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### QUESTION OF A CONVENTION ON THE RIGHTS OF THE CHILD

#### Report of the Third Committee

Rapporteur: Mrs. Ani SANTHOSO (Indonesia)

#### I. INTRODUCTION

1. At its 3rd plenary meeting, on 18 September 1987, the General Assembly, on the recommendation of the General Committee, decided to include in its agenda the item entitled "Question of a convention on the rights of the child" and to allocate it to the Third Committee.
2. The Committee considered the item jointly with items 98, 99, 101, 102, 106 and 107 at its 39th to 41st, 43rd, 46th, 52nd and 53rd meetings, from 9 to 13 and 19 and 20 November 1987. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/42/SR.39-41, 43, 46, 52 and 53).
3. For its consideration of the item, the Committee had before it chapter V, section A, of the report of the Economic and Social Council (A/42/3). 1/
4. At the 39th meeting, on 9 November, the Under-Secretary-General for Human Rights made an introductory statement.

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1/ To be issued as Official Records of the General Assembly, Forty-second Session, Supplement No. 3 (A/42/3).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.3/42/L.45

5. At the 52nd meeting, on 19 November, the representative of Poland introduced a draft resolution (A/C.3/42/L.45) entitled "Question of a convention on the rights of the child", sponsored by Algeria, Argentina, Australia, Austria, Bangladesh, Bolivia, Bulgaria, the Byelorussian Soviet Socialist Republic, Canada, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Egypt, Finland, the German Democratic Republic, Greece, Hungary, Iceland, India, Indonesia, Italy, Jordan, Madagascar, Mexico, Mongolia, Morocco, Norway, Peru, the Philippines, Poland, Romania, Senegal, Spain, Sri Lanka, Sweden, the Syrian Arab Republic, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, Venezuela, Viet Nam, Yugoslavia and Zaire, subsequently joined by Ecuador, Guatemala and Yemen.

6. At the 53rd meeting, on 20 November, following statements by the representatives of the Byelorussian Soviet Socialist Republic, Egypt, Australia, Poland, the Bahamas and Barbados, the Under-Secretary-General for Human Rights replied to a question raised by the representative of Poland regarding the programme budget implications of the draft resolution.

7. At the same meeting, following a statement in explanation of vote before the vote by the representative of the United States of America, the Committee took action on the draft resolution as follows:

(a) Operative paragraph 2 was retained by a recorded vote of 126 to 1, with 6 abstentions. The voting was as follows: 2/

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chad, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Finland, German Democratic Republic, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland,

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2/ The representative of Ireland subsequently indicated that her delegation's vote in favour of retaining operative paragraph 2 had not registered.

Portugal, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: United States of America.

Abstaining: Belgium, France, Germany, Federal Republic of, Israel, Luxembourg, United Kingdom of Great Britain and Northern Ireland.

(b) Draft resolution A/C.3/42/L.45, as a whole, was adopted by a recorded vote of 134 to none, with 1 abstention (see para. 8). The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chad, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Finland, France, German Democratic Republic, Germany, Federal Republic of, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia.

Against: None.

Abstaining: United States of America.

II. 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 resolution 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, 40/113 of 13 December 1985 and 41/116 of 4 December 1986,

Recalling also Commission on Human Rights resolutions 20 (XXXIV) of 8 March 1978, 3/ 19 (XXXV) of 14 March 1979, 4/ 36 (XXXVI) of 12 March 1980, 5/ 26 (XXXVII) of 10 March 1981, 6/ 1982/39 of 11 March 1982, 7/ 1983/52 of 10 March 1983, 8/ 1984/24 of 8 March 1984, 9/ 1985/50 of 14 March 1985, 10/ 1986/59 of 13 March 1986, 11/ and 1987/48 of 11 March 1987, 12/ 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, 1986/40 of 23 May 1986 and 1987/58 of 29 May 1987 and Council decisions 1980/138 of 2 May 1980 and 1981/144 of 8 May 1981,

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

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

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

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

7/ Ibid., 1982, Supplement No. 2 (E/1981/12 and Corr.1), chap. XXVI, sect. A.

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

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

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

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

12/ Ibid., 1987, Supplement No. 5 (E/1987/18), chap. II, sect. A.

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,

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

Bearing in mind that 1989 will be the year of the thirtieth anniversary of the Declaration on the Rights of the Child 13/ and of the tenth anniversary of the International Year of the Child,

Considering that these anniversaries could constitute an appropriate target date for completion of the work on a draft convention on the rights of the child and for its adoption by the General Assembly at its forty-fourth session in 1989,

1. Welcomes Economic and Social Council resolution 1987/58, 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-fourth 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 Secretary-General to authorize convening, if necessary and within existing resources, the open-ended working group of the Commission on Human Rights for an additional week at its January 1988 session in order to complete a draft convention so as to facilitate its conclusion in 1989, the year of the thirtieth anniversary of the Declaration on the Rights of the Child and of the tenth anniversary of the International Year of the Child;

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13/ Resolution 1386 (XIV).

3. Requests the Commission on Human Rights to give the highest priority to, and to make every effort at, its sessions in 1988 and in 1989 to complete a draft convention on the rights of the child and to submit it, through the Economic and Social Council, to the General Assembly at its forty-fourth session;

4. Invites all Member States to offer their active support to the completion of a draft convention on the rights of the child in 1989;

5. 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;

6. Decides to include in the provisional agenda of its forty-third session the item entitled "Question of a convention on the rights of the child".

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