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HUMAN RIGHTS COUNCIL

Tenth session
Agenda item 3

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

**Argentina, Austria*, Belgium*, Bolivia, Bosnia and Herzegovina,
Brazil, Bulgaria*, Chile, Colombia*, Costa Rica*, Croatia*, Cuba,
Cyprus*, Czech Republic*, Denmark*, Dominican Republic*,
Ecuador*, El Salvador*, Estonia*, France, Germany, Greece*,
Guatemala*, Honduras*, Hungary*, Italy, Latvia*, Lithuania*,
Luxembourg*, Malta*, Mexico, Montenegro*, Netherlands,
New Zealand*, Nicaragua, Panama*, Peru*, Philippines, Poland*,
Portugal*, Republic of Moldova*, Romania*, Serbia*, Slovakia,
Slovenia, Spain*, Sri Lanka*, Sweden*, Switzerland, Ukraine,
United Kingdom of Great Britain and Northern Ireland, Uruguay,
Venezuela (Bolivarian Republic of)*: draft resolution**

**10/... Implementation of the Convention on the Rights
of the Child and the Optional Protocols thereto**

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 Council, the Commission on Human Rights and the General Assembly, the most recent of which are Council resolution 7/29 of 28 March 2008 and General Assembly resolution 63/241 of 23 December 2008,

Welcoming the report of the Secretary-General on the status of the Convention on the Rights of the Child (A/HRC/10/86),

Celebrating the twentieth anniversary of the Convention in 2009 and taking this opportunity to call for its effective implementation by all States parties to ensure that all children may fully enjoy all their human rights and fundamental freedoms,

Bearing in mind paragraph 47 of Council resolution 7/29 and particularly the Council's decision 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,

Welcoming the constructive dialogue on "20 years of the Convention on the Rights of the Child: achievements and challenges ahead for its full realization" on the occasion of the full day annual meeting on the rights of the child on 11 March 2009 and renewed commitment expressed on this occasion by States to the implementation of the Convention,

Recalling the different initiatives at the international and regional levels to contribute to the implementation of the Convention and international events, such as the recent Third World Congress against Sexual Exploitation of Children and Adolescents, held in November 2008 in Rio de Janeiro,

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 needed,

1. *Calls on* the States that have not yet become States parties to the Convention and the Optional Protocols thereto to do so as a matter of priority;

2. *Also calls on* all States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto, and encourages all States parties to the Convention or the Optional Protocols to establish a regular procedure to

regularly evaluate the impact of their reservations to the Convention and the Optional Protocols, with a view to withdrawing them in order to ensure the fullest possible respect for the Convention and the Optional Protocols in all States parties;

3. *Requests* the States parties to take effective measures to ensure that their obligations arising from the Convention are given effect and comprehensively implemented through policy and legislation within their domestic systems and to review with this aim their national legislation;

4. *Calls upon* all States parties to systematically assess any proposed law, administrative guidance, policy or budgetary allocation that is likely to have an impact on children and their rights, taking into account interdependence and indivisibility of rights of the child and ensuring appropriate enforcement of their obligations under the Convention and the Optional Protocols thereto;

5. *Also calls upon* all States to ensure that development and evaluation of States policies on children are informed by available, sufficient, reliable and disaggregated data on children, covering the whole period of childhood up to the age of 18 and all the rights guaranteed in the Convention;

6. *Urges* all States to develop or renew, as appropriate through a process of consultation, including with children and young people and their representatives, as well as those living and working with them, comprehensive national strategies for children, taking into account the Convention, setting out specific goals, targeted implementation measures and allocation of financial and human resources and including arrangements for monitoring and regular review, and to endorse this strategy at the highest level of government and ensure its comprehensive dissemination, including in child-friendly formats as well as in appropriate languages and forms;

7. *Recognizing* that the sufficient allocation of resources in public spending, including in primary education and basic health care, is a fundamental condition for the full realization of the rights of the child, calls upon States to make children a priority in their budgetary allocations, make resources allocated to children visible in the State budget through a detailed compilation of

resources allocated to them and ensure that children, including in particular marginalized and disadvantaged groups of children, are protected from adverse effects of financial downturns;

8. *Calls on* States to take all appropriate measures, including legal reforms and special support measures, to ensure the enjoyment by children of all their human rights and fundamental freedoms without discrimination of any kind;

9. *Recalls* the United Nations target for international development assistance of 0.7 per cent of gross domestic product and the 20/20 initiative and calls upon all States to ensure that their international development assistance and donor programmes related directly or indirectly to children are rights-based and a proportion of their international support is earmarked for the implementation of the rights of the child;

10. *Calls upon* all States to establish, in complementarity to effective governmental structures for children, independent human rights institutions, children's ombudspersons, commissioners or focal points on the rights of the child in national human rights institutions, in accordance with the Paris Principles and sufficiently funded, which are accessible to children, to promote and monitor the implementation of the Convention and advance the universal realization of children's rights;

11. *Also calls on* all States to ensure that child-sensitive procedures are made available to children and their representatives so that children have access to means of facilitating effective remedies for any breaches of any of their rights arising from the Convention through independent advice, advocacy and complaint procedures, including justice mechanisms, and that their views are heard when they are involved or their interests concerned in justice procedures;

12. *Further calls on* States to develop further effective mechanisms that encourage and facilitate expression by children of their views, in particular with regard to the formulation of public policies from the local level up to the national level and to ensure meaningful participation of children and reflection of their views in monitoring and reporting on the implementation of the Convention;

13. *Calls upon* all States to promote and develop as appropriate practical and systematic education and training for all those involved in the implementation of the Convention, including

government officials, parliamentarians and members of the judiciary, and for all those working with and for children as well as continuous specific education for children themselves, with the aim of emphasizing the status of the child as a holder of human rights, increasing knowledge and understanding of the Convention and encouraging active respect for all its provisions;

14. *Urges* States parties to publish and widely disseminate the text of the Convention and the Optional Protocols thereto as well as national reports submitted to the Committee on the Rights of the Child and concluding observations and recommendations of that Committee to all, including children, by effective means, including the Internet, and also in appropriate languages and in child-friendly and other accessible formats;

15. *Encourages* States parties to take duly into account, in implementing the provisions of the Convention and the Optional Protocols thereto, the recommendations, observations and general comments of the Committee on the Rights of the Child;

16. *Welcomes* actions of the Committee on the Rights of the Child to follow up and monitor the implementation of its concluding observations and recommendations by the States parties and, in this regard, particularly underlines the regional workshops and the Committee's participation in national-level initiatives;

17. *Affirms* its commitment to integrate the provisions of the Convention and the Optional Protocols thereto into its work, in a regular, systematic and transparent manner, and requests special procedures and other human rights mechanisms of the Council to take into account the relevant provisions of the Convention and the Optional Protocols thereto in the fulfilment of their mandates;

18. *Calls on* States parties to integrate the Convention on the Rights of the Child and the Optional Protocols thereto in the universal periodic review process, and encourages States parties to take into account the relevant recommendations derived thereof in implementing the Convention and the Optional Protocols thereto;

19. *Encourages* States parties, while implementing the Committee's recommendations, to request, as appropriate, the technical support of United Nations agencies and other relevant international institutions in their country or region;

20. *Requests* the United Nations High Commissioner for Human Rights to prepare a summary of the full-day meeting on the rights of the child on an annual basis by way of follow-up to paragraph 7 of Council resolution 7/29;

21. *Recalling* Council resolution 7/29 and General Assembly resolution 63/241, expresses deep concern at the delay in the appointment of the Special Representative of the Secretary-General on Violence against Children, and requests the Secretary-General to proceed urgently to that appointment in accordance with Assembly resolution 62/141, and to report to the Council at its eleventh session on progress made in this regard;

22. *Decides* to continue its consideration of the rights of the child in accordance with its programme of work and with its resolution 7/29, and to focus its next resolution and full-day meeting on the fight against sexual violence against children.
