

# The Committee on the Rights of the Child

As with other core international human rights instruments, implementation of the Convention and its two Optional Protocols is overseen by a committee: the Committee on the Rights of the Child, established by article 43 of the treaty. The inaugural Committee, elected in early 1991, was composed of experts from 10 countries and a variety of professional backgrounds, including human rights, international law and juvenile justice. It has since expanded to 18 members, following an amendment to article 43 in November 2002.

The Committee convenes its sessions in Geneva three times a year, in January, May and September; each session lasts four weeks. In addition to monitoring the Convention's implementation, the Committee provides guidance on its interpretation through periodic issuance of General Comments on articles and issues, and also convenes days of general discussion.

In ratifying the Convention, countries agree to submit regular progress reports to the Committee, the first within two years of ratification and subsequent ones every five years thereafter. Each report contains detailed background information about the country in question and offers an account of its progress and constraints in implementing the Convention's articles. Additional progress reports

are required of countries that are party to the Optional Protocols.

Governments are advised to concentrate their reports on 'factors and difficulties' that they have encountered in implementing the Convention's provisions and in setting specific goals for accelerating progress. The Committee openly welcomes alternative reports from non-governmental organizations within the country; these often – although not necessarily – follow the same format as the main country report and attempt to address similar issues. In addition, key UN organizations – including UNICEF – may also contribute their own perspective on the situation of children in the reporting country.

The Committee appoints two rapporteurs to undertake a comprehensive examination of each report and associated documentation and then drafts a list of key issues and questions for discussion with the representatives of the State party. The emphasis is on 'constructive dialogue'. At the end of the dialogue, the Committee holds a private meeting to finalize its concluding observations. These usually include acknowledgement of positive steps that have been taken, identify problematic areas that require greater effort, and provide advice on practical measures that could be adopted to improve child rights. Concluding observations

can also address any point that the Committee considers important for the protection and promotion of child rights. This may entail, for example, requests for policy changes or endorsements of points made by non-governmental organizations.

The concluding observations are made public to enable the press and other groups in civil society to exert pressure for their implementation. In practice, although the Committee can appoint a rapporteur to follow up on relevant issues in the five-year period between reports, non-governmental organizations play a vital part in both monitoring governments' performance and offering appropriate support as they seek to fulfil their obligations to children. In recent years, regional and subregional workshops on implementation of the concluding observations have been organized by the Treaties and Council Branch of the Office of the High Commissioner for Human Rights in Geneva, in cooperation with a host government and UN organs. These workshops, which are held for a group of countries, bring together a diverse range of participants including governmental officials, representatives of national human rights institutions, non-governmental organizations and UN agencies, funds and programmes.

*See References, pages 90–92.*