

5. *Urges* all Governments to collaborate with the Special Rapporteur and to assist him by providing him with all the requested information;

6. *Calls upon* those States that have not done so to become parties to the Convention on the Rights of the Child, and calls upon the States parties to the Convention to implement national measures aimed at fulfilling the provisions of the Convention;

7. *Notes* the establishment by the Commission on Human Rights, in its resolution 1994/90 of 9 March 1994,³² of an open-ended working group responsible for elaborating, as a matter of priority and in close cooperation with the Special Rapporteur and the Committee on the Rights of the Child, guidelines for a possible draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, as well as establishing the basic measures needed for the prevention and eradication of those abnormal practices,

8. *Requests* the Secretary-General to transmit the report of the working group to Governments, the Special Rapporteur and the intergovernmental and non-governmental organizations concerned;

9. *Invites* the Special Rapporteur, within the framework of his mandate, to continue giving attention to the economic, social, legal and cultural factors affecting these phenomena;

10. *Requests* the Special Rapporteur to submit a provisional report to the General Assembly at its fiftieth session;

11. *Requests* the Secretary-General to ensure that the Centre for Human Rights of the Secretariat is provided, within existing resources, with the staff and other resources it requires to assist the Special Rapporteur and the working group in the effective discharge of their mandates;

12. *Decides* to consider this question at its fiftieth session under the item entitled "Promotion and protection of the rights of children".

94th plenary meeting
23 December 1994

49/211. Implementation of the Convention on the Rights of the Child

The General Assembly,

Recalling its resolution 44/25 of 20 November 1989, by which it adopted the Convention on the Rights of the Child,

Recalling also its resolution 47/112 of 16 December 1992 and Commission on Human Rights resolution 1994/91 of 9 March 1994,³²

Taking note of the report of the Committee on the Rights of the Child on its second to fifth sessions,²¹⁰ and the meeting of the States parties to the Convention on the Rights of the Child, held in New York on 10 October 1994,

Reaffirming that the rights of children require special protection and call for continuous improvement of the situation of children all over the world, as well as for their development and education in conditions of peace and security,

Profoundly concerned that the situation of children in many parts of the world remains critical as a result of inadequate social and economic conditions, natural disasters, armed conflicts, exploitation, illiteracy, hunger and disability, and convinced that urgent and effective national and international action is called for,

Mindful of the important role of the United Nations and of the United Nations Children's Fund in promoting the well-being of children and their development,

Encouraged by the fact that an unprecedented number of States have to date become signatories and parties to the Convention, thereby demonstrating the widespread political commitment that exists to strive for the promotion and protection of the rights of the child,

Convinced that the Convention, as a standard-setting accomplishment of the United Nations in the field of human rights, makes a positive contribution to protecting the rights of children and ensuring their well-being,

Recalling the recommendation in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights at Vienna on 25 June 1993,⁵ that measures be taken to achieve by 1995 universal ratification of the Convention, and the universal signing of the World Declaration on the Survival, Protection and Development of Children⁴⁵ and Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s,⁴⁶ adopted by the World Summit for Children in New York in September 1990, as well as their effective implementation,

Seriously concerned about those reservations to the Convention that are contrary to the object and purpose of the Convention or otherwise contrary to international treaty law, and recalling that the Vienna Declaration and Programme of Action urges States to withdraw such reservations,

Having considered the report of the Secretary-General of 20 September 1994 on the status of the Convention,²¹³

1. *Takes note with appreciation* of the report of the Secretary-General on the status of the Convention on the Rights of the Child;

2. *Recalls with deep satisfaction* the entry into force of the Convention on 2 September 1990 as a major step in international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

3. *Expresses its satisfaction* at the number of States that have signed, ratified or acceded to the Convention since it was opened for signature, ratification and accession on 26 January 1990;

4. *Urges* all States that have not done so to sign, ratify or accede to the Convention as a matter of priority, with a view to reaching universal ratification by 1995;

5. *Emphasizes* the importance of the full implementation by States parties of the provisions of the Convention;

6. *Urges* States parties to the Convention that have made reservations to review the compatibility of their reservations with article 51 of the Convention and other relevant rules of international law, with the aim of withdrawing them;

7. *Calls upon* States parties to submit their reports to the Committee on the Rights of the Child on time, in accordance with the guidelines elaborated for that purpose;

8. *Welcomes* the constructive and useful results achieved by the Committee on the Rights of the Child during its first seven sessions;

9. *Also welcomes* the consideration by the Committee on the Rights of the Child of the reservations and declarations entered by States parties to the Convention as a part of its important functions in overseeing the effective implementation of the Convention;

10. *Notes with appreciation* the elaboration by the Committee on the Rights of the Child of a preliminary draft optional protocol to the Convention on involvement of children in armed conflicts.²⁰⁹

11. *Requests* the Committee on the Rights of the Child, in accordance with article 45 (a) of the Convention, to invite the United Nations Children's Fund, in collaboration with the Centre for Human Rights of the Secretariat, to submit reports on specific issues related to, *inter alia*, the exploitation and abuse of children, in order to increase awareness of the provisions of the Convention and their implementation and to support concrete action at national and international levels;

12. *Expresses concern* at the increasingly heavy workload of the Committee on the Rights of the Child and the resulting difficulties it faces in the fulfilment of its functions;

13. *Approves* the recommendation contained in the resolution adopted by consensus at the meeting of the States parties to the Convention on the Rights of the Child on 10 October 1994, in which the States parties reaffirmed the recommendation made by the Committee on the Rights of the Child regarding the increase to three of the number of annual sessions of the Committee as from 1995, as well as the number of sessions of the pre-sessional working group;

14. *Authorizes* the Secretary-General to implement that recommendation;

15. *Requests* the Secretary-General to ensure the provision of appropriate staff and facilities, within the overall existing budget framework, for the effective and expeditious performance of the functions of the Committee on the Rights of the Child;

16. *Requests* bodies and organizations of the United Nations, within the scope of their respective mandates, to intensify their efforts to disseminate information on the Convention, promote understanding of it and assist Governments in its implementation;

17. *Invites* intergovernmental and non-governmental organizations to intensify their efforts with a view to disseminating information on the Convention to adults and children alike and to promoting understanding of it;

18. *Notes* the establishment by the Economic and Social Council of two open-ended working groups to elaborate, respectively, (a) a draft optional protocol to the Convention on the involvement of children in armed conflicts, and (b) guidelines for a possible draft optional protocol to the Convention on the sale of children, child prostitution and child pornography, as well as the basic measures needed for their prevention and eradication;

19. *Requests* the Secretary-General to submit to the General Assembly at its fifty-first session a report on the status of the Convention;

20. *Decides* to consider the report of the Secretary-General at its fifty-first session under the item entitled "Human rights questions".

94th plenary meeting
23 December 1994

49/12. The plight of street children

The General Assembly,

Recalling its resolution 48/136 of 20 December 1993,

Recalling also Commission on Human Rights resolution 1994/93 of 9 March 1994,³²

Welcoming the special attention given to the rights of children in the Vienna Declaration and Programme of Action,³ in particular in section I, paragraph 21,

Recalling the Convention on the Rights of the Child, adopted by its resolution 44/25 of 20 November 1989, as a major

contribution to the protection of the rights of all children, including street children,

Reaffirming that children are a particularly vulnerable group in society whose rights require special protection, and that children living under especially difficult circumstances, such as street children, deserve special attention, protection and assistance from their families and communities and as part of national efforts and international cooperation,

Recognizing that all children have the right to health, shelter and education, to an adequate standard of living and to freedom from violence and harassment,

Deeply concerned about the growing number of street children worldwide and the squalid conditions in which these children are often forced to live,

Profoundly concerned that the killing of and violence against street children threaten the most fundamental right of all, the right to life,

Alarmed at continuing serious offences of this nature against street children,

Recognizing the duty and responsibility of Governments to investigate all cases of offences against street children and to punish offenders,

Recognizing also that legislation *per se* is not enough to prevent violations of human rights, including those of street children, and that Governments should implement their laws and complement legislative measures with effective action, *inter alia*, in the fields of law enforcement and in the administration of justice, and in social, educational and public health programmes,

Welcoming the efforts made by some Governments to take effective action to address the question of street children,

Welcoming also the publicity given to and the increased awareness of the plight of street children, and the achievements of non-governmental organizations in promoting the rights of those children and in providing practical assistance to improve their situation, and expressing its appreciation of their continued efforts,

Welcoming further the valuable work of the United Nations Children's Fund and its National Committees in reducing the suffering of street children,

Noting with appreciation the important work carried out in this field by the United Nations, in particular the Committee on the Rights of the Child, the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography and the United Nations International Drug Control Programme,

Bearing in mind the diverse causes of the emergence and marginalization of street children, including poverty, rural-to-urban migration, unemployment, broken families, intolerance, exploitation and war, and that such causes are often aggravated and their solution made more difficult by serious socio-economic difficulties,

Recognizing that the prevention and solution of certain aspects of this problem could be facilitated in the context of economic and social development,

Bearing in mind that in the Vienna Declaration and Programme of Action all States are urged, with the support of international cooperation, to address the acute problem of children in especially difficult circumstances, and that national and international mechanisms and programmes should be strengthened for the defence and protection of children, including street children,

1. *Expresses grave concern* at the continued growth in the number of incidents worldwide and at reports of street children being involved in and affected by serious crime, drug abuse, violence and prostitution;