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COMMISSION ON HUMAN RIGHTS

Thirty-ninth session

Pre-sessional Open-ended Working Group
on the Question of a Convention on the
Rights of the Child
24-28 January 1983
Item 13 of the provisional agenda

QUESTION OF A CONVENTION ON THE RIGHTS OF THE CHILD

Amendment submitted by the delegation of
the United States of America

Article 8 bis (Completion)

"2. In order to guarantee the protections called for in paragraph 1 of this article, States Parties shall establish appropriate procedures for responding effectively to known or suspected cases of child abuse, neglect, exploitation or maltreatment. Such procedures should:

- (a) provide for the reporting of known and suspected cases of child abuse or neglect to the responsible authorities;
- (b) provide immunity for persons reporting cases of child abuse or neglect from prosecution arising out of such reporting;
- (c) provide that upon receipt of a report of known or suspected child abuse or neglect an investigation shall be initiated promptly to substantiate the accuracy of the report;
- (d) provide that, upon a finding of child abuse or neglect, immediate steps will be taken to protect the health and welfare of the abused or neglected child as well as that of any other child under the same care who may be in danger of abuse or neglect;
- (e) provide for such institutional and other facilities and related multidisciplinary programmes and services as may be necessary and appropriate to assure that cases of child abuse or neglect are effectively dealt with;
- (f) provide for methods to preserve the confidentiality of records in order to protect the rights of the child and his parents and guardians;
- (g) provide for the co-operation of law enforcement officials, courts of competent jurisdiction and appropriate human service agencies;
- (h) provide for the appointment of a legal representative to represent the legal interests of the child in judicial proceedings involving an abused or neglected child; and
- (i) provide for dissemination of information to the general public with respect to the problem of child abuse and neglect and the facilities and prevention and treatment methods available to combat cases of child abuse and neglect.