



**Economic and Social
Council**

Distr.
LIMITED

E/CN.4/2004/L.50
15 April 2004

ENGLISH
Original: FRENCH

COMMISSION ON HUMAN RIGHTS
Sixtieth session
Agenda item 13

RIGHTS OF THE CHILD

**Congo (on behalf of the States members of the African Group):
draft resolution**

2004/... Abduction of children in Africa

The Commission on Human Rights,

Recalling its resolution 2003/85 of 25 April 2003,

Recalling the Universal Declaration of Human Rights, the Convention on the Rights of the Child, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Civil and Political Rights, the African Charter on Human and People's Rights and the African Charter on the Rights and Welfare of the Child,

Recalling also the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,

Recalling the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention,

Reaffirming the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights in June 1993 and the United Nations Millennium Declaration, as well as the special session of the General Assembly on children, which inter alia called for the protection of children, particularly those under difficult circumstances,

Recalling the obligation to respect and strictly observe international humanitarian law, including the Geneva Conventions of 12 August 1949 relative to the Treatment of Prisoners of War and to the Protection of Civilian Persons in Time of War, as well as the two 1977 Protocols additional to the Geneva Conventions,

Bearing in mind Security Council resolutions 1379 (2001) of 20 November 2001 and 1460 (2003) of 30 January 2003 on children in armed conflict,

Taking into account its own resolutions on the rights of the child,

Welcoming the appointment by the Secretary-General of the independent expert for a study on violence against children,

Welcoming with satisfaction the progress report of the Secretary-General on the study on the question of violence against children (E/CN.4/2004/68),

Also welcoming the entry into force of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, on 25 December 2003,

Expressing its appreciation to those African countries which have established national mechanisms to ensure greater protection of children, including measures to combat and eliminate abduction of children,

Deeply alarmed at the spread of the practice of abduction of children for various purposes,

1. *Condemns* the practice of abduction of children for various purposes, for example as soldiers or workers, for purposes of sexual exploitation and/or paedophilia, and for the purposes of trade in human organs;
2. *Also condemns* the abduction of children from camps of refugees and internally displaced persons by armed groups, and their subjection of children to forced conscription, torture, killing and rape;
3. *Demands* the immediate demobilization and disarmament of all child soldiers who have been recruited or used in armed conflicts in contravention of international law;
4. *Calls for* the immediate and unconditional release and safe return of all abducted children to their families and communities;
5. *Calls upon* African States:
 - (a) To pay particular attention to the protection of refugee children, especially unaccompanied refugee minors, and internally displaced children who are exposed to the risk of being abducted or becoming involved in armed conflicts;
 - (b) To take extra measures to protect refugee children and internally displaced children, particularly girls, from being abducted by guerrilla groups;
 - (c) To take adequate measures to prevent the abduction and recruitment of children by armed forces and armed groups, through, inter alia, the adoption of legal measures to prohibit and criminalize such practices;
6. *Encourages* all African States to integrate the rights of the child into all peace processes, peace agreements and post-conflict recovery and reconstruction phases;
7. *Urges* all African States that have not yet done so to consider ratifying the African Charter on the Rights and Welfare of the Child, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and the Optional Protocol on the sale of children, child prostitution and child pornography;

8. *Welcomes* the progress achieved in the eradication of abduction of children by some national mechanisms and encourages other States which have not yet done so to consider establishing such mechanisms;

9. *Requests* African States, in cooperation with the relevant United Nations agencies, to provide the victims and their families with the necessary assistance and to support sustainable rehabilitation and reintegration programmes for abducted children, including the provision of psychological assistance, basic education and vocational training, taking into account the special needs of abducted girl children;

10. *Requests* States, relevant United Nations bodies and donors to provide African States and African regional mechanisms with the necessary assistance, including technical assistance, in order, firstly, to devise appropriate programmes to combat cross-border abduction of children and protect refugee children, especially unaccompanied minors and internally displaced children in African countries, who are exposed to the risk of being abducted, and, secondly, to develop and implement programmes for the reintegration of children in the peace process and in the post-conflict recovery and reconstruction phase;

11. *Encourages* all States, and particularly their agencies responsible for internal security, as well as Interpol, to cooperate and take steps to prevent cross-border abductions, and to exchange information with the aim of preventing the abduction of children;

12. *Calls on* member States to put an end to impunity and to take appropriate steps to identify those responsible for child abductions and bring them to justice;

13. *Requests* the Office of the High Commissioner for Human Rights, within existing resources, to organize subregional consultations which will provide a framework for gathering research, expertise and information from each subregion, and for sensitizing political actors and networking among public authorities and civil society, including non-governmental organizations;

14. *Encourages* the independent expert for a study on violence against children to complete his study on the protection of children against all forms of physical and mental violence, including child abduction;

15. *Urges* States to submit observations on the implementation of this resolution, and calls on the relevant international organizations to submit reports on this issue to the Office of the High Commissioner for Human Rights;

16. *Requests* the High Commissioner for Human Rights to submit to it at its sixty-first session a report on the abduction of children in Africa;

17. *Decides* to continue its consideration of this question at its sixty-first session under the same agenda item.
