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**REVIEW OF RECENT DEVELOPMENTS RELATING  
TO THE WORK OF TREATY BODIES**

**Report of the secretariat**

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## I. INTRODUCTION

1. The present report, which has been prepared for the second Inter-Committee meeting and the fifteenth meeting of Chairpersons of human rights treaty bodies, provides information on developments relating to the human rights treaty body system which have occurred since June 2002. In particular, the report highlights the implementation of the recommendations of the fourteenth meeting of Chairpersons and the first Inter-Committee meeting, held on 24 to 26 June and 26 to 28 June 2002, respectively. These recommendations are contained in the reports of those meetings (A/57/56 and HRI/ICM/2002/3). A detailed overview of the working methods of treaty bodies as at June 2002 can be found in the report on the methods of work relating to the State reporting process (HRI/ICM/2002/2), which was prepared as a background document for the first Inter-Committee meeting.

## II. ENHANCING THE EFFECTIVENESS OF TREATY BODIES

### A. Follow-up to the recommendations of the first Inter-Committee meeting

2. The present section provides an overview on initiatives taken to implement the recommendations of the first Inter-Committee meeting. These include developments related to lists of issues and pre-sessional working groups, consideration of reports and multiple chambers, follow-up procedures, measures to encourage reporting collaboration between treaty bodies, and technical assistance.

#### **Lists of issues and pre-sessional working groups**

3. At its twenty-fifth session, in November 2000, the Committee against Torture decided, in conformity with paragraphs 61 and 106 of its rules of procedure to establish a pre-sessional working group as from the biennium 2002-2003. The General Assembly approved the request of the Committee by resolution 56/143 of 19 December 2001.

4. In April 2002, prior to its twenty-eighth session, the pre-sessional working group of the Committee against Torture met for the first time, in order to examine communications submitted under article 22 of the relevant Convention. The working group consisting of four members met for five days preceding each Committee session. As from November 2003, the pre-sessional working group will also prepare lists of issues for States parties' periodic reports which will be considered at the following session.

#### **Consideration of reports and multiple chambers**

5. At its twenty-seventh session in June 2002, the Committee on the Elimination of Discrimination against Women revised its methods of work regarding the consideration of periodic reports. Questions posed by members are clustered in accordance with the four substantive sections of the relevant Convention, and the State party is given an opportunity to respond to questions asked after each cluster. The Committee also set a time limit of five minutes per intervention per expert and a time limit for the presentation of the report by the State party (45 minutes for initial reports and 30 minutes for periodic reports). At the same

session, the Committee also adopted revised guidelines on reporting by States parties which called for concise reports and set a page limit of 100 pages for initial reports and 70 pages for periodic reports (see HRI/GEN/2/Rev.1/Add.1).

6. The Human Rights Committee decided from its seventy-fifth session in July 2002 to introduce Country Report Task Forces in order to increase the effectiveness and efficiency of the Committee in preparing the written lists of issues and to improve the quality of the dialogue between the Committee and the State party under review. The Country Report Task Force consists of four to six members, who are responsible for formulating the list of issues, taking the lead in conducting the dialogue with the State party and, as necessary, assisting the Special Rapporteur on follow-up to concluding observations.

7. The Committee on the Rights of the Child, as a result of the increase in its membership (see Section V, part B.), has discussed the possibility of examining State party reports in multiple chambers. The Committee of 18 members met for the first time in May 2003 at the Committee's thirty-third session. Noting that, prior to the increase of its membership, the Committee had recommended convening in two parallel chambers to review reports as a means of addressing the backlog of reports awaiting review, the Chairperson distributed a discussion paper summarizing previous discussions on working methods as a basis for further dialogue.

8. The paper focused on the feasibility of working in parallel chambers, and included specific ideas for the elaboration of procedural rules, indicating that, by meeting in two chambers for five sessions, the Committee could increase its consideration of States parties' reports from 45 to 80 during the same period. It was noted that this would be of particular significance as the submission of initial reports of States parties under the Convention's two optional protocols is expected in early 2004.

### **Follow-up procedures**

9. The Human Rights Committee began applying a systematic procedure to follow up concluding observations from March 2001. According to this procedure, the Committee identifies a number of priority recommendations and requests the State party to provide additional information on their implementation. Using this information, and any additional information from other sources, the Committee's Special Rapporteur on follow-up to concluding observations and the country rapporteur recommend whether further action, including possible adjustment to the date on which the next report is due, is warranted.

10. Deadlines for the provision of such additional information in accordance with this procedure have fallen due for 17 States parties. Of those 17 States parties, 11 provided complete replies, 3 provided partial replies and 3 did not provide the requested information. With regards to those States that submitted partial replies, the Committee has sought a full reply before considering whether further action is warranted. Where no reply was received from the State party, action is being taken to solicit the provision of the information sought. At the conclusion of its seventy-seventh session in March 2003, the Committee had considered full replies of eight of the States parties. In each case, the Committee decided to take no further action, and thus the date provisionally set in the concluding observations for the provision of the next report became definitive.

11. At its twenty-ninth session in November 2002, the Committee on Economic, Social and Cultural Rights recalled its follow-up procedures adopted at its twenty-first session whereby the Committee may invite the State party to provide additional information on the implementation of certain recommendations prior to the date on which the next periodic report is due. The additional information is considered at the next meeting of the pre-sessional working group and based on the information provided, the Committee may choose to take note of the information, adopt supplementary concluding observations on the issues concerned, request further information or authorize the Chairperson to take up the issue at the next session with a delegation of the State party. If the additional information is not provided by the State party, the Chairperson, in consultation with the Bureau, may choose to take up the question directly with the State party. In cases where the information provided is insufficient, the Committee may also request the State party to accept a technical assistance mission by one or two members. These procedures were applied in one case during the twenty-ninth session.

12. At its thirtieth session in May 2003, the Committee against Torture initiated a practice to follow up concluding observations, similar to the follow-up procedure of the Human Rights Committee. The Committee selects, as appropriate, a number of priority concerns, and requests further information from the State party, within one year, on measures taken by the Government to implement these priority recommendations.

#### **Measures to encourage reporting**

13. In May 2002, the Committee on the Rights of the Child began applying a procedure for dealing with long overdue reports. In cases where an initial report is nine years overdue, the Committee sends a letter of reminder to the State party requesting the submission of its report within the following year, indicating that if this report is not submitted, the country situation will be considered on the basis of available information and in the absence of a report. Six letters of reminder have been sent out, and in three cases the report has been submitted. Three States parties have been scheduled for examination in the absence of a report, during the thirty-seventh session of the Committee in September 2004.

14. At its twenty-seventh session in June 2002, the Committee on the Elimination of Discrimination against Women adopted recommendations regarding incremental measures to encourage reporting. These include, inter alia, systematic reporting reminders, informal meetings between the Bureau and non-reporting States parties either individually or on a regional basis, and closed meetings between the Committee and representatives of individual non-reporting States parties.

15. In addition, as part of its strategy to encourage States parties to report, the Committee has requested the Division for the Advancement of Women to prepare for its twenty-ninth session in July 2003 an analysis of non-reporting States parties in order to facilitate the Committee's consideration of the root causes of non-reporting. The issue of non-reporting was also raised during the Committee's informal meeting with States parties in June 2002.

### **Collaboration between treaty bodies**

16. In 2002, as a follow-up to discussions held at the preceding sessions of both Committees, and in accordance with the recommendations of the first Inter-Committee meeting, the Chairperson of the Committee on Economic, Social and Cultural Rights was invited by the Committee on the Elimination of Discrimination against Women (CEDAW) to have consultations on issues of common concern. At its twenty-ninth session, the Committee on Economic, Social and Cultural Rights requested its Chairperson to explore CEDAW, the possibility of adopting a first joint general comment on article 3 of the Covenant on Economic, Social and Cultural Rights and article 3 of the Convention on the Elimination of all Forms of Discrimination against Women. A draft general comment was prepared by the Chairperson, taking into account relevant provisions of both treaties and submitted for consideration to CEDAW.

17. In January 2003, the Chairperson met with CEDAW during its twenty-eighth session. While welcoming efforts to foster cooperation between the two Committees, CEDAW indicated that there was a need for more careful consideration before a joint general comment was adopted. At the same time, CEDAW expressed its willingness to take advantage of other opportunities for joint work, such as in the area of technical assistance.

18. With respect to its draft General Comment on article 2 on the Nature of the General Legal Obligation imposed on States Parties to the Covenant, the Human Rights Committee has circulated the draft to other treaty bodies for comment, as has been the practice of the Committee on the Rights of the Child and the Committee on Economic, Social and Cultural rights. The draft General Comment has also been posted on the homepage of the Office of the United Nations High Commissioner for Human Rights and comments have been solicited.

19. In a letter dated 14 March 2003, the Committee against Torture has solicited suggestions from the Committee on the Rights of the Child about possible future joint general comments.

### **Technical assistance**

20. The Office of the High Commissioner for Human Rights (OHCHR), in cooperation with the Government of Ecuador, held the first Pilot Workshop for Dialogue on the Concluding Observations of the Human Rights Committee from 27 to 29 August 2002 in Quito. The workshop was attended by representatives of the Governments of Argentina, Costa Rica, Ecuador, Guatemala, Mexico, Peru, the Dominican Republic and Venezuela, as well as by representatives of national human rights institutions, the Inter-American Commission on Human Rights, United Nations agencies and non-governmental organizations (NGOs). The OHCHR Regional Advisor for Latin America, several members of the Human Rights Committee and members of the secretariat acted as resource persons.

21. The purpose of the workshop was to analyse the concluding observations of the Human Rights Committee with a view to strengthening follow-up measures at the national level. Issues such as obstacles to implementation, institutional arrangements and the role of civil society and national human rights institutions in following up concluding observations were discussed.

Participants adopted a broad set of recommendations aimed at States parties, the Human Rights Committee, OHCHR, international bodies, national human rights institutions and NGOs. More detailed information and the conclusions of the workshop can be found in its report (HRI/TB/FU/1).

22. A similar workshop on the follow-up to concluding observations of the Committee on the Rights of the Child for three countries in the Arab region will be held in collaboration with the Government of Syria in September 2003.

23. In April 2003, the Division for the Advancement of Women provided technical input at a regional training workshop, held in Samoa, on reporting under the Convention on the Elimination of All Forms of Discrimination against Women, in which nine countries participated. One CEDAW expert and one staff member from the Division for the Advancement of Women acted as resource persons.

#### **B. Follow-up to the recommendations of the fourteenth meeting of Chairpersons**

24. The following section outlines efforts to implement the recommendations of the fourteenth Meeting of Chairpersons of Human Rights Treaty Bodies, held in Geneva from 24 to 26 June 2002.

#### **Cooperation with the Commission on Human Rights and the Sub-Commission on the Promotion and Protection of Human Rights**

25. In accordance with the recommendation of the meeting, each of the human rights treaty body chairpersons received formal invitations to the fifty-ninth session of the Commission on Human Rights, held in Geneva from 21 March to 25 April 2003. The Chairpersons of the Human Rights Committee, the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child briefed the Commission on the implementation and monitoring of their respective conventions.

#### **Cooperation between treaty body members and special procedures mandate holders**

26. Cooperation between treaty body members and special procedures mandate holders of the Commission has been enhanced with relevant information, including updated list of country and thematic mandate holders, which has been distributed to treaty body experts and special procedures mandate holders via an e-mail listserv.

27. As decided at the fourth joint meeting between the Chairpersons of treaty bodies and special procedures mandate holders, the fifth joint meeting on 25 June 2003 will focus on a specific thematic issue - globalization and its impact on the various mandates of special procedures and treaty bodies. An informal paper has been prepared by the secretariat and circulated to the Chairpersons.

### **Informal meetings with States parties**

28. At the fourteenth meeting of Chairpersons, during the informal consultation with States parties, a significant number of States parties suggested that individual treaty bodies regularly hold informal consultations with States parties on issues of common concern. Since 2002, the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women, the Committee against Torture and the Committee on the Rights of the Child have held at least one informal meeting with States parties in order to brief them on new developments, in particular with regard to working methods, and exchange ideas on how to enhance the work of the respective Committee in a mutually beneficial manner. The Committee on the Elimination of Racial Discrimination will hold its first informal meeting with States parties in August 2003, during its sixty-third session.

29. The Committee on Economic, Social and Cultural Rights held its first informal meeting with States parties on 14 May 2002 during its twenty-eighth session to discuss its revised methods of work and the ongoing revision of its reporting guidelines. The second informal meeting with States parties will be held in November 2003 during the Committee's thirty-first session to discuss the Secretary-General's ideas for reform of the human rights treaty system.

30. The Committee on the Elimination of Discrimination against Women (CEDAW) held an informal meeting with States parties in June 2002 during its twenty-seventh session. CEDAW held an informal meeting with non-States parties at its twenty-eighth session in January 2003 in order to encourage ratification of the relevant Convention. The Committee also decided to convene a meeting with States parties whose reports are more than five years overdue during its twenty-ninth session in July 2003.

31. The Human Rights Committee convened its second informal meeting with States parties in Geneva on 24 October 2002, during its seventy-sixth session. The meeting was attended by 60 States parties. Issues discussed included new working methods of the Committee, follow-up procedures, the link between failure to observe reporting obligations and technical cooperation, the Committee's new procedure for dealing with non-reporting States and the Secretary-General's ideas for reforming the human rights reporting system.

32. The Committee on the Rights of the Child's first informal meeting with States parties was held during its thirty-second session on 29 January 2003. Over 75 States parties attended the meeting, which focused on the methods of work of the Committee and the implications of its increased membership and the Secretary-General's ideas for reform of the human rights treaty system. As with the Human Rights Committee, several States parties also raised the issue of follow-up to concluding observations and technical assistance.

33. During its thirtieth session in Geneva, on 12 May 2003, the Committee against Torture convened an informal meeting with States parties in order to brief States parties about new developments in its working methods, in particular the decision to transmit lists of issues, the amended rules of procedure and the implications of the adoption of the Optional Protocol to the Convention. The Secretary-General's ideas for reform were also discussed at the meeting.



### **III. STRENGTHENING SUPPORT TO TREATY BODIES**

#### **A. Status of the 2002 and 2003 Annual Appeal of the Office of the High Commissioner for Human Rights**

34. The present section outlines the efforts of the Office of the High Commissioner for Human Rights (OHCHR) to implement the activities for which extrabudgetary funds were raised in 2002, as well as the activities for which funding was sought in the 2003 Annual Appeal.

#### **2002 Annual Appeal**

35. Extrabudgetary funding received through the 2002 Annual Appeal was used to provide the secretariats servicing treaty bodies with additional human resources and enhance the capacity of the secretariat to provide research to treaty bodies, respond and process complaints and assist in the implementation of treaty body recommendations.

36. In terms of improved servicing, the reduction in the delay between submission and review of States parties' reports achieved in 2001 was maintained and considerable achievements have been made in processing complaints. New complaints are now handled in a more timely manner, although efforts to improve the response capacity will continue. Complainants receive a response within one month of addressing themselves to OHCHR. New cases channelled through the Human Rights Committee are not yet taken up as quickly as desired. However, final decisions are now adopted in just over 24 months after receipt, which represents significant progress since 1999.

37. These achievements have largely been a result of increased staff on the Petitions Team. The Petitions Team has significantly improved the processing of individual communications received in English and French. Substantial progress was also made with those communications received in Russian and Spanish. However, because of the growing volume of complaints submitted from hispanophone and Russian-speaking countries, additional resources are required to process communications in Russian and Spanish more quickly. While the complaints database has allowed the Petitions Team to generate reports more quickly, its capacity, in particular to sort information according to specified criteria, is in need of further improvement. A consultant was engaged during 2002 to analyse the complaints process and the complaints database with the aim of recommending technical and substantive improvements.

38. Funding from the 2002 Annual Appeal was also used for activities related to the implementation of treaty bodies' recommendations, in particular support to the follow-up procedures of the Human Rights Committee and the Committee against Torture. Consultants were engaged to prepare a concept paper that will underpin a workshop on juvenile justice to be convened by OHCHR. Financial support was provided for, inter alia, informal meetings between treaty bodies and States parties, the first Inter-Committee meeting, and the Committee on the Rights of the Child's day of general discussion in September 2002.

### **The 2003 Annual Appeal**

39. In 2003, the Support Services Branch will focus primarily on elaborating and increasing support to the Documents Processing Unit and the Treaty Body Recommendations Unit, both of which were created in 2002. Staff support will continue at its current level. However, the configuration of the professional staff in the Petitions Team has been revised to address the volume of complaints from Russian-speaking and hispanophone countries. Staff reinforcements will be needed to handle treaty body recommendations.

40. Other planned activities include, inter alia, assistance and support to the drafting of general comments and days of general discussion, compilation of a record of the jurisprudence of the treaty bodies' selected decisions, development of a complaints manual, establishment of a system for maintaining information about good practices in implementing human rights recommendations, and the updating of the human rights reporting manual and individual fact sheets.

#### **B. Treaty Bodies Recommendations Unit**

41. The Treaty Body Recommendations Unit (TBRU) was established in 2002 within the Support Services Branch of OHCHR to follow up on the treaty bodies' concluding observations and on specific requests under the individual complaints procedures. The aim of TBRU is to provide assistance to States and civil society in implementing treaty obligations and recommendations, including ratifying new instruments, reporting, implementing and translating treaty obligations into action. (In this context "recommendations" is a generic term taken to include, inter alia, concluding observations and recommendations, general comments and decisions on individual complaints.)

42. Under the follow-up umbrella, TBRU has provided support to existing follow-up procedures in the Committee against Torture and the Human Rights Committee and the first workshop on follow-up to the concluding observations of treaty bodies, held in Quito in August 2002. Direct contacts have been established with the secretariats of the Inter-American Commission and the African Commission on Human and People's Rights. A number of training sessions with United Nations Country Teams, States parties and members of civil society have been organized with the aim of enhancing the rights-based approach to development issues. In this context, emphasis has been placed on treaty bodies' recommendations as a basis for future action.

43. In 2003 and 2004, a series of similar training workshops will be conducted in Geneva and in the field, and the attendance of NGOs, national human rights institutions and national media networks at treaty body sessions will be facilitated. National-level support for ratification, reporting and follow-up activities will also be provided by OHCHR field presences.

#### **C. Disseminating the work of treaty bodies**

44. During the past year, the Secretariat has implemented several initiatives to enhance the profile of treaty bodies within the United Nations public information programme and make State party reports, communications, recommendations and general comments more accessible to the public.

45. On 4 March 2003, the High Commissioner for Human Rights, the Assistant Secretary-General and Special Adviser on Gender Issues and the Under-Secretary-General for Communications and Public Information sent a letter to all United Nations Information Centres, Services and Offices highlighting the work of treaty bodies. The Information Centres were provided with a list of States parties scheduled for review in 2003, and were urged to give maximum publicity to the activities of the treaty bodies.

46. With a view to enhancing the external awareness of treaty body recommendations, TBRU of the OHCHR Support Services Branch has created an automated public listserve. This listserve, which may be electronically subscribed to by any person through the link provided for on the OHCHR web site (<http://www.unhchr.ch/tbs/doc.nsf>), distributes, at the conclusion of each session of a treaty body, or shortly thereafter, the recommendations issued by that treaty body to all the subscribers on the list. Treaty body members have been added to this listserve. As of May 2003, the listserve has been used to disseminate the concluding observations and decisions on individual complaints adopted by the Human Rights Committee at its seventy-sixth session, the Committee on the Elimination of Racial Discrimination at its sixty-second session, the Committee against Torture at its thirtieth session and the Committee on Economic, Social and Cultural Rights at its thirtieth session.

47. The secretariat is currently in the process of modifying the OHCHR website in order to make information more accessible. A pilot web page was set up for the Committee on the Rights of the Child (<http://www.unhchr.ch/html/menu2/6/crc/>), which allows users directly to access the State party reports, lists of issues, written replies, delegation lists and statements, and concluding observations in all the languages available. These documents are organized by session, for all sessions from 1993 to the present. A tentative schedule of reports until January 2005, with links to the reports where available, is also posted. In addition, users can download the texts of the Convention and its two Optional Protocols, the rules of procedures and guidelines on reporting for States parties and partners, general comments, and information on the days of general discussion. The page is regularly updated and is used as a tool to keep members, partners and the general public aware of new developments with regard to the Committee.

48. The web page on the Meeting of Chairpersons and the Inter-Committee Meeting is being revised in a similar manner. New pages on the development of the human rights treaty system (<http://www.unhchr.ch/html/menu2/system.htm>) and the United Nations Study on Violence (<http://www.unhchr.ch/html/menu2/6/crc/study.htm>) have been created in order to enhance public information on these issues.

#### **IV. THE SECRETARY-GENERAL'S IDEAS FOR REFORM OF THE HUMAN RIGHTS REPORTING PROCESS**

49. In its resolution 57/300, adopted at its fifty-seventh session, the General Assembly, having considered the report of the Secretary-General on "Strengthening the United Nations: an agenda for further change" (A/57/387), encouraged States parties to the human rights treaties and the respective treaty bodies to review their reporting procedures with a view to developing a more coordinated approach and streamlining the reporting requirements under these treaties. The resolution also requested the United Nations High Commissioner for Human Rights to support this exercise, including through the submission of recommendations, as appropriate. In section II, part B, of his report the Secretary-General emphasized the importance of continued

efforts to modernize the human rights treaty system. Against the background of growing delayed or non-reporting by States parties to human rights treaty bodies, as well as the difficult demands reporting to six committees imposes on States parties, the Secretary-General proposed (a) that the Committees craft a more coordinated approach to their activities; and (b) standardize their varied reporting requirements, and that each State should be allowed to produce a single report summarizing its adherence to the full range of international human rights treaties to which it is a party (para. 51). The Secretary-General also requested the High Commissioner for Human Rights to consult with treaty bodies on new streamlined reporting procedures and submit his recommendations to him by September 2003.

50. A number of steps have been taken or facilitated by OHCHR pursuant to the Secretary-General's request. On 1 November 2002, the High Commissioner wrote to the Chairpersons of the six human rights treaty bodies, drawing attention to the Secretary-General's recommendation, as well as the report of the management review of OHCHR which had been conducted by the Office of Internal Oversight Services (OIOS) during 2002. The High Commissioner requested the treaty bodies to give priority consideration to the recommendations of the Secretary-General and those of OIOS, in particular with respect to the modalities for consolidating reporting under various treaty obligations, and to present any views that they might have to him by the end of May 2003.

51. As at 26 May 2003, with the exception of the Committee on the Rights of the Child, all treaty bodies had formally reacted to the Secretary-General's proposals. The Chairperson of the Committee on the Rights of the Child also circulated an informal discussion paper, entitled "Human right treaties: one consolidated report", which he presented to the Committee during its thirty-second session in January 2003.

52. A background note on the Secretary-General's proposals summarizing the reactions of treaty bodies, existing proposals and practices to address non-reporting and the burden of reporting, as well as options for reform, was prepared by the Secretariat and submitted for processing on 11 April 2003 (HRI/ICM/2003/3). The note was submitted to treaty body members, circulated to Member States of the United Nations and NGOs, and made available on the web site of OHCHR, on the web page entitled "Development of the Human Rights Treaty Body System".

53. The background note served as the basis of discussions at an informal brainstorming meeting attended by representatives of the six treaty bodies, Member States of the United Nations, entities of the United Nations system, NGOs, the Inter-Parliamentary Union and a representative of national human rights institutions and hosted by the Principality of Liechtenstein from 4 to 7 May 2003 in Malbun, Liechtenstein. Briefings for interested Member States, NGOs and others on the Malbun meeting took place in New York and Geneva in June 2003. Separate informal briefings were held for NGOs to allow their input.

54. The Malbun report has been provided to the second Inter-Committee meeting, which will be convened in Geneva from 18 to 20 June 2003, and the fifteenth meeting of Chairpersons of human rights treaty bodies, as well as to relevant intergovernmental bodies. Based on the recommendations of the Malbun meeting, the secretariat is formulating harmonized reporting guidelines to govern the technical and formal elements of reports to human rights treaty bodies.

The secretariat is also preparing detailed draft revised guidelines for the core document, and is carrying out an assessment of the practicability and effectiveness of the current guidelines with a view to making recommendations to the Inter-Committee meeting in 2004. A pilot study to determine the feasibility of a single report is also being considered.

## **V. OTHER DEVELOPMENTS**

### **A. The United Nations study on violence against children**

55. On 12 February 2003, United Nations Secretary-General, Kofi Annan, appointed Mr. Paulo Sergio Pinheiro of Brazil as the independent expert to lead a global study on violence against children. The study was initiated by a recommendation of the Committee on the Rights of the Child arising from two days of general discussion on State violence against children (2000) and violence against children within the family and in school (2001). The United Nations General Assembly authorized the study at its fifty-seventh session in 2002.

56. The study will provide an in-depth picture of the prevalence, nature and causes of violence against children, and put forward recommendations for consideration by Member States, the United Nations system and civil society for appropriate action, including effective remedies and preventive and rehabilitative measures at the national and international levels.

57. The independent expert will brief the fifth joint meeting of Chairpersons and special procedures mandate holders on 25 June 2003. The purpose of this briefing is to explore ways in which treaty bodies and special procedures mandate holders can systematically contribute to the study.

### **B. The increase in membership of the Committee on the Rights of the Child**

58. On 18 November 2002 the amendment to article 43, paragraph 2, of the Convention on the Rights of the Child, increasing the Committee's membership from 10 to 18, came into force. The timing of its entry into force coincided with the ninth meeting of States parties, convened to elect new members of the Committee. As a result, at those elections a total of 13 members were elected (eight due to the amendment, plus five as a result of the expiration of the terms of former members).

59. Article 43 of the Convention specifies that, although Committee members are normally elected for a term of four years, the term of five members elected at the first election (1991) shall expire at the end of two years. The purpose of this is to ensure that elections do not result in a Committee made up of entirely new members, thereby retaining a measure of continuity in the Committee's work. A similar decision was adopted for the elections held in February 2003, so that in the current Committee of 18, nine members' terms expire in 2005 and the remaining members' terms expire in 2007. Lots were drawn to determine which of the newly elected members would serve for a term of two years.

**C. Adoption of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**

60. The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was adopted on 18 December 2002 at the fifty-seventh session of the General Assembly of the United Nations by resolution 57/199 and was opened for signature on 4 February 2003 by any State that has signed the Convention. As at May 2003, three States had signed the Protocol. The Protocol will enter into force in accordance with article 28, paragraph 1, after ratification or accession by 20 States. Its entry into force will allow visits to places of deprivation of liberty in those countries by an independent subcommittee of the Committee against Torture. The Protocol also imposes on States parties the obligation to set up or designate independent national institutions which will carry out visits to places of deprivation of liberty.

61. At its thirtieth session in May 2003, in anticipation of the entry into force of the Optional Protocol, the Committee outlined measures to promote its ratification and began elaborating guidelines on cooperation with the subcommittee.

**D. Entry into force of the International Convention on the Protection of the Rights of All Migrant Workers and Member of Their Families**

62. Following ratification by Guatemala on 14 March 2003, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families will come into force on 1 July 2003, in accordance with article 87, paragraph 1, thereof. The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families will initially consist of 10 experts. The election of Committee members by the States parties is set to take place before the end of the year. The membership of the Committee will rise from 10 to 14 experts when 41 ratifications have been received.

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