

## **Summary of the Convention on the Rights of the Child**

### **Preamble**

The preamble recalls the basic principles of the United Nations and specific provisions of certain relevant human rights treaties and proclamations. It reaffirms the fact that children, because of their vulnerability, need special care and protection, and it places special emphasis on the primary caring and protective responsibility of the family. It also reaffirms the need for legal and other protection of the child before and after birth, the importance of respect for the cultural values of the child's community, and the vital role of international cooperation in securing children's rights.

### **Article 1: Definition of a child**

A child is recognized as a person under 18, unless national laws recognise the age of majority earlier.

### **Article 2: Non-discrimination**

All rights apply to all children without exception. It is the State's obligation to protect children from any form of discrimination and to take positive action to promote their rights.

### **Article 3: Best interests of the child**

All actions concerning the child shall take full account of his or her best interests. The State shall provide the child with adequate care when parents, or others charged with that responsibility, fail to do so.

### **Article 4: Implementation of rights**

The State must do all it can to implement the rights contained in the Convention.

### **Article 5: Parental guidance and the child's evolving capacities**

The State must respect the rights and responsibilities of parents and the extended family to provide guidance for the child which is appropriate to her or his evolving capacities.

### **Article 6: Survival and development**

Every child has the inherent right to life, and the State has an obligation to ensure the child's survival and development.

### **Article 7: Name and nationality**

The child has the right to a name at birth. The child also has the right to acquire a nationality and, as far as possible, to know his or her parents and be cared for by them.

### **Article 8: Preservation of identity**

The State has an obligation to protect, and if necessary, re-establish basic aspects of the child's identity. This includes name, nationality and family ties.

### **Article 9: Separation from parents**

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The child has a right to live with his or her parents unless this is deemed to be incompatible with the child's best interests. The child also has the right to maintain contact with both parents if separated from one or both.

### **Article 10: Family reunification**

Children and their parents have the right to leave any country and to enter their own for purposes of reunion or the maintenance of the child-parent relationship.

### **Article 11: Illicit transfer and non-return**

The State has an obligation to prevent and remedy the kidnapping or retention of children abroad by a parent or third party.

### **Article 12: The child's opinion**

The child has the right to express his or her opinion freely and to have that opinion taken into account in any matter or procedure affecting the child.

### **Article 13: Freedom of expression**

The child has the right to express his or her views, obtain information, make ideas or information known, regardless of frontiers.

### **Article 14: Freedom of thought, conscience and religion**

The State shall respect the child's right to freedom of thought, conscience and religion, subject to appropriate parental guidance.

### **Article 15: Freedom of association**

Children have a right to meet with others, and to join or form associations.

### **Article 16: Protection of privacy**

Children have the right to protection from interference with privacy, family, home and correspondence, and from libel or slander.

### **Article 17: Access to appropriate information**

The State shall ensure the accessibility to children of information and material from a diversity of sources, and it shall encourage the mass media to disseminate information which is of social and cultural benefit to the child, and take steps to protect him or her from harmful materials.

### **Article 18: Parental responsibilities**

Parents have joint primary responsibility for raising the child, and the State shall support them in this. The State shall provide appropriate assistance to parents in child-raising.

### **Article 19: Protection from abuse and neglect**

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The State shall protect the child from all forms of maltreatment by parents or others responsible for the care of the child and establish appropriate social programmes for the prevention of abuse and the treatment of victims.

### **Article 20: Protection of a child without family**

The State is obliged to provide special protection for a child deprived of the family environment and to ensure that appropriate alternative family care or institutional placement is available in such cases. Efforts to meet this obligation shall pay due regard to the child's cultural background.

### **Article 21: Adoption**

In countries where adoption is recognized and/or allowed, it shall only be carried out in the best interests of the child, and then only with the authorization of competent authorities, and safeguards for the child.

### **Article 22: Refugee children**

Special protection shall be granted to a refugee child or to a child seeking refugee status. It is the State's obligation to co-operate with competent organizations which provide such protection and assistance.

### **Article 23: Disabled children**

A disabled child has the right to special care, education and training to help him or her enjoy a full and decent life in dignity and achieve the greatest degree of self-reliance and social integration possible.

### **Article 24: Health and health services**

The child has a right to the highest standard of health and medical care attainable. States shall place special emphasis on the provision of primary and preventive health care, public health education and the reduction of infant mortality. They shall encourage international co-operation in this regard and strive to see that no child is deprived of access to effective health services.

### **Article 25: Periodic review of placement**

A child who is placed by the State for reasons of care, protection or treatment is entitled to have that placement evaluated regularly.

### **Article 26: Social security**

The child has the right to benefit from social security including social insurance.

### **Article 27: Standard of living**

Every child has the right to a standard of living adequate for his or her physical, mental, spiritual, moral and social development. Parents have the primary responsibility to ensure that the child has an adequate standard of living. The State's duty is to ensure that this responsibility can be fulfilled, and is. State responsibility can include material assistance to parents and their children.

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### **Article 28: Education**

The child has a right to education, and the State's duty is to ensure that primary education is free and compulsory, to encourage different forms of secondary education accessible to every child and to make higher education available to all on the basis of capacity. School discipline shall be consistent with the child's rights and dignity. The State shall engage in international co-operation to implement this right.

### **Article 29: Aims of education**

Education shall aim at developing the child's personality, talents and mental and physical abilities to the fullest extent. Education shall prepare the child for an active adult life in a free society and foster respect for the child's parents, his or her own cultural identity, language and values, and for the cultural background and values of others.

### **Article 30: Children of minorities or indigenous populations**

Children of minority communities and indigenous populations have the right to enjoy their own culture and to practise their own religion and language.

### **Article 31: Leisure, recreation and cultural activities**

The child has the right to leisure, play and participation in cultural and artistic activities.

### **Article 32: Child labour**

The child has the right to be protected from work that threatens his or her health, education or development. The State shall set minimum ages for employment and regulate working conditions.

### **Article 33: Drug abuse**

Children have the right to protection from the use of narcotic and psychotropic drugs, and from being involved in their production or distribution.

### **Article 34: Sexual exploitation**

The State shall protect children from sexual exploitation and abuse, including prostitution and involvement in pornography.

### **Article 35: Sale, trafficking and abduction**

It is the State's obligation to make every effort to prevent the sale, trafficking and abduction of children.

### **Article 36: Other forms of exploitation**

The child has the right to protection from all forms of exploitation prejudicial to any aspects of the child's welfare not covered in articles 32, 33, 34 and 35.

### **Article 37: Torture and deprivation of liberty**

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No child shall be subjected to torture, cruel treatment or punishment, unlawful arrest or deprivation of liberty. Both capital punishment and life imprisonment without the possibility of release are prohibited for offences committed by persons below 18 years. Any child deprived of liberty shall be separated from adults unless it is considered in the child's best interests not to do so. A child who is detained shall have legal and other assistance as well as contact with the family.

### **Article 38: Armed conflicts**

States Parties shall take all feasible measures to ensure that children under 15 years of age have no direct part in hostilities. No child below 15 shall be recruited into the armed forces. States shall also ensure the protection and care of children who are affected by armed conflict as described in relevant international law.

### **Article 39: Rehabilitative care**

The State has an obligation to ensure that child victims of armed conflicts, torture, neglect, maltreatment or exploitation receive appropriate treatment for their recovery and social reintegration.

### **Article 40: Administration of juvenile justice**

A child in conflict with the law has the right to treatment which promotes the child's sense of dignity and worth, takes the child's age into account and aims at his or her reintegration into society. The child is entitled to basic guarantees as well as legal or other assistance for his or her defence. Judicial proceedings and institutional placements shall be avoided wherever possible.

### **Article 41: Respect for higher standards**

Wherever standards set in applicable national and international law relevant to the rights of the child that are higher than those in this Convention, the higher standard shall always apply.

### **Articles 42-54: Implementation and entry into force**

The provisions of articles 42-54 notably foresee:

(i) the State's obligation to make the rights contained in this Convention widely known to both adults and children.

(ii) the setting up of a Committee on the Rights of the Child composed of ten experts, which will consider reports that States Parties to the Convention are to submit two years after ratification and every five years thereafter. The Convention enters into force - and the Committee would therefore be set up - once 20 countries have ratified it.

(iii) States Parties are to make their reports widely available to the general public.

(iv) The Committee may propose that special studies be undertaken on specific issues relating to the rights of the child, and may make its evaluations known to each State Party concerned as well as to the UN General Assembly.

(v) In order to "foster the effective implementation of the Convention and to encourage international co-operation", the specialized agencies of the UN – such as the International Labour Organization

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(ILO), World Health Organization (WHO) and United Nations Educational, Scientific and Cultural Organization (UNESCO) - and UNICEF would be able to attend the meetings of the Committee. Together with any other body recognized as 'competent', including non-governmental organizations (NGOs) in consultative status with the UN and UN organs such as the United Nations High Commissioner for Refugees (UNHCR), they can submit pertinent information to the Committee and be asked to advise on the optimal implementation of the Convention.

The full text of the Convention on the Rights of the Child is available at

<http://www.unicef.org/crc/crc.htm>

or

<http://www.unhchr.ch/html/menu2/6/crc/treaties/crc.htm>

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