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**Legislative History of the  
Convention on the Rights of the Child  
(1978 - 1989)**

**ARTICLE 12**

**(RESPECT FOR THE VIEWS OF THE CHILD)**

The *Legislative History of the Convention on the Rights of the Child (1978-1989)* was prepared with the support of Råderna Barnen (Swedish Save the Children). It consists of a series of 45 booklets covering the drafting and adoption of each article of the Convention, as well as the preamble, based on United Nations records. This series will ultimately be collected and produced in a single set of volumes.

ARTICLE 12

(RESPECT FOR THE VIEWS OF THE CHILD)

Table of contents

I.	FINAL TEXT ADOPTED BY THE GENERAL ASSEMBLY (1989)	3
II.	FIRST POLISH DRAFT CONVENTION AND COMMENTS (1978)	3
III.	FIRST READING (1979-1988)	4
	A. 1979: Revised Polish draft	4
	B. 1980: Proposal submitted to the Working Group	4
	1. United States of America	4
	C. 1981: Proposals submitted to the Working Group	5
	1. Australia	5
	2. Denmark	5
	3. United States of America	5
	D. 1981: Discussion and adoption at the Working Group	5
	E. 1986: Comment submitted to the Working Group	9
	1. Bangladesh	9
	F. 1988: Proposal submitted to the Working Group	9
	1. NGO Ad Hoc Group	9
	G. Text adopted at the first reading	10
IV.	TECHNICAL REVIEW (1988)	10
	A. Comment by UNICEF	10
	B. Additional comments and clarifications by the Secretariat	11
V.	SECOND READING (1988-1989)	11
	A. Discussion and adoption at the second reading	11
VI.	CONSIDERATION BY THE COMMISSION ON HUMAN RIGHTS, THE ECONOMIC AND SOCIAL COUNCIL AND THE GENERAL ASSEMBLY	15
VII.	RELATED REFERENCES	15
ANNEX 1	Organizations participating in the NGO Ad Hoc Group	16
ANNEX 2	Related articles of the Convention	17

## ARTICLE 12

### (RESPECT FOR THE VIEWS OF THE CHILD)

#### I. FINAL TEXT ADOPTED BY THE GENERAL ASSEMBLY (1989)

*The following text is that approved by the General Assembly in its resolution 44/25 of 20 November 1989.*

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

#### II. FIRST POLISH DRAFT CONVENTION AND COMMENTS (1978)

*In a letter dated 17 January 1978 addressed to the Director of the Division of Human Rights (see E/CN.4/1284), the Permanent Representative of Poland to the United Nations Office at Geneva proposed that "The question of the Convention on the Rights of the Child" be included in the agenda of the thirty-fourth session of the Commission of Human Rights. At that session, the Polish delegation presented a draft resolution (E/CN.4/L.1366) which contained a draft convention based upon the provisions of the 1959 Declaration of the Rights of the Child. The resolution was subsequently revised (E/CN.4/L.1366/Rev.1) and two additional articles (XI and XII) were added to the draft convention annexed in the final version of the draft resolution (E/CN.4/L.1366/Rev.2) which was then adopted by the Commission on Human Rights (see E/CN.4/1292, pages 122 to 127) as resolution 20 (XXXIV) of 8 March 1978. In that resolution, the Secretary-General was requested to invite Member States, competent specialized agencies, regional, intergovernmental organizations and non-governmental organizations to communicate to him their views, observations and suggestions concerning the draft convention submitted by Poland. Neither that draft nor the views received on it (see E/CN.4/1324 and Corr.1 and Add.1-5) addressed the issues raised in article 12 of the Convention.*

### III. FIRST READING (1979-1988)

*In 1979, the Commission on Human Rights decided to establish an informal open-ended working group to meet for one week to consider the question of a draft convention on the rights of the child during the session of the Commission. The Working Group met again in 1980 and was authorized in 1981 and each year thereafter to meet prior to the Commission session. In 1988, the Working Group met for two weeks in order to complete the first reading. The issues raised under article 11 were first discussed by the Working Group at its 1981 session, at which time the text was adopted. This article was referred to as article 7 throughout the first and second readings. The unofficial heading for this article, "the child's right to express opinions", was reformulated by the Committee on the Rights of the Child at its first session (1991). The reporting guidelines of the Committee refer to the article as "respect for the views of the child".*

#### A. 1979: REVISED POLISH DRAFT

*A revised version of the draft convention was included in a note verbale dated 5 October 1979 addressed to the Division of Human Rights from the Permanent Representation of the Polish People's Republic to the United Nations in Geneva. This draft formed the basis for discussion at the 1980 session of the Working Group. The following text is taken from Commission on Human Rights document E/CN.4/1349, which was reissued for technical reasons.*

#### Article 7

The States parties to the present Convention shall enable the child who is capable of forming his own views the right to express his opinion in matters concerning his own perons, and, in particular, marriage, choice of occupation, medical treatment, education and recreation.

#### B. 1980: PROPOSAL SUBMITTED TO THE WORKING GROUP

##### 1. United States of America

*For the text of this proposal see paragraph 20 in section D. The text was first proposed by the United States as paragraph 2 of article 3 pertaining to the best interests of the child. In 1981, the same text was also proposed as article 7 pertaining to the views of the child.*

**C. 1981: PROPOSALS SUBMITTED TO THE WORKING GROUP**

**1. Australia**

*For the text of this proposal see paragraph 74 in section D below.*

**2. Denmark**

*For the text of this proposal see paragraph 75 in section D below.*

**3. United States of America**

*The following text is taken from HR/(XXXVII)/WG.1/WP.3.*

In all judicial or administrative proceedings affecting a child that is capable of forming his own views, an opportunity shall be provided for the views of the child to be heard, either directly or indirectly through a representative, as an independent party to the proceedings, and those views shall be taken into consideration by the competent authorities.

*For a revised version of this proposal, see paragraph 76 in section D below.*

**D. 1981: DISCUSSION AND ADOPTION AT THE WORKING GROUP**

*The following is taken from paragraphs 19-21, 27-32 and 73-81 of the 1981 report of the Working Group to the Commission on Human Rights, E/CN.4/L.1575, which is reproduced in paragraph 289 of the 1981 report of the Commission on Human Rights, E/CN.4/1475.*

**19. Article 3 of the revised Polish draft was as follows:**

"1. In all actions concerning children, whether undertaken by their parents, guardians, social or State institutions, and in particular by courts of law and administrative authorities, the best interest of the child shall be the paramount consideration.

2. The States Parties to the present Convention undertake to ensure the child such protection and care as his status requires, taking due account of the various stages of his development in family environment and in social relations, and, to this end, shall take necessary legislative measures.

3. The States Parties to the present Convention shall create special organs called upon to supervise persons and institutions directly responsible for the care of children."

20. The representative of the United States of America reintroduced a new article 3 which had been submitted by his delegation the year before but had not been considered owing to lack of time. The new article read as follows:

"1. In all official actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, or administrative authorities, the best interests of the child shall be a primary consideration.

2. In all judicial or administrative proceedings affecting a child that has reached the age of reason, an opportunity for the views of the child to be heard as an independent party to the proceedings shall be provided, and those views shall be taken into consideration by the competent authorities.

3. Each State Party to this Convention shall support special organs which shall observe and make appropriate recommendations to persons and institutions directly responsible for the care of children.

4. The States Parties to this Convention undertake, through passage of appropriate legislation, to ensure such protection and care for the child as his status requires."

21. The delegation of Australia also had submitted in 1980 the following text to replace paragraphs 2 and 3 of article 3:

"2. The States Parties to the present Convention undertake to ensure the child such protection and care as is necessary for his well-being, taking into account the rights and responsibilities of his parents and the stage of the child's development towards full responsibility and, to this end, shall take all necessary legislative and administrative measures.

3. The States Parties to the present Convention shall ensure competent supervision of persons and institutions directly responsible for the care of children."

This proposal was reintroduced at the 1981 session of the Working Group.

(...)

#### Paragraph 2

27. One representative suggested that the Working Group consider paragraph 2 as proposed by the delegation of the United States of America, since it made reference to judicial and administrative proceedings. The representative of the United States explained that paragraph 2, as submitted by his delegation, contained concepts that were missing in the draft convention.

28. Some speakers indicated that the opportunity for the views of the child to be heard, mentioned in the amendment proposed by the delegation of the United States, was also mentioned in article 7 of the revised Polish draft, but others pointed out that the amendment by the United States delegation to paragraph 2 of article 3 made specific reference to all judicial or administrative proceedings affecting a child in this respect and followed logically from paragraph 1 of article 3 as a means by which judicial or administrative authorities could ascertain a child's best interests in a given case.

29. One delegate stated that although the idea contained in the paragraph under consideration was correct, the characterization of "the age of reason" was very difficult. He also believed that views of children could be expressed in court through their legal guardians. The observer of the International Association of Penal Law suggested that language should be borrowed from article 7 to replace the phrase "has reached the age of reason". The Working Group agreed to replace the words "the age of reason" by the following words of article 7: "is capable of forming his own views".

30. The representative of Brazil said that it would be preferable to insert the words "shall be provided" after the words "an opportunity". A further suggestion, made by the representative of the Netherlands, was that in the third line of the paragraph, the phrase "either directly or indirectly through a representative" should be inserted after the word "heard". In addition, proposals were made to delete the word "independent" from the third line of the paragraph and to add the following phrase at the end of that paragraph: "in a manner consistent with the procedures followed in the State Party for the application of its legislation".

31. One representative stated that, because no provision had yet been made for determining the best interests of a child not capable of forming his own views, the Working Group might need to revert to that point at a later stage.

32. The paragraph as revised and adopted by the Working Group read as follows:

"In all judicial or administrative proceedings affecting a child that is capable of forming his own views, an opportunity shall be provided for the views of the child to be heard, either directly or indirectly through a representative, as a party to the proceedings, and those views shall be taken into consideration by the competent authorities, in a manner consistent with the procedures followed in the State Party for the application of its legislation."

(...)

73. Article 7 of the revised Polish draft read as follows:

"The States Parties to the present Convention shall enable the child who is capable of forming his own views the right to express his opinion in

matters concerning his own person, and in particular, marriage, choice of occupation, medical treatment, education and recreation."

74. The representative of Australia proposed that the article should read:

"The States Parties to the present Convention shall assure to the child the right to express his opinion in matters concerning his own person, and in particular marriage, choice of occupation, medical treatment, education and recreation. In all such matters the wishes of the child shall be given due weight in accordance with his age and maturity."

75. The delegation of Denmark felt that it was not sufficient to state that the child has the right to express his opinion in matters concerning his own person; therefore, the concept that the child should as soon as possible have an influence in matters concerning his person should be expanded. Accordingly, the representative of Denmark proposed the following amendment:

"Parents or other guardians have the right and duty to decide in matters concerning the person of the child. But the child shall, as soon as possible, have an influence in such matters. As the child gets older, the parents or the guardian should give him more and more responsibility for personal matters with the aim of preparing the child for the life of a grown-up."

76. The representative of the United States put forward for consideration a revised version of article 7 which read:

"The States Parties to the present Convention shall enable the child who is capable of forming his own views the right to express his opinion effectively and non-violently in matters concerning his own person, and in particular, religion, political and social beliefs, matters of conscience, cultural and artistic matters, marriage, choice of occupation, medical treatment, education, travel, place of residence, and recreation."

77. A discussion was held on the phrases "The States Parties to the present Convention shall enable the child" (first line of the revised Polish draft and of the proposal of the delegation of the United States) and "The States Parties to the present Convention shall assure to the child" (first line of the Australian proposal) as well as the term "effectively" qualifying the phrase "to express his opinion". One speaker pointed out that the State is under no obligation, as a matter of law, towards children: the child should have a degree of freedom comparable to that enjoyed by an individual under the Covenants and comparable instruments of law.

78. Most delegations felt that the matters concerning the child in which the States Parties to the Convention would enable him to express his opinion should not be subject to the limits of a list, and therefore the list ought to be deleted.

79. The representative of the United States suggested the insertion of the word "all" before the word "matters" if the Working Group decided to eliminate the

aforementioned list. The representative of Canada proposed the insertion of the word "freely" after the word "opinion".

80. After further discussion, a compromise text was adopted which read as follows:

"The State Parties to the present Convention shall assure to the child who is capable of forming his own views the right to express his opinion freely in all matters, the wishes of the child being given due weight in accordance with his age and maturity."

81. One delegation stated that the text as adopted would need to be examined carefully from a legal point of view to determine whether it might comply with general rules relating to standing in legal and administrative proceedings. The representative also noted that it might be necessary at a later stage for the Working Group to consider the desirability of including provisions concerning the need to discover the best interests of children not yet capable of forming their own views.

## **E. 1986: COMMENT SUBMITTED TO THE WORKING GROUP**

### **1. Bangladesh**

*The following comment regarding article 7 (present article 12) is contained in a paper submitted by the Permanent Representative of Bangladesh to the United Nations Office at Geneva with the request that the paper be annexed to the report of the Working Group. For the complete text, including general comments on the draft convention, see document E/CN.4/1986/39, annex IV.*

Article 7 is an article which it will be difficult to implement since it has not been sufficiently crystallized into recognizable legal categories.

## **F. 1988: PROPOSAL SUBMITTED TO THE WORKING GROUP**

### **1. NGO Ad Hoc Group (see annex 1 for participating organizations)**

*In a paper submitted to the Working Group, the NGO Ad Hoc Group proposed an alternative article 7 to take "into account the need to distinguish between freedom of expression, freedom of association, freedom of peaceful assembly and protection of privacy." The following proposal is taken from E/CN.4/1988/WG.1/WP.2, page 10.*

1. The States parties to the present Convention shall assure to the child who is capable of forming his or her own views the right to express an opinion freely in all matters. The wishes of the child shall be given due weight in accordance with his of her age and maturity.

2. Every child shall have the right to seek, receive and impart information and ideas, either orally, in writing, in art form or in any other media of the child's choice.

#### **G. TEXT AS ADOPTED AT THE FIRST READING**

*The following is taken from E/CN.4/1988/WG.1/WP.1/Rev.1.*

##### Article 7

The States Parties to the present Convention shall assure to the child who is capable of forming his own views the right to express his opinion freely in all matters, the wishes of the child being given due weight in accordance with his age and maturity.

#### **IV. TECHNICAL REVIEW (1988)**

*By a letter addressed to the Secretary-General (see E/CN.4/1988/28, paragraph 248), the Working Group requested that a technical review of the draft convention be undertaken by the United Nations Secretariat in advance of the second reading. Among the aims of the technical review were to identify overlap and repetition between and within draft articles; to check for linguistic consistency and accuracy in the text; to compare the standards established with those in other widely accepted human rights instruments; and to make recommendations as to how any overlaps or inconsistencies might be corrected in the second reading.*

*The Secretary-General subsequently requested comments on matters within their respective mandates of a number of the specialized agencies and other United Nations bodies, as well as the International Committee of the Red Cross. Those comments were compiled in the Technical Review of the text of the draft Convention on the Rights of the Child (E/CN.4/1989/WG.1/CRP.1 and Add.1), which was taken into account by the Working Group during the second reading of the draft Convention.*

#### **A. Comment by UNICEF**

*The following is taken from E/CN.4/1989/WG.1/CRP.1, pages 21-22.*

As noted above in respect of article 3, paragraph 2, consideration might be given to using the phrase "expressing his own views" rather than "forming his own views". Similarly, the word "wishes" might be replaced by the word "views", since the intention appears to be to take account of all views and not only those which constitute wishes.

##### Gender neutrality

The article could be reformulated as follows:

"The States Parties to the present Convention shall assure to the child who is capable of forming his or her own views the right to express [ ] opinions freely in all matters, the wishes of the child being given due weight in accordance with the child's age and maturity."

## B. Additional comments and clarifications by the Secretariat

*The following is taken from E/CN.4/1989/WG.1/CRP.1/Add.1, paragraph 15.*

15. Because article 7 introduces a new restriction on the freedom of expression, namely, that the child be capable of forming his her own views, there arises a possible conflict with article 7a which itself follows article 19, paragraphs 2 and 3, of the International Covenant on Civil and Political Rights. Taking into account, in addition, the comments by UNICEF in document E/CN.4/1989/WG.1/CRP.1 concerning the word "wishes", the Working Group may wish to delete article 7 and add a new paragraph 3 to article 7a reading:

"(c) The views of the child shall be given due weight in accordance with his or her age and maturity."

## V. SECOND READING (1988-1989)

*By a letter addressed to the Secretary-General (see E/CN.4/1988/28, paragraph 248), the Working Group requested that the draft of the convention as adopted at the first reading be circulated to all Member States so that their comments could be taken into account during the second reading of the draft. The Working Group conducted the second reading from 28 November to 9 December 1988 and adopted its report from 21 to 23 February 1989.*

### A. DISCUSSION AND ADOPTION AT THE SECOND READING

*The following is taken from the report of the Working Group to the Commission on Human Rights, E/CN.4/1989/48, paragraphs 234 to 267.*

234. The Working Group had before it article 7 as adopted at first reading (E/CN.4/1989/WG.1/WP.2):

"The States Parties to the present Convention shall assure to the child who is capable of forming his own views the right to express his opinion freely in all matters, the wishes of the child being given due weight in accordance with his age and maturity."

235. The Working Group also had before it a proposal submitted by Finland on behalf of a drafting group (E/CN.4/1989/WG.1/WP.35) which read as follows:

"1. The States Parties to the present Convention shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with (his) the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, through a representative or an appropriate body, in accordance with the procedural rules of national law."

236. The observer for Finland stated that the basic idea contained in this proposal had already been introduced in relation to article 3, paragraph 2, and that the purpose was the addition of article 3, paragraph 2 (which had been deleted) under article 7 as paragraph 2, with some changes (underlined in E/CN.4/1989/WG.1/WP.35).

237. The observer for the Netherlands declared that it could warmly support the proposal if only the meaning of "in accordance with the procedural rules of national law" was clearer. It then suggested the use of "in a manner consistent with the procedural ...".

238. The Finnish delegate answered that the purpose was not to change the text in a substantive manner and that in case the hearing of the child's opinion required some international legal assistance, the requesting State's procedure should also be taken into account. He otherwise agreed with the use of "in a manner consistent with".

239. The delegation of Venezuela pronounced itself in favour of the proposal of the Netherlands or suggested the use of "applicable rules of national law".

240. The delegate of Norway expressed its satisfaction with the proposal.

241. The representative of the Union of Soviet Socialist Republics asked for clarification of the meaning of "... in all matters affecting the child" under paragraph 1.

242. The representative of Japan stated that he supported the proposal with the understanding that "affecting the child" meant "affecting the rights of the child".

243. The observer for Finland repeated its earlier wish of not undertaking substantive changes and since it was based on article 3, paragraph 2, the text should remain this way and could also be interpreted the way Japan suggested.

244. The delegate of Italy, while in agreement with Finland, proposed to introduce the expression "regarding the rights of the child" as a technical suggestion.

245. The observer for Kuwait expressed her support for the proposal as in E/CN.4/1989/WG.1/WP.35.

246. The delegation of the Union of Soviet Socialist Republics, while declaring that the article did not pose any problem as a whole, drew attention to the difficulty of interpretation especially in relation with article 7a, paragraph 1, since both referred to the same rights, but through a different wording. The delegate asked for more specificity under paragraph 1 and pronounced himself in favour of the Japanese proposal, namely the use of "... affecting the rights of the child ...".

247. The representative of Portugal expressed her concern over the neglect of the word "directly" under paragraph 2 of the proposal and drew attention to the danger it represented as a restriction of the child's own freedom of expression.

248. The observer for Canada stated that the concern expressed by Portugal was not founded since the actual wording in English already provided for the alternatives but that the word "or" could be added for more clarity. He observed, however, that if the Japanese proposal was accepted, the matters dealt with in the Convention not covering the rights (and still affecting the children) could be endangered.

249. The observer for Finland proposed that paragraph 1 remain as in E/CN.4/1989/WG.1/WP.35 with the deletion of the word "his" already in brackets, and that under paragraph 2, "in accordance with" be replaced by "in a manner consistent with".

250. The Chairman proposed the addition of the word "or" after the word "directly" under paragraph 2, in order to satisfy Portugal's concern.

251. The representative of Japan agreed with the last Finnish proposal.

252. Reservations were expressed by the delegations of China, Japan and the Union of Soviet Socialist Republics.

253. The Working Group then adopted paragraph 1 to read as follows:

"1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child."

254. Following the adoption of paragraph 1, the observer for Finland gave a reading of paragraph 2 as it appears in E/CN.4/1989/WG.1/WP.35 with the addition of the word "or" after the word "directly".

255. The delegate of Venezuela repeated her wish for the deletion of "the procedural laws" in favour of the "applicable rules of national law".
256. The observer for Finland objected to this change and judged essential that the "procedural laws" be referred to.
257. The delegation of Japan agreed with the view expressed by the observer for Finland.
258. The delegate of Venezuela withdrew her proposal.
259. The representative of Senegal declared that since national law already contained procedural rules, the inclusion of the latter was unnecessary.
260. The delegate of the Federal Republic of Germany expressed its agreement with the Senegalese position.
261. The delegate from India proposed the replacement of "procedural rules" by "in accordance with procedure established by law".
262. The delegation of Italy suggested "in a manner consistent with national law".
263. The observers for Canada and Finland spoke in favour of the text as originally proposed.
264. The Working Group adopted paragraph 2 of article 7 reading as follows:
- "2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law."
265. The delegation of India made a declaration to the effect that in its understanding the expression "procedural rules of national law" in article 7a, paragraph 2, adopted at second reading had the same meaning as the expression "procedures followed in the State Party for the application of its legislation" contained in article 3, paragraph 2, of the draft Convention as adopted at first reading.
266. The delegation of Senegal also made the following declaration in this regard:
- While associating itself with the consensus for the adoption of article 7, Senegal wishes to specify that the English expression "with the procedural rules of national law" should be understood to mean the more generic and precise French term "de législation nationale applicable".

267. The observer for Finland voiced his support for the declaration made by the delegation of India.

## **VI. CONSIDERATION BY THE COMMISSION ON HUMAN RIGHTS, THE ECONOMIC AND SOCIAL COUNCIL AND THE GENERAL ASSEMBLY**

*The text of article 12 as adopted by the Working Group at the second reading was adopted along with the other articles of the Convention by the Commission on Human Rights by its resolution 1989/57 of 8 March 1989, by the Economic and Social Council by its resolution 1989/79 of 24 May 1989 and by the General Assembly by its resolution 44/25 of 20 November 1989.*

## **VII. RELATED REFERENCES**

*For further research, see the legislative history of article 3, particularly paragraph 2 of the article as adopted at the first reading, which was subsequently deleted at the second reading in view of its overlap with article 12. See also annex 2, "Related articles of the Convention".*

\* \* \* \* \*

## **ORGANIZATIONS PARTICIPATING IN THE NGO AD HOC GROUP**

The organizations listed below participated consistently in the NGO Ad Hoc Group on the drafting of the Convention on the Rights of the Child, which was active in the drafting process from 1983 to 1989. The individual participating organizations did not necessarily subscribe to every provision contained in the various proposals submitted by the NGO Ad Hoc Group.

### *Participating organizations*

Amnesty International  
Anti-Slavery Society for the Protection of Human Rights (Anti-Slavery International)  
Associated Country Women of the World  
Baha'i International Community  
Defence for Children International (Secretariat for the NGO Ad Hoc Group)  
Friends World Committee for Consultation  
Human Rights Internet  
International Abolitionist Federation  
International Association of Democratic Lawyers  
International Association of Juvenile and Family Court Magistrates  
International Association of Penal Law  
International Catholic Child Bureau  
International Commission of Jurists  
International Council of Jewish Women  
International Council on Social Welfare  
International Federation of Business and Professional Women  
International Federation of Social Workers  
International Federation of Women Lawyers  
International Federation of Women in Legal Careers  
International Movement of ATD Fourth World  
International Social Service  
Rädda Barnen International  
Rädda Barnen Sweden  
Save the Children Alliance  
World Association for the School as an Instrument of Peace  
World Association of Girl Guides and Girl Scouts  
World Organization for Early Childhood Education  
Zonta International.

## RELATED ARTICLES OF THE CONVENTION

The following grouping of related substantive articles is based on the guidelines adopted by the Committee on the Rights of the Child for the preparation of State party reports (CRC/C/5):

### ***GENERAL MEASURES OF IMPLEMENTATION***

- Implementation of rights (article 4)
- Promotion of rights and dissemination of information (article 42)
- Respect for higher standards (article 41)

### ***DEFINITION OF A CHILD***

- Definition of a child (article 1)

### ***GENERAL PRINCIPLES***

- Non-discrimination (article 2)
- Best interests of the child (article 3)
- Right to life, survival and development (article 6)
- Respect for the views of the child (article 12)

### ***CIVIL RIGHTS AND FREEDOMS***

- Name and nationality (article 7)
- Preservation of identity (article 8)
- Freedom of expression (article 13)
- Access to appropriate information (article 17)
- Freedom of thought, conscience and religion (article 14)
- Freedom of association and peaceful assembly (article 15)
- Protection of privacy (article 16)
- Prohibition of torture and the death penalty (article 37(a))

### ***FAMILY ENVIRONMENT AND ALTERNATIVE CARE***

- Parental guidance and the child's evolving capacities (article 5)
- Parental responsibilities (articles 18(1) and (2))
- Separation from parents (article 9)
- Family reunification (article 10)
- Recovery of maintenance for the child (article 27(4))
- Children deprived of a family environment (article 20)
- Adoption (article 21)

- Illicit transfer and non-return (article 11)
- Prevention of abuse and neglect (articles 19 and 39)
- Periodic review of placement (article 25)

### ***BASIC HEALTH AND WELFARE***

- Disabled children (article 23)
- Health and health services (article 24)
- Social security and child care services and facilities (articles 26 and 18(3))
- Standard of living (article 27)

### ***EDUCATION***

- Education, including vocational training and guidance (article 28)
- Aims of education (article 29)
- Leisure, recreation and cultural activities (article 31)

### ***SPECIAL PROTECTION MEASURES***

#### ***Children in situations of emergency***

- Refugee children (article 22)
- Children in armed conflicts (article 38)

#### ***Children in conflict with the law***

- Administration of juvenile justice (article 40)
- Children deprived of their liberty (article 37(b), (c) and (d))
- Sentencing of juveniles (article 37(a))
- Physical and psychological recovery and social reintegration (article 39)

#### ***Children in situations of exploitation, including physical and psychological recovery and social reintegration***

- Economic exploitation, including child labour (article 32)
- Drug abuse (article 33)
- Sexual exploitation and sexual abuse (article 34)
- Sale, trafficking and abduction (article 35)
- Other forms of exploitation (article 36)
- Children belonging to a minority or indigenous group (article 30)



