

# The Convention on the Rights of the Child: An Introduction to an International Treaty

U.S. Fund for UNICEF Youth Report  
The State of the World's Children Special Edition



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## REFERENCES

Unless stated otherwise, the source for all charts, figures, maps, and statistics used in this report is: United Nations Children's Fund, *The State of the World's Children Special Edition, Celebrating 20 Years of the Convention on the Rights of the Child*, UNICEF, New York, November 2009. Additional sources are noted when they are required. The UNICEF report can be downloaded for free, in the Adobe Acrobat PDF format, at: <http://www.unicef.org/rightsite/sowc/fullreport.php>.

Website addresses (URLs) are provided throughout this report for reference and additional research. The authors have made every effort to ensure these sites are up-to-date at the time of publication, but availability in the future cannot be guaranteed.

# Welcome!

Each year, UNICEF publishes *The State of the World's Children* (SOWC), a detailed report examining a significant issue relating to worldwide conditions affecting children. The SOWC Special Edition examines the Convention on the Rights of the Child, a treaty that was adopted by the United Nations General Assembly in 1989 and has since been ratified by 193 countries. The U.S. Fund for UNICEF's Education Department is pleased to make available this summary of the SOWC Special Edition, which will provide further information and lessons to learn about the importance of the Convention on the Rights of the Child.

Much of the groundwork to meet the agenda for action related to children's rights is already in place. National governments are increasingly adopting recommendations from the Committee on the Rights of the Child, the body entrusted with **monitoring** the **implementation** of the Convention on the Rights of the Child, and there have been measurable gains in children's rights over the past 20 years in many countries.

Building upon the annual Youth Report series of 2008, "Child Survival: A Global Challenge," and the 2009 "Maternal and Newborn Health: A Global Challenge," the Special Edition Youth Report is an introduction to UNICEF's overall guiding principles for the survival and development of children around the world. Included in this Youth Report is a Summary of the Convention on the Rights of the Child articles as well as a timeline of the **evolution** of international standards on child rights. To access the previous years' series of SOWC Youth Reports and classroom resources, visit [www.teachunicef.org](http://www.teachunicef.org).

This report will help answer the following questions:

- What is the Convention on the Rights of the Child?
- What is the impact of an international treaty on a country, its laws and policies, and its citizens?
- What are UNICEF and its partners doing to ensure the Convention on the Rights of the Child is implemented effectively?

## WHAT IS UNICEF?

UNICEF, the United Nations Children's Fund, was created in 1946, one year after the United Nations was founded. From the beginning, UNICEF set out to change the world by meeting the needs of children and those who care for them. Initially the organization provided food, clothing, and healthcare to children in Europe and China who were in desperate need following World War II. UNICEF later broadened its **mandate** to meet the long-term needs of the world's children. UNICEF implements programs in more than 150 countries and territories around the world.

UNICEF makes a difference in the lives of children who are poor, sick, living with violence, or suffering discrimination by working with governments and other decision makers. Its work is entirely funded through **voluntary** contributions from caring individuals, nongovernmental organizations, and governments that recognize the importance of its mission.

UNICEF is unique. Many organizations help children in need. When UNICEF speaks, world leaders listen. It has the global authority to turn **innovative** ideas for children into reality.

## WHAT DOES UNICEF DO?

**Gives children the best start in life:** UNICEF develops health and nutrition programs to give young children the best start in life. Children's well-being depends on their mothers' good health. The organization acts to ensure that pregnant women have access to proper nutrition, **prenatal** care, and a safe delivery.

**Helps children survive and thrive:** UNICEF acts to make sure that children survive and thrive all the way to adulthood. Prevention of childhood diseases is a big part of the organization's work. By immunizing children against common diseases and making sure children are well nourished, UNICEF provides simple but effective protection against major threats to their survival and well-being. It also acts to ensure that safe water and basic sanitation are available to children and those who care for them.

**Promotes education for all:** Education is crucial to a child's development. UNICEF supports programs that educate children from preschool age through adolescence. UNICEF knows that children who have a good education are more likely to become good thinkers, good citizens, and good parents to their own children. Special efforts are made to give girls and boys equal learning opportunities.

**Creates protective environments:** UNICEF believes that no child should be exposed to violence, abuse, or **exploitation**. The organization helps create protective environments that **fortify** children against abuse the same way that good nutrition and adequate healthcare fortify them against disease. UNICEF strives for peace and security, and works to hold governments and leaders accountable for the promises they make to children.





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Senegal, 2004

A girl smiles, standing among other girls who have assembled to welcome UNICEF Goodwill Ambassador Harry Belafonte at the Ndiareme B Primary School in the district of Guediawaye in the region of Dakar. UNICEF and other partners are supporting teacher training, adult literacy classes and parent and community participation in classroom construction.

**Provides help during emergencies:** Conflict and natural disasters have a fierce effect on children, putting their health and well-being at risk. UNICEF supplies food, water, and healthcare to children caught in conflict. Even in times of war, it is crucial that children attend school and have safe places to play and learn.

**Encourages authentic and meaningful child participation:** UNICEF encourages children to make their views on the issues that affect them known. Participation also involves adults listening to children's multiple and varied ways of communicating. Engaging children in dialogue and exchange allows them to learn constructive ways of influencing the world around them.

# I. Introduction: Laying The Groundwork

On the 20th of November, 1989, the Convention on the Rights of the Child (Convention or CRC) was adopted by the **United Nations General Assembly**. As of 2009, the document has been ratified by 193 countries. The Convention's influence is spreading across continents and regions, countries and communities, and it will clearly remain the children's **Magna Carta** for decades — possibly even centuries — to come.

The Magna Carta was written by a group of English nobles who then threatened the oppressive King John to sign it or face civil war. The rights granted by this document included prohibiting the king to imprison the nobles without a trial by jury, and limiting his ability to tax them. Although at the time it only applied to the nobility and not to common people, most historians agree that it greatly influenced the authors of later human rights documents.

When ratified in 1989, the Convention on the Rights of the Child took its own rightful place in history among other international documents defining human rights. These included the international treaties known as the Geneva Conventions of 1864, 1906, 1929, and 1949 and the Universal Declaration of Human Rights adopted and proclaimed by the United Nations General Assembly in 1948. The Universal Declaration, together with the International Covenants on Civil and Political Rights, and on Economic, Social and Cultural Rights, both adopted in 1966 and in force since 1976, define the framework for human rights that we have today.

Other important human rights instruments include the 1965 Convention on the Elimination of All Forms of Racial Discrimination and the 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Both represent significant points in combating the inequities that have held back human progress for centuries, and helped to lay the groundwork for a world of greater fairness and justice.

The Convention emphasizes the fundamental role of the family in the growth and well-being of children. It recognizes that a loving, harmonious, and happy family environment is critical to the full development of children. It insists that the family should be given all the means necessary to fulfill its responsibilities to children.

*The State of the World's Children: Celebrating 20 Years of the Convention on the Rights of the Child* report addresses three questions:

1. What difference has the Convention made to the lives of children over the past two decades?
2. What is its role and relevance now in the face of the worst economic crisis in 90 years?
3. What role can it have over the next 20 years and beyond?

**The Convention is made up of three parts, consisting of 54 articles. It also has two Optional Protocols. To read more about the Convention and the Optional Protocols, visit: [www.unicef.org/crc/index\\_30160.html](http://www.unicef.org/crc/index_30160.html).**

## II. How Far We Have Come: Evolution of Child Rights and the United Nations



Photo Credit: a1-008, League of Nations Archives, UNOG Library

League of Nations, First Assembly, Geneva, 1920

In the earliest times, laws regarding children often stressed obedience to parents. Children were generally required to work as soon as possible to supplement family income and were not seen as having particular needs or rights. It would take hundreds of years before laws would begin to include punishments for the mistreatment of children. It was really not until the 19th century that an important shift came about in laws regarding children's rights.<sup>1</sup>

After the Romantic movement of the late 18th and early 19th centuries a more positive view of childhood began to gain international acceptance. Throughout the 19th century, **philanthropists** and social reformers advocated for the welfare of homeless children and the need for public education. The demand for universal education, which began to grow stronger around the turn of the 20th century, also played its part in reducing child labor. Despite these developments, a belief in the idea of "child rights" was still relatively undeveloped, and efforts on behalf of children were generally regarded as acts of charity.

After World War I newly formed international organizations began to articulate codes of human rights. However, many of the international laws introduced between the world wars did not clearly specify rights for children as different from those of adults.

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<sup>1</sup> Bel Geddes, Joan, *Childhood and Children: A compendium of customs, superstitions, theories, profiles and facts*, Oryx Press, 1997, pp.9–13.



The first formal attempt to define child rights by the international community came out of the work of Eglantyne Jebb, who founded the Save the Children Fund in England in 1919. Save the Children International drafted a **concise** Declaration asserting child rights and persuaded the **League of Nations** to adopt it word for word on September 26, 1924, as the Geneva Declaration of the Rights of the Child.

The League's **endorsement** of this declaration was critical because it emphasized the need for a separate declaration of child rights, rather than assuming these would be taken care of within the broad range of international human rights proclamations already in place. The 1959 UN Declaration on the Rights of the Child placed stronger emphasis than ever before on children's emotional well-being, and asserted children's rights to be "among the first to receive protection and relief" in emergencies.

During the 1960s and 1970s, the movement for child rights was strongly rooted in the work of nongovernmental organizations (NGOs). The NGOs encouraged the UN to declare 1979 as the International Year of the Child in an attempt to raise the profile of children's issues. The Convention on the Rights of the Child was adopted by the UN General Assembly on November 20, 1989 — exactly 30 years after the 1959 UN Declaration on the Rights of the Child had been accepted. Its historical significance was affirmed almost immediately when, on the day that it was opened for endorsement in January 1990, 61 countries signed.

### The Evolution of International Standards on Child Rights

<b>1924</b>	The League of Nations adopts the Geneva Declaration on the Rights of the Child. The declaration establishes children's rights to means for material, moral and spiritual development; special care when sick, disabled or orphaned; first call on relief when in distress; freedom from economic exploitation and an upbringing that instills a sense of social responsibility.
<b>1948</b>	The UN General Assembly passes the Universal Declaration of Human Rights, which refers in article 25 to childhood as "entitled to special care and assistance."
<b>1959</b>	The UN General Assembly adopts the Declaration on the Rights of the Child, which recognizes rights such as freedom from discrimination and the rights to a name and nationality. It also specifically enshrines children's rights to education, health care and special protection.

<b>1966</b>	The International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights are adopted. The covenants advocate protection for children from exploitation and promote the right to education.
<b>1973</b>	The International Labour Organization adopts Convention No. 138 on the Minimum Age for Admission to Employment, which sets 18 years as the minimum age for work that might be hazardous to an individual's health, safety or morals.
<b>1979</b>	The UN General Assembly adopts the Convention on the Elimination of All Forms of Discrimination Against Women, which provides protection for the human rights of girls as well as women. It also declares 1979 as the International Year of the Child, which sets in motion the working group to draft a legally binding Convention on the Rights of the Child.
<b>1989</b>	The UN General Assembly unanimously approves the Convention on the Rights of the Child, which enters into force the following year.
<b>1990</b>	The 1990 World Summit for Children adopts the World Declaration on the Survival, Protection and Development of Children, along with a plan of action for implementing it in the 1990s.
<b>1999</b>	The International Labour Organization adopts Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
<b>2000</b>	The UN General Assembly adopts two Optional Protocols to the Convention on the Rights of the Child, one on the involvement of children in armed conflict, the other on the sale of children, child prostitution and child pornography.
<b>2002</b>	The UN General Assembly holds a Special Session on Children, meeting for the first time to specifically discuss children's issues. Hundreds of children participate as members of official delegations, and world leaders commit themselves to a compact on child rights, 'A World Fit for Children.'
<b>2007</b>	The five-year follow up to the UN General Assembly Special Session on Children ends with a Declaration on Children adopted by more than 140 governments. The Declaration acknowledges progress achieved and the challenges that remain, and reaffirms commitment to the World Fit for Children compact, the Convention and its Optional Protocols.

### III. Where We Stand: Core Principles of the Convention

The Convention is more than a treaty with a monitoring arm; it is a far-reaching agreement, also known as a treatise, on the moral and practical need for the care and protection of children. The Convention defines common standards, yet at the same time makes clear that to ensure ownership, each country must seek its own way of implementing the treaty.

A committee of 18 independent experts is entrusted to monitor the implementation of the Convention and its Optional Protocols. Guidance for national implementation is based on four core principles. These four principles listed below, are also four articles in the Convention:

- Nondiscrimination, or universality (Article 2)
- Best interests of the child (Article 3)
- Right to life, survival, and development (Article 6)
- Respect for the views of the child (Article 12)

**Nondiscrimination, or universality (Article 2):** Article 2 upholds that “State Parties shall respect and ensure the rights set forth in the present Convention to each child within their [area of authority] without discrimination of any kind, [regardless] of... race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.”

The principle of nondiscrimination is of great importance when considering, for example, the situation of a child living with a disability, or who is an undocumented migrant. Children must also be protected from discrimination based on the beliefs of their parents, other family members, or legal guardians.

**Best interests of the child (Article 3):** Article 3 states that in “all actions concerning children the best interests of the child shall be a primary consideration.” This second key principle supports the legal protection of children. The “best interests” principle requires that any act of government or other **stakeholder** ought to be reviewed for its possible or real impact on children. This has proved to be a vital guiding influence on laws, plans, policies, and programs in support of child rights.

**Right to life, survival and development (Article 6):** Article 6 holds that “every child has the inherent right to life” and that “States Parties shall ensure to the maximum extent the survival and development of the child.” This third core principle of the Convention insists upon access to necessary services that will give all children the best possible chance of developing to their full potential. The right to life can be understood in two related ways: the child’s growth and development as part of a biological process; and the child’s status as a member of the public whose well-being forms part of social progress.

**Respect for the views of the child (Article 12):** Rather than being affirmed by one specific article of the Convention, children’s right to have their views heard and respected in matters concerning them — according to their age and maturity — is guaranteed by a wide range of provisions. Arguably the most critical is Article 12, which holds that “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.” This principle applies in any legal undertaking affecting them. But, beyond that, the child has rights to a series of civil freedoms, including freedom of expression (Article 13), thought and religion (Article 14), association/assembly (Article 15), and access to information (Article 17).

The Preamble to the treaty recognizes that the family, as the fundamental group of society and the national 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.

## IV. What Has Happened?: The Impact of the Convention

The Convention on the Rights of the Child is not only a historical document; it is also a living reality. It continues to guide people all over the world, as they strive to deal more sensitively and fairly with children. It serves as a guide for parents, teachers, doctors, police officers, and government officers — in short, anyone who is charged with the responsibility for children's welfare and protection.

The full impact of the Convention cannot be precisely measured, because there is no broad agreement on how to measure its influence on the full range of attitudes, practices, and outcomes that affect children's survival, development, and well-being. It is possible, however, to examine the evidence available on these areas since 1990, and to form a general assessment on the extent to which the Convention's articles are being implemented, and how consistently and fully.

One way to measure the impact of the Convention is to consider the extent to which its core principles and other articles have been written into countries' constitutions or laws. The rights of children are not always specified in national constitutions and other laws — often because these documents were written long before child rights were defined by the Convention.

The Convention has been directly incorporated into national law across the world. A recent UNICEF study showed that two-thirds of the 52 countries reviewed had directly incorporated the Convention. For example, in accordance with the best-interests principle (Article 3), Slovenia recognizes the right to nationality as well as access to public services for stateless children. Ethiopia has incorporated elements of the Convention into the 2000 family code and the amended 2004 **penal code**. Legislation on child protection in Indonesia and Turkey also reflect the Convention's principles. Since the Convention's emergence, many countries in Latin America, Central and Eastern Europe and the Commonwealth of Independent States — including Belarus, Colombia, Costa Rica, Ecuador, the Czech Republic, Guatemala, Honduras, Nicaragua, Paraguay, Romania, and Ukraine — have adopted new children's codes that reflect the treaty's principles.

Integrating the Convention's principles into national legislation is not a guarantee that child rights will be taken seriously by governments. The success of legislation depends not only on its limits, but also on enforcement and changes in the attitudes and behaviors of society. It is clear in many countries that the realities experienced by children do not match the rights that are guaranteed by national legislation. In India, for example, the minimum age for marriage for females is 18, yet both national and international estimates show a significant proportion of girls are married before this age.



## V. Who We Are: Perspectives on the Convention

The Convention on the Rights of the Child sets the standards for the care, treatment, and protection of all children. Interpreting these standards and applying the measures required to realize the rights they protect relies on the actions of all those involved in a child's life, including parents, families, and communities, civil society and the media, governments and international agencies, the private sector, advocates and activists, individuals and institutions, and children, adolescents and other young people.

The perspectives of these stakeholders on the meaning and value of the Convention can influence them to apply its principles in their countries, communities, societies, households, and organizations. Although all those in favor of the Convention on the Rights of the Child have a common goal — realizing the rights of all children, everywhere, at all times — how they achieve this goal will vary greatly, based on the diversity among the individuals, organizations, and the cultures that have made this their mission.

To mark the 20th anniversary of the Convention, *The State of the World's Children* invited contributors from a variety of stakeholder groups to give their perspective, in a thousand words or less, on what the Convention means to them and what they consider to be some of the critical issues it faces in the 21st century. Essays by Om Prakash Gurjar, a student activist from India; Ishmael Beah, a UNICEF Advocate for Children Affected by War and former child soldier from Sierra Leone; and Awa N'deye Ouedraogo, former member and Chair of the UN Committee on the Rights of the Child have been included. As you read we encourage you to compare their reactions and thoughts.

**The full series of essays is available on the UNICEF website at [http://www.unicef.org/rightsite/364\\_366.htm](http://www.unicef.org/rightsite/364_366.htm).**



**Om Prakash Gurjar** was born in Dwarapur village of Alwar district, Rajasthan, to a family of bonded labourers. For many years, he was forced to work on the farm of the landlord as a bonded labourer. After being liberated with the help of Bachpan Bachao Andolan in 2002, he was educated and trained at Bal Ashram. Om Prakash has helped liberate many of the children of his village from child servitude and helped them enrol in school. He has emerged as an unparalleled warrior for child rights and was awarded the International Children's Peace Prize in 2006. At present, he is a young Bachpan Bachao Andolan activist and a student in the 11th grade.

## My Identity, My Rights: From Child Labourer to Child Rights Activist

By Om Prakash Gurjar

In the village in India where I was born and raised, the notion of child rights does not exist. Our parents rear us through their hard work with duty and determination. If a family is able to save money, their children may be able to attend school. More often, however, the children have no option but to join their parents in farming and caring for cattle.

When boys are born, grandmothers stand at the threshold of the home and joyously beat a thali, metal plate, to announce the birth of a male child. In contrast, whenever a girl is born, the women of the family break an earthen pitcher at the entrance of the house. This act is also performed when there is a death in the family, and signifies to neighbours and village folk sadness that the child has been born a girl. The difference between a boy and a girl, and their respective value in home and by society, is clearly marked from the beginning.

I am the son of a father who once borrowed money from his landlord, who in return obliged him and my family to serve as bonded labourers. When I was five years old, before I could understand why I was compelled to work as a labourer, I was toiling on the landlord's farm. I worked with animals and crops, and wondered why I did not go to school like other children. Three years later, a group of activists of Bachpan Bachao Andolan, (Save the Childhood Movement) were travelling from village to village. Through outreach efforts to raise awareness about education and their campaigning against child servitude, they met me and other child labourers. Hearing them speak was the first time I realized that my childhood was being wasted, and that there were people who cared about saving it.

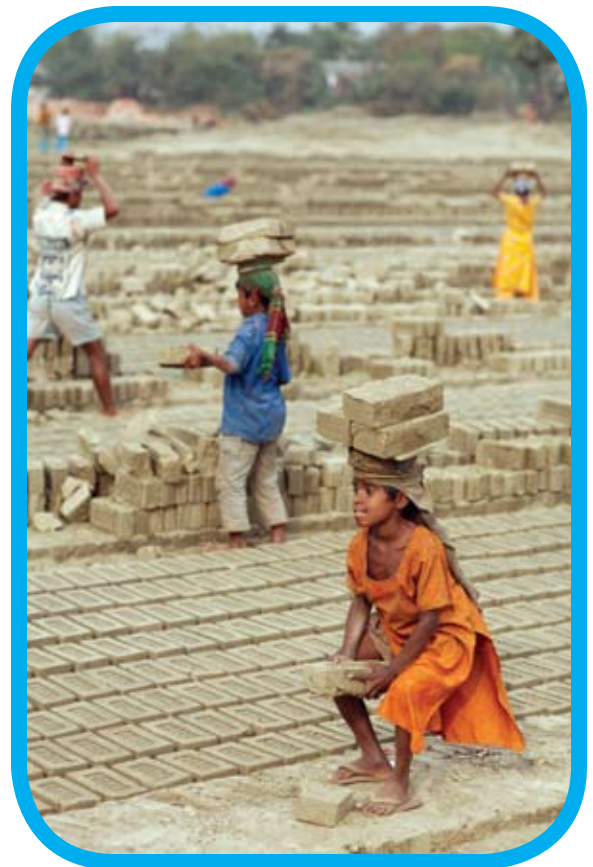
After getting to know our situation, the activists diligently worked to free us from bonded labour and child servitude. It was a difficult task, as neither our landlords nor our parents were prepared to consider that children had rights, or that there was anything wrong with child labour. At first, my parents shunned any kind of dispute. After much effort, however, the activists of Bachpan Bachao Andolan persuaded them to press for my release from servitude, and they also exerted pressure on the landlord to free me from service. Because of their dedication, I was eventually liberated.

***In India, to even have a chance of realizing child rights you must first be recognized by the law. This means that a child's own identity is the most significant factor in the cause of child rights.***

After leaving bonded servitude, I went to Bal Ashram, a child rehabilitation home in Rajasthan, devoted to educating and training liberated bonded labourers. From the moment I arrived at Bal Ashram, I understood what child rights are. For the first time I observed and realized that here was a place where children's voices are heard, their opinions considered, and decisions made after taking their opinion into account. There was a panchayat (assembly) of child members who represented the students' interests and concerns in meetings with the managers and instructors. Gradually, through our teachers and the other children at Bal Ashram, I came to understand there are laws to promote and protect children like us. I learned that these laws not only apply in India but also throughout the world. Through these laws the rights of children have been articulated, and it is the collective responsibility of all to implement the standards that the Convention on the Rights of the Child and other child rights instruments set forth.

During my education and training at Bal Ashram, I took the initiative to talk about child rights in my school and surroundings. After being freed from bonded labour I was eager for education and also to help spread awareness about the challenges facing children like me. The local public school where I studied charged a fee of 100 rupees. I had read that public schools are supposed to be free. I raised this issue to a local magistrate and demanded adequate action. A petition was put to the Jaipur Court, the high bench of the state of Rajasthan where I live. The court decided that the school was obliged to return the money to the parents. My case was cited by the Rajasthan State Human Rights Commission, and now in the state of Rajasthan schools are prohibited from taking money from parents. Recently, when I was involved in the action of liberating bonded child labourers from zari, or gold thread, factories together with the activists of Bachpan Bachao Andolan, I observed how callous the conduct of government officials was with the liberated children. When I asked them to follow the rules in the Convention, they appeared ignorant that such rules exist.

In India, to even have a chance of realizing child rights you must first be recognized by the law. This means that a child's own identity is the most significant factor in the cause of child rights. Knowing this, I encouraged children



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**An 8-year-old girl carries freshly moulded brick near Joydehpur on the outskirts of Dhaka, Bangladesh.**

from Dausa and Alwar Districts to claim their rights, and during birth registration campaigns, I assisted more than 500 children to formally register with the Government. Having a birth registration gives children rights both now and in the future.

Twenty years after the adoption of the Convention on the Rights of the Child, there is still little awareness of child rights in India, either among common people and even in many government organizations working for child rights. Although the Government of India has taken an initiative to safeguard child rights by setting up the Child Rights Protection Commission, its impact is yet to be fully felt. I believe that through the efforts of activists working for child rights all over the world, pressure must be exerted on the governments of the signatory nations of the Convention on the Rights of the Child to meet their obligations to children. Awareness must be raised on this issue, and countries must be made accountable for active implementation of child rights.

Source: *The State of the World's Children Special Edition*, pp. 38-39



**Ishmael Beah**, born in 1980 in Sierra Leone, is the author of best-selling *A Long Way Gone: Memoirs of a boy soldier*. He is UNICEF's Advocate for Children Affected by War, a member of the Human Rights Watch Children's Advisory Committee, co-founder of the Network for Young People Affected by War (NYPAW) and president of the Ishmael Beah Foundation. Beah has a bachelor's degree in political science from Oberlin College and lives in New York City.

## Child Rights: On the Right Path, But a Long Way to Go

By Ishmael Beah

The remarkable value of the Convention on the Rights of the Child may not always be fully appreciated in countries where child rights are not systemically threatened or abused. I came to understand the need for a specific, legally binding international instrument addressing child rights after living in Sierra Leone, a country that for many years was consumed by fear, death and the violation of human rights. As a child growing up during the civil war, I was forced to fight in the conflict that ravaged the social fabric of my home and society. Human rights violations were rampant, but through the work of organizations committed to the implementation of the Convention I was eventually freed from my involvement in the war. Later, after leaving Sierra Leone, I began working as an advocate for children affected by armed conflict. The Convention and its two Optional Protocols have become valuable tools for me in creating a strong advocacy platform to speak on the rights of children.

My introduction to the Convention occurred in the winter of 1996, during my first trip to the United States. I came to the United Nations to attend a conference organized by UNICEF and Norwegian People's Aid on the effect of war on children. This conference recognized the importance of including children in discussions of their rights and incorporated many of the principles identified in the groundbreaking Machel study on the impact of armed conflict on children launched that year.

During the conference I met 56 other children who had been directly impacted by armed conflict and who, like me, were being introduced to the child rights articulated by the Convention. I was 16 years old at the time, and I remember how this knowledge – particularly for those of us from war-torn countries – rekindled the value of our lives and our humanity. In that moment, I knew I would work as an advocate for children's rights, and my commitment to spread awareness on the Convention was born.

Before the Convention gained widespread acceptance in the 1990s, it was difficult and extremely rare for there to be public discussions about child rights. While there is undoubtedly much to be done in ensuring widespread implementation of the Convention, its entry into force has set the stage for the application of national-level monitoring



***The incorporation of many of the Convention's articles and principles into national legal structures gives children and youth hope that one day their rights will be realized.***

and accountability mechanisms. The incorporation of many of the Convention's articles and principles into national legal structures gives children and youth hope that one day their rights will be realized. During my travels throughout the world, I have seen that once children know these rights exist, they eagerly ask for them to be met, and they have expressed the value of having a common legal standard. Knowledge of the Convention's existence enables them to ask their governments to provide for their rights in concrete terms.

The Convention consists of 54 articles that encompass a broad range of economic, social, civil, cultural and political rights, all of which contribute to creating a powerful and comprehensive framework for child rights. My experiences, first as a child realizing my rights had been violated and now as an advocate for child rights, have convinced me there are specific articles that set a baseline of responsibility from which the other articles operate.

The first of these is article 6, which states that all governments must "ensure to the maximum extent possible the survival and development of the child." In places where human rights are not guaranteed, article 6 serves as a tool for lobbying on behalf of children, to remove them from war and to protect them from harm. It also provides a mandate to safeguard the development of children, which in war-torn countries often requires the presence and efforts of human rights workers. I benefited from the existence of aid workers in Sierra Leone, and from the rights embodied in this article.

My life has also been enriched by articles 12 and 13, which guarantee children and youth the right to express their views fully in matters affecting them, and "to seek, receive and impart important information" of all kinds and by all media. These articles have helped many children become active participants in finding solutions to problems that affect them. By encouraging children and youth to be outspoken through artistic mediums, and by including them on government and United Nations panels, officials are moving from looking at children's rights in abstract terms to seeing them as the deeply human struggles they are.

Articles 28 and 29, which articulate the right to education, also require special mention. In post-conflict nations, where refugees and internally displaced persons are struggling to rebuild their lives, children fiercely want an education. When children and youth engage in school, or informal learning, the chances of them being recruited for war or violence, for hard labour or exploitation lessen. Lack of education is a root cause of many of the injustices children suffer, and more must



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**Grade 4 students hold 'Window of Hope' certificates at the end of a life-skills education session at Ehenya Primary School in the northern Oshana Region, Namibia.**

be done to provide them with access to quality schools. This is particularly true for young girls, who often suffer the additional burdens of domestic labour, child marriage and early pregnancy, sexual violence and gender-based discrimination.

The work to fulfil child rights is not an easy task. But it is one that cannot be ignored. The Convention on the Rights of the Child demands that families, communities and governments acknowledge and meet their fundamental responsibilities to care for and protect the world's 2.2 billion children. While I believe the international community has come a long way in the implementation of the Convention, stronger child, youth and community participation is required to sustain success. Ultimately, children will determine the moral and ethical future of nations, and the world. Their voices must be heard.

Source: *The State of the World's Children Special Edition*, pp. 46-47



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## Ending Child Trafficking: Collaboration Is Key

By Awa N'deye Ouedraogo

The United Nations Convention on the Rights of the Child was the first international human rights agreement to explicitly protect children. The need for a legal acknowledgement of children's rights is so well agreed by States that, despite its relatively young age, the Convention is the most widely ratified international document in existence. Over the 20 years since its adoption by the UN General Assembly, the Convention itself has 'grown up' and, as the concept of child rights has solidified, the need to protect youth and adolescents has been increasingly recognized by governments and local and international organizations.

Greater recognition of the critical importance of child protection has resulted in the addition of two Optional Protocols to the Convention, enhanced monitoring of child rights, and the integration of the Convention into national legal systems. As we celebrate the 20th anniversary of the Convention, it is time to reflect on the changes it has engendered in the day-to-day lives of children throughout the world.

Implementation of the Convention is monitored by the Committee on the Rights of the Child. All States parties to the Convention are obliged to present reports to the Committee every five years, allowing it to analyse the treatment of children in their countries. Since the establishment of the Committee, which I chaired from 2000 to 2001, reports submitted by governments have shown that the Convention has generated positive and sustainable changes in the lives of many children in the world.

The Committee has found that, since the Convention's entry into force, large numbers of children now know that they have rights. This has allowed them to raise awareness about children's issues among their peers, parents and communities. Many of these children also understand how to claim their rights, and how to use this knowledge to combat maltreatment, exploitation and gender discrimination.

It is my experience that the Convention is the most important tool in protecting vulnerable children from a broad spectrum of political, social and economic injustices. In addition to increasing youth involvement in claiming their own rights, the Convention has also enabled States parties to provide funding and programmes that focus on youth and

*It is my experience that the Convention is the most important tool in protecting vulnerable children from a broad spectrum of political, social and economic injustices.*

adolescents. These efforts have resulted in the successful development of initiatives ranging from immunization programmes to providing specialized treatment for children living with HIV, education and health services, and improving access to water and sanitation supplies. Through these efforts, the physical well-being of children is enhanced, allowing for an increased focus on their mental, spiritual and emotional growth.

The Convention has resulted in measurable improvement in the treatment of the world's children, but there are several areas of child rights where much remains to be done. One critical issue is child trafficking – a gross violation of human rights that affects an estimated 1.2 million children every year. Traffickers take disadvantaged children from their families, often with the consent of parents, who unknowingly agree to uncertain promises in attempts to secure better futures for their children. Once children are caught in traffickers' nets, they are exposed to severe abuses, exploitation and violations of their fundamental human rights. They lack legal protection, and the separation from their families makes them extremely vulnerable to being forced into child marriage, prostitution, labour or armed conflict.

Conscious of the existence of these abuses, concerned governments are adopting measures to prevent and combat child trafficking. Unfortunately, these laws and policies have been unsuccessful in eliminating the practice. Traffickers are often aware of governments' antitrafficking efforts, and, in countries where they are enforced, the traffickers are able to circumvent them. A further tragedy of trafficking is that rescued children do not receive care and treatment that is sufficient or appropriate. They are normally sent back to their families without having been rehabilitated from their traumatic experiences, and may face stigma, discrimination, rejection and ostracism when they return home.

While many States parties have signed bilateral and regional agreements to combat child trafficking, these instruments lack proper monitoring and evaluation systems. Furthermore, without addressing poverty and unemployment, programmes to end trafficking will only provide short-term solutions to the exploitation of these children. To better combat child trafficking, governments should build on the legal and social mandates of the Convention, and review legislation with a comprehensive view to banning the practice.



**Government officials participate in a training session on the prevention of child trafficking at the Tihama Development Authority in the town of Hodeidah, Yemen.**

© UNICEF/NYHQ2007-1671/Giacomo Pirozzi

Additionally, information and sensitization programmes on the existence of child trafficking need to be directed towards the general public, with a special emphasis on educating vulnerable children. Perpetrators of trafficking must be swiftly punished, signalling to those who may abuse children that the world's governments take the issue of child protection seriously. By creating a holistic strategy to reduce and eliminate poverty, countries can also address the social determinants of trafficking and other forms of violence against children.

On the 20th anniversary of the Convention on the Rights of the Child, I launch an urgent appeal to all governments facing child trafficking to undertake bold and coordinated actions at national and international levels to put an end to the exploitation of the world's children. The continued practice of child trafficking is compromising the promotion of child rights and is undermining the achievements made since the Convention was ratified. It is my hope that through the combined efforts of governments, international organizations and individual citizens, genuine and effective promotion of child rights will be realized and child trafficking will be ended.

Source: *The State of the World's Children Special Edition*, pp. 54-55



## VI. Where We Are Headed: Challenges for the Convention In the 21st Century

Economic, climate, and population shifts threaten recent advances in child rights. The Convention on the Rights of the Child turned 20 years old in a unique period in history. The year 2009 was marked by the worst global financial crisis since the Great Depression 80 years earlier, which occurred from 1929 through the early 1940s.

The international economic context is important for child rights because it affects the ability of those entrusted to care and protect children to accomplish their goals. Strains on household, corporate, and government budgets threaten spending on services and **commodities** necessary for meeting children's rights to provision, protection, and participation.

The recent events will not threaten all of the gains in child rights of the past two decades. Some advances, particularly for individuals, are largely irreversible. For example, a child who has received a quality primary education has already acquired knowledge and abilities that will last a lifetime. Immunization already given to children provides them with longstanding, and often lifelong, protection from major diseases.

With sound leadership, **collaboration**, **advocacy**, and creativity among stakeholders, the uncertain outlook for the world's economy and environment can also become an opportunity for governments and stakeholders to recommit to the principles and articles of the Convention, work together to strengthen the gains of the past two decades, and create a supportive environment that will advance and protect child rights.

## VII. What Can We Hope For?: Opportunities

The world has a unique opportunity to dedicate itself to protecting and **nurturing** not only the physical and economic institutions, but also its most vulnerable citizens — children. The Convention on the Rights of the Child must have a central role in this rearrangement of priorities, based on four critical actions.

### **1. Make children’s best interests the primary test of whether the government of a country is doing a good job.**

Every aspect of governance can affect child rights. Whether decisions are related to taxation, trade, diplomacy, or debt, there is no such thing as a “child-neutral” policy, law, budget, program, or plan. The first challenge for a government is therefore to examine how its actions are affecting its children. The second is to ensure that a government’s budgets, policies, and programs apply the Convention’s principles in all of their features.

### **2. Develop capacities to realize children’s rights.**

Achieving the promise of the Convention will require contributions from every person and institution. All need to develop their ability to understand, respond to, and promote child rights. Concerted efforts must be promoted to enhance this capacity at all levels of government, particularly at the local level, where it is often most lacking. Professionals in fields as diverse as education, health, security, emergency services, and urban planning, among others, should be trained in child rights issues and made aware of their own responsibilities to protect those rights.

Families must be supported in their efforts to provide the assistance and protection required to meet child rights; in many cases, this includes enabling them to have access to quality essential services and educating them about better methods of healthcare and hygiene, and making sure they have a say in decisions that affect their lives.

It is imperative that children, as rights holders, know and understand their rights and are given the power to claim them. The Convention should be taught in schools, so that children can be advocates for themselves. Children also have responsibilities to other children under the Convention: Learning about their own rights includes recognizing and respecting the rights of others.

### **3. Support social and cultural values that respect the rights of children.**

The values and standards for the care, development, and protection of children that are described in the Convention are not always upheld by some traditions. Social and cultural practices such as a child marriage and discrimination all play a part in disrupting child rights. Denying children their rights on the basis of gender, ethnicity, disability, or any other discriminating factor is unacceptable.

### **4. Work together to meet the promise of the Convention for all children.**

Broad partnerships are vital to the acceptance and implementation of the Convention's principles and the rights it promotes. Collaborations in health, education, protection, and participation have expanded in recent years and can speed up progress on child rights and toward internationally agreed development goals. Greater collaboration is still required between national and international stakeholders, communities, local governments, and individual citizens. Governments must work together with donors, nongovernmental organizations, religious leaders, teachers, health providers, social workers, and politicians in order to meet the multiple challenges facing universal and comprehensive enactment of child rights.

The Convention on the Rights of the Child was long fought for and hard won. It is a precious document that charts a course to a world in which children's rights are fulfilled and in which all aspects of human well-being immeasurably improve as a result. As a global community, people must seize the opportunity to put the Convention's principles and provisions into practice. The great challenge for the next 20 years will be to make governments, individuals, and societies aware that they each have equal responsibility in making the vision of the Convention a reality for every child. In short, the Convention on the Rights of the Child must become a guiding document for every human being.

## VIII. What Can You Do?

Individuals can make a difference! By reading this report you have taken an extremely important active step: education. The more you know, the better informed you become to address areas you are passionate about. Now use this information to educate others. Consider discussing what you have learned in this report with your friends, family, and teachers, and talk about what the United States government must do to ratify the treaty. Use the knowledge gained along with the ratification process that needs to be followed as outlined below in the next section to promote a conversation and a framework for writing a letter in support of passage of the CRC to your elected official.

### U.S. Ratification of the CRC

In the United States, agreeing to a treaty requires several steps. First the President or a designated representative needs to sign the treaty; then the President submits the treaty to the U.S. Senate with explanations and interpretations of the treaty's provisions. The Senate must approve the treaty, or give its "advice and consent," by two-thirds majority. Only after that can the President formally ratify the treaty.

In the case of the CRC, President Clinton agreed to sign the treaty in February 1995; but it was never submitted to the Senate for consideration. It is important to note that while the U.S. has not ratified the Convention on the Rights of the Child, in 2002 two CRC Optional Protocols were ratified:

- The Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography
- The Optional Protocol on the Involvement of Children in Armed Conflict

The full text of both Optional Protocols can be read at <http://www2.ohchr.org/english/bodies/crc/>.

At the U.S. Fund for UNICEF, we know firsthand that Americans care deeply about conditions for children around the world and want to do whatever it takes to help reach the day when zero children die from preventable causes, zero children face exploitation or abuse, zero children grow up without an education. The U.S. Government reflects that American compassion in its support for child survival, education, and other important programs. The U.S. Government has not yet partnered with UNICEF in using the CRC as a tool to support children and families around the world. The fact that the United States is not party to the CRC keeps our Government from exerting the strongest possible leadership internationally to make a difference for the world's children.

Visit [www.unicefusa.org/crc](http://www.unicefusa.org/crc) for up-to-date information related to the CRC.

# Glossary

**Advocacy** the act or process of advocating or supporting a cause or proposal

**Collaboration 1:** to work jointly with others or together especially in an intellectual endeavor  
**2:** to cooperate with or willingly assist an enemy of one's country and especially an occupying force  
**3:** to cooperate with an agency or instrumentality with which one is not immediately connected

**Commodity 1:** an economic good: as **a:** a product of agriculture or mining **b:** an article of commerce especially when delivered for shipment <commodities futures> **c:** a mass-produced unspecialized product <commodity chemicals> <commodity memory chips> **2a:** something useful or valued <that valuable commodity patience>; *also:* **thing, entity b: convenience, advantage**

**Concise** marked by brevity of expression or statement: free from all elaboration and superfluous detail

**Consolidate 1:** to join together into one whole: **unite** <consolidate several small districts>  
**2:** to make firm or secure: **strengthen** <consolidate their hold on first place> **3:** to form into a compact mass *intransitive verb:* to become consolidated; *specifically:* **merge** <the two companies consolidated>

**Endorsement** the act or process of endorsing (to approve openly <endorse and idea>)

**Evolution 1:** one of a set of prescribed movements **2a:** a process of change in a certain direction: **unfolding b:** the action or an instance of forming and giving something off: **emission c(1):** a process of continuous change from a lower, simpler, or worse to a higher, more complex, or better state: **growth (2):** a process of gradual and relatively peaceful social, political, and economic advance **d:** something evolved

**Exacerbate** to make more violent, bitter, or severe <the proposed shutdown would exacerbate unemployment problems — *Science*>

**Exploitation** an act or instance of exploiting (to make use of meanly or unfairly for one's own advantage)



**Fortify** to make strong: as **a:** to strengthen and secure (as a town) by forts or batteries **b:** to give physical strength, courage, or endurance to <fortified by a hearty meal> **c:** to add mental or moral strength to: **encourage** <fortified by prayer> **d:** to add material to for strengthening or enriching <fortified milk>

**Implementation 1:** carry out, accomplish; especially: to give practical effect to and ensure of actual fulfillment by concrete measures **2:** to provide instruments or means of expression for

**Infanticide** the killing of an infant

**Innovative** characterized by, tending to, or introducing innovations

**League of Nations** political organization established by the Allied powers at end of World War I; replaced by United Nations 1946

**Macroeconomic** a study of economics in terms of whole systems especially with reference to general levels of output and income and to the interrelations among sectors of the economy — compare **microeconomics**

**Magna Carta 1:** a charter of liberties to which the English barons forced King John to give his assent in June 1215 at Runnymede **2:** a document constituting a fundamental guarantee of rights and privileges

**Mandate 1:** an authoritative command; *especially:* a formal order from a superior court or official to an inferior one **2:** an authorization to act given to a representative <accepted the mandate of the people> **3 a:** an order or commission granted by the League of Nations to a member nation for the establishment of a responsible government over a former German colony or other conquered territory **b:** a mandated territory

**Microeconomics** a study of economics in terms of individual areas of activity (as a firm, household, or prices) — compare **macroeconomics**

**Millennium Development Goals** In September of 2000 the largest gathering of world leaders in human history gathered for the Millennium Summit at United Nations headquarters in New York. In that pivotal year, representatives from 189 Member States of the United Nations met to reflect on their common destiny. The nations were interconnected as never before, with increased globalization promising faster growth, higher living standards and new opportunities.

These are the Millennium Development Goals (MDGs):

- |  |   |
|--|---|
| 1. Eradicate extreme poverty and hunger      | 5. Improve maternal health                          |
| 2. Achieve universal primary education       | 6. Combat HIV and AIDS, malaria, and other diseases |
| 3. Promote gender equality and empower women | 7. Ensure environmental sustainability              |
| 4. Reduce child mortality                    | 8. Develop a global partnership for development     |

Source: [www.unicef.org/mdg](http://www.unicef.org/mdg)

**Mitigate 1:** to cause to become less harsh or hostile: **mollify 2a:** to make less severe or **painful:** **alleviate b: extenuate**

**Monitor** to watch, keep track of, or check usually for a special purpose

**Nurture 1: training, upbringing 2:** something that nourishes: **food 3:** the sum of the environmental factors influencing the behavior and traits expressed by an organism

**Paradigm 1: example, pattern; especially:** an outstandingly clear or typical example or archetype **2:** an example of a conjugation or declension showing a word in all its inflectional forms **3:** a philosophical and theoretical framework of a scientific school or discipline within which theories, laws, and generalizations and the experiments performed in support of them are formulated; *broadly:* a philosophical or theoretical framework of any kind

**Penal code** a code of laws concerning crimes and offenses and their punishment

**Philanthropist** one who practices philanthropy (goodwill to fellow men *especially:* active effort to promote human welfare)

**Prenatal** occurring, existing, or performed before birth

**Stakeholder 1:** a person entrusted with the stakes of bettors **2:** one that has a stake in an enterprise **3:** one who is involved in or affected by a course of action

**Trafficking** (in persons) the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.

Source: adapted from United Nations Office on Drugs and Crime, UN.Gift, [www.ungift.org/ungift/en/humantrafficking/index.html](http://www.ungift.org/ungift/en/humantrafficking/index.html)

**Treatise** a systematic exposition or argument in writing including a methodical discussion of the facts and principles involved and conclusions reached <a treatise on higher education>

**United Nations General Assembly** established in 1945 under the Charter of the United Nations, the General Assembly occupies a central position as the chief deliberative, policymaking and representative organ of the United Nations. Comprising all 192 Members of the United Nations, it provides a unique forum for multilateral discussion of the full spectrum of international issues covered by the Charter.

It also plays a significant role in the process of standard-setting and the codification of international law. The Assembly meets in regular session intensively from September to December each year, and thereafter as required.

Source: [www.un.org/ga/about/background.shtml](http://www.un.org/ga/about/background.shtml)

All definitions from Merriam-Webster online at [www.Merriam-Webster.com](http://www.Merriam-Webster.com), unless otherwise noted.

# Summary of the Convention on the Rights of the Child

The following text is an unofficial summary of the Convention on the Rights of the Child. The full version of the Convention and its Optional Protocols can be found in the main report of *The State of the World's Children Special Edition: Celebrating 20 Years of the Convention on the Rights of the Child*, in the booklet *A World Fit for Children* and at [www.unicef.org/crc](http://www.unicef.org/crc).

## **Preamble**

The preamble recalls the basic principles of the United Nations and specific provisions of certain relevant human rights treaties and proclamations. It reaffirms the fact that children, because of their vulnerability, need special care and protection, and it places special emphasis on the primary caring and protective responsibility of the family. It also reaffirms the need for legal and other protection of the child before and after birth, the importance of respect for the cultural values of the child's community and the vital role of international cooperation in securing children's rights.

## **Article 1**

Definition of a child. A child is recognized as a person under 18, unless national laws recognize an earlier age of majority.

## **Article 2**

Non-discrimination. All rights apply to all children without exception. It is the State's obligation to protect children from any form of discrimination and to take positive action to promote their rights.

## **Article 3**

Best interests of the child. All actions concerning the child shall take full account of his or her best interests. The State shall provide the child with adequate care when parents, or others charged with parental responsibility, fail to do so.

## **Article 4**

Implementation of rights. The State must do all it can to implement the rights contained in the Convention.

### **Article 5**

Parental guidance and the child's evolving capacities. The State must respect the rights and responsibilities of parents and the extended family to provide guidance for the child that is appropriate to her or his evolving capacities.

### **Article 6**

Life, survival and development. Every child has the inherent right to life, and the State has an obligation to ensure the child's survival and development.

### **Article 7**

Name and nationality. The child has the right to a name at birth. The child also has the right to acquire a nationality and, as far as possible, to know his or her parents and be cared for by them.

### **Article 8**

Preservation of identity. The State has an obligation to protect and, if necessary, re-establish basic aspects of the child's identity. This includes name, nationality and family ties.

### **Article 9**

Separation from parents. The child has a right to live with his or her parents unless this is deemed incompatible with the child's best interests. The child also has the right to maintain contact with both parents if separated from one or both.

### **Article 10**

Family reunification. Children and their parents have the right to leave any country and to enter their own for purposes of reunion or the maintenance of the child-parent relationship.

### **Article 11**

Illicit transfer and non-return. The State has an obligation to prevent and remedy the kidnapping or retention abroad of children by a parent or third party.

### **Article 12**

Respect of the child's views. The child has the right to express his or her opinion freely and to have that opinion taken into account in any matter or procedure affecting the child.

### **Article 13**

Freedom of expression. The child has the right to express his or her views, obtain information and make ideas or information known, regardless of frontiers.

### **Article 14**

Freedom of thought, conscience and religion. The State shall respect the child's right to freedom of thought, conscience and religion, subject to appropriate parental guidance.

### **Article 15**

Freedom of association. Children have a right to meet with others, and to join or form associations.

**Article 16**

Protection of privacy. Children have the right to protection from interference with their privacy, family, home and correspondence, and to protection from libel or slander.

**Article 17**

Access to appropriate information. The State shall ensure the accessibility to children of information and material from a diversity of sources, and it shall encourage the mass media to disseminate information that is of social and cultural benefit to the child, and take steps to protect him or her from harmful materials.

**Article 18**

Parental responsibilities. Parents have joint primary responsibility for raising the child, and the State shall support them in this. The State shall provide parents with appropriate childraising assistance.

**Article 19**

Protection from abuse and neglect. The State shall protect the child from all forms of maltreatment by parents or others responsible for the child's care and shall establish appropriate social programmes for the prevention of abuse and the treatment of victims.

**Article 20**

Protection of a child without family. The State is obliged to provide special protection for a child deprived of the family environment and to ensure that appropriate alternative family care or institutional placement is available in such cases. Efforts to meet this obligation shall pay due regard to the child's cultural background.

**Article 21**

Adoption. In countries where adoption is recognized and/or allowed, it shall be carried out only in the best interests of the child, and then only with the authorization of competent authorities and safeguards for the child.

**Article 22**

Refugee children. Special protection shall be granted to a refugee child or to a child seeking refugee status. It is the State's obligation to cooperate with competent organizations that provide such protection and assistance.

**Article 23**

Disabled children. A disabled child has the right to special care, education and training to help him or her enjoy a full and decent life in dignity and achieve the greatest degree of self-reliance and social integration possible.

**Article 24**

Health and health services. The child has a right to the highest standard of health and medical care attainable. States shall place special emphasis on the reduction of infant and child mortality and on the provision of primary and preventive health care and of public health education. They shall encourage international cooperation in this regard and strive to see that no child is deprived of access to effective health services.

**Article 25**

Periodic review of placement. A child who is placed by the State for reasons of care, protection or treatment is entitled to have that placement evaluated regularly.

**Article 26**

Social security. The child has the right to benefit from social security, including social insurance.

**Article 27**

Standard of living. Every child has the right to a standard of living adequate for his or her physical, mental, spiritual, moral and social development. Parents have the primary responsibility to ensure that the child has an adequate standard of living. The State's duty is to ensure that this responsibility can be, and is, fulfilled. State responsibility can include material assistance to parents and their children.

**Article 28**

Education. The child has a right to education, and the State's duty is to ensure that primary education is free and compulsory, to encourage different forms of secondary education accessible to every child, to make higher education available to all on the basis of capacity and to ensure that school discipline is consistent with children's rights and dignity. The State shall engage in international cooperation to implement the right to education.

**Article 29**

Aims of education. Education shall aim at developing the child's personality, talents and mental and physical abilities to the fullest extent. Education shall prepare the child for an active adult life in a free society and shall foster in the child respect for his or her parents, for his or her own cultural identity, language and values, and for the cultural background and values of others.

**Article 30**

Children of minorities or indigenous populations. Children of minority communities and indigenous populations have the right to enjoy their own culture and to practise their own religion and language.

**Article 31**

Leisure, recreation and cultural activities. The child has the right to leisure, play and participation in cultural and artistic activities.

**Article 32**

Child labour. The child has the right to be protected from work that threatens his or her health, education or development. The State shall set minimum ages for employment and shall regulate working conditions.

**Article 33**

Drug abuse. Children have the right to protection from the use of narcotic and psychotropic drugs, and from being involved in their production or distribution.

**Article 34**

Sexual exploitation. The State shall protect children from sexual exploitation and abuse, including prostitution and involvement in pornography.

**Article 35**

Sale, trafficking and abduction. It is the State's obligation to make every effort to prevent the sale, trafficking and abduction of children.

**Article 36**

Other forms of exploitation. The child has the right to protection from all forms of exploitation prejudicial to any aspects of the child's welfare not covered in articles 32–35.

**Article 37**

Torture and deprivation of liberty. No child shall be subjected to torture, cruel treatment or punishment, unlawful arrest or deprivation of liberty. Both capital punishment and life imprisonment without the possibility for release are prohibited for offences committed by persons below age 18. Any child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so. A child who is detained shall have legal and other assistance as well as contact with the family.

**Article 38**

Armed conflicts. States shall take all feasible measures to ensure that children under 15 years of age have no direct part in hostilities. No child below 15 shall be recruited into the armed forces. States shall also ensure the protection and care of children who are affected by armed conflict as described in relevant international law.

**Article 39**

Rehabilitative care. The State has an obligation to ensure that child victims of armed conflicts, torture, maltreatment or exploitation receive appropriate treatment for their recovery and social reintegration.

**Article 40**

Administration of juvenile justice. A child in conflict with the law has the right to treatment that promotes the child's sense of dignity and worth, takes the child's age into account and aims at his or her defense. Judicial proceedings and institutional placements shall be avoided wherever possible.



## Article 41

Respect for higher standards. Wherever standards set in applicable national and international law relevant to the rights of the child are higher than those in this Convention, the higher standards shall always apply.

## Articles 42–54

Implementation and entry into force. These articles notably foresee:

- the entry into force of the Convention 30 days after its ratification or accession by 20 States;
- States parties' obligation to make the rights of the Convention widely known to both adults and children;
- the establishment of a Committee on the Rights of the Child to consider the reports that States parties are required to submit two years after they have ratified the Convention and every five years thereafter;
- States parties' obligation to submit said reports to the Committee on measures they have taken to fulfil the Convention and the progress being made in their implementation;
- States parties' obligation to make their reports widely known in their own countries;
- international cooperation in the field covered by the Convention achieved by inviting UNICEF and the specialized agencies of the United Nations — such as the International Labour Organization, the World Health Organization and United Nations Educational, Scientific, and Cultural Organization – along with 'competent' bodies such as non-governmental organizations in consultative status with the UN to attend Committee meetings and provide expert advice on areas within the scope of their activities, and by the Committee's referring to them States Parties' requests for technical advice and assistance;
- the Committee's right to recommend to the General Assembly that special studies be undertaken on specific issues relating to the rights of the child.

*The rights of the child articulated by the Convention are further reinforced by its Optional Protocols on the Sale of Children, Child Prostitution and Child Pornography, and on the Involvement of Children in Armed Conflict.*

Source: *The State of the World's Children Special Edition*, Executive Summary, pp. 10-12



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