

Understanding the Convention on the Rights of the Child



Malawi – All children are protected by the Convention on the Rights of the Child, no matter their gender/sex, age, height, eye colour, language, religion, ethnicity, where they were born or live, abilities or disabilities.

Charles Kabena / World Vision 2014

Child Rights

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

Children need to be looked after differently to adults – they have different rights. Therefore in 1989, the United Nations (UN) adopted the Convention on the Rights of the Child. Since then significant steps have been taken to improve the lives of children all over the world.

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Why focus on children?

The nature of children, their age and their dependence on adults make them the most vulnerable members of a community. Therefore children need special protection. Most areas of government policy-making affect children in some way, but often their needs are not considered. Children's views are seldom heard or considered as part of political processes. Yet the wellbeing of children is vital for the future of any society. Around the world children are denied their rights. In every part of the world, children experience homelessness, violence and poverty. There are problems in wealthy countries as well as developing ones. In many countries, armed conflict, child labour and sexual exploitation affect the rights of children.

What is the Convention on the Rights of the Child?

The Convention on the Rights of the Child (1989) is an international treaty that recognises and promotes the human rights of children. The Convention is an agreed set of standards for the basic human rights of all children, regardless of gender, religion, social origin or where they were born. It sets standards in healthcare, education and legal, civil and social services. The standards are benchmarks for progress to be assessed.

The Convention has been ratified (legally adopted) by 114 countries – all except Somalia, South Sudan and the United States. After signing the Convention, some countries have recognised children's rights in their constitutions and others have passed specific legislation such as a children's code. Countries that ratify the Convention agree to work towards achieving all its standards. They are accountable

for this to the international community. Each country is required to report progress to the Committee on the Rights of the Child within two years of ratification, and then once every five years.



Indonesia – The right to education is both a survival and a development right.
Bartolomeus Marsudiharjo / World Vision 2012

The Committee consists of 18 experts on children's rights who are also of "high moral character". Each member is from a different country, and a variety of legal systems are represented. Members are elected for four years by the countries that have ratified the Convention.

► Legal status of the Convention in every country:

https://treaties.un.org/Pages/ViewDetails.aspx?mtmsg_no=IV-11&chapter=4&lang=en

History of children's rights

1919

Miss Eglantyne Jebb founds Save the Children Fund to provide relief for children affected by war and to promote children's rights.

1924

The League of Nations adopts the Geneva Declaration of the Rights of the Child, drafted by Miss Eglantyne Jebb.

1947

The United Nations creates the UN Fund for Urgency for the Children, which later becomes UNICEF.

1948

The United Nations adopts the Universal Declaration of Human Rights.

1959

The United Nations adopts the Declaration of the Rights of the Child, however, it did not commit governments to act on its principles.

1979

The International Year of the Child is held, starting ten years of negotiation to create an international standard (the Convention on the Rights of the Child) for the treatment of children.

1989

The United Nations adopts the Convention on the Rights of the Child and it becomes part of international law - it is binding on governments which ratify it.

1990

Seventy one world leaders meet in New York for the World Summit for Children.

2000

The United Nations adopts two Optional Protocols to give special protection: involvement of children in armed conflict and sale of children, child prostitution and child pornography. These came into force in 2002.

2011

The United Nations adopts an Optional Protocol which gives children a way to communicate/complain directly to the Committee on the Rights of the Child. This came into force in 2014.

What does the Convention say?

- Children are defined as being under 18 years old.
- Each child shall enjoy full rights without discrimination due to disability, ethnicity, gender or other grounds.
- The child's best interests shall be a primary consideration.
- Parents have joint and primary responsibility for raising their children.
- The country's government should support parents in child raising. It should provide special protection for children deprived of a family environment.

The Convention needs to be understood as a whole document, but broadly it outlines the obligations of governments to ensure that children's rights are recognised and protected in these key areas.

Civil rights and freedoms which include:

- the right to a name and a nationality
- the right to dignified treatment and legal assistance if in conflict with the law

Survival which includes:

- the right to life
- the right to an adequate standard of living and healthcare
- the right to education, recreation and cultural activity

Development which includes:

- the right to practise his or her own religion
- the right to speak his or her own language

Protection which includes:

- protection from physical and sexual abuse, hazardous work, drug use, torture and neglect
- protection/rehabilitation in situations of armed conflict

Participation which includes:

- the right to express an opinion
- access to information from diverse sources
- freedom of association and peaceful assembly

“To look into some aspects of the future, we do not need projections by supercomputers. Much of the next millennium can be seen in how we care for our children today. Tomorrow's world may be influenced by science and technology, but more than anything, it is already taking shape in the bodies and minds of our children.”

Kofi Annan, then UN Secretary-General,
The State of the World's Children 1998,
UNICEF

The responsibility to uphold child rights which includes:

- the responsibility of governments to make the principles of the Convention widely known
- the responsibility to create a United Nations Committee on the Rights of the Child to examine progress made by governments towards child rights
- the responsibility of governments to report their progress on child rights and make their report available to the United Nations and the public in their own country

Special protections: Three Optional Protocols have been added to the Convention on the Rights of the Child to strengthen areas of the Convention where children need special protection:

- “on the involvement of children in armed conflict” was adopted in 2000 and came into force in 2002.
- “on the sale of children, child prostitution and child pornography” was adopted in 2000 and came into force in 2002.
- “on a communications [or complaints] procedure” was adopted in 2011 and came into force in 2014.

► To read the Convention see:

<http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>



Kenya – Every child has the right to a name and a nationality, and a birth certificate that identifies this.
Lucy Murunga / World Vision 2014

Who is responsible for the Convention?

The Convention sets out particular responsibilities for parents and families and for governments. It holds parents and families responsible to care for children, provide direction and guidance and teach values. However, it also recognises that not all children enjoy a safe and secure environment within their family, and that abused children need protection. Governments are responsible to implement and uphold the rights in the Convention.

How can the Convention make a difference?

An important feature of the Convention is its emphasis on children's participation in discussion about issues which affect them. Children are now finding opportunities to state their views to boards of education, governments and United Nations organisations. Working children have begun to use the Convention to claim their rights.

Great progress has been made

The Convention has transformed the way children are viewed and treated. It has influenced international and national legislation, policy, programmes, communities, families and individuals.

For example around the world:

- About 90 million children would have died if mortality rates had stuck at the 1990 level. Instead, they have lived past the age of 5.
- Primary school enrolment increased, even in the least developed countries. In 1990 only 53% of children in those countries gained school admission. By 2011 the rate had improved to 81%.
- Improvements in nutrition have led to a 37% drop in stunting since 1990.

Abuse and neglect of child rights remains a global problem

The abuse of children's rights happens everywhere, including our own communities. It is impossible to measure the true magnitude of child rights violations because so much is not reported.

- **Child health:** Every year 6.3 million children die before their fifth birthday from preventable causes. 230 million children do not have a birth certificate, limiting their access to healthcare, education and an identity.
- **Violence against children:** Between 500 million and 1.5 billion children experience violence each year.
- **Child trafficking:** 980,000 to 1,250,000 children live in a forced labour situation as a result of trafficking.
- **Child labour and child marriage:** 158 million children, aged 5-14, are engaged in labour. 11% of girls are married before they turn 15.
- **Sexual exploitation and abuse:** 150 million girls and 73 million boys are estimated to have experienced sexual violence and exploitation.

► Read these statistics and more progress:

The State of the World's Children 2014, UNICEF

http://www.unicef.org/sowc2014/numbers/documents/english/SOWC2014_In%20Numbers_28%20Jan.pdf

What children want to see in the next 25 years

- Meaningful child participation in decision making,
- Governments committed to fulfilling child rights,
- Measurable international goals that ensure child rights are valued.

Child rights in New Zealand

New Zealand has a strong legislative framework around the welfare of children, including:



1961	Crimes Act
1968	Guardianship Act
1982	Official Information Act
1989	Children, Young Persons, and Their Families Act
1989	Education Act
1990	New Zealand Bill of Rights Act
1993	Human Rights Act
1993	Privacy Act
2003	Children's Commissioner Act
2004	Care of Children Act
2014	Vulnerable Children Act

The Children's Commissioner is responsible for ensuring children's access to complaints mechanisms for children. The Commissioner must also consult with children to feed their perspectives into government processes and work with the government to implement them.

New Zealand ratified the Convention on the Rights of the Child in 1993 with three formal reservations. There is pressure on the government to work towards withdrawing these reservations. The reservations are:

- Children whose parents do not have legal rights to be in New Zealand. These children are not entitled to benefits such as education, healthcare and welfare.
- Children in employment – in New Zealand there is no minimum age or employment conditions for children, however the government considers that existing laws protect children in employment. A minimum age would exclude the longstanding practice of children working in after school jobs. More than 40 per cent of 11 to 14 year olds are estimated to work at least occasionally. This includes farm work and delivery work.
- Mixing of juvenile and adult prisoners – under certain conditions the government may wish to mix prisoners, however the Department of Corrections prevents age mixing by the way it manages young offenders.

► Read New Zealand's reservations:

https://treaties.un.org/Pages/ViewDetails.aspx?mtdsg_no=IV-11&chapter=4&lang=en#EndDec

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How are organisations like World Vision involved?

The Convention focuses on the responsibility of governments, not individuals or non-governmental organisations (such as World Vision). But the Convention provides a framework for the policies of non-governmental organisations and other groups concerned about children. As well as adopting the Convention's standards themselves, some organisations monitor governmental compliance. Non-governmental organisations can advocate for children whose rights have been violated and also submit reports to the Committee on the Rights of the Child about government implementation of the Convention.

What is World Vision doing?

World Vision has endorsed the Convention as an appropriate set of standards for the protection of children. World Vision believes that the Convention provides an important opportunity for constructive cooperation between organisations who are working for the well-being of children. World Vision takes part in global child rights networks.

When advocating for children's rights, World Vision promotes the Convention as a framework for action. The Convention also helps direct policy and programming decisions. Around the world, through child sponsorship in its Area Development Programmes, World Vision works to protect and promote children's rights.



Albania – Endri, aged 15 years (second from right), represented the voice of Albanian youth at the Human Rights Council in Geneva, Switzerland. World Vision's child protection officer helped Endri to prepare his presentation.
Klevisa Breshani / World Vision 2014

How does World Vision do this?

Protecting the right to development

Learning on an empty stomach is challenging and threatens students' right to develop to their full potential from health and educational perspectives.

In Ngogwe, Uganda, many children were going to school without lunch, and struggling to focus and participate fully in lessons. World Vision identified this problem and worked with schools to introduce an agriculture programme which not only provides students with lunch, but teaches them a lot of valuable skills in the process. Twelve-year-old Kabanda describes what happens...

"Each class in my school has its own garden, and children from different classes all work together to make sure they take care of their gardens. Each class would love to see that their garden is the best! We are glad that we can now eat the porridge, beans, sweet potatoes, bananas and lots of greens that we plant in our school gardens. Our nutrition is improving through eating this food, and many pupils have also started small gardens at their homes. Children have shared what they learned with their parents, and now at home they also have gardens of maize, beans and sweet potatoes because of the skills we learned from our school gardens".

Mr Okuta, the head teacher at a local primary school, says "We had a challenge to retain children in lessons without them being absent because of hunger, but now children are able to continue attending school because nutritious food is provided."

World Vision trained agricultural facilitators to teach each class once a week. Each school supplied the land for their communal garden, and teachers encouraged their classes to grow vegetables. The children gained new skills, as well as learning about nutrition. The result is improved food security and school attendance, healthier children, and healthier families as many parents have now learned these skills from their children.

For the children of Ngogwe, access to nutrient rich foods and improved ability to concentrate at school means they are assured of their right to development.



Uganda – When children learn to grow maize and vegetables it ensures their right to development.
Simon Peter Esaku / World Vision 2014

Advocating for the right to protection

Stress levels are high in Tillican, Nicaragua. Nearby active volcanoes Telica and Cerro Negro are constant threats, and harsh environmental and weather conditions affect food production for local farming families. In a male-dominated culture with little knowledge about child rights, children aren't protected because their

rights aren't seen as important.

World Vision Nicaragua is raising the profile of child rights by focussing on the protection of children. It established a nationwide campaign called "Use my voice against child abuse", which encourages people to speak out against child abuse. It set up a clear procedure for reporting abuse with



Nicaragua – Oscar holds a poster which says: "I use my voice against child abuse".
Nigel Marsh / World Vision 2014

free legal advice and support for victims. The campaign improved cooperation between local Police, courts and other officials. Trained volunteers and teenagers go on to train others to promote and defend the rights of children. Parents attend the parenting workshops to learn how to protect children better.

Twenty-four year old law student Oscar has received training through this programme. A victim of violent child abuse by his own mother, Oscar has persuaded other family members to adopt a different approach with their young children, including his 3-year-old twin nephews Jhonson and Jhinson.

Oscar says:

"This Campaign really changed my life and I got deeply committed to the cause of child protection. For me, it was very important to become an agent of change in my community and my own family."

With so many community members safeguarding children's right to protection, children in Tillican and across Nicaragua can look forward to a safe future.



Oscar with nephews Jhonson and Jhinson
Nigel Marsh / World Vision 2014

Promoting the right to survival

A lack of basic health knowledge and limited access to essentials like clean drinking water put children's right to survival at risk in Myanmar.

Khin Thandar Soe, a 22-year-old university graduate, explains that only now is she learning about healthy nutrition.

"Before, I didn't eat vegetables much and didn't like to drink milk. But I've learnt that our meals should include food from three food groups and I try to practise it. I also share this knowledge with my family."



Myanmar – Khin promotes the right to survive by teaching families about the importance of nutrition and hygiene.
Khaing Min Htoo / World Vision 2011

Within her community, Khin raises people's awareness about mother and child health, malnutrition, diarrhoea, dengue fever, and acute respiratory infections. She encourages people to practise good hygiene behaviour by leading community health discussions five days a week. "Before, mothers did not know the importance of breastfeeding and they just used home remedies for diarrhoea. But now, after healthy hygiene discussions, the communities are practising good hygiene behaviour. These discussions are very important and effective. I am really satisfied with my work," says Khin with a smile.

World Vision New Zealand supports children's right to survival in Myanmar through the Palaw, Chauk and Myeik communities. In these communities they're educating parents about healthy eating and hygiene, and providing access to clean drinking water. Mosquito nets will prevent malaria, and sanitary latrines will improve people's health. World Vision works with the health department to ensure pregnant women have access to ante-natal care visits. This will ensure both mothers and babies are as healthy as possible so the next generation of children has a secure right to survival.