

Introduction of the draft resolution A/C.3/66/L.66 on the Optional protocol to the Convention on the Rights of the Child on a communications procedure – Statement by Slovakia on behalf of the cross-regional group composed of Austria, Chile, Germany, Maldives, Slovakia, Slovenia, Thailand and Uruguay

Mr. Chairman,

On behalf of the cross-regional group of main sponsors composed of Austria, Chile, Germany, Maldives, Slovakia, Slovenia, Thailand and Uruguay, I have the honour to introduce the draft resolution A/C.3/66/L.66 entitled “Optional protocol to the Convention on the Rights of the Child on a communications procedure”. The draft resolution was submitted on 2 November 2011 under agenda item 64 –Human Rights Council Report. At the time of submission the draft resolution had 41 cosponsors from all regions.

Mr. Chairman,

This draft resolution represents the final stage of the initiative for a new optional protocol to the Convention of the Rights of the Child that would establish a communications procedure. The idea is not new, it emerged already by drafting of the Convention and was revived again thanks to the NGO community 20 years later. The intergovernmental process has been initiated in 2008 and developed into creation of a cross-regional coalition of states supporting the optional protocol. In June 2009 the Human Rights Council adopted a resolution by which an Open-ended Working Group was created that discussed the possibility of elaboration of such a mechanism. The next step forward was made in March 2010 when the Council entrusted the Working Group with a mandate to prepare a draft Optional Protocol.

After thorough and constructive negotiations that took place in Geneva in December 2010 and in February 2011, the Working Group adopted by consensus the draft Optional Protocol on a Communications Procedure and transmitted it to the Human Rights Council for consideration. At its 17th session, in June 2011, the Council consensually adopted the Optional Protocol as agreed in the Working Group. The related Council’s resolution 17/18, in line with existing practice, recommends to the United Nations General Assembly the final adoption of the Optional Protocol and its opening for signature in 2012.

The main objective of the draft procedural resolution submitted at this session is therefore to adopt the Optional Protocol and encourage its opening for signature in the course of the next year. Led by the principles of transparency, constructiveness and inclusiveness, the main sponsors of the draft resolution held two rounds of informal consultations. Although there was a strong preference by the main sponsors to keep the wording of the draft resolution as recommended by the Human Rights Council, in the spirit of compromise, the preambular paragraph of the draft resolution has been revised as follows: The wording “Welcoming the adoption by the Human Rights Council” has been replaced by “Taking note with appreciation of the adoption by the Human Rights Council”.

Mr. Chairman,

Allow me to emphasize that the Convention on the Rights of the Child is the last core international human rights treaty without a communications procedure mechanism. Thus, by the adoption of the Optional Protocol, the Third Committee would fill a significant legal gap and make a crucial step towards the improvement of the child's rights protection.

The main sponsors would like to reiterate their appreciation to all, who have been involved in discussions and negotiations, both formal and informal, on this very important initiative until now and without whom the Optional Protocol would have never become a reality. This includes the delegates of states, civil society experts as well as those from the Committee on the Rights of the Child and OHCHR, who demonstrated the necessary flexibility and creativity in reconciling diverging views. Last but not least, we would like to express our sincere gratitude to the Chairperson of the Working Group on the Optional Protocol, Mr. Drahoslav Štefánek, for his tireless efforts in preparing the first proposal of the protocol and in leading the negotiations on it in an objective and cooperative manner.

Mr. Chairman,

I would like to conclude by saying that we believe that this new international treaty - the Optional Protocol to the Convention on the Rights of the Child on a communications procedure - will strengthen the protection of the rights guaranteed under the Convention and its two substantive optional protocols and that it equally will positively influence development of adequate protection and remedy mechanisms for children at national levels.

Bearing this in mind, we hope that the Third Committee will consider favorably the draft resolution L.66 as orally revised and will adopt it by consensus.

Thank you Mr. Chairman.