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QUESTION OF A CONVENTION ON THE RIGHTS OF THE CHILD

Report of the Third Committee

Rapporteur: Mr. Francis Eric AGUILAR-HECHT (Guatemala)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 20 September 1986, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-first session the item entitled "Question of a convention on the rights of the child" and to allocate it to the Third Committee.

2. The Third Committee considered the item jointly with items 94, 95, 97, 98 and 103 at its 43rd to 48th, 50th and 51st meetings on 12 to 14, 17, 19 and 20 November. An account of the discussion of the Committee is contained in the relevant summary records (A/C.3/41/SR.43-48, 50 and 51).

3. The Committee had before it the following documentation:

(a) Report of the Economic and Social Council, for the year 1986, chapter V, section A (A/41/3); 1/

(b) Letter dated 31 December 1985 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General (A/41/70-S/17708);

1/ Official Records of the General Assembly, Forty-first Session, Supplement No. 3 (A/41/3).

(c) Letter dated 12 September 1986 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General (A/41/607).

4. At the 43rd meeting, on 12 November, the Assistant Secretary-General of the Centre for Human Rights made an introductory statement (see A/C.3/41/SR.43).

II. CONSIDERATION OF DRAFT RESOLUTION (A/C.3/41/L.44 and Rev.1)

5. At the 50th meeting, on 19 November, the representative of Poland, on behalf of Afghanistan, Argentina, Bolivia, Bulgaria, the Byelorussian Soviet Socialist Republic, China, Colombia, the Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Finland, the German Democratic Republic, Greece, Hungary, Iceland, Indonesia, Madagascar, Mexico, Mongolia, Norway, Peru, the Philippines, Poland, Romania, Spain, Sri Lanka, Sweden, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, Venezuela, Viet Nam, Yugoslavia and Zaire, introduced a draft resolution (A/C.3/41/L.44) entitled "Question of a convention on the rights of the child", which he orally revised as follows:

(a) In the third preambular paragraph, the words "Bearing in mind" were replaced by the word "Reaffirming";

(b) The fourth preambular paragraph which read:

"Recalling in this International Year of Peace, that promotion of international peace and security requires, as solemnly stated in the Proclamation of the International Year of Peace, continuing and positive action by States and peoples aimed, inter alia, at the promotion and exercise of human rights and fundamental freedoms"

was deleted;

(c) A new fourth preambular paragraph, reading:

"Profoundly concerned that the situation of children in many parts of the world remains critical as a result of inadequate social conditions, natural disasters, armed conflicts, exploitation, hunger and disability, and convinced that urgent and effective national and international action is called for"

was inserted.

6. The draft resolution, as orally revised, was subsequently circulated in document A/C.3/41/L.44/Rev.1. Austria, Bangladesh, Canada, Jordan, Spain and the Syrian Arab Republic subsequently joined in sponsoring the revised draft resolution.

7. At its 51st meeting, on 20 November, the Committee adopted draft resolution A/C.3/41/L.44/Rev.1 without a vote (see para. 3).

III. RECOMMENDATION OF THE THIRD COMMITTEE

8. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Question of a convention on the rights of the child

The General Assembly,

Recalling its resolutions 33/166 of 20 December 1978, 34/4 of 18 October 1979, 35/131 of 11 December 1980, 36/57 of 25 November 1981, 37/190 of 18 December 1982, 38/114 of 16 December 1983, 39/135 of 14 December 1984 and 40/113 of 13 December 1985,

Recalling also Commission on Human Rights resolutions 20 (XXXIV) of 8 March 1978, 2/ 19 (XXXV) of 14 March 1979, 3/ 36 (XXXVI) of 12 March 1980, 4/ 26 (XXXVII) of 10 March 1981, 5/ 1982/39 of 11 March 1982, 6/ 1983/52 of 10 March 1983, 7/ 1984/24 of 8 March 1984, 8/ 1985/50 of 14 March 1985, 9/ and 1986/59 of 13 March 1986, 10/ as well as Economic and Social Council resolutions 1978/18 of 5 May 1978, 1978/40 of 1 August 1978, 1982/37 of 7 May 1982, 1983/39 of 27 May 1983, 1984/25 of 24 May 1984, 1985/42 of 30 May 1985 and 1986/40 of 23 May 1986 and Council decisions 1980/138 of 2 May 1980 and 1981/144 of 8 May 1981,

Reaffirming that children's rights require special protection and call for continuous improvement of the situation of children all over the world, as well as their development and education in conditions of peace and security,

2/ See Official Records of the Economic and Social Council, 1978, Supplement No. 4 (E/1978/34), chap. XXVI, sect. A.

3/ Ibid., 1979, Supplement No. 6 (E/1979/36), chap. XXIV, sect. A.

4/ Ibid., 1980, Supplement No. 3 (E/1980/13 and Corr.1), chap. XXVI, sect. A.

5/ Ibid., 1981, Supplement No. 5 (E/1981/25 and Corr.1), chap. XXVIII, sect. A.

6/ Ibid., 1982, Supplement No. 2 (E/1982/12 and Corr.1), chap. XXVI, sect. A.

7/ Ibid., 1983, Supplement No. 3 (E/1983/13 and Corr.1), chap. XXVII, sect. A.

8/ Ibid., 1984, Supplement No. 4 (E/1984/14 and Corr.1), chap. II, sect. A.

9/ Ibid., 1985, Supplement No. 2 (E/1985/22), chap. II, sect. A.

10/ Ibid., 1986, Supplement No. 2 (E/1986/22), chap. II, sect. A.

Profoundly concerned that the situation of children in many parts of the world remains critical as a result of inadequate social conditions, natural disasters, armed conflicts, exploitation, hunger and disability, and convinced that urgent and effective national and international action is called for,

Mindful of the important role of the United Nations Children's Fund and the United Nations in promoting the well-being of children and their development,

Convinced of the positive contribution of an international convention on the rights of the child as a standard-setting accomplishment of the United Nations, in the field of human rights, to protecting children's rights and ensuring their well-being,

Noting with satisfaction the widespread interest in the elaboration of an international convention on the rights of the child displayed by a great number of Member States representing all geographical regions and socio-political systems, as well as by governmental and non-governmental international organizations,

Noting with appreciation that further progress was made in the elaboration of a draft convention on the rights of the child during the forty-second session of the Commission on Human Rights, 11/

1. Welcomes Economic and Social Council resolution 1986/40, in which the Council authorized a meeting of an open-ended working group of the Commission on Human Rights for a period of one week prior to the forty-third session of the Commission in order to facilitate completion of the work on a draft convention on the rights of the child;
2. Requests the Commission on Human Rights to give the highest priority to, and to make every effort at its forty-third session to complete, the draft convention and to submit it, through the Economic and Social Council, to the General Assembly at its forty-second session;
3. Invites all Member States to offer their active contribution to the completion of the draft convention on the rights of the child at the forty-third session of the Commission on Human Rights;
4. Requests the Secretary-General to provide all necessary assistance to the working group in order to ensure its smooth and efficient work in the fulfilment of its important task;
5. Decides to include in the provisional agenda of its forty-second session the item entitled "Question of a convention on the rights of the child".

11/ Ibid., chap. XIII.