

The United Nations

Convention on the Rights of the Child



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Convention on the Rights of the Child

Teacher Resource

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What Does Your Class Know?	p. 2
Facts and Figures: Human Rights and International Law.....	p. 3
Basic Facts about the CRC.....	p. 4
CRC: Personal Histories.....	p. 6
The CRC and the United States.....	p. 7
In the Classroom.....	p. 8
Words and Definitions.....	p. 9
Beyond the Classroom, References.....	p. 10
Appendix: Countries that have ratified the CRC.....	p. 11

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Contents and Contact

Convention on the Rights of the Child

QUESTIONS

- 1) What is a human right?
- 2) Who is considered a child?
- 3) What rights do you think you have as a child?
- 4) What kinds of things should you be allowed to do?
- 5) What benefits and care should your country guarantee?
- 6) Do children all over the world have their rights protected?
- 7) Have you ever felt your rights were violated? How did you feel?
- 8) Who makes international laws?
- 9) Who enforces international laws?
- 10) How many countries have agreed to the Convention on the Rights of the Child (CRC)?
- 11) Have you ever heard of the CRC?

What does your class know?



Convention on the Rights of the Child

“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.”

– Preamble to the CRC

Children’s rights are violated throughout the world every day...

- Between 15 and 20 million children are working as slaves at this moment
- An estimated 2 million children worldwide are commercially sexually exploited every year
- 300,000 children around the world are actively participating in more than 20 armed conflicts
- An estimated 25 million children and adolescents are currently uprooted from their homes; they make up nearly half of the refugee population worldwide
- There are an estimated 100 million children in the world who are living on the streets today
- An estimated 50 million births per year are unregistered, leaving those children without a nationality or protection of the state.

The Convention on the Rights of the Child recognizes each one of these practices as a violation of human rights, and obliges each government to work towards eliminating these practices within their own nation and throughout the world.

The Basics of INTERNATIONAL LAW

The United Nations Convention on the Rights of the Child is a piece of international law. The functions of international law include:

- Establishing and supporting the international system
- Providing legal rules to resolve multi-national disputes
- Instituting a basis for justice among international actors
- Helping to maintain peace internationally

A **convention** is a specific type of international law. It is an agreement or compact, especially among nations, usually created within an international organization such as the United Nations. The terms include an agreement to regulate issues in all involved countries.

Once a convention has been drafted, countries **sign, ratify, monitor, and enforce** its stated objectives.

Signing means that the country intends to ratify the convention at some point in the future.

Ratifying means that the country commits itself to ensuring that they meet the standards of the document produced at the convention.

Conventions outline their own **Monitoring and Enforcement** procedures. For the CRC, all ratifying countries must provide reports which include the status of child rights in their specific country. The Committee on the Rights of the Child then provides its report with recommendations for future compliance with the CRC. These reports are made available to the international community. While there are no specific consequences for violating the CRC, the threat of *international shame* seeks to ensure compliance.

Facts and Figures

Convention on the Rights of the Child

The United Nations Convention on the Rights of the Child lays out the rights of children and the standards to which all governments must aspire in order to protect and promote these rights. Unanimously adopted by the U.N. General Assembly on November 20, 1989; it has since been ratified by all of the world's governments, except Somalia and the United States of America. Somalia is currently unable to ratify because the international community does not recognize its government.

When governments ratify the CRC, they commit themselves to ensuring that children grow up in safe and supportive conditions, with access to high quality education and healthcare, and a decent standard of living. It means governments agree to protect children from discrimination, sexual and commercial exploitation, and violence, with particular attention given to orphans and young refugees.

The Basics:

- The best interests of the child should be a primary consideration whether protection is undertaken by public or private social welfare institutions, courts of law, administrative authorities, or legislative bodies of nations.
- All governments must ensure that a child is protected against all forms of discrimination and punishment.
- A child should have the right to survival and development. He or she should be protected from abuse and neglect in all forms.
- A child has a right to education, housing, healthcare, and all forms of mental and physical well-being.

“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.”

Preamble to the CRC

Some rights bestowed by the CRC:

Name and nationality (Article 7): You have the right to a name at birth. You also have the right to acquire a nationality and, as far as possible, to know your parents and be cared for by them.

Freedom of expression (Article 13): You have the right to express your views, obtain information, and make your ideas known.

Freedom of association (Article 15): You have a right to meet with others, and join or form associations.

Protection from abuse and neglect (Article 19): The state must protect you from all forms of maltreatment by parents or others responsible for your care, and establish appropriate social programs for the prevention of abuse and the treatment of victims.

Education (Article 28, 29): You have the right to an education. Discipline in schools should respect children's human dignity. Primary education should be free; wealthy countries should help poorer countries achieve this. Education should aim at developing your personality, talents and mental and physical abilities to the fullest extent. Education should prepare you for an active adult life in a free society and foster respect for your parents, your own cultural identity, language and values, and for the cultural background and values of others.

The right to leisure, recreation and cultural activities (Article 31): You have the right to engage in play and recreational activities and to participate freely in cultural life and the arts.

Basic Facts about the CRC

Convention on the Rights of the Child

The CRC also assures that children are protected from all atrocities which hinder their rights; therefore, the CRC also grants children protection from many things, including...

Child Labor
Drug Abuse
Sexual Exploitation
Sale, Trafficking and Abduction
Torture and Deprivation of Liberty
Armed Conflicts

Countries in which children are engaged in any of these activities are encouraged to address these issues immediately. By ratifying the CRC, they recognize the need to do so, and make the promise that they will protect their children in these dangerous situations.

Optional Protocols:

There are two optional protocols to the CRC. Each focuses on a specific form of child exploitation. Countries can sign and ratify these additions to supplement the original 52 Articles. By so doing, countries recognize the protocols as important instruments for the protection of children in their country and around the world.

1) Optional Protocol to the Convention on the Rights of the Child on the *involvement of children in armed conflict*.

2) Optional Protocol to the Convention on the Rights of the Child on the *sale of children, child prostitution and child pornography*.

Enforcing the CRC (Articles 42-52)

The CRC has a built-in monitoring and enforcement mechanism. While it has been criticized for being ineffective, it nevertheless involves many bodies intended to monitor each other through checks at different levels. The process of enforcement is as follows:

1. Countries sign the CRC. A signature means that they intend to ratify the document in the future. (All countries have signed the CRC).
2. Countries ratify the CRC. (All countries have ratified except for the U.S. and Somalia).
3. Countries must make these rights widely known to both adults and children.
4. The UN creates a Committee on the Rights of the Child composed of ten experts, which considers reports that States Parties to the Convention (the governments of the ratifying countries) must submit two years after ratification and every five years after that.
5. States Parties must make their reports widely available to the general public. (Other states parties and NGOs may also submit alternative reports.)
6. The Committee may propose special studies to be undertaken on specific issues. The proposals are then submitted to United Nations General Assembly, and to the States Parties.
7. All countries can and should help each other and employ the help of specialized non-governmental organizations like the United Nations Children's Fund (UNICEF) for consultation about the best course of action for implementation of the Convention.

Basic Facts about the CRC

Convention on the Rights of the Child

Why is the CRC Necessary?

The fact that most countries have ratified the CRC does not mean that children's rights are not violated. Governments still have a long way to go in order to enforce and ensure the human rights which they have recognized by ratifying the CRC. Here are some examples of current violations of children's rights around the world:

CAMBODIA

Cambodia ratified the CRC in 1992:

Sophak moved to Phnom Penh, Cambodia to live with her mother when she was 13 years old. In order to support her family, her mother asked her to work as a scavenger at the rubbish dump near their home. She spent as many as 10 hours a day digging through the rubbish in order to find recyclable material to sell. She had to be very careful because occasionally the garbage trucks would run over children and crush them in the garbage heaps. Sophak recognizes the danger of her work, and also that people look down on scavengers like her. (1)

The CRC states that the child has the right to be protected from work that threatens his or her health, education or development. (Article 32)

CHINA

China ratified the CRC in 1992:

Children and their parents who are members of the Falun Gong spiritual group are victims of religious persecution in China. Liu Qian was a twelve year old girl who began practicing Falun Gong as a form of therapy after she learned that she had leukemia. When she was well enough to go to school, the principal insisted that Liu Qian and her parents sign a pledge that she would stop practicing Falun Gong. When they refused to comply, Liu Qian was expelled from school. (2)

The CRC states that children have the right to freedom of thought, conscience and religion. (Article 14)

The United States of America

The United States of America has not yet ratified the CRC:

At twelve years old, Mark began working in the cotton fields of central Arizona, getting up at 3:00 a.m. and finishing work at 2:00 p.m. His entire extended family had worked in the field for years. "My dad started working when he was ten years old," Mark said. Like his dad, Mark missed a lot of school and eventually dropped out. He is now nineteen and struggles to catch up with his education.

The U.S. currently has no limitation on the number of hours per day children can work in agriculture. In all other occupations, children under sixteen are limited to a three-hour work day when school is in session. These occupations are usually safer than agriculture work. (3)

The CRC states that a child has a right to education. Primary education should be compulsory and available free to all, and secondary education should be available to all if possible. (Article 28)

(1) Invisible Children: Child Work in Asia and the Pacific, Bangkok, Thailand: International Save the Children Alliance, 1997.

(2) Boxun News Network, China, <http://www.peacehall.com/news/gb/english/2004/10/200410130949.shtml>

(3) Human Rights Watch: <http://www.hrw.org/reports/2000/fmwrkr/fmwrkr006.html>



CRC: Personal Histories

Convention on the Rights of the Child

The United States is one of only two countries which have not ratified the CRC...

Although there are numerous protections for children in the United States, there is still much which needs to be done in order to improve their standard of living, eliminate exploitation and abuse, and ensure their needs are met. For example, children do not at present have the *right* to an education and adequate healthcare. The CRC puts forth universal standards for these rights, and works with governments to set reasonable goals and objectives for reaching them.

There are multiple reasons for the delay of the United States in the ratification process:

- Unlike other countries, the United States claims that we must already be in compliance with a human rights treaty prior to ratifying it. Since we are not in complete compliance with several articles of the CRC, the U.S. Government will not sign the document at present.
- The federal government is also concerned that ratification of the CRC will require each state to be responsible for complying with the CRC, in areas where power is held by state government, such as education.
- Some fear ratification will lead to interference in parental childrearing by the United Nations. However, the CRC explicitly notes that parents have both priority and responsibility in raising their own children.

Where the U.S. is right now...

What has happened:

- In 1995, Madeline Albright signed the CRC on behalf of President Clinton, at his request.

What still needs to happen:

- The Convention needs to be reviewed by the Department of State and other governmental agencies.
- It will then go to the U.S. Senate for advice and consent.
- After two-thirds of the Senate agree to ratification, they will return the Convention to the President for approval.
- The President then needs to approve the treaty and then return it to the United Nations.

What would happen if the U.S. ratified the CRC?

U.S. ratification of the CRC would make the protection of children's rights a greater priority in our nation and the world. Quality education and healthcare would be recognized as a right, rather than just a priority. Children would be entitled to additional rights, in addition to a quality upbringing.

The participation of the United States in the CRC would also help ensure that other countries worldwide are meeting the standards of the Convention. Without U.S. ratification, the United States may not have involvement in the monitoring of other nations to ensure rights to their children. Thus, through ratification, the United States would improve the situation of children both within the United States and around the world.



Convention on the Rights of the Child

Discussion Questions

1. What rights does the CRC provide children?
3. How important do you think it is for the government to protect specifically the rights of its children?
4. Are children able to protect their own rights by themselves?
5. How would you feel if your rights were violated?
6. What new things did you learn about your own rights?
7. Are there any rights that you think should be added to the CRC?
8. What happens when a country ratifies the CRC?
9. If so many countries have signed the CRC, why are children's rights still being violated?
10. Do you think that the United States should ratify the CRC? Why or why not?
12. What might change if the United States were to ratify the CRC?
13. If you were in the United Nations, what would be your most important goal for children's rights?
14. Create your own questions.

Classroom Activities

- Break the class into groups and assign each group one area on which the CRC focuses.
 - a. Education (Article 28)
 - b. Parental responsibilities (Article 18)
 - c. Refugee children (Article 22)
 - d. Health and health services (Article 24)
 - e. Children in armed conflict (Article 38)
 - f. Child labor (Article 32)
 - g. Administration of juvenile justice (Article 40)

The students will teach their classmates about their given topic. Encourage them to use PowerPoint, slides, newspaper articles, video, etc. What does the CRC say about this right? What are some examples of violations of this right?

- Have students create a dialogue or script about how they would convince people to defend the rights of children. The students will be able to use the new vocabulary and demonstrate comprehension of the issues within the child rights community.

- Organize an awareness week. This can involve class presentations or a school assembly focusing on domestic and international children's rights.

Homework Activities

- Write letters to your congressman or senator expressing concern about the need to ratify the CRC.
- Make posters about rights granted by the CRC, and the consequences of the violation of those rights
- Research countries that have ratified the CRC; note any significant changes since ratification.

In the Classroom

Convention on the Rights of the Child

Glossary for Discussing the CRC

Convention (in legal terms)

A set of recommendations created by an international organization and voted into being by the member countries of that organization. By ratifying the convention, the signing countries agree to follow the values set forth in the document within their countries.

Rights

Something due to a person or governmental body by law, tradition, or nature; the powers to which one is entitled.

Nationality

A legal relationship involving allegiance on the part of an individual and usually protection and services on the part of the state.

United Nations

An international organization designed to maintain international peace and security; to develop friendly relations among nations; to cooperate in solving international economic, social, cultural and humanitarian problems and in promoting respect for human rights and fundamental freedoms; and to be a centre for harmonizing the actions of nations in attaining these ends.

Child

Anyone under the age of 18.

Refugee Children

Children who flee to a foreign country or power to escape famine, disaster, or persecution in their country of origin.

Discrimination

Treatment or consideration based on class or category rather than individual merit; partiality or prejudice.

Exploitation

An unjust use of another person for one's own profit or advantage.

Commercial Sexual Exploitation of Children (CSEC)

“It comprises sexual abuse by the adult and remuneration in cash or kind to the child or a third person. The Child is treated as a sexual object and as a commercial object. The commercial sexual exploitation of children constitutes a form of coercion and violence against children, and amounts to forced labor and a contemporary form of slavery,” (World Conference against CSEC). CSEC includes the activities of prostitution of children, pornography of children, and trafficking of children for sexual purposes.



Words and Definitions

Convention on the Rights of the Child

For More Information:

Full Text of the CRC

<http://www.unicef.org/crc/fulltext.htm>

Youth Advocate Program International
www.yapi.org

UNICEF
www.unicef.org

UN High Commission on Human Rights
www.unhcr.org

Amnesty International
www.amnesty.org

US Senate
www.senate.gov

US House of Representatives
www.house.gov

White House
www.whitehouse.gov

Campaigns to Ratify the Convention on the Rights of the Child...

Currently, many different organizations are working to gain ratification of the CRC in the United States. One such organization is the **Campaign for the U.S. Ratification of the Convention on the Rights of the Child**. This is a group of Non-governmental Organizations working together for child rights. They hope that their work will eventually ensure these basic human rights to children of the United States, and worldwide.

Campaign for the U.S. Ratification of the Convention on the Rights of the Child
www.childrightscampaign.org

Beyond the Classroom



Convention on the Rights of the Child

192 countries have consented to promote and protect basic human rights for children through ratification of the Convention on the Rights of the Child; these countries include:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua & Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus Republic, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia & Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi

Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Cook Islands, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominica, Dominican Republic, East Timor, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France

Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Holy See (Vatican City), Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg

Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Maritius, Marshall Islands, Mauritania, Mexico, Micronesia, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Nauru, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Macedonia, Republic of Moldova, Romania, Russian Federation, Rwanda

Saint Kitts & Nevis, Saint Lucia, Saint Vincent & the Grenadines, Samoa, San Marino, Sao Tome & Principe, Saudi Arabia, Senegal, Serbia & Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Tanzania, Thailand, Timor Leste, Togo, Trinidad & Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu

Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain & Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Vietnam, Yemen, Yugoslavia, Zambia, Zimbabwe

Appendix: Ratifying Countries

