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COMMISSION ON HUMAN RIGHTS

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Item 14

DRAFT INTERNATIONAL COVENANTS ON HUMAN RIGHTS:  
PROPOSALS RELATING TO AN ARTICLE ON THE RIGHTS OF THE CHILD

Comments of Governments

The Secretary-General has received comments from the Government of the Romanian People's Republic, which are submitted herewith to the Commission on Human Rights.

Romania

(Received on 20 March 1963.  
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... the Government of the Romanian People's Republic agrees that an article on the rights of the child should be incorporated in the international covenants on human rights. This view was, moreover, also upheld by Romania's representatives on the Third Committee of the United Nations General Assembly at its seventeenth session (document A/C.3/SR.1177, pages 4 and 5).

In our opinion, the text of the new article might be based on the revised draft submitted by the delegations of the Polish People's Republic and the Federal People's Republic of Yugoslavia at the last session of the United Nations General Assembly (document A/C.3/L.1014/Rev.1)

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It would be desirable to take the following suggestions into account in drafting the final text of the article on the rights of the child:

1. Add the following words to paragraph 1: "whether applied to the child himself or to his family". Paragraph 1 would thus read as follows: "Every child shall be entitled to special protection by the family, society and the State, without any discrimination, whether applied to the child himself or to his family."

The clarification suggested is fully justified because the absence of discrimination against the child would be ineffective if there was nevertheless discrimination against his family.

2. Combine the text of the amendment proposed in document A/C.3/L.1020 with the text of paragraph 3 of the draft article proposed by Poland and Yugoslavia (document A/C.3/L.1014/Rev.1). Paragraph 3 would thus read as follows: "The States Parties to this Covenant shall take steps to improve the legal status of children born out of wedlock, and to this end the laws of those States shall gradually be directed towards recognition of the full equality of rights of such children with children born in wedlock."

The new wording would thus respect the spirit underlying the wording of the revised draft of the article as proposed in document A/C.3/L.1014/Rev.1 and would take more fully into account certain amendments and proposals on this subject submitted both in writing (documents A/C.3/L.1020 and A/C.3/L.1023) and orally to the Third Committee at its 1177th meeting. In this way it will be possible to ensure, as a whole, the greater effectiveness of measures to improve the legal status of children born out of wedlock.

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