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Promotion and protection of the rights of children

Status of the Convention on the Rights of the Child

Report of the Secretary-General

Summary

The General Assembly, by its resolution 44/25 of 20 November 1989, adopted the Convention on the Rights of the Child. The Convention was opened for signature in New York on 26 January 1990 and entered into force on 2 September 1990, the thirtieth day after the deposit with the Secretary-General of the twentieth instrument of ratification or accession. As at 22 June 2004, the Convention had been ratified or acceded to by 192 States.

By its resolution 54/263 of 25 May 2000, the Assembly adopted two optional protocols to the Convention. The Optional Protocols entered into force on 12 February and 18 January 2004, respectively. As at 22 June 2004, the Optional Protocol to the Convention on the involvement of children in armed conflict had been ratified by 73 States and signed by 115 States and the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography had been ratified by 73 States and signed by 108 States.

Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction	1	2
II. Status of the Convention on the Rights of the Child	2–3	2
III. Implementation of the Convention on the Rights of the Child	4–10	2

* A/59/150.

I. Introduction

1. In its resolution 58/157 of 22 December 2003, the General Assembly requested the Secretary-General to submit to it at its fifty-ninth session a report on the status of the Convention on the Rights of the Child and the Optional Protocols thereto. The present report is submitted in accordance with that request.

II. Status of the Convention on the Rights of the Child

2. As at 22 June 2004, the Convention on the Rights of the Child had been ratified or acceded to by 192 States. In addition, two States had signed the Convention.¹

3. As at 22 June 2004, the Optional Protocol to the Convention on the involvement of children in armed conflict had been ratified by 73 States and signed by 115 States and the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography had been ratified by 73 States and signed by 108 States.²

III. Implementation of the Convention on the Rights of the Child

4. At its sixtieth session, the Commission on Human Rights adopted resolution 2004/48 of 20 April 2004, entitled "Rights of the child", in which it addressed the general topics of implementation of the Convention and other instruments; protection and promotion of the rights of the child; non-discrimination; protection and promotion of the rights of children in particularly difficult situations; the prevention and eradication of the sale of children, child prostitution and child pornography; and recovery and social reintegration.

5. With regard to the implementation of the Convention, the Commission urged States that had not yet done so to consider signing and ratifying or acceding to the Convention and its Optional Protocols and urged States parties to take all appropriate measures for the implementation of the rights recognized in the Convention. The Commission decided to request the Secretary-General to ensure the provision of appropriate staff and facilities from the United Nations regular budget for the Committee on the Rights of the Child and to take note of the Committee's ongoing efforts to reform its working methods, including the possibility of working in two parallel chambers (see para. 9 below).

6. During the reporting period, the Committee on the Rights of the Child held its thirty-fourth, thirty-fifth and thirty-sixth sessions, from 15 September to 3 October 2003, 12 to 30 January 2004 and 17 May to 4 June 2004, respectively,³ at the United Nations Office at Geneva.

7. In conformity with rule 75 of its provisional rules of procedure, the Committee on the Rights of the Child has decided periodically to devote one day of general discussion to a specific article of the Convention or to a theme related to the rights of the child in order to enhance understanding of the contents and implications of the Convention.

8. At its thirty-fourth session, the Committee devoted its day of general discussion to the theme, “The rights of indigenous children”. Following the general discussion, the Committee adopted a set of recommendations (see CRC/C/133, para. 624).

9. Also at its thirty-fourth session, the Committee adopted a recommendation (including consideration of its programme budget implications), requesting the General Assembly to approve, at its fifty-eighth session, its decision to work in two chambers as of 2005 (CRC/C/133, pp. 3-4 and annex III).

10. The Committee continued its practice of sending a letter to all States parties whose initial reports were due in 1995, requesting them to submit that report within one year. In the same letter, the Committee informed those States parties that, should they not report within one year, the Committee would consider the situation of child rights in the State in the absence of the initial report, as foreseen in the Committee’s overview of reporting procedures (CRC/C/33, paras. 29-32) and in the light of rule 67 of the Committee’s provisional rules of procedure (CRC/C/4).

Notes

¹ For the list of States that have signed, ratified or acceded to the Convention, as well as the dates of their signature, ratification or accession, see www.ohchr.org.

² For the list of States that have signed, ratified or acceded to the Optional Protocols to the Convention, as well as the dates of their signature, ratification or accession, see www.ohchr.org.

³ For the reports of the Committee on these sessions, see CRC/C/133, CRC/C/137 and CRC/C/140.