

1. What is a right?

Rights are standards of living that all people should have. Rights include things like the right to life, the right to healthcare, and the right to education.

You cannot touch a right, but it is part of your humanity. Rights could be described as ideals or freedoms. As an ideal – everyone should have access to good healthcare and education. As a freedom – everyone is free to access healthcare and education when they want it or need it.

Access to rights does not depend on age, gender, language, religion, ethnicity, where you were born, eye colour, height, abilities or disabilities – rights are for everyone. Every person has equal importance and dignity.

2. What is the Universal Declaration of Human Rights?

The Universal Declaration of Human Rights is a United Nations international treaty which lists rights for all people. It was adopted in 1948, before the Convention on the Rights of the Child.

The Declaration was created after World War 2 (1939-1945) to ensure that people would be treated with dignity and no longer suffer the horrors that took place during the war. Adopted in 1948, the Declaration listed, for the first time, the rights that are common to all people. It has been translated into 360 languages and has resulted in the created of 80 other human rights declarations, treaties and conventions, including the Convention on the Rights of the Child.

3. What is the Convention on the Rights of the Child?

The Convention on the Rights of the Child is a United Nations international treaty that describes human rights for children.

The Convention on the Rights of the Child describes the civil, political, economic, social, health and cultural rights of children. It became the first legally binding international convention to affirm human rights for all children. It is the most rapidly and widely ratified international human rights treaty in history. The Convention was adopted by the UN General Assembly on 20 November 1989.

4. Why was the Convention on the Rights of the Child adopted?

Children need to be looked after differently to adults and the Universal Declaration of Human Rights didn't say enough about children.

Human rights apply to all age groups; children have the same general human rights as adults. However, world leaders recognised children needed a convention just for them, because people under 18 years old often need specific care and protection that adults do not. They also wanted to ensure children were no longer viewed as commodities or passive objects of charity, but as distinct holders of human rights.

5. How does the Convention on the Rights of the Child define a child?

A child is someone under 18 years old.

The Convention defines a child as a person below the age of 18, unless relevant national laws recognise an earlier age. In some cases, countries are obliged to be consistent in defining milestone ages, such as the age for admission into employment and completion of compulsory education. In other cases the Convention designates a specific age, such as prohibiting life imprisonment or capital punishment for those under 18 years of age.

6. Which countries are part of the Convention on the Rights of the Child?

Nearly all countries in the world have signed up to the Convention on the Rights of the Child.

There are 194 countries who are party to the Convention. A full list of countries that have ratified and acceded, including the date they did so, is available here: <http://ow.ly/z7t87>

7. How does a country agree to the Convention on the Rights of the Child?

To agree to the Convention, a country's government normally takes three steps.

1. First the government might **sign** the Convention which shows it agrees with it.
2. The government must make a decision to be part of the Convention and follow their own legal requirements to **make it law**.
3. They then write a letter to the United Nations to say they agree to be legally bound by the Convention – this is called **ratification**.

If a country did not sign the Convention they can still join it by going through steps 2 and 3 – this is called **accession**. A country that has ratified or acceded is called a **State party** to the Convention. Find out more about the process here: www.unicef.org/crc/index_30207.html

8. What is the Committee on the Rights of the Child?

The Committee on the Rights of the Child checks how countries follow the Convention on the Rights of the Child.

Governments that ratify the Convention or its Optional Protocols must report to the Committee on the Rights of the Child. These reports outline the situation of children in each country and explain the measures being taken to address children's rights there. The Committee is made up of 18 experts in human rights. Each member is elected for a term of four years.

9. What is an Optional Protocol?

Optional Protocols are sections added later on to improve the Convention on the Rights of the Child.

Optional Protocols are created to complement the existing convention and recognise new commitments governments need to respect. Optional Protocols, once ratified, carry the same strength as the convention and can be used in the same way.

The Convention on the Rights of the child has three Optional Protocols: the first addresses the rights of children who are in situations of armed conflict; the second addresses different forms of the sale and sexual exploitation of children; and the third has to do with a communications procedure and how children or their representatives can file a complaint to address the violation of their rights.

10. Is the Convention on the Rights of the Child enforceable?

Countries cannot be forced to follow the Convention or punished if they don't.

The Committee on the Rights of the Child can engage in activities to encourage implementation of their recommendations but it cannot force governments to act on any recommendations they make. This is because the Convention is a "non-self-executing treaty", meaning it does not grant any international body the right of enforcement.

11. Does the Convention on the Rights of the Child take away the rights of parents?

The Convention says that parents play a really important role in bringing up children, and governments should support them in doing that.

The Convention upholds the primary importance of the parental role and refers to it repeatedly throughout the document. It says governments must respect the responsibility of parents and caregivers for providing appropriate guidance to their children, including guidance as to how children shall exercise their rights. It also places on governments the responsibility to protect and assist families in fulfilling their essential role in nurturing children. However not all children are safe with their families – many experience physical, verbal or emotional abuse, and the Convention ensures that governments protect abused children.

12. Why does abuse and neglect of children's rights continue?

Not all people know about children's rights, understand children's rights or value children's rights. When families or communities face difficult situations it can affect what people value and how they treat others, especially children.

The reasons children's rights are not fulfilled are varied and complex. They are often linked with poverty and discrimination, family environment, and other civil, social and economic factors. Children are vulnerable to being treated poorly when they can't seek help easily without the support of adults around them. The Convention sets out the responsibilities of governments to establish systems to protect children. National legal frameworks are not always sufficient to guarantee rights, and implementation of the law remains a major challenge around the world. Getting the right laws, and the mechanisms and institutions for their implementation, is one of the most essential steps to meeting children's rights.

13. How does the Convention on the Rights of the Child guarantee a child's right to participate?

The Convention says children's opinions are important and children should have access to information so they can form opinions.

Article 12 of the Convention, together with the other key rights in the document, recognises children as active in exercising their rights. This right of active engagement has been broadly conceptualised as 'participation', although the term itself is not used. Participation can be defined as an ongoing process of children's expression and active involvement in decision-making at different levels in matters that concern them. It requires information-sharing between children and adults based on mutual respect, and requires full consideration of their views be given, taking into account the child's age and maturity.

14. Why is the right to participate so important?

When children help make decisions that affect them they learn important skills, and the decisions will be more relevant to their lives.

There is growing evidence that taking children's views and experiences into account – within the family, at school and in other settings – helps develop children's self-esteem, cognitive abilities, social skills and respect for others. The more children participate, the more effective their contributions and the greater the impact on their development. Children also have unique knowledge about their needs and concerns. Decisions informed by children's perspectives will be more relevant, more effective and more sustainable.