

65.

Na podlagi 3. točke 315. člena ustave Socialistične federativne republike Jugoslavije izdaja
Predsedstvo Socialistične federativne republike Jugoslavije

U K A Z

O RAZGLASITVI ZAKONA O RATIFIKACIJI KONVENCIJE ZDRUŽENIH NARODOV O OTROKOVIH PRAVICAH

Razglaša se zakon o ratifikaciji konvencije Združenih narodov o otrokovi pravicah, ki ga je sprejela Skupščina SFRJ na seji Zveznega zbora dne 13. decembra 1990 in na seji Zbora republik in pokrajin dne 18. decembra 1990.

P št. 1306
Beograd, 18. decembra 1990

Predsednik
Predsedstva SFRJ:
dr. Borisav Jović l. r.

Podpredsednica
Skupščine SFRJ:
Suada Muminagić l. r.

Z A K O N

O RATIFIKACIJI KONVENCIJE ZDRUŽENIH NARODOV O OTROKOVIH PRAVICAH

1. člen

Ratificira se konvencija Združenih narodov o otrokovi pravicah, ki je bila sprejeta 20. novembra 1989 na 44. zasedanju Generalne skupščine Združenih narodov v New Yorku in je sestavljena v arabskem, angleškem, francoskem, kitajskem, španskem in ruskom izvirniku.

2. člen

Besedilo konvencije v angleškem izvirniku in v slovenskem prevodu se glasi:

CONVENTION ON THE RIGHTS OF THE CHILD

PREAMBLE

The States Parties to the present Convention,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Bearing in mind that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

O OTROKOVIH PRAVICAH

PREAMBULA

Države podpisnice te konvencije so v prepričanju, da pomeni po načelih, izraženih v ustavnih listini Organizacije združenih narodov, priznanje prijerenega dostojanstva in enakih in neodstujljivih pravic vseh članov človeške družbe temelj svobode, pravičnosti in miru na svetu,

upoštevajoč, da so ljudstva Združenih narodov v ustavnih listini Organizacije združenih narodov ponovno potrdila svojo vero v temeljne človekove pravice in dostojanstvo in vrednost človekove osebnosti in se odločila, da bodo podpirala družbeni napredek in ustvarjanje boljših življenjskih pogojev v večji svobodi,

Recognizing that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity,

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the General Assembly on 20 November 1959 and recognized in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural Rights (in particular in article 10) and in the statutes and relevant instruments of specialized agencies and international organizations concerned with the welfare of children,

Bearing in mind that, as indicated in the Declaration of the Rights of the Child, „the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth”,

Recalling the provisions of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference of Foster Placement and Adoption Nationally and Internationally; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict,

Recognizing that, in all countries in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child,

Recognizing the importance of international co-operation for improving the living conditions of children in every country, in particular in the developing countries,

Have agreed as follows:

PART I

Article 1

For the purposes of the present Convention, a child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier.

Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

zavedajoč se, da so Združeni narodi v splošni deklaraciji o človekovih pravicah³⁾ in v mednarodnih paktih o človekovih pravicah⁴⁾ razglasili, da so pravice in dolžnosti, določene s temi akti, enake za vse, ne glede na raso, barvo, spol, jezik, veroizpoved, politično ali drugo prepričanje, narodno ali družbeno poreklo, premoženje, rojstvo ali kakršenkoli drug položaj,

priklicujuč si v spomin, da so Združeni narodi v splošni deklaraciji o človekovih pravicah razglasili, da je otroštvo upravičeno do posebne skrbi in pomoči,

v prepričanju, da mora biti družini kot temeljni družbeni skupini in naravnemu okolju za razvoj in blaginjo vseh njenih članov in še posebej otrok namenjeno potrebo varstvo in pomoč, da lahko v celoti prevzame svoje odgovornosti v družbi,

zavedajoč se, da mora otrok za poln in skladen razvoj svoje osebnosti odraslati v družinskom okolju, v vzdušju sreče, ljubezni in razumevanja,

meneč, da mora biti otrok povsem pripravljen na samostojno življenje v družbi in vzgojen v duhu idealov, razglašenih v ustanovni listini Organizacije združenih narodov, in še posebej v duhu miru, dostojanstva, strpnosti, svobode, enakosti in solidarnosti,

upoštevajoč, da je potreba po posebni skrbi za otroka navedena v ženevski deklaraciji o otrokovih pravicah iz leta 1924⁵⁾ in v deklaraciji o otrokovih pravicah, ki jo je Generalna skupščina sprejela 20. novembra 1959⁶⁾, ter priznana v splošni deklaraciji o človekovih pravicah, v mednarodnem paktu o državljanjskih in političnih pravicah (še posebej v 23. in 24. členu), v mednarodnem paktu o ekonomskih, socialnih in kulturnih pravicah (še posebej v 10. členu) ter v statutih in ustreznih aktih specializiranih agencij in mednarodnih organizacij, ki skrbijo za blaginjo otrok,

upoštevajoč določbe deklaracije o otrokovih pravicah, ki jo je sprejela Generalna skupščina 20. novembra 1959, da „otrok zaradi telesne in duševne nezrelosti potrebuje posebno varstvo in skrb, včetve ustrezno pravno varstvo, tako pred rojstvom, kot tudi po njem”⁷⁾,

sklicujuč se na določbe deklaracije o družbenih in pravnih načelih varstva in blaginje otrok s posebnim poudarkom na nacionalnem in mednarodnem rejnštvu in posvojitvi⁸⁾, na standardna minimalna pravila Organizacije združenih narodov o kazenskem pravosodju za mladoletnike („Pekinška pravila”)⁹⁾ in deklaracije o varstvu žensk in otrok v izrednih razmerah in oboroženih spopadih¹⁰⁾.

zavedajoč se, da so v vseh državah sveta otroci, ki živijo v izjemno težkih razmerah, in da ti otroci potrebujejo posebno pozornost,

upoštevajoč pomen tradicije in kulturnih vrednot posameznih narodov za varstvo in skladen razvoj otroka,

zavedajoč se pomembnosti mednarodnega sodelovanja za izboljšanje življenjskih pogojev otrok v vseh državah, še posebej v državah v razvoju,

sklenile naslednje:

I. DEL

1. člen

Za namene te konvencije pomeni otrok vsako človeško bitje, mlajše od osemnajst let, razen če zakon, ki se uporablja za otroka, določa, da se polnoletnost doseže že prej.

2. člen

1. Države podpisnice spoštujejo in vsakemu otroku, ki so di pod njihovo pravno pristojnost, jamčijo s to konvencijo priznane pravice brez kakršnegakoli razlikovanja, ne glede na raso, barvo, spol, jezik, veroizpoved, politično ali drugo prepričanje, narodno, etnično ali družbeno poreklo, premoženje, onesposobljenost, rojstvo ali kakršenkoli drug položaj otroka, njegovih staršev ali zakonitega skrbnika.

3) Resolucija št. 217 A (III).

4) Resolucija št. 2200 A (XXI), priloga.

5) Revija Lige narodov, poseben dodatek št. 21, oktober 1924, str. 43.

6) Resolucija št. 1389 (XIV).

7) Ibidem, preambula.

8) Resolucija št. 41/85, priloga.

9) Resolucija št. 40/33, priloga.

10) Resolucija št. 3318 (XXIX).

2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.

3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

Article 4

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

Article 5

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

Article 6

1. States Parties recognize that every child has the inherent right to life.

2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

Article 7

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.

2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

Article 8

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.

2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to speedily re-establishing his or her identity.

Article 9

1. States Parties shall ensure that a child shall not be separated from his or her 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. Such

2. Države podpisnice s sprejetjem vseh ustreznih ukrepov zagotovijo varstvo otroka pred vsemi oblikami razlikovanja ali kaznovanja zaradi položaja, delovanja, izraženih mnenj ali prepričanj njegovih staršev, zakonitih skrbnikov ali družinskih članov.

3. člen

1. Pri vseh dejavnostih v zvezi z otroki, bodisi da jih vodijo državne bodisi zasebne ustanove za socialno varstvo, sodišča, upravni organi ali zakonodajna telesa, naj bodo otrokove koristi glavno vodilo.

2. Države podpisnice se zavezujejo, da bodo otroku zagotovile takšno varstvo in skrb, kakršno je potrebno za njegovo blaginjo, upoštevaje pravice in dolžnosti staršev, zakonitih skrbnikov ali drugih posameznikov, ki so zakonsko odgovorni za otroka, in da bodo v ta namen sprejele vse ustrezne zakonodajne in upravne ukrepe.

3. Države podpisnice zagotovijo, da se bodo ustanove, službe in zavodi, odgovorni za skrb ali varstvo otrok, prilagočili normam, ki so jih predpisale pristojne oblasti, še posebej na področju varnosti, zdravja ter števila in usposobljenosti osebja, pa tudi zajamčijo ustrezen nadzor.

4. člen

Države podpisnice sprejmejo vse ustrezne zakonodajne, upravne in druge ukrepe za uresničitev s to konvencijo priznanih pravic. Glede ekonomskih, socialnih in kulturnih pravic naj države podpisnice take ukrepe sprejemajo v okviru vseh razpoložljivih sredstev in, kjer je potrebno, v okvirih mednarodnega sodelovanja.

5. člen

Države podpisnice spoštujejo odgovornosti, pravice in dolžnosti staršev ali, kjer je veljavno, članov širše družine ali skupnosti, kot predvidevajo krajevni običaji, zakonitih skrbnikov ali drugih oseb, ki so zakonsko odgovorne za otroka, da na način, prilagojen otrokovim razvojnim zmožnostim, zagotovijo ustrezen usmerjanje in svetovanje otroka pri uveljavljanju njegovih s to konvencijo priznanih pravic.

6. člen

1. Države podpisnice priznavajo, da ima vsak otrok neodtujljivo pravico do življenja.

2. Države podpisnice v največji možni meri zagotovijo otrokovo preživetje in razvoj.

7. člen

1. Otrok bo takoj po rojstvu vpisan v rojstno matično knjigo in ima od rojstva pravico do imena, pravico do skrbstva, pravico pridobiti državljanstvo in po možnosti pravico, da pozna svoje starše in da le-ti skrbijo zanj.

2. Države podpisnice zagotovijo uresničevanje teh pravic v skladu s svojo notranjo zakonodajo in obveznostmi, ki jim jih nalačajo ustrejni mednarodni akti s tega področja, še posebej tam, kjer bi bil otrok sicer brez državljanstva.

8. člen

1. Države podpisnice se zavezujejo, da bodo spoštovale otrokovo pravico do ohranjanja lastne identitete, včetvev državljanstvo, ime in družinska razmerja, v skladu z zakoni, brez nezakonitega vmešavanja.

2. Če je otrok nezakonito prikrajšan za nekatere ali za vse elemente svoje identitete, naj države podpisnice zagotovijo ustrezeno pomoč in varstvo, da bo svojo identiteto čim prej znova vzpostavil.

9. člen

1. Države podpisnice jamčijo, da otrok ne bo proti volji staršev ločen od njih, razen če v skladu z veljavnim zakonom in postopki pristojne oblasti v sodnem postopku odločijo, da je takšna ločitev nujna za otrokovo korist. Takšna odločitev je lahko v določenem primeru, kot je zloraba ali zanemarjanje ot-

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.

2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.

3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.

4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being of the child. States Parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.

Article 10

1. In accordance with the obligation of States Parties under article 9, paragraph 1, applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. States Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.

2. A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances personal relations and direct contacts with both parents. Towards that end and in accordance with the obligation of States Parties under article 9, paragraph 2, States Parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country. The right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect the national security, public order (ordre public), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

Article 11

1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.

2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.

Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(a) For respect of the rights or reputations of others; or

roka s strani staršev ali ko starša živita ločeno in je potrebno odločiti o otrokovem prebivališču, neizogibna.

2. V kateremkoli postopku v skladu s 1. točko tega člena imajo vse prizadete stranke možnost sodelovati v postopku in izraziti svoja mnenja.

3. Države podpisnice spoštujejo pravico otroka, ki je ločen od enega ali od obeh staršev, da redno vzdržuje osebne stike in neposredno zvezo z obema, razen če je to v nasprotju z njegovimi koristmi.

4. Če je taká ločitev posledica kakršnegakoli postopka, ki ga sproži država podpisnica, kot je pripor, zapor, izgon, pregon ali smrt (vstevši smrt iz kakršnegakoli vzroka medtem, ko je oseba pod nadzorom države) enega ali obeh staršev ali otroka, mora ta država podpisnica na zahtevo nuditi staršem, otroku ali, če je to potrebno, drugemu članu družine ustrezne podatke o tem, kje se nahaja(jo) odsotni družinski član(i), razen če posredovanje teh podatkov škoduje otrokovim koristim. Države podpisnice nadalje jamčijo, da predložitev take zahteve sama po sebi za prizadeto osebo (osebe) ne bo imela škodljivih posledic.

10. člen

1. V skladu z obveznostmi, ki jim jih narekuje 1. točka 9. člena, naj države podpisnice zahteve otroka ali njegovih staršev za vstop v državo podpisnico ali za odhod iz nje z namenom ponovne združitve družine obravnavajo na pozitiven, human in ekspeditiven način. Države podpisnice naj nadalje jamčijo, da predložitev take zahteve za prisilce in za člane njihove družine ne bo imela škodljivih posledic.

2. Otrok, katerega starša prebivata v različnih državah, ima, razen v izjemnih okoliščinah, pravico vzdrževati osebne stike in neposredno zvezo z obema roditeljema. V ta namen in v skladu z obveznostmi, ki jim jih narekuje 2. točka 9. člena, države podpisnice spoštujejo pravico otroka in njegovih staršev, da zapustijo katerokoli državo, vstevši svojo lastno, in da vstopijo v svojo državo. Za pravice do odhoda iz katerokoli države veljajo samo tiste omejitve, ki jih predpisuje zakon in ki so nujne za zavarovanje državne varnosti, javnega reda, javnega zdravja in morale ali pravic in svoboščin drugih in ki so v skladu z drugimi pravicami, ki jih priznava ta konvencija.

11. člen

1. Države podpisnice sprejemajo ukrepe za boj proti nezakonitemu premeščanju in nevračanju otrok iz tujine.

2. V ta namen države podpisnice podpirajo sklepanje dvostranskih in večstranskih sporazumov ali pristop k že obstoječim sporazumom.

12. člen

1. Države podpisnice jamčijo otroku, ki je sposoben izoblikovati lastna mnenja, pravico prostega izražanja le-teh v vseh zadevah v zvezi z otrokom, o tehnosti izraženih mnenj pa se presoja v skladu z otrokovo starostjo in zrelostjo.

2. V ta namen ima otrok še posebej možnost zaslišanja v kateremkoli sodnem ali upravnem postopku v zvezi z otrokom, bodisi neposredno bodisi preko zastopnika ali ustrenega organa, na način, ki je v skladu s procesnimi pravili notranje zakonodaje.

13. člen

1. Otrok ima pravico do svobode izražanja; ta pravica zajema prosto iskanje, sprejemanje in širjenje vsakovrstnih informacij in idej, ne glede na meje, v ustni, pisni, tiskani ali umetniški obliki ali na katerikoli drug način po otrokovi izbiri.

2. Glede uveljavljanja te pravice so možne nekatere omejitve, vendar le take, ki jih predpisuje zakon in ki so potrebne:

a) zaradi spoštovanja pravic in ugleda drugih; ali

(b) For the protection of national security or of public order (ordre public), or of public health or morals.

Article 14

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.
2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.
3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Article 15

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.
2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

Article 16

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.
2. The child has the right to the protection of law against such interference or attacks.

Article 17

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health. To this end, States Parties shall:

- (a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;
- (b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;
- (c) Encourage the production and dissemination of children's books;
- (d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;
- (e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

Article 18

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.

2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.

3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.

b) zaradi zavarovanja državne varnosti ali javnega reda ali javnega zdravja ali morale.

14. člen

1. Države podpisnice spoštujejo otrokovo pravico do svobode misli, vesti in veroizpovedi.
2. Države podpisnice spoštujejo pravice in dolžnosti staršev in, če je potrebno, zakonitih skrbnikov, da otroka pri uveljavljanju te pravice usmerjajo na način, prilagojen njegovim razvojnim zmožnostim.

3. Glede prostega izražanja veroizpovedi ali prepričanja so dopustne le tiste omejitve, ki jih določa zakon in ki so nujne za zavarovanje državne varnosti, javnega reda, zdravja ali morale ali pa temeljnih pravic in svoboščin drugih.

15. člen

1. Države podpisnice priznavajo otrokovi pravici do svobodnega združevanja in do svobode mirnega zbiranja.
2. Pri uveljavljanju teh pravic ni omejitev, razen tistih, ki jih določa zakon in ki so v demokratični družbi nujne za zavarovanje državne ali javne varnosti, javnega reda, javnega zdravja ali morale ali za zavarovanje pravic in svoboščin drugih.

16. člen

1. Noben otrok ne sme biti izpostavljen samovoljnemu ali nezakonitemu vmešavanju v njegovo zasebno življenje, družino, dom ali dopisovanje niti nezakonitim napadom na njegovo čast in ugled.
2. Otrok ima pravico do zakonitega varstva proti takšnemu vmešavanju ali napadom.

17. člen

Države podpisnice priznavajo pomembno vlogo množičnih občil in otroku zagotavljajo dostop do informacij in gradiv iz najrazličnejših domačih in mednarodnih virov, zlasti tistih, katerih cilj je krepitev otrokove družbenega, duhovne in nравstvene blaginje ter telesnega in duševnega zdravja. V ta namen države podpisnice:

- a) spodbujajo javna občila k širjenju za otroka družbeno in kulturno koristnih informacij in gradiv v skladu z duhom 29. člena;
- b) spodbujajo mednarodno sodelovanje pri ustvarjanju, izmenjavi in širjenju takšnih informacij in gradiv iz najrazličnejših domačih in mednarodnih kulturnih virov;
- c) spodbujajo ustvarjanje in razširjanje otroških knjig;
- d) spodbujajo javna občila, da posvečajo posebno pozornost jezikovnim potrebam otroka, ki je pripadnik manjšinske skupine ali staroselec (indigenous);
- e) spodbujajo razvoj ustreznih smernic za zavarovanje otroka pred informacijami in gradivi, ki škodujejo njegovi blaginji, upoštevaje določbe 13. in 18. člena.

18. člen

1. Države podpisnice z vsemi svojimi močmi zagotovijo priznanje načela, da sta oba starša enako odgovorna za otrokovo vzgojo in razvoj. Starši ali, odvisno od primera, zakoniti skrbniki imajo glavno odgovornost za otrokovo vzgojo in razvoj. Otrokové koristi so njihova poglavitna skrb.

2. Da bi zajamčile in podpirale s to konvencijo določene pravice, države podpisnice staršem ali zakonitim skrbnikom nudijo ustrezno pomoč pri izvrševanju njihovih odgovornosti pri otrokovi vzgoji in zagotovijo razvoj ustanov, zavodov in služb za varstvo otrok.

3. Države podpisnice otrokom zaposlenih staršev z vsemi ustreznimi ukrepi zajamčijo pravico do uživanja storitev služb in ustanov za varstvo otrok.

Article 19

1. States Parties shall take 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.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

Article 20

1. 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.

2. States Parties shall in accordance with their national laws ensure alternative care for such a child.

3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

Article 21

States Parties that recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

(a) Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counselling as may be necessary;

(b) Recognize that inter-country adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;

(c) Ensure that the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;

(d) Take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it;

(e) Promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavour, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs.

Article 22

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee

19. člen

1. Države podpisnice z vsemi ustreznimi zakonodajnimi, upravnimi, družbenimi in vzgojnimi ukrepi otroka zavarujejo pred vsemi oblikami telesnega ali duševnega nasilja, poškodb ali zlorab, zanemarjanja ali malomarnega ravnjanja, trpinčenja ali izkorisčanja, všečki spolne zlorabe, medtem, ko je pod skrbništvom staršev, zakonitih skrbnikov ali katerekoli druge osebe, ki skrbi za njo.

2. Takšni zaščitni ukrepi naj, če je to primerno, vključujejo učinkovite postopke za sprejemanje socialnih programov, ki otroku in tistim, ki skrbi za njo, zagotavljajo potrebno podporo, kakor tudi druge oblike zaščite ter ugotavljanje, obveščanje, prijavljanje, preiskovanje, obravnavanje in spremeljanje prej naštetih primerov trpinčenja otrok in, če je potrebno, posredovanje sodišča.

20. člen

1. Otrok, ki je začasno ali za stalno prikrajšan za svoje družinsko okolje ali katerega koristi ne dopuščajo, da bi še naprej ostal v tem okolju, ima pravico do posebnega varstva in pomoči, ki mu ju zagotovi država.

2. Države podpisnice v skladu s svojo notranjo zakonodajo takemu otroku zagotovijo nadomestno skrb.

3. Takšna skrb lahko med drugim zajema rejništvo, kafalah po islamskem pravu, posvojitev ali, če je potrebno, nastanitev v primernih ustanovah, namenjenih skrbi za otroka. Pri preučevanju rešitev naj bo posebna pozornost posvečena zaželeni nepretrganosti otrokove vzgoje in njegovemu etničnemu, verskemu, kulturnemu in jezikovnemu poreklu.

21. člen

Države podpisnice, ki priznavajo in/ali dovoljujejo sistem posvojitev, jamčijo, da bodo otrokove koristi poglobitno vodilo, in:

a) zagotovijo, da lahko otrokovo posvojitev odobri samo pristojni organ, ki v skladu z veljavnim zakonom in postopki ter na podlagi vseh pomembnih in zanesljivih informacij ugotovi, da je posvojitev dopustna glede na otrokov položaj v zvezi s starši, sorodniki in zakonitimi skrbniki in da so, če se je tako zahtevalo, prizadete osebe na podlagi svetovanja, če je bilo le-to potrebno, dale svoje odgovorno soglasje k posvojitvi;

b) priznajo, da je mednarodna posvojitev lahko alternativni način skrbi za otroka, če zanj ni moč najti rejniške ali adoptivne družine ali na ustrezen način poskrbeti zanj v njegovi matični državi;

c) jamčijo, da je otrok pri mednarodni posvojiti deležen enakega varstva in norm, kakršne veljajo pri nacionalni posvojiti;

d) z vsemi ustreznimi ukrepi zagotovijo, da pri mednarodni posvojiti otrokova nastanitev nima za posledico neupravičenega bogatjenja tistih, ki so vanjo vključeni;

e) podpirajo, kjer je to primerno, cilje tega člena s sklepom o dvostranskih in večstranskih sporazumov in dogovorov ter si v tem okviru prizadevajo zajamčiti, da otrokovo nastanitev v drugi državi izvedejo pristojni organi ali telesa.

22. člen

1. Države podpisnice z ustreznimi ukrepi otroku, ki bodisi sam bodisi v spremstvu staršev ali katerekoli druge osebe prosi za status begunci ali v skladu z veljavno mednarodno ali notranjo zakonodajo in postopki velja za begunca, zagotovijo ustrezeno varstvo in humanitarno pomoč pri uživanju veljavnih pravic, določenih s to konvencijo in z drugimi mednarodnimi humanitarnimi akti ter akti o človekovih pravicah, katerih podpisnice so omenjene države.

2. V ta namen države podpisnice, če se jim zdi primerno, sodelujejo pri vseh naporih Združenih narodov in drugih pristojnih medvladnih ali nevladnih organizacij, ki z Združenimi narodi sodelujejo pri varstvu in pomoči takemu otroku in pri iskanju staršev ali drugih družinskih članov kateregakoli otroka beganca, da bi zbrali informacije, potrebne za ponovno

child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

Article 23

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.

2. States Parties recognize the rights of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.

3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development.

4. States Parties shall promote, in the spirit of international co-operation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

Article 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

(a) To diminish infant and child mortality;

(b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;

(c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;

(d) To ensure appropriate pre-natal and post-natal health care for mothers;

(e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breast-feeding, hygiene and environmental sanitation and the prevention of accidents;

(f) To develop preventive health care, guidance for parents and family planning education and services.

3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.

združitev z njegovo družino. Če staršev ali drugih družinskih članov ni moč najti, naj bo otrok deležen enakega varstva kot vsak drug otrok, ki je iz kakršnegakoli vzroka za stalno ali začasno prikrajan za svoje družinsko okolje, tako kot določa ta konvencija.

23. člen

1. Države podpisnice priznavajo, da mora duševno ali telesno prizadet otrok uživati polno in dostojno življenje v razmerah, ki jamčijo dostenjanstvo, spodbujajo samozavest in olajšujejo njegovo dejavno udeležbo v družbi.

2. Države podpisnice prizadetemu otroku priznavajo pravico do posebne skrbi in v skladu z razpoložljivimi sredstvi spodbujajo in zagotavljajo, da so otrok, ki je do tega upravičen, in tisti, ki so odgovorni za skrbjanj, deležni pomoči, za katere so zaprosili in ki ustreza otrokovemu stanju ter zmožnostim staršev ali drugih, ki skrbijo zanj.

3. Upoštevaje posebne potrebe prizadetega otroka in finančna zmožnosti staršev ali drugih, ki skrbijo zanj, naj bo pomč v skladu z 2. točko tega člena, kadarkoli je to mogoče, brezplačna in naj prizadetemu otroku zagotavlja, da ima učinkovit dostop in da je deležen izobrazbe, usposabljanja, storitev zdravstvenega varstva, rehabilitacije, priprave na zaposlitev in možnosti za razvedriло na način, ki pospešuje kar največjo možno vključitev v družbo in otrokov osebnostni, vstevši kulturni in duhovni, razvoj.

4. Države podpisnice bodo v duhu mednarodnega sodelovanja podpirale izmenjavo ustreznih informacij s področja preventivnega zdravstvenega varstva in zdravniške, psihološke in funkcionalne oskrbe prizadetih otrok, vstevši širjenje in dostop do informacij o rehabilitacijskih metodah, izobrazbi in poklicnih storitvah, z namenom pomagati državam podpisnicam izboljšati njihove sposobnosti in spretnosti in obogatiti njihove izkušnje s teh področij. V tem pogledu bo posebna pozornost posvečena potrebam držav v razvoju.

24. člen

1. Države podpisnice priznavajo otrokovo pravico do najvišje ravni zdravstvenih standardov in storitev ustanov za zdravljenje bolezni in zdravstveno rehabilitacijo. Države podpisnice si prizadevajo zagotoviti, da ne bo noben otrok prikrajšan za pravico do takega zdravstvenega varstva.

2. Države podpisnice si prizadevajo za popolno uresničitev te pravice in še posebej sprejemajo ustreerne ukrepe:

a) za zmanjšanje smrtnosti novorojenčkov in otrok;

b) za zagotovitev potrebnih zdravniških pomoči in zdravstvenega varstva vsem otrokom, s poudarkom na razvoju osnovnega zdravstvenega varstva;

c) za boj proti boleznim in podhranjenosti, tudi v okviru osnovnega zdravstvenega varstva, med drugim z uporabo razpoložljive tehnologije in zagotovitvijo dovolj hranljivih živil in čiste pitne vode, upoštevaje nevarnosti in tveganja onesnaženja okolja;

d) za zagotavljanje ustreznega zdravstvenega varstva matere pred porodom in po njem;

e) za zagotavljanje, da so vsi družbeni sloji, še posebej starši in otroci, obveščeni, da imajo dostop do izobrazbe in podporo pri uporabi osnovnega znanja o otrokovem zdravju in prehrani, o prednostih dojenja, higieni in asanaciji okolja ter preprečevanju nesreč;

f) za razvoj preventivnega zdravstvenega varstva, svetovanja za starše ter izobraževanja in storitev v zvezi z načrtovanjem družine.

3. Države podpisnice z vsemi učinkovitimi in ustreznimi ukrepi odpravljajo tradicionalne navade, ki škodujejo zdravju otrok.

4. Države podpisnice se zavezujejo, da bodo podpirale in pospeševale mednarodno sodelovanje, da bi polagoma dosegle popolno uresničitev s tem členom priznane pravice. V tem pogledu bo posebna pozornost posvečena potrebam držav v razvoju.

Article 25

States Parties recognize the right of a child who has been placed by the 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.

Article 26.

1. States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.

2. The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

Article 27

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.

3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

(a) Make primary education compulsory and available free to all;

(b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;

(c) Make higher education accessible to all on the basis of capacity by every appropriate means;

(d) Make educational and vocational information and guidance available and accessible to all children;

(e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international co-operation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

Article 29

1. States Parties agree that the education of the child shall be directed to:

(a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

25. člen

Države podpisnice otroku, ki so ga zaradi skrbi, varstva ali oskrbe njegovega telesnega ali duševnega zdravja preskrbeli pristojni organi, priznavajo pravico do občasne preverbe po stopka, ki mu je bil zagotovljen, in vseh drugih okoliščin v zvezi z njegovo preskrbo.

26. člen

1. Države podpisnice vsakemu otroku priznajo pravico do socialnega varstva, všečviščno socialno zavarovanje, in v skladu s svojo notranjo zakonodajo sprejmejo potrebne ukrepe za dosego popolne uresničitve te pravice.

2. Ugodnosti naj se, kjer je primerno, odobrijo, upoštevaje sredstva in zmožnosti otroka in oseb, ki so odgovorne za njegovo preživljvanje, kar tudi katerekoli druge okoliščine v zvezi z zahtevo po ugodnostih, ki jo je predložil otrok ali kdo drug v njegovem imenu.

27. člen

1. Države podpisnice vsakemu otroku priznavajo pravico do življenjske ravni, ki ustreza njegovemu telesnemu, umskemu, duhovnemu, nравstvenemu in družbenemu razvoju.

2. (Eden ali oba) starša ali drugi, ki so odgovorni za otroka, imajo glavno odgovornost za to, da v skladu s svojimi sposobnostmi in gmotnimi zmožnostmi zagotovijo življenjske razmere, potrebne za otrokov razvoj.

3. Države podpisnice v skladu z nacionalnimi pogoji in svojimi zmožnostmi sprejemajo ustrezen ukrepe, s katerimi bodo staršem ali drugim, ki so odgovorni za otroka, pomagale uveljaviti to pravico, in, če je potrebno, zagotovijo gmotno pomoč in programe pomoči, še posebej glede prehrane, obleke in stanovanja.

4. Države podpisnice sprejmejo vse ustrezen ukrepe, s katerimi bodo od staršev ali oseb, ki so finančno odgovorne za otroka, zagotovile preživljivino za otroka tako v državi podpisnic, kakor tudi v tujini. Če oseba, ki je finančno odgovorna za otroka, prebiva v drugi državi kot otrok, države podpisnice posebej podpirajo pristop k mednarodnim sporazumom ali sklepanje takih sporazumov ter drugih ustreznih dogоворов.

28. člen

1. Države podpisnice priznavajo otrokovo pravico do izobrazbe in z namenom, da bi to pravico polagoma dosegle na podlagi enakih možnosti, še posebej:

a) zagotovijo obvezno in vsem brezplačno dostopno osnovno šolanje;

b) spodbujajo razvoj različnih oblik srednjega šolanja, všečviščno splošno in poklicno šolanje, skrbijo, da je dosegljivo in dostopno vsakemu otroku, ter sprejemajo ustrezen ukrepe, kot je uvedba brezplačnega šolanja in po potrebi denarna pomoč;

c) z vsemi razpoložljivimi sredstvi zagotovijo, da bo visoko šolanje na podlagi osebne sposobnosti vsem enako dostopno;

d) zagotovijo, da bodo obvestila in nasveti o šolanju in poklicu dosegljivi in dostopni vsem otrokom;

e) sprejemajo ukrepe, s katerimi bodo spodbujale redno obiskovanje pouka in zmanjšale osip v šolah.

2. Države podpisnice z ustreznimi ukrepi zagotovijo, da se bo v šolah disciplina uveljavljala na način, ki je v skladu z otrokovim človeškim dostojanstvom in s to konvencijo.

3. Države podpisnice podpirajo in pospešujejo mednarodno sodelovanje v zadevah v zvezi z izobraževanjem, še posebej z namenom, da bi pri pomogli k izkoreninjanju neznanja in nepismenosti po vsem svetu in olajšale dostop do znanstvenih in tehničnih spoznanj in sodobnih učnih metod. V tem pogledu se posebna pozornost posveča potrebam držav v razvoju.

29. člen

1. Države podpisnice so si edine, da mora biti izobraževanje otrok usmerjeno:

a) k popolnemu razvoju otrokove osebnosti, nadarjenosti ter umskih in telesnih sposobnosti;

(b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;

(c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;

(d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

(e) The development of respect for the natural environment.

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Article 30

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language.

Article 31

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

Article 32

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:

(a) Provide for a minimum age or minimum ages for admission to employment;

(b) Provide for appropriate regulation of the hours and conditions of employment;

(c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

Article 33

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

Article 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

(a) The inducement or coercion of a child to engage in any unlawful sexual activity;

b) h krepitvi spoštovanja človekovih pravic in temeljnih svoboščin ter načel, določenih z ustanovno listino Organizacije združenih narodov;

c) h krepitvi spoštovanja do otrokovih staršev, njegove kulturne identitete, jezika in vrednot, nacionalnih vrednot države, v kateri otrok prebiva, države, iz katere morda izhaja, in do civilizacij, različnih od njegove;

d) k pripravi otroka na odgovorno življenje v svobodni družbi, v duhu razumevanja, miru, strpnosti, enakosti med spoloma in prijateljstva med vsemi narodi, etničnimi, narodnimi in verskimi skupinami in osebami staroselskega porekla;

e) h krepitvi spoštovanja do naravnega okolja.

2. Nobene določbe tega ali 28. člena ni dovoljeno razlagati tako, kot da bi posameznikom ali organom kratil pravico ustanavljanja in upravljanja izobraževalnih ustanov; pogoj je le, da so spoštovana načela iz 1. točke tega člena in da je izobrazba, ki jo dajejo take ustanove, v skladu z minimalnimi normami, ki jih lahko predpiše država.

30. člen

V tistih državah, v katerih živijo etnične, verske ali jezikovne manjšine ali osebe staroselskega porekla, otroku, ki priпадa taki manjšini ali ki je staroselec, ne sme biti vzeta pravica, da skupaj z drugimi člani svoje skupine uživa svojo posebno kulturo, izpoveduje in izraža svojo lastno vero in da uporablja svoj lastni jezik.

31. člen

1. Države podpisnice priznavajo otrokovo pravico do počinka in prostega časa, do igre in razvedrilna, primerrega otrokovi starosti, in do prostega udeleževanja kulturnega življenja in umetnosti.

2. Države podpisnice spoštujejo in podpirajo otrokovo pravico polno se udeleževati kulturnega in umetniškega življenja in spodbujajo zagotavljanje ustreznih in enakih možnosti kulturnega, umetniškega, razvedrilnega in prostočasnega udejstvovanja.

32. člen

1. Države podpisnice priznavajo otrokovo pravico do zaščite pred ekonomskim izkorisčanjem in pred opravljanjem kateregakoli dela, ki je lahko nevarno ali ki moti otrokovo šolanje ali škodi njegovemu zdravju ali telesnemu, umskemu, duhovnemu, dravstvenemu ali družbenemu razvoju,

2. Države podpisnice z zakonodajnimi, upravnimi, družbenimi in vzgojnimi ukrepi zagotovijo uresničevanje tega člena. V ta namen in v skladu z ustreznimi določbami drugih mednarodnih aktov države podpisnice še posebej:

a) določijo najnižjo starostno mejo, pri kateri je dovoljeno zaposlovanje;

b) določijo ustrezne predpise o številu delovnih ur in o pogojih zaposlovanja;

c) določijo ustrezne kazni in druge sankcije, s katerimi zagotovijo učinkovito uveljavljanje tega člena.

33. člen

Države podpisnice z vsemi ustreznimi ukrepi, všečki zakonodajne, upravne, družbene in vzgojne ukrepe, otroke zaščitijo pred nezakonito uporabo mamil in psihotropnih snovi, kot so določene v ustreznih mednarodnih pogodbah, in preprečijo uporabo otrok pri nezakoniti proizvodnji in trgovini s takšnimi snovmi.

34. člen

Države podpisnice se zavezujejo, da bodo otroka zavarovali pred vsemi oblikami spolnega izkorisčanja in spolnih zlorab. V ta namen naj države podpisnice še posebej sprejmejo vse ustrezne državne, bilateralne in multilateralne ukrepe, s katerimi bodo preprečile:

a) napeljevanje ali siljenje otroka h kakršnikoli nezakonič spolni dejavnosti;

- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.

Article 35

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

Article 36

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

Article 37

States Parties shall ensure that:

(a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;

(b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. 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;

(c) 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. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;

(d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

Article 38

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.

2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.

3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.

4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

Article 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

Article 40

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law

- b) izkoriščanje otrok v prostituciji ali drugih nezakonitih spolnih dejavnostih;
- c) izkoriščanje otrok v pornografskih predstavah in gradi-vih.

35. člen

Države podpisnice z ustreznimi državnimi, bilateralnimi in multilateralnimi ukrepi preprečijo ugrabitev, prodajo ali trgovanje z otroki v kakršnekoli namene ali v kakršnikoli obliki.

36. člen

Države podpisnice otroka varujejo pred vsemi oblikami izkoriščanja, ki mu v kakršnemkoli pogledu škoduje.

37. člen

Države podpisnice zagotovijo, da:

a) noben otrok ne bo izpostavljen mučenju ali drugemu krutemu, nečloveškemu ali ponižajočemu ravnanju ali kaznovanju. Tako smrtna kazen kot dosmrtni zapor brez možnosti pomilostivje naj se ne izrekata za kazniva dejanja, ki so jih storile osebe, ki še niso dopolnilne osemnajst let;

b) nobenemu otroku ne bo nezakonito ali samovoljno odvzeta prostost. Otrok sme biti prijet, priprt ali zaprt v skladu z zakoni in le v skrajnem primeru ter za najkrajši potrebeni čas;

c) se bo z vsakim otrokom, ki mu je bila odvzeta prostost, ravnalo človeško in s spoštovanjem dostojaštva, ki je neločljivo od človekove osebnosti, ter na način, ki upošteva potrebe oseb njegove starosti. Še posebej mora biti vsak otrok, ki mu je bila odvzeta prostost, ločen od odraslih, razen če se smatra, da je to v nasprotju z njegovimi interesmi, in imeti, razen v izjemnih okoliščinah, pravico preko dopisovanja ali obiskov vzdrževati stike s svojo družino;

d) bo imel vsak otrok, ki mu je bila odvzeta prostost, takojšen dostop do pravne in druge ustrezone pomoči ter pravico pred sodiščem ali drugim pristojnim, neodvisnim in nepristranskim organom izpodobijati zakonitost odvzema njegove prostosti ter pravico do takojšnje odločitve o kateremkoli takšnem ukrepu.

38. člen

1. Države podpisnice se zavezujejo, da bodo spoštovale in zagotavljale spoštovanje na otroka se nanašajočih načel mednarodnega humanitarnega prava, ki je zanje veljavno v oboroženih spopadih.

2. Države podpisnice naj z vsemi možnimi ukrepi zagotovijo, da osebe, ki še niso dopolnilne petnajst let, ne bodo neposredno sodelovalo v bojih.

3. Države podpisnice ne bodo v svoje oborožene sile rekрутirale nobene osebe, ki še ni dopolnila petnajst let. Pri rekruitiranju tistih, ki so že dopolnili petnajst let, vendar še niso stari osemnajst let, si naj države podpisnice prizadevajo dati prednost tistim, ki so starejši.

4. V skladu s svojimi iz mednarodnega humanitarnega prava izhajajočimi obveznostmi, da med oboroženimi spopadi varujejo civilno prebivalstvo, naj države podpisnice z vsemi možnimi ukrepi zagotovijo varstvo in skrb za otroke, ki jih je oboroženi spopad prizadel.

39. člen

Države podpisnice s sprejetjem vseh ustreznih ukrepov pospešijo telesno in duševno okrevanje otroka, ki je bil žrtve kakršnekoli oblike zanemarjanja, izkoriščanja ali zlorabe, mučenja ali kakršnekoli druge oblike krutega, nečloveškega ali ponižajočega ravnanja ali kaznovanja ali oboroženih spopadov, in njegovo ponovno vključevanje v družbo. Takšno okrevanje in ponovno vključevanje v družbo poteka v okolju, ki krepi otrokovo zdravje, samospoštovanje in dostojaštvo.

40. člen

1. Države podpisnice priznavajo pravico vsakega otroka, ki je osumljen, obtožen ali spoznan za krivega kršenja kaznen-

to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:

(a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;

(b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:

(i) To be presumed innocent until proven guilty according to law;

(ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents of legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;

(iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;

(iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;

(v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;

(vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;

(vii) To have his or her privacy fully respected at all stages of the proceedings.

3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:

(a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;

(b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.

4. A variety of dispositions, such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

Article 41

Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:

- (a) The law of a State Party; or
- (b) International law in force for that State.

PART II

Article 42

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

Article 43

1. For the purpose of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the present Convention, there shall be establish-

skega zakona, da z njim ravnajo na način, ki je v skladu z razvijanjem otrokovega občutka za dostojanstvo in vrednost, ki krepi otrokovo spoštovanje človekovih pravic in temeljnih svoboščin drugih in ki upošteva njegovo starost ter začeleno spodbujanje njegove ponovne vključitve v družbo in prevzemanje dejavne vloge v njej.

2. V ta namen in upoštevaje ustreerne določbe mednarodnih aktov, države podpisnice še posebej zagotovijo, da:

a) noben otrok ne bo osumljen, obtožen ali spoznan za krivega kršenja kazenskega zakona zaradi dejanj ali opustitev, ki v času storitve po notranji ali mednarodni zakonodaji niso pomneni kaznivega dejanja;

b) je vsakemu otroku, ki je osumljen ali obtožen kršenja kazenskega zakona, zajamčeno vsaj navedeno:

(i) da velja za nedolžnega, dokler ni njegova krivda dokazana v skladu z zakonom;

(ii) da je takoj in neposredno in, če je to potrebno, prek staršev ali zakonitih skrbnikov seznanjen z obtožbami proti njemu ter da ima pri priravki in predstavitvi svoje obrambe pravno in drugo ustrezeno pomoč;

(iii) da o njegovem primeru nemudoma odloča pristojni neodvisni in nepristranski organ ali sodno telo v poštenem postopku v skladu z zakonom, ob prisotnosti pravne ali druge ustrezone pomoči in staršev ali zakonitih skrbnikov, razen če se smatra, da to ni v otrokovem interesu, posebej upoštevaje njegovo starost ali položaj;

(iv) da ni prisiljen pričati ali priznati krivde; da zasliši ali zahteva zaslišanje obtežilnih prič in da doseže udeležbo in zaslisanje prič v svojo korist ob enakih pogojih;

(v) da če se presodi, da je prekršil kazensko pravo, to odločitev in katerekoli iz nje izhajajoče ukrepe preizkusi višji pristojni, neodvisni in nepristranski organ ali sodno telo v skladu z zakonom;

(vi) da ima otrok brezplačno pomoč tolmača, če ne razume ali ne govori jezika, ki se uporablja pred sodiščem;

(vii) da je v vseh fazah postopka zajamčeno popolno spoštovanje njegove zasebnosti.

3. Države podpisnice skušajo pospeševati sprejemanje zakonov in postopkov ter ustanavljanje organov in ustanov, posebej namenjenih otrokom, ki so osumljeni, obtoženi ali spoznani za krive kršenja kazenskega prava, še posebej pa pospeševati:

a) določanje najnižje starosti, do katere se domneva, da otroci niso sposobni kršiti kazenskega prava;

b) kadarkoli je primerno ali zaželeno, ukrepe za obravnavanje takih otrok brez zatekanja k sodnim postopkom, ob pogoju, da je zajamčeno popolno spoštovanje človekovih pravic in zakonske zaščite.

4. Na voljo naj bodo različne možnosti, kot so skrb, svetovanje, nadzor, pravno svetovanje, pogojen odpust kazni, rejništvo, izobraževanje in programi poklicnega usposabljanja ter druge alternative institucionalni skrbi, ki zagotavljajo, da se otroke obravnava na način, primeren njihovi blaginji in v skladu tako z njihovimi razmerami kakor tudi s prestopkom.

41. člen

Nič iz te konvencije ne bo vplivalo na katerokoli določbo, ki je ugodnejša za uresničitev otrokovih pravic in ki je lahko vsebovana v:

- a) zakonodaji države podpisnice; ali
- b) mednarodnem pravu, veljavnem za to državo.

II. DEL

42. člen

Države podpisnice se zavezujejo, da bodo z načeli in določbami te konvencije z ustreznimi in učinkovitim sredstvi najširše seznanile tako odrasle kot otroke.

43. člen

1. Z namenom preverjanja napredka, ki so ga države podpisnice dosegle pri uresničevanju s to konvencijo prevzetih ob-

hed a Committee on the Rights of the Child, which shall carry out the functions hereinafter provided.

2. The Committee shall consist of ten experts of high moral standing and recognized competence in the field covered by this Convention. The members of the Committee shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal systems.

3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

4. The initial election to the Committee shall be held no later than six months after the date of the entry into force of the present Convention and thereafter every second year. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to States Parties inviting them to submit their nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating States Parties which have nominated them, and shall submit it to the States Parties to the present Convention.

5. The elections shall be held at meetings of States Parties convened by the Secretary-General at United Nations Headquarters. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

6. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if re-nominated. The term of five of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these five members shall be chosen by lot by the Chairman of the meeting.

7. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State Party which nominated the member shall appoint another expert from among its nationals to serve for the remainder of the term, subject to the approval of the Committee.

8. The Committee shall establish its own rules of procedure.

9. The Committee shall elect its officers for a period of two years.

10. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee. The Committee shall normally meet annually. The duration of the meetings of the Committee shall be determined, and reviewed, if necessary, by a meeting of the States Parties to the present Convention, subject to the approval of the General Assembly.

11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

12. With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide.

Article 44

1. States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights:

(a) Within two years of the entry into force of the Convention for the State Party concerned;

(b) Thereafter every five years.

2. Reports made under the present article shall indicate factors and difficulties, if any, affecting the degree of fulfilment of the obligations under the present Convention. Reports shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.

veznosti, se ustanavlja Komite za otrokove pravice, ki bo izvrševal spodaj navedene naloge.

2. Komite sestavlja deset strokovnjakov visokega moralnega ugleda in priznanih sposobnosti na področju, na katero se nanaša ta konvencija. Člane Komiteja izberejo države podpisnice izmed svojih državljanov, pri čemer se upošteva pravica na zemljepisna porazdelitev, kakor tudi glavni pravni sistemi; svojo funkcijo opravljajo osebno.

3. Člani Komiteja se volijo s tajnim glasovanjem s seznama oseb, ki jih predlagajo države podpisnice. Vsaka država podpisnica sme predlagati enega izmed svojih državljanov.

4. Prve volitve v Komite morajo biti najkasneje šest mesecev po dnevu, ko začne veljati ta konvencija, in nato vsako drugo leto. Najmanj štiri mesece pred dnevom vsakih volitev glavni tajnik Organizacije združenih narodov države podpisnice pisno pozove, naj mu v dveh mesecih sporoči imena svojih kandidatov. Glavni tajnik nato sestavi abecedni seznam vseh tako predlaganih, pri čemer navede, katere države podpisnice so jih predlagale, in ga predloži državam podpisnicam te konvencije.

5. Volitve potekajo na sestanku držav podpisnic, ki ga glavni tajnik sklicuje v sedežu Organizacije združenih narodov. Na teh sestankih, na katerih tvorita kvorum dve tretjini držav podpisnic, so za člane Komiteja izvoljeni tisti kandidati, ki dobiti največ glasov in absolutno večino predstavnikov navzočih držav podpisnic, ki glasujejo.

6. Člane Komiteja volijo za štiri leta. Če so vnovič predlagani, so lahko znova izvoljeni. Petim od članov, ki so bili izvoljeni na prvih volitvah, mandat poteče po dveh letih. Imena teh petih članov predseduječi sestanka določi z žrebom neposredno po opravljenih prvih volitvah.

7. Če kak član Komiteja umre ali odstopi ali izjavi, da iz kakršnegakoli drugega razloga ne more več opravljati svojih dolžnosti v Komiteju, država podpisnica, ki je tega člana predlagala, izmed svojih državljanov izbere drugega strokovnjaka, ki to funkcijo opravlja do konca mandata, če to Komite odobri.

8. Komite si predpiše svoj poslovnik.

9. Komite voli svoje funkcionarje na dve leti.

10. Redni sestanki Komiteja potekajo v sedežu Organizacije združenih narodov ali na kateremkoli drugem primerenem kraju, ki ga določi Komite. Komite se praviloma sestaja enkrat letno. Dolžino sestankov Komiteja določijo in, če je potrebno, ponovno pretehtajo na sestanku držav podpisnic te konvencije, vendar po odobritvi Generalne skupščine.

11. Glavni tajnik Organizacije združenih narodov Komiteju zagotovi osebje in pogoje, potrebne za učinkovito izvrševanje nalog, ki mu jih določa ta konvencija.

12. Člani Komiteja, ustanovljenega v skladu s to konvencijo, z odobritvijo Generalne skupščine prejemajo nadomestila iz sredstev Organizacije združenih narodov ob pogojih, ki jih lahko določi Skupščina.

44. člen

1. Države podpisnice se zavezujejo, da bodo preko glavnega tajnika Organizacije združenih narodov Komiteju poročale o ukrepih, ki so jih sprejele za uveljavitev tu priznanih pravic, in o napredku, ki so ga dosegle pri uživanju teh pravic:

a) v dveh letih, odkar je za posamezno državo začela veljati ta konvencija;

b) nato pa vsakih pet let.

2. Poročila v skladu s tem členom navajajo morebitne dejavnike in težave, ki ovirajo izpolnjevanje obveznosti, ki jih na-rekuje ta konvencija. Poročila morajo vsebovati tudi zadostne informacije, ki Komiteju omogočijo vsestranski vpogled v uresničevanje te konvencije v posamezni državi.

3. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports submitted in accordance with paragraph 1 (b) of the present article, repeat basic information previously provided.

4. The Committee may request from States Parties further information relevant to the implementation of the Convention.

5. The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities.

6. States Parties shall make their reports widely available to the public in their own countries.

Article 45

In order to foster the effective implementation of the Convention and to encourage international co-operation in the field covered by the Convention:

(a) The specialized agencies, the United Nations Children's Fund, and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies, the United Nations Children's Fund and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite the specialized agencies, the United Nations Children's Fund, and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;

(b) The Committee shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children's Fund and other competent bodies, any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance, along with the Committee's observations and suggestions, if any, on these requests or indications;

(c) The Committee may recommend to the General Assembly to request the Secretary-General to undertake on its behalf studies on specific issues relating to the rights of the child;

(d) The Committee may make suggestions and general recommendations based on information received pursuant to articles 44 and 45 of the present Convention. Such suggestions and general recommendations shall be transmitted to any State Party concerned and reported to the General Assembly, together with comments, if any, from States Parties.

PART III

Article 46

The present Convention shall be open for signature by all States.

Article 47

The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 48

The present Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 49

1. The present Convention shall enter into force on the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.

2. For each State ratifying or acceding to the Convention after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

3. Državi podpisnici, ki je Komiteju dostavila izčrpano prvočno poročilo, v nadaljnjih poročilih v skladu s točko 1b tega člena ni treba ponavljati osnovnih informacij, ki jih je že predložila.

4. Komite lahko od države podpisnice zahteva dodatne informacije o uresničevanju te konvencije.

5. Komite preko Ekonomsko-socialnega sveta Generalni skupščini vsaki dve leti predloži poročilo o svojem delu.

6. Države podpisnice poskrbijo, da bodo njihova poročila široko dostopna javnosti v njihovih lastnih državah.

45. člen

Da bi pospešili učinkovito uresničevanje konvencije in spodbudili mednarodno sodelovanje na področju, ki ga ta konvencija obravnava:

a) imajo specializirane agencije, Sklad Organizacije združenih narodov za pomoč otrokom in drugi organi Organizacije združenih narodov pravico biti zastopani pri obravnavanju uresničevanja tistih določb te konvencije, ki sodijo v okvir njihovih pristojnosti. Če se mu zdi primerno lahko Komite prosi specializirane agencije, Sklad Organizacije združenih narodov za pomoč otrokom in druge pristojne organe za strokovni nasvet glede uresničevanja konvencije na področjih, ki sodijo v okvir njihovih pooblastil. Komite lahko specializirane agencije, Sklad Organizacije združenih narodov za pomoč otrokom in druge organe Organizacije združenih narodov prosi, da mu predložijo poročila o uresničevanju te konvencije na področjih, ki sodijo v okvir njihovih dejavnosti;

b) lahko Komite, če se mu zdi primerno, specializiranim agencijam, Skladu Organizacije združenih narodov za pomoč otrokom in drugim pristojnim organom posreduje katerokoli poročilo države podpisnice, ki vsebuje zahtevo ali kaže potrebo po strokovnem nasvetu ali pomoči, skupaj s svojimi morebitnimi opažanji in predlogi o teh zahtevah in potrebah;

c) Komite lahko Generalni skupščini priporoči, da od glavnega tajnika zahteva, naj v njegovem imenu izdela študije o konkretnih vprašanjih v zvezi z otrokovimi pravicami;

d) Komite lahko na podlagi informacij, ki jih je prejel v skladu s 44. in 45. členom te konvencije, oblikuje predloge in splošna priporočila. Take predloge in splošna priporočila posreduje vsaki prizadeti državi podpisnici in o njih poroča Generalni skupščini skupaj z morebitnimi komentarji držav podpisnic.

III. DEL

46. člen

Ta konvencija je odprta za podpis vsem državam.

47. člen

Ta konvencija mora biti ratificirana. Ratifikacijske listine se položijo pri glavnem tajniku Organizacije združenih narodov.

48. člen

Ta konvencija bo ostala odprta za pristop vsaki državi. Pristopne listine se položijo pri glavnem tajniku Organizacije združenih narodov.

49. člen

1. Ta konvencija začne veljati trideseti dan po dnevu, ko je pri glavnem tajniku Organizacije združenih narodov položena dvajseta ratifikacijska ali pristopna listina.

2. Za vsako državo, ki to konvencijo ratificira ali k njej pristopi po položitvi dvajsete ratifikacijske ali pristopne liste, konvencija začne veljati trideseti dan po tem, ko taka država položi ratifikacijske ali pristopne listine.

Article 50

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.

2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.

3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the present Convention and any earlier amendments which they have accepted.

Article 51

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.

2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.

3. Reservations may be withdrawn at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall then inform all States. Such notification shall take effect on the date on which it is received by the Secretary-General.

Article 52

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General.

Article 53

The Secretary-General of the United Nations is designated as the depositary of the present Convention.

Article 54

The original of the present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

In witness thereof the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.

50. člen

1. Vsaka država podpisnica lahko predlaga amandma in ga predloži glavnemu tajniku Organizacije združenih narodov. Glavni tajnik nato predloženi amandma pošlje vsem državam podpisnicam skupaj z zahtevo, naj izjavijo, ali želijo sklicanje konference držav podpisnic, ki bi razpravljala in glasovala o predlogih. Če se v štirih mesecih od dneva obvestila najmanj trejtina držav podpisnic izreče za konferenco, jo glavni tajnik skliče pod okriljem Združenih narodov. Vsak amandma, ki ga sprejme večina držav podpisnic, ki so bile na konferenci načoče in so glasovale, je treba predložiti v odobritev Generalni skupščini Združenih narodov.

2. Amandma, sprejet v skladu s 1. točko tega člena, začne veljati, ko ga odobri Generalna skupščina Združenih narodov in ko ga države podpisnice sprejmejo z dvotrejinsko večino.

3. Ko amandma začne veljati, je obvezen za tiste države podpisnice, ki so ga sprejele, ostale države podpisnice pa ostanejo zavezane z določbami te konvencije in s katerimkoli pred tem sprejetim amandmajem.

51. člen

1. Glavni tajnik Organizacije združenih narodov sprejema in vsem državam pošilja besedila pridržkov, ki jih države navedejo ob ratifikaciji ali pristopu.

2. Pridržki, ki niso v skladu s cilji in nameni te konvencije, niso dopustni.

3. Pridržek je moč kadarkoli umakniti z ustreznim obvestilom glavnemu tajniku Organizacije združenih narodov, ki nato obvesti vse države. Tako obvestilo začne veljati na dan, ko ga prejme glavni tajnik.

52. člen

Država podpisnica lahko to konvencijo odpove s pisnim obvestilom, nasloviljenim na glavnega tajnika Organizacije združenih narodov. Odpoved začne veljati eno leto po dnevu, ko je glavni tajnik prejel obvestilo.

53. člen

Glavni tajnik Organizacije združenih narodov je izbran, da hrani to konvencijo.

54. člen

Izvirmik te konvencije, katere arabsko, kitajsko, angleško, francosko, rusko in špansko besedilo so enako avtentična, je shranjen pri glavnem tajniku Organizacije združenih narodov.

Da bi to potrdili, so spodaj podpisani, za to po predpisih pooblaščeni, podpisali to konvencijo.

3. člen

Ob položitvi ratifikacijske listine izjavlja Socialistična federativna republika Jugoslavija naslednji pridržek v smislu 1. točke 51. člena konvencije:

Pristojni organi (skrbstveni organi) Socialistične federativne republike Jugoslavije lahko v smislu 1. točke 9. člena konvencije odločijo o odvzemuh pravice staršev do varstva in vzgoje otroka brez poprejnjega sodnega vpogleda v skladu z notranjo zakonodajo SFRJ.

4. člen

Za izvajanje te konvencije skrbi zvezni upravni organ za delo, zdravstvo, vprašanja borcev in socialno politiko.

5. člen

Ta zakon začne veljati osmi dan po objavi v Uradnem listu SFRJ – Mednarodne pogodbe.