



# General Assembly

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## Sixty-seventh session

Agenda item 65

### Promotion and protection of the rights of children

#### Report of the Third Committee

*Rapporteur:* Mr. Suljuk Mustansar **Tarar** (Pakistan)

#### I. Introduction

1. At its 2nd plenary meeting, on 21 September 2012, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-seventh session the item entitled:

“Promotion and protection of the rights of children:

“(a) Promotion and protection of the rights of children;

“(b) Follow-up to the outcome of the special session on children”

and to allocate it to the Third Committee.

2. The Third Committee considered the item at its 13th, 14th, 35th, 47th and 48th meetings, on 17 and 18 October and on 8 and 28 November 2012. An account of the Committee’s discussion is contained in the relevant summary records (A/C.3/67/SR.13, 14, 35, 47 and 48). At its 13th and 14th meetings, the Committee held a general discussion on sub-items (a) and (b). An account of the Committee’s discussion is contained in the relevant summary records (A/C.3/67/SR.13 and 14).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Committee on the Rights of the Child (A/67/41);

(b) Report of the Secretary-General on the status of the Convention on the Rights of the Child (A/67/225);

(c) Report of the Secretary-General on the follow-up to the special session of the General Assembly on children (A/67/229);

(d) Report of the Special Representative of the Secretary-General on violence against children (A/67/230);



(e) Report of the Special Representative of the Secretary-General for Children and Armed Conflict (A/67/256);

(f) Note by the Secretary-General transmitting the report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/67/291).

4. At its 13th meeting, on 17 October, the Committee heard an introductory statement by the Executive Director of the United Nations Children's Fund, who responded to questions raised by the representatives of Cuba and Peru (see A/C.3/67/SR.13).

5. At the same meeting, an introductory statement was made by the Special Representative of the Secretary-General for Children and Armed Conflict, who responded to questions raised and comments made by the representatives of Germany, Norway, the European Union, Canada, Japan, Slovenia, the Islamic Republic of Iran, Switzerland, Australia, Argentina and the United States of America (see A/C.3/67/SR.13).

6. Also at the same meeting, an introductory statement was made by the Special Representative of the Secretary-General on Violence against Children, who responded to questions raised and comments made by the representatives of Jordan, Japan El Salvador, the European Union, Austria and Slovenia (see A/C.3/67/SR.13).

7. Also at the 13th meeting, an introductory statement was made by the Chair of the Committee on the Rights of the Child, who responded to questions raised and comments made by the representatives of Malaysia, Pakistan, Norway, Liechtenstein, Switzerland, Chile, Cuba and the European Union (see A/C.3/67/SR.13).

8. At its 14th meeting, on 18 October, the Committee heard an introductory statement by the Special Rapporteur on the sale of children, child prostitution and child pornography, who responded to questions raised and comments made by the representatives of Morocco, the European Union and Costa Rica (see A/C.3/66/SR.14).

## **II. Consideration of proposals**

### **A. Draft resolutions A/C.3/67/L.23 and Rev.1**

9. At the 35th meeting, on 8 November, the representative of Uruguay, on behalf of Albania, Antigua and Barbuda, Argentina, Austria, the Bahamas, Barbados, Belgium, Belize, Bolivia (Plurinational State of), Brazil, Bulgaria, Burkina Faso, Chile, Colombia, Costa Rica, Cuba, Croatia, Cyprus, the Czech Republic, Denmark, Dominica, the Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Ireland, Italy, Jamaica, Kyrgyzstan, Latvia, Lithuania, Luxembourg, Malawi, Mali, Malta, Mexico, Monaco, Mongolia, the Netherlands, Nicaragua, the Niger, Panama, Paraguay, Peru, Poland, Portugal, the Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Senegal, Serbia, Slovakia, Slovenia, Spain, Suriname, Sweden, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, the United Kingdom of Great Britain and

Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of), introduced a draft resolution entitled "Rights of the child" (A/C.3/67/L.23), which read:

*"The General Assembly,*

*"Reaffirming* all its previous resolutions on the rights of the child in their entirety, the most recent of which is resolution 66/141 of 19 December 2011,

*"Emphasizing* that the Convention on the Rights of the Child constitutes the standard in the promotion and protection of the rights of the child, and, bearing in mind the importance of the Optional Protocols to the Convention, calling for their universal ratification and effective implementation, as well as that of other human rights instruments,

*"Recalling* the Convention on the Rights of Persons with Disabilities, the International Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,

*"Recalling also* the United Nations Declaration on the Rights of Indigenous Peoples of 2007, as well as resolution 65/198 of 21 December 2010 on indigenous issues, in which it was decided to hold a high-level meeting in 2014 to be known as the World Conference on Indigenous Peoples,

*"Reaffirming* that the general principles of the Convention on the Rights of the Child, including, inter alia, the best interests of the child, non-discrimination, participation and survival and development, provide the framework for all actions concerning children, including adolescents,

*"Reaffirming also* the Vienna Declaration and Programme of Action, the United Nations Millennium Declaration and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled 'A world fit for children', the United Nations Global Plan of Action to Combat Trafficking in Persons, 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 United Nations Convention against Transnational Organized Crime, and recalling the Copenhagen Declaration on Social Development and the Programme of Action, the Dakar Framework for Action adopted at the World Education Forum, the Declaration on Social Progress and Development, the Universal Declaration on the Eradication of Hunger and Malnutrition, the Declaration on the Right to Development and the Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children, held in New York from 11 to 13 December 2007, the outcome document of the high-level plenary meeting of the General Assembly on the Millennium Development Goals, held in New York from 20 to 22 September 2010, and the outcome document of the United Nations Conference on Sustainable Development, entitled 'The future we want', adopted in Rio de Janeiro on 22 June 2012,

*"Taking note with appreciation* of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly and on the status of the Convention on the Rights of the Child and the issues

addressed in Assembly resolution 66/141, as well as the report of the Special Representative of the Secretary-General on Violence against Children and the report of the Special Representative of the Secretary-General for Children and Armed Conflict, whose recommendations should be carefully studied, taking fully into account the views of Member States,

*“Acknowledging* the important role played by national governmental structures for children, including, where they exist, ministries and institutions in charge of child, family and youth issues and independent ombudspersons for children or other national institutions for the promotion and protection of the rights of the child,

*“Recognizing* that the family has the primary responsibility for the nurturing and protection of children and that children, for the full and harmonious development of their personality, should grow up in a family environment and in an atmosphere of happiness, love and understanding,

*“Reaffirming* that States parties to the Convention on the Rights of the Child shall take all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the Convention,

*“Taking note with appreciation* of the work to promote and protect the rights of the child carried out by all relevant organs, bodies, entities and organizations of the United Nations system, within their respective mandates, and relevant mandate holders and special procedures of the United Nations, as well as relevant regional organizations, where appropriate, and intergovernmental organizations, and recognizing the valuable role of civil society, including non-governmental organizations,

*“Profoundly concerned* that the situation of children in many parts of the world has been negatively impacted by the world financial and economic crisis, and reaffirming that eradicating poverty continues to be the greatest global challenge facing the world today, recognizing its impact beyond the socioeconomic context,

*“Profoundly concerned also* that the situation of children in many parts of the world remains critical, in an increasingly globalized environment, as a result of the persistence of poverty, social inequality, inadequate social and economic conditions, pandemics, in particular HIV/AIDS, malaria and tuberculosis, non-communicable diseases, lack of access to safe drinking water and sanitation, environmental damage, natural disasters, armed conflict, foreign occupation, displacement, violence, terrorism, abuse, trafficking in children and their organs, all forms of exploitation, commercial sexual exploitation of children, child prostitution, child pornography and child sex tourism, neglect, illiteracy, hunger, intolerance, discrimination, racism, xenophobia, gender inequality, disability and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

*“Expressing deep concern* that, despite the recognition of children as rights holders entitled to be heard on all matters affecting them, children are seldom seriously consulted and involved in such matters owing to a variety of constraints and impediments and that the full implementation of this right in many parts of the world has yet to be fully realized,

“*Gravely concerned* about the devastating impact of some of the recent natural disasters, including on children, reaffirming the importance of providing speedy, sustainable and adequate humanitarian and development assistance in support of relief, early recovery, rehabilitation, reconstruction and development efforts of the affected countries, and reaffirming also the importance of ensuring that human rights, including child rights, are mainstreamed into these efforts,

“**I**

**“Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto**

“1. *Reaffirms* paragraphs 1 to 6 of its resolution 66/141, and urges States that have not yet done so to become parties to the Convention on the Rights of the Child, its Optional Protocol on the sale of children, child prostitution and child pornography and its Optional Protocol on the involvement of children in armed conflict as a matter of priority and to implement them fully;

“2. *Welcomes* the efforts of the Secretary-General to promote the universal ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Optional Protocol on the involvement of children in armed conflict, and calls for the effective implementation of the Convention and the above-mentioned Optional Protocols to ensure that all children may fully enjoy all their human rights and fundamental freedoms;

“3. *Calls upon* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing regularly other reservations with a view to withdrawing them in accordance with the Vienna Declaration and Programme of Action;

“4. *Takes note with appreciation* of the adoption of its resolution 66/138 on 19 December 2011 on establishing an Optional Protocol to the Convention on the Rights of the Child on a communications procedure, which is complementary to the reporting procedure under the Convention, encourages States that have not yet done so to consider becoming parties to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, and calls upon States parties to implement it;

“5. *Encourages* States parties, in implementing the provisions of the Convention and the Optional Protocols thereto, to take note of the recommendations, observations and general comments of the Committee on the Rights of the Child, including, inter alia, general comment No. 11 (2009) on indigenous children and their rights under the Convention;

“6. *Welcomes* actions of the Committee to monitor the implementation by States parties of the Convention, and notes with appreciation its actions to follow up on its concluding observations and recommendations, and in this regard underlines, in particular, the regional workshops and the participation of the Committee in national-level initiatives;

**“II****“Promotion and protection of the rights of the child and non-discrimination against children****“Non-discrimination**

“7. *Reaffirms* paragraphs 9 to 11 of its resolution 63/241 of 24 December 2008, and calls upon States to ensure the enjoyment by all children of all their civil, political, cultural, economic and social rights without discrimination of any kind;

**“Registration, family relations and adoption or other forms of alternative care**

“8. *Also reaffirms* paragraphs 12 to 16 of its resolution 63/241, and urges all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child to protect children in matters relating to registration, family relations and adoption or other forms of alternative care, and, in cases of international parental or familial child abduction, encourages States to facilitate, inter alia, the return of the child to the country of his or her habitual residence;

“9. *Recalls* the Guidelines for the Alternative Care of Children, contained in the annex to its resolution 64/142 of 18 December 2009, as a set of orientations to help to inform policy and practice, and encourages States to take them into account;

“10. *Recalls* Human Rights Council resolution 19/9 of 22 March 2012 on birth registration and the right of everyone to recognition everywhere as a person before the law, in which the Council expressed concern at the high number of persons throughout the world whose birth is not registered and reminded States of their obligation to undertake birth registration without discrimination of any kind, and called upon States to ensure universal birth registration, including late birth registration, and that registration procedures are simple, expeditious and effective and provided at minimal or no cost;

**“Economic and social well-being of children, eradication of poverty, right to education, right to enjoyment of the highest attainable standard of physical and mental health and right to food**

“11. *Reaffirms* paragraphs 17 to 26 of its resolution 63/241, as well as paragraphs 42 to 52 of its resolution 61/146 of 19 December 2006, on the theme of children and poverty, and paragraphs 37 to 42 of its resolution 60/231 of 23 December 2005, on the theme of children living with or affected by HIV and AIDS, and calls upon all States and the international community to create an environment in which the well-being of the child is ensured, including by strengthening international cooperation in this field and by implementing their previous commitments relating to poverty eradication, the right to education, and measures to promote human rights education, in accordance with the evolving capacities of the child, the right to the enjoyment of the highest attainable standard of physical and mental health, including efforts to address the situation of children living with or affected by HIV and AIDS and to eliminate mother-to-child transmission of HIV, and through the provision of

adequate nutritious foods and clean drinking water and sanitation, the right to food for all and the right to an adequate standard of living, including housing and clothing;

“12. *Expresses deep concern* about the rising levels of non-communicable diseases, particularly cardiovascular diseases, cancers, chronic respiratory diseases, diabetes and their risk factors, as well as childhood obesity, and their impacts on the health and rights of children and adolescents, and recognizes the need to strengthen health systems, including by providing child-centred care taking account of the fact that children are the cornerstone of a whole of life approach to primary prevention and risk factor management, as well as to adopt multisectoral approaches to address the issue;

“13. *Recognizes* the threat to the achievement of the internationally agreed development goals, including the Millennium Development Goals, posed by the global financial and economic crisis, which is connected to multiple, interrelated global crises and challenges, such as the food crisis and continuing food insecurity, volatile energy and commodity prices, environmental degradation and climate change, and calls upon States to address, in their response to these crises, the negative impact on the full enjoyment of the rights of children;

#### **“Elimination of violence against children**

“14. *Reaffirms* paragraphs 27 to 32 of its resolution 63/241 and paragraphs 47 to 62 of its resolution 62/141 of 18 December 2007, on the theme of elimination of violence against children, condemns all forms of violence against children, and urges all States to implement the measures set out in paragraph 27 of its resolution 63/241;

“15. *Urges* States to take, or strengthen, as appropriate, legislative and other measures to effectively prevent, prohibit and eliminate all forms of violence against children, in all settings;

“16. *Notes with appreciation* the consolidated partnerships promoted by the Special Representative of the Secretary-General on Violence against Children to achieve progress in violence prevention and elimination, in coordination with national Governments, United Nations agencies, regional organizations, human rights bodies and mechanisms and representatives of civil society and with the participation of children;

“17. *Takes note with appreciation* of the thematic report of the Special Representative of the Secretary-General on Violence against Children entitled ‘Tackling violence in schools: a global perspective — bridging the gap between standards and practice’ and the joint report of the Special Representative, the Office of the United Nations High Commissioner for Human Rights and the United Nations Office on Drugs and Crime on prevention of and responses to violence against children within the juvenile justice system;

**“Promoting and protecting the rights of children, including children in particularly difficult situations**

“18. *Reaffirms* paragraphs 34 to 42 of its resolution 63/241, and calls upon all States to promote and protect all human rights of all children in particularly difficult situations and to implement programmes and measures that provide them with special protection and assistance, including access to health care, education and social services, as well as, where appropriate and feasible, voluntary repatriation, reintegration, family tracing and family reunification, in particular for children who are unaccompanied, and to ensure that the best interests of the child are a primary consideration;

“19. *Recalls* Human Rights Council resolution 19/37 of 23 March 2012 on the rights of the child, and calls for its implementation;

**“Children alleged to have infringed or recognized as having infringed penal law and children of persons alleged to have infringed or recognized as having infringed penal law**

“20. *Reaffirms* paragraphs 43 to 47 of its resolution 63/241, and calls upon all States to respect and protect the rights of children alleged to have infringed or recognized as having infringed penal law, as well as children of persons alleged to have infringed or recognized as having infringed penal law;

**“Prevention and eradication of the sale of children, child prostitution and child pornography**

“21. *Also reaffirms* paragraphs 48 to 50 of its resolution 63/241, and calls upon all States to prevent, criminalize, prosecute and punish all forms of the sale of children, including for the purposes of the transfer of organs of the child for profit, child slavery, commercial sexual exploitation of children, child prostitution and child pornography, with the aim of eradicating those practices and the use of the Internet and other information and communications technologies for these purposes, to combat the existence of a market that encourages such criminal practices and take measures to eliminate the demand that fosters them, as well as to address the needs of victims effectively and take effective measures against the criminalization of children who are victims of exploitation;

“22. *Calls upon* all States to develop and implement programmes and policies to protect children from abuse, sexual abuse, sexual exploitation, commercial sexual exploitation, child prostitution, child pornography, child sex tourism and child abduction, and calls upon States to implement strategies to locate and assist all children subject to these violations;

“23. *Also calls upon* all States to enact and enforce necessary legislative or other measures, in cooperation with relevant stakeholders, to prevent the distribution over the Internet and in all other media of child pornography, including depictions of child sexual abuse, ensuring that adequate mechanisms are in place to enable the reporting and removal of such material and that its creators, distributors and collectors are prosecuted as appropriate;



**“Children affected by armed conflict**

“24. *Reaffirms* paragraphs 51 to 63 of its resolution 63/241, condemns in the strongest terms all violations and abuses committed against children affected by armed conflict, and in this regard urges all States and other parties to armed conflict that are engaged, in contravention of applicable international law, including humanitarian law, in the recruitment and use of children, in patterns of killing and maiming of children and/or rape and other sexual violence against children, and in recurrent attacks on schools and/or hospitals, as well as in all other violations and abuses against children, to take time-bound and effective measures to end them, and urges all States, United Nations agencies, funds and programmes, other relevant international and regional organizations and civil society to continue to give serious attention to, and to protect and assist child victims of, all violations and abuses committed against children in situations of armed conflict, in accordance with international humanitarian law, including the First to Fourth Geneva Conventions;

“25. *Also reaffirms* the essential roles of the General Assembly, the Economic and Social Council and the Human Rights Council for the promotion and protection of the rights and welfare of children, including children affected by armed conflict, notes the increasing role played by the Security Council in ensuring protection for children affected by armed conflict, and also notes the activities undertaken by the Peacebuilding Commission, within its mandate, in areas that promote and contribute to the enjoyment of the rights and welfare of children;

“26. *Notes with appreciation* the steps taken regarding Security Council resolutions 1539 (2004) of 22 April 2004, 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009, 1998 (2011) of 12 July 2011 and 2068 (2012) of 19 September 2012, and the efforts of the Secretary-General to implement the monitoring and reporting mechanism on children and armed conflict in accordance with those resolutions, with the participation of and in cooperation with national Governments and relevant United Nations and civil society actors, including at the country level, requests the Secretary-General to ensure that information collected and communicated by the monitoring and reporting mechanism is accurate, objective, reliable and verifiable, and in this regard encourages the work and the deployment, as appropriate, of United Nations child protection advisers in peacekeeping operations and political and peacebuilding missions;

**“Child labour**

“27. *Reaffirms* paragraphs 64 to 80 of its resolution 63/241, on the theme of child labour, and calls upon all States to translate into concrete action their commitment to the progressive and effective elimination of child labour that is likely to be hazardous or to interfere with the child’s education or to be harmful to the child’s health or physical, mental, spiritual, moral or social development, and to eliminate immediately the worst forms of child labour;

“28. *Notes with interest* the outcome of the Hague Global Child Labour Conference, including the Road Map for Achieving the Elimination of the Worst Forms of Child Labour by 2016;

“29. *Calls upon* all States to take into account the global report of the Director-General of the International Labour Organization entitled ‘Accelerating action against child labour’;

“30. *Urges* all States that have not yet done so to consider ratifying both the Worst Forms of Child Labour Convention, 1999 (No. 182) and the Minimum Age Convention, 1973 (No. 138), of the International Labour Organization;

#### **“The rights of children with disabilities**

“31. *Reaffirms* paragraphs 31 to 45 of its resolution 66/141, recognizing that all children with disabilities should fully enjoy their human rights and fundamental freedoms on an equal basis with other children, as enshrined in the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities, and urges all States to implement the measures set out in paragraph 43 of its resolution 66/141;

### **“III**

#### **“The rights of indigenous children**

“32. *Also reaffirms* that all indigenous children are holders of all rights enshrined in the Convention on the Rights of the Child, including respect for the right, in community with other members of their group, to enjoy their own culture, to profess and practise their own religion or belief, or to use their own language;

“33. *Reaffirms its commitment* to actively promoting the objectives of the United Nations Declaration on the Rights of Indigenous Peoples, which provides important guidance on the rights of indigenous peoples, including specific reference to the rights of indigenous children in a number of areas;

“34. *Recognizes* that the full realization of children’s rights requires the adoption and implementation of comprehensive policies and programmes at the national and local levels for all children, including specific programmes for indigenous children;

“35. *Recognizes* the importance for indigenous children to learn and transmit their cultures, to have the right to practise and revitalize their cultural traditions and customs, and to use and transmit their histories, languages, oral traditions, philosophies, writing systems and literatures;

“36. *Also recognizes* that indigenous children often face multiple forms of discrimination and that discrimination against and exploitation of indigenous children, including economic exploitation, harm their quality of life and may reduce their survival prospects, and expresses grave concern that indigenous children face violations of their human rights as well as discriminatory, attitudinal and environmental barriers to their participation and inclusion in society and in the community;

“37. *Calls upon* States to take all appropriate measures to ensure that indigenous children are protected against all forms of discrimination and exploitation, which can be harmful to the child’s physical, mental, spiritual, moral and social development;

“38. *Reaffirms* that the eradication of poverty is essential to the achievement of the Millennium Development Goals and to the full realization of the rights of all children, including indigenous children, and expresses deep concern that high levels of malnutrition and preventable diseases continue to be major obstacles to the realization of their rights, in particular the right to life and the right to food, and to the ability of the child to develop, and also recognizes the need to reduce child mortality and ensure comprehensive child development;

“39. *Calls upon* States to take all appropriate measures to safeguard the right of indigenous children to have access to quality education, on the basis of equal opportunity, in a manner conducive to their fullest possible social inclusion and individual development, including their cultural and spiritual development, through the provision of compulsory primary education which is available free to all and, when possible, is provided in their own language, and to take all appropriate measures to make all other levels and forms of State education available and accessible to indigenous children without discrimination;

“40. *Calls upon* States to take appropriate actions to protect indigenous children from physical and/or mental violence, injury, abuse and exploitation, recognizing that girls are particularly vulnerable in this regard;

“41. *Reaffirms* that States should take effective and appropriate measures to ensure the right of indigenous children to health, on an equal basis with others, and that adolescent boys and girls have access to information and education, including on reproductive and family planning and HIV prevention, that is age-appropriate and in an accessible format;

“42. *Calls upon* all States to ensure, within the overall context of policies and programmes for the realization of the rights of the child, that indigenous children within their jurisdiction enjoy all of their rights equally and without discrimination, in particular:

“(a) To ensure that the rights of the child are fully respected, including the rights of indigenous children, without discrimination on any grounds, including by adopting and/or continuing to implement regulations and measures that ensure the full realization of all their rights;

“(b) To take measures to collect and disaggregate relevant information, including statistical and research data, as appropriate, in order to identify and address the barriers faced by indigenous children in exercising their rights, as well as take measures to enhance international cooperation and partnership, where appropriate, in relation to the provision of technical and capacity-building assistance to support such measures;

“(c) To encourage greater research, including the development of common indicators, into the situation of indigenous children in rural and urban areas;

“(d) To strengthen efforts towards poverty eradication and to adopt, implement and/or strengthen, in coordination with indigenous peoples, appropriate policies aimed at ensuring the right to an adequate standard of living for indigenous children and their families, along with equal access to

quality and affordable services, especially health, nutrition, education, welfare, social protection, safe drinking water and sanitation and other services that are essential for the child's well-being, and, in this regard, to pay particular attention to the most vulnerable children and to those living under especially difficult circumstances;

“(e) To recognize that health disparities exist between indigenous peoples, including indigenous children, and non-indigenous populations in relation to the incidence of non-communicable diseases, and the need to take appropriate measures to address the impacts of the existing disparities;

“(f) To address the root causes preventing indigenous children from being taken into account and exercising their right to be heard, in accordance with their evolving capacities, on matters affecting them, to inform children, parents, legal guardians, other caregivers and the general public about the rights of the child, and to raise awareness, including through partnerships with civil society, the private sector and the media, while being attentive to their influence on children, of the importance and benefits of the participation of children in society;

“(g) To develop measures to ensure that indigenous children have access to information in their own language, where possible, so that they may fully exercise their right to be heard;

“(h) To take all necessary measures to ensure universal access to birth registration of indigenous children immediately after birth, including those living in remote areas by, inter alia, removing barriers that impede their registration, ensuring the existence of a minimal or no cost, simple, effective, expeditious and accessible birth registration system, guaranteeing their right to a name of their parents' own choosing, respecting the right of children to preserve their identity and guarantee their right to a nationality and, as far as possible, their right to know and be cared for by their parents;

“(i) To ensure that indigenous children have access to the same range, quality and standard of free or affordable, gender-sensitive, culturally sensitive and age-appropriate health care and programmes as provided to other children and adolescents, including in the area of sexual and reproductive health, and to take measures, in consultation with indigenous peoples, to eliminate child and maternal mortality and malnutrition and to develop measures to support those services inside their communities;

“(j) To adopt legislative and other appropriate measures, including cross-sectoral approaches, to ensure the full realization of the right to education for indigenous children, including by ensuring that, on the basis of equal opportunity, accessibility and inclusiveness, they are not excluded from accessible, free, quality and compulsory primary education, from early childhood care and development to vocational training and preparation for work, and to take measures, in consultation with indigenous peoples, to provide indigenous children with access to education, and, when possible, education in their own language, as well as to promote a multicultural approach;

“(k) To ensure that indigenous children with disabilities have equal opportunities to participate fully in education and community life, including

the removal of barriers that impede the realization of their rights, and to foster at all levels of the education system, including all children from an early age, an attitude of respect for the rights of persons with disabilities;

“(l) To take decisive steps to develop strategies for children regarding respect for and promotion of the indigenous child’s cultural identity and language;

“(m) To take decisive steps to promote human rights education and training, on values such as respect for human dignity, non-discrimination, equality, justice, non-violence, tolerance and peace, at home, in educational centres and in education programmes, in order to promote the awareness and empowerment of children, in particular indigenous children, with respect to their rights and responsibilities;

“(n) To strengthen efforts to effectively eliminate child labour, which is harmful to the child’s health or physical, mental, spiritual, moral or social development;

“(o) To develop strategies for the prevention and elimination of all forms of violence against children, including indigenous children, by adopting appropriate policy measures aimed at, inter alia, raising awareness, capacity-building for professionals working with and for children, supporting effective parenting programmes, fostering research, collecting data on the incidence of violence against children, and developing and introducing child- and gender-sensitive, accessible, safe and confidential reporting and complaints mechanisms;

“(p) To take steps to design and implement preventive and comprehensive anti-bullying measures, including in educational settings, that address bullying and peer-directed aggression against indigenous children, which could include the training of educators and family members and also raising awareness of this matter among children;

“(q) To take measures to eliminate gender-based violence, sexual exploitation and trafficking against indigenous children, and to actively involve indigenous peoples and their communities in the efforts towards the elimination of these practices;

“(r) To take all appropriate measures to ensure the protection and safety of indigenous children during and after situations of risk, including situations of armed conflict, humanitarian emergencies and natural disasters, including adopting and implementing programmes to ensure the physical and psychological recovery and social reintegration of indigenous children and ensure that such recovery, reintegration and rehabilitation take place in an environment which fosters the well-being, health, self-respect and dignity of the child;

“(s) To develop and implement a comprehensive juvenile justice policy that includes, where appropriate, interpretation or other proper means to ensure that indigenous children can understand and be understood, as well as the introduction of alternative measures allowing for responses to juvenile delinquency for indigenous children without resorting to judicial procedures;

“(t) To take all necessary measures to ensure that indigenous peoples, through their representative organizations and/or institutions, are actively involved and that indigenous children are given the opportunity to be heard, bearing in mind their evolving capacities, in determining and developing priorities and strategies for exercising their right to development, in particular in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, administer such programmes through their own institutions;

“43. *Calls upon* all Member States, and invites the United Nations system, to strengthen international cooperation to ensure the realization of the rights of the child, including for indigenous children, inter alia, by supporting national initiatives that give more emphasis to the development of indigenous children, as appropriate, and by reinforcing international cooperation measures in fields of research or on the transfer of technology such as assistive technologies;

“44. *Calls upon* the relevant entities, funds and programmes of the United Nations system, donor institutions, including the international financial institutions, and bilateral donors to support, inter alia, national initiatives, when requested, including development programmes for indigenous children, financially and technically, as well as to enhance effective international cooperation and partnership to strengthen knowledge-sharing and capacity-building, with particular attention to policy development, programme development, research and professional training;

#### “IV

#### “Follow-up

“45. *Recognizes* the progress achieved since the establishment of the mandate of the Special Representative on Violence against Children, and expresses its support for her global advocacy work in particular in advocating in favour of the prevention and elimination of all forms of violence against children, in raising worldwide awareness and mobilizing political and social support for the protection of children from all forms of violence, including through field visits with the consent of the concerned State, the convening of regional and expert consultations, the publication of thematic reports, and advocacy for policy and legal reform to advance the implementation of the recommendations of the United Nations study on violence against children;

“46. *Recommends* that the Secretary-General extend the mandate of the Special Representative on Violence against Children, as established in paragraphs 58 and 59 of its resolution 62/141 of 18 December 1997, for a further period of three years, and decides that for the effective performance of the mandate and the sustainability of the core activities the mandate of the Special Representative shall be funded from the regular budget starting from the biennium 2014-2015;

“47. *Calls upon* all States, requests United Nations entities and agencies, and invites regional organizations and civil society, including non-governmental organizations, to cooperate with the Special Representative of the Secretary-General on Violence against Children in promoting further implementation of the recommendations of the United Nations study on

violence against children, and encourages States to provide support to the Special Representative, including adequate voluntary financial support, to her for the continued, effective and independent performance of her mandate, as set out in resolution 62/141, and invites the private sector to provide voluntary contributions for that purpose;

“48. *Welcomes* the appointment of Ms. Leila Zerrougui as the Special Representative of the Secretary-General for Children and Armed Conflict, pursuant to General Assembly resolutions 51/77 of 12 December 1996 and 60/231, and recognizes the progress achieved since the establishment of the mandate of the Special Representative, as extended by resolution 66/141;

“49. *Decides*:

“(a) To request the Secretary-General to submit to the General Assembly at its sixty-eighth session a comprehensive report on the rights of the child containing information on the status of the Convention on the Rights of the Child and on the implementation of the priority themes of the resolution entitled ‘Rights of the child’ from its sixty-first session on, including the priority theme of the present resolution;

“(b) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the children and armed conflict agenda;

“(c) To request the Special Representative of the Secretary-General on Violence against Children to continue to submit annual reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the violence against children agenda;

“(d) To request the Special Rapporteur on the sale of children, child prostitution and child pornography to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the sale of children, child prostitution and child pornography agenda;

“(e) To invite the Chair of the Committee on the Rights of the Child to present an oral report on the work of the Committee and engage in an interactive dialogue with the General Assembly at its sixty-eighth session under the item entitled ‘Promotion and protection of the rights of children’;

“(f) To continue its consideration of the question at its sixty-eighth session under the item entitled ‘Promotion and protection of the rights of children’.”

10. At its 47th meeting, on 28 November, the Committee had before it a revised draft resolution entitled “Rights of the child” (A/C.3/67/L.23/Rev.1), submitted by Albania, Andorra, Antigua and Barbuda, Argentina, Austria, the Bahamas, Barbados, Belgium, Belize, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil,

Bulgaria, Burkina Faso, Chile, Colombia, Costa Rica, Croatia, Cuba, Cyprus, the Czech Republic, Denmark, Dominica, the Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Jordan, Kyrgyzstan, Latvia, Lithuania, Luxembourg, Malawi, Mali, Malta, Mexico, Monaco, Mongolia, Montenegro, the Netherlands, Nicaragua, the Niger, Panama, Paraguay, Peru, Poland, Portugal, the Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Senegal, Serbia, Slovakia, Slovenia, Spain, Suriname, Sweden, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, the United Kingdom of Great Britain and Northern Ireland, Uruguay and Venezuela (Bolivarian Republic of).

11. At the same meeting, the Secretary of the Committee read out a statement of programme budget implications in connection with the draft resolution.

12. Also at the same meeting, following a statement by the representative of Uruguay, the Committee agreed to postpone action on the draft resolution to its next meeting.

13. At the 48th meeting, on 28 November, the representative of Uruguay made a statement orally revising the draft resolution and announced that Australia, Japan, Maldives, New Zealand, Norway, the Republic of Korea and Ukraine had joined in sponsoring the draft resolution. Subsequently, Angola, Armenia, Belarus, Benin, Côte d'Ivoire, Kazakhstan, Lebanon, Liberia, Liechtenstein, Madagascar, Morocco, Mozambique, Namibia, Papua New Guinea, the Philippines, Rwanda, Swaziland, Tajikistan, Togo, Uganda, the United Republic of Tanzania and Zambia joined in sponsoring the draft resolution.

14. Also at its 48th meeting, the Committee adopted draft resolution A/C.3/67/L.23/Rev.1, as orally revised (see para. 17, draft resolution).

15. After the adoption of the draft resolution, statements were made by the representatives of the United States, Canada and the Russian Federation, as well as by the observer for the Holy See (A/C.3/67/SR.48).

## **B. Draft decision proposed by the Chair**

16. At its 48th meeting, on 28 November, on the proposal of the Chair, the Committee decided to recommend to the General Assembly that it take note of documents considered in connection with the question of the promotion and protection of the rights of children (see para. 18).



### III. Recommendations of the Third Committee

17. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

#### **Draft resolution** **Rights of the child**

*The General Assembly,*

*Reaffirming* all its previous resolutions on the rights of the child in their entirety, the most recent of which is resolution 66/141 of 19 December 2011,

*Emphasizing* that the Convention on the Rights of the Child<sup>1</sup> constitutes the standard in the promotion and protection of the rights of the child, and, bearing in mind the importance of the Optional Protocols to the Convention,<sup>2</sup> calling for their universal ratification and effective implementation, as well as that of other human rights instruments,

*Recalling* the International Covenant on Civil and Political Rights,<sup>3</sup> the International Covenant on Economic, Social and Cultural Rights,<sup>3</sup> the Convention on the Rights of Persons with Disabilities,<sup>4</sup> the International Convention for the Protection of All Persons from Enforced Disappearance<sup>5</sup> the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,<sup>6</sup> the United Nations Convention against Transnational Organized Crime<sup>7</sup> and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,<sup>8</sup>

*Recalling also* the United Nations Declaration on the Rights of Indigenous Peoples of 2007,<sup>9</sup> as well as resolution 65/198 of 21 December 2010 on indigenous issues, in which it was decided to hold a high-level meeting in 2014 to be known as the World Conference on Indigenous Peoples,

*Reaffirming* that the general principles of the Convention on the Rights of the Child, including, inter alia, the best interests of the child, non-discrimination, participation and survival and development, provide the framework for all actions concerning children, including adolescents,

*Reaffirming also* the Vienna Declaration and Programme of Action,<sup>10</sup> the United Nations Millennium Declaration<sup>11</sup> and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled “A world fit

<sup>1</sup> United Nations, *Treaty Series*, vol. 1577, No. 27531.

<sup>2</sup> *Ibid.*, vols. 2171 and 2173, No. 27531.

<sup>3</sup> See resolution 2200 A (XXI), annex.

<sup>4</sup> United Nations, *Treaty Series*, vol. 2515, No. 44910.

<sup>5</sup> Resolution 61/177, annex.

<sup>6</sup> United Nations, *Treaty Series*, vol. 2220, No. 39481.

<sup>7</sup> *Ibid.*, vol. 2225, No. 39574.

<sup>8</sup> *Ibid.*, vol. 2237, No. 39574.

<sup>9</sup> Resolution 61/295, annex.

<sup>10</sup> A/CONF.157/24 (Part I), chap. III.

<sup>11</sup> Resolution 55/2.

for children”,<sup>12</sup> and recalling the Copenhagen Declaration on Social Development and the Programme of Action,<sup>13</sup> the Dakar Framework for Action adopted at the World Education Forum,<sup>14</sup> the Declaration on Social Progress and Development,<sup>15</sup> the Universal Declaration on the Eradication of Hunger and Malnutrition,<sup>16</sup> the Declaration on the Right to Development<sup>17</sup> and the Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children, held in New York from 11 to 13 December 2007,<sup>18</sup> the outcome document of the high-level plenary meeting of the General Assembly on the Millennium Development Goals, held in New York from 20 to 22 September 2010,<sup>19</sup> and the outcome document, entitled “The future we want”, adopted at the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012,<sup>20</sup>

*Taking note with appreciation* of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly<sup>21</sup> and on the status of the Convention on the Rights of the Child and the issues addressed in Assembly resolution 66/141,<sup>22</sup> as well as the report of the Special Representative of the Secretary-General on Violence against Children<sup>23</sup> and the report of the Special Representative of the Secretary-General for Children and Armed Conflict,<sup>24</sup> whose recommendations should be carefully studied, taking fully into account the views of Member States,

*Acknowledging* the important role played by national governmental structures for children, including, where they exist, ministries and institutions in charge of child, family and youth issues and independent ombudspersons for children or other national institutions for the promotion and protection of the rights of the child,

*Recognizing* that the family has the primary responsibility for the nurturing and protection of children and that children, for the full and harmonious development of their personality, should grow up in a family environment and in an atmosphere of happiness, love and understanding,

*Reaffirming* that States parties to the Convention on the Rights of the Child shall undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the Convention,

<sup>12</sup> Resolution S-27/2, annex.

<sup>13</sup> *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

<sup>14</sup> See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

<sup>15</sup> See resolution 2542 (XXIV).

<sup>16</sup> *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

<sup>17</sup> Resolution 41/128, annex.

<sup>18</sup> See resolution 62/88.

<sup>19</sup> Resolution 65/1.

<sup>20</sup> Resolution 66/288, annex.

<sup>21</sup> A/67/229.

<sup>22</sup> A/67/225.

<sup>23</sup> A/67/230.

<sup>24</sup> A/67/256.

*Taking note with appreciation* of the work to promote and protect the rights of the child carried out by all relevant organs, bodies, entities and organizations of the United Nations system, within their respective mandates, and relevant mandate holders and special procedures of the United Nations, as well as relevant regional organizations, where appropriate, and intergovernmental organizations, and recognizing the valuable role of civil society, including non-governmental organizations,

*Profoundly concerned* that the situation of children in many parts of the world has been negatively impacted by the world financial and economic crisis, and reaffirming that eradicating poverty continues to be the greatest global challenge facing the world today, recognizing its impact beyond the socioeconomic context,

*Profoundly concerned also* that the situation of children in many parts of the world remains critical, in an increasingly globalized environment, as a result of the persistence of poverty, social inequality, inadequate social and economic conditions, pandemics, in particular HIV/AIDS, malaria and tuberculosis, non-communicable diseases, lack of access to safe drinking water and sanitation, environmental damage, natural disasters, armed conflict, foreign occupation, displacement, violence, terrorism, abuse, trafficking in children and their organs, all forms of exploitation, commercial sexual exploitation of children, child prostitution, child pornography and child sex tourism, neglect, illiteracy, hunger, intolerance, discrimination, racism, xenophobia, gender inequality, disability and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

*Expressing deep concern* that, despite the recognition of the right of the child to express his or her views freely on all matters affecting him or her, and bearing in mind their evolving capacities, that children are seldom seriously consulted and involved in such matters owing to a variety of constraints and impediments and that the full implementation of this right in many parts of the world has yet to be fully realized,

*Gravely concerned* about the devastating impact of some of the recent natural disasters, including on children, reaffirming the importance of providing speedy, sustainable and adequate humanitarian assistance in support of relief, early recovery, rehabilitation, reconstruction and development efforts of the affected countries, and reaffirming also the importance of ensuring that human rights, including child rights, are mainstreamed into these efforts,

## **I Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto**

1. *Reaffirms* paragraphs 1 to 6 of its resolution 66/141, and urges States that have not yet done so to become parties to the Convention on the Rights of the Child,<sup>1</sup> its Optional Protocol on the sale of children, child prostitution and child pornography<sup>25</sup> and its Optional Protocol on the involvement of children in armed conflict<sup>26</sup> as a matter of priority and to implement them fully;

<sup>25</sup> United Nations, *Treaty Series*, vol. 2171, No. 27531.

<sup>26</sup> *Ibid.*, vol. 2173, No. 27531.

2. *Welcomes* the efforts of the Secretary-General to promote the universal ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Optional Protocol on the involvement of children in armed conflict, and calls for the effective implementation of the Convention and the above-mentioned Optional Protocols to ensure that all children may fully enjoy all their human rights and fundamental freedoms;

3. *Calls upon* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing regularly other reservations with a view to withdrawing them in accordance with the Vienna Declaration and Programme of Action;<sup>9</sup>

4. *Takes note with appreciation* of the adoption of its resolution 66/138 on 19 December 2011 on establishing an Optional Protocol to the Convention on the Rights of the Child on a communications procedure, and encourages States that have not yet done so to consider becoming parties to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure,<sup>27</sup> and calls upon States parties to implement it;

5. *Encourages* States parties, in implementing the provisions of the Convention and the Optional Protocols thereto, to take note of the recommendations, observations and general comments of the Committee on the Rights of the Child, including, inter alia, general comment No. 11 (2009) on Indigenous children and their rights under the Convention;<sup>28</sup>

6. *Welcomes* actions of the Committee to monitor the implementation by States parties of the Convention, and notes with appreciation its actions to follow up on its concluding observations and recommendations, and in this regard underlines, in particular, the regional workshops and the participation of the Committee in national-level initiatives;

## **II**

### **Promotion and protection of the rights of the child and non-discrimination against children**

#### **Non-discrimination**

7. *Reaffirms* paragraphs 9 to 11 of its resolution 63/241 of 24 December 2008, and calls upon States to ensure the enjoyment by all children of all their civil, political, cultural, economic and social rights without discrimination of any kind;

#### **Registration, family relations and adoption or other forms of alternative care**

8. *Also reaffirms* paragraphs 12 to 16 of its resolution 63/241, and urges all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child to protect children in matters relating to registration, family relations and adoption or other forms of alternative care, and, in cases of international parental or familial child abduction, encourages States to

<sup>27</sup> Resolution 66/138, annex.

<sup>28</sup> *Official Records of the General Assembly, Sixty-fifth Session, Supplement No. 41 (A/65/41)*, annex III.

facilitate, inter alia, the return of the child to the country in which he or she resided immediately before the removal or retention;

9. *Recalls* the Guidelines for the Alternative Care of Children, contained in the annex to its resolution 64/142 of 18 December 2009, as a set of orientations to help to inform policy and practice, and encourages States to take them into account;

10. *Also recalls* Human Rights Council resolution 19/9 of 22 March 2012, entitled “Birth registration and the right of everyone to recognition everywhere as a person before the law”, expressing concern at the high number of persons throughout the world whose birth is not registered and reminding States of their obligation to undertake birth registration without discrimination of any kind and to ensure universal birth registration, including late birth registration, and that registration procedures are simple, expeditious and effective and provided at minimal or no cost;

**Economic and social well-being of children, eradication of poverty, right to education, right to enjoyment of the highest attainable standard of physical and mental health and right to food**

11. *Reaffirms* paragraphs 17 to 26 of its resolution 63/241, as well as paragraphs 42 to 52 of its resolution 61/146 of 19 December 2006, on the theme of children and poverty, and paragraphs 37 to 42 of its resolution 60/231 of 23 December 2005, on the theme of children living with or affected by HIV and AIDS, and calls upon all States and the international community to create an environment in which the well-being of the child is ensured, including by strengthening international cooperation in this field and by implementing their previous commitments relating to poverty eradication, the right to education and measures to promote human rights education, in accordance with the evolving capacities of the child, the right to the enjoyment of the highest attainable standard of physical and mental health, including efforts to address the situation of children living with or affected by HIV and AIDS and to eliminate mother-to-child transmission of HIV, and through the provision of adequate nutritious foods and clean drinking water and sanitation, the right to food for all and the right to an adequate standard of living, including housing and clothing;

12. *Expresses deep concern* about the rising levels of non-communicable diseases, particularly cardiovascular diseases, cancers, chronic respiratory diseases, diabetes and their risk factors, especially tobacco smoking and alcohol consumption, as well as childhood obesity, and their impacts on the health of children and adolescents, and recognizes the need to strengthen health and social support systems, including by providing child-centred care taking into account that children are the cornerstone of a whole of life approach to primary prevention and risk factor management, as well as to adopt multisectoral approaches to address the issue;

13. *Recognizes* the threat to the achievement of the internationally agreed development goals, including the Millennium Development Goals, posed by the global financial and economic crisis, which is connected to multiple, interrelated global crises and challenges, such as the food crisis and continuing food insecurity, volatile energy and commodity prices, environmental degradation and climate change, and calls upon States to address, in their response to these crises, the negative impact on the full enjoyment of the rights of children;

**Elimination of violence against children**

14. *Reaffirms* paragraphs 27 to 32 of its resolution 63/241 and paragraphs 47 to 62 of its resolution 62/141 of 18 December 2007, on the theme of elimination of violence against children, condemns all forms of violence against children, and urges all States to implement the measures set out in paragraph 27 of its resolution 63/241;

15. *Urges* States to take, or strengthen, as appropriate, legislative and other measures to effectively prevent, prohibit and eliminate all forms of violence against children, in all settings;

16. *Notes with appreciation* the consolidated partnerships promoted by the Special Representative of the Secretary-General on Violence against Children to achieve progress in preventing and eliminating violence against children, in coordination with national Governments, United Nations agencies, regional organizations, human rights bodies and mechanisms and representatives of civil society and with the participation of children;

17. *Takes note with appreciation* of the thematic report of the Special Representative of the Secretary-General on Violence against Children entitled “Tackling violence in schools: a global perspective — bridging the gap between standards and practice” and the joint report of the Special Representative, the Office of the United Nations High Commissioner for Human Rights and the United Nations Office on Drugs and Crime on prevention of and responses to violence against children within the juvenile justice system;<sup>29</sup>

**Promoting and protecting the rights of children, including children in particularly difficult situations**

18. *Reaffirms* paragraphs 34 to 42 of its resolution 63/241, and calls upon all States to promote and protect all human rights of all children in particularly difficult situations and to implement programmes and measures that provide them with special protection and assistance, including access to health care, education and social services, as well as, where appropriate and feasible, voluntary repatriation, reintegration, family tracing and family reunification, in particular for children who are unaccompanied, and to ensure that the best interests of the child are a primary consideration;

19. *Recalls* Human Rights Council resolution 19/37 of 23 March 2012 on the rights of the child, and calls for its implementation;

**Children alleged to have infringed or recognized as having infringed penal law and children of persons alleged to have infringed or recognized as having infringed penal law**

20. *Reaffirms* paragraphs 43 to 47 of its resolution 63/241, and calls upon all States to respect and protect the rights of children alleged to have infringed or recognized as having infringed penal law, as well as children of persons alleged to have infringed or recognized as having infringed penal law;

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<sup>29</sup> A/HRC/21/25.

### **Prevention and eradication of the sale of children, child prostitution and child pornography**

21. *Reaffirms* paragraphs 48 to 50 of its resolution 63/241, and calls upon all States to prevent, criminalize, prosecute and punish all forms of the sale of children, including for the purposes of the transfer of organs of the child for profit, child slavery, commercial sexual exploitation of children, child prostitution and child pornography, with the aim of eradicating those practices and the use of the Internet and other information and communications technologies for these purposes, to combat the existence of a market that encourages such criminal practices and take measures to eliminate the demand that fosters them, as well as to address the needs of victims effectively and take effective measures against the criminalization of children who are victims of exploitation;

22. *Calls upon* all States to develop and implement programmes and policies to protect children, particularly girls, who are at increased risk of violence, exploitation and abuse, from abuse, sexual abuse, sexual exploitation, commercial sexual exploitation, child prostitution, child pornography, child sex tourism and child abduction, and calls upon States to implement strategies to locate and assist all children subject to these violations;

23. *Also calls upon* all States to enact and enforce necessary legislative or other measures, in cooperation with relevant stakeholders, to prevent the distribution over the Internet and in all other media of child pornography, including depictions of child sexual abuse, ensuring that adequate mechanisms are in place to enable the reporting and removal of such material and that its creators, distributors and collectors are prosecuted as appropriate;

### **Children affected by armed conflict**

24. *Reaffirms* paragraphs 51 to 63 of its resolution 63/241, condemns in the strongest terms all violations and abuses committed against children affected by armed conflict, and in this regard urges all States and other parties to armed conflict that are engaged, in contravention of applicable international law, including humanitarian law, in the recruitment and use of children, in patterns of killing and maiming of children and/or rape and other sexual violence against children, and in recurrent attacks on schools and/or hospitals, as well as in all other violations and abuses against children, to take time-bound and effective measures to end them, and urges all States, United Nations agencies, funds and programmes, other relevant international and regional organizations and civil society to continue to give serious attention to, and to protect and assist child victims of, all violations and abuses committed against children in situations of armed conflict, in accordance with international humanitarian law, including the First to Fourth Geneva Conventions;<sup>30</sup>

25. *Also reaffirms* the essential roles of the General Assembly, the Economic and Social Council and the Human Rights Council for the promotion and protection of the rights and welfare of children, including children affected by armed conflict, notes the increasing role played by the Security Council in ensuring protection for children affected by armed conflict, and also notes the activities undertaken by the Peacebuilding Commission, within its mandate, in areas that promote and contribute to the enjoyment of the rights and welfare of children;

<sup>30</sup> United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

26. *Takes note* of the efforts taken to end impunity by ensuring accountability and punishing perpetrators of the most serious crimes against children under national and international law, and stresses the need for the alleged perpetrators of those crimes to be held accountable under national justice or, where applicable, international justice;

27. *Notes with appreciation* the steps taken regarding Security Council resolutions 1539 (2004) of 22 April 2004, 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009, 1998 (2011) of 12 July 2011 and 2068 (2012) of 19 September 2012, and the efforts of the Secretary-General to implement the monitoring and reporting mechanism on children and armed conflict in accordance with those resolutions, with the participation of and in cooperation with national Governments and relevant United Nations and civil society actors, including at the country level, requests the Secretary-General to ensure that information collected and communicated by the monitoring and reporting mechanism is accurate, objective, reliable and verifiable, and in this regard encourages the work and the deployment, as appropriate, of United Nations child protection advisers in peacekeeping operations and political and peacebuilding missions;

### **Child labour**

28. *Reaffirms* paragraphs 64 to 80 of its resolution 63/241, on the theme of child labour, and calls upon all States to translate into concrete action their commitment to the progressive and effective elimination of child labour that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development, and to eliminate immediately the worst forms of child labour;

29. *Notes with interest* the outcome of the Hague Global Child Labour Conference, including the Road Map for Achieving the Elimination of the Worst Forms of Child Labour by 2016;

30. *Calls upon* all States to take into account the global report of the Director-General of the International Labour Organization entitled "Accelerating action against child labour";

31. *Urges* all States that have not yet done so to consider ratifying both the Convention concerning the prohibition and immediate action for the elimination of the worst forms of child labour, 1999 (No. 182)<sup>31</sup> and the Convention concerning the minimum age for admission to employment, 1973 (No. 138)<sup>32</sup> of the International Labour Organization;

### **The rights of children with disabilities**

32. *Recognizes* that all children with disabilities should have full enjoyment of their human rights and fundamental freedoms on an equal basis with other children, as enshrined in the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities, reaffirms paragraphs 31 to 45 of its resolution 66/141, and urges all States to implement the measures set out in paragraph 43 of the same resolution;

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<sup>31</sup> Ibid., vol. 2133, No. 37245.

<sup>32</sup> Ibid., vol. 1015, No. 14862.



### III The rights of indigenous children

33. *Reaffirms* that indigenous children are holders of all rights enshrined in the Convention on the Rights of the Child;

34. *Also reaffirms* the right of indigenous children, in community with other members of their group, to enjoy his or her own culture, to profess and practise his or her own religion or belief and to use his or her own language;

35. *Reaffirms its commitment* to actively promoting the objectives of the United Nations Declaration on the Rights of Indigenous Peoples, which provides important guidance on the rights of indigenous peoples and individuals, including specific reference to the rights of indigenous children in a number of areas;

36. *Recognizes* that the full realization of children's rights requires the adoption and implementation of comprehensive policies and programmes for all children, including indigenous children;

37. *Also recognizes* the importance for indigenous children to learn and transmit their cultures, to practise and revitalize their cultural traditions and customs and to use and transmit their histories, languages, oral traditions, philosophies, writing systems and literatures;

38. *Further recognizes* that indigenous children often face multiple forms of discrimination and that discrimination against and exploitation of indigenous children, particularly girls, including economic exploitation, harm their quality of life and may reduce their survival prospects, and expresses grave concern that indigenous children face violations of their human rights as well as discriminatory and attitudinal barriers to their participation and inclusion in society;

39. *Calls upon* States to take all appropriate measures to ensure that indigenous children are protected against all forms of discrimination and exploitation, which can be harmful to the child's physical, mental, spiritual, moral and social development;

40. *Reaffirms* that the eradication of poverty is essential to the achievement of the Millennium Development Goals and the full realization of the rights of all children, including for indigenous children, and expresses deep concern that high levels of malnutrition and preventable diseases continue to be major obstacles to the realization of these rights, in particular the right to life and the right to food, and to the ability of the child to develop, and also recognizes the need to reduce child mortality and ensure comprehensive child development;

41. *Calls upon* States to take all appropriate measures to safeguard the realization of the right to education for indigenous children, including their access to quality education, on the basis of equal opportunity, in a manner conducive to their fullest possible social inclusion and individual development, including through the provision of compulsory primary education that is available free to all and, when possible, is provided in their own language, and to take all appropriate measures to make all other levels and all forms of education available and accessible to indigenous children without discrimination;

42. *Notes with appreciation* the effective work of Expert Mechanism advice No. 1 on the Rights of Indigenous Peoples to Education;<sup>33</sup>

43. *Reaffirms* that States should take effective and appropriate measures to ensure that indigenous children, on an equal basis with others, have access to the highest attainable standard of physical and mental health, as well as to information and education, including on reproductive and family planning and HIV prevention, that is age-appropriate and in an accessible format;

44. *Calls upon* all States to include, within the overall context of policies and programmes for the realization of the rights of the child, for all children within their jurisdiction, the relevant provisions for the realization of these rights for indigenous children, in particular:

(a) To ensure that the rights of the child, including the rights of indigenous children, are fully respected, without discrimination on any grounds, including by adopting and/or continuing to implement regulations and measures that ensure the full realization of all their rights;

(b) To take measures to collect and disaggregate relevant information, including statistical and research data, as appropriate, in order to identify and address the barriers faced by indigenous children in exercising their rights, as children, as well as take measures to enhance international cooperation and partnership, where appropriate, in relation to the provision of technical and capacity-building assistance to support such measures;

(c) To encourage greater research, including the development of common indicators, into the situation of indigenous children in rural and urban areas;

(d) To take appropriate measures, in consultation with indigenous peoples, to develop culturally sensitive education programmes and services as well as training programmes and educational measures to prevent and eliminate discrimination against indigenous children through the elimination of stereotypes and prejudices, and in this regard, when possible, to review and revise school curricula and textbooks to develop respect among all children for indigenous cultures, history, language and values, to undertake measures to effectively address the comparatively higher drop-out rates among indigenous youth and to consider taking effective measures to increase the number of teachers from indigenous communities or who speak indigenous languages;

(e) To strengthen efforts towards poverty eradication and to adopt, implement and/or strengthen, in coordination with indigenous peoples, appropriate policies aimed at ensuring the right to an adequate standard of living for indigenous children and their families, along with equal access to quality and affordable services, especially health, nutrition, education, welfare, social protection, safe drinking water and sanitation and other services that are essential for the child's well-being, and, in this regard, to pay particular attention to the most vulnerable children and to those living under especially difficult circumstances;

(f) To recognize that where health disparities exist between indigenous peoples, including indigenous children, and non-indigenous populations in the

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<sup>33</sup> A/HRC/12/33, annex.

incidence of non-communicable diseases, appropriate measures need to be taken in order to address the impacts thereof;

(g) To address the root causes preventing indigenous children's views from being heard, in accordance with their evolving capacities, and from being taken into account on matters affecting them, to inform children, parents, legal guardians, other caregivers and the general public about the rights of the child, and to raise awareness, including through partnerships with civil society, the private sector and the media, while being attentive to their influence on children, of the importance and benefits of the participation of children in society;

(h) To develop measures to ensure that indigenous children have access to information in their own language, where possible;

(i) To take all necessary measures to ensure universal access to birth registration of indigenous children immediately after birth, including those living in remote areas by, inter alia, removing barriers that impede their registration, ensuring the existence of a minimal or no cost, simple, effective, expeditious and accessible birth registration system, guaranteeing their right to a name and a nationality, respecting the selection by parents of a name of their own choosing, respecting the child's preservation of his or her identity and, as far as possible, protecting the child knowing and being cared for by his or her parents;

(j) To ensure that indigenous children have access to the same range, quality and standard of free or affordable, gender-sensitive, culturally sensitive and age-appropriate health care and programmes as provided to other children and adolescents, including in the area of sexual and reproductive health, and to take measures, in consultation with indigenous peoples, to eliminate child and maternal mortality and malnutrition and to develop measures to support those services inside their communities;

(k) To adopt legislative and other appropriate measures, including cross-sectoral approaches, to ensure the full realization by indigenous children of the right to education, including by ensuring that, on the basis of equal opportunity, accessibility and inclusiveness, they are not excluded from accessible, free and compulsory primary education, from early childhood care and development to vocational training and preparation for work, and to take measures, in consultation with indigenous peoples, for indigenous children to have access to education as well as to encourage a multicultural approach and, when possible, education in their own language;

(l) To take, where appropriate, decisive steps to develop strategies regarding respect for and promotion of indigenous children's cultural identities and languages;

(m) To take steps to support and encourage human rights education and training, on values such as respect for human dignity, non-discrimination, equality, justice, non-violence, tolerance and peace, at home, in educational centres and in education programmes, in order to promote the awareness and empowerment of children, including indigenous children, with respect to their rights and responsibilities;

(n) To strengthen efforts to effectively eliminate child labour which is harmful to their health or physical, mental, spiritual, moral or social development, including among indigenous children;

(o) To develop strategies for the prevention and elimination of all forms of violence against children, including indigenous children, by adopting appropriate policy measures aimed at, inter alia, raising awareness, capacity-building for professionals working with and for children, supporting effective parenting programmes, fostering research, collecting data on the incidence of violence against children, and developing and introducing child- and gender-sensitive, accessible, safe and confidential reporting and complaints mechanisms;

(p) To take steps to design and implement preventive and comprehensive anti-bullying measures, including in educational settings, that address bullying and peer-directed aggression against children, including against indigenous children, which could include the training of educators and family members and also raising awareness of this matter among children;

(q) To take measures to eliminate gender-based violence against and sexual exploitation and trafficking of indigenous children, and to actively involve indigenous peoples and their communities in the efforts towards the elimination of these practices;

(r) To take all appropriate measures to ensure protection and safety for all children, including indigenous children, during and after situations of risk, including situations of armed conflict, humanitarian emergencies and natural disasters, including adopting and implementing programmes to ensure the physical and psychological recovery and social reintegration of these children and ensure that such recovery, reintegration and rehabilitation take place in an environment which fosters the well-being, health, self-respect and dignity of the child;

(s) To develop and implement a comprehensive juvenile justice policy that includes, where appropriate, interpretation or other proper means to ensure that indigenous children can understand and be understood, as well as the introduction of alternative measures allowing for responses to juvenile delinquency for these children without resorting to judicial procedures;

(t) To take all appropriate measures to ensure that indigenous children are given the opportunity to be heard on issues directly affecting them, bearing in mind their evolving capacities, in determining and developing priorities and strategies for exercising their right to development, in particular in developing and determining health, housing and other economic and social programmes affecting them, and to promote indigenous children's active involvement and effective participation, including through indigenous peoples' organizations and/or institutions chosen by indigenous peoples themselves;

45. *Calls upon* all Member States, and invites the United Nations system, to strengthen international cooperation to ensure the realization of the rights of the child, including for indigenous children, inter alia, by supporting national initiatives that give more emphasis to the development of indigenous children, as appropriate, and by reinforcing international cooperation measures in fields of research or on the transfer of technology such as assistive technologies;

46. *Calls upon* the relevant entities, funds and programmes of the United Nations system, donor institutions, including the international financial institutions, and bilateral donors to support, when requested, national initiatives, including development programmes for indigenous children, financially and technically, as well as to enhance effective international cooperation and partnership to strengthen

knowledge-sharing and capacity-building, with particular attention to policy development, programme development, research and professional training;

#### IV

##### Follow-up

47. *Recognizes* the progress achieved since the establishment of the mandate of the Special Representative on Violence against Children, and expresses support for her work to promote the prevention and elimination of all forms of violence against children in all regions and to advance the implementation of the recommendations of the United Nations study on violence against children;<sup>34</sup>

48. *Recommends* that the Secretary-General extend the mandate of the Special Representative on Violence against Children, as established in paragraphs 58 and 59 of its resolution 62/141 of 18 December 1997, for a further period of three years, and decides that for the effective performance of the mandate and the sustainability of the core activities the mandate of the Special Representative shall be funded from the regular budget starting from the biennium 2014-2015;

49. *Urges* all States, requests United Nations entities and agencies, and invites regional organizations and civil society, including non-governmental organizations, to cooperate with the Special Representative of the Secretary-General on Violence against Children in promoting further implementation of the recommendations of the United Nations study on violence against children, and encourages States to provide support to the Special Representative, including adequate voluntary financial support, to her for the continued, effective and independent performance of her mandate, as set out in resolution 62/141, and invites the private sector to provide voluntary contributions for that purpose;

50. *Welcomes* the appointment of Ms. Leila Zerrougui as the Special Representative of the Secretary-General for Children and Armed Conflict, and recognizes the progress achieved since the establishment of the mandate of the Special Representative pursuant to General Assembly resolution 51/77 of 12 December 1996, as extended by resolutions 60/231 and 66/141;

51. *Decides:*

(a) To request the Secretary-General to submit to the General Assembly at its sixty-eighth session a comprehensive report on the rights of the child containing information on the status of the Convention on the Rights of the Child and on the implementation of the priority themes of the resolution entitled "Rights of the child" from its sixty-first to sixty-fifth sessions, including progress that has been achieved and challenges that still remain, taking into account information provided by Member States;

(b) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the children and armed conflict agenda;

(c) To request the Special Representative of the Secretary-General on Violence against Children to continue to submit annual reports to the General Assembly and the Human Rights Council on the activities undertaken in the

<sup>34</sup> See A/61/299 and A/62/209.

fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the violence against children agenda;

(d) To request the Special Rapporteur on the sale of children, child prostitution and child pornography to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the sale of children, child prostitution and child pornography agenda;

(e) To invite the Chair of the Committee on the Rights of the Child to present an oral report on the work of the Committee and engage in an interactive dialogue with the General Assembly at its sixty-eighth session under the item entitled “Promotion and protection of the rights of children”;

(f) To continue its consideration of the question at its sixty-eighth session under the item entitled “Promotion and protection of the rights of children”.

18. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

**Reports considered by the General Assembly in connection with the question of the promotion and protection of the rights of children**

The General Assembly decides to take note of the following reports submitted under the item entitled "Promotion and protection of the rights of children":

- (a) Report of the Committee on the Rights of the Child;<sup>1</sup>
- (b) Report of the Special Rapporteur on the sale of children, child prostitution and child pornography.<sup>2</sup>

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<sup>1</sup> A/67/41.

<sup>2</sup> A/67/291.