recurrent violations of children’s rights will further expand options for accountability. However, this will bring additional work to the Committee, which is a challenge we have to face, and we are considering how to organize our work in this respect.

Mr. Chairperson,

I would like to conclude by recalling that next year the Convention on the Rights of the Child will celebrate its **25th anniversary**. The Committee finds this an excellent opportunity to encourage States that have not already done so to ratify the Convention itself and its Optional Protocols, not least the third Optional Protocol on a communications procedure.

On behalf of the Committee on the Rights of the Child, I thank you for your attention and look forward to a constructive dialogue with you.

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