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QUESTION OF A CONVENTION ON THE RIGHTS OF THE CHILD

Written statement submitted by the International Commission of Jurists, R dda Barnen International and the International Abolitionists Federation, non-governmental organizations in consultative status (category II) and the Defence for Children International Movement, a non-governmental organization on the Roster, on behalf of the Ad Hoc Group of Non-Governmental Organizations on the question of a convention on the rights of the child

The Secretary-General has received the following communication which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[22 February 1985]

Over 20 international non-governmental organizations have been following and contributing to the drafting of the convention on the rights of the child. These organizations have been pleased to observe the increasing attention that the participating Governments have shown in approaching their task. As active participants we have also been pleased by the growing numbers of developing countries which are taking an interest in the drafting process, and urge those that have participated to continue to do so, and those that have not, to give serious consideration to joining the open-ended working group when it meets next year. The importance of and the need for their participation is evident from the fact that the majority of the world's children live in the developing countries, and although many of the issues affecting the rights and needs of children are of universal concern the specific needs of children in the developing world should be highlighted.

As non-governmental organizations which have actively participated in the working group, we would like to express our appreciation to the group and to its chairman for their support of the efforts of the non-governmental organizations, and we hope that the spirit of collaboration that has developed in the past few years will continue. Our organizations are part of an Ad Hoc Group which was formed in order to present the viewpoints and concerns of the non-governmental organizations to the working group in a more coherent and effective manner.

We have held periodic meetings during which the text of the convention was discussed and draft articles were developed where we thought the outstanding proposals could be usefully modified. These drafts prepared by the non-governmental organizations were presented to the working group in 1984 and 1985. We remain ready to discuss our proposals and concerns with anyone who is interested.

Lately there has been much discussion about possible means of speeding up the drafting process. The Commission first authorized work on the convention in 1979 and established the working group that same year. Since its inception six years ago, the group has adopted 22 draft articles in addition to the preamble. Although the work has recently been moving at a slightly faster pace, and the speeding up of the drafting process has been recognized as a valid aim by the participants and the relevant United Nations organs, including the General Assembly, more could be done by the participating Governments and the Secretariat to improve on this record.

It is essential that those Governments intending to participate prepare for the meeting well in advance of the session and come prepared with concrete suggestions on issues that are of importance to them. It would also be helpful if there were more bilateral and multilateral contact between Governments concerning the articles remaining to be discussed. These contacts might be facilitated if the Secretariat sent notes verbales to States Members of the United Nations requesting their views on these articles. Such a procedure would also enable the participants to be aware of the views of the other members before they arrived.

It would also be most useful if the Secretariat undertook to prepare further documentation for the working group. It has been suggested that certain articles adopted by the group give less protection to children than that afforded in existing instruments. It was clearly not the intention of the Commission when it began this exercise to weaken the protection afforded to children and to dilute their rights. In order to avoid this, the group needs to have before it a compilation of the texts of those conventions, declarations and resolutions which are relevant to the subject matter.

The working group should also have before it all the outstanding proposals for articles to be completed on the first reading, and the revisions proposed for the second reading. If the Secretariat could do this in a timely fashion, perhaps the Polish representatives who have, with great skill and dedication, been attempting to combine the various proposals and present a unified text for consideration by the group, could do so two or three months prior to the scheduled meeting of the working group, which would enable the Secretariat to circulate the text and thus allow members to be prepared to discuss the proposals when they arrive.

We realize that the resources of the Secretariat are already under strain, but this work is essential if the convention is to be completed in an appropriate and speedy manner.

The non-governmental organizations directly interested in the drafting process are convinced of the importance of this convention for future efforts to promote and protect the rights of children throughout the world, and reiterate their own commitment to active co-operation in formulating the best possible instrument for this purpose. They express the strong hope that similar importance will be placed on this question by all Governments.