



Children's Rights are Human Rights

The United Nations Convention

What is the United Nations Convention on the Rights of the Child?

The United Nations Convention on the Rights of the Child (UNCRC) was developed in 1989 and is the first legally binding international instrument to incorporate the full range of human rights for children —civil, cultural, economic, political and social.

It is a recognition by world leaders that children have human rights and people under 18 years old often need special care and protection that adults do not.

By agreeing to undertake the obligations of the Convention governments across the world have committed themselves to protecting and ensuring children's rights and to hold themselves accountable for this commitment before the international community.

States parties to the Convention are obliged to develop and undertake all actions and policies in the light of the best interests of the child.

The Convention sets out these rights in 54 articles and two Optional Protocols. It spells out the basic human rights that children everywhere have:

- **the right to survival;**
- **to develop to the fullest;**
- **to protection from harmful influences, abuse and exploitation;**
- **and to participate fully in family, cultural and social life.**

The four core principles of the Convention are

- **non-discrimination;**
- **devotion to the best interests of the child;**
- **the right to life, survival and development;**
- **and respect for the views of the child.**

The Convention protects children's rights by setting standards in health care, education, legal, civil and social services.

To date the only two nations that have not signed up to the UNCRC are USA and Somalia.

UNCRC - A universally agreed set of standard and obligations to protect the human rights of children

General Comments on Children's Rights

UN General Comments are official documents of the United Nations. They are the UN's interpretation of the content of human rights treaties. The UN Committee on the Rights of the Child publishes General Comments in relation to the Convention on the Rights of the Child.

General Comments are directed to the Governments of those countries which have ratified the Convention. Their purpose is to deepen understanding of a particular aspect of the Convention, and to reflect the changing conditions under which children grow up.

General Comments vary but generally contain a description of the significance of the article, definitions, legal analysis, links to other international treaties or protocols and guidance on implementation of the UNCRC.

The UN requires that Governments report every five years on the progress made on children's rights in their country (that is, on implementation of the Convention). The Committee makes 'Concluding Observations' (recommendations) to Governments in response to these reports. General Comments are referred to frequently in these Concluding Observations.

General Comments can be used by national and local Government to guide implementation, and by non-governmental organisations and individuals to advocate for children's rights.

There are currently 13 General Comments relating to children's rights. These are:

- 1. The aims of education**
- 2. The role of independent human rights institutions**
- 3. HIV/AIDS and the rights of the child**
- 4. Adolescent Health**
- 5. General measures of implementation**
- 6. Treatment of unaccompanied and separated children outside their country of origin**
- 7. Implementing child rights in early childhood**
- 8. The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment**
- 9. The rights of children with disabilities**
- 10. Children's rights in juvenile justice**
- 11. Indigenous children and their rights under the UNCRC**
- 12. The right of the child to be heard**
- 13. The right of the child to freedom from all forms of violence**

They can be downloaded from the UN website at:

<http://www2.ohchr.org/english/bodies/crc/comments.htm>

And now it is time for a General Comment on Play, recreation and Leisure (Article 31)

The UN is currently drafting a new General Comment on article 31 of the UNCRC. This will widen understanding of children and young people's right to relax, play and take part in a range of cultural and artistic activities.

Article 31

1. States Parties recognize the right of the child to rest & leisure, to engage in play & recreational activities appropriate to the age of the child & to participate freely in cultural life and the arts.
2. States Parties shall respect & promote the right of the child to participate fully in cultural and artistic life & shall encourage the provision of appropriate & equal opportunities for cultural, artistic, recreational and leisure activity.

To read more about the UNCRC go to:

www.unicef.org/crc

www.netoosh.org.au/resources_rights_child.htm

With thanks to the following organisations for allowing use of their materials:

- IPA Scotland
- Together Scotland
- Unicef
- Scottish Alliance for Children's Rights

Produced by Network of Community Activities, NSW Australia as part of our constitutional commitment to promote Article 31.

