

State Report of the Convention on the Rights of the Child
---China's Practice and Views

1. Mr. Chairman / Madam Chairperson,

2. Children are the hope and future of mankind, It is the common understanding for the international society to promote and protect the rights of the child. The United Nations, the governments of various nations, the non-governmental organizations aiming at protecting the rights of the child have made a lot of efforts in creating a beautiful world for the children, and have indeed achieved a lot in this arena. It is in this sense that the Convention on the Rights of the Child has been widely accepted by almost all of the nations in the world.

3. In today's meeting, which marks the 15th anniversary of the enactment of the Convention, we are going to discuss and review the problems and difficulties during the implementation of the Convention in the past years, exchange good practice and experience, and find out possible directions and concrete measures of reform. In particular, the review of monitoring mechanism of treaty implementation should be included in today's agenda.

4. Mr. Chairman / Madam Chairperson,

5. Having said that, I'd like to have this opportunity to introduce the implementation of international instruments on the rights of the child in China, the practice for China to draw and submit state report on the Convention, and China's preliminary views on UN's proposal to reform the monitoring mechanism of treaty implementation. It will be my pleasure if my introduction may provide some thoughtful information to you.

6. First, I'd like to introduce the status quo of the ratification and application of the international instruments on the rights of the child in China.

7. The first instrument is the Convention on the Rights of the Child

8. There are 0.35 billion children in China, which is one fifth of the total of the world. Chinese government persistently attaches great importance to the promotion and protection of the rights of the child, taking active part in the international cooperation in this regard. On January 31, 1992, China ratified the Convention on the Rights of the Child, which entered into force in China on April 2 of the same year.

9. In addition, pursuant to its basic state policy of One Country, Two Systems, the Chinese Government continuously supports the efforts for the promotion and protection of human rights in Hong Kong and Macao. Prior to the return of the two regions to China, arrangements had been made with regard to the application of human rights instruments and the submission and consideration of the relevant reports after their return. As a result, after the resumption of sovereignty by China in Hong Kong on July 1 1997 and in Macao on December 20 1999 respectively, the Convention on the Rights of the Child is continuously applied in Hong Kong Special Administrative Region and Macao Special Administrative Region.

10. The second instrument is the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.

11. China ratified this optional protocol on August 29 2002, which took effect on January 3 of 2003. This optional protocol applies to Macao SAR too.

12. The third instrument is the No. 182 Convention of ILO, namely the Worst Forms of Child Labour Convention, 1999.

13. China ratified the No. 182 Convention on August 8 2002, and submitted the first report in June 2004.

14. In addition, China signed the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict in March 2001, which is pending for ratification.

15. Second, I'd like to come to the practice of China to draw up and submit state report.

16. The Chinese Government takes a serious and responsible attitude towards its obligations under the relevant international human rights instruments. It acts in an earnest and sincere spirit in preparing and submitting its periodic reports for the consideration by the relevant treaty bodies. In March 1995, China submitted its first state report on the implementation on the Convention to the Committee of the rights of the child, which was considered and approved in May 1996. In May 2003, the second state report was put forward, which will be considered in September this year. The first report on the Optional Protocol on the Sale of Children is now being drawn by the central government and Macao SAR respectively. We hope to finish and submit this report by April. If everything goes well, it will be considered along with the second report on the Convention in September.

17. The State Report is drawn by the Ministry of Foreign Affairs, by collecting the information and material provided by the relevant competent authorities, scholars and non-governmental organizations. Special seminar was organized for the purpose of amending and supplementing the report. Experienced experts were invited to comment on the report paragraph by paragraph. Through such process where wisdom of the public is drawn, the Ministry of Foreign Affairs takes the responsibility to finalize the draft.

18. During this process, the following two mechanisms, namely the State Council's Working Committee on Women and Children, and the National Coordinating Office on the Protection of the Rights and Interests of Women and Children, have played an important role in the finalization of the State Report, in that they provided the first-hand material drawn from their everyday practice in promoting and protecting the rights of the child.

19. In particular, the number of the members of the State Council's Working Committee on Women and Children, a trans-institutional coordinating mechanism, has enlarged from 19 to 33, which includes several governmental ministries, and some non-governmental organizations as well. This mechanism plays a much more important role in the protection of the rights and interests of the child nowadays.

20. The National Coordinating Office on the Protection of the Rights and Interests of Women and Children was established in November, 2001, which was initiated by 14 governmental institutions and NGOs, the function of which is to push the settlement of some problems, which are either important or difficult in nature. There are five more members recently joined this mechanism. In addition, at the municipal level, 29 provinces, autonomous regions and municipalities directly under the Central Government, and the most of the cities and towns have established such coordinating mechanisms, therefore a vertical system on the protection of the rights of the child has been set up throughout China.

21. Chinese government has conducted good cooperation and communication with Unicef's Office in Beijing during the process of the composition of the State Report. In July 2004, with the assistance of Unicef's Office in Beijing, a seminar on the violence against children was convened, which piled up useful information for the report.

22. The Special Administrative Regions of Hong Kong and Macao are in charge of drawing up their own report. The report is required to be submitted to the Central Government, and then the report of the Hong Kong SAR and Macao SAR, as parts of China's State Report, are submitted to the Committee of the Rights of the Child by the Central Government.

23. Third, also is the last point, I'd like to make some preliminary observations on the reform of the reporting mechanism by UN.

24. We've noticed the guidelines on the reform of state report mechanism of human rights treaties put forward by the United Nations High Commissioner's Office for Human Rights in June 2004, which was to echo the call for simplifying the human rights monitoring mechanism by the Secretary General of UN.

25. The Guidelines designs to reform the methods and procedure of the submission of Core Documents, and the contents of Core Documents are also enlarged as well, since more background information is required. The most significant step is to combine the explanations on the implementation on the same or similar human rights obligations in different human rights treaties. This enlarged core documents is to be submitted, as the first part of the State Report, together with the concrete report on each of the treaty, to the relevant human rights treaty body for consideration.

26. We consider such reform and improvement for the human rights treaty reporting mechanism is necessary, since it is helpful for the improvement of the efficiency of the human rights treaty body and the alleviation of State Parties' burden of submitting reports. In general, these measures are in conformity with most of the countries' wish and requests.

27. Nevertheless, we hope such reform is really helpful to alleviate States Parties' reporting burden, to simplify reporting procedures, and to improve efficiency. The Committee on the Rights of the Child should also consider to adjust and simplify the guidelines on the state report on the Convention of the Rights of the Child and its protocols, based on the above-mentioned measures and principles.

28. Thank you very much, Mr. Chairman/ Madame Chair.