

COMMISSION ON HUMAN RIGHTS
Forty-first session
Pre-sessional open-ended Working Group
on the Question of a Convention on the
Rights of the Child

FFR 21/85

28 January-1 February 1985

Item 13 of the provisional agenda

QUESTION OF A CONVENTION ON THE RIGHTS OF THE CHILD

Compilation of proposals by Governments and non-governmental
organizations for the remaining articles of the
draft Convention

1. Amendment to article 6 bis

(United States of America - E/CN.4/1984/71, Annex II, page 1)

Paragraph 1

The States Parties to the present Convention shall accord to the child and his parents the right to leave any State, including their own, and the right to enter their own State.

Paragraph 2, second sentence

In connection with such applications States Parties shall not punish in any way the applicant(s) or other members of the family concerned. Applications which are not granted for any reason may be renewed and will be considered in the manner noted above with regard to initial applications.

2. Article 12 bis

(Poland - A/C.3/36/6, page 5)

Paragraph 1

The States Parties to the present Convention shall ensure the child with health care facilities and, in case of need, rehabilitation facilities of the highest attainable standard.

(International Council of Women, Friends World Committee for Consultation, International Association of Penal Law, International Catholic Child Bureau, International Catholic Union of the Press, International Commission of Jurists, International Council of Jewish Women, International Federation of Women in Legal Careers, International Federation of Women Lawyers, World Jewish Congress - E/CN.4/1982/WG.1/WP.1, page 4)

The States Parties to the present Convention shall ensure that the child is provided with health care facilities and, where necessary, rehabilitation facilities of the highest attainable standard.

(NGO Consultation on the Draft Convention on the Rights of the Child - First report of informal consultations among international non-governmental organizations, page ii)

The States Parties to the present Convention shall ensure that the child benefits from the highest attainable standard of health care and also, in the case of need, from medical and rehabilitation facilities.

Paragraph 2

(Poland - A/C.3/36/6, page 5)

In particular, States Parties to the present Convention shall undertake measures with a view to:

- (a) lowering the infant mortality rate,
- (b) ensuring medical assistance and health care to all children,
- (c) providing expectant mothers with appropriate health care services and ensuring working mothers a paid leave or a leave granting adequate social security benefits for a reasonable period of time, before and after confinement.

(E/CN.4/1982/WG.1/WP.1, page 4)

In particular, States Parties to the present Convention shall take appropriate measures with a view to:

- (a) lowering the infant mortality rate,
- (b) ensuring that medical assistance and health care shall be provided to all children,
- (c) providing mothers before and after birth with appropriate health care services and ensuring one of the working parents with paid leave or adequate social security benefits for a reasonable period of time, before and after confinement.

(International Federation of Women in Legal Careers, E/CN.4/1984/WG.1/WP.4, page 2)

To take all necessary scientific, technical, educational and remedial measures for the national and international combating of drug abuse and, in particular, the use by children of drugs of whatever kind.

(NGO Consultation on the Draft Convention on the Rights of the Child, page ii)

Special attention should be given to children of developing countries and, in general, to all underprivileged children in order to allow them to enjoy, during all phases of their growth, adequate nutrition, medical care and a suitable environment.

Paragraph 3

(Islamic Republic of Iran - E/CN.4/1984/71, Annex II, page 1)

States Parties to the Convention, in a spirit of international co-operation, undertake to support programmes of action to be prepared periodically, in particular by the United Nations Children's Fund, the World Health Organization and the World Food Programme, in order to lower the infant mortality and to improve substantially health care systems for the benefit of children, especially in developing countries and with particular regard to nutritional problems.

(International Federation of Women in Legal Careers, E/CN.4/1984/WG.1/WP.4, page 2)

To prohibit, under penalty of punishment, all forms of employment and all occupations that are detrimental to children's health or hinder their physical or mental development and to adopt social, administrative and judicial measures for their detection,

(NGO Consultation on the Draft Convention on the Rights of the Child, page ii)

The States Parties to the present Convention shall pursue full implementation of the child's right to health care and do everything in their power to diminish infant and child mortality. They shall, in particular:

(a) provide appropriate services to women in connection with pregnancy, confinement and the postnatal period, granting free service where necessary as well as adequate nutrition during pregnancy and lactation, and actively promote and protect breastfeeding;

(b) provide a comprehensive health system with special emphasis on primary health care and basic services, open and accessible to all children without discrimination; develop protection and preventive measures;

(c) provide information to and training for parents in basic health care.

Paragraph 4

(International Federation of Women in Legal Careers, E/CN.4/1984/WG.1/WP.4, page 2)

To adopt clearly-defined national policies for the abolition of the sexual mutilation of female babies and children, basing such policies on the intensification of health education programmes for all levels of the population and for practitioners of traditional medicine so as to inform public and practitioners alike of the multiple dangers of such practices for the children's physical and mental health.

(NGO Consultation on the Draft Convention on the Rights of the Child, page ii)

The States Parties to the present Convention shall undertake to protect children from any medical investigation or treatment detrimental to their physical or psychological development.

3. Article 14

(Canada - E/CN.4/1984/71, Annex II, page 1)

The States Parties to the present Convention recognize the right of every child to social security, including social insurance, and undertake to introduce appropriate legislative and administrative measures for the implementation of this right.

Depending upon the age and maturity of the child and the nature of the social security benefit, the child may receive social security directly, or indirectly through his or her parents or those caring for the child.

4. Article 15

Paragraph 1

(Canada - E/CN.4/1984/71, Annex II, page 1)

States Parties to the present Convention recognize the right of every child to a standard of living adequate to ensure healthy physical, mental and emotional growth in every phase of the child's development.

(Poland - A/C.3/36/6, page 5)

The States Parties to the present Convention recognize the right of every child to a standard of living which guarantees his normal physical, mental and moral development.

(E/CN.4/1982/WG.1/WP.1, page 5)

The States Parties to the present Convention recognize that every child shall be entitled to a standard of living which guarantees the child's normal physical, mental, moral, spiritual and social development.

(International Social Service - E/CN.4/1984/WG.1/WP.3, page 2)

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

(NGO Consultation on the Draft Convention on the Rights of the Child, page iii)

The States Parties to the present Convention recognize the right of every child to a basic standard of living which guarantees the child's physical, mental, moral and social development.

Paragraph 2

(Canada - E/CN.4/1984/71, Annex II, page 1)

The parent(s) or those responsible for the child have the primary responsibility to secure, within their financial possibilities and powers, the conditions of living necessary for the healthy development of the child.

(Poland - A/C.3/36/6, page 6)

The parents shall, within their powers and financial possibilities, secure conditions of living indispensable for a normal development of the child.

(E/CN.4/1982/WG.1/WP.1, page 5)

The parents shall, within the limits of their capabilities and material resources, secure conditions of living indispensable for the normal development of the child.

(NGO Consultation on the Draft Convention on the Rights of the Child, page iii)

The States Parties to the present Convention shall take appropriate measures to implement this right and extend the necessary material assistance to parents and other persons bringing up children, special regard to be given to very poor or single-parent families and children deprived of parental care. Protection and adequate social benefits should be extended in particular to women before and after confinement to ensure their children's and their own well-being.

Paragraph 3

(Canada - E/CN.4/1984/71, Annex II, page 2)

The States Parties to this Convention shall take appropriate measures to assist parents and others caring for children to implement this right and shall extend necessary material assistance, particularly with regard to nutrition, clothing and housing.

(Poland - A/C.3/36/6, page 6)

The States Parties to the present Convention shall take appropriate measures to implement this right, particularly with regard to feeding, clothing and housing, and, within their means, shall extend the necessary material assistance to parents and other persons bringing up children, special regard to be given to incomplete families and children deprived of parental care.

(E/CN.4/1982/WG.1/WP.1, page 5)

The States Parties to the present Convention shall take appropriate measures to implement this right, particularly with regard to feeding, clothing and housing, and, within their means, shall extend the necessary material assistance to parents and other persons bringing up children, special regard to be given to single parent and deprived families, whether due to the absence of one parent, to lack of parental care, or to extreme poverty.

(NGO Consultation on the Draft Convention on the Rights of the Child, page iii)

The States Parties to the present Convention shall take the necessary measures to develop the resources allocated to the launching and implementation of children's programmes at the national and international levels. Particular efforts shall be made on behalf of the poorest population of all countries.

5. Article 16

Paragraph 1

(Canada - E/CN.4/1984/71, Annex II, page 2)

Every child has the right to an education designed to assist the child to develop his or her talents and abilities to their fullest potential.

(China - E/CN.4/1984/71, Annex II, page 2)

The States Parties to the present Convention shall take measures to guarantee all children compulsory and free education or the aforementioned education to be materialized as early as the circumstances permit.

(Poland - A/C.3/36/6, page 6)

The States Parties to the present Convention shall guarantee all children compulsory and free education, at least at an elementary school level.

(Baha'i International Community - E/CN.4/1983/WG.1/WP.2, page 2)

In addition to academic education, the child shall be entitled to receive guidance, training and education designed to promote his social, spiritual and moral development and well-being.

(NGO Consultation on the Draft Convention on the Rights of the Child, page iv)

Every child has the right to an education designed to assist the child to develop his or her talents and abilities to their fullest potential and to prepare the child for future life.

Paragraph 2

(Canada - E/CN.4/1984/71, page 2)

The child shall have the right to education which shall be free and compulsory, at least at elementary school level. The parents and the State shall guarantee the child adequate conditions for the realization of this right.

(Poland - A/C.3/36/6, page 6)

The States Parties to the present Convention shall develop various forms of secondary, general and vocational education, aiming at a gradual introduction at this level of free education, so as to enable all children to develop their talents and interests in conditions of equal opportunity.

(Baha'i International Community - E/CN.4/1983/WG.1/WP.2, page 2)

The fundamental objectives of such guidance, training and education shall be:

- (a) to promote the harmonious development of the personality of the child;
- (b) to promote the realization of the full potential of the child;
- (c) to protect the child by developing his ability to resist outside influences or pressures likely to lead him into lawlessness or delinquency, or into practices injurious to his physical or mental health or to his social, spiritual or moral well-being;
- (d) to prepare the child to exercise the rights and undertake the responsibilities of adult life in a manner consistent both with his own well-being and with the well-being of others;
- (e) to foster in the child a respect for human rights and fundamental freedoms;

(f) to nurture in the child an attitude of understanding, respect and friendship towards all people, regardless of race, sex, class, colour, nationality, ethnic origin, religion or belief;

(g) to foster in the child an awareness of and a desire to promote the principles of universal peace and brotherhood proclaimed in the Charter of the United Nations.

(World Association for the School as an Instrument of Peace -
E/CN.4/1983/NGO/43, page 1)

The fundamental objectives of such guidance, training and education shall be:

(a) To promote the harmonious development of the personality of the child;

(b) To promote the realization of his full potential;

(c) To foster in him, through education relating to human rights, a respect for such rights, fundamental freedoms and underlying values;

(d) To protect the child by developing his ability to resist outside influences or pressures likely to lead him into lawlessness or delinquency, or into practices injurious to his physical or mental health or to his social, spiritual or moral well-being;

(e) To prepare the child to acquire an awareness of his rights and duties so as to enable him to assume his responsibilities as an adult, in a manner consistent with his own well-being and with that of others;

(f) To nurture in the child an attitude of understanding, respect, tolerance and friendship towards all people, regardless of race, sex, class, colour, nationality, ethnic origin, religion or belief;

(g) As a result, to develop an attitude of peace, public-spiritedness and universal brotherhood, as proclaimed in the Charter of the United Nations, and the commitment to attain these goals.

Paragraph 3

(Canada - E/CN.4/1984/71, page 2)

The States Parties to the present Convention shall develop various forms of secondary general and vocational education systems, and shall pursue gradual introduction of free education at this level, so as to enable all children to develop their talents and interests on a basis of equal opportunity.

(Baha'i International Community - E/CN.4/1983/WG.1/WP.2, page 2)

The States Parties to the present Convention, bearing in mind that, in accordance with article 8, the primary responsibility for the upbringing and development of the child rests with his parents or guardians, shall use their best efforts to:

(a) raise the level of public awareness of the importance of the social, spiritual and moral education of the child, particularly during his early years;

(b) promote recognition and understanding by all those concerned with the upbringing of the child, most particularly his parents or guardians, of their indispensable role; and the primary importance of their example, in the social, spiritual and moral development of the child;

(c) encourage schools to develop guidelines and courses of instruction designed to foster the social, spiritual and moral development of the child.

(NGO Consultation on the Draft Convention on the Rights of the Child, page iv)

The States Parties to the present Convention shall develop various forms of secondary education systems, both general and vocational, and shall pursue gradual introduction of free education at this level, so as to enable all children to develop their talents and interests on a basis of equal opportunity.

Paragraphs 4, 5 and 6

(NGO Consultation on the Draft Convention on the Rights of the Child, page iv)

The States Parties to the present Convention shall develop educational programmes for children who are precluded from receiving formal education, or who have not received or completed their primary education.

States Parties shall make a special effort to improve the professional quality of the teaching staff and to provide them with the needed material conditions.

States Parties shall promote international co-operation in matters of education, in accordance with the provisions of existing international instruments.

6. Article 17

Paragraph 1

(Canada - E/CN.4/1984/71, Annex II, page 2)

The States Parties to the present Convention recognize that the bringing up and education of the child should promote the full development of his personality, his respect for human rights and fundamental freedoms.

(Poland - A/C.3/36/6, page 6)

The States Parties to the present Convention recognize that raising up and educating the child should promote development of his personality and intensify his respect for human rights and fundamental freedoms.

(NGO Consultation on the Draft Convention on the Rights of the Child, page iv)

The States Parties to the present Convention recognize that an integral aspect of the upbringing and education of the child is the promotion of an awareness of and respect for human rights and fundamental freedoms.

Paragraph 2

(Canada - E/CN.4/1984/71, Annex II, page 2)

The child shall be prepared for an individual life in a free society, in the spirit of understanding, tolerance and friendship among all peoples, ethnic and religious groups.

(Poland - A/C.3/36/6, page 6)

The States Parties to the present Convention shall ensure that the child be prepared for independent life in a free society, in the spirit of understanding, tolerance and friendship among all peoples, ethnic and religious groups and educated in harmony with the principles of peace established by the United Nations.

(NGO Consultation on the Draft Convention on the Rights of the Child, page iv)

The States Parties to the present Convention shall ensure that the child be prepared for responsible life in a free society, in the spirit of understanding, tolerance and friendship among all peoples, ethnic and religious groups and be educated in harmony with Nature and in keeping with principles established by the United Nations.

Paragraphs 3 and 4

(Canada - E/CN.4/1984/71, Annex II, page 2)

The States Parties to the present Convention undertake to ensure that the child is educated in harmony with the principles of peace proclaimed by the United Nations.

In accordance with paragraphs 1, 2 and 3 of this article, the States Parties to this Convention undertake to protect the child from conscription or from use in military combat.

7. Article 18

Paragraph 1

(Canada - E/CN.4/1984/71, Annex II, page 2)

Every child has the right to rest and leisure, to engage in play and recreation and to freely participate in cultural life and the arts.

(Poland - A/C.3/36/6, page 6)

The States Parties to the present Convention undertake to ensure to all children opportunities for leisure and recreation commensurate with their age. Parents and other persons responsible for children, educational institutions and State organs shall supervise the practical implementation of the foregoing provision.

(E/CN.4/1982/WG.1/WP.1, page 5)

The States Parties to the present Convention undertake to promote measures ensuring that all children are provided with opportunities for leisure and recreation commensurate with their age, and to encourage parents and other persons responsible for children, educational institutions and State organs to supervise the practical implementation of this provision.

(NGO Consultation on the Draft Convention on the Rights of the Child, page v)

The States Parties to the present Convention undertake to promote measures ensuring that all children are provided with opportunities for leisure and recreation commensurate with their age, aptitude and any special needs they may have. They shall encourage parents and other persons responsible for children, educational institutions and State organs to supervise the implementation of this provision.

Paragraph 2

(Canada - E/CN.4/1984/71, Annex II, page 2)

Parents, States Parties, educational institutions and others caring for children shall take steps to implement this right, including making reasonable limitations on school and working hours.

8. Article 19

Paragraph 1

(Canada - E/CN.4/1984/71, Annex II, page 3)

Every child shall be protected from all forms of discrimination and from economic and social exploitation.

(Poland - A/C.3/36/6, page 6)

The States Parties to the present Convention undertake to protect the child against all forms of discrimination, social exploitation or degradation of his dignity. The child shall not be subject of traffic in any form.

(E/CN.4/1982/WG.1/WP.1, page 5)

The States Parties to the present Convention undertake to protect the child against all forms of discrimination, social exploitation or degradation of dignity. The child shall not be exposed to abuse or exploitation in any form.

(NGO Consultation on the Draft Convention on the Rights of the Child, page v)

The States Parties to the present Convention undertake to protect the child against all forms of neglect, abuse, social and economic exploitation, degradation and all acts violating the moral, spiritual or physical integrity of the child.

Paragraph 2

(Canada - E/CN.4/1984/71, Annex 2, page 3)

The States Parties to the present Convention recognize that the child shall not be employed in any form of work harmful to the child's health or education or which will interfere with his or her physical, mental or social development.

(Poland - A/C.3/36/6, page 6)

The States Parties to the present Convention shall ensure that the child be not employed in any form of work harmful to his health or development nor dangerous to his life, and they undertake to sue persons acting to the contrary.

(E/CN.4/1982/WG.1/WP.1, page 6)

The States Parties to the present Convention shall ensure that the child shall not be employed in any form, in work harmful to his health or development or dangerous to his life, and they undertake, where necessary, to introduce appropriate legislation making it a punishable offence for persons to act contrary to this provision.

(NGO Consultation on the Draft Convention on the Rights of the Child, page v)

The States Parties to the present Convention shall take all national, bilateral and multilateral measures to prevent the traffic of children in any form.

Paragraph 3

(Canada - E/CN.4/1984/71, Annex 2, page 3)

States Parties to the present Convention shall take legislative and administrative measures to ensure that the child is protected and that the provisions of paragraph 2 of this article are adhered to.

(Poland - A/C.3/36/6, page 7)

The States Parties to the present Convention shall comply with the law prohibiting employment of children below the age of 14 years, in accordance with the ILO Convention No. 5 of 13 June 1921.

(International Labour Office - E/CN.4/1984/WG.1/WP.1, page 2)

The States Parties to the present Convention shall prescribe a minimum age or minimum ages for admission to employment or work, with due regard to the provisions of paragraph 2 of this article, the need to safeguard school attendance and participation in vocational education and training programmes, and the provisions of other international instruments relating to the employment of children.

(E/CN.4/1982/WG.1/WP.1, page 6)

The States Parties to the present Convention shall comply with the law prohibiting employment of children below the age of 14 years, in accordance with the relevant ILO instruments.

(NGO Consultation on the Draft Convention on the Rights of the Child, page v)

The States Parties to the present Convention shall ensure that the child shall not be engaged in any occupation or employment harmful to health or morals, or dangerous to life, or likely to interfere with the child's development, and that contravention of this shall be punishable by law.

Paragraph 4

(International Labour Office - E/CN.4/1984/WG.1/WP.1, page 3)

Persons acting contrary to the provisions of this article shall be subject to penalties established by law.

(NGO Consultation on the Draft Convention on the Rights of the Child, page v)

The States Parties to the present Convention shall take all appropriate measures to ensure compliance with the international labour standards concerning minimum age and conditions of employment.

9. Article 20

Paragraph 1

(Canada - E/CN.4/1984/71, Annex II, page 3)

The States Parties to the present Convention recognize the right of the child accused or found guilty of infringing the penal law to be treated in a manner consistent with the aims of child development acknowledged in article 17 of this Convention, and in particular in such a manner as to promote the full development of his or her personality, sense of dignity and worth, and respect for human rights and fundamental freedoms.

(Poland - A/C.3/36/6, page 7)

The child undergoing penal procedure shall have the right to special treatment and privileges.

(E/CN.4/1982/WG.1/WP.1, page 6)

A child accused of committing a criminal offence shall have the right to special treatment and privileges.

(International Social Service - E/CN.4/1984/WG.1/WP.3, page 2)

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.

(NGO Consultation on the Draft Convention on the Rights of the Child, page vi)

A child in a penal institution or undergoing penal procedures shall have his/her rights guaranteed and be entitled to special treatment.

Paragraph 2

(Canada - E/CN.4/1984/71, Annex II, page 3)

The States Parties to the present Convention shall pursue full implementation of this right, and in particular undertake as follows:

(a) No child shall be arbitrarily detained or imprisoned;

(b) Every child accused of infringing the law is entitled to have the matter determined according to law in a fair hearing within a reasonable time by an independent and impartial tribunal, in accordance with the presumption of innocence and such procedures as will take into account his or her age and the desirability of promoting his or her rehabilitation;

(c) All children deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person;

(i) Accused children shall be separated from adults and brought as speedily as possible for adjudication;

(ii) The essential aim of treatment of children found guilty of infringing the penal law shall be their reformation and social rehabilitation. They shall be segregated from adults and accorded treatment appropriate to their age and legal status;

(d) No child shall be subjected to cruel, inhuman or degrading treatment or punishment. No child shall be sentenced to death.

(Poland - A/C.3/36/6, page 7)

The child shall not be liable to capital punishment. Any other punishment shall be adequate to the subsequent phase of his development.

(E/CN.4/1984/WG.1/WP.1, page 6)

In accordance with article 6, paragraph 5, of the International Covenant on Civil and Political Rights, a child shall not be liable to capital punishment. Any other punishments shall be appropriate to the stage of the child's development.

(NGO Consultation on the Draft Convention on the Rights of the Child, page vi)

Capital punishment shall not be imposed for acts committed by persons under the age of 18.

Paragraph 3

(Poland A/C.3/36/6, page 7)

The penitentiary system shall be aimed at re-education and re-socialization of the sentenced child. It shall enable the child to serve the sentence of deprivation or limitation of freedom under special circumstances and, in particular, in separation from adult offenders.

(E/CN.4/1982/WG.1/WP.1, page 6)

Such punishment shall be aimed at re-education and social re-integration of the convicted child. Where the child is sentenced to a period of deprivation of liberty, the child shall be kept apart from adult offenders and shall receive the care and assistance necessary, commensurate with the child's age.

(NGO Consultation on the Draft Convention on the Rights of the Child, page vi)

Torture or other forms of cruel, inhuman or degrading punishment, including the imposition of solitary confinement or corporal punishment, shall be prohibited.

Paragraphs 4 and 5

(NGO Consultation on the Draft Convention on the Rights of the Child, page vi)

The States Parties to the present Convention undertake to ensure that as a rule sentences of imprisonment shall not be imposed on children, and furthermore recognize that in all circumstances where corrective measures are imposed, rehabilitation, including education and vocational training, shall be the primary consideration and shall take precedence over punishment.

Facilities shall be provided to ensure the effective separation of children from adult offenders, and shall be staffed by personnel specially trained to provide the child with care and assistance appropriate to the child's needs and age.

10. Article 21

Paragraph 1

(Islamic Republic of Iran - E/CN.4/1984/71, Annex II, pages 3 and 4)

(a) The States Parties to the present Convention, guided by the principles of international customary law and Geneva law, shall refrain from committing a military attack and bombardment of undefended cities and the civilian population, inflicting incalculable suffering, especially on children who are the most vulnerable members of the population.

(b) The use of chemical and bacteriological weapons in the course of armed conflict constitutes one of the most flagrant violations of the Geneva Protocol of 1925, and the principles of international humanitarian law and inflicts heavy losses on civilian populations including defenceless children, such acts constitute a crime against humanity.

(E/CN.4/1982/WG.1/WP.1, page 6)

Without prejudice to the application of other relevant articles of the present Convention, States Parties to an armed conflict shall take all feasible measures in order that children who have not attained the age of 15 years do not take a direct part in hostilities, and in particular, they shall refrain from recruiting them into their armed forces. [In recruiting among those persons who have attained the age of 15 years but who have not attained the age of 18 years, the States Parties to the armed conflict shall endeavour to give priority to those who are oldest.] */

*/ Friends World Committee for Consultation wishes to disassociate itself from this last sentence.

(NGO Consultation on the Draft Convention on the Rights of the Child, page vi)

The States Parties to the present Convention shall refrain from recruiting children into the armed forces and shall take all measures to ensure that children do not take part in hostilities.

Paragraph 2

(E/CN.4/1982/WG.1/WP.1, page 7)

If, in exceptional cases, despite the provisions of paragraph 1, children who have not attained the age of 15 years take a direct part in hostilities and fall into the power of an adverse party, they shall continue to benefit from the special protection accorded by this provision, whether or not such children are prisoners of war.

(NGO Consultation on the Draft Convention on the Rights of the Child, page vi)

Recognizing the special vulnerability of children, the States Parties to the present Convention shall, in cases of internal and international armed conflicts, take special measures to prevent all children from being subjected to any form of physical or psychological violation and to ensure that they are always among the first to receive protection and care.

Paragraph 3

(E/CN.4/1982/WG.1/WP.1, page 7)

If arrested, detained or interned for reasons related to the armed conflict children shall be held in quarters separate from the quarters of adults, except where families are accommodated as family units.

11. Article 22

Paragraph 1

(Canada - E/CN.4/1984/71, Annex II, page 4)

The reports submitted by the States Parties to the present Convention under article 21 shall be considered by the Economic and Social Council.

(Poland - A/C.3/36/6, page 7)

The reports submitted by the States Parties to the present Convention under article 20 shall be considered by the Economic and Social Council, which may bring its observations and suggestions to the attention of the General Assembly of the United Nations.

Paragraphs 2, 3, 4 and 5

(Canada - E/CN.4/1984/71, Annex II, page 4)

To assist it in its task, the Economic and Social Council shall establish a Group of Experts entrusted with the responsibility of examining the reports submitted by the States Parties before they are considered by the Economic and Social Council; the Group of Experts shall also prepare appropriate comments on every report for transmission, through the Economic and Social Council, to the State Party concerned.

The members of the Group of Experts shall be elected by the Economic and Social Council from a list of candidates nominated by States Parties.

The Economic and Social Council shall decide on the size of the Group of Experts, its geographic composition and the periodicity of its meeting.

The Economic and Social Council may bring its observations and suggestions on the implementation of this Convention to the attention of the General Assembly of the United Nations.

12. Article 23

(Poland - A/C.3/36/6, page 7)

The States Parties to the present Convention every three years shall submit periodical reports on the implementation of the present Convention to the Economic and Social Council through the Secretary-General of the United Nations.

13. Article 24

(Poland - A/C.3/36/6, page 7)

1. The present Convention is open for signature by all States.
2. The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

14. Article 25

(Poland - A/C.3/36/6, page 7)

The present Convention shall remain open for accession by any State. Instruments of accession shall be deposited with the Secretary-General of the United Nations.

15. Article 26

(Poland - A/C.3/36/6, pages 7 and 8)

1. The present Convention shall enter into force six months after the date of deposit of the fifteenth instrument of ratification or accession.
2. For each State ratifying or acceding to the present Convention after the deposit of the fifteenth instrument of ratification or accession, the Convention shall enter into force on the day after the deposit by such State of its instrument of ratification or accession.

16. Article 27

(Poland - A/C.3/36/6, page 8)

As depositary of the present Convention, the Secretary-General of the United Nations shall inform all States of:

- (a) signatures, ratifications and accessions under articles 22, 23 and 24,
- (b) the date of the entry into force of the present Convention under article 25.

17. Article 28

(Poland - A/C.3/36/6, page 8)

The original of the present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States.

18. Article 29

(Canada- E/CN.4/1984/71, Annex II, page 4)

Nothing in this Convention shall affect any provisions that are more conducive to the realization of the rights of the child and that may be contained in

(a) the legislation of a State Party; or

(b) any other international convention, treaty or agreement in force for that State.

19. New articles

(China - E/CN.4/1984/71, Annex II, page 1)

The States Parties to the present Convention should protect the interests of the children born out of wedlock and ensure to them the rights as enjoyed by those born in lawful wedlock.

(E/CN.4/1982/WG.1/WP.1, page 7)

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.

(NGO Consultation on the Draft Convention on the Rights of the Child, page iii)

1. The protection of the child's interests cannot be dissociated from the protection of the child's natural family.

2. The responsibility of parents is to do everything in their power to ensure their children's well-being and harmonious development. Parents shall participate in all decision-making and orientation with regard to their children's education and future.

3. The States Parties to the present Convention undertake to recognize, support and protect the family unit in every way to enable it to carry out its function as provider of the most suitable environment for the child's emotional, physical, moral and social development.