

tion of the minimum age of persons participating in hostilities, the issue of direct or indirect involvement in hostilities, the age of recruitment — voluntary or compulsory — into the armed forces, and whether or not a clause should be included in the draft optional protocol preventing child recruitment by non-governmental armed groups. Non-governmental organizations appealed to the working group to assume fully the serious responsibility of helping to bring an end to the practice of using children in combat by setting a clear minimum age of 18 years for all forms of recruitment into the armed forces and for participation in hostilities. It was pointed out that in recent years the involvement of children in many armed conflicts had continued unabated and even increased as conflicts were prolonged, economies collapsed, and light weapons proliferated.

The report notes that participants agreed that the key issue of the draft optional protocol was that of the age limit for participation in hostilities. Consideration of specific articles of the draft text did not produce an agreement on the minimum age of voluntary or compulsory recruitment. The most recent draft text of the protocol is contained in Annex I of the report.

Resolution of the Commission on Human Rights

Under agenda item 20 the Commission adopted by consensus an omnibus resolution (1998/76) addressing various issues related to the rights of the child.

In a general statement, the Commission, *inter alia*: reaffirmed the need for mechanisms and programmes related to the rights of the child to be strengthened to combat the exploitation and abuse of children, including in such areas as female infanticide, harmful child labour, sale of children and their organs, child prostitution and child pornography and other forms of sexual abuse; expressed profound concern that the situation of children in many parts of the world remains critical as a result of poverty, inadequate social and economic conditions, natural disasters, armed conflicts, displacement, economic and sexual exploitation, illiteracy, hunger, intolerance, disability and inadequate legal protection; recognized the need for a stronger political commitment related to governments implementing their laws and complementing legislative measures with effective action in such fields as law enforcement, the administration of justice, and social, educational and public health programmes; underlined the need to mainstream a gender perspective in all policies and programmes related to children; and reaffirmed that the best interests of the child should be a primary consideration in all actions concerning children.

With regard to the Convention on the Rights of the Child, the Commission, *inter alia*: welcomed the nearly universal ratification of or accession to the Convention and publication by UNICEF of the "Implementation Handbook for the Convention on the Rights of the Child"; called on states parties to implement the Convention fully and cooperate closely with the Committee,

withdraw reservations incompatible with the objects and purposes of the Convention, and accept the approved amendment to the Convention increasing the membership on the Committee from 10 to 18; called on states parties to ensure non-discrimination in respect of the rights set out in the Convention, and ensure that every child alleged or recognized as having infringed penal law is treated with dignity; called on states parties to encourage training on the rights of the child for those involved in activities concerning children; and encouraged the Committee to continue to give attention to the needs of children requiring special protection.

With regard to the girl child, the Commission, *inter alia*: called on all states to take the necessary measures and institute legal reforms to ensure the full and equal enjoyment by girls of all human rights and fundamental freedoms; called on international and non-governmental organizations to develop and implement gender-sensitive strategies to address the rights and needs of children, especially the rights and need of girls with regard to education, health and nutrition, and to eliminate harmful cultural attitudes and practices against girls; called on states to eliminate all forms of discrimination against girls and the root causes of son preference by, *inter alia*, enacting and enforcing laws protecting girls from violence — including female infanticide, prenatal sex selection, genital mutilation, incest, sexual abuse and exploitation; called on states to develop age-appropriate, safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence; and called on states to intensify efforts to raise awareness and mobilize opinion concerning the harmful effects of female genital mutilation and other traditional or customary practices affecting the health of women and girls.

With regard to sale of children, child prostitution and child pornography, the Commission, *inter alia*: called on states to develop and implement measures to eliminate the sale, traffic, abduction and sexual exploitation or abuse of children, including through child sex tourism; called on states to criminalize commercial and all other forms of sexual exploitation and sexual abuse of children, including child sex tourism, and ensure that a person who exploits a child for sexual abuse in another country is prosecuted by competent national authorities, either in the offender's country of origin or in the destination country; called on states to step up cooperation and concerted action to combat the existence of a market that encourages criminal practices against children and dismantle national and international networks trafficking in children; called on states and relevant UN bodies and agencies to commit resources to comprehensive and gender-sensitive programmes to provide physical and psychological rehabilitation to child victims of trafficking and any form of sexual exploitation and abuse, and promote social reintegration; renewed the mandate of the Special Rapporteur for a further three years; and requested the working group elaborating the draft optional protocol to continue its work prior to the 1999 session.