

Child Rights

Background

Today, more than ever before, children and young people are recognised as having rights.

What's more, they are seen as having an active role to play in asserting those rights. This has not always been the case and it has only been since November 1989, when the United Nations General Assembly adopted the Convention on the Rights of the Child (CRC), that the world has benefited from one set of legal rights for all children and young people.

The Convention is the most universally accepted human rights instrument in history – it has been ratified by every country in the world except two – and therefore uniquely places children centre-stage in the quest for the universal application of human rights.

In the late 1980s, world leaders decided that children needed a special convention just for them because people under 18 years old often need special care and protection that adults do not. The leaders also wanted to make sure that the world recognized that children have human rights too.

In September 1990, the United Nations General Assembly held the first global meeting

dedicated to improving children's lives – The World Summit for Children.

What are human rights?

Human rights apply to every human being everywhere, and are rights to which you have a just claim. They are founded on respect for the dignity and the worth of each individual. All you have to do to qualify for human rights is to be human.

Promoting child rights

In 2001, the UN Secretary-General issued a report on progress made for children since the World Summit, called 'We the Children'. In this report, the Secretary-General listed some of the world's greatest achievements of the decade.

For example, by 2000, 3 million fewer children under five died each year, compared with the 1990 figure. Furthermore, 4 per cent fewer children in the same age group were underweight; and 82 per cent of all primary school-age children were now enrolled in primary schools.

The United Nations General Assembly Special Session on Children, from 8 to 10 May 2002, was the first time that children played an official role in a UN General Assembly. They served as official delegates



The Convention on the Rights of the Child (CRC) lays out the fundamental human rights of children. It was adopted on 20 November 1989.

The CRC has been ratified by 192 countries. Only two countries — Somalia and the United States — have not yet given the CRC legal force, although both have signed it, showing that they intend to give it legal force in time.

The Convention sets out child rights in 54 articles and two optional 'protocols', or extra provisions. The Convention is guided by four fundamental principles:

- ▶ Children should benefit from non-discrimination (Article 2).
- ▶ Children's best interests should be centre-stage when decisions affecting them are being made (Article 3).
- ▶ Children have the right to survival, development, and protection (Article 6).
- ▶ Children should be free to participate and express their views. And these views should be taken into account in all matters that affect them (Article 12).

Information Sheet

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from governments and NGOs. The 2002 Special Session was the major follow-up to the 1990 World Summit. In the Children's Forum preceding the Special Session, 404 young delegates (242 girls and 162 boys) from 154 countries debated how best to improve children's lives. After three days of hard work, the delegates agreed on a statement to be delivered at the opening of the Special Session. They called their statement 'A World Fit for Us'.

The outcome of the Special Session on Children was a global agenda, 'A World Fit for Children', that laid out a plan to bridge the gap between "the great promises" and the "modest achievements" of the 1990s. The plan created time-bound targets for achieving the Millennium Development Goals directly related to children. A year after the Special Session, 105 countries around the world had taken specific follow-up actions by either developing national action plans or taking steps to carry out their plans.

Monitoring Children's Rights

Article 4 of the Convention states that governments must do all they can to implement the rights contained in the CRC. However, Governments' ratification of the CRC, and thus their endorsement of children's rights, unfortunately does not often translate into corresponding actions in policy and law.

In order to monitor how well countries are implementing and observing the CRC, countries have to submit periodic reports.

The Committee on the Rights of the Child meets regularly to review countries' reports, and consists of 12 internationally elected child rights specialists. The first report is due two years after ratification by each

country. After this, a further report is due every five years. For many countries, alternative reports are also submitted by national NGOs relating to their country's progress towards full implementation.

Understandably, these are often far less 'glowing' than the government's own report.

Children's Rights in the UK

The implications of the CRC for children and young people in the UK are that:

- ▶ Children and young people have rights.
- ▶ Children and young people should be informed about their rights.
- ▶ Children and young people should be helped to exercise their rights.
- ▶ Children and young people should be able to enforce their rights.
- ▶ There should be a community of interest to advocate young people's rights.

These implications of the CRC are also true for all children and young people worldwide.

The UK's Report Card

The Committee on the Rights of the Child has examined the UK twice – once in 1995 and again in 2002. The next examination of the UK Government's periodic report on implementation of the CRC is due to be take place in 2009.

The Committee's most recent review in 2002 was critical of the UK Government. Amongst the concerns expressed was that there was no independent system for monitoring whether the Convention was being properly implemented, and

whether children's rights were being promoted nationwide.

However, there have certainly been improvements recently in the UK. For example, the Children and Young People's Unit was set up in 2000 to support work on children and young people across UK Government departments. Furthermore, there are now Children's Commissioners for each of the UK's four regions.

The first Welsh Children's Commissioner, Peter Clarke, was appointed in March 2000. The Welsh Assembly decided that his remit would be guided by the CRC, which was the first time the Convention had been mentioned explicitly in UK legislation.

Similarly, Nigel Williams was appointed Commissioner for Children and Young People in Northern Ireland in July 2003.

Next, the Scottish Children's Rights Commissioner, Kathleen Marshall, started work in early 2004. These decisions followed wide consultations with children and young people on the need for a Commissioner across Wales, Scotland, and Northern Ireland.

And, in March 2005, the government appointed Professor Al Aynsley-Green as England's first Children's Commissioner.

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