

war. Following an exchange of views on the main topics to be addressed by the study, Mrs. Machel expressed her willingness to maintain close cooperation with the Committee within the framework of her mandate.

E. Cooperation with United Nations and other competent bodies

179. Reiterating the importance it attaches to cooperation with United Nations and other competent bodies, the Committee recalled the meeting it had organized in January 1994 and decided to hold another one at its next session.

180. The aim of the meeting would be to evaluate the progress achieved in this crucial area, as well as to consider ways of strengthening the spirit of dialogue and interaction in order to improve progressively the system of implementation of the Convention, namely in the light of its article 45.

181. Moreover, it would be an opportunity to pave the way, as recommended by the World Conference on Human Rights, for matters relating to the human rights and the situation of children to be regularly reviewed and monitored by all the relevant United Nations organs and mechanisms and by the supervisory bodies of the specialized agencies in accordance with their mandates.

182. In this regard, the Committee decided to ask one of its members to prepare a working document for that meeting, identifying areas and activities where special emphasis should be put in the future to foster the implementation of the Convention.

F. General discussion on the role of the family in the promotion of the rights of the child

183. In view of the importance it attaches to the enhancement of a deeper understanding of the Convention on the Rights of the Child, and taking into account the fact that 1994 had been proclaimed as the International Year of the Family, the Committee had decided to devote one day of its seventh session to a general discussion on the role of the family in the promotion of the rights of the child.

184. Several organizations had submitted documents on the theme. The list of these documents is to be found in annex VI to the present report.

185. Representatives of the following organizations and bodies made statements on the day of the general discussion: United Nations Division for the Advancement of Women, United Nations Children's Fund, Office of the United Nations High Commissioner for Refugees, International Labour Organisation, Food and Agriculture Organization of the United Nations, World Health Organization, The Hague Conference on Private International Law, Anti-Slavery International, Associated Country Women of the World, Children's Rights Development Unit, Epoch Worldwide, Foundation for the Protection of Children Damaged from the State of Emergency, International Catholic Child Bureau, International Federation Terre des Hommes, International Movement ATD Fourth World, London Black Women's Health Action, National Children's Bureau, Radda Barnen International, Women Living Under Muslim Law. The Coordination of the International Year of the Family also made a statement.

186. The general discussion was framed by the outline which had been prepared by the Committee on the "Role of the family in the promotion of the rights of the child". Two main issues were addressed: the evolution and importance of the family, stressing the diversity of family structures arising from different cultural patterns and emerging family relationships, and civil rights and freedoms within the family, including the right to be registered with a name, to a nationality, to preserve the child's identity and not to be subjected to any form of mental or physical violence.

187. In their interventions the participants emphasized some of these issues, calling attention to the positive role the Convention has played in promoting the consideration of the rights of the child, the rights and responsibilities of parents and other family members, and the need to tackle situations in which the human dignity of the child may not be fully respected. Representatives of United Nations bodies and specialized agencies stressed the essential value of the Convention as a framework for shaping and implementing their respective programmes designed to improve the situation of the family and to promote the protection of the rights of its members.

188. At the conclusion of the general discussion, the Committee reached some preliminary conclusions, which are summarized below.

189. The general discussion on the role of the family in the promotion of the rights of the child has allowed for extensive consideration of a diversity of issues relating to the responsibilities and rights of parents, the support and assistance to be provided by the State to families and their individual members, to the situation and the fundamental rights and freedoms of children within the overall framework of the family.

1. What is the family?

190. On the basis of the different interventions, it would seem hard to argue for a single notion of the family. Through the influence of economic and social factors, and of the prevailing political, cultural or religious traditions, the family has been shaped in a diversity of ways and naturally faces different challenges or living conditions. Would it therefore be acceptable to consider that only some kinds of family or family situations deserve assistance and support from the State and society i.e., nuclear, extended, biological, adoptive or single-parent families? Could it be considered that only in certain circumstances would the family or family life have decisive social value? On the basis of what criteria: legal, political, religious or other? Would it be possible to favour a perspective where only under certain conditions would children be given the opportunity to enjoy rights which, in fact, are inherent to the dignity of their human nature?

191. All these questions seem to place the essential value of the principle of non-discrimination in the forefront of the general discussion.

2. What is the child within the family?

192. Traditionally, the child has been seen as a dependent, invisible and passive family member. Only recently has he or she become "seen" and,

furthermore, the movement is growing to give him or her the space to be heard and respected. Dialogue, negotiation, participation have come to the forefront of common action for children.

193. The family becomes in turn the ideal framework for the first stage of the democratic experience for each and all of its individual members, including children. Is this only a dream or should it also be envisaged as a precise and challenging task?

194. It is well known that much remains to be done. In view of the external circumstances surrounding the family and the tensions arising therein, be they economic, social or cultural, situations still often occur in which the child is supposed to work for and with the family, the girl is expected to take care of her siblings and replace the mother in all the tasks of the household, encouraged at an early stage to prepare for her "role" as a mother, etc. Children are often abused, neglected, and their right to physical integrity ignored, on the assumption that the privacy of the family automatically confers on parents the ability to make correct and informed judgements with respect to the "responsible upbringing of future citizens".

195. The hope was expressed that, by adhering to the essential principle of the best interests of the child and making use of active campaigns of awareness, information and education, it will be possible to change prevailing prejudices and cultural or religious traditions which are contrary to the dignity of the child, detrimental to the child's harmonious development or prevent the effective enjoyment of the fundamental rights by children.

### 3. What is the child in the absence of a family?

196. The discussion also addressed the "usually forgotten" question of what is the reality of a child, in the absence of a family? In such cases, would the system of protection be improved? Would the best interests of the child ever be assessed? Would there be any room for the participation of the child? Would there be anyone to listen? Would it be possible to prevent and combat discrimination? In short, would it ever be possible to address seriously the situation of these children within the framework of fundamental human rights and freedoms?

197. All these questions are a natural encouragement to further elaboration, to further studies and discussions, and to concrete programmes and strategies both at the national level and within the framework of international cooperation. For all of them, the Convention was reaffirmed as the common reference and the inspiring document. The Convention is, furthermore, the most appropriate framework in which to consider, and to ensure respect for, the fundamental rights of all family members, in their individuality.

198. Children's rights will gain autonomy, but they will be especially meaningful in the context of the rights of parents and other members of the family - to be recognized, to be respected, to be promoted. And this will be the only way to promote the status of, and the respect for, the family itself.

199. The Committee expressed the hope that the debate may have played a catalysing role in the future consideration and action in this important issue.

200. The follow-up to be ensured in the future, both by the Committee and all other partners, in the implementation of the Convention on the Rights of the Child, will contribute to further developing the important conclusions of this general thematic discussion.

201. In view of the contributions made and the importance of the realities considered, the Committee decided to ensure a follow-up to its general discussion and prepare to that purpose a working paper to be discussed during its eighth session, scheduled to take place in January 1995.

#### V. DRAFT PROVISIONAL AGENDA FOR THE EIGHTH SESSION

202. The following is the draft provisional agenda for the eighth session of the Committee:

1. Adoption of the agenda.
2. Organizational and other matters.
3. Submission of reports by States parties in accordance with article 44 of the Convention.
4. Consideration of reports of States parties.
5. System of documentation and information.
6. General discussion on "The girl child".
7. Cooperation with other United Nations bodies, specialized agencies and other competent bodies.
8. Methods of work of the Committee.
9. Future meetings of the Committee.
10. Other matters.

#### VI. ADOPTION OF THE REPORT

203. At its 183rd meeting, held on 14 October 1994, the Committee considered the draft report on its seventh session. The report was unanimously adopted by the Committee.