

# CONVENTION ON THE RIGHTS OF THE CHILD

## WHAT IS THE CONVENTION ON THE RIGHTS OF THE CHILD?

The Convention on the Rights of the Child (CRC) is the first international and legally binding document addressing a full range of human rights for children and adolescents. Adopted by the U.N. General Assembly in November 1989, and ratified by every country except Somalia and the United States, it is the most widely ratified treaty in existence.

The CRC addresses a broad spectrum of issues, including civil and political rights, as well as economic, social and cultural issues. The goals of this instrument are to ensure minimum standards for health, education, physical security, and family and community life. In addition, it provides for protections from discrimination, physical abuse and exploitation, substance abuse, injustice and conflict. It also provides youths with the right to participate in and challenge decisions made on their behalf. Its articles can be classified into three categories, sometimes called the “3 Ps:” provision, protection and participation.

As stated by UNICEF, the CRC is built on varied legal systems and cultural traditions. It spells out the most basic human rights that children everywhere should have. By ratifying this instrument, national governments have committed themselves to protecting and ensuring children’s rights and they have agreed to hold themselves accountable for this commitment before the international community. When a country ratifies the treaty, a monitoring system requires an initial report two years after they have ratified the CRC and every five years subsequently. If you would like to see how your country is doing, please visit the follow site:  
[www.unicef.org/specialsession/how\\_country/index.html](http://www.unicef.org/specialsession/how_country/index.html)

## HIGHLIGHTS OF KEY CONVENTION ARTICLES

The CRC includes many articles that deal directly and indirectly with the impact of trauma and violence on children and adolescents. Some specifics are provided on the following pages:

**Article 5** requires governments to recognize the rights and duties of parents and extended families in raising children.

**Article 6** states that every child has an inherent right to life and that governments must do all they can to help children survive and develop.

**Article 8** states that governments must protect the right of the child to preserve his or her identity, including nationality, and that if a child is deprived of some elements of identity, governments must work toward helping the child quickly re-establish his or her identity.

**Articles 9 and 10** provide for children who have been separated from parents to maintain contact with them, unless the separation is in the child’s best interest. They also state that applications to leave and enter countries for purposes of reuniting parents with children should be handled humanely and that, in most cases, a child whose parents reside in different countries shall have the right to maintain personal relationships and direct contacts with both parents regularly.

**Article 11** requires governments to act to combat the illicit transfer and non-return of children abroad.

*“A century that began with children having virtually no rights is ending with children having the most powerful legal instrument that not only recognizes but protects their human rights.”*

Carol Bellamy  
Executive Director  
UNICEF

**Articles 12 and 13** give the child the right to express an opinion on matters concerning his or her own well being in judicial and administrative proceedings and, in most cases, the right to seek and receive information through the media.

**Article 18** requires governments to use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. It also states that working parents should be able to benefit from child-care services for which they are eligible and that governments should give whatever assistance is necessary to parents to enable them to perform this task.

**Article 19** states that youths have the right to protection from “all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation including sexual abuse, while in the care of parent(s), legal guardian(s), or any other person who has the care of a child.”

**Article 21** requires governments that recognize adoption to ensure that the interests of the child are the most important factor in those proceedings.

**Article 22** states that governments must act to ensure that “a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.”

**Article 23** recognizes the rights of disabled children and states that countries should do all they can to ensure participation in needed services.

**Articles 24 and 25** focus on the provision of proper health and mental health care, including a responsibility to reduce infant and child mortality, combat disease and alleviate malnutrition. They also address pre-natal and post-natal health care for mothers, family education on child health and nutrition, preventive health care and family planning.

**Article 26** protects the ability of the child to benefit from social insurance.

**Article 27** focuses on the right of the child to a standard of living high enough for adequate development.

**Article 28** gives a child the right to an education “on the basis of equal opportunity.”

**Article 29** states education should include teaching respect for rights and fundamental freedoms, as well as being culturally appropriate.

**Article 30** provides for the right of a child of a minority or indigenous culture to practice that culture, religion and language within his ethnic community.

**Article 31** protects the right of the child to rest and leisure

**Article 32** protects children from economic exploitation.

**Article 33** requires governments to take measures to protect children from the use of illicit drugs and from being used in the trafficking of drugs.

**Article 34** ensures that governments take measures to protect children from sexual abuse and exploitation.

**Article 35** requires governments to take measures to ensure that children are protected from abduction and sale.

**Article 36** states that youths will be protected from exploitation in any form.

**Article 37** is designed to protect against cruel and unusual punishment of children.

**Article 38** requires countries to protect children under 15 from taking part in armed conflict. (An optional protocol would increase this age to 18.)

**Article 39** states that governments “shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.”

**Article 40** provides for the rights of children in prison.

To view the entire Convention on the Rights of the Child, please go to [www.unicef.org/crc/crc.htm](http://www.unicef.org/crc/crc.htm)