

Committee on Rights of the Child reminds GA that treaty body experts must be independent

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On 13 October 2010, the Chairperson of the Committee on the Rights of the Child (CRC), Ms Yanghee Lee, delivered an oral report to the General Assembly's Third Committee. She stressed that the quality of the Committee's membership is critical to effective monitoring of State party compliance with the *Convention on the Rights of the Child*, and to the promotion of children's rights.



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In particular, she reaffirmed a key agreement by the treaty bodies' chairpersons, which called on States parties to "refrain from nominating or electing to the treaty bodies, persons performing political functions or occupying positions which were not readily reconcilable with the obligations of independent experts under the given treaty."(2)

In the last year, the CRC has achieved progress in various areas, including engaging in the development of a third Optional Protocol to the Convention, and developing a joint general comment with the Committee on the Elimination of Discrimination against Women on harmful traditional practices, Ms Lee reported. However the Committee continues to face challenges in dealing with its persistent backlog of reports, and she indicated that the Committee may 'in the future' request the General Assembly to reinstitute temporary double chambers to manage the workload.(3) This approach contrasts to that of the Committee Against Torture (CAT) and the Committee on the Elimination of Racial Discrimination (CERD), each of which have appealed for additional meeting time in the next year to address their backlogs of State party reports and communications. A favourable response to these requests would require the General Assembly to adopt respective resolutions committing significant financial resources to enable the Committees to address their work loads, a subject which has proved controversial in previous years.

Ms Lee focused on challenges specific to the CRC's workload, including pointing out that the CRC backlog is a temporary difficulty that relates to the submission of reports under the two Optional Protocols to the Convention.(4) However she also highlighted the general strain on the treaty body system caused by not only backlogs of reports, but insufficient meeting time, inadequate support by the OHCHR Secretariat, and the limited timely processing and translating of documents by UN Conference Services. States need to reflect further on and help find solutions to these problems, and she encouraged the Third Committee to pay due attention to the Secretary-General's report on the evaluation of the use of additional meeting by the human rights treaty bodies,(5) which covers the implications for the treaty body system unless it is allocated significant additional resources.

In addition to the CRC Chair, the Third Committee heard from the Executive Director of the United Nations Children's Fund (UNICEF); the Special Representative of the Secretary-General for children and armed conflict; the Special Rapporteur on the sale of children, child prostitution and child pornography; and the Special Representative of the Secretary-General on violence against children.(6) All speakers except the CRC Chair enjoyed interactive dialogues with the Third Committee following their presentations. Ms Lee requested that the Third Committee also engage similarly with the Chair of the CRC in the future. Such a change would require the General Assembly to specifically request an interactive dialogue in the resolution inviting the Chair to present her oral report.

(1) A meeting of States parties to the Convention on the Rights of the Child is held every two years at the UN in New York in December to elect nine members to the Committee. Nominations are submitted by States parties to the Office of the High Commissioner for Human Rights.

(2) The Eighth Meeting of Chairpersons of Treaty Bodies in 1997 (A/52/507 paragraph 67-68). This agreement was reaffirmed at the Seventh and Ninth Inter-Committee Meetings in 2008 and 2009.

(3) Additional resources were approved in 2008 by the GA in resolution 63/244 that enabled the Committee to meet in double chambers during three sessions between October 2009 and October 2010.

(4) The two Optional Protocols on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography only require reports to be submitted separately once, subsequent reporting obligations are included in periodic reports under the Convention.

(5) A/65/317, available from the [Third Committee documents page](#).

(6) The UN press release covering these presentations and interactive dialogues is available from the [Third Committee press release](#) webpage.