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HUMAN RIGHTS COUNCIL
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Agenda item 3

**PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL,
POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS
INCLUDING THE RIGHT TO DEVELOPMENT**

**Albania*, Andorra*, Argentina*, Austria*, Belgium*, Bolivia, Brazil,
Bulgaria*, Canada, Chile*, Colombia*, Costa Rica*, Croatia*, Cuba,
Cyprus*, Czech Republic*, Denmark*, Dominican Republic*, Ecuador*,
El Salvador*, Estonia*, Finland*, France, Germany, Greece*, Guatemala,
Honduras*, Hungary*, Ireland*, Israel*, Italy, Latvia*, Lithuania*,
Luxembourg*, Maldives*, Malta*, Mexico, Netherlands, Nicaragua,
Norway*, Panama*, Paraguay*, Peru, Poland*, Portugal*, Romania,
Slovakia*, Slovenia, Spain*, Sweden*, The former Yugoslav Republic of
Macedonia*, Timor-Leste*, Ukraine, United Kingdom of Great Britain
and Northern Ireland, Uruguay, Venezuela (Bolivarian Republic of)*:
draft resolution**

7/... Rights of the child

The Human Rights Council,

Emphasizing that the Convention on the Rights of the Child must constitute 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, as well as other human rights instruments,

* Non-member State of the Human Rights Council.

Reaffirming all previous resolutions on the rights of the child of the Commission on Human Rights and of the General Assembly, the most recent of which are Commission resolution 2005/44 of 18 April 2005 and Assembly resolution 62/141 of 18 December 2007,

Welcoming the reports of the Secretary-General on the status of the Convention on the Rights of the Child,¹ on the follow-up to the special session of the General Assembly on children² of 15 August 2007 and on the girl child³ of 24 August 2007, as well as the Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children, held on 11 and 12 December 2007,⁴

Welcoming also the report to the General Assembly of the independent expert for the United Nations study on violence against children,⁵ his report on the first year of follow-up to the study⁶ and the establishment by the General Assembly of the mandate of the Special Representative of the Secretary-General on violence against children, as a high-profile and independent global advocate to promote the prevention and elimination of all forms of violence against children in all regions, in accordance with its resolution 62/141,

Recognizing in this regard the contribution of the International Criminal Court as a way to prevent violations of human rights and humanitarian law, in particular when children are victims of serious crimes, including the crime of genocide, crimes against humanity and war crimes, and to bring perpetrators of such crimes to justice, and not to grant amnesties for these crimes and to strengthen international cooperation towards the goals of ending impunity,

¹ A/62/182.

² A/62/259.

³ A/62/297.

⁴ General Assembly resolution 62/88.

⁵ A/61/299.

⁶ A/62/209.

Welcoming the reports of the Special Representative for children and armed conflict⁷ and the report of the Special Rapporteur on the sale of children, child prostitution and child pornography,⁸

Welcoming also the work of the Committee on the Rights of the Child and taking note of the issuance of its general comments Nos. 6 and 7 (2005), Nos. 8 and 9 (2006) and No. 10 (2007),

Profoundly concerned that the situation of children in many parts of the world remains critical and convinced that urgent and effective national and international action is called for,

Mindful that regional instruments can strengthen but not weaken the norms of the Convention on the Rights of the Child,

Reaffirming the importance of the family as a basic unit of society and that as such should be strengthened; that it is entitled to receive comprehensive protection and support; that the primary responsibility for the protection, upbringing and development of children rests with the family; that all institutions of society should respect children's rights and secure their well-being and render appropriate assistance to parents, families, legal guardians and other caregivers so that children can grow and develop in a safe and stable environment and in an atmosphere of happiness, love and understanding, bearing in mind that, in different cultural, social and political systems, various forms of family exist,

Underlining the need for mainstreaming a gender perspective and recognizing the child as a rights holder, in all policies and programmes relating to children,

Concerned that, in conflict situations, children continue to be deliberate targets of attacks or the use of force, including indiscriminate and excessive use of force with consequences, which are often irreversible for their physical and emotional integrity,

⁷ A/62/228.

⁸ A/HRC/7/8.

Recognizing that environmental damage has potentially negative effects on children and their enjoyment of their life, health and a satisfactory standard of living,

Taking note with appreciation of the attention paid to children in the Convention on the Rights of Persons with Disabilities⁹ and in the International Convention for the Protection of All Persons from Enforced Disappearance,¹⁰

I. IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD AND OTHER INSTRUMENTS

1. *Reaffirms* that the general principles of, 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;

2. *Acknowledges* that the Convention on the Rights of the Child¹¹ is the most universally ratified human rights treaty, and urges the States that have not yet done so to become parties to the Convention and the Optional Protocols thereto¹² as a matter of priority and, concerned at the great number of reservations to the Convention, urges States parties to withdraw reservations incompatible with the object and purpose of the Convention and its Optional Protocols and to consider reviewing regularly other reservations with a view to withdrawing them;

3. *Calls upon* States parties to implement the Convention and its Optional Protocols fully and in accordance with the best interests of the child by, inter alia, putting in place effective national legislation, policies and action plans, and to comply in a timely manner with their reporting obligations under the Convention and the Optional Protocols thereto, in accordance

⁹ General Assembly resolution 61/106, annex.

¹⁰ General Assembly resolution 61/177, annex.

¹¹ United Nations, *Treaty Series*, vol. 1577, No. 27531.

¹² *Ibid.*, vol. 2171, No. 27531; and *ibid.*, vol. 2173, No. 27531.

with the guidelines elaborated by the Committee, as well as to take into account the recommendations made by the Committee in the implementation of the provisions of the Convention;

4. *Also calls upon* States parties to designate, establish or strengthen relevant governmental structures for children, including, where appropriate, ministers in charge of child issues and independent ombudspersons for children, and to ensure adequate and systematic training in the rights of the child for professional groups working with and for children;

5. *Encourages* States to strengthen their national statistical capacities, particularly in the area of juvenile justice and on children in detention, and, as far as possible, to use statistics disaggregated by, inter alia, age, sex and other relevant factors that may lead to disparities, and other statistical indicators at the national, subregional, regional and international levels to develop and assess social policies and programmes so that economic and social resources are used efficiently and effectively for the full realization of the rights of the child;

II. MAINSTREAMING OF THE RIGHTS OF THE CHILD

6. *Affirms* its commitment to effectively integrate the rights of the child in its work and that of its mechanisms in a regular, systematic and transparent manner, taking into account specific needs of boys and girls;

7. *Decides* to incorporate into its programme of work sufficient time, at a minimum an annual meeting, to discuss different specific themes on the rights of the child, including the identification of challenges in the realization of the rights of the child, as well as measures and best practices that can be adopted by States and other stakeholders, and to assess the effective integration of the rights of the child in its work, beginning in 2009;

8. *Urges* all stakeholders to take into full account the rights of the child in the universal periodic review, including in the preparation of information submitted for the review and during its dialogue, outcome and follow-up;

9. *Requests* special procedures and other human rights mechanisms of the Council to integrate the rights of the child into the implementation of their mandates and to include in their reports information on and qualitative analysis of child rights;

10. *Encourages* all human rights treaty bodies to integrate the rights of the child into their work, in particular, in their concluding observations, general comments and recommendations;

III. PROTECTING AND PROMOTING THE RIGHTS OF THE CHILD AND NON-DISCRIMINATION AGAINST CHILDREN, INCLUDING CHILDREN IN DIFFICULT SITUATIONS

Non-discrimination

11. *Calls upon* all States to ensure that children are entitled to their civil, cultural, economic, political and social rights without discrimination of any kind;

12. *Notes with concern* the large number of children, particularly girls, belonging to national, ethnic, religious and linguistic minorities, migrant children, refugee children, internally displaced children and children of indigenous origin among the victims of racism, racial discrimination, xenophobia and related intolerance, stresses the need to incorporate special measures, in accordance with the principle of the best interests of the child and respect for his or her views, and the child's gender-specific needs, in education programmes and programmes to combat these practices, and calls upon States to provide special support and ensure equal access to services for those children;

Freedom from violence

13. *Deeply concerned* by the horrific scale and impact of all forms of violence against children, in all regions, in their homes and families, in schools, care and justice systems, workplaces and in communities, and urges States:

(a) To take effective and appropriate legislative and other measures or, where they exist, strengthen legislation to prohibit and eliminate all forms of violence against children, in all settings;

(b) To take all appropriate measures to prevent, and to protect children from, torture and other cruel, inhuman or degrading treatment and from all forms of violence as a matter of urgency, including physical, mental and sexual violence, child abuse and exploitation, domestic

violence and neglect, and abuse by the police, other law enforcement authorities and employees and officials in detention centres or welfare institutions, including orphanages, giving priority to the gender dimension and to address its underlying causes through a systematic and comprehensive approach;

(c) To take appropriate measures to assert the right of children to respect for their human dignity and physical integrity and to prohibit and eliminate any emotional or physical violence or any other humiliating or degrading treatment;

(d) To take measures to eliminate the use of corporal punishment in schools and to take urgent measures to protect students from violence of any kind, injury or abuse, including sexual abuse, intimidation or maltreatment in schools, to establish complaint mechanisms that are age-appropriate and accessible to children and to undertake thorough and prompt investigations of all acts of violence and discrimination;

(e) To take measures to change attitudes that condone or normalize any form of violence against children, including cruel, inhuman or degrading forms of discipline, harmful traditional practices and all forms of sexual violence;

(f) To end impunity for perpetrators of crimes against children, and to investigate and prosecute such acts of violence and impose appropriate penalties, recognizing that persons convicted of violent offences against children, including sexual abuse of children, should be able to work with children only after adequate national safeguards have been used to determine that they do not pose a risk of harm to children;

14. *Requests* the Secretary General to take urgent action on General Assembly resolution 62/141 and to appoint at the highest possible level and without delay a Special Representative on violence against children and to report on progress made to the Council at its eighth session;

Identity, family relations and birth registration

15. *Urges* all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child to preserve the child's identity, including nationality, name and family relations, as recognized by law, to allow for the registration of the

child immediately after birth, irrespective of his/her status, to ensure that registration procedures are simple, expeditious and effective and provided free of charge, and to raise awareness of the importance of birth registration at the national, regional and local levels;

16. *Calls upon* States to take necessary measures to prevent and combat illegal adoptions and all adoptions that are not in the best interest of the child, by establishing policy, legislation and effective supervision for the protection of children involved in national and intercountry adoptions, bearing in mind the best interest of the child;

17. *Also calls upon* States to address cases of international abduction of children, bearing in mind that the best interest of the child shall be a primary consideration, and encourages States to engage in multilateral and bilateral cooperation to ensure, inter alia, the return of the child to the country where he or she resided immediately before removal or retention and, in this respect, to pay particular attention to cases of international abduction of children by one of their parents or other relatives;

18. *Further calls upon* States to guarantee, to the extent consistent with the obligations of each State, the right of a child whose parents reside in different States to maintain, on a regular basis, save in exceptional circumstances, personal relations and direct contact with both parents by providing enforceable means of access and visitation in both States and by respecting the principle that both parents have common responsibilities for the upbringing and development of their children;

19. *Reaffirms* the findings of the General Assembly in paragraph 16 of its resolution 62/141 and the importance of promoting appropriate parental care and family preservation where possible, and encourages States to adopt and enforce laws and improve the implementation of policies and programmes to protect children growing up without parents or caregivers; where alternative care is necessary, decision-making should be in the best interests of the child, in full consultation with the child and his/her legal guardians, and in this context, encourages the advancement of the draft United Nations guidelines for the appropriate use and conditions of alternative care for children; further attention should be given to these guidelines by the Council at its eighth session;

Eradication of poverty

20. *Calls upon* States and the international community to cooperate, support and participate in the global efforts for poverty eradication at the global, regional and country levels, to intensify efforts so that all development and poverty reduction goals, as set out in the United Nations Millennium Declaration,¹³ are realized within their time framework, and reaffirms that investments in children and the realization of their rights contribute to their social and economic development, and are among the most effective ways to eradicate poverty;

Right to the enjoyment of the highest attainable standard of health

21. *Calls upon* all States:

(a) To take all necessary measures to ensure the right of the child to the enjoyment of the highest attainable standard of physical and mental health and to develop sustainable health systems and social services, to ensure access to such systems and services without discrimination, paying particular attention to adequate food and nutrition to prevent disease and malnutrition, to access to safe drinking water and sanitation, to prenatal and post-natal health care, to the special needs of adolescents, to reproductive and sexual health and to threats from substance abuse and violence;

(b) To address, as a matter of priority, the vulnerabilities faced by children affected by and living with HIV by providing support and rehabilitation to those children, their families and caregivers, by promoting child-oriented HIV/AIDS policies and programmes, increased protection for children orphaned and affected by HIV, and by involving children, their caregivers and the private sector, to ensure access to affordable and effective prevention, care and treatment, including through correct information, access to voluntary and confidential testing, reproductive health care and education, access to pharmaceutical products and medical technologies, by intensifying efforts to develop new treatments for children and prioritizing prevention of mother-to-child transmission of the virus, and by building, where needed, and supporting social security systems to protect them;

¹³ See General Assembly resolution 55/2.

Right to education

22. *Calls upon* all States:

(a) To recognize the right to education on the basis of equal opportunity and non-discrimination by making primary education available, free and compulsory for all children, by ensuring that all children, particularly girls, children in need of special protection, children with disabilities, indigenous children, children belonging to minorities and children of different ethnic origins, internally displaced and refugee children and children living in conflict-affected areas and countries and children affected and living with HIV/AIDS have access to good quality education, as well as making secondary education generally available and accessible for all, in particular by the progressive introduction of free education, bearing in mind that special measures to ensure equal access, including affirmative action, contribute to achieving equal opportunity and combating exclusion;

(b) To design and implement programmes to provide social services to and support for pregnant adolescents and adolescent mothers, in particular to enable them to continue and complete their education;

(c) To ensure that children, from an early age, benefit from education programmes, materials and activities that develop respect for human rights and fully reflect the values of peace, non-violence against oneself and others, tolerance and gender equality;

(d) To enable children, including adolescents, to exercise their right to express their views freely, the views of the child being given due weight in accordance with age and maturity of the child;

The girl child

23. *Calls upon* all States to take all necessary measures, including legal reforms where appropriate:

(a) To ensure the full and equal enjoyment by girls of all human rights and fundamental freedoms, to take effective actions against violations of those rights and freedoms, and to base programmes and policies on the rights of the child, taking into account the special situation of girls;

(b) To eliminate all forms of discrimination and violence against girls, including female infanticide and prenatal sex selection, rape, sexual abuse and harmful traditional or customary practices, including female genital mutilation, son preference, marriages without free and full consent of the intending spouses, early marriages and forced marriages and forced sterilization, including addressing their root causes, by enacting and enforcing legislation and, where appropriate, formulating comprehensive, multidisciplinary and coordinated national plans, programmes or strategies protecting girls;

Children with disabilities

24. *Recognizes* that children with disabilities should have full enjoyment of all human rights and fundamental freedoms on an equal basis with other children, and recalls the obligations to that end undertaken by the States parties to the Convention on the Rights of the Child;

25. *Calls upon* all States to:

(a) Take all necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children with disabilities, in both the public and private spheres, including by incorporating a child-rights perspective that includes children with disabilities into policies and programmes for children, taking into account the particular situation of children with disabilities who may be subject to multiple or aggravated forms of discrimination, including girls with disabilities and children with disabilities living in poverty;

(b) To ensure the dignity of children with disabilities, to promote their self-reliance and to facilitate their full and active participation and inclusion in the community, including by ensuring access to good-quality inclusive education and health, and to enact and enforce legislation protecting children with disabilities against all forms of discrimination, exploitation, violence and abuse;

(c) To consider ratifying the Convention on the Rights of Persons with Disabilities and its Optional Protocol as a matter of priority;

Migrant children

26. *Calls upon* all States to ensure, for migrant children, the enjoyment of all human rights and access to health care, social services and education of good quality, and that migrant children, and especially those who are unaccompanied and those who are victims of violence and exploitation, receive special protection and assistance, in accordance with their obligations, as reflected in articles 9 and 10 of the Convention on the Rights of the Child;

Children working and/or living on the street

27. *Calls upon* all States to prevent violations of the rights of children working and/or living on the street, including discrimination, arbitrary detention and extrajudicial, arbitrary and summary execution, torture, all kinds of violence and exploitation, and to bring the perpetrators to justice, to adopt and implement policies for the protection, social and psychosocial rehabilitation and reintegration of these children, and to adopt economic, social and educational strategies to address the problems of children working and/or living on the street;

Refugee and internally displaced children

28. *Calls upon* all States to protect refugee, asylum-seeking and internally displaced children, in particular those who are unaccompanied, who are particularly exposed to risks in connection with armed conflict and post-conflict situations, such as recruitment, sexual violence and exploitation, to pay particular attention to programmes for voluntary repatriation and, wherever possible, local integration and resettlement, to give priority to family tracing and reunification and, where appropriate, to cooperate with international humanitarian and refugee organizations;

Children alleged to have or recognized as having infringed penal law

29. *Calls upon* all States, in particular those States in which the death penalty has not been abolished:

(a) To abolish by law, as soon as possible, the death penalty and life imprisonment without possibility of release for those under the age of 18 years at the time of the commission of the offence;

(b) To comply with their obligations as assumed under relevant provisions of international human rights instruments, including the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights;¹⁴

(c) To keep in mind the safeguards guaranteeing protection of the rights of those facing the death penalty and the guarantees set out in resolutions 1984/50 of 25 May 1984 and 1989/64 of 24 May 1989 adopted by the Economic and Social Council;

30. *Also calls upon* all States to protect children deprived of their liberty from torture and other cruel, inhuman or degrading treatment or punishment and to ensure that, if they are arrested, detained or imprisoned, children are provided with adequate legal assistance and that they shall have the right to maintain contact with their family through correspondence and visits, save in exceptional circumstances, and that no child in detention is sentenced or subject to forced labour or corporal punishment, or deprived of access to and provision of health-care services, hygiene and environmental sanitation, education, basic instruction and vocational training;

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

31. *Calls upon* all States to give attention to the impact of parental detention and imprisonment on children and, in particular:

(a) To give priority to non-custodial measures, when sentencing or deciding on pretrial measures for a child's sole or primary carer, subject to the need to protect the public and the child;

(b) To identify and promote good practices in relation to the needs and physical, emotional, social and psychological development of babies and children affected by parental detention and imprisonment;

¹⁴ See General Assembly resolution 2200 A (XXI), annex.

Child labour

32. *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, to eliminate immediately the worst forms of child labour, to promote education as a key strategy in this regard, including the creation of vocational training and apprenticeship programmes and the integration of working children into the formal education system, and to examine and devise economic policies, where necessary, in cooperation with the international community, that address factors contributing to these forms of child labour;

33. *Urges* all States that have not yet signed and ratified or acceded to the Convention concerning Minimum Age for Admission to Employment, 1973 (No. 138) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (No. 182) of the International Labour Organization to consider doing so;

IV. PREVENTION AND ERADICATION OF THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

34. *Calls upon* all States:

(a) To take all necessary measures to eliminate, criminalize and penalize effectively all forms of sexual exploitation and sexual abuse of children, including within the family or for commercial purposes, child pornography and child prostitution, child trafficking, child sex tourism, the sale of children and their organs, and the use of the Internet for these purposes, and to take effective measures against the criminalization of children who are victims of exploitation;

(b) To take effective measures to ensure prosecution of offenders, including through international assistance in connection with investigations or criminal or extradition proceedings;

(c) To increase cooperation at all levels to prevent and dismantle networks trafficking in children;

(d) To become parties to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;¹⁵

(e) To address effectively the needs of victims of trafficking, of sale of children, of child prostitution and child pornography, including their safety and protection, physical and psychological recovery and full reintegration into their family and society and bearing in mind the best interest of the child;

(f) To combat the existence of a market that encourages such criminal practices against children and factors leading to these practices, including through the adoption and effective application of preventive and enforcement measures targeting customers or individuals who sexually exploit or sexually abuse children, as well as ensuring public awareness of the problem;

(g) To take the necessary measures to eliminate the sale of children, child prostitution and child pornography by adopting a holistic approach and addressing all contributing factors;

35. Welcomes the comprehensive guidelines and recommendations contained in the report of the Special Rapporteur on the sale of children, child prostitution and child pornography to the Council in 2008¹⁶ for the establishment and management of rehabilitation and assistance programmes for children who are victims of sexual commercial exploitation and trafficking and strongly encourages States to take them into account in order to provide the child victims with assistance, protection and a successful rehabilitation in their families and society, taking into consideration the importance of separate programmes that attend to their special needs;

V. PROTECTION OF CHILDREN AFFECTED BY ARMED CONFLICT

36. Strongly condemns any recruitment and use of children in armed conflicts contrary to international law, and urges all parties to armed conflict to end such practice, and all other

¹⁵ United Nations, *Treaty Series*, vol. 2237, No. 39574.

¹⁶ A/HRC/7/8.

violations and abuses committed against children, including killing or maiming, rape or other sexual violence, abduction, denial of humanitarian access, attacks against schools and hospitals and the forced displacement of children and their families;

37. *Reaffirms* the essential role 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, and takes note of Security Council resolutions on children and armed conflict, in particular resolution 1612 (2005) of 26 July 2005, and of the undertaking by the Council to give special attention to the protection, welfare and rights of children in armed conflict when taking action aimed at maintaining peace and security, including provisions for the protection of children in the mandates of peacekeeping operations, as well as the inclusion of child protection advisers in those operations;

38. *Notes with appreciation* the steps taken regarding Security Council resolution 1612 (2005) of 26 July 2005 and the efforts of the Secretary-General to implement the monitoring and reporting mechanism, including in collecting and providing timely, objective, accurate and reliable information on children and armed conflict in accordance with that resolution, with the participation of and in cooperation with national Governments and relevant United Nations and civil society actors, including at the country level, as well as the work carried out by United Nations child protection advisers in peacekeeping operations;

39. *Takes note* of the updating of the Cape Town Principles on child soldiers¹⁷ that led to the Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups,¹⁸ encourages Member States to consider using the Guidelines to inform their work in protecting children from the effects of armed conflicts, and requests the relevant entities of the United Nations system, within their mandates, and invites civil society, to assist Member States in this field;

¹⁷ See E/CN.4/1998/NGO/2.

¹⁸ Available from www.unicef.org.

40. *Takes note* of part two of the report of the Special Representative of the Secretary-General for Children and Armed Conflict,¹⁹ on the strategic review of the 1996 study by Graça Machel entitled “Impact of armed conflict on children”,²⁰ and of the significant developments and achievements in the protection of children in armed conflict at the national and international levels, and calls upon Member States and observers, and invites relevant entities of the United Nations system as well as civil society, as appropriate, to study carefully its recommendations, recognizing the need for discussion on the issues raised therein, and stresses the need for the views of Member States to be fully taken into account in this regard;

41. *Calls upon* all States to pay special attention to the protection, welfare and rights of girls affected by armed conflict;

42. *Calls upon* States:

(a) When ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, to raise the minimum age for voluntary recruitment of persons into their national armed forces from that set out in article 38, paragraph 3, of the Convention, bearing in mind that under the Convention persons under 18 years of age are entitled to special protection, and to adopt safeguards to ensure that such recruitment is not forced or coerced;

(b) To take effective measures to prevent the recruitment and use of children by armed groups, as distinct from the armed forces of a State, including the adoption of legal measures necessary to prohibit and criminalize such practice, and the adoption of measures to prevent re-recruitment, in particular education;

(c) To take all feasible measures, in particular educational measures, to ensure the demobilization and effective disarmament of children used in armed conflicts and to implement effective measures for their rehabilitation, physical and psychological recovery and reintegration into society, taking into account the rights and the specific needs of the girl child;

¹⁹ A/62/228.

²⁰ A/51/306 and Add.1.

(d) To take effective preventive measures against sexual exploitation and abuse by their military and civilian peacekeepers and hold them to account;

43. *Calls upon:*

(a) All States and other parties to armed conflict to respect fully international humanitarian law and, in this regard, calls upon States parties to respect fully the provisions of the Geneva Conventions of 12 August 1949,²¹ and the Additional Protocols thereto of 8 June 1977;²²

(b) Armed groups that are distinct from the armed forces of a State not, under any circumstances, to recruit or use in hostilities persons under the age of 18 years;

(c) All States and relevant United Nations bodies and agencies and regional organizations to integrate the rights of the child into all activities in conflict and post-conflict situations, to ensure adequate child protection training of their staff and personnel, including through the drafting and dissemination of codes of conduct addressing the issue of sexual exploitation and abuse of children, to ensure that States take effective preventive measures against sexual exploitation and abuse by their military and civilian peacekeepers and hold them to account, and to facilitate the participation of children in the development of strategies in this regard, making sure that there are opportunities for children's voices to be heard and given due weight in accordance with the age and maturity of the child;

(d) All States and relevant United Nations bodies to continue to support national and international mine action efforts, including through financial contributions, assistance to victims and social and economic reintegration, mine awareness programmes, mine clearance and child-centred rehabilitation;

²¹ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

²² *Ibid.*, vol. 1125, Nos. 17512 and 17513.

VI. FOLLOW-UP

44. *Decides:*

(a) To request the Secretary-General to ensure the provision of appropriate staff and facilities from the United Nations regular budget for the effective and expeditious performance of the functions of the Committee on the Rights of the Child, special rapporteurs and special representatives of the United Nations system in the implementation of their mandates and, where appropriate, to invite States to continue to make voluntary contributions;

(b) To request the Secretary-General to submit to the Council at its tenth session a report on the rights of the child, with information on the status of the Convention on the Rights of the Child;

(c) To request the Special Rapporteur on the sale of children, child prostitution and child pornography to submit a report to the Council according to its programme of work;

(d) To remain seized of the issue and to continue the consideration of the rights of the child in accordance with its programme of work and to consider an omnibus resolution on the rights of the child every four years, and to focus on a theme of the rights of the child on an annual basis in the intervening period.
