

COMMISSION ON HUMAN RIGHTS
Fortieth session
Pre-sessional open-ended Working Group
on the Question of a Convention on the
Rights of the Child
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QUESTION OF A CONVENTION ON THE RIGHTS OF THE CHILD

Proposals submitted by International Social Service (ISS), a
non-governmental organization in consultative
status (Category II)

1. International Social Service, after consultation with its national branches, and in the light of its practical experience with intercountry cases relating to children and families, wishes to draw the attention of the Working Group to the following points.

2. These comments and proposals refer to documents:

- E/CN.4/1349
- A/C.3/36/6
- E/CN.4/1983/L.1/Add.1
- E/CN.4/1982/WG.1/WP.1
- Report of informal consultations among international non-governmental organizations, of the Informal NGO Ad Hoc Group on the Drafting of the Convention on the Rights of the Child.

3. Article 6 bis

International Social Service would like to see the present text (as in E/CN.4/1983/L.1/Add.1) supplemented, in order to guarantee the right of the individual to leave any State, including his own, and to enter his own State, rights already guaranteed by the Universal Declaration of Human Rights and by the International Covenant on Civil and Political Rights. ISS also stresses the need to facilitate family reunification with the parent or child who has left a given country.

4. Article 8 bis

International Social Service supports the new text on intra-familial maltreatment proposed following the informal consultations among international non-governmental organizations (Report of the Informal NGO Ad Hoc Group on the Drafting of the Convention on the Rights of the Child, p.i.).

5. Article dealing with the importance and role of the family

International Social Service also supports the new article dealing with the importance and the role of the family as proposed following the informal consultations among international non-governmental organizations (Report of the Informal Ad Hoc Group on the Drafting of the Convention on the Rights of the Child, p. iii).

6. Articles 14 and 15

After considering the text of articles 14 and 15, submitted by Poland in 1981 (A/C.3/36/6), and the new version proposed following the informal consultations among international non-governmental organizations, which combines these two provisions (Report of the Informal Ad Hoc Group on the Drafting of the Convention on the Rights of the Child, p.iii), International Social Service supports the idea of including in the Convention provisions dealing with social security (article 14) and with the standard of living of the child (article 15):

ISS proposes the following addition:

"The child living apart from one or both parents has the right to appropriate support from them for his maintenance and development".

7. Article 20

After considering the proposal of Poland (E/CN.4/1349) and the text proposed following the informal consultations among international non-governmental organizations (Report of the Informal Ad Hoc Group on the Drafting of the Convention on the Rights of the Child, p.vi), ISS supports the idea of including in the Convention such an article dealing with the child undergoing penal procedure or detention.

ISS proposes the addition of a paragraph dealing with the problem of unaccompanied minors sentenced or detained in a foreign country, and suggests the following draft text:

"The States Parties to the present Convention will facilitate the transfer of each foreign minor sentenced on their territory to the State of his parents or guardians, to serve his correctional sentence there".

8. Article 23

International Social Service is of the opinion that the rights and specific needs of the children of migrant workers should be included in the provisions of the Convention on the Rights of the Child. This could be on the lines of the proposal put forward in document E/CN.4/1982/WG.1/WP.1, paragraph 14:

"Without prejudice to the application of other relevant provisions of this Convention, the States Parties to the Convention recognize that the children of migrant workers present in their territory need special protection and assistance, and they further recognize the right of the children of migrant workers to be reunited with their parents or parent".