Mr Chairman:

This year’s Secretary General’s Report on the Status of the Convention on the Rights of the Child (A/68/257) helpfully draws attention to child mortality, which goes to the heart of what the Convention in article 6 enshrines as the child’s “right to life, survival and development”. Indeed, without life, all other rights are meaningless. It is a cause for encouragement that his Report concludes that the goal of ending all preventable child deaths is now within our reach.¹

Among the key factors for achieving this goal the Report identifies maternal health.² This is confirmed by the logic of the Convention itself, which affords the child the right to both pre-natal and post-natal healthcare (article 24(d)). This provision has meaning only if the unborn baby is first afforded the right to life and survival. This accords with my Delegation’s understanding of the Convention’s definition of the term “child”, which article 1 addresses with an explicit terminus ad quem of 18 years and a terminus a quo implicit in the preamble’s clear reference to the child’s rights “before and after birth”.

It follows that each child must be accorded in the first place the right to be born. This is a right, moreover, which must be protected equally – without discrimination on any grounds, including those of sex or disability or policies dictated by eugenics. Thus, pre-natal diagnosis undertaken for the purpose of deciding whether or not the baby will be permitted to be born is inconsistent with the Convention, which my Delegation regards as the fundamental normative instrument on the rights of the child. The unborn baby is a member of our human family and does not belong to a “sub-category of human beings”.

Mr Chairman:

My Delegation takes a holistic view of both health and education, identified by this year’s Secretary General’s Report as fundamental to the State’s obligations. As the Secretary General acknowledged in his previous year’s Report (A/67/225, paragraph 41): health “extends beyond the physical and mental well-being of an individual to the spiritual balance and well-being of the community as a whole”. This includes the duty to take concrete steps to support parents in their proper role of raising their children, so that, as the Declaration of the Rights of the Child asserts, each child may be given “opportunities and facilities, by law and by other means, to enable him [or her] to

¹ ad para. 68 a.
² ad para. 57.
develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity.”

Mr Chairman:

My Delegation concurs with the Report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/68/275), that prevention is a key aspect for the protection of children from sale and sexual exploitation. In this regard, the Report devotes significant attention to the indispensable role of the family for the protection of children. Indeed, “The family represents the first layer of a protective environment”. Parents, in the first instance, have the responsibility to secure the conditions of living, necessary for the child’s life, survival and development.

States have the duty to protect, support and strengthen the family for the best interests of the child. This is all the more important – as the Report observes – given that poverty, unemployment, disease, disability and difficulty in accessing social services as a result of discrimination and exclusion may affect the ability of parents to care for their children; and that mental or behavioural disorders, conflicts, substance addiction and domestic violence may weaken the ability of families to provide a harmonious and safe environment and make children more likely to engage in risky behaviours.

Mr Chairman:

While protection of the rights of children begins with full respect for children themselves at all stages in their development, from conception onwards, parents, for their part, possess an indispensable role in their formation and education, and the family is the proper place for their development, as the Secretary General’s Report acknowledges. Defence of the rights of the child requires, as its necessary corollary, defence of the family, for which the societal benefits are obvious: it is the family, not the State, that houses our children, feeds them, instructs them, and raises the next generation of society.

When it comes to the upbringing and education of children, therefore, the provisions of the Convention cannot disregard the specific rights and responsibilities of parents. The Convention perfectly reflects the Universal Declaration of Human Rights, which in its preamble privileges parents’ “prior right” (article 26.3) in the education of their children – which is to say, a right prior to that of the State or other actors – especially in the important area of religious liberty which includes human sexuality, marriage and the statute of the family.

With specific regard to “physical, mental, spiritual, moral and social development” (article 27, CRC), the Convention (article 18.1) similarly privileges parents with the “primary responsibility” for their children’s upbringing. These rights and responsibilities of parents in international law are the

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3 ad para. 36
4 cf. articles 6 and 27 of CRC
5 ad para. 37
6 ad para. 61.
bulwark of their fundamental right to freedom of religion (art. 14, CRC) in regard to which parents are entirely entitled to choose schools “other than those established by the public authorities, [inclusive of home schooling], which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their child [...] in conformity with their own convictions” (art.13.3, ICESCR).

Mr Chairman:

In light of the recent output of the Committee on the Rights of the Child, my Delegation would like to address some elements of General Comments 14 and 15. These Comments, my Delegation must point out respectfully, represent only the opinions of the Committee; they do not constitute agreed language and lack all force of judicial precedence. Whatever is contained within them that is not consistent with the normative text of the Convention and other international instruments constitutes a disservice to the best interests of children. Expressions such as “sexual orientation” or “gender identity” (General Comment No. 14 [2013], par. 55, and No. 15 [2013], par. 8)), on which no international juridical consensus exists, are used spuriously and very unfortunately in these Comments. The recommendations, for example, States submit children to education and direction on sexual health, contraception and so-called “safe” abortion (par. 31) without the consent of their parents, caregiver or guardian; abortion be promoted by States as a family planning method (par. 54, 56, 70), and so-called “sexual and reproductive health information or services” be provided by States, irrespective of providers’ conscientious objections (par. 69). Such recommendations are particularly reprehensible. No abortion is ever “safe” because it kills the life of the child and harms the mother.

The Holy See strongly urges the Committee to revise its General Comments in conformity with its guiding international instruments: beginning with the Convention itself, which affirms the right to life of the child, “before as well as after birth” (Preamble, par. 9), the right of conscience, and full respect for the rights, responsibilities and duties of parents regarding their children; and including also the explicit affirmation by the International Conference on Population and Development (ICPD) that abortion should never be promoted as a family planning method (par. 7.24).

Mr Chairman:

My delegation calls upon the international community to uphold the clear principles of one of the most ratified Convention’s in international law, so that they will do their part in promoting openness to the gift and richness of life which the child represents, and thus foster the common good of all persons, the attainment of which remains “the sole reason for the existence of civil authorities.”

Thank you, Mr Chairman.

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7 CRC, Article 14; cf. also UDHR, Article 18 and ICCPR, Article 18
8 CRC, Articles, 3, 5, 7, 9, 14, 18, 27, and 29; cf. also UDHR, Article 26,3 and ICCPR Article 18,3
9 John XXIII, Encyclical Pacem in terris, 54