

DOCUMENT A/41/877

Report of the Third Committee on agenda item 96

[Original: English/Spanish]
[26 November 1986]

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, as item 96, the item entitled "Question of a convention on the rights of the child" and to allocate it to the Third Committee for consideration and report.

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, from 12 to 17 and on 19 and 20 November 1986. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/41/SR.43-48, 50 and 51).

3. For its consideration of the item, the Committee had before it the following documents:

[See the list of documents at the end of the present fascicle.]

4. At the 43rd meeting, the Assistant Secretary-General, Centre for Human Rights, made an introductory statement.

5. At the 50th meeting, the representative of Poland introduced a draft resolution (A/C.3/41/L.44) entitled "Question of a convention on the rights of the child", sponsored by his country, subsequently joined by 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, Romania, Spain, Sri Lanka, Sweden, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, Venezuela, Viet Nam, Yugoslavia and Zaire. The draft resolution read as follows:

"The General Assembly,

[Same text as the draft resolution in paragraph 8 below, with the exception of the third and fourth preambular paragraphs.]

"Bearing in mind 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,

"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,"

In introducing the draft resolution, the representative of Poland orally revised it as follows:

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

(b) The fourth preambular paragraph was replaced by the following:

"Profoundly concerned that the situation of children in many parts of the world remains critical as a result of

unsatisfactory social conditions, natural disasters, armed conflicts, exploitation, hunger and disability, and convinced that urgent and effective national and international action is called for,"

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 had joined the sponsors of the revised draft resolution.

7. At its 51st meeting, the Committee adopted the revised draft resolution without a vote (see para. 8 below).

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 1978,¹⁷ 19 (XXXV) of 14 March 1979,¹⁸ 36 (XXXVI) of 12 March 1980,¹⁹ 26 (XXXVII) of 10 March 1981,²⁰ 1982/39 of 11 March 1982,¹² 1983/52 of 10 March 1983,¹³ 1984/24 of 8 March 1984,¹⁴ 1985/50 of 14 March 1985²¹ and 1986/59 of 13 March 1986,⁵ 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,

Profoundly concerned that the situation of children in many parts of the world remains critical as a result of unsatisfactory 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 which an international convention on the rights of the child, as a standard-

¹⁷ See Official Records of the Economic and Social Council, 1978, Supplement No. 4, chap. XXVI, sect. A.

¹⁸ Ibid., 1979, Supplement No. 6, chap. XXIV, sect. A.

¹⁹ Ibid., 1980, Supplement No. 3, chap. XXVI, sect. A.

²⁰ Ibid., 1981, Supplement No. 5, chap. XXVIII, sect. A.

²¹ Ibid., 1985, Supplement No. 2, chap. II, sect. A.

...ing accomplishment of the United Nations in the field of human rights, would make 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 international governmental and non-governmental organizations,

Noting with appreciation that further progress was made during the forty-second session of the Committee on Human Rights in the elaboration of a draft convention on the rights of the child,²²

Welcomes Economic and Social Council resolution 136/40, 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

ibid., 1986, Supplement No. 2, chap. XIII.

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".

DOCUMENT A/41/878

Report of the Third Committee on agenda item 97

[Original: English/Spanish]
[26 November 1986]

At its 3rd plenary meeting, on 20 September 1986, the General Assembly, on the recommendation of the Third Committee, decided to include in the agenda of its forty-first session, as item 97, the item entitled:

"International Covenants on Human Rights:

"(a) Report of the Human Rights Committee;

"(b) Status of the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the Optional Protocol to the International Covenant on Civil and Political Rights: report of the Secretary-General"

and to allocate it to the Third Committee for consideration and report.

2. The Third Committee considered the item jointly with items 94 to 96, 98 and 103 at its 43rd to 48th and 50th to 55th meetings, from 12 to 17, 19 to 21 and on 24 November 1986. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/41/SR.43-48 and 50-55).

3. For its consideration of the item, the Committee had before it the following documents:

[See the list of documents at the end of the present fascicle.]

4. At the 43rd meeting, the Assistant Secretary-General, Centre for Human Rights, made an introductory statement.

CONSIDERATION OF PROPOSALS

Draft resolution A/C.3/41/L.65 and Rev.1

5. At the 50th meeting, the representative of the German Democratic Republic introduced a draft resolution (A/C.3/41/L.65) entitled "Indivisibility and interdependence of economic, social, cultural, civil and political rights", sponsored by Bulgaria, the Byelorussian Soviet Socialist Republic, the German Democratic Republic, Hungary, Mongolia, Nicaragua and the Syrian Arab Republic. The draft resolution read as follows:

"The General Assembly,

"Mindful of the obligations of States under the Charter of the United Nations to promote social progress and better standards of life in larger freedom and universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

"Noting that the Universal Declaration of Human Rights,¹ the International Covenant on Civil and Political Rights² and the International Covenant on Economic, Social and Cultural Rights² reaffirm the right of everyone to a social system and an international order under which economic, social, cultural, civil and political rights can be fully exercised,

"Recalling that the Declaration on Social Progress and Development¹⁶ provides that social progress and development shall be founded on respect for the dignity and value of the human person and shall ensure the promotion of human rights and social justice,

"Bearing in mind that 1986 marks the twentieth anniversary of the adoption of the International Covenants on Human Rights,²

"Recalling its resolution 40/114 of 13 December 1985 on the indivisibility and interdependence of economic, social, cultural, civil and political rights,

"Reaffirming the provisions of its resolution 32/130 of 16 December 1977 that all human rights and fundamental freedoms are indivisible and interdependent and that the promotion and protection of one category of rights can never exempt or excuse States from the promotion and protection of the other rights,

"Convinced that equal attention and urgent consideration should be given to the implementation, promotion and protection of both civil and political rights and economic, social and cultural rights,

"Recognizing that the persistence of colonialism, neo-colonialism, aggression and threats against national sov-