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COMMISSION ON HUMAN RIGHTS
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Pre-sessional open-ended Working Group
on the question of a Convention on
the Rights of the Child

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Report of the Working Group on a draft Convention
on the rights of the child

Chairman-Rapporteur: Mr. Adam Lopatka (Poland)

CORRIGENDUM

GE. 89-10665

Paragraph 5

Add, Peru

Paragraph 9

The penultimate sentence beginning with the words "In addition" and ending "(E/CN.4.1989/WG.1/WP.1)" should read as follows:

"In addition, the Government of Argentina submitted a document containing the report of a Latin American meeting of non-governmental organizations held in Buenos Aires in support of the draft convention on the rights of the child (E/CN.4/1989/WG.1/WP.1)."

Paragraph 14

The paragraph should read as follows:

"14. The observer for Australia said that the technical review exercise had demonstrated its value although that did not mean that there were no problems concerning the draft convention apart from those that had come up in the technical review. Nonetheless, the priority for his Government was to complete the second reading of the draft convention at the current session and he believed this could be accomplished without in any way compromising the quality of the instrument in preparation, if the Working Group made full use of the suggestions in the technical review as a basis for its work".

Paragraph 18

In the last sentence after the word "future", add the word "convention".

Paragraph 34

The word "Austria" should be added in line 2 of the paragraph.

Paragraph 57

Add the following title before paragraph 57:

"Paragraph 11 (paragraph 7)**".

Paragraph 60

Insert the following sentence in line 2 of the paragraph after the sentence ending "Senegal" and before the sentence beginning with "The proposal".

"The representative of Brazil supported the proposal submitted by the representative of Senegal."

Paragraph 63

Add the following sentence to the end of the paragraph:

"Besides, international co-operation was also needed to improve the living conditions of children in developed countries, namely, those belonging to certain minority groups."

Paragraph 64

The paragraph should read as follows:

"64. The Representative of the United States of America indicated that the Convention will primarily create obligations for ratifying governments to respect the rights of, and to render assistance to, their own citizens. He further stated that, while governments should co-operate with each other in this regard, the Working Group should let other legal instruments and other fora deal with the subject of international assistance".

Paragraph 67

The paragraph should read as follows:

"67. This compromise text was then adopted by the Working Group as a new preambular paragraph 11, which reads as follows:

Recognizing the importance of international co-operation for improving the living conditions of children in every country, in particular in the developing countries.

Paragraph 72

The document number on line 2 referring to a proposal by Malta should read as follows: (E/CN.4/1989/WG.1/WP.9).

Paragraph 78

Add the following sentences to the end of the paragraph:

"The representative of Portugal expressed general support for the revised text contained in document E/CN.4/1989/WG.1/WP.2. She stated that mentioning the age of 18 years would underline the recognition of the need to ensure special protection to human beings under that age. A definition based on the simple notion of majority would not therefore seem to be desirable, taking into account the different solutions existing in various legal systems."

Paragraph 87

The paragraph should read as follows:

"87. The article was adopted and reads as follows:

"1. States Parties recognize that every child has the inherent right to life.

2. States Parties shall ensure to the maximum extent possible the survival and development of the child".

Paragraph 92

Add the following sentence to the end of the paragraph:

"The delegation of Portugal expressed the view that the idea of "belonging" is not applicable to children and that there were situations where the right to know one's parents could not be applied."

Paragraph 114

The word "Portugal" should be inserted in line 1 of the paragraph after the word "Kuwait".

Paragraph 125

Add the following sentence to the end of the paragraph:

"The delegate of Portugal reserved her position on paragraph 2 for discussion in connection with article 7."

Paragraph 137

Delete the paragraph.

Paragraph 143

The first sentence of paragraph 143 should read as follows:

"143. The Working Group had before it a text (contained in document E/CN.4/1989/WG.1/WP.2) of paragraph 1 as adopted during the first reading incorporating suggested revisions by UNICEF, UNESCO and the technical review conducted by the Secretariat."

Paragraph 144

The first sentence of paragraph 144 should read as follows:

"144. With regard to the revised text the representatives of the United Kingdom of Great Britain and Northern Ireland, United States of America, Union of Soviet Socialist Republics and Argentina questioned why the revised text was inconsistent with the language of earlier instruments in talking of children in their territories "or" subject to their jurisdiction."

Paragraph 160

The following two sentences should be added to the end of paragraph 160:

"With respect to the second paragraph of Article 4, the delegate of the United States questioned the inclusion of the words 'the child' before the words 'the child's parents.' He noted that children may legitimately be punished by their parents or guardians for their own activities and expressed opinions."

Paragraph 165

The text of paragraph 165 should read as follows:

"165. The text as amended was adopted to read:

1. States Parties shall respect and ensure the rights set forth in this Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status."

2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members."

Paragraph 168

Insert the word "Portugal" after the word "Argentina" in line 3 of the paragraph.

Paragraph 169

Add "Brazil" to the first line of the paragraph.

Paragraph 173

The text of paragraph 173 should read as follows.

"173. The representative of the United States of America on behalf of the drafting group on article 5 introduced the text of this article as agreed in the drafting group, which was subsequently adopted by the Working Group. The text reads as follows.

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in this Convention. In regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation."

Paragraph 181

The text of paragraph 181 should read as follows.

"181. The Working Group then adopted article 5 bis reading as follows.

"States Parties shall respect the responsibilities, rights, and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention."

Paragraph 189

Add the following new paragraph 189a after paragraph 189:

"189a. "The representative of Portugal stated that she could not support the proposal introduced by the Federal Republic of Germany in E/CN.4/1989/WG.1/WP.20, since it was not consistent with article 12 of the Covenant on Civil and Political Rights, concerning the liberty of movement, several recommendations of the Council of Europe, to which Portugal is a member, and the Draft Convention on Migrant Workers. She also pointed out that the proposal could be interpreted as a general reservation, not applying only to this article."

Paragraph 197

The word "The" before the words "States Parties" in paragraph 3 of the text as adopted should be deleted. Insert the word "or" in line 4 of paragraph 4 of the text as adopted between the words "both parents" and "of the child".

Paragaraph 209

The following words should be inserted in line 3 between the words "parents" and "and": "or where parents were separated themselves, the child living with one of them,"

Paragraph 212

In the last line of the text as adopted add the word "the" before the word "members".

Paragraph 218

In line 10 of the text as adopted the words "(ordre public)" should be underlined.

Paragraph 228

In paragraph 2 of the text as adopted delete the word "the" before the words "States Parties".

Paragraph 248

Paragraph 248 should read as follows:

"248. The Working Group then adopted paragraph 1 to read as follows:

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child."

Paragraph 259

Delete the first paragraph of the text as adopted.

Replace the word "accordance" in the penultimate line of paragraph 2 of the adopted text with the words "a manner consistent".

Paragraph 268

Add the following words to the end of the paragraph:

"concerning the purposes of education".

Paragraph 274

Paragraph 274 should read as follows:

"274. The suggested revision contained in document E/CN.4/1989/WG.1/WP.2 to substitute the word "or" in sub-paragraph 2 (a) of the article for the word "and" was agreed to and the Working Group went on to adopt article 7a to read as follows:

"1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(a) for respect of the rights or reputations of others; or

(b) for the protection of national security or of public order (ordre public), or of public health or morals."

Paragraph 288

Paragraph 288 should read as follows:

288. The Chairman drew attention to the amendment proposed by the International Labour Organisation as it appears in E/CN.4/1989/WG.1/WP.2, p. 35. The representative of the ILO pointed out that it was the Legal Counsel and not the ILO which sponsored the amendment but that the ILO would support it because it used the same wording as Article 22 of the International Covenant on Civil and Political Rights. She then stated that while Article 7 ter reproduced in its paragraph 2 the terms of paragraph 2 of Article 22 of the Covenant, it did not contain a clause similar to paragraph 3 of this article, which safeguarded the obligations arising from the ILO Convention on Freedom of Association (No. 87), 1948. In order to avoid any conflict, the ILO would favour the adoption of a general clause safeguarding more clearly than the present Article 21 the rights recognized in other international instruments. Such a clause had been proposed by Finland at the first reading.

Paragraph 306

Paragraph 306 should read as follows:

"The representative of the United States of America expressed the view that the way in which paragraph 1 had been formulated to create responsibilities for private individuals was rather strange for an international covenant which, after all, could only create binding obligations for ratifying governments."

Paragraph 314

The text as adopted should read as follows:

The following word should be inserted between the words "mental" and "injury" in line 3 of paragraph 1 of the text as adopted: "violence,"

Paragraph 322

Add the following sentence to the end of the paragraph:

"It was also stated that children needed different books, taking into account their recreational and cultural needs."

Paragraph 329

The text of the paragraph should read as follows:

"329. The representatives of Argentina, Norway and the Netherlands accepted the suppression of brackets under paragraph 1 but insisted upon keeping the word "illegally" under paragraph 2. The observer for Australia agreed in view of the situation in some countries but pointed out that the word "illegally" would be meaningless in the Australian context since there it was simply not possible "legally" to deprive someone of their identity."

Paragraph 333

Insert the word "Portugal" in line 5 after the word "Ireland".

Paragraph 342

In paragraph 3 of the text as adopted the words "inter alia" should be preceded and followed by a comma.

Paragraph 343

Insert the word "Portugal" in line 4 after the word "Ireland".

Paragraph 363

Add the following to the end of the paragraph.

"The representative of Brazil also made the following declaration:

"As far as article 11 is concerned, the Brazilian delegation would like to state that in our understanding, paragraph (b) of article 11 must be interpreted in the sense that intercountry adoption will only be envisaged as an alternative means of child care, when all other possibilities are exhausted."

Paragraph 366

In the text of paragraph (c) as adopted the words "in another country" should be deleted and the word "intercountry" should be inserted in line 1 between the words "by" and "adoption".

Paragraph 367

In the text as proposed the word "the" before the word "appropriate" should be deleted.

Paragraph 368

The text as proposed should read as follows:

"e) promote, where appropriate, the objectives of this article by concluding bilateral, multilateral or international arrangements or agreements and endeavour within this framework to ensure that the placement of a child in another country is carried out by competent authorities or organs."

Paragraph 375

Add the following sentences to the end of the paragraph:

"The representative of Portugal opposed the inclusion of this amendment because as a right already protected by the draft convention (articles 15 and 16), it is one of the measures which should be taken into account when ensuring protection and assistance to refugees, among others mentioned by the Convention of 1951. Furthermore, she opposed the amendment because it might give the wrong impression that there was an intention to give less importance to other measures that should be considered."

Paragraph 396

On the fourth line of paragraph 396 insert the words "or need" after the word "want" and before the word "it".

Paragraph 402

The text as adopted should read as follows:

"2. States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child."

Paragraph 407

The following sentence should be added to the end of the paragraph:

"The sub-paragraph was further amended by the representative of the United States of America who suggested that the sub-paragraph should refer only to "mothers" and not to "their children".

Paragraph 410

Insert the following new paragraph 410a after paragraph 410:

"410a. The representative of Norway expressed strong support for the proposed new paragraph 4 since it would cover an important aspect of protection of the child's interests which would otherwise be left out of the draft convention".

Paragraph 414

Add the following sentence to the end of the paragraph:

"That delegation also asked for some clarification on the wording of the last sentence, since it seemed important to underline that medical or scientific experimentation should be a need and a benefit for the child who was going to suffer it, and not only to promote the health of children world-wide".

Paragraph 425

At the beginning of the second sentence of paragraph 1, the word "the" before the words "States Parties" should be deleted.

A comma should be added after the word "and" in line 2 of paragraph 2.
Sub-paragraph (d) should read as follows:

"To ensure appropriate pre- and post-natal health care for mothers;"
Sub-paragraph (e) - the comma after the word "use" should be placed after the word "of" and before the word "basic".

Paragraph 431

The paragraph should read as follows:

"431. The representative of the Union of Soviet Socialist Republics suggested that the Convention would not lose much by the deletion of article 13 as contained in document E/CN.4/1989/WG.1/WP.2. He took this view because he felt that the concerns covered by article 13 were already adequately covered by articles 8 and 14 of the Convention. He further stated that the article as contained in document E/CN.4/1989/WG.1/WP.2 did not take into consideration the considerable impact of private and voluntary charitable organizations. However, in view of the argument by the observer for Sweden that the revised text in E/CN.4/1989/WG.1/WP.2 was consistent with article 9 of the International Covenant on Economic, Social and Cultural Rights and the argument by the observer for the International Labour Organisation that article 13 laid down, in general terms, the right of the child to benefit from social security, while articles 8 and 14 only dealt with specific aspects and did not expressly mention social security, the representative of the Union of Soviet Socialist Republics did not insist on his suggestion.

Paragraph 435

The following words should be added after line 6 of the paragraph and before the adopted text:

"The Working Group then proceeded to adopt paragraph 1 as follows:".

Paragraph 438

Delete the first sentence of the paragraph.

Paragraph 449

In the last line of the text as adopted the word "measures" should be replaced by the word "arrangements".

Paragraph 467

In line 3 of the paragraph the word "adequate" should be replaced by the word "relevant".

Paragraph 479

Paragraph 479 should read as follows:

"479. The Working Group, given the absence of any objection to the Canadian proposal, adopted sub-paragraph (d) and proceeded to also adopt sub-paragraph (e) as follows:

"d) the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

e) the development of respect for the natural environment."

Paragraph 481

The text as adopted should read as follows:

"2. No part of this article or article 15 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of this article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State."

Paragraph 500

The paragraph should read as follows:

"500. The representative of Japan proposed to delete the word "spiritual" in paragraph 1 in view of the principle of separation of religion from politics. After some discussion, the representative of Japan stated that he would be ready to withdraw his amendment; however, he reserved the position of his Government.

Paragraph 510

The word "the" in line 2 of the adopted text should be deleted.

Paragraph 519

The last four lines of the paragraph should be deleted and replaced by the following:

"that the proposal envisaged covering an aspect of armed conflicts which the Convention would otherwise have left uncovered and that the word "enable" had replaced the word "ensure" because the group felt that States could not be made to guarantee the recovery and reintegration of children."

Paragraph 521

The document number of the proposal referred to in the paragraph should read E/CN.4/1989/WG.1/WP.57 and not E/CN.4/1989/WG.1/WP.59.

Paragraph 522

The document number of the proposal referred to in the paragraph should read E/CN.4/1989/WG.1/WP.57 and not E/CN.4/1989/WG.1/WP.59.

The last sentence of the paragraph should read as follows:

"Although the observer for Sweden voiced concerns regarding the substitution of the word "enable" by the word "promote" and indicated that he would have preferred the use of the word "rehabilitation" instead of "recovery", in the interests of arriving at a consensus he did not insist on his reservations."

Paragraph 527

Add the following words to the end of the paragraph:

",taking into account the need to separate provisions such as those concerning torture, the death penalty and deprivation of liberty from the ones dealing with the infringement of the law, consideration being given to the need to promote the child's assumption of a constructive role in society".

Paragraph 529

The text as adopted should read:

"States Parties shall ensure that:"

Paragraph 561

Insert the following heading before paragraph 561:

"Paragraph 2"

Paragraph 562

The paragraph should read as follows:

"562. Following a readjustment to the chapeau of sub-paragraph (b) requested by the delegation of the Union of Soviet Socialist Republics on the use of the words "in every case" which they judged inappropriate given the possible variety of cases, the chapeau was adopted to read as follows:

b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:"

Paragraph 568

The paragraph should read as follows:

"568. As to legal assistance, some delegations including those of the Federal Republic of Germany and the Netherlands pointed out that, given their respective legal systems, the use of the broad term "legal assistance" could raise a problem since, in cases of minor infringement of law, the defence of the child could be assured by non-lawyers. Japan also pointed out that, under its juvenile procedures, the presence of legal counsel is not necessarily required. In this regard, the delegate of the Federal Republic of Germany suggested the replacement of the word "and" by the word "or" following the word "legal". He otherwise wanted the report to reflect his insistence on underlining the possibility of non-legal assistance."

Paragraph 570

The text as adopted should read as follows:

"ii) to be informed promptly and directly of the charges against him or her, and if appropriate through his or her parents or legal guardian, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence,"

Paragraph 575

Delete Japan.

Paragraph 576

The text should read as follows:

"576. The delegate of Japan pointed out that in his country all hearings were not public - such as those held in family courts - and that consequently, the term "fair hearing" raised a problem in case it meant public trial. As to the presence of legal counsel, the same delegation expressed the same concern he raised in relation to poverty. Besides these reservations, he also declared that the principle of public hearing seemed incompatible with the concept of privacy formulated under point (vii)."

Paragraph 578

The paragraph should read as follows:

"578. Upon these remarks, the observer for Canada read the following compromise text:

(iii) to have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and his or her parents or legal guardians, unless it is considered not to be in the best interest of the child, in particular taking into account his or her age or situation,"

Paragraph 591

Add "Friends World Committee for Consultation (Quakers)" to the first sentence of the paragraph.

Paragraph 592

Insert.

The word "some" in lines 5 and 12 should be replaced by the word "several". Lines 6-12 should read "members of the drafting group that the provision adopted in the first reading regarding participating in hostilities had to be supplemented, in order not to fall below existing standards, by an absolute bar against the involvement of children below the age of 15 years in hostilities, whether they had attained majority or not. Those delegations also felt that, although paragraph 3 made clear that persons from the age of 15 years could be recruited into armed forces and therefore could not realistically in every case be protected from participation in hostilities, States Parties should at least endeavour to prevent persons between 15 and 18 years of age from taking a direct part in hostilities. With regard to paragraph 4, consistent with the desire not to undermine existing standards regarding children involved in armed conflicts, several ..."

Paragraph 593

The paragraph should read as follows.

"593. The representative of the United States of America stated that his country had no desire to see children involved in armed conflict and that it was for this reason that the USA joined consensus on article 20 during the first reading. He further indicated that since the article had been the subject of lengthy debates and a consensus arrived at as recently as 1986, his delegation would be willing to join a consensus in favour of keeping the article as it was then adopted. In addition, he stated that this text reaffirmed existing international humanitarian law on the protection of children in armed conflict, in particular, by adhering to the language of article 77 of Protocol I to the Geneva Conventions of 1949. He stated that that language was the result of lengthy debates in the Diplomatic Conference convened during the last decade to draft the Protocols and that his Government did not believe that the Working Group was an appropriate forum to re-examine international law in this area. However, the representative of the United States of America indicated that, if at all the first reading text should be

altered, it should be to replace the word "child" with the words "persons who have not attained the age of 15 years", thereby prohibiting the sending, by States Parties, of very young "majors" to participate directly in armed conflicts. He explained that the fifteen-year age limit reflected existing international law, whereas the formulation in the first proposal for the paragraph sought to alter the Law of War established in Protocol I in ways that the Diplomatic Conference concluded were unreasonable. With regard to paragraph 4, the representative of the United States of America expressed strong opposition to the proposal contained in E/CN.4/1989/WG.1/WP.65 to replace the word "feasible" with the word "necessary" because the latter would represent a standard which would be impossible for any State Party to implement. He further stated that his Government felt that it was more important for the Convention to enforce existing standards rather than to create new ones which would not be observed".

Paragraph 599

The following words should be added between the words "solution" and "and" in line 11 of the paragraph:

", as it did not take into account the second additional Protocol to the Geneva Conventions,"

Paragraph 600

Delete the paragraph.

Paragraph 603

The text of the paragraph should read as follows:

"603. Following the adoption of the paragraph the representatives of Australia, Austria, Belgium, Finland, Italy, the Netherlands, New Zealand, Norway, Sweden, Switzerland and Venezuela stated that they could not join a consensus on paragraph 2. It was stated that the formulation was now deficient in that it failed to extend protection to children between the ages of 15 and 18, even though Protocol II of the 1958 Geneva Protocols, (which related to internal conflicts), granted such protection. Article 20 might thus be said to undermine existing standards of humanitarian law."

Paragraph 611

After the word "paragraph" the number "2" should be replaced by the number "4".

Paragraph 612

The text of the paragraph should read as follows:

"612. After the adoption of article 20, the observer for Sweden requested the Secretariat to provide a transcript of the debate on that article as it was likely that the question would be subject to further deliberations. At the end of the afternoon meeting of 9 December 1988, the Chairman stated that concern had been expressed regarding the text adopted for article 20 on children in armed conflict. He stated that the text was not yet definitive because States could re-open issues they were concerned about when the Commission on Human Rights and the General Assembly considered the draft convention. He further indicated that the Working Group was an auxiliary body of experts mandated to draft the Convention and that organs such as the Commission on Human Rights and the General Assembly, empowered to take political decisions, would decide on the final text of the Convention."

Paragraph 620

Add the following final sentence:

"The representative of the International Labour Organisation agreed that a safeguard clause such as Article 5 (2) of the Covenant would be a satisfactory alternative, should the proposal of the drafting group not be acceptable".

Paragraph 626

Sub-paragraph (b) of the adopted text should read as follows:

"(b) international law in force for that State."

Paragraph 642

Paragraph 642 should read as follows:

"642. The representative of Sweden stated that his delegation wished to withdraw the proposal for alternative 2 of paragraph 11 in order not to complicate the debate on the paragraph. He further indicated his delegation's support for the first alternative of paragraph 11. The representatives of Finland, the Federal Republic of Germany, Norway and the United States of America took the view that both alternatives should be left in the text for decision by the Commission on Human Rights. The representative of Norway stated that the Working Group had adopted both alternatives during the first reading.

Paragraph 645

Paragraph 645 should read as follows:

"645. Following the foregoing debate, the Working Group decided to adopt paragraphs 11 and 12 as had been adopted during the first reading replacing the reference to paragraph 10 in the last line of paragraph 12 by a reference to paragraph 10 bis, upon the proposal made by the delegation of the United States of America."

Paragraph 646

The text as adopted should read as follows:

"646. Article 22 was adopted by the Working Group to read as follows:

1. For the purpose of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the present Convention, there shall be established a Committee on the Rights of the Child, which shall carry out the functions hereinafter provided.

2. The Committee shall consist of 10 experts of high moral standing and recognized competence in the field covered by this Convention. The members of the Committee shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution as well as to the principal legal systems.

3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

4. The initial election to the Committee shall be held no later than six months after the date of the entry into force of the present Convention and thereafter every second year. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to the States Parties inviting them to submit their nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating States Parties which have nominated them, and shall submit it to the States Parties to the present Convention.

5. The elections shall be held at meetings of the States Parties convened by the Secretary-General at United Nations Headquarters. At those meetings, for which two-thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

6. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. The term of 5 of the members elected at the first election shall expire at the end of two years; immediately after the first election the names of these 5 members shall be chosen by lot by the Chairman of the meeting.

7. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State Party which nominated the member shall appoint another expert from among its nationals to serve for the remainder of the term, subject to the approval of the Committee.

8. The Committee shall establish its own rules of procedure.

9. The Committee shall elect its officers for a period of two years.

10. The meetings of the Committee shall normally be held at the United Nations Headquarters or at any other convenient place as determined by the Committee. The Committee shall normally meet annually. The duration of the meetings of the Committee shall be determined, and reviewed, if necessary, by a meeting of the States Parties to the present Convention, subject to the approval of the General Assembly.

10 bis. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

11. [With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from the United Nations resources on such terms and conditions as the Assembly may decide.]

OR

"[States Parties shall be responsible for the expenses of the members of the Committee while they are in performance of Committee duties.]

12. [States Parties shall be responsible for expenses incurred in connection with the holding of meetings of States Parties and of the Committee, including reimbursement to the United Nations for any expenses, such as the cost of staff and facilities, incurred by the United Nations pursuant to paragraph 10 bis of this article.]"

Paragraph 656

In sub-paragraph (a) as adopted remove the brackets from around the word "appropriate".

Paragraph 684

Paragraph 684 should read as follows:

"684. The Working Group agreed with the proposals of the drafting group and the articles were reordered accordingly, with the necessary modifications in the use of the term "States Parties to the present Convention".

Paragraph 687

The paragraph should read as follows:

"687. The observer for Australia stated that the proposal of the Federal Republic of Germany to replace article 2 was totally new, bringing into question the whole approach to the Convention to existing rights. It may well have been a better way to proceed had it been introduced eight years before, but that had not happened and now its acceptance would only serve to delay adoption of the Convention."

Paragraph 689

The paragraph should read as follows:

"689. The delegation of Portugal pointed out that the proposal of the Federal Republic of Germany referred solely to the Covenant on Civil and Political Rights, while other important conventions, including the Covenant on Economic, Social and Cultural Rights and the Geneva Conventions and Protocols, had been omitted. Moreover, the representative of Portugal pointed out that it seemed unlikely that a State which is not a party to the Covenant on Civil and Political Rights would be open to the idea of feeling bound by its provisions.

Paragraph 699

The word "Sweden" in line 1 of the paragraph should be changed to read "Canada".