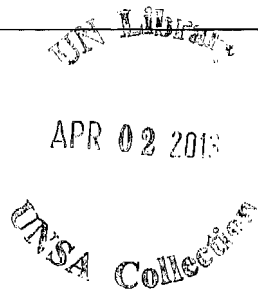




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Sixty-seventh session

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Summary record of the 17th meeting

Held at Headquarters, New York, on Friday, 19 October 2012, at 3 p.m.

Chair: Mr. Sparber (Vice-Chair) (Liechtenstein)

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The meeting was called to order at 3.05 p.m.

Agenda item 64: Promotion and protection of the rights of children (continued)

(a) Promotion and protection of the rights of children (continued) (A/67/41, A/65/225, A/65/230, A/65/256 and A/65/291)

(b) Follow-up to the special session on children (continued) (A/65/229)

1. **Ms. Mndebele** (Swaziland) said that Swaziland was party to a number of regional, subregional and international instruments for the promotion and protection of children's rights. In September 2012 it had acceded to the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and pornography and on the involvement of children in armed conflict and had enacted a children's protection and welfare law shortly thereafter. Her Government had established a national children's coordination unit in the Deputy Prime Minister's Office to ensure coordination among government departments and with civil society actors. Its national children's policy, formulated in 2009, included a focus on the girl child, with the goal of helping Swazi girls to achieve their full potential.

2. While continuing to affirm the family as the fundamental unit of society, her Government recognized that, decimated by AIDS, the traditional extended family could no longer be counted on to care for orphaned children; it was working with traditional chiefs, religious institutions, communities and civil society to ensure that such children were protected. She expressed deep concern regarding the vulnerability of children, especially girls, to sexual exploitation, slavery, prostitution, pornography and acts of paedophilia, which were being exacerbated by the Internet.

3. **Mr. Gilroy** (Ireland) said that, learning lessons from the past, his country had endeavoured to build a robust domestic framework for the protection and promotion of the rights of children. In addition to making legislative changes and reforming its child protection services and juvenile justice system, it had established a Minister for children and youth affairs and an independent Ombudsman for children. It was conducting extensive research to inform national priorities and policies and had set up active local child and youth councils, as well as a national youth

parliament. In November 2012, it would hold a referendum on amending its Constitution to include explicit recognition of the rights of children and to affirm the State's obligation to protect those rights.

4. In its foreign policy, including its development assistance programme, his Government consistently upheld its commitment to children's rights, with an emphasis on education, hunger and health. It was supporting programmes in countries such as Zambia and Sierra Leone, and remained a committed supporter of the United Nations Children's Fund (UNICEF). His Government had particularly welcomed the high-level panel discussion on ending child marriage held at Headquarters on the occasion of the first International Day of the Girl Child. He expressed gratitude to the Special Representative of the Secretary-General on Violence against Children for her 2012 visit to Ireland and her stated support for its programme of reforms.

5. **Mr. Dhital** (Nepal) said that Nepal's Constitution protected the fundamental rights of children, and its national laws and programmes strove to enforce them. Under its laws, children under age 14 could not work as labourers, and minors could not be employed in hazardous work or recruited for armed conflict. Exploitation of children for pornography, sexual abuse and trafficking was strictly outlawed. Nepal's juvenile justice system was child-friendly and was geared towards the rehabilitation of juvenile offenders.

6. Despite challenges, his country was on course to meet the Millennium Development Goals (MDGs) for child survival and maternal health. Its national action plan on education for all and its school-sector reform plan were designed to ensure compulsory and free primary education for all, with special emphasis on girls, children in difficult circumstances and ethnic minorities. A comprehensive national policy on children had been brought out in 2012.

7. Nepal was a party to almost all of the core international human rights instruments, including the Convention and its first two Optional Protocols, and at the regional level, it had ratified the Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia and the Convention on Preventing and Combating Trafficking in Women and Children for Prostitution of the South Asian Association for Regional Cooperation. He expressed appreciation to UNICEF for its ongoing support and appealed to the international community for increased

assistance and cooperation in advancing the development and welfare of Nepalese children.

8. **Mrs. Bernadel** (Haiti) said that in her country, many poor families sent their children to live with relatives in urban areas, where they received room and board in exchange for domestic labour. That situation had an adverse impact on school attendance rates. In the long term, the solution lay in achieving sustained economic growth and universal education. In the short term, steps must be taken to remove children from the worst forms of labour and provide for their social reintegration and basic education while taking into account the needs of their families, all of which would be covered in a new child protection code.

9. Haiti's programme to provide free universal and compulsory education had already allowed more than one million children to attend school; related actions included the construction or repair of many schools and the provision of hot lunches under the national school canteens programme. Her Government was working with a non-governmental organization, Plan-Haiti, to lift the barriers to girls' access to primary and secondary education within the next five years. Other objectives included creating legal mechanisms and procedures to prevent and punish violence against girls, educating children about their rights to sexual and reproductive health and, on a more general level, placing children at the heart of sustainable development.

10. Her Government's recent accomplishments included the adoption in 2011 of an action plan for finalizing the child protection code and ratification in 2012 of the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption. With the assistance of UNICEF, it had prepared the first ever directory of children's residential care facilities and established a minors' protection brigade that made it harder to smuggle children out of the country.

11. **Ms. Hewanpola** (Australia) said that Australia was deeply committed to ensuring the protection of children from all forms of exploitation and abuse and ensuring respect for their rights. As part of its 10-year national framework for the protection of children it had recently established a children's commissioner within its human rights commission. Her country strongly supported the Secretary-General's call for the establishment of a framework of laws, policies and programmes offering a continuum of care, education

and protection, as well as for the formation a global alliance to advocate for the full implementation of the Convention. It also welcomed the focus on the rights of indigenous children, which was a high priority in Australia's national strategy.

12. Australia remained deeply concerned about ongoing violations of children's rights and welcomed the continuing attention paid to the issue by the Secretary-General. It supported the mandate of the Special Representative, including in the Asia Pacific region, and welcomed her call for a comprehensive strategy on violence against children. It also supported the work of the Security Council in the area of children in armed conflict and its focus on ensuring that children's protection was incorporated into any country-specific action taken by the Council, as well as its expansion of the criteria for listing perpetrators of violence against children in armed conflict.

13. **Ms. Nsatoukazi Mpombo** (Republic of the Congo) said that as a party to the Convention, the Republic of the Congo had enacted a child protection law in 2010 to enforce the rights enshrined in it. Since then, her Government had conducted a public information campaign on the new law, issued a decree setting the rules for establishing private care facilities for children, continued its birth registration campaign, and begun providing free malaria treatment for children up to age 12 and free schooling for children up to age 16.

14. To combat child trafficking, her Government had prepared a handbook on identifying and caring for child victims of human trafficking, launched an anti-trafficking campaign and provided special training for police and gendarmerie officers. Human trafficking was not endemic to Congolese society; the measures taken by her Government were preventive in nature and aimed to protect children from the practices of certain foreign populations living in her country. Her Government had signed bilateral agreements with the countries of origin of the foreign populations concerned with a view to preventing such practices.

15. She expressed appreciation to all development partners and urged them to continue to support her Government in its efforts to protect children.

16. **Ms. Salim** (Libya) said that Libyan children had been deeply scarred by the recent war; children had been recruited and armed and used as human shields,

and schools and hospitals had been used as arms depots and military barracks.

17. Under Libya's laws, education was compulsory and free for all Libyans; her Government had provided mobile classrooms to replace destroyed schools, repaired damaged schools and devised a plan to allow students whose studies had been interrupted to complete the 2010-2011 school year. It provided motorized wheelchairs for children who had lost limbs and, with the help of UNICEF, it was training social workers to enhance child-focused services and protect children during the post-revolution period. It was working to improve free health care services, especially services for children, and by providing vaccines free of charge, it had been able to eradicate hepatitis and polio and control measles and other infectious diseases.

18. **Mr. Mbeou** (Togo) said that, as a party to the Convention and its first two Optional Protocols, his country had submitted its third periodic report in 2012. Togo had made preschool and primary education free in 2010, and with the assistance of civil society partners, it organized annual birth registration campaigns. To combat malaria, it distributed treated mosquito nets, focusing particularly on rural areas, and it had recently launched a three-month campaign to diagnose and treat malaria free of charge in children up to age 10.

19. Female genital mutilation had been outlawed in 1998 and was prohibited under Togo's children's code; with technical and financial support from the relevant specialized agencies, the United Nations Development Programme, Plan-Togo and civil society, his Government was working to discourage the practice through television campaigns and by identifying practitioners and retraining them in income-generating occupations. An evaluation of those measures in 2006 had shown a drastic decline in the practice. Yet there were still pockets of resistance, in part because, in the absence of regional regulation, the problem transcended national borders. During the current session, Togo would welcome any regional or continent-wide initiative that committed the international community to take action against that scourge.

20. He expressed appreciation to the International Bureau for Children's Rights for organizing a two-day seminar for police and security forces on combating

child labour in Togo, as well as to SOS Children's Villages and Plan-Togo for their ongoing assistance which, he hoped, would be continued.

21. **Mr. Bamba** (Côte d'Ivoire) said that his country was working to reverse the harm its children had suffered during the decade-long civil conflict and 2010-2011 post-election crisis. To improve birth registration rates, it had implemented concrete measures to restore and modernize civil registration services. It was working to ensure access to quality education and reopen schools and had set up a system to provide psychosocial support to displaced children at sites and within host families. Human rights, including children's rights, had been incorporated into the school curriculum. With the support of various non-governmental organizations, it had embarked on the construction of a women's and children's hospital that would improve children's access to health care. Côte d'Ivoire was firmly opposed to abortion, as a violation of the right to life.

22. In view of the international spotlight on the exploitation of child labour in the Ivorian cacao industry, his Government had established an inter-ministerial committee and a national monitoring committee on child trafficking and child labour and had adopted a national plan of action for 2012-2014. It had also undertaken an extensive awareness-raising campaign among administrative officials, the police and the gendarmerie. As a result of its efforts, the United States Department of Labour had removed Côte d'Ivoire from the list of worst offenders in its 2012 report. He expressed his country's gratitude to its bilateral partners and the United Nations agencies for their ongoing efforts to improve the lives of children in Côte d'Ivoire.

23. **Ms. Ali** (Bahrain) said that under the Constitution of Bahrain, women, children and young people were protected against all forms of exploitation and physical or material abuse. Bahrain was a party to the Convention and its first two Optional Protocols and to Convention No. 182 of the International Labour Organization (ILO) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. In August 2012 Bahrain had enacted a comprehensive child law which set forth the rights of children and included provisions on health care, day care, children with special needs and protection against abuse, and also provided for the establishment of a national commission to oversee its

implementation. Bahrain also cooperated with regional Arab organizations in the area of children's rights. The Bahrain centre for child protection had been established to assist abused and exploited children, and Bahrain's royal charity organization provided moral and material support for orphans and children with special needs and ensured their access to health care and education so that they could participate in society.

24. **Ms. Shiolashvili** (Georgia) said that Georgia was a party to the main children's rights treaties, and to regional human rights instruments. Over the past few years her Government had implemented numerous programmes for homeless children; an alternative care system, involving guardianship by relatives, foster homes, family-type boarding houses, reintegration and adoption, had been established in 2004. Many street children had received education and training from State-run or alternative childcare services. However, Georgia faced major educational challenges that were beyond its control. Specifically, children in the Gali district of the occupied Abkhazia region who wished to be educated in the Georgian language faced daily obstacles put in place by the authorities in effective control and were being systematically refused passage across the occupation line. Appeals to the international community, and in particular the specialized agencies, remained as her country's only hope for correcting that appalling situation.

25. **Mr. Fiallo** (Ecuador) said that, in Ecuador, the rights of children were protected by the Constitution and by intersectoral policies based on the national development strategy. While much remained to be done, his Government's efforts to address the growing problem of child labour, a toxic by-product of neoliberalism, had achieved progress in all areas, including health and education.

26. At the international level, Ecuador had decided to sign the Optional Protocol to the Convention on a communications procedure. His delegation urged Member States to support the draft resolution on the rights of the child, which emphasized the rights of indigenous children. It was also wished to underscore the importance of continuing to promote the rights of children with disabilities, which should have a central place in preparations for the high-level meeting of the General Assembly on disability and development. His Government had implemented specific programmes for disabled children.

27. **Mr. Lynn** (Myanmar) said that his country had acceded to the Convention in 1991, and to the Optional Protocol on the sale of children, child prostitution and child pornography in 2012; it was making ongoing efforts to harmonize its legislation with the Convention. Myanmar was implementing a national plan of action for children, as well as sectoral plans, and was working to achieve better coordination among the implementing agencies. In January 2012 it had submitted its combined third and fourth periodic reports to the Committee on the Rights of the Child; it was in the process of consolidating its minimum standards of care and protection for children in residential care in accordance with that Committee's recommendations.

28. In the area of education, the net intake rate for children ages 5 and up stood at nearly 100 per cent for the 2011-2012 school year, and his Government was confident that it would be able to sustain that trend with increased budgetary allocations for the education sector. Human rights education was a part of the basic curriculum. In June 2012 Myanmar had signed an action plan with the United Nations to prevent the recruitment and use of children by the national armed forces and provide for reintegration and rehabilitation. At the end of the 18-month process, there would be no underage recruits in the Myanmar armed forces.

29. **Mr. Azazi** (Eritrea) said that, faced with the ravages of war, his Government had made progress in the areas of children's rights, the justice system, food security, social protection, education and health. It had established an interministerial coordinating committee supported by a technical committee, which included civil society members and operated at the national and subregional levels. Eritrea was one of three countries in sub-Saharan Africa that were on track to meet MDG 4 on reducing under-5 mortality. It had made similar progress towards MDGs 5 and 6 on improving maternal health and combating HIV/AIDS and was among the few countries in sub-Saharan Africa to have met the Roll Back Malaria targets. HIV/AIDS prevalence had been cut to less than 1 per cent of the population; polio and maternal and neonatal tetanus had been eradicated, and measles was under control. The reduction of the mortality rate could be attributed not only to better access to primary health care but also to poverty reduction through sustained economic growth, an intensive food security strategy, salt iodisation, food fortification, therapeutic feeding

centres and a social protection scheme. Although the percentage of underweight children fell below the World Health Organization's 10 per cent threshold, it needed to be reduced still further.

30. With a view to achieving universal elementary education, Eritrea allocated the lion's share of its budget to providing free primary and secondary education. At the primary level, children from all nine ethnic groups were instructed in their mother tongue, and special attention was given to ensuring that girls, nomadic children and disabled children had full access to education.

31. Eritrean law contained provisions protecting vulnerable children and banned female genital mutilation and corporal punishment. A plan of action had been put in place to combat the commercial exploitation of children through prevention and rehabilitation; orphans and street children were reintegrated into their extended families or cared for in group homes as an alternative to institutions. Effective legal safeguards prevented military recruitment of children under age 18. Eritrea was a party to the Convention's first two Optional Protocols and had recently submitted its fourth periodic report.

32. **Ms. Nguyen** (Viet Nam) said that her Government was working diligently to harmonize its national laws, policies and programmes with the Convention and its optional protocols. Currently, 18 million children in Viet Nam belonged to children's or youth organizations where, in addition to participating in art and performance activities, they learned about their rights and could engage with Government leaders on issues directly affecting them. More than 100 schools had educational programmes on healthy living, including HIV/AIDS prevention and reproductive health. Children were being consulted nationally on the draft law amending and supplementing the law on protection, care and education of children.

33. Viet Nam shared the concern of the international community regarding violence against children and their exploitation and abuse, which cut across boundaries of geography, race, religion and culture; no country was immune, whether rich or poor. Coordinated action was needed in all sectors and at all levels, local, national and international, in cooperation with civil society groups and individual citizens. Coordination among the relevant United Nations entities involved was also essential.

34. **Mr. Mikayilli** (Azerbaijan) said that, as a party to the Convention and its first two Optional Protocols, as well as to ILO Conventions Nos. 138 and 182 dealing with child labour, his Government was working to harmonize its national legislation with those instruments. During its consideration of Azerbaijan's combined third and fourth periodic report, the Committee on the Rights of the Child had applauded the various legislative measures adopted. Azerbaijan had made tremendous strides in meeting the needs of refugee and internally displaced children and would spare no effort to ensure their inalienable right of return to their native lands.

35. As a country suffering from the grave consequences of armed conflict, Azerbaijan strongly condemned all violations of international humanitarian law committed against children in situations of armed conflict. The parties concerned should abide by their obligations under international humanitarian and human rights law, and the perpetrators of crimes committed against children should be held accountable; impunity needed to be tackled more resolutely. In that connection, his Government supported the efforts made by the Special Representative of the Secretary-General for Children and Armed Conflict, while urging her to consider the suffering of children in all situations of armed conflict. He called on all parties to armed conflict and the international community to redouble their efforts to resolve ongoing and protracted conflicts.

36. **Mr. Isgandarov** (Azerbaijan), speaking on behalf of the youth of Azerbaijan, said that his Government was making great efforts to protect the rights of children and safeguard their future in such areas as the care and protection of orphans, street children and children without parental support, the improvement of education, including programmes for children with special needs, and the issuance of rules concerning children without parental support, adopted children, and prospective adoptive parents. His Government was also working closely with ILO to implement Convention No. 182. It had taken steps to coordinate and enhance the efforts of State agencies and voluntary organizations involved with children, to formalize State policy on children and to implement children's rights in accordance with the Constitution and international standards.

37. **Mr. Charles** (Trinidad and Tobago) said that his country's many child protection laws covered a broad

range of subjects, including foster homes, adoption, child abduction, family court, redefinition of offences against children, use of DNA testing, child-trafficking, minimum age of employment and domestic violence. Its 2012-2016 national strategic plan for child development centred on five goals: providing a secure and nurturing environment for all children; developing comprehensive, coherent and coordinated initiatives to promote and protect the rights of children; opportunities beyond academics for all children, healthy living and specialized services.

38. Trinidad and Tobago had achieved universal primary education and eliminated gender disparity in primary and secondary education, thereby attaining MDGs 2 and 3. Primary and secondary education were free and compulsory, and financial grants were available to assist parents in meeting the costs associated with school attendance. Various social and health programmes, including the provision of meals and transportation to school children, and access to free health care services, ensured that children enjoyed the highest attainable standards of physical and mental health. Non-communicable diseases, such as diabetes and tobacco-related diseases, continued to present significant challenges, however, and her Government had enacted legislation to protect individuals from exposure to tobacco smoke, discourage children from smoking, restrict promotional activity by manufacturers and enhance public awareness of the hazards of tobacco use and protect non-smokers from the effects of tobacco smoke.

39. Her Government believed that more attention should be paid to the needs of children with disabilities. Within its resources, it was attempting to address those needs by, inter alia, providing vision and hearing testing for children entering primary school. However, it looked forward to the 2013 high-level meeting of the General Assembly on disability and development as an opportunity to strengthen global partnership and review development policy and practices from a disability perspective.

40. **Ms. Deer** (Observer for the International Committee of the Red Cross (ICRC)) said that ICRC carried out a number of activities to protect and assist children affected by armed conflict and other situations of violence, concentrating on addressing the needs of children who were unaccompanied or separated from relatives or other carers, who had been recruited into armed forces or armed groups, or who were in

detention. Some 40 per cent of children not attending school lived in conflict-affected countries; even if schools remained open and were not attacked or used for military purposes, parents often kept their children home to protect them from military recruitment as well as rape and other sexual violence. Displaced children often went without education for extended periods of time, and detained children seldom received alternative schooling.

41. In the Four-Year Action Plan for the Implementation of International Humanitarian Law adopted at the thirty-first International Conference of the Red Cross and Red Crescent in 2011, States had reaffirmed the provisions of international humanitarian law designed to safeguard education in armed conflict, and many of them had also pledged to adopt specific measures to enforce provisions regarding the protection of children in armed conflict. ICRC called on all parties to armed conflict to abide by humanitarian law, particularly its provisions related to education, to respect children and teachers, and to protect educational facilities. Children should be detained only as a last resort and for the shortest period necessary; special measures must be taken to protect them, and they must be given access to education. Unlawfully recruited children accused of committing domestic or international crimes during armed conflict should be treated primarily as victims, not only as alleged perpetrators.

42. In areas of armed conflict, ICRC worked singly and in collaboration with local authorities to ensure that children had safe access to school and that displaced children had access to education, whether in camps or in host communities. It worked with children, families and national societies to strengthen community-based mechanisms for protecting children from military recruitment and to restore family links. It also provided psychosocial support for children formerly associated with armed groups.

43. **Ms. Gómez-Recio** (Observer for the Sovereign Military Order of Malta) said that her Order attached great importance to protecting the right of children to the enjoyment of the highest attainable standard of health. In South Sudan, it was increasing the reach of its highly successful programmes to enhance the training of traditional birth attendants. In Haiti, it had recently opened a preschool and maternity ward. In Bethlehem, its Holy Family hospital provided neonatal intensive care without regard to the national origin,

religion or parental income. It operated successful programmes for the prevention of mother-to-child transmission of HIV/AIDS in Angola, Argentina, Cambodia, South Africa and elsewhere. In Uganda, where it provided support for the Maracha hospital nutrition unit, 90 per cent of the malnourished children admitted were sent home well. In Cambodia, it operated two malnutrition programmes addressing the causes and consequences of malnutrition, targeting children and pregnant women.

44. The Order was also concerned about the needs of girls and their right to a formal education. In Afghanistan, for example, its television programmes featured girls, thereby raising their social status and indirectly promoting their education. The Order had also instituted projects to reduce girls' workloads by ensuring closer access to safe water in Cambodia, Myanmar, Pakistan, Sri Lanka and Thailand.

45. **Mr. Cassidy** (International Labour Organization (ILO)) said that the past decade had seen substantial progress on child labour protections in terms of the number of new national policies on child labour, national action plans to combat the worst forms of child labour, and legislative prohibitions on child prostitution and child pornography, and a marked increase in international cooperation and mutual assistance among Member States, particularly on issues concerning trafficking of children. Nevertheless, millions of children were still trapped in child labour. In addition to universal ratification of the ILO child labour and core conventions, there was a need to ensure that national policies and programmes promoted an integrated approach to tackle the root causes of child labour, for example by aligning the minimum age of employment with the age for completion of compulsory schooling. Hazardous child labour lists should be updated to strengthen the safeguards for children under the age of 18. It was also vital to improve the enforcement of child labour laws already in place by strengthening monitoring institutions and mechanisms, educating judges and increasing the number and qualifications of labour inspectors.

46. Effective education and training policies, together with decent work for parents and social protection measures, could produce significant increases in school enrolment and a decline in child labour. Moreover, gender inequalities should be tackled at an early age, before they were reproduced in the world of work. In a world of incredible wealth, the means existed to end

child labour, and the international community should act in solidarity to do so.

47. **Ms. Kalamäki** (Finland), speaking in exercise of the right of reply and referring to the statement made by the representative of the Russian Federation on the previous day, said that the Finnish authorities were strictly bound by Finland's international obligations and national legislation to act at all times in the best interest of the child and that they did so without regard to a child's or a guardian's national origin or other status.

48. **Mr. Rakovskiy** (Russian Federation), speaking in exercise of the right of reply, reiterated his delegation's firm position that the removal of children from their families by child protection agencies had a very negative impact on the development and well-being of children and caused serious psychological damage. Such action should be taken only with extreme caution and as a last resort, especially in the case of families of mixed nationality.

The meeting rose at 5.10 p.m.