



## Seventy-fourth session

Agenda item 66 (a)

**Promotion and protection of the rights of children:  
promotion and protection of the rights of children****Kommenterede [Start1]:** <<ODS JOB NO>>N1942612E<<ODS JOB NO>>  
<<ODS DOC SYMBOL1>>A/RES/74/133<<ODS DOC SYMBOL1>>  
<<ODS DOC SYMBOL2>><<ODS DOC SYMBOL2>>**Resolution adopted by the General Assembly  
on 18 December 2019***[on the report of the Third Committee (A/74/395)]***74/133. Rights of the child***The General Assembly,*

*Reaffirming* the importance of its resolution [44/25](#) of 20 November 1989, by which it adopted the Convention on the Rights of the Child,<sup>1</sup> which constitutes the standard in the promotion and protection of the rights of the child, and welcoming the celebration of the thirtieth anniversary in 2019 of its adoption,

*Reaffirming also* that States parties to the Convention shall undertake all appropriate measures for the implementation of the rights recognized therein, while bearing in mind the importance of the Optional Protocols to the Convention<sup>2</sup> and calling for their universal ratification and effective implementation, as well as that of other human rights instruments,

*Recalling* all of its previous resolutions on the rights of the child, the most recent of which was resolution [73/155](#) of 17 December 2018, and recalling also all other relevant resolutions on this matter, including resolution [73/154](#) of 17 December 2018 on protecting children from bullying and resolution [73/327](#) of 25 July 2019, by which it declared 2021 the International Year for the Elimination of Child Labour,

*Reaffirming* the Universal Declaration of Human Rights,<sup>3</sup> which proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind,

*Recalling* the International Covenant on Civil and Political Rights,<sup>4</sup> the Convention on

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

<sup>2</sup> *Ibid.*, vols. 2171 and 2173, No. 27531; and resolution [66/138](#), annex.

<sup>3</sup> Resolution [217 A \(III\)](#).

<sup>4</sup> See resolution [2200 A \(XXI\)](#), annex.



the Rights of Persons with Disabilities,<sup>5</sup> the International Convention for the Protection of All Persons from Enforced Disappearance,<sup>6</sup> the 1951 Convention relating to the Status of Refugees<sup>7</sup> and the 1967 Protocol thereto,<sup>8</sup> the United Nations Convention against Transnational Organized Crime<sup>9</sup> and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,<sup>10</sup> the Convention on the Elimination of All Forms of Discrimination against Women<sup>11</sup> and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,<sup>12</sup> as well as both the Minimum Age Convention, 1973 (No. 138),<sup>13</sup> and the Worst Forms of Child Labour Convention, 1999 (No.182),<sup>14</sup> of the International Labour Organization,

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

*Reaffirming also* the Vienna Declaration and Programme of Action,<sup>15</sup> the United Nations Millennium Declaration<sup>16</sup> and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled “A world fit for children”,<sup>17</sup> recalling the Beijing Declaration and Platform for Action,<sup>18</sup> the Programme of Action of the International Conference on Population and Development<sup>19</sup> and the outcome documents of their review conferences, the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development,<sup>20</sup> the United Nations Declaration on the Rights of Indigenous Peoples<sup>21</sup> and the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples,<sup>22</sup> the Declaration on the Right to Development,<sup>23</sup> the declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children, held in New York from 11 to 13 December 2007,<sup>24</sup> the outcome document of the fourth Global Conference on the Sustained Eradication of Child Labour, held in Buenos Aires from 14 to 16 November 2017, and the outcome documents of previous Global Conferences,

<sup>5</sup> United Nations, *Treaty Series*, vol. 2515, No. 44910.

<sup>6</sup> *Ibid.*, vol. 2716, No. 48088.

<sup>7</sup> *Ibid.*, vol. 189, No. 2545.

<sup>8</sup> *Ibid.*, vol. 606, No. 8791.

<sup>9</sup> *Ibid.*, vol. 2225, No. 39574.

<sup>10</sup> *Ibid.*, vol. 2237, No. 39574.

<sup>11</sup> *Ibid.*, vol. 1249, No. 20378.

<sup>12</sup> *Ibid.*, vol. 1465, No. 24841.

<sup>13</sup> *Ibid.*, vol. 1015, No. 14862.

<sup>14</sup> *Ibid.*, vol. 2133, No. 37245.

<sup>15</sup> A/CONF.157/24 (Part I), chap. III.

<sup>16</sup> Resolution 55/2.

<sup>17</sup> Resolution S-27/2, annex.

<sup>18</sup> *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

<sup>19</sup> *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

<sup>20</sup> *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

<sup>21</sup> Resolution 61/295, annex.

<sup>22</sup> Resolution 69/2.

<sup>23</sup> Resolution 41/128, annex.

<sup>24</sup> Resolution 62/88.

*Underscoring* the importance of the implementation of the 2030 Agenda for Sustainable Development<sup>25</sup> in ensuring the enjoyment of the rights of the child and their well-being,

*Taking note* of all relevant international instruments on the rights of migrants and refugees, and recalling the importance of protecting the human rights and fundamental freedoms of all refugee and migrant children, including those unaccompanied or separated from their caregivers, with the best interests of the child as a primary consideration,

*Taking note also* of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly<sup>26</sup> and on the status of the Convention on the Rights of the Child and the issues addressed in resolution 73/155,<sup>27</sup> as well as the report of the Special Representative of the Secretary-General on Violence against Children,<sup>28</sup> the report of the Special Representative of the Secretary-General for Children and Armed Conflict,<sup>29</sup> the report of the Special Rapporteur of the Human Rights Council on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material,<sup>30</sup> and the report of the Special Rapporteur of the Council on trafficking in persons, especially women and children,<sup>31</sup> whose recommendations should be carefully studied, taking fully into account the views of Member States,

*Acknowledging* the submission of the report of the Independent Expert for the United Nations global study on children deprived of liberty,<sup>32</sup>

*Reaffirming* that States have the primary responsibility to respect, promote and protect all human rights and fundamental freedoms, including the rights of the child, and acknowledging the important role played by national governmental and local structures for children, including, where they exist, ministries and institutions in charge of child, family and youth issues and independent ombudspersons for children or other national institutions, including national human rights institutions, where they exist, for the promotion and protection of the rights of the child,

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

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

*Recognizing* the importance of international, regional and bilateral multi-stakeholder partnerships and initiatives to advance the effective protection and

<sup>25</sup> Resolution 70/1.

<sup>26</sup> A/74/240.

<sup>27</sup> A/74/231.

<sup>28</sup> A/74/259.

<sup>29</sup> A/74/249.

<sup>30</sup> A/74/162.

<sup>31</sup> A/74/189.

<sup>32</sup> A/74/136.

promotion of the rights of the child and the elimination of all forms of violence against children, including all violent punishment of children,

*Encouraging* all States to strengthen efforts to prevent the military use of schools in contravention of international law and to promote and protect the right to education, to make it accessible, inclusive, quality and non-discriminatory and to facilitate the continuation of education in situations of armed conflict, and encouraging all States to strengthen efforts to protect children affected by armed conflict, including from the recruitment or use by armed forces or armed groups and by supporting long-term and sustainable reintegration and rehabilitation for these children,

*Urging* all States to respect, protect and promote the right of girls and boys to express themselves freely, and their right to be heard, to ensure that their views are given due weight, in accordance with their age and maturity, in all matters affecting them, and to involve children, including children with disabilities, in decision-making processes, taking into account the evolving capacities of children and the importance of involving children's organizations and child-led initiatives,

*Deeply concerned* that children disproportionately suffer the consequences of discrimination, exclusion and inequality and that the situation of children in many parts of the world remains negatively affected by the prolonged effects of poverty and inequality, reaffirming that eradicating poverty in all its forms and dimensions is one of the greatest global challenges and an indispensable requirement for sustainable development, recognizing the impact of poverty beyond the socioeconomic context and the intrinsic interlinkage between poverty eradication and the promotion of sustainable development, and in this regard underlining the importance of the implementation of the 2030 Agenda for Sustainable Development and recognizing that a strong focus is needed on poverty, deprivation and inequality to prevent and protect children from all forms of violence and to promote the resilience of children, their families and their communities,

*Profoundly concerned* that children in many parts of the world remain negatively affected by the adverse impacts of climate change and environmental degradation, including persistent drought and extreme weather events, land degradation, sea level rise, coastal erosion and ocean acidification, loss of biodiversity and pollution, which further threaten health, food security and efforts to eradicate poverty and achieve sustainable development, and in this regard calling for the implementation of the Paris Agreement adopted under the United Nations Framework Convention on Climate Change,<sup>33</sup>

*Recognizing* that the risk of maternal mortality is highest for girls under 15 years of age and that complications in pregnancy and childbirth are a leading cause of death among girls under 15 years of age in many countries,

*Recalling* the importance of promoting and protecting the human rights and fundamental freedoms of all migrant children, regardless of their migration status, with the best interests of the child as a primary consideration; reaffirming all latest international policy developments and relevant United Nations agreements in this regard; strengthening international and regional cooperation, within the framework of the United Nations and relevant regional fora,

*Expressing serious concern* that children with disabilities, particularly girls, face stigmatization, discrimination or exclusion and are disproportionately subjected to mental and physical violence and sexual abuse in all settings,

<sup>33</sup> See FCCC/CP/2015/10/Add.1, decision 1/CP.21, annex.

*Expressing concern* that millions of children worldwide continue to grow up deprived of parental care, separated from their families for many reasons, including but not limited to poverty, discrimination, violence, abuse, neglect, trafficking in persons, humanitarian emergencies, armed conflict, natural disaster, climate change, migration, death or illness of a parent and lack of access to education, health and other family-support services,

*Recalling* its resolution 64/142 of 18 December 2009, which contained the Guidelines for the Alternative Care of Children in its annex, which serve as a set of orientations to help to inform policy and practice for the protection and well-being of children deprived of parental care or who are at risk of being so, and acknowledging the progress that has been achieved since its adoption,

1. *Welcomes* the commemoration of the thirtieth anniversary of the adoption of the Convention on the Rights of the Child,<sup>1</sup> the human rights treaty with the largest number of ratifications, and acknowledges that the Convention and the Optional Protocols thereto<sup>2</sup> contain a comprehensive set of international legal standards for the protection and well-being of children;

2. *Recognizes* that, while progress has been made, many challenges remain, and that, in this regard, both the high-level commemorative event on 25 September 2019 and the high-level meeting of the General Assembly on 20 November 2019 were occasions for States to reflect on implementation gaps and to take additional measures to ensure that the rights of children are fully realized;

3. *Calls upon* States parties to increase their efforts for the full implementation of the Convention on the Rights of the Child;

4. *Reaffirms* paragraphs 1 to 5 of its resolution 71/177 of 19 December 2016 and 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;

5. *Urges* States that have not yet done so to consider becoming parties to the Convention on the Rights of the Child and the Optional Protocols thereto as a matter of priority and to implement them effectively, and encourages further efforts by the Secretary-General in this regard;

6. *Urges* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing regularly other reservations with a view to withdrawing them in accordance with the Vienna Declaration and Programme of Action;<sup>15</sup>

7. *Notes* the work of the Special Representatives of the Secretary-General on Violence against Children and for Children and Armed Conflict, the Special Rapporteur of the Human Rights Council on the sale and sexual exploitation of children, including child prostitution, child pornography and other sexual abuse material, and the Committee on the Rights of the Child, and, in this regard, their contribution to the progress achieved in the promotion and protection of the rights of children;

8. *Reaffirms* section II of its resolution 73/155, on the promotion and protection of the rights of the child and non-discrimination against children, in which it addressed non-discrimination; registration, family relations, adoption and alternative care; economic and social well-being of children; eradication of poverty; right to education; right to the enjoyment of the highest attainable standard of health; right to food; child labour; prevention and elimination of and response to violence against children; promoting and protecting the rights of children, including children in particularly difficult situations; migrant children; children and the administration

of justice; prevention and eradication of the sale of children, child prostitution and child pornography; and children affected by armed conflict;

9. *Calls upon* States to ensure the enjoyment by all children of all their civil, political, economic, social and cultural rights without discrimination of any kind;

10. *Notes with concern* the large number of children belonging to national, ethnic, religious and linguistic minorities, migrant children, refugee or asylum-seeking children, internally displaced children, children of African descent and children of indigenous origin who are victims of discrimination, including 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, including children with disabilities, into education programmes and programmes to combat these practices, and calls upon States to provide special support and to ensure equal access to services for those children;

11. *Recalls* every child's right to be registered immediately after birth, to a name, to acquire a nationality and to recognition everywhere as a person before the law, as set out in the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights,<sup>4</sup> respectively, reminds States of their obligation to ensure the registration of the birth of all children without discrimination of any kind, including in the case of late birth registration, calls upon States to ensure that birth registration procedures are universal, accessible, simple, expeditious and effective and provided at minimal or no cost, and recognizes the importance of birth registration as a critical means of preventing statelessness;

12. *Urges* States to improve the situation of children living in poverty, in particular extreme poverty, deprived of adequate food and nutrition, water and sanitation facilities, with limited or no access to basic physical and mental health-care services, shelter, education, participation and protection, taking into account that, while a severe lack of goods and services hurts every human being, it is particularly threatening and harmful to children, leaving them unable to enjoy their rights, to reach their full potential and to participate as full members of society, and exposed to conditions that lead to increased violence;

13. *Calls upon* States to scale up scientifically accurate and age-appropriate comprehensive education, relevant to cultural contexts, that provides adolescent girls and boys and young women and men, in and out of school, consistent with their evolving capacities, and with appropriate direction and guidance from parents and legal guardians, with the best interests of the child as their basic concern, with information on sexual and reproductive health and HIV prevention, gender equality and women's empowerment, human rights, physical, psychological and pubertal development and power in relationships between women and men, to enable them to build self-esteem and foster informed decision-making, communication and risk-reduction skills and to develop respectful relationships, in full partnership with young people, parents, legal guardians, caregivers, educators and health-care providers, in order to, inter alia, enable them protect themselves from HIV infection and other risks;

14. *Reaffirms* the right to education on the basis of equal opportunity and non-discrimination, and calls upon States to make primary education compulsory, inclusive and available free to all children, ensuring that all children have equal access to education of good quality, making secondary education generally available and accessible to all, in particular through 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 by

eliminating social, economic and gender disparities in education and ensuring school attendance, in particular for girls, children with disabilities, pregnant adolescent girls, children living in poverty, indigenous children, children of African descent, persons belonging to ethnic or religious minorities and children in vulnerable or marginalized situations;

15. *Urges* States to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour and to end child labour in all its forms, by 2025 at the latest;

16. *Strongly condemns* all forms of violence against children in all settings, including physical, psychological and sexual violence, torture and other cruel, inhuman or degrading treatment, child abuse and exploitation, hostage-taking, domestic violence, incest, trafficking in or sale of children and their organs, paedophilia, child prostitution, child pornography and other child sexual abuse material, child sex tourism, gang and armed violence, sexual exploitation of children online and offline, bullying, including cyberbullying, and harmful practices, including female genital mutilation and child, early and forced marriage, and urges States to strengthen efforts to prevent and protect children from all such violence through a comprehensive, gender-responsive and age-appropriate approach and to develop an inclusive multifaceted and systematic framework, which is integrated into national planning processes, to respond effectively to violence against children and to provide for safe and child-sensitive counselling, complaint and reporting mechanisms and safeguards for the rights of affected children;

17. *Calls upon* all States to protect the human rights of all children and to ensure, for children belonging to minorities in vulnerable situations, including migrant children, indigenous children, children of African descent, internally displaced children and children with disabilities, the enjoyment of all human rights as well as access to health care, social services, social protection and accessible and inclusive education on an equal basis with others, and to ensure that all such children, in particular unaccompanied migrant children, internally displaced children and those who are victims of violence and exploitation, receive special protection and assistance and that the best interests of the child are a primary consideration in their policies of integration, return and family reunification;

18. *Condemns in the strongest terms* all violations and abuses committed against children in armed conflict, and in this regard urges all States and other parties to armed conflict that are engaged, in contravention of applicable international law, in the recruitment and use of children, in patterns of killing and maiming of children and/or rape and other sexual violence against children, acknowledging that sexual violence in these situations disproportionately affects girls, but that boys are also targets, in recurrent attacks on schools and/or hospitals and related personnel and in patterns of abduction of children, as well as in all other violations and abuses against children, to take time-bound and effective measures to end and prevent them and to encourage age- and gender-specific support services, including psychological, social and sexual and reproductive health-care services, and education, social protection and reintegration programmes;

19. *Calls upon* all Member States to ensure that children associated or allegedly associated with armed groups should be treated primarily as victims and in line with the best interests of the child, and to consider non-judicial measures as alternatives to prosecution and detention and take measures that focus on rehabilitation and reintegration in an environment that fosters the health, self-respect and dignity of the child, in accordance with relevant provisions of international humanitarian law, as well as human rights law, in particular the Convention on the Rights of the Child;

20. *Calls upon* States to protect children affected by armed conflict, in particular from violations of international humanitarian law and human rights law, and to ensure that they receive timely, effective humanitarian assistance, noting the efforts taken to end impunity by ensuring accountability and punishing perpetrators, and calls upon the international community to hold those responsible for violations accountable, inter alia, through the International Criminal Court;

## **I**

### **Children without parental care**

21. *Recalls* that the Convention on the Rights of the Child recognizes that a child, for the full and harmonious development of his or her personality and potential, should grow up in a family environment and that a child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State, and that States parties shall, in accordance with their national laws and their obligations under the relevant international instruments in this field, ensure safe and appropriate quality alternative care for such a child;

22. *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 identity of children, including their nationality, name and family relations, as recognized by law, to protect children in matters relating to birth registration, family relations and adoption or other forms of alternative care, recognizing that every effort should be directed to enabling children to remain in or swiftly return to the care of their parents or, when appropriate, other close family members and that, where alternative care is necessary, family and community-based care should be promoted over placement in institutions;

23. *Recalls* that the Convention on the Rights of Persons with Disabilities<sup>5</sup> requires all States parties to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children, including with respect to family life;

24. *Reaffirms* that children shall not be separated from their parents against their will except when competent authorities, subject to judicial review, determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child and that such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents or one where the parents are living separately and a decision must be made as to the child's place of residence;

25. *Also reaffirms* that a child shall not be deprived of his or her liberty unlawfully or arbitrarily and that the arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time, and that every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age;

26. *Notes* that children without parental care are more likely than their peers to experience human rights violations, such as exclusion, violence, abuse, neglect and exploitation, and in this regard expresses deep concern on the potential harm of institutionalization and institutional care to children's growth and development;

27. *Recognizes* that many children living without parental care have families, including at least one parent alive and/or relatives, and in this regard encourages actions to achieve family reunification unless it is not in the best interests of the child;



28. *Stresses* that no child should be forced to give up family connections in order to escape poverty, or to receive care, comprehensive, timely and quality health services or education, or because they are in contact with the law;

29. *Recognizes* that poverty, all forms of violence, including mental and physical violence, domestic violence, structural violence and survival activities may lead children into the criminal justice system, including the juvenile justice system, and that detention in the criminal justice system is sometimes used as a substitute for prevention and referral to child protection authorities and services;

30. *Also recognizes* that financial and material poverty, or conditions directly and uniquely imputable to such poverty, should never be the only justification for the removal of a child from the care of his or her parents or primary caregivers and legal guardians, for receiving a child into alternative care or for preventing his or her reintegration, but should be seen as a signal for the need to provide appropriate support to their family, benefiting the child directly;

31. *Urges* States to strengthen child welfare and child protection systems and improve care reform efforts, which should include increased multisectoral collaboration, inter alia, between child welfare and health, education and justice sectors, active coordination among all relevant authorities, improved cross-border systems and improved capacity-building and training programmes for relevant stakeholders;

32. *Expresses deep concern* regarding the large and growing number of migrant children, particularly those who are unaccompanied or separated from their parents or primary caregivers, who may be particularly vulnerable along their journey, and expresses the commitment to protect the human rights of migrant children, given their vulnerability, in particular unaccompanied migrant children and migrant children with disabilities, to ensure that they receive appropriate protection and assistance and to provide for their health, education and psychosocial development, ensuring that the best interests of the child are a primary consideration in policies on integration, return and family reunification;

33. *Calls upon* States to take all measures necessary to prevent and combat illegal adoptions and all adoptions that are not in the best interests of the child;

34. *Urges* States to take effective action to provide support to families and to prevent the unnecessary separation of children from their parents, including by:

(a) Prioritizing investments in child protection services and social services to support quality alternative care, including families and communities in order to prevent the separation of children from their families, with the best interests of the child as the primary consideration;

(b) Adopting and enforcing laws and improving the implementation of policies and programmes, budget allocation and human resources to support children, particularly children with disabilities and children living in disadvantaged, stigmatized and marginalized families, to address the root causes of unnecessary family separation and ensure that they are cared for effectively by their own families and communities;

(c) Taking all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child;

(d) Recognizing the right of a child who has been placed by competent authorities for the purposes of care, protection or treatment of his or her physical or mental health to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement;

(e) Ensuring that the removal of children from the care of their family should be seen as a measure of last resort and should, whenever possible, be temporary and removal decisions should be regularly reviewed and the child's return to parental care, once the causes of removal have been resolved or have disappeared, should have the best interests of the child as a primary consideration and be based on comprehensive assessment;

(f) Developing and strengthening inclusive and responsive family-oriented policies and programmes for poverty reduction, also designed to promote and strengthen parents' ability to care for their children, and to confront family poverty and social exclusion, recognizing the multidimensional aspects of poverty, focusing on inclusive and quality education and lifelong learning for all, including initiatives to promote involved and positive parenting, health and well-being for all at all ages, equal access to economic resources, full and productive employment, decent work, social security, livelihoods and social cohesion and promoting and protecting the human rights of all family members;

(g) Providing gender-sensitive and child-sensitive social protection systems, which are key to ensuring poverty reduction, including, as appropriate, targeted cash transfers for families in vulnerable situations, as can be the case of families headed by a single parent, in particular those headed by women or by children, and which are most effective in reducing poverty when accompanied by other measures, such as providing access to basic services, high-quality education, affordable quality childcare services and health-care services;

(h) Supporting and assisting families' and caregivers' capacities in regard to child development, including through comprehensive education and training, and the promotion of involved and positive parenting to enable them to provide children with care in a safe environment;

(i) Providing early and comprehensive information, services and support to children with disabilities and their families with a view to preventing concealment, abandonment, neglect, discrimination and segregation and to ensuring they have equal rights with respect to family life;

(j) Designing and implementing programmes to provide pregnant adolescents and adolescent mothers with education, including access to quality education, social services and support, to enable them to continue and complete their education, care for their children and protect them from discrimination, as well as to ensure healthy and safe pregnancy;

(k) Ensuring that all decisions, initiatives and approaches related to children without parental care are made on a case-by-case basis, by suitably qualified professionals in a multidisciplinary team, through a judicial, administrative or other adequate and recognized procedure, with legal safeguards, taking into account the best interests of the child, and regularly reviewed, with a view to ensuring the child's safety, security and participation, and grounded in the best interests of the child concerned, including through incorporating a gender perspective and in conformity with the principle of non-discrimination;

(l) Putting in place rigorous and systematic judicial and administrative "gatekeeping" procedures that are designed to ensure that quality alternative care for

children is used only after consideration of the best interests of the child as a primary consideration and that children receive the most appropriate care for their needs, in line with the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities and taking into account the Guidelines for the Alternative Care of Children;<sup>34</sup>

35. *Also urges* States to take action to ensure the enjoyment of human rights for all children without parental care, in accordance with the international human rights framework, including the Convention on the Rights of the Child, not least the rights to the enjoyment of the highest attainable standards of physical and mental health, education, to rest and leisure, to engage in play and recreational activities appropriate to the age and maturity of the child, and also to take action to provide a range of alternative care options and to protect all children without parental care, including by:

(a) Promoting the implementation of international frameworks, and the Guidelines for the Alternative Care of Children, including through training on those for care staff and others working with children, and strengthening national legislation, regulations and policies to protect the rights of children without parental care;

(b) Ensuring the availability of a comprehensive range of quality accessible and disability-inclusive alternative care options, in the best interests of the child and on a case-by-case basis, in line with the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities and by taking into account the Guidelines for the Alternative Care of Children, for emergency, short-term and long-term care;

(c) Strengthening regulation, including registration, licensing, oversight and accountability mechanisms, promoting the development and dissemination of evidence-based methods, and monitoring and assessing the quality of care and status of children and all other circumstances relevant to the placement in all alternative care settings, including kinship care settings, through a periodic review, to ensure that the rights and the best interests of the child are upheld and that children are able to report violence, abuse and other concerns;

(d) Improving data collection, information management and reporting systems related to children without parental care in all settings and situations in order to close existing data gaps and develop global and national baselines, including by investing in quality, accessible, timely and reliable disaggregated data through capacity-building, financial support and technical assistance and ensuring that quality data guides policymaking;

(e) Ensuring adequate and systematic training in the rights of the child, including by encouraging States to take the Guidelines for the Alternative Care of Children into account for professional groups working with and for children, including with children without parental care, including specialized judges, law enforcement officials, lawyers, social workers, medical doctors, care professionals, health professionals and teachers, and coordination among various governmental bodies involved in the promotion and protection of the rights of the child;

(f) Prioritizing quality alternative care options over institutionalization with the best interests of the child as the primary consideration, and, where relevant, adopting policies, strategies and comprehensive plans of action in that respect, including by implementing relevant reforms, developing or reforming legislation,

<sup>34</sup> Resolution 64/142, annex.

budget allocation, awareness-raising campaigns, training, and increasing the capacity of all relevant actors;

(g) Progressively replacing institutionalization with quality alternative care, including, inter alia, family and community-based care and, where relevant, redirecting resources to family and community-based care services, with adequate training and support for caregivers and robust screening and oversight mechanisms;

(h) Undertaking every effort, where the immediate family is unable to care for a child with disabilities, to provide quality alternative care within the wider family, and, failing that, within the community in a family setting, bearing in mind the best interests of the child and taking into account the child's views and preferences;

(i) Protecting the human rights of children in alternative care and ensuring swift accountability for human rights violations or abuses, including by protecting children from all forms of violence and abuse, including bullying, in all care settings;

(j) Recognizing the multiple and intersecting forms of discrimination faced by children in vulnerable situations such as those living in child-headed households, unaccompanied and separated children, girls, children with HIV/AIDS and other serious illnesses, children with disabilities, children in detention, children who exceed the age limit for care systems as established by national legislation, children belonging to national, ethnic, religious and linguistic minorities in vulnerable situations, indigenous children and children of African descent, and the necessity to increase the support for children in this regard;

(k) Establishing and developing safe, well-publicized, child-friendly, confidential and accessible and effective mechanisms to enable children in alternative care settings or their representatives to seek counselling, to report violence against children or other safeguarding concerns and file complaints on incidents of violence and to ensure that all children have access to such mechanisms;

(l) Ensuring that adolescents and young people leaving alternative care receive appropriate support in preparing for the transition to independent living, including support in gaining access to employment, education, training, housing and psychological support, participating in rehabilitation with their families where that is in their best interest, and gaining access to after-care services consistent with the Guidelines for the Alternative Care of Children;

(m) Mainstreaming a gender perspective into all alternative care policies and implementing gender-responsive measures that address the specific needs of girls in alternative care settings;

(n) Ensuring appropriate care and protection of children who work and/or live on the street without any parental contact or supervision, including through measures to support their sustainable reintegration into their families and, when family reintegration is not possible or appropriate, through a case-by-case approach to provide quality alternative care that is appropriate and in the best interests of the child;

(o) Protecting unaccompanied and separated children at all stages of migration through the establishment of specialized procedures for their identification, referral, care and family reunification, and provide access to health-care services, including mental health, education, legal assistance and the right to be heard in administrative and judicial proceedings, including by swiftly appointing a competent and impartial legal guardian, as essential means to address their particular vulnerabilities and discrimination, protect them from all forms of violence and provide access to sustainable solutions that are in their best interests;

(p) Ensuring that child protection authorities are promptly informed and assigned to participate in procedures for the determination of the best interests of the child once an unaccompanied or separated child crosses an international border, in accordance with international law, including by training border officials in the rights of the child and child-sensitive procedures, such as those that prevent family separation and reunite families when family separation occurs;

(q) Taking measures to ensure that all children who are separated from their parents in accordance with applicable law and procedures, and where such separation is necessary for the best interests of the child, are promptly referred to child protection authorities and provided with appropriate and quality alternative care, inter alia, family and community-based care;

(r) Promoting alternatives to detention for children and taking steps to minimize the risk of violence against children in detention, as well as encourage and facilitate frequent family visits and regular contact and communication between children and their family members unless it is in the child's best interest not to do so, as well as with the outside world, and to ensure that no child should be subject to torture or other cruel, inhuman or degrading treatment or punishment or that disciplinary sanctions for detained children do not include a prohibition of contact with family members;

(s) Taking appropriate measures to prevent and respond to the separation of children from their families in humanitarian contexts, inter alia, by giving priority to family tracing and family reunification and reintegration, and, where appropriate, to cooperate with international humanitarian and refugee organizations, including by facilitating their work, in line with their obligations under international law;

(t) Taking appropriate measures to protect children who are victims of trafficking and are deprived of parental care, as well as enacting and enforcing legislation to prevent and combat the trafficking in and exploitation of children in care facilities, and supporting children who are victims of human trafficking in returning to their families and in receiving appropriate mental health and psychological assistance that is victim-centred and trauma-informed, and taking appropriate measures to prevent and address the harms related to volunteering programmes in orphanages, including in the context of tourism, which can lead to trafficking and exploitation;

## II

### Follow-up

36. *Expresses its gratitude* for the work of Ms. Marta Santos Pais and welcomes the appointment of Ms. Najat Maalla M'jid as the Special Representative of the Secretary-General on Violence against Children, pursuant to its resolution [62/141](#) of 18 December 2007, expresses its support for her work, and recognizes the progress achieved since the establishment of the mandate of the Special Representative, as extended by the General Assembly in its resolution [73/155](#), in promoting the prevention and elimination of all forms of violence against children in all regions and in advancing the implementation of the recommendations of the United Nations study on violence against children, including through partnerships with regional organizations, as well as advocacy through thematic consultations, field missions and thematic reports addressing emerging concerns;

37. *Urges* all States, requests United Nations agencies, funds and programmes and invites regional organizations and civil society, including non-governmental organizations, to cooperate with the Special Representative of the Secretary-General on Violence against Children in promoting the further implementation of the

recommendations of the United Nations study on violence against children and in supporting Member States in the context of the implementation of the 2030 Agenda for Sustainable Development,<sup>25</sup> encourages States to provide support to the Special Representative, including adequate voluntary financial support for the continued, effective and independent performance of her mandate, and invites organizations, including the private sector, to provide voluntary contributions for that purpose;

38. *Recognizes* the work of the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, its increased level of work and the progress achieved since the establishment of the mandate of the Special Representative, welcomes the “Act to protect children affected by conflict” campaign initiated by the Special Representative, and, bearing in mind its resolution 63/241 of 24 December 2008 and paragraphs 35 to 37 of its resolution 51/77 of 12 December 1996, as well as paragraph 39 of its resolution 72/245 of 24 December 2017, recommends that the Secretary-General extend the mandate of the Special Representative for an additional period of one year, until 2021;

39. *Requests* the Office of the United Nations High Commissioner for Human Rights and relevant United Nations entities, within their respective mandates, to consider the issue of children deprived of liberty, bearing in mind the report on children deprived of liberty;

40. *Notes with appreciation* the steps taken regarding Security Council resolutions 1539 (2004) of 22 April 2004, 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009, 1998 (2011) of 12 July 2011, 2068 (2012) of 19 September 2012, 2225 (2015) of 18 June 2015 and 2427 (2018) of 9 July 2018 and the efforts of the Secretary-General to implement the monitoring and reporting mechanism on children and armed conflict in accordance with those resolutions, with the participation of and in cooperation with national Governments and relevant United Nations and civil society actors, including at the country level, requests the Secretary-General to ensure that information collected and communicated by the monitoring and reporting mechanism is accurate, objective and verifiable, and in this regard encourages the work and the deployment of United Nations child protection advisers in peacekeeping operations and political and peacebuilding missions;

41. *Decides:*

(a) To request the Secretary-General to submit to the General Assembly at its seventy-fifth session a comprehensive report on the rights of the child, containing information on the implementation of the Convention on the Rights of the Child, bearing in mind the thirtieth anniversary of its adoption, in 2019;

(b) To request the Secretary-General to submit to the General Assembly at its seventy-sixth session a comprehensive report on the rights of the child containing information on the status of the Convention on the Rights of the Child and on the issues addressed in the present resolution, with a focus on the rights of the child and the Sustainable Development Goals;

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

(d) To request the Special Representative of the Secretary-General for Children and Armed Conflict, in carrying out her mandate for the protection of children in situations of armed conflict, in accordance with the relevant resolutions of the General Assembly and the Security Council, to continue to engage proactively

with relevant United Nations bodies and agencies, Member States, regional and subregional organizations and non-State armed groups, including by negotiating action plans, securing commitments, advocating for appropriate response mechanisms and ensuring attention and follow-up to the conclusions and recommendations of the Security Council Working Group on Children and Armed Conflict, and reaffirms the important role that the Special Representative can play in contributing to conflict prevention;

(e) To request the Special Representative of the Secretary-General on Violence against Children to continue to submit annual reports to the General Assembly and the Human Rights Council on the activities undertaken in fulfilment of her mandate, consistent with paragraphs 58 and 59 of its resolution [62/141](#), including information on her field visits and on the progress achieved and the challenges remaining on the violence against children agenda;

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

(g) To invite the Chair of the Committee on the Rights of the Child to present an oral report on the work of the Committee and to engage in an interactive dialogue with the General Assembly at its seventy-fifth and seventy-sixth sessions as a way to enhance communication between the Assembly and the Committee;

(h) To continue its consideration of the question at its seventy-sixth session under the item entitled "Promotion and protection of the rights of children".

*50th plenary meeting  
18 December 2019*