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at 10 a.m.  
New York

SUMMARY RECORD OF THE 27th MEETING

Chairman: Mr. CISSÉ (Senegal)

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AGENDA ITEM 101: PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN

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The meeting was called to order at 10.25 a.m.

AGENDA ITEM 101: PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN (A/49/411, 448, 478, A/49/532-S/1994/1179 and A/49/643; A/C.3/49/6 and 14)

1. Mrs. KLEIN (Centre for Human Rights), introducing agenda item 101, said that, in accordance with General Assembly resolution 48/157, the Secretary-General had submitted a report on concrete measures taken to improve the situation of children affected by armed conflicts, which would be issued in documents A/49/411/Add.1 and Add.2. As requested in Commission on Human Rights resolution 1994/91, an open-ended inter-sessional working group of the Commission would be meeting prior to the Commission's next session to consider the elaboration of a draft optional protocol to the Convention on the Rights of the Child that would address the question of children in armed conflicts. The expert on the situation of children in armed conflicts, appointed in accordance with General Assembly resolution 48/157, had begun her work with the close support of the Centre for Human Rights and the United Nations Children's Fund (UNICEF). In accordance with her mandate, she was to prepare a comprehensive study of the situation of children in armed conflicts and would make specific recommendations for protecting and assisting such children. She had already initiated consultations with the United Nations and the other organizations mentioned in resolution 48/157, and a progress report was contained in document A/49/643.

2. The first, provisional report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/49/478), submitted pursuant to General Assembly resolution 48/156, took stock of his work since the inception of his mandate in 1990, highlighted recent developments and made recommendations to the General Assembly and other entities for more concrete action. The Special Rapporteur had resigned in early October, and the process of finding a successor was under way. A working group established under the same resolution would be meeting soon to draw up guidelines for a possible draft optional protocol to the Convention that would deal with the sale of children, child prostitution and child pornography, as well as to propose basic measures for the eradication of those phenomena.

3. Ms. MACHEL, expert on the situation of children in armed conflicts, said that the international community had lost patience with the barbarism to which children in armed conflicts were subject. It wanted to know how to turn the situation around. The General Assembly had asked her to provide answers. In the remaining one year and a half, she would endeavour to hold consultations in all regions, make field trips to currently or recently war-torn countries and commission studies on critical aspects. She would consult with Governments, agencies, non-governmental organizations and the people - most of all the children - and would rely for guidance on a group of eminent persons and a technical advisory group. At the end of that time, she intended to write a report containing recommendations that Governments and communities could

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realistically follow - one that was comprehensive and persuasive enough to move the international community to action.

4. Mr. GRANT (United Nations Children's Fund (UNICEF)) said that the Convention on the Rights of the Child was the most widely ratified of all the human rights instruments. He could not think of any better way for the world to signal its commitment to human life and social progress in the year of the United Nations fiftieth anniversary than by making the Convention the first truly universal law. In view of the serious and widespread problems noted by the Committee on the Rights of the Child in reviewing the reports submitted to it, action was needed to enforce children's rights in the areas of child protection and participation. The best way to ensure that they received priority was to formulate workable strategies and set deadlines and measurable goals, as was done in other social development fields.

5. UNICEF welcomed the General Assembly's decision to implement the proposal by the Committee on the Rights of the Child to undertake a comprehensive study on the impact on children of armed conflict. He called upon all Governments, United Nations agencies and non-governmental organizations to provide the expert with all possible assistance to enable her to carry out that mandate. He also urged the international community to adopt a total ban on the production, use, stockpiling, sale and export of anti-personnel land-mines in view of the increasing toll they were taking among children.

6. Although child labour would not be eliminated overnight, it could and should be phased out progressively. That was an area where the introduction of concrete goals and time-limits should be feasible, based on innovative partnerships among Governments, the private sector and local communities. The transition from a developing to a developed society would be accelerated not through more children in the work force but through more children in schools.

7. The mandate of the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography should be strengthened and given greater support. It was time for the international community to get tough with the perpetrators; and special efforts were needed to protect children, especially young girls, against their depredations.

8. With regard to juvenile justice, he said that, using the Convention on the Rights of the Child as an ethical and legal guide, States parties, international agencies and non-governmental organizations should seek to promote comprehensive reforms, including training of law-enforcement officials.

9. UNICEF continued to be deeply concerned about the situation of children in countries affected by sanctions. It should be possible to refine existing tools or develop new ones to ensure that children were not major and unintended victims of sanctions. Proposals for sanctions should include a child-impact assessment, describing the expected impact on children and detailing whatever measures might be needed to cushion the worst effects of the sanctions on children and other vulnerable groups.

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10. Child abuse remained a problem in virtually every society. Action to improve the treatment of children at home and to strengthen families was essential in preventing child abuse; and greater international cooperation was needed to support national and local efforts.

11. Since 1995 had been proclaimed the United Nations Year for Tolerance, the international community should work closely with UNESCO to build the universal culture of tolerance and peace envisaged by the founders of the United Nations.

12. States had an obligation to protect the right of every child to a name at birth. Yet millions of children remained unregistered, and consequently never received the health care, education and legal protections to which they were entitled. All Governments should guarantee that right by making registration of each child easy, free of charge and compulsory.

13. Lastly, he stressed the need to provide greater support for the vital work of the Committee on the Rights of the Child and the Centre for Human Rights, which were doing so much for the world's children with unfairly limited resources and personnel. More support should also be given to the many non-governmental human rights and child rights organizations that had been the moral conscience of the world for so long.

14. Mr. MUCH (Germany), speaking on behalf of the European Union and Austria, welcomed the adoption of the Convention on the Rights of the Child and its ratification by a high number of Member States. Many of those rights were, however, being violated daily; the root causes included poverty, armed conflict, unemployment, abuse in the home and forced displacement. The international community should give priority to addressing that unacceptable situation.

15. Armed conflicts had particularly dramatic consequences for children, including shortages, the indiscriminate use of weapons such as mines, and even the use of children as soldiers or mine detectors. Children swelled the ranks of refugees and were separated from their families and homes, and tracing their families after the end of the conflict was a difficult task.

16. The problem of street children was another cause for concern; their marginalized lives pushed them into a vicious circle of poverty, crime and abuse, and there were alarming reports of their being subjected to violence and killings. The European Union was involved in a number of projects to address those problems, and intended to introduce a draft resolution, as in previous years, on the plight of street children.

17. The European Union was extremely alarmed by evidence that the sale of children, child prostitution and child pornography were becoming increasingly internationalized. To act against such abhorrent practices, his delegation supported the implementation of the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography, and also called for better implementation and monitoring of existing standards and programmes.

18. The issue of child labour was often related to the sale of children and child prostitution, and needed to be addressed with the same vigour. He called for urgent national measures to implement the Programme of Action for the Elimination of the Exploitation of Child Labour. The European Union was actively involved in supporting model country programmes under the Programme of Action, providing inter alia for special programmes for child workers released from particularly dangerous occupations, elementary education and vocational training for child workers and street children, and assistance in the formulation of national policies and the setting up of governmental and non-governmental executing agencies to combat child labour and its exploitation. Those issues should also receive adequate attention at the forthcoming World Summit for Social Development. The European Union was also concerned about the problem of child abduction.

19. He urged all Governments to take more resolute action to combat female infanticide and to promote better protection of the rights of the girl-child, including the right not to be harmed by certain traditional practices such as genital mutilation and by cultural prejudices, which often impaired their right to equal access to education. Particular care should also be taken over the situation of imprisoned children; young offenders should be treated with humanity and in accordance with the needs of their age. In all actions concerning children, non-discrimination and the best interests of the child should be the primary consideration and the views of the child should be given due weight.

20. The primary responsibility for improving the condition of the child rested with Governments. The elaboration of new standards should not distract from, or delay, the implementation of the existing ones, or cause legal uncertainties until such time as the new standards took effect. Children represented the future of all the world's societies, yet they were one of the most vulnerable groups. They deserved special attention and political dedication to improve their situation; the international community should work to that end with compassion and in a spirit of consensus.

21. Mr. RAZALI (Malaysia) said that, although children were humanity's most precious resource, they had not been spared the consequences of the ills and afflictions of modern times. The unfortunate among them were victims of abuse and neglect, deprived of their rights and even of life itself. His delegation was happy to note that, as of 1 August 1994, 165 States had decided to ratify or accede to the Convention on the Rights of the Child, making it one of the most universal of the human rights instruments. Malaysia hoped to become a party to the Convention as soon as its internal processes were completed; most of its provisions had in any case already been implemented.

22. Among the most serious problems were child prostitution, child pornography, child labour, street children, the effects of armed conflict on children, and the suspected new phenomenon of the sale of children's organs.

23. The family was the cornerstone of all societies, and played a critical role in nurturing the young; its primary role in the protection of children's rights

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was acknowledged by the Convention. Dysfunctional families were often the underlying cause of violations of those rights. Although poverty often led to such violations, the exploitation of children also existed among the affluent; in such cases the root cause could be traced to the disintegration of the value system and breakdown of the social fabric, as in broken homes. Education and the empowerment of women were also important factors for children's rights.

24. Armed conflicts placed children in precarious and untenable situations, causing them to become either victims or child soldiers. It was despicable that in some cases, women and children were exploited for military strategy; it was time for the international community to find ways of protecting children in armed conflicts.

25. The Special Rapporteur should continue to investigate allegations of the removal and sale of children's organs, especially to establish whether it was taking place as an organized activity. He suggested an in-depth study of the issue, and closer monitoring of organ transplants to prevent such abuse.

26. Mr. RAHIM (Bangladesh) welcomed the increased attention of the General Assembly to children's rights. It was gratifying that the Convention on the Rights of the Child had been ratified by so many States; he urged those States which had not yet done so to ratify or accede to the Convention, and hoped that it might attain universality. In its implementation, the aim should be to build up a compact, supportive alliance of all those concerned with children's rights.

27. Despite the intent of the Convention, millions of children around the world continued to suffer. Some 40 ongoing wars were still taking a heavy toll, causing both physical and psychological damage to children who were exposed to violence, killing, torture and insecurity. The international community should strengthen the existing mechanisms and legal instruments for their protection, and make use of international tribunals to punish the offenders.

28. Efforts should also be made to provide children with a better environment in terms both of family bonds and values and of living conditions; children from happy and coherent families did better in life than abandoned children, children from broken homes and street children.

29. Bangladesh was making considerable progress in terms of children's health care and education. It was expected that the target of immunization of 85 per cent of children would be reached by 1995; free primary education was available to all children, and a programme had been initiated for free education for girls up to class 10. The Government was formulating a national policy on children which would soon be finalized.

30. Mrs. SHARMA (Nepal) said that children, the most precious human resource, needed to be protected with the utmost care and wisdom. Future peace and prosperity would largely depend on the upbringing of the current generation of children; they should be raised in a warm family environment, and their survival, growth, mental and physical development should be assured. Children remained a vulnerable segment of society. Their welfare was a major human

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rights issue; many were falling prey to poverty, hunger and ignorance. Nepal fully supported the proposed special plenary session of the General Assembly on youth affairs to coincide with the fiftieth anniversary of the United Nations, as well as the creation of a working group to prepare a draft convention against the sale of children, child prostitution and child pornography.

31. In 1992, Nepal had enacted a Children's Act and a Labour Act, incorporating the fundamental principles of the Convention on the Rights of the Child. She appealed to those States which had entered reservations to the Convention to consider whether they could be withdrawn. In Nepal, despite health-care measures to improve the condition of children, the child mortality rate remained very high; many were dying of preventable diseases such as diarrhoea and measles. There were still problems of quality of education, attendance, and urban/rural and boy/girl disparities. Priority was being given to primary and secondary education, and to promoting the education of girls in rural areas.

32. Mr. FLORES OLEA (Mexico) said that his country attached particular importance to carrying out the commitments undertaken at the World Summit for Children and had made considerable progress in important areas. In order to achieve the objectives laid down in its National Programme of Action, the Mexican Government had increased the budget for programme execution by 74 per cent between 1990 and 1994. Mexico had vaccinated 95 per cent of children and reduced infant mortality due to preventable disease by 75 per cent. Child mortality due to acute respiratory diseases had declined by 25 per cent between 1990 and 1992. Nevertheless, considerable challenges were still to be met. Priority areas for immediate action included the provision of quality health-care services, particularly in more remote areas, improvement of the educational system, and the equipping of all communities with water-supply and sanitation facilities.

33. Mexico urged the few remaining Governments that had not yet done so to accede to the Convention on the Rights of the Child in order to achieve the goal of universal ratification by 1995. The enjoyment of the rights set forth in the Convention was an essential element to ensure the overall development of children. His Government was firmly opposed to any laws or measures that might violate those rights. Accordingly, it opposed the recent adoption of Proposition 187 in the State of California, which was designed to deny access to public services by a large number of children because of their immigrant status or that of their parents. That discriminatory measure represented a serious setback in efforts to promote and protect the rights of the child. His country would continue to carry out its obligation to provide protection to Mexicans living abroad and would support all actions to ensure that reason and law prevailed in that regard.

34. The elaboration of optional protocols to the Convention on children in armed conflicts and on the sale of children, child prostitution and child pornography were necessary measures and it was hoped that the working groups on those questions would rapidly complete their work. The work carried out by the Special Rapporteur on the sale of children, child prostitution and child pornography was valuable and Mexico supported the full implementation of his

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mandate. The commitment to achieving the goals of the World Summit for Children should lead to the adoption and implementation of measures at the national level to enhance the situation of children. That commitment should also be reaffirmed through the elaboration and strengthening of the relevant legal instruments and international mechanisms. International cooperation in mobilizing and transferring resources and knowledge was also essential in that regard.

35. Ms. AL-HAMAMI (Yemen) said that her country's ratification of the Convention on the Rights of the Child in 1991 had clearly demonstrated its commitment to use all means to protect children. In that year the Government of Yemen had established a national council to protect mothers and children and in 1992 had adopted a population policy, including a strategy to provide health services to mothers and children. Nevertheless, those initiatives had not achieved the desired results, because of the difficult economic conditions in her country resulting from the return of Yemeni workers from abroad, a very high inflation rate and a considerable external-debt burden. The negative economic situation had affected all sectors of the population, particularly children.

36. Nevertheless, her Government remained committed to improving the situation of children in Yemen within the framework of the Convention. She expressed appreciation to all the international organizations cooperating with the Yemeni Government in order to protect mothers and children. Cooperation with UNICEF, in particular, over the years had yielded many results in the area of health protection for children, especially with regard to immunization. She reaffirmed Yemen's commitment to the implementation of the Convention on the Rights of the Child in accordance with the country's economic and social conditions and religious traditions, and underscored the need for national and international cooperation to eliminate poverty and sickness and to enhance the living conditions of children throughout the world.

The meeting rose at 11.55 a.m.