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# CHILDREN'S

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# RIGHTS

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# GLOSSARY

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## Foreword

*The Committee on the Rights of the Child, the treaty body responsible for monitoring the 1989 Convention on the Rights of the Child, recognized at its first meeting in 1991 that its effectiveness would depend essentially on the access it had to all relevant sources of information. At the same time, it was acutely aware that unless it had an efficient system for handling information it might be overwhelmed by the sheer volume of data it needed to consider.*

*By 1991, the Convention was already well on the way to becoming the most widely ratified of all human rights treaties. This was an exhilarating success for the entire children's rights community, but one that brought with it serious workload implications for the newly convened Committee. It would, first of all, be required to handle an unprecedented number of country reports. Under Article 44 of the Convention, States Parties must submit a comprehensive initial report to the Committee within two years of ratification and thereafter every five years. Second, in order to arrive at a meaningful evaluation of these reports, the Committee needed to consider additional information provided by the specialized agencies, UNICEF and "other competent bodies" – including non-governmental organizations (NGOs) – who, under Article 45, may be invited to report to the Committee on aspects of children's rights, falling within their respective mandates. Third, the Committee also planned to review data emerging from reports that States Parties had already submitted to other treaty bodies.*

*At its second session the Committee recommended that a centralized information and documentation unit, including a computerized database, be created within the then Centre for Human Rights for use by all treaty bodies. It set up a working group to consider what system of information and documentation was best suited to its work and to identify the specific areas that needed to be covered by the system. The working group recognized that, as far as possible, this database should be compatible with information systems already in operation within other specialized agencies and regional and non-governmental organizations. It also stressed the importance of close collaboration with other actors in the human rights field in order to establish a computerized network of information.*

*In the early 1990s, international organizations, individually and collectively, were also looking seriously at how they could best provide information support to the Committee. A first collaborative effort was a workshop on NGO information systems on children's rights, convened in 1992 by Defence for Children International (DCI) (Geneva), with the active participation of Rädda Barnen (Stockholm), the UNICEF International Child Development Centre (ICDC, now known as the UNICEF Innocenti Research Centre, Florence) and UNICEF Geneva. The idea was launched at this workshop of forming a network of organizations interested in pooling their documentation resources and participating in a data exchange system. It was immediately evident that there was both considerable interest in creating such an integrated system of information and documentation and the will to work together to achieve that end.*

*In October 1993 the Committee requested UNICEF to convene a consultative meeting on information systems for children's rights. At this workshop, the Committee made known the kinds of information it needed and, also outlined its plans on how it intended to share information about the monitoring process. It had, for instance, taken steps to ensure that, in each reporting country, the United Nations Information Centre, or in its absence, the United Nations Development Programme (UNDP) country office, make both the country report and the Committee's summary records relating to the examination of this report freely available to the general public. The Centre for Human Rights (now the Office of the High Commissioner for Human Rights) organized a follow-up to this meeting in 1994 during which significant interest was shown in building up an integrated system of information and documentation. Reporting to the General Assembly on the meeting (Doc. A/49/41 19/05/94, point 411), the Committee commented that "it was particularly encouraging to see that the rights of the child had paved the way for a constructive dialogue between the different bodies of the United Nations system, non-governmental organizations and the Committee in such a decisive field as that of information".*

*In 1994, DCI, Rädda Barnen, ICDC and UNICEF Geneva decided to form a 'facilitating group' to promote the creation of a Child Rights Information Network. This pro-pelling group was later expanded to include the International Children's Centre (Paris), the NGO Group for the Convention on the Rights of the Child (Geneva), the International Save the Children Alliance (Geneva), Save the Children (London), and the then United Nations Centre for Human Rights (Geneva). In July 1995, a three-day meeting was organized in Paris at the International Children's Centre to discuss the network. At this meeting, 50 organizations, from every part of the world and at national, regional and international levels, agreed to establish the Child Rights Information Network (CRIN) part of whose purpose is:*

*To support child rights organizations in their endeavours to develop effective information systems and methods of information exchange, using both electronic and non-electronic and networking tools (Child Rights Information Network Newsletter, Issue No.1, January 1996.)*

*Developing internationally agreed information-handling tools that can strengthen access to data and effective information exchange is an important part of this commitment. Two such tools are the International Children's Rights Thesaurus and its companion Children's Rights Glossary developed within the context of CRIN by the UNICEF International Child Development Centre. Work on these tools was originally led by an international working group made up of representatives from Defence for Children International, the Documentation Centre of the United Nations High Commissioner for Refugees, Human Rights Internet, the then United Nations Centre for Human Rights, Rädda Barnen UNICEF ICDC (now IRC) and UNICEF Geneva. This original group later evolved into a smaller 'terminology' group made up of information professionals from Rädda Barnen and UNICEF ICDC, Geneva and New York. Work on the Thesaurus and Glossary was subsequently undertaken by an international thesaurus expert, Anne Di Lauro, and Sharon Detrick, an international jurist and children's rights specialist.*

*In information science, a thesaurus enables information-handlers to use a common, 'controlled' language when processing information on a given subject which, in turn, allows for accurate information retrieval and exchange internationally. The Thesaurus is intended to be used with the Children's Rights Glossary, which provides a detailed key to the specialized terminology of children's rights, and particularly the terminology contained in the Convention on the Rights of the Child. First drafts of the Thesaurus and the Glossary were widely distributed for review. The comments received confirmed the need for this initiative, as well as the potential for this work to serve as the basis for capacity building in information handling for the rights of the child. Indeed, a third information tool - a Children's Rights Bibliography - has been developed by the Centre with, amongst others, the aim of assisting modestly resourced documentation centres in establishing a basic reference library in children's rights.*

*The Thesaurus is trilingual with separate editions in English, French and Spanish. The Glossary was compiled in English and has been translated and adapted into French and Spanish. It is our hope that by providing a common language for the exchange of information, these tools will help to facilitate communications and collaboration among the many actors working for the realization of children's rights wherever their entry point into the information system may be.*

Mehr Khan  
Director  
UNICEF Innocenti Research Centre

## Introduction

*As explained in the Foreword, this Children's Rights Glossary is published as a companion volume to the International Children's Rights Thesaurus, also developed by the UNICEF Innocenti Research Centre (IRC). It aims to provide a detailed key to the specialized terminology used in children's rights, and particularly in the Convention on the Rights of the Child. Although both the Glossary and the Thesaurus are intended as information-handling tools for information professionals, it is hoped that the Glossary will also be useful in promoting a better understanding of children's rights terminology amongst a non-specialist audience.*

*Except for obvious exceptions, such as the "Right to life" and the "Right to be heard", the terms in the Glossary are not formulated as rights. For example, under the term "Education", the article of the Convention dealing with the right of the child to education is mentioned ("CRC:."), and a short description is given of the corresponding obligations of States Parties ("Note:."), followed by a listing of those terms in the Glossary also related to the right of the child to education ("See also:."). Certain terms have been included as "lead-in" terms only to preferred synonyms. For instance, the reader searching under the term "Handicapped children", will be referred ("See:") to "Disabled children".*

*The alphabetical listing is preceded by a thematic listing, which is intended to provide the user with an overview of the main subject matters dealt with in the Convention and the corresponding terms included in the Glossary. The Glossary concludes with a thematic listing of selected international instruments relevant to children's rights.*

*The Glossary has been developed by the UNICEF Innocenti Research Centre together with Sharon Detrick. Dr. Sharon Detrick is the founding director of Children's Rights Consultancy International (CRCI), based in Voorschoten, the Netherlands. CRCI offers consultancy services in the area of children's rights in the Netherlands and internationally. She compiled and edited the United Nations Convention on the Rights of the Child: A Guide to the "Travaux Préparatoires" (1992) and is the author of A Commentary on the United Nations Convention on the Rights of the Child (1999). She is editor of the International Children's Rights Monitor, the news magazine of Defence for Children International, published in co-operation with Kluwer Law International.*

*The author would like to acknowledge the support of Nigel Cantwell and Patricia Light in preparing this Glossary. She is also particularly grateful to the following persons for their observations and advice on earlier drafts: Peggy Creese, Paolo David, Marie-Pierre Poirier, Rita Reddy, Rebecca Rios-Kohn, Karin Rydberg and Laura Theytaz-Bergman.*



A CHILDREN'S RIGHTS GLOSSARY  
*Thematic Listing*





## **Definition of the child**

Definition of the child  
Majority  
Minimum age(s)  
Unborn child

## **Children's rights**

Best interests of the child  
Civil and political rights  
Discrimination  
Discrimination and punishment  
Economic, social and cultural rights  
Equal opportunities  
Evolving capacities of the child  
Respect for the views of the child

### **Civil rights and freedoms**

Appropriate information  
Birth registration  
Children's books  
Correspondence  
Cruel, inhuman or degrading treatment or punishment  
Disappearances  
Enter a country  
Family relations  
Freedom of assembly  
Freedom of association  
Freedom of conscience  
Freedom of expression  
Freedom of information  
Freedom of religion  
Honour and reputation  
Identity  
Information and international co-operation  
Information and linguistic minority children  
Leave a country  
Mass media  
Name  
Nationality  
Preservation of identity  
Privacy  
Respect for family  
Respect for home  
Right to be heard  
Right to life  
Statelessness  
Torture  
Trade unions

### **Family environment and alternative care**

Abuse and neglect  
Adoption  
Alternative care  
Children deprived of their family environment  
Community  
Contact with both parents  
Equality of parents  
Extended family  
Family assistance  
Family reunification  
Foster placement  
Illicit transfer and non-return  
Information on absent parent(s) or child  
Injurious information

Inter-country adoption  
Kafala  
Know one's parents  
Maintenance obligations  
National adoption  
Parental care  
Parental guidance  
Parental responsibilities  
Periodic review of placement  
Placement in institutions  
Recovery and reintegration  
Recovery of maintenance  
Separation from parent(s)  
Sexual abuse

### **Basic health and welfare**

Accident prevention  
Adequate nutrition  
Adequate standard of living  
Breast-feeding  
Care of children  
Child-care  
Child health and nutrition  
Child marriage  
Child mortality  
Disease  
Drug abuse  
Environmental sanitation  
Family planning  
Guidance for parents  
Health and health services  
Health and international co-operation  
Health care  
Health education  
Hygiene  
Ignorance  
Illiteracy  
Infant mortality  
Malnutrition  
Material assistance  
Medical assistance  
Post-natal health care  
Pre-natal health care  
Preventive health care  
Primary health care  
Protection of children  
Social insurance  
Social security  
Standards of care  
Standards of protection  
Survival and development  
Traditional practices

### **Education, leisure and cultural activities**

Aims of education  
Compulsory education  
Cultural life  
Drop-out rates  
Education  
Education and international co-operation  
Education assistance  
Educational guidance  
Educational institutions  
Free education  
General education  
Higher education  
Leisure

Modern teaching methods  
Primary education  
Recreation  
School attendance  
School discipline  
Science and technology  
Secondary education  
Vocational education  
Vocational guidance

### **Child justice and deprivation of liberty**

Access to court  
Accusations  
Accused children  
Administration of juvenile justice  
Appeal  
Arrest  
Assistance of an interpreter  
Capital punishment  
Children deprived of their liberty  
Convicted children  
Defence  
Deprivation of liberty  
Detention  
Determination of criminal charges  
Determination of lawfulness of detention  
Diversion  
Due process  
Examination of witnesses  
Fair trial  
Imprisonment  
Independent and impartial authority  
Judicial body  
Judicial review  
Juvenile justice  
Juvenile offenders  
Legal assistance  
Life imprisonment  
Minimum age for criminal responsibility  
Non-custodial measures  
Nullum crimen sine lege  
Offence  
Prevention of juvenile delinquency  
Presumption of innocence  
Privacy of accused children  
Procedures  
Prompt legal assistance  
Prompt trial  
Self-incriminating evidence  
Separation from adult prisoners  
Treatment of accused children  
Treatment of children deprived of their liberty  
Treatment of convicted children  
Trial in the presence of legal assistance  
Trial in the presence of parents

### **Child labour**

Child labour  
Conditions of employment  
Economic exploitation  
Enforcement of child labour standards  
Harmful work  
Hazardous work  
Hours of employment  
Minimum age(s) for admission to employment

## **Exploitation of children**

Abduction  
Bonded labour  
Child pornography  
Child prostitution  
Drug production  
Drug trafficking  
Economic exploitation  
Enforcement of child labour standards  
Exploitation  
Forced labour  
Hours of employment  
Minimum age(s) for admission to employment  
Organ trafficking  
Recovery and reintegration  
Sale and trafficking  
Sexual exploitation  
Slavery

## **Rights of children living under especially difficult circumstances**

Accused children  
Children born out of wedlock  
Children deprived of their family environment  
Children deprived of their liberty  
Convicted children  
Internally displaced children

### **Disabled children**

Disabled assistance  
Disabled children  
Disabled children and international co-operation

### **Refugee children**

Accompanied refugee children  
Family tracing  
Humanitarian assistance  
International humanitarian law  
Refugee-assisting organizations  
Refugee children  
Refugee protection  
Refugee status  
Unaccompanied refugee children  
United Nations High Commissioner for Refugees

### **Children in armed conflicts**

Child prisoners of war  
Children in armed conflicts  
Humanitarian assistance  
International humanitarian law  
Participation in hostilities  
Recovery and reintegration  
Recruitment

### **Minority and indigenous children**

Ethnic minority children  
Indigenous children  
Linguistic minority children  
Minority children  
Religious minority children

## **Promotion, implementation and monitoring of children's rights**

Applicability  
Committee on the Rights of the Child  
Competent bodies  
Developing countries  
Domestic implementation  
Dissemination of CRC  
Dissemination of reports  
Drittwirkung  
Economic and Social Council  
General Assembly  
Incorporation  
Indicators  
Inter-governmental organizations  
International co-operation  
Jurisdiction  
Non-governmental organizations  
Obligation of States  
Reporting obligations  
Restrictions of rights  
Saving clause  
Technical advice and assistance  
Transformation  
United Nations Children's Fund  
United Nations organs  
United Nations specialized agencies  
United Nations studies

## **Final provisions**

Accession  
Amendments  
Authentic texts  
Denunciation  
Depositary  
Entry into force  
Ratification  
Reservations  
Signature

GLOSSARY ON CHILDREN'S RIGHTS

# *Alphabetical Listing*





## **Abandoned children**

**See:** Children deprived of their family environment

## **Abduction**

**CRC:** Art. 35

**Note:** The right of the child to protection against abduction is set forth in Article 35 of the CRC. States Parties are required to take all appropriate national, bilateral and multilateral measures to prevent the abduction of children for any purpose or in any form. The abduction of children is to be distinguished from the illicit transfer and non-return of children abroad (see Article 11 of the CRC). The abduction of children within one country or across frontiers for the purposes of, for example, economic exploitation, sexual exploitation, sale, trafficking or adoption is a form of exploitation. The illicit transfer and non-return of children abroad refers to the problem of the abduction of children across frontiers by one of their parents.

**See also:** Disappearances / Exploitation / Illicit transfer and non-return / Recovery and reintegration / Sale and trafficking

## **Abolition of traditional practices**

**See:** Traditional practices

## **Abortion**

**See:** Unborn child

## **Abuse and neglect**

**CRC:** Art. 19

**Note:** The right of the child to be protected from abuse and neglect is set forth in Article 19 of the CRC. States Parties are required to take all appropriate measures to protect the child 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 the child.

**See also:** Recovery and reintegration / Sexual abuse

## **Access to court**

**CRC:** Art. 40(2)(b)(iii)

**Note:** The right of the accused child to have the criminal charge or allegation examined by a competent, independent and impartial authority or judicial body is recognized in Article 40(2)(b)(iii) of the CRC.

**See also:** Accused children / Administration

of juvenile justice / Defence / Determination of criminal charges / Determination of lawfulness of detention

## **Access to culture**

**See:** Cultural life

## **Access to education**

**See:** Education

## **Access to information**

**See:** Accusations / Appropriate information / Children's books / Educational guidance / Freedom of expression / Freedom of information / Information and international co-operation / Information and linguistic minority children / Information on absent parent(s) or child / Injurious information / Mass media / Vocational guidance

## **Accession**

**CRC:** Art. 48

**Note:** Article 47 of the CRC provides that the CRC is subject to ratification, and Article 48 provides that the CRC remains open for accession by any State. To become a Party to the CRC, a State must therefore either ratify or accede to the CRC. Ratification and accession both refer to the act whereby the competent authorities of the State express their consent to be bound by the CRC. The only difference is that ratification applies to those States that have signed the CRC and accession applies to those States that have not. The instruments of ratification or accession are to be deposited with the Secretary-General of the United Nations. As at 10 March 1995, the CRC had been ratified or acceded to by 170 States.

**See also:** Denunciation / Depositary / Entry into force / Ratification / Signature

## **Accident prevention**

**CRC:** Art. 24(2)(e)

**Note:** For the implementation of the right of the child to the enjoyment of the highest attainable standard of health and to health services, States Parties are required to take appropriate measures to ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of accident prevention or child safety.

**See also:** Health and health services / Health education

## **Accompanied refugee children**

**CRC:** Art. 22

**Note:** Article 22 of the CRC accords special rights to children who are seeking refugee status outside the country of their nationality or former habitual residence or who are considered a refugee in accordance with applicable international or domestic law and procedures, whether accompanied or unaccompanied by their parents or by any other person.

**See also:** Refugee children / Refugee status / Unaccompanied refugee children

## **Accusations**

**CRC:** Art. 40(2)(b)(ii)

**Note:** Article 40(2)(b)(ii) accords to the accused child the right to be informed promptly and directly of the charges against him or her.

**See also:** Accused children / Administration of juvenile justice / Assistance of an interpreter / Defence / Due process / Fair trial

## **Accused children**

**CRC:** Art. 40

**Note:** Article 40 of the CRC accords special rights to children alleged as or accused of having infringed the penal law.

**See also:** Access to court / Accusations / Administration of juvenile justice / Assistance of an interpreter / Capital punishment / Convicted children / Defence / Determination of criminal charges / Due process / Examination of witnesses / Fair trial / Independent and impartial authority / Judicial body / Legal assistance / Life imprisonment / Nullum crimen sine lege / Offence / Presumption of innocence / Privacy of accused children / Prompt trial / Self-incriminating evidence / Treatment of accused children / Trial in the presence of legal assistance / Trial in the presence of parents

## **Adequate nutrition**

**CRC:** Art. 27(1)(3)

**Note:** For the implementation of the right of every child to an adequate standard of living, States Parties are required to provide material assistance and support programmes for families in need, particularly with regard to nutrition, clothing and housing.

**See also:** Adequate standard of living / Child health and nutrition / Malnutrition / Material assistance / Survival and development

## **Adequate standard of living**

**CRC:** Art. 27(1)(2)(3)

**Note:** The right of every child to a standard of living adequate for the child's physical, men-



tal, spiritual, moral and social development is recognized in Article 27 of the CRC.

**See also:** Adequate nutrition / Family assistance / Maintenance obligations / Material assistance / Survival and development

## Administration of juvenile justice

**CRC:** Art. 40

**Note:** Article 40 of the CRC deals with the obligations of States Parties concerning the administration of juvenile justice. Of particular relevance to the implementation of this provision are the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (1985), known as the Beijing Rules. Noteworthy are also the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (1990) and the United Nations Guidelines for the Prevention of Juvenile Delinquency (1990).

**See also:** Access to court / Accusations / Accused children / Appeal / Assistance of an interpreter / Convicted children / Defence / Determination of criminal charges / Diversions / Due process / Examination of witnesses / Fair trial / Independent and impartial authority / Judicial body / Juvenile delinquency / Juvenile justice / Juvenile offenders / Legal assistance / Minimum age for criminal responsibility / Non-custodial measures / Nul-lum crimen sine lege / Offence / Presumption of innocence / Prevention of juvenile delinquency / Privacy of accused children / Prompt trial / Self-incriminating evidence / Treatment of accused children / Treatment of convicted children / Trial in the presence of legal assistance / Trial in the presence of parents

## Adoption

**CRC:** Art. 20(3); Art. 21

**Note:** Adoption is an alternative means of care for children permanently deprived of their family environment. Full adoption aims to provide such a child with all of the rights relating to his or her adoptive parents as if the child had been born to them. In addition, it places on the adoptive parents equal parental responsibility to that of biological parents. Article 21 of the CRC provides that the best interests of the child shall be the paramount consideration in adoption, and deals with the safeguards and standards to be ensured by those States Parties that recognize and/or permit the system of adoption, covering both national adoption and inter-country adoption.

**See also:** Alternative care / Children deprived of their family environment / Inter-country adoption / Judicial review / National adoption / Procedures

## Age of majority

**See:** Majority

## Age restrictions

**See:** Definition of the child / Capital punishment / Life imprisonment / Minimum age for criminal responsibility / Minimum age(s) for admission to employment / Participation in hostilities / Recruitment

## Aims of education

**CRC:** Art. 29(1)

**Note:** States Parties agree that the basic aims of the education of children are the development of the child's personality, talents, mental and physical abilities to their fullest potential and the preparation of the child for a responsible life. Education should also be directed to the development of respect for the child's parents, his or her own cultural identity, language and values and for the national values of the country in which the child is living and of the country from which the child may originate, and to the development of respect for different civilizations and the natural environment.

**See also:** Education / Educational institutions

## Alien children

**See:** Discrimination / Obligation of States / Refugee children

## Alternative care

**CRC:** Art. 20(2)(3)

**Note:** Article 20(2) of the CRC accords to children temporarily or permanently deprived of their family environment, or in whose own best interests cannot be allowed to remain in that environment, the right to alternative care. States Parties are required to ensure alternative care for such children in accordance with their national laws. Article 20(3) of the CRC provides that alternative care could include, inter alia, foster placement, kafala of Islamic law, adoption or if necessary placement in suitable institutions for the care of children.

**See also:** Adoption / Children deprived of their family environment / Foster placement / Judicial review / Kafala / Periodic review of placement / Placement in institutions / Procedures

## Alternative sentencing

**See:** Non-custodial measures

## Alternatives to criminal proceedings

**See:** Diversions

## Amendments

**CRC:** Art. 50

**Note:** The rules of international treaty law concerning the amendment or modification of treaties are set forth in Articles 39 to 41 of the Vienna Convention on the Law of Treaties (1969). These rules apply unless the treaty itself contains different provisions. The provisions of the CRC concerning amendments are set forth in Article 50 of the CRC, which deals with the procedure by which States Parties can propose and adopt amendments to the CRC, and with the binding effect of amendments accepted by two-thirds majority of States Parties.

**See also:** Denunciation / Depositary / Reservations

## Appeal

**CRC:** Art. 40(2)(b)(v)

**Note:** Article 40(2)(b)(v) accords to the convicted child the right to have his or her case and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law.

**See also:** Administration of juvenile justice / Convicted children

## Applicability

**Note:** The possibility for children to invoke the rights set forth in the CRC before a domestic court or administrative tribunal. The direct applicability of a right is possible if a State Party allows for such applicability and if the right is sufficiently clear and precise to be regarded as addressing itself both to the State Party and to the subjects of domestic law.

**See also:** Domestic implementation / Dritt-wirkung / Incorporation / Transformation

## Appropriate information

**CRC:** Art. 17

**Note:** The right of the child to have access to appropriate information is set forth in Article 17 of the CRC. In recognition of the important function performed by the mass media, States Parties are required to ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her well-being and health.

**See also:** Children's books / Freedom of expression / Freedom of information / Information and international co-operation / Information and linguistic minority children / Injurious information / Mass media



## **Arbitrary deprivation of liberty**

**See:** Arrest / Deprivation of liberty / Detention / Imprisonment

## **Arbitrary executions**

**See:** Right to life

## **Armed conflicts**

**See:** Children in armed conflicts

## **Arrest**

**CRC:** Art. 37(b)

**Note:** The right of the child not to be subjected to unlawful or arbitrary arrest, and the legal guarantee that arrest be used only as a measure of last resort and for the shortest appropriate time are set forth in Article 37(b) of the CRC.

**See also:** Children deprived of their liberty / Deprivation of liberty

## **Arrested children**

**See:** Children deprived of their liberty

## **Assembly**

**See:** Freedom of assembly

## **Assistance**

**See:** Assistance of an interpreter / Children deprived of their family environment / Disabled assistance / Education assistance / Family assistance / Humanitarian assistance / Legal assistance / Material assistance / Preservation of identity / Prompt legal assistance

## **Assistance of an interpreter**

**CRC:** Art. 40(2)(b)(vi)

**Note:** The right of the accused child to the free assistance of an interpreter if the child cannot understand or speak the language used is recognized in Article 40(2)(b)(vi) of the CRC.

**See also:** Accusations / Accused children / Administration of juvenile justice / Defence / Due process / Fair trial

## **Association**

**See:** Freedom of association

## **Asylum**

**See:** Refugee children

## **Authentic texts**

**CRC:** Art. 54

**Note:** The original text of the CRC was established as authentic and definitive in Arabic, Chinese, English, French, Russian and Spanish. This means that the authenticated texts of

the CRC in these languages are equally authoritative. The terms of the CRC are therefore presumed to have the same meaning in each authentic text. The Secretary-General of the United Nations, as the depositary of the CRC, has the function of keeping custody of the original text of the CRC. The rules of international treaty law concerning the authentication of the text of a treaty are set forth in Articles 10 and 33 of the Vienna Convention on the Law of Treaties (1969).

**See also:** Depositary

## **Best interests of the child**

**CRC:** Art. 3(1)

**Note:** Article 3(1) of the CRC obligates States Parties to ensure that the best interests of the child are a primary consideration in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies. Article 3(1) contains a principle of interpretation which has to be considered in all actions concerning children. It therefore operates as a principle to be considered in relation to the implementation of each of the rights set forth the CRC and, residually, to all actions concerning children. Important to note is that Article 21 of the CRC provides that the best interests of the child shall be the paramount consideration in adoption.

**See also:** Discrimination / Evolving capacities of the child / Respect for the views of the child

## **Birth**

**See:** Birth registration / Children born out of wedlock / Discrimination / Name

## **Birth registration**

**CRC:** Art. 7(1)

**Note:** The right of the child to be registered immediately after birth is set forth in Article 7(1) of the CRC. The purpose of this right is to promote recognition and protection of the child's legal personality. Registration of birth is regarded as one of the most effective methods of protecting the child's identity. It can reduce the danger of abduction, sale of or traffic in children, and can facilitate the tracing of the parents or other family members of unaccompanied refugee children. Birth registration of refugee children born in host States is also of importance because it enables date and place of birth to be conclusively established, thereby activating certain rights, including those rights which are dependent upon nationality and personal status.

**See also:** Name / Preservation of identity

## **Bonded labour**

**Note:** Debt bondage or bonded labour is an abuse analogous to slavery in which individuals are pledged to work either for a money lender or a landlord to repay a debt or loan. It applies to children who work either for a money lender or for a landowner as bonded labourers to pay off the debts of family members. Article 32 of the CRC dealing with protection against economic exploitation can be invoked. Bonded labour or debt bondage is defined by Article 1(a) of the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956) as "the status or condition arising from a pledge by a debtor of his personal services or of those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined."

**See also:** Child labour / Economic exploitation / Exploitation / Slavery

## **Breast-feeding**

**CRC:** Art. 24(2)(e)

**Note:** For the implementation of the right of the child to the enjoyment of the highest attainable standard of health and to health services, States Parties are required to ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of the advantages of breast-feeding.

**See also:** Child health and nutrition / Health and health services / Health education / Malnutrition

## **Capital punishment**

**CRC:** Art. 37(a)

**Note:** Article 37(a) prohibits States Parties from imposing capital punishment for offences committed by persons below the age of 18 years.

**See also:** Accused children / Convicted children / Life imprisonment / Right to life

## **Care of children**

**CRC:** Art. 3(2); Art. 18(2)

**Note:** Article 3(2) of the CRC obligates States Parties to ensure the child such care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her. In addition, under Article 18(2), States Parties are required

to ensure the development of institutions, facilities and services for the care of children.

**See also:** Childcare / Protection of children / Standards of care

## **Child**

**See:** Definition of the child

## **Child abduction**

**See:** Abduction / Illicit transfer and non-return

## **Child abuse**

**See:** Abuse and neglect

## **Childcare**

**CRC:** Art. 18(3)

**Note:** The right of children of working parents to benefit from childcare services and facilities for which they are eligible is set forth in Article 18(3) of the CRC.

**See also:** Care of children / Standards of care

## **Child custody**

**See:** Contact with both parents / Parental responsibilities / Separation from parent(s)

## **Child health and nutrition**

**CRC:** Art. 24(2)(e)

**Note:** For the implementation of the right of the child to the enjoyment of the highest attainable standard of health and to health services, States Parties are required to ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition.

**See also:** Adequate nutrition / Breast-feeding / Health and health services / Health education / Malnutrition

## **Child labour**

**CRC:** Art. 32

**Note:** There is no precise definition of child labour, as it is a term covering many diverse situations. Child labour can be divided into six categories: domestic, non-domestic, non-monetary, bonded labour, wage labour and marginal economic activity. According to the ILO, in developing countries the most important method for ensuring that children under the age of 12 years are not working is the accessibility of primary education. Article 32 of the CRC deals with the right of the child to protection against economic exploitation. In addition, it deals with the right to be protected from performing any work that is likely to be

hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development. The term "work" is broader than employment, the latter implying some form of contractual or formal status. States Parties are required to take appropriate measures for the implementation of the rights set forth in Article 32. In particular, they are required to provide for: a minimum age or minimum age(s) for admission to employment; appropriate regulation of the hours and conditions of employment; and appropriate sanctions to ensure the effective enforcement of the provisions of Article 32. There are 27 ILO Conventions and 14 ILO Recommendations relevant to the employment of children. Of particular relevance to the implementation of Article 32 are ILO Convention No. 138 Concerning Minimum Age for Admission to Employment (1973) and ILO Recommendation No. 146 concerning the Minimum Age for Admission to Employment (1973).

**See also:** Bonded labour / Conditions of employment / Economic exploitation / Enforcement of child labour standards / Exploitation / Forced labour / Harmful work / Hazardous work / Hours of employment / Minimum age(s) for admission to employment / Slavery / Trade unions

## **Child marriage**

**Note:** Child marriage and the betrothal of boys and girls are not explicitly dealt with in the CRC. However, Article 24(3) of the CRC obligates States Parties to take all effective and appropriate measures to abolish traditional practices prejudicial to the health of children, and Article 36 deals with the right of the child to protection against all forms of exploitation prejudicial to any aspects of the child's welfare. Noteworthy is that Article 21(2) of the African Charter on the Rights and Welfare of the Child (1990) obligates States Parties to prohibit child marriage and the betrothal of boys and girls and to take effective action, including legislation, to specify the minimum age of marriage to be 18 years and to make registration of all marriages in an official registry compulsory. The Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (1962), Articles 1(c)(d) and 2 of the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956) and Article 23(3) of the International Covenant on Civil and Political Rights (1966) obligate States Parties to specify a minimum age for marriage and/or prohibit marriages which are entered into without the

free and full consent of both parties. Consider also the Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, which was adopted by the General Assembly of the United Nations in 1965.

**See also:** Traditional practices

## **Child mortality**

**CRC:** Art. 24(2)(a)

**Note:** For the implementation of the right of the child to the enjoyment of the highest attainable standard of health and to health services, States Parties are required to take appropriate measures to diminish child mortality.

**See also:** Health and health services / Infant mortality

## **Child neglect**

**See:** Abuse and neglect

## **Child nutrition**

**See:** Adequate nutrition / Child health and nutrition / Malnutrition / Material assistance

## **Child pornography**

**CRC:** Art. 34(c)

**Note:** The right of the child to protection against all forms of sexual exploitation, including child pornography, is set forth in Article 34(c) of the CRC. States Parties are required to take all appropriate national, bilateral and multilateral measures to prevent the exploitative use of children in pornographic performances and materials.

**See also:** Child prostitution / Exploitation / Recovery and reintegration / Sexual exploitation

## **Child prisoners of war**

**Note:** Article 38(1) of the CRC obligates States Parties "to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child." The principal rules of international humanitarian law which regulate the treatment by States of child prisoners of war are set forth in the Geneva Convention Relative to the Treatment of Prisoners of War (1949), otherwise known as Geneva Convention No. 3. Article 37(c) of the CRC, which deals with the right of every child deprived of his or her liberty to appropriate treatment, can also be invoked.

**See also:** Children in armed conflicts / Children deprived of their liberty / Treatment of children deprived of their liberty



## Child prostitution

**CRC:** Art. 34(b)

**Note:** The right of the child to protection against all forms of sexual exploitation, including child prostitution, is set forth in Article 34(b) of the CRC. States Parties are required to take all appropriate national, bilateral and multilateral measures to prevent the exploitative use of children in prostitution.

**See also:** Child pornography / Exploitation / Recovery and reintegration / Sexual exploitation

## Child protection

**See:** Protection of children

## Child safety

**See:** Accident prevention

## Child soldiers

**See:** Children in armed conflicts / Participation in hostilities / Recruitment

## Child support

**See:** Maintenance obligations / Recovery of maintenance

## Child well-being

**See:** Care of children / Protection of children

## Children

**See:** Definition of the child

## Children alleged as or accused of having infringed the penal law

**See:** Accused children

## Children belonging to a minority

**See:** Ethnic minority children / Indigenous children / Minority children / Linguistic minority children / Religious minority children

## Children belonging to an indigenous group

**See:** Indigenous children

## Children born out of wedlock

**Note:** Children born outside of marriage. Article 25(2) of the Universal Declaration of Human Rights (1948) provides that all children, whether born in or out of wedlock, shall enjoy the same social protection. See also the European Convention on the Legal Status of Children Born Out of Wedlock (1975). Article 2(1) of the CRC obligates States Parties to

respect and to ensure the rights set forth in the CRC to each child within their jurisdiction without discrimination of any kind, irrespective of the child's birth or other status.

**See also:** Discrimination / Identity / Name

## Children deprived of their family environment

**CRC:** Art. 20

**Note:** Article 20 of the CRC accords to children permanently or temporarily deprived of their family environment, or who in their own best interests cannot be allowed to remain in that environment, the right to special State protection and assistance and the right to alternative care in accordance with national laws.

**See also:** Adoption / Alternative care / Foster placement / Judicial review / Kafala / Placement in institutions / Procedures / Unaccompanied refugee children

## Children deprived of their liberty

**CRC:** Art. 37(b)(c)(d)

**Note:** Article 37(b)(c)(d) accords special rights to children deprived of their liberty. Children deprived of their liberty include arrested, detained or imprisoned children and child prisoners of war.

**See also:** Arrest / Child prisoners of war / Deprivation of liberty / Detention / Determination of lawfulness of detention / Imprisonment / Independent and impartial authority / Information on absent parent(s) or child / Judicial body / Life imprisonment / Prompt legal assistance / Separation from adult prisoners / Treatment of children deprived of their liberty

## Children in armed conflicts

**CRC:** Art. 38

**Note:** Article 38 of the CRC accords special rights to children in armed conflicts. Children become caught up in armed conflicts either as civilians or as participants. International humanitarian law divides armed conflicts into international armed conflicts and non-international armed conflicts. International armed conflicts include "armed conflicts in which peoples are fighting against colonial domination and alien occupation and against racist regimes in the exercise of their right of self-determination" (Geneva Protocol No. 1 Additional to the Geneva Convention of 12 August 1949 and Relating to the Protection of Victims of International Armed Conflicts (1977)). Non-international armed conflicts are those "which take place in the territory of a [State] between its armed forces and dissi-

dent armed forces or other organized armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations" (Geneva Protocol No. 2 Additional to the Geneva Convention of 12 August 1949 and Relating to the Protection of Victims of Non-International Armed Conflicts (1977)). They do not include "situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence and other acts of a similar nature" (Geneva Protocol No. 2 Additional to the Geneva Convention of 12 August 1949 and Relating to the Protection of Victims of Non-International Armed Conflicts (1977)).

**See also:** Child prisoners of war / Humanitarian assistance / International humanitarian law / Participation in hostilities / Recovery and reintegration / Recruitment

## Children in conflict with the law

**See:** Accused children / Convicted children

## Children in situations of emergency

**See:** Children in armed conflicts / Refugee children

## Children in prisons

**See:** Children deprived of their liberty / Imprisonment

## Children of working parents

**See:** Child-care

## Children recognized as having infringed the penal law

**See:** Convicted children

## Children's books

**CRC:** Art. 17(c)

**Note:** For the implementation of the right of the child to have access to appropriate information, States Parties are required to encourage the production and dissemination of children's books.

**See also:** Appropriate information / Freedom of information / Mass media

## Citizenship

**See:** Nationality

## Civil and political rights

**Note:** Children are usually not considered to have political rights due to their status. Regarding those rights in the CRC that can be considered civil rights, see the thematic listing

particularly under "Civil rights and freedoms". Consider also the International Covenant on Civil and Political Rights (1966).

**See also:** Domestic implementation / Economic, social and cultural rights

## **Colour**

**See:** Discrimination

## **Committee on the Rights of the Child**

**CRC:** Art.43; Art.44; Art.45

**Note:** The Committee on the Rights of the Child is one of the treaty-monitoring bodies of the United Nations and is composed of ten independent experts. These experts are elected periodically by States Parties to the CRC. Its function is to promote and monitor the implementation by States Parties of the rights set forth in the CRC.

**See also:** Competent bodies / Economic and Social Council / General Assembly / Indicators / Inter-governmental organizations / Non-governmental organizations / Reporting obligations / Technical advice and assistance / United Nations Children's Fund / United Nations organs / United Nations specialized agencies / United Nations studies

## **Community**

**CRC:** Art. 5

**Note:** States Parties are required to respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the CRC.

**See also:** Extended family / Parental guidance

## **Competent bodies**

**CRC:** Art. 45(a)(b)

**Note:** The Committee on the Rights of the Child may invite the specialized agencies, the United Nations Children's Fund and other competent bodies as it considers appropriate, including inter-governmental and non-governmental organizations, to provide expert advice on the implementation of the CRC in areas falling within the scope of their respective mandates. The Committee may also transmit to such bodies any State reports that contain a request, or indicate a need, for technical advice or assistance.

**See also:** Committee on the Rights of the Child / Inter-governmental organizations / Non-governmental organizations / United Nations Children's Fund / United Nations organs / United Nations specialized agencies / Technical advice and assistance

## **Compulsory education**

**CRC:** Art. 28(1)(a)

**Note:** For the implementation of the right of the child to education, States Parties are required to make primary education compulsory and available free to all.

**See also:** Education / Free education / Primary education

## **Conditions of employment**

**CRC:** Art. 32(2)(b)

**Note:** For the implementation of the right of the child to protection against economic exploitation and from performing any work that is likely to be hazardous or harmful to the child's development, States Parties are required to provide for appropriate regulation of the hours and conditions of employment.

**See also:** Child labour / Economic exploitation / Enforcement of child labour standards / Harmful work / Hazardous work / Hours of employment / Minimum age(s) for admission to employment

## **Conscience**

**See:** Freedom of conscience

## **Conscription**

**See:** Recruitment

## **Contact with both parents**

**CRC:** Art. 9(3); Art. 10(2)

**Note:** Article 9(3) of the CRC accords to the child who is separated from one or both parents the right to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests. Article 10(2) accords to the child whose parents reside in different States the right to maintain on a regular basis, save in exceptional circumstances, personal relations and direct contacts with both parents. For the implementation of this right, States Parties are required to respect the right of the child and the parents to leave any country, including their own, and to enter their own country.

**See also:** Enter a country / Family reunification / Illicit transfer and non-return / Leave a country / Separation from parents

## **Convicted children**

**CRC:** Art. 40

**Note:** Article 40 accords special rights to children recognized as having infringed the penal law.

**See also:** Accused children / Administration of juvenile justice / Appeal / Capital punishment / Life imprisonment / Non-custodial measures / Nullum crimen sine lege / Offence / Treatment of convicted children

## **Corporal punishment**

**See:** Abuse and neglect / Cruel, inhuman or degrading treatment or punishment / Discrimination and punishment / School discipline / Torture / Treatment of accused children / Treatment of children deprived of their liberty / Treatment of convicted children

## **Correspondence**

**CRC:** Art. 16

**Note:** The right of the child not to be subjected to arbitrary or unlawful interference with his or her correspondence, and the right to the protection of the law against such interference are set forth in Article 16 of the CRC.

**See also:** Privacy / Treatment of children deprived of their liberty

## **Criminal justice**

**See:** Administration of juvenile justice

## **Criminal offenders**

**See:** Accused children / Convicted children / Juvenile offenders

## **Criminal responsibility**

**See:** Minimum age for criminal responsibility

## **Cruel, inhuman or degrading treatment or punishment**

**CRC:** Art. 37(a)

**Note:** The right of the child not to be subjected to cruel, inhuman or degrading treatment or punishment is set forth in Article 37(a) of the CRC. The aim of this provision is to protect both the dignity and the physical and mental integrity of the child.

**See also:** Discrimination and punishment / Recovery and reintegration / School discipline / Torture / Treatment of accused children / Treatment of children deprived of their liberty / Treatment of convicted children

## **Cultural life**

**CRC:** Art. 31

**Note:** The right of the child to participate freely in cultural life and the arts is recognized in Article 31 of the CRC. States Parties are required to respect and promote the right of the child to participate fully in cultural and artistic life and to encourage the provision of appropriate and equal opportunities for cultural and artistic activity.

**See also:** Equal opportunities

## Culture

**See:** Cultural life / Ethnic minority children / Indigenous children / Minority children

## Cultural rights

**See:** Economic, social and cultural rights

## Death in custody

**See:** Information on absent parent(s) or child

## Death penalty

**See:** Capital punishment

## Debt bondage

**See:** Bonded labour

## Defence

**CRC:** Art. 40(2)(b)(ii)

**Note:** The right of the accused child to have legal or other appropriate assistance in the preparation and presentation of his or her defence is recognized in Article 40(2)(b)(ii) of the CRC.

**See also:** Access to court / Accusations / Accused children / Administration of juvenile justice / Assistance of an interpreter / Determination of criminal charges / Due process / Fair trial / Examination of witnesses / Legal assistance / Trial in the presence of legal assistance

## Definition of the child

**CRC:** Art. 1

**Note:** Article 1 of the CRC defines who is to be considered a "child" for the purposes of the CRC, and states that: "For the purposes of the present Convention, a child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier."

**See also:** Majority / Minimum age(s) / Obligation of States / Unborn child

## Degrading treatment or punishment

**See:** Cruel, inhuman or degrading treatment or punishment

## Democratic society

**See:** Restrictions of rights

## Denunciation

**CRC:** Art. 52

**Note:** The denunciation of a treaty is an act whereby a State Party gives notice that it no longer wishes to be bound by that treaty. Denunciation of the CRC may only take place in conformity with Article 52, which provides that States Parties may denounce the CRC by written notification to the Secretary-General of the United Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General. The rules of international treaty law concerning the denunciation of treaties are set forth in Articles 54 and 56 of the Vienna Convention on the Law of Treaties (1969).

**See also:** Accession / Amendments / Depositary / Ratification / Reservations

## Deportation of parent(s) or child

**See:** Information on absent parent(s) or child

## Depositary

**CRC:** Art. 53

**Note:** Article 53 of the CRC designates the Secretary-General of the United Nations as the depositary of the CRC. The rules of international treaty law concerning depositaries and their functions are set forth in Articles 76 to 80 of the Vienna Convention on the Law of Treaties (1969). Particular functions of the depositary of the CRC are mentioned in Articles 47 to 52 and Article 54 of the CRC, such as the function of receiving and circulating to all States Parties the texts of reservations made by States at the time of ratification or accession.

**See also:** Accession / Amendments / Authentic texts / Denunciation / Entry into force / Ratification / Reservations / Signature

## Deprivation of liberty

**CRC:** Art. 37(b)

**Note:** The right of every child not to be subjected to unlawful or arbitrary deprivation of his or her liberty is recognized in Article 37(b) of the CRC.

**See also:** Arrest / Children deprived of their liberty / Detention / Disappearances / Imprisonment / Life imprisonment / Non-custodial measures

## Deprived of their family environment

**See:** Children deprived of their family environment

## Deprived of liberty

**See:** Children deprived of their liberty

## Detained children

**See:** Children deprived of their liberty / Detention

## Detention

**CRC:** Art. 37(b)

**Note:** The right of the child not to be subjected to arbitrary or unlawful detention, and the legal guarantee of the use of detention only as measure of last resort and for the shortest appropriate period of time are recognized in Article 37(b) of the CRC.

**See also:** Children deprived of their liberty / Deprivation of liberty / Information on absent parent(s) or child / Non-custodial measures

## Detention of parent(s)

**See:** Information on absent parent(s) or child

## Determination of criminal charges

**CRC:** Art. 40(2)(b)(iii)

**Note:** The right of the accused child to have the matter determined without delay by a competent, independent and impartial authority or judicial body is recognized in Article 40(2)(b)(iii) of the CRC.

**See also:** Access to court / Accused children / Administration of juvenile justice / Defence

## Determination of lawfulness of detention

**CRC:** Art. 37(d)

**Note:** Article 37(d) of the CRC accords to every child deprived of his or her liberty the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

**See also:** Access to court / Children deprived of their liberty / Independent and impartial authority / Judicial body / Prompt legal assistance / Prompt trial

## Developing countries

**CRC:** Preamble para. 13; Art. 23(4); Art. 24(4); Art. 28(3)

**Note:** The CRC recognizes the importance of international co-operation for improving the living conditions of children in every country, in particular the developing countries.

**See also:** Disabled children and international co-operation / Domestic implementation / Education and international co-operation /



Health and international co-operation / Ignorance / Illiteracy / International co-operation / Modern teaching methods / Science and technology / Technical advice and assistance

## **Development**

**See:** Survival and development

## **Dignity**

**See:** Cruel, inhuman or degrading treatment or punishment / Disabled children / Honour and reputation / School discipline / Treatment of accused children / Treatment of children deprived of their liberty / Treatment of convicted children

## **Disability**

**See:** Disabled children / Discrimination

## **Disabled assistance**

**CRC:** Art. 23(2)(3)

**Note:** The right of the mentally or physically disabled child to special care and assistance is set forth in Article 23(2)(3) of the CRC. These provisions obligate States Parties to ensure the extension to the eligible disabled child, and to those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child. States Parties are required to ensure that such assistance is extended free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and that it is designed to ensure that disabled children have effective access to and receive education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities.

**See also:** Disabled children

## **Disabled children**

**CRC:** Art. 23

**Note:** The United Nations Declaration on the Rights of Disabled Persons (1975) defines an individual with disabilities as anyone "unable to ensure by himself or herself, wholly or partly, the necessities of a normal individual and/or social life as a result of a deficiency either congenital or not in his or her physical or mental capabilities." Under Article 2(1) of the CRC, States Parties are required to ensure to each child within their jurisdiction all of the CRC's rights without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's disability. In addition, Article 23 accords to the mentally or

physically disabled child the right to special care and assistance. The purpose of this provision is to ensure that disabled children enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.

**See also:** Disabled assistance / Disabled children and international co-operation

## **Disabled children and international co-operation**

**CRC:** Art. 23(4)

**Note:** States Parties are required to promote the exchange of information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services. In this regard, States Parties are required to take particular account of the needs of developing countries.

**See also:** Developing countries / Disabled children / International co-operation

## **Disappearances**

**Note:** Enforced or involuntary disappearances of persons as a result of excesses on the part of law enforcement or security authorities or similar organizations, often while such persons are subject to detention or imprisonment. A grave example is the disappearance of children in Argentina under the military junta during the 1970's. Some were abducted with their parents, whilst others were killed by security forces and remain in unmarked graves. Some 131 children were born in secret detention centres or military hospitals, and taken from their mothers at birth. Evidence emerged that many of the babies were illegally given to childless military or police couples who raised them as their own. These atrocities inspired Argentina to propose the inclusion of Article 8 to the CRC, which deals with the right of the child to preserve his or her identity without unlawful interference.

**See also:** Abduction / Deprivation of liberty / Preservation of identity

## **Discrimination**

**CRC:** Art. 2(1)

**Note:** States Parties are required to respect and to ensure the rights set forth in the CRC to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political

or other opinion, national, ethnic or social origin, property, disability, birth or other status. Discrimination can be defined as any distinction, exclusion, restriction or preference, based on any grounds, which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all children, on an equal footing, of the rights and freedoms recognized in the CRC.

**See also:** Best interests of the child / Children born out of wedlock / Discrimination and punishment / Equal opportunities / Ethnic minority children / Evolving capacities of the child / Indigenous children / Linguistic minority children / Minority children / Obligation of States / Religious minority children / Respect for the views of the child

## **Discrimination and punishment**

**CRC:** Art. 2(2)

**Note:** Article 2(2) of the CRC accords to the child the right to be protected from all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or other family members.

**See also:** Cruel, inhuman or degrading treatment or punishment / Discrimination / Torture / Treatment of accused children / Treatment of children deprived of their liberty / Treatment of convicted children

## **Disease**

**CRC:** Art. 24(2)(c)

**Note:** For the implementation of the right of the child to the enjoyment of the highest attainable standard of health and to health services, States Parties are required to take appropriate measures, including within the framework of primary health care, to combat disease through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution.

**See also:** Health and health services / Malnutrition / Preventive health care / Primary health care

## **Displaced children**

**See:** Internally displaced children / Refugee children

## **Dissemination of CRC**

**CRC:** Art. 42

**Note:** States Parties are required to make the provisions and principles of the CRC widely known to adults and children. In order to fos-



ter, monitor and enforce the effective implementation by States of the CRC, it is important that adults and children be aware of the rights accorded to the child. The content of human rights treaties is usually not widely known. Human rights bodies have therefore continually stressed the need for States to publicize such treaties and to translate them into the various national languages.

**See also:** Dissemination of reports

### Dissemination of reports

**CRC:** Art. 44(6)

**Note:** States Parties are required to make their reports for the Committee on the Rights of the Child on the measures they have adopted which give effect to the rights set forth in the CRC and on the progress made on the enjoyment of those rights widely available to the public in their own countries. In order to foster, monitor and enforce the effective implementation by States of the CRC, it is important that adults and children are aware of how States report to the Committee on the situation in their respective countries.

**See also:** Dissemination of CRC / Reporting obligations

### Dissolution of marriage

**See:** Contact with both parents / Separation from parent(s)

### Diversions

**CRC:** Art. 40(3)(b)

**Note:** States Parties are required to promote the establishment of a juvenile justice system, including measures for dealing with accused or convicted children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.

**See also:** Administration of juvenile justice / Juvenile justice / Minimum age for criminal responsibility

### Divorce

**See:** Contact with both parents / Separation from parent(s)

### Domestic implementation

**CRC:** Art. 4

**Note:** States Parties are required to take all appropriate legislative, administrative, and other measures for the implementation of the rights set forth in the CRC. With regard to the economic, social and cultural rights set forth in the CRC, States Parties are required to take such measures to the maximum extent of their

available resources and, where needed, within the framework of international co-operation.

**See also:** Applicability / Civil and political rights / Developing countries / Economic, social and cultural rights / Indicators / International co-operation / Obligation of States / Reporting obligations / Saving clause

### Domestic jurisdiction

**See:** Jurisdiction

### Drittwirkung

**Note:** The possibility that the rights guaranteed under the CRC are enforceable in relations between individuals as well as between individuals and State authorities, otherwise known as horizontal or inter-individual application.

**See also:** Applicability

### Drop-out rates

**CRC:** Art. 28(1)(e)

**Note:** For the implementation of the right of the child to education, States Parties are required to take measures to encourage the reduction of drop-out rates.

**See also:** Education / School attendance

### Drug abuse

**CRC:** Art. 33

**Note:** The right of the child to protection against drug abuse is dealt with in Article 33 of the CRC. States Parties are required to take all appropriate measures to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties. These treaties include the Single Convention on Narcotic Drugs (1961) and the Convention on Psychotropic Substances (1971).

**See also:** Drug production / Drug trafficking

### Drug production

**CRC:** Art. 33

**Note:** Article 33 of the CRC deals with the right of the child to protection against the use of children in the illicit production of narcotic drugs and psychotropic substances as defined in the relevant international treaties. These treaties include the Single Convention on Narcotic Drugs (1961) and the Convention on Psychotropic Substances (1971).

**See also:** Drug abuse / Drug trafficking / Exploitation / Recovery and reintegration

### Drug trafficking

**CRC:** Art. 33

**Note:** Article 33 of the CRC deals with the right of the child to protection against the use of children in the illicit trafficking of narcotic drugs and psychotropic substances as defined in the relevant international treaties. These treaties include the Single Convention on Narcotic Drugs (1961) and the Convention on Psychotropic Substances (1971).

**See also:** Drug abuse / Drug production / Exploitation / Recovery and reintegration

### Due process

**CRC:** Art. 40

**Note:** The adoption of an individual right to trial in court and detailed minimum guarantees of the accused in criminal proceedings is based on the Anglo-Saxon common-law tradition of "due process of law". Article 40 of the CRC accords to a child alleged as or accused of having infringed the penal law the right to a fair trial, and contains basic safeguards such as the presumption of innocence, the right to be informed of the charge, and the right to have the matter determined without delay.

**See also:** Accusations / Accused children / Administration of juvenile justice / Assistance of an interpreter / Defence / Examination of witnesses / Independent and impartial authority / Judicial body / Legal assistance / Presumption of innocence / Trial in the presence of legal assistance

### Economic and Social Council

**CRC:** Art. 44(5)

**Note:** Every two years, the Committee on the Rights of the Child is required to submit to the General Assembly of the United Nations, through the Economic and Social Council (ECOSOC), reports on its activities. The ECOSOC is one of the six principal organs of the United Nations and operates under the authority of the General Assembly. The principal human rights functions of the ECOSOC, as stated in Chapter X of the United Nations Charter, are (a) to "make or initiate studies and reports with respect to international economic, social, cultural, educational, health and related matters" and to "make recommendations with respect to any such matters to the General Assembly, to the Members of the United Nations and to the specialized agencies concerned"; (b) to "make recommendations for the purpose of promoting respect for and observance of human rights and fundamental freedoms for all"; (c) to "prepare draft conventions for submission to the General Assembly, with respect to matters falling within its competence"; and (d) to "call, in accordance with the rules prescribed by the

United Nations, international conferences on matters falling within its competence". In addition, the ECOSOC is responsible for coordinating the activities of the specialized agencies.

**See also:** Committee of the Rights of the Child / General Assembly / United Nations organs

### Economic exploitation

**CRC:** Art. 32

**Note:** The right of the child to protection against economic exploitation is set forth in Article 32 of the CRC. States Parties are required to take appropriate measures for the implementation of this right. In particular they are required to provide for: a minimum age or minimum age(s) for admission to employment; appropriate regulation of the hours and conditions of employment; and appropriate sanctions to ensure the effective enforcement of the provisions of Article 32.

**See also:** Bonded labour / Child labour / Conditions of employment / Enforcement of child labour standards / Exploitation / Forced labour / Harmful work / Hazardous work / Hours of employment / Minimum age(s) for admission to employment / Recovery and reintegration / Slavery

### Economic, social and cultural rights

**CRC:** Art. 4

**Note:** States Parties are required to take all appropriate legislative, administrative, and other measures for the implementation of the economic, social and cultural rights set forth in the CRC to the maximum extent of their available resources and, where needed, within the framework of international co-operation. Regarding those rights in the CRC that can be considered as economic, social or cultural rights, see the thematic listing particularly under "Basic health and welfare" and "Education, leisure and cultural activities". Consider also the International Covenant on Economic, Social and Cultural Rights (1966).

**See also:** Civil and political rights / Domestic implementation / International co-operation

### Education

**CRC:** Art. 28

**Note:** Article 28 of the CRC obligates States Parties to recognize the right of the child to education, and emphasizes the obligation to realize this right on the basis of equal opportunity.

**See also:** Aims of education / Compulsory education / Drop-out rates / Education and international co-operation / Education assis-

tance / Educational guidance / Educational institutions / Equal opportunities / Free education / General education / Higher education / Ignorance / Illiteracy / Modern teaching methods / Primary education / Science and technology / School attendance / School discipline / Secondary education / Vocational education / Vocational guidance

### Education and international co-operation

**CRC:** Art. 28(3)

**Note:** Article 28(3) obligates States Parties to promote international co-operation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, States Parties are required to take particular account of the needs of developing countries.

**See also:** Developing countries / Education / Ignorance / Illiteracy / International co-operation / Modern teaching methods / Science and technology

### Education assistance

**CRC:** Art. 28(1)(b)

**Note:** For the implementation of the right of the child to education, States Parties are required to take appropriate measures to make secondary education available and accessible to every child, such as offering financial assistance in case of need.

**See also:** Education / Free education / Secondary education

### Educational guidance

**CRC:** Art. 28(1)(d)

**Note:** For the implementation of the right of the child to education, States Parties are required to make educational information and guidance available and accessible to all children.

**See also:** Education / Vocational guidance

### Educational institutions

**CRC:** Art. 29(2)

**Note:** States Parties are required to respect the liberty of individuals and bodies to establish and direct educational institutions. This liberty is subject to the observance of the aims of education set forth in Article 29(1) of the CRC and to the requirement that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

**See also:** Aims of education / Education

### Emergencies

**See:** Children in armed conflicts / Internally displaced children / Refugee children

### Employment

**See:** Child labour / Conditions of employment / Hours of employment / Minimum age(s) for admission to employment

### Enforcement of child labour standards

**CRC:** Art. 32(2)(c)

**Note:** States Parties are required to take measures for the implementation of the right of the child to protection against economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or development. States Parties are required, having regard to the relevant provisions of other international instruments, *inter alia*, to provide for appropriate penalties or other sanctions to ensure the effective enforcement of the provisions of Article 32. Relevant provisions of other international instruments include: Article 9 of ILO Convention No. 138 Concerning Minimum Age for Admission to Employment (1973); Article 3(1)(a) of ILO Labour Inspection Convention No. 81 (1947); Article 6(1)(a) of ILO Labour Inspection (Agriculture) Convention No. 129 (1969); and Paragraph 14 of ILO Recommendation No. 146 concerning the Minimum Age for Admission to Employment (1973).

**See also:** Child labour / Conditions of employment / Economic exploitation / Harmful work / Hazardous work / Hours of employment / Minimum age(s) for admission to employment / Trade unions

### Enter a country

**Note:** The right to enter one's own country, which is recognized in Article 12(4) of the International Covenant on Civil and Political Rights (1966), is not included in the CRC. The CRC does include the right of the child and parents to enter a State Party for the purposes of family reunification, and the right of the child or parents to enter one's own country for the purposes of contact with a parent or child residing in a different country.

**See also:** Contact with both parents / Family reunification / Leave a country

### Entry into force

**CRC:** Art. 49

**Note:** When a treaty enters into force its provisions become binding for those States that have expressed their consent to be bound by



the treaty. The rules of international treaty law concerning the entry into force of treaties are set forth in Article 24 of the Vienna Convention on the Law of Treaties (1969). A treaty normally enters into force in such a manner and upon such date as it may provide or as the negotiating States may agree. Article 49 of the CRC provides that the CRC shall enter into force on the 30th day following the date of the deposit with the Secretary-General of the United Nations of the 20th instrument of ratification or accession. The CRC entered into force on 2 September 1990. For those States that expressed their consent to be bound by the CRC by means of ratification or accession after this date, the CRC entered into force on the thirtieth day following the date of deposit of the instrument of ratification or accession.

**See also:** Accession / Depositary / Ratification

### Environmental sanitation

**CRC:** Art. 24(2)(e)

**Note:** For the implementation of the right of the child to the enjoyment of the highest attainable standard of health and to health services, States Parties are required to take appropriate measures to ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of hygiene and environmental sanitation.

**See also:** Health and health services / Health education / Hygiene

### Equal opportunities

**CRC:** Art. 28(1); Art. 31(2)

**Note:** Article 28 of the CRC obligates States Parties to recognize the right of the child to education, and emphasizes the obligation to realize this right on the basis of equal opportunity. In addition, Article 31(2) obligates States Parties to encourage the provision of appropriate and equal opportunities for cultural and artistic activity.

**See also:** Cultural life / Discrimination / Education / Leisure / Recreation

### Equality of parents

**CRC:** Art. 18(1)

**Note:** States Parties are required to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child.

**See also:** Parental guidance / Parental responsibilities

### Ethnic minority children

**CRC:** Art. 30

**Note:** An ethnic minority is a group of people of common ethnic or national origin in minority within the territory of a State. Under Article 30 of the CRC, those States Parties in which ethnic minorities exist shall not deny a child belonging to such a minority the right, in community with other members of his or her group, to enjoy his or her own culture. This right is also recognized in Article 27 of the International Covenant on Civil and Political Rights (1966). Noteworthy is the standard-setting work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the United Nations Commission on Human Rights, including the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, which was adopted by the General Assembly of the United Nations in 1992.

**See also:** Discrimination / Minority children

### Ethnic origin

**See:** Discrimination / Ethnic minority children

### Evolving capacities of the child

**CRC:** Art. 5; Art. 12(1); Art. 14(2)

**Note:** One of the general principles of interpretation underlying the implementation of the CRC is that States Parties are required to respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights set forth in the CRC.

**See also:** Best interests of the child / Discrimination / Freedom of religion / Parental guidance / Respect for the views of the child

### Examination of witnesses

**CRC:** Art. 40(2)(b)(iv)

**Note:** The right of the accused child to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality is recognized in Article 40(2)(b)(iv) of the CRC.

**See also:** Accused children / Administration of juvenile justice / Defence / Due process / Fair trial

### Executions

**See:** Capital punishment / Right to life

### Exile

**See:** Information on absent parent(s) or child

### Exploitation

**CRC:** Art. 36

**Note:** Article 36 of the CRC deals with the right of the child to protection against all forms of exploitation, over and above those forms of exploitation explicitly dealt with in Articles 32, 33, 34 and 35 of the CRC. Consider also Article 10(3) of the International Covenant on Economic, Social and Cultural Rights (1966).

**See also:** Abduction / Bonded labour / Child labour / Child pornography / Child prostitution / Drug production / Drug trafficking / Economic exploitation / Forced labour / Organ trafficking / Recovery and reintegration / Sale and trafficking / Sexual exploitation / Slavery

### Expression

**See:** Freedom of expression

### Extended family

**CRC:** Art. 5

**Note:** States Parties are required to respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the CRC.

**See also:** Community / Parental guidance

### Extrajudicial executions

**See:** Right to life

### Fair hearing

**See:** Fair trial

### Fair trial

**CRC:** Art. 40(2)(b)(iii)

**Note:** The right of the accused child to a fair trial according to law is recognized in Article 40(2)(b)(iii) of the CRC.

**See also:** Accusations / Accused children / Administration of juvenile justice / Assistance of an interpreter / Defence / Examination of witnesses / Independent and impartial author-

ity / Judicial body / Legal assistance / Presumption of innocence / Trial in the presence of legal assistance

## **Family**

**See:** Children deprived of their family environment / Family assistance / Family planning / Family relations / Family reunification / Family tracing / Parental care / Parental guidance / Parental responsibilities / Respect for family / Separation from parent(s)

## **Family assistance**

**CRC:** Art. 18(2); Art. 27(3)

**Note:** Under Article 18(2) of the CRC, States Parties are required to render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities. In addition, under Article 27(3), States Parties are required to assist parents and others responsible for the child to implement the child's right to an adequate standard of living, and to provide material assistance and support programmes in case of need, particularly with regard to nutrition, clothing and housing.

**See also:** Adequate standard of living / Maintenance obligations / Material assistance / Parental responsibilities / Social insurance / Social security

## **Family planning**

**CRC:** Art. 24(2)(f)

**Note:** For the implementation of the right of the child to the enjoyment of the highest attainable standard of health and to health services, States Parties are required to take appropriate measures to develop family planning education and services.

**See also:** Health and health services / Guidance for parents

## **Family relations**

**CRC:** Art. 8(1)

**Note:** According to Article 8(1) of the CRC, the identity of the child includes his or her nationality, name and family relations as recognized by law.

**See also:** Identity / Name / Nationality / Preservation of identity / Respect for family

## **Family reunification**

**CRC:** Art. 10(1)

**Note:** States Parties are required to deal with applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification in a positive, humane and expeditious manner.

**See also:** Enter a country / Family tracing / Leave a country / Separation from parent(s) / Refugee children / Respect for family / Unaccompanied refugee children

## **Family tracing**

**CRC:** Art. 22(2)

**Note:** Article 22(2) of the CRC obligates States Parties to provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent inter-governmental organizations or non-governmental organizations co-operating with the United Nations to protect and assist refugee children and to trace the parents or other family members of any refugee child in order to obtain information necessary for family reunification. Family tracing is of particular relevance to refugee children unaccompanied by their parents or by any other adult who, by law or custom, is responsible for the care of the child.

**See also:** Family reunification / Refugee-assisting organizations / Refugee children / Unaccompanied refugee children / United Nations High Commissioner for Refugees

## **Family unity**

**See:** Family reunification / Respect for family / Separation from parent(s)

## **Female circumcision**

**See:** Traditional practices

## **Financial responsibility for the child**

**See:** Maintenance obligations

## **Food**

**See:** Adequate nutrition / Malnutrition

## **Forced labour**

**Note:** Forced or compulsory labour is work or service involuntarily exacted from adults or children under the menace of any penalty. Article 32 of the CRC dealing with protection against economic exploitation and Article 36 dealing with protection against all forms of exploitation can be invoked. Military service is generally excluded under international law from constituting forced labour. Relevant provisions of international instruments include: Article 8(3) of the International Covenant on Civil and Political Rights (1966); Article 6(2) of the American Convention on Human Rights (1969); Article 4(2) of the European Convention on Human Rights (1950); Article 5 of the African Charter on Human and Peoples' Rights (1981); and Article 2(a) of the

ILO Convention No. 105 Concerning the Abolition of Forced Labour (1957). Consider also the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956).

**See also:** Bonded labour / Child labour / Economic exploitation / Exploitation / Slavery

## **Foster placement**

**CRC:** Art. 20(3)

**Note:** Article 20(3) of the CRC provides that alternative care for children deprived of their family environment could include, inter alia, foster placement, kafala of Islamic law, adoption or if necessary placement in institutions for the care of children. Noteworthy is the Declaration on Social and Legal Principles Relating to the Protection and Welfare of Children With Special Reference to Foster Placement and Adoption, which was adopted by the General Assembly of the United Nations in 1986.

**See also:** Adoption / Alternative care / Children deprived of their family environment / Kafala / Periodic review of placement / Placement in institutions

## **Free education**

**CRC:** Art. 28(1)(a)(b)

**Note:** For the implementation of the right of the child to education, States Parties are required to make primary education compulsory and available free to all. In addition, States Parties are required to take appropriate measures, including the introduction of free education, to make secondary education available and accessible to every child.

**See also:** Compulsory education / Education / Education assistance / Primary education / Secondary education

## **Freedom of assembly**

**CRC:** Art. 15

**Note:** The right of the child to peaceful assembly is recognized in Article 15 of the CRC.

**See also:** Freedom of association / Restrictions of rights

## **Freedom of association**

**CRC:** Art. 15

**Note:** The right of the child to freedom of association is recognized in Article 15 of the CRC. The right to freedom of association embraces the notion of coming together for the purposes of a common goal, for example, the freedom to associate in a wide variety of





voluntary organizations from scouting and guiding to campaigning for peace and to establish a school union.

**See also:** Freedom of assembly / Restrictions of rights / Trade unions

### **Freedom of conscience**

**CRC:** Art. 14(1)

**Note:** States Parties are required to respect the right of the child to freedom of thought and conscience.

**See also:** Freedom of religion

### **Freedom of expression**

**CRC:** Art. 13

**Note:** The right of the child to freedom of expression includes the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any media of the child's choice.

**See also:** Appropriate information / Freedom of information / Respect for the views of the child / Restrictions of rights

### **Freedom of information**

**CRC:** Art. 13

**Note:** The right of the child to freedom of expression includes the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any media of the child's choice.

**See also:** Appropriate information / Children's books / Freedom of expression / Information and international co-operation / Information and linguistic minority children / Injurious information / Mass media

### **Freedom of opinion**

**See:** Freedom of expression / Respect for the views of the child / Right to be heard

### **Freedom of religion**

**CRC:** Art. 14

**Note:** States Parties are required to respect the right of the child to freedom of religion, including the freedom to manifest one's religion or beliefs. The latter may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others. States Parties are required to respect the rights and duties of parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right to freedom of religion in a

manner consistent with the evolving capacities of the child.

**See also:** Discrimination / Evolving capacities of the child / Freedom of conscience / Parental guidance / Religious minorities / Restrictions of rights

### **General Assembly**

**CRC:** Art. 44(5); Art. 45(c)(d); Art. 50(1)(2)

**Note:** Every two years, the Committee on the Rights of the Child is required to submit to the General Assembly of the United Nations (UN), through the Economic and Social Council (ECOSOC), reports on its activities. The General Assembly is one of the six principal organs of the UN. It is essentially a deliberative, supervisory and reviewing organ of the UN. Article 10 of the Charter of the UN provides that the General Assembly may discuss any questions or any matters within the scope of the Charter or relating to the powers and functions of any of the organs provided for in the Charter and may make recommendations to the Members of the UN or to the Security Council or to both on any such questions or matters. The General Assembly consists of all the States Members of the UN and meets in regular annual sessions.

**See also:** Committee of the Rights of the Child / Economic and Social Council / United Nations organs / United Nations studies

### **General education**

**CRC:** Art. 28(1)(b)

**Note:** For the implementation of the right of the child to education, States Parties are required to encourage the development of different forms of secondary education, including general education, and to make them available and accessible to every child through, for example, the introduction of free education and offering financial assistance in case of need.

**See also:** Education / Education assistance / Free education / Secondary education / Vocational education

### **Genital mutilation**

**See:** Traditional practices

### **Girl child**

**See:** Discrimination

### **Guidance for parents**

**CRC:** Art. 24(2)(f)

**Note:** For the implementation of the right of the child to the enjoyment of the highest

attainable standard of health and to health services, States Parties are required to develop guidance for parents.

**See also:** Health and health services / Family planning

### **Habeas corpus**

**See:** Determination of lawfulness of detention

### **Handicapped children**

**See:** Disabled children

### **Harmful work**

**CRC:** Art. 32

**Note:** Article 32 of the CRC accords to the child the right to be protected from any work that is likely to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development. The term "work" is broader than employment, the latter implying some form of contractual or formal status.

**See also:** Child labour / Conditions of employment / Economic exploitation / Enforcement of child labour standards / Hazardous work / Hours of employment / Minimum age(s) for admission to employment

### **Hazardous work**

**CRC:** Art. 32

**Note:** Article 32 of the CRC accords to the child the right to be protected from performing any work that is likely to be hazardous. Article 3 of ILO Convention No. 138 concerning Minimum Age for Admission to Employment (1973) defines "hazardous employment or work" as work which is likely to jeopardize the health, safety or morals of a child, and sets the minimum age for such employment at the age of 18 years. The duty is placed on States Parties to determine, after consultation with organizations of employers and workers and taking into account any relevant treaties to which they are Parties, which types of work fall within this definition. Relevant international instruments in this regard include: White Lead (Painting Convention) (1921); Benzene Convention (1971); and Occupational Safety and Health (Dock Work) Convention (1979). Consider also paragraph 10 of ILO Recommendation No. 146 concerning the Minimum Age for Admission to Employment (1973).

**See also:** Child labour / Conditions of employment / Economic exploitation / Enforcement of child labour standards / Harmful work / Hours of employment / Minimum age(s) for admission to employment



## Health

**See:** Health and health services

## Health and health services

**CRC:** Art. 24

**Note:** Article 24 of the CRC accords to the child the right to the enjoyment of the highest attainable standard of health and to health care services for the treatment of illness and rehabilitation of health, and emphasizes the right of the child to have access to such health care services. The Constitution of the World Health Organisation (WHO) defines health as a state of complete physical, mental and social well-being. Health is therefore not regarded as merely the absence of disease or infirmity. This definition was reaffirmed and expanded in the Declaration of Alma-Ata, which was adopted in 1978 at the International Conference on Primary Health Care by UNICEF and the WHO. According to this Declaration, good health should enable individuals to develop to the maximum of their physical and mental potential, and to live economically and socially productive lives in harmony with the environment, and therefore requires the action of many other social and economic sectors in addition to the health sector.

**See also:** Accident prevention / Breast-feeding / Child health and nutrition / Child mortality / Disease / Environmental sanitation / Family planning / Guidance for parents / Health and international co-operation / Health care / Health education / Hygiene / Infant mortality / Malnutrition / Medical assistance / Periodic review of placement / Post-natal health care / Pre-natal health care / Preventive health care / Primary health care / Survival and development / Traditional practices

## Health and international co-operation

**CRC:** Art. 24(4)

**Note:** Article 24(4) of the CRC obligates States Parties to promote international co-operation with a view to achieving progressively the full realization of the right of the child to the enjoyment of the highest attainable standard of health and to health services. In this regard, States Parties are required to take particular account of the needs of developing countries.

**See also:** Developing countries / Health and health services / International co-operation

## Health care

**CRC:** Art. 24(2)(b)

**Note:** For the implementation of the right of the child to the enjoyment of the highest

attainable standard of health and to health services, States Parties are required to take appropriate measures to ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care.

**See also:** Health and health services / Preventive health care / Primary health care

## Health education

**CRC:** Art. 24(2)(e)

**Note:** For the implementation of the right of the child to the enjoyment of the highest attainable standard of health and to health services, States parties are required to take appropriate measures to ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breast-feeding, hygiene and environmental sanitation and the prevention of accidents.

**See also:** Accident prevention / Breast-feeding / Child health and nutrition / Environmental sanitation / Health and health services / Hygiene

## Health services

**See:** Health and health services

## Higher education

**CRC:** Art. 28(1)(c)

**Note:** For the implementation of the right of the child to education, States Parties are required to make higher education accessible to all on the basis of capacity by every appropriate means.

**See also:** Education

## Home

**See:** Respect for home

## Honour and reputation

**CRC:** Art. 16

**Note:** The right of the child not to be subjected to unlawful attacks on his or her honour and reputation and the right to the protection of the law against such attacks are set forth in Article 16 of the CRC.

**See also:** Freedom of expression / Privacy

## Hours of employment

**CRC:** Art. 32(2)(b)

**Note:** For the implementation of the right of the child to protection against economic exploitation and from performing any work that is likely to be hazardous or harmful to the

child's development, States Parties are required to provide for appropriate regulation of the hours and conditions of employment.

**See also:** Child labour / Conditions of employment / Economic exploitation / Enforcement of child labour standards / Harmful work / Hazardous work / Minimum age(s) for admission to employment

## Humanitarian assistance

**CRC:** Art. 22; Art. 38

**Note:** In general terms, humanitarian assistance refers to any aid in the form of food, clothing or medicines and medical treatment. States Parties are required to ensure that a refugee child receives appropriate protection and humanitarian assistance in the enjoyment of the rights set forth in the CRC and in other international human rights or humanitarian treaties to which States Parties are also Parties.

**See also:** Children in armed conflicts / International humanitarian law / Refugee children / Refugee protection

## Hygiene

**CRC:** Art. 24(2)(e)

**Note:** For the implementation of the right of the child to the enjoyment of the highest attainable standard of health and to health services, States Parties are required to take appropriate measures to ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of hygiene and environmental sanitation.

**See also:** Environmental sanitation / Health and health services / Health education

## Identity

**CRC:** Art. 8(1)

**Note:** According to Article 8(1) of the CRC, the identity of the child includes his or her nationality, name and family relations as recognized by law.

**See also:** Children born out of wedlock / Family relations / Know one's parents / Name / Nationality / Preservation of identity

## Ignorance

**CRC:** Art. 28(3)

**Note:** States Parties are required to promote international co-operation in matters relating to education, in particular with a view to contributing to the elimination of ignorance throughout the world. In this regard, States Parties are required to take particular account of the needs of developing countries.

**See also:** Developing countries / Education / Education and international co-operation / Illiteracy / International co-operation

### Illicit transfer and non-return

**CRC:** Art. 11

**Note:** The illicit transfer and non-return of children abroad refers to the problem of the abduction of children across frontiers by one of their parents. States Parties are required to take measures to combat the illicit transfer and non-return of children abroad, including the conclusion of bilateral or multilateral treaties or accession to existing treaties. Existing treaties include: the Hague Convention on the Civil Aspects of International Child Abduction (1980); the European Convention on Recognition and Enforcement of Decisions Concerning Custody of Children and on Restoration of Custody of Children (1980); and the Inter-American Convention on the Return of Children (1989).

**See also:** Abduction / Contact with both parents / Recovery of maintenance / Separation from parent(s)

### Illiteracy

**CRC:** Art. 28(3)

**Note:** States Parties are required to promote international co-operation in matters relating to education, in particular with a view to contributing to the elimination of illiteracy throughout the world. In this regard, States Parties are required to take particular account of the needs of developing countries.

**See also:** Developing countries / Education / Education and international co-operation / Ignorance / International co-operation

### Impartial authority

**See:** Independent and impartial authority

### Imprisoned children

**See:** Children deprived of their liberty / Imprisonment

### Imprisonment

**CRC:** Art. 37(b)

**Note:** The right of the child not to be subjected to unlawful or arbitrary imprisonment and the right to the use of imprisonment only as a measure of last resort and for the shortest appropriate period of time are set forth in Article 37(b) of the CRC.

**See also:** Children deprived of their liberty / Deprivation of liberty / Information on absent parent(s) or child / Life imprisonment / Non-custodial measures

### Imprisonment of parent(s)

**See:** Information on absent parent(s) or child

### Incorporation

**Note:** Many countries have constitutional provisions which determine the status of treaties in the national law, so that the precise legal implications of becoming party to the CRC will vary from State to State. In general, the approach of States to treaties can be divided into the transformation approach and the incorporation approach. The latter approach means that once the requirements for ratification have been satisfied, the CRC itself becomes automatically part of the national law.

**See also:** Applicability / Transformation

### Independent and impartial authority

**CRC:** Art. 37(d); Art. 40(2)(b)(iii)(v)

**Note:** An independent authority is to be independent of the executive and of the parties. An impartial authority is required to be unprejudiced, disinterested, just and equitable in the relation to the involved parties.

**See also:** Accused children / Administration of juvenile justice / Children deprived of their liberty / Due process / Fair trial / Judicial body / Determination of lawfulness of detention

### Indicators

**Note:** Factors used to measure the domestic implementation of the rights set forth in the CRC.

**See also:** Committee on the Rights of the Child / Domestic implementation

### Indigenous children

**CRC:** Art. 30

**Note:** According to one definition, indigenous or aboriginal peoples are descendants of those who inhabited a country or geographic region at the time when peoples of different cultures or ethnic origins arrived, the new arrivals later becoming dominant through conquest, occupation, settlement or other means. Under Article 30 of the CRC those States Parties in which indigenous peoples exist shall not deny a child belonging to such a group the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, and to use his or her own language. Noteworthy is the establishment in 1982 of the Working Group on Indigenous Populations by the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the United

Nations Economic and Social Council (ECOSOC).

**See also:** Information and linguistic minority children / Minority children

### Infant mortality

**CRC:** Art. 24(2)(a)

**Note:** For the implementation of the right of the child to the enjoyment of the highest attainable standard of health and to health services, States Parties are required to take appropriate measures to diminish infant mortality.

**See also:** Child mortality / Health and health services

### Information

**See:** Accusations / Appropriate information / Children's books / Educational guidance / Freedom of expression / Freedom of information / Information and international co-operation / Information and linguistic minority children / Information on absent parent(s) or child / Injurious information / Mass media / Vocational guidance

### Information and international

#### co-operation

**CRC:** Art. 17(b)

**Note:** For the implementation of the right of the child to have access to appropriate information, States Parties are required to encourage international co-operation in the production, exchange and dissemination of information and material of social and cultural benefit to the child from a diversity of cultural, national and international sources.

**See also:** Appropriate information / Freedom of information / International co-operation

### Information and linguistic minority children

**CRC:** Art. 17(d)

**Note:** For the implementation of the right of the child to have access to appropriate information, States Parties are required to encourage the mass media to have particular regard to the linguistic needs of children belonging to a minority or an indigenous group.

**See also:** Appropriate information / Freedom of information / Indigenous children / Information / Linguistic minority children / Mass media

### Information on absent parent(s) or child

**CRC:** Art. 9(4)

**Note:** Where separation between parent(s) and child results from any action initiated by a



State Party, such as the detention, imprisonment, exile, deportation, death (including death arising from any cause while the person is in custody of the State) of one or both parents or of the child, States Parties are required to provide the parents, the child or, if appropriate, another member of the family, upon request, with information concerning the whereabouts of the absent member(s) of the family, unless the provision of the information would be detrimental to the well-being of the child.

**See also:** Children deprived of their liberty / Detention / Imprisonment / Separation from parent(s)

### Informed promptly of criminal charges

**See:** Accusations

### Inhuman treatment or punishment

**See:** Cruel, inhuman or degrading treatment or punishment

### Injurious information

**CRC:** Art. 17(e)

**Note:** For the implementation of the right of the child to have access to appropriate information, States Parties are required to encourage the development of guidelines in order to protect children from information and material injurious to their well-being. Such guidelines should take into account the right of the child to freedom of expression (see Article 13 of the CRC), which includes the right to freedom of information, and that parents, and not the State, have the primary responsibility for the development of children (see Article 18(1) of the CRC).

**See also:** Appropriate information / Freedom of information / Mass media / Parental responsibilities

### Institutions

**See:** Alternative care / Care of children / Periodic review of placement / Non-custodial measures / Placement in institutions / Protection of children / Standards of care / Standards of protection

### Inter-country adoption

**CRC:** Art. 21

**Note:** Adoptions where children are brought from one country to live in the country of their adoptive parents. Article 21 of the CRC deals with the safeguards and standards to be ensured by those States Parties that recognize and/or permit the system of adoption as an alternative means of care for a child, covering both national adoption and inter-country adoption, and provides thereby that the best

interests of the child shall be the paramount consideration. Noteworthy are the United Nations Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally (1986) and the Hague Convention on Protection of Children and International Co-operation in respect of Inter-country adoption (1993).

**See also:** Adoption / Judicial review / National adoption / Procedures

### Intergovernmental organizations

**Note:** Under Article 45(a) of the CRC, the Committee on the Rights of the Child may invite the specialized agencies, the United Nations Children's Fund, and other competent bodies as it may consider appropriate, including inter-governmental and non-governmental organizations, to provide expert advice on the implementation of the CRC in areas falling within the scope of their respective mandates. The Committee may also transmit to such competent bodies, as it considers appropriate, any State reports that request or indicate a need for technical advice or assistance (see Article 45(b) of the CRC).

**See also:** Committee on the Rights of the Child / Competent bodies / Non-governmental organizations / Technical advice and assistance

### Internally displaced children

**Note:** Children who have fled or have been driven from their communities to other localities within their country or territory. For children forced to leave their home country, use "Refugee children".

### International co-operation

**CRC:** Preamble para. 13; Art. 4; Art. 17(b); Art. 23(4); Art. 24(4); Art. 28(3)

**Note:** Article 4 of the CRC obligates States Parties to take all appropriate measures for the implementation of the economic, social and cultural rights set forth in the CRC to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

**See also:** Developing countries / Domestic implementation / Disabled children and international co-operation / Economic, social and cultural rights / Education and international co-operation / Health and international co-operation / Ignorance / Illiteracy / Information and international co-operation / Modern teaching methods / Science and technology / Technical advice and assistance

## International humanitarian law

**CRC:** Art. 22(1); Art. 38(1)(4)

**Note:** States Parties are required to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child. In addition, States Parties are required to take all feasible measures to ensure the protection and care of children who are affected by an armed conflict in accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts. State obligations under international humanitarian law can be found in human rights treaties and in the following humanitarian treaties: Geneva Convention No. 1 for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (1949); Geneva Convention No. 2 for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (1949); Geneva Convention No. 3 Relative to the Treatment of Prisoners of War; Geneva Convention No. 4 Relative to the Protection of Civilian Persons in Time of War (1949); Protocol No. 1 Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of International Armed Conflicts (1977); and Protocol No. 2 Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of Non-International Armed Conflicts (1977). Provisions of humanitarian treaties which are of particular relevance to children include: Articles 14, 17, 23, 24, 25, 26, 38, 49, 50, 51, 68, 76, 81, 82, 89, 94 and 132 of Geneva Convention No. 4 Relative to the Protection of Civilian Persons in Time of War (1949); Articles 8, 70, 74, 75(5), 76(2-3), 77 and 78 of Protocol No. 1 Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of International Armed Conflicts (1977); and Articles 4(3) and 6(4) of Protocol No. 2 Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of Non-International Armed Conflicts (1977).

**See also:** Children in armed conflicts / Humanitarian assistance / Refugee protection

### International return of children

**See:** Illicit transfer and non-return

### Judicial body

**CRC:** Art. 37(d); Art. 40(2)(b)(iii)(v)

**Note:** A body with judicial power conferred by law, independent of the executive and of the



parties, and with discretionary power to decide, by reference to legal criteria, on controversies over law.

**See also:** Accused children / Administration of juvenile justice / Children deprived of their liberty / Determination of lawfulness of detention / Due process / Fair trial / Independent and impartial authority

### Judicial review

**CRC:** Art. 9(1),(2)

**Note:** According to Article 9(1), States Parties shall ensure that the child shall not be separated from his or her parents against their will, except when competent authorities, subject to judicial review, determine, in accordance with applicable law and procedures, that such a separation is necessary for the best interests of the child. In any proceedings pursuant to Article 9(1), all interested parties shall be given an opportunity to participate in the proceedings and make their views known (Article 9(2)).

**See also:** Adoption / Alternative care / Children deprived of a family environment / Inter-country adoption / National adoption / Periodic review of placement / Placement in institution / Respect for the views of the child / Right to be heard / Separation from parent(s)

### Jurisdiction

**CRC:** Art. 2(1)

**Note:** States Parties are required to respect and to ensure the rights set forth in the CRC to each child within their jurisdiction. Jurisdiction concerns the power of the State to exercise authority affecting people, property and circumstances within its territory and, in accordance with international law, outside its territory.

**See also:** Obligation of States

### Juvenile delinquency

**See:** Prevention of juvenile delinquency

### Juvenile justice

**CRC:** Art. 40(3)

**Note:** Justice system applied to a "juvenile": a child or a young person who, under the legal system concerned, is to be dealt with for an offence in a manner which is different from an adult. The age limit used to define a juvenile varies between countries. States Parties are required to promote the establishment of laws, procedures, authorities and institutions specifically applicable to accused and convicted children, in particular the establishment of a minimum age for criminal responsibility and diversions.

**See also:** Administration of juvenile justice /

Diversions / Juvenile delinquency / Juvenile offenders / Minimum age for criminal responsibility / Non-custodial measures

### Juvenile offenders

**Note:** A "juvenile" is a child or young person who, under the legal system concerned, is to be dealt with for an offence in a manner which is different from an adult. An "offence" is any behaviour (act or omission) that is punishable by law under the legal system concerned. A "juvenile offender" is a child or young person who is alleged to have committed or who has been found to have committed an offence (see Rule 2.2 of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (1985), otherwise known as the Beijing Rules).

**See also:** Administration of juvenile justice / Juvenile justice / Minimum age for criminal responsibility / Offence

### Juveniles deprived of their liberty

**See:** Children deprived of their liberty

### Kafala

**CRC:** Art. 20(3)

**Note:** Kafala of Islamic law is an alternative means of care for children deprived of their family environment, for example, abandoned or orphaned children. Under Kafala, a family may take a child to live with them on a permanent, legal basis, but that child is not entitled to use of the family's name or to inherit from the family.

**See also:** Alternative care / Children deprived of their family environment

### Kidnapping

**See:** Abduction / Illicit transfer and non-return

### Know one's parents

**CRC:** Art. 7(1)

**Note:** The right of the child to know his or her parents, as far as possible, is recognized in Article 7(1) of the CRC.

**See also:** Identity / Parental care

### Language

**See:** Assistance of an interpreter / Discrimination / Information and linguistic minority children / Linguistic minority children

### Leave a country

**CRC:** Art. 10

**Note:** The right to leave any country, which is

recognized in Article 12(2) of the International Covenant on Civil and Political Rights (1966), is not included in the CRC. The CRC does include the right of the child and parents to leave a State Party for the purposes of family reunification, and the right of the child or parents to leave any country for the purposes of contact with a parent or child residing in a different country. The latter right may be made subject to restrictions.

**See also:** Contact with both parents / Enter a country / Family reunification / Restrictions of rights

### Legal assistance

**CRC:** Art. 40(2)(b)(ii)

**Note:** The right of the accused child to legal or other appropriate assistance in the preparation and presentation of his or her defence is recognized in Article 40(2)(b)(ii) of the CRC.

**See also:** Accused children / Administration of juvenile justice / Defence / Due process / Fair trial / Trial in the presence of legal assistance

### Leisure

**CRC:** Art. 31

**Note:** In recognition of the importance of rest and leisure for the child's development, Article 31 of the CRC obligates States Parties to recognize the right of the child to rest and leisure. For the realization of this right, States Parties are required to encourage the provision of appropriate and equal opportunities for leisure activity.

**See also:** Equal opportunities / Recreation

### Liberty of person

**See:** Deprivation of liberty

### Life

**See:** Right to life

### Life imprisonment

**CRC:** Art. 37(a)

**Note:** The right of the child not to be subjected to life imprisonment without the possibility of release is dealt with in Article 37(a) of the CRC. This provision prohibits States Parties from imposing life imprisonment without the possibility of release for offences committed by persons below the age of eighteen years.

**See also:** Accused children / Capital punishment / Children deprived of their liberty / Convicted children / Imprisonment

### Limitations

**See:** Restrictions of rights



## Linguistic minority children

**CRC:** Art. 30

**Note:** A linguistic minority is a group of people within the territory of a State whose language is different from that of the majority. Under Article 30 of the CRC those States Parties in which linguistic minorities exist shall not deny a child belonging to such a minority the right, in community with other members of his or group, to use his or her own language. This right is also recognized in Article 27 of the International Covenant on Civil and Political Rights (1966). Noteworthy is the standard-setting work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the United Nations Commission on Human Rights, including the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, which was adopted by the General Assembly of the United Nations in 1993.

**See also:** Discrimination / Information and linguistic minority children / Minority children

## Maintenance obligations

**CRC:** Art. 27(2)

**Note:** States Parties are required to recognize that parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.

**See also:** Adequate standard of living / Family assistance / Parental responsibilities / Recovery of maintenance

## Majority

**CRC:** Art. 1

**Note:** Majority refers to the legal age at which political, economic or other forms of participation begin in various countries. In most countries majority is attained at a certain age. However, in some countries majority can also be attained through, for example, marriage or military service. Under Article 1 of the CRC once a person attains the age of 18 years the provisions of the CRC are no longer automatically applicable to him or her. Recognizing that 18 is not necessarily consonant with the age at which majority is attained in some countries, this provision allows those States Parties in which a child below the age of 18 years can attain majority to retain that age as the upper age limit for the automatic application of the rights set forth in the CRC.

**See also:** Definition of the child / Minimum age(s)

## Malnutrition

**CRC:** Art. 24(2)(c)

**Note:** For the implementation of the right of the child to the enjoyment of the highest attainable standard of health and to health services, States Parties are required to take appropriate measures, including within the framework of primary health care, to combat malnutrition through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution.

**See also:** Adequate nutrition / Breast-feeding / Child health and nutrition / Disease / Health and health services / Primary health care

## Marriage

**See:** Child marriage

## Mass media

**CRC:** Art. 17(a)

**Note:** For the implementation of the right of the child to have access to appropriate information, States Parties are required to encourage the mass media to disseminate information and material of social and cultural benefit to the child.

**See also:** Appropriate information / Children's books / Freedom of information / Information and linguistic minority children / Injurious information

## Material assistance

**CRC:** Art. 27(3)

**Note:** For the implementation of the right of the child to an adequate standard of living, States Parties are required to provide material assistance and support programmes for families in need, particularly with regard to nutrition, clothing and housing.

**See also:** Adequate nutrition / Adequate standard of living / Family assistance / Parental responsibilities

## Media violence

**See:** Appropriate information / Injurious information

## Medical assistance

**CRC:** Art. 24(2)(b)

**Note:** For the implementation of the right of the child to the enjoyment of the highest attainable standard of health and to health services, States Parties are required to take appropriate measures to ensure the provision of nec-

essary medical assistance and health care to all children, with emphasis on the development of primary health care.

**See also:** Health and health services

## Mentally disabled children

**See:** Disabled children

## Minimum age(s)

**Note:** In most countries minors of a certain age enjoy special legal capacity to act independently in some important matters. Pursuant to Article 1 of the CRC, dealing with the definition of the child, the Committee on the Rights of the Child has requested States Parties to provide relevant information on the legal minimum ages established for various purposes, including, inter alia, legal or medical counselling without parental consent, end of compulsory education, part-time employment, full-time employment, hazardous employment, sexual consent, marriage, voluntary enlistment into the armed forces, conscription into the armed forces, voluntarily giving testimony in court, criminal liability, deprivation of liberty, imprisonment and consumption of alcohol or other controlled substances.

**See also:** Definition of the child / Majority / Minimum age for criminal responsibility / Minimum age(s) for admission to employment

## Minimum age for criminal responsibility

**CRC:** Art. 40(3)(a)

**Note:** States Parties are required to promote the establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law. Rule 4 of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (1985), otherwise known as the Beijing Rules, recommends that the beginning of the age of criminal responsibility should not be fixed at too low an age level, bearing in mind the facts of emotional, mental and intellectual maturity of the child.

**See also:** Administration of juvenile justice / Diversions / Juvenile justice / Minimum age(s)

## Minimum age(s) for admission to employment

**CRC:** Art. 32(2)(a)

**Note:** Article 32(2) of the CRC obligates States Parties to take measures for the implementation of the right of the child to protection against economic exploitation and from performing any work that is likely to be haz-



ardous or to interfere with the child's education, or to be harmful to the child's health or development. In particular, States Parties are required, having regard to the relevant provisions of other international instruments, to provide for a minimum age or minimum ages for admission to employment. Relevant provisions of other international instruments include Article 10(3) of the International Covenant on Economic, Social and Cultural Rights (1966) and Article 7 of the European Social Charter (1961). ILO Convention No. 138 Concerning Minimum Age for Admission to Employment (1973) sets 18 as the minimum age for any employment which is likely to jeopardize a person's health, safety or morals and establishes a general minimum age of 15 for employment. It permits States Parties whose economies and educational facilities are insufficiently developed to set the lower age of 14.

**See also:** Child labour / Conditions of employment / Economic exploitation / Enforcement of child labour standards / Harmful work / Hazardous work / Hours of employment / Minimum age(s)

### Minority children

**CRC:** Art. 30

**Note:** A minority is a group of people in minority within the territory of a State. Under Article 30 of the CRC those States Parties in which ethnic, religious or linguistic minorities exist shall not deny a child belonging to such a minority the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language. This right is also recognized in Article 27 of the International Covenant on Civil and Political Rights (1966). Noteworthy is the standard-setting work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the United Nations Commission on Human Rights, including the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, which was adopted by the General Assembly of the United Nations in 1993.

**See also:** Discrimination / Ethnic minority children / Indigenous children / Linguistic minority children / Religious minority children

### Minors

**See:** Majority

### Modern teaching methods

**CRC:** Art. 28(3)

**Note:** Article 28(3) of the CRC obligates

States Parties to promote international co-operation in matters relating to education, in particular with a view to facilitating access to modern teaching methods. In this regard, States Parties are required to take particular account of the needs of developing countries.

**See also:** Developing countries / Education / Education and international co-operation / International co-operation

### Mortality

**See:** Child mortality / Infant mortality

### Name

**CRC:** Art. 7(1)

**Note:** The right of the child to a name from birth is recognized in Article 7(1) of the CRC. The purpose of this provision is to promote recognition and protection of the child's legal personality. It is of fundamental importance, as a name is the first point of reference both for the child and society as a means of identifying the child and the child's family. It is therefore of special importance to children born out of wedlock, abandoned children and foundlings.

**See also:** Birth registration / Children born out of wedlock / Family relations / Identity / Nationality / Preservation of identity

### National adoption

**CRC:** Art. 21

**Note:** Adoption which does not involve removal of the child across borders. Article 21 of the CRC deals with the safeguards and standards to be ensured by those States Parties that recognize and/or permit the system of adoption as an alternative means of care for a child, covering both national adoption and inter-country adoption, and provides thereby that the best interests of the child shall be the paramount consideration. Noteworthy is the Declaration on Social and Legal Principles Relating to the Protection and Welfare of Children With Special Reference to Foster Placement and Adoption, which was adopted by the General Assembly of the United Nations in 1986.

**See also:** Adoption / Inter-country adoption / Judicial review / Procedures

### National origin

**See:** Discrimination

### National security

**See:** Restrictions of rights

### Nationality

**CRC:** Art. 7

**Note:** The right of the child to acquire a nationality is set forth in Article 7 of the CRC. Some countries apply the principle of *jus sanguinis*, according to which nationality is founded by descent from parents. Others apply the principle of *jus soli*, according to which nationality is founded by virtue of being born within the territory of a State.

**See also:** Family relations / Identity / Name / Preservation of identity / Statelessness

### Neglect

**CRC:** Art. 19

**See:** Abuse and neglect

### Non-custodial measures

**CRC:** Art. 40(4)

**Note:** States Parties are required to make alternatives to institutional care available for convicted children, to ensure that these children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence. Such non-custodial measures could include, inter alia, care, guidance, supervision orders, counselling, probation, education and vocational training programmes.

**See also:** Administration of juvenile justice / Convicted children / Deprivation of liberty / Detention / Imprisonment / Treatment of convicted children

### Non-discrimination

**See:** Discrimination

### Non-governmental organizations

**Note:** Under Article 45(a) of the CRC, the Committee on the Rights of the Child may invite the specialized agencies, the United Nations Children's Fund and other competent bodies as it may consider appropriate, including inter-governmental and non-governmental organizations, to provide expert advice on the implementation of the CRC in areas falling within the scope of their respective mandates. The Committee may also transmit to such bodies, as it considers appropriate, any State reports that contain a request, or indicate a need, for technical advice or assistance (see Article 45(b) of the CRC).

**See also:** Committee on the Rights of the Child / Competent bodies / Inter-governmental organizations / Technical advice and assistance

### Nullum crimen sine lege

**CRC:** Art. 40(2)(a)

**Note:** Article 40(2)(a) of the CRC accords to



the child the right not to be accused of or recognized as having infringed the penal law by reasons of acts or omissions that were not prohibited by national or international law at the time they were committed.

**See also:** Accused children / Administration of juvenile justice / Convicted children

### Nutrition

**See:** Adequate nutrition / Child health and nutrition / Malnutrition

### Obligation of States

**CRC:** Art. 2(1)

**Note:** States Parties are required to respect and to ensure the rights set forth in the CRC to each child within their jurisdiction without discrimination of any kind.

**See also:** Definition of the child / Discrimination / Domestic implementation / Jurisdiction / Saving clause

### Offence

**CRC:** Art. 37(a); Art. 40(4)

**Note:** Any behaviour (act or omission) that is punishable by law under the legal system concerned.

**See also:** Accused children / Administration of juvenile justice / Convicted children / Juvenile offenders

### Offenders

**See:** Accused children / Convicted children / Juvenile offenders

### Opinion(s)

**See:** Discrimination / Freedom of expression / Respect for the views of the child

### Organ trafficking

**Note:** There has been an increased number of as yet unsubstantiated reports of trafficking in children for the sale of their organs. The 1994 report of the United Nations Special Rapporteur on the Sale of Children states that the search for proof of a trade in children's organs poses great difficulties even though there is evidence of a market in children's organs. The Guiding Principles on Human Organ Transplantation adopted by the World Health Organization (WHO) provide that no organ should be removed from a living child with the exception of the removal of regenerative tissue and that the giving and receiving of payment is prohibited. Provisions of the CRC which imply the prohibition of organ trafficking are Article 6 dealing with the right to life, Article 35 dealing

with the right to protection against sale and trafficking, and Article 36 dealing with the right to protection against all forms of exploitation.

**See also:** Exploitation / Right to life / Sale and trafficking

### Orphans

**See:** Children deprived of their family environment

### Parental abuse or neglect

**See:** Abuse and neglect

### Parental authority

**See:** Parental responsibilities

### Parental care

**CRC:** Art. 7(1)

**Note:** The right of the child to be cared for by his or her parents, as far as possible, is recognized in Article 7(1) of the CRC.

**See also:** Know one's parents / Parental guidance / Parental responsibilities

### Parental guidance

**CRC:** Art. 5

**Note:** States Parties are required to respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the CRC.

**See also:** Community / Equality of parents / Evolving capacities of the child / Extended family / Freedom of religion / Parental care / Parental responsibilities

### Parental responsibilities

**CRC:** Art. 18(1); Art. 27(2)

**Note:** States Parties are required to recognize that parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. In addition, States Parties are required to recognize that parent(s) or others responsible for the child have the primary responsibility to secure, with their abilities and financial capacities, the conditions of living necessary for the child's development.

**See also:** Equality of parents / Family assistance / Injurious information / Maintenance obligations / Material assistance / Parental care / Parental guidance / Recovery of maintenance

### Parents

**See:** Contact with both parents / Equality of parents / Information on absent parent(s) or child / Know one's parents / Maintenance obligations / Parental care / Parental guidance / Parental responsibilities / Separation from parent(s)

### Participation in hostilities

**CRC:** Art. 38(2)

**Note:** Children participate in international armed conflicts and non-international armed conflicts directly by engaging in combat or indirectly by seeking and sending military information and transporting food, arms and munitions. States Parties are required to take all feasible measures to ensure that persons who have not attained the age of 15 years do not take a direct part in hostilities. In addition, States Parties are required to refrain from recruiting any person who has not attained the age of 15 years into their armed forces. In recruiting among those persons who have attained the age of 15 years but who have not attained the age of 18 years, States Parties are required to endeavour to give priority to those who are oldest. The minimum ages established in States Parties for the purposes of voluntary enlistment and recruitment into the armed forces are of relevance to these provisions.

**See also:** Children in armed conflicts / Recruitment

### Peaceful assembly

**See:** Freedom of assembly

### Penal procedures

**See:** Administration of juvenile justice / Due process

### Periodic review of placement

**CRC:** Art. 25

**Note:** Article 25 of the CRC accords a child who has been placed by the competent authorities for the purposes of care, protection or treatment for his or her physical or mental health the right to a periodic review of the treatment provided to the child and all other circumstances relevant to the child's placement.

**See also:** Alternative care / Foster placement / Health and health services / Judicial review / Placement in institutions / Procedures

### Physically disabled children

**See:** Disabled children



## Placement in institutions

**CRC:** Art. 20(3)

**Note:** Article 20(3) of the CRC states that alternative care for children deprived of their family environment could include, inter alia, foster placement, kafala of Islamic law, adoption or, but only if necessary, placement in suitable institutions for the care of children.

**See also:** Alternative care / Children deprived of their family environment / Judicial review / Periodic review of placement / Procedures

## Play

**See:** Recreation

## Political opinion

**See:** Discrimination

## Post-natal health care

**CRC:** 24(2)(d)

**Note:** For the implementation of the right of the child to the enjoyment of the highest attainable standard of health, States Parties are required to take appropriate measures to ensure appropriate post-natal health care for mothers.

**See also:** Health and health services / Pre-natal health care

## Pre-natal health care

**CRC:** Art. 24(2)(d)

**Note:** For the implementation of the right of the child to the enjoyment of the highest attainable standard of health, States Parties are required to take appropriate measures to ensure appropriate pre-natal health care for mothers.

**See also:** Health and health services / Post-natal health care

## Preservation of identity

**CRC:** Art. 8

**Note:** States Parties are required to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference. The purpose of this right is to promote recognition and protection of the child's legal personality. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties are required to provide appropriate assistance and protection, with a view to speedily re-establishing his or her identity.

**See also:** Birth registration / Disappearances / Family relations / Name / Nationality / Statelessness

## Presumption of innocence

**CRC:** Art. 40(2)(b)(i)

**Note:** The right of the accused child to be presumed innocent until proven guilty according to law is set forth in Article 40(2)(b)(i) of the CRC.

**See also:** Accused children / Administration of juvenile justice / Due process / Fair trial / Self-incriminating evidence

## Prevention of juvenile delinquency

**Note:** Article 40 of the CRC accords protection to children in conflict with the law. The international community has also recognized the need to develop national, regional and international approaches and strategies to prevent children coming into conflict with the law. See in this regard General Assembly resolution 40/35 entitled Development of Standards for the Prevention of Juvenile Delinquency (1985) and the United Nations Guidelines for the Prevention of Juvenile Delinquency, otherwise known as the Riyadh Guidelines (1990).

**See also:** Administration of juvenile justice

## Preventive health care

**CRC:** Art. 24(2)(f)

**Note:** For the implementation of the right of the child to the enjoyment of the highest attainable standard of health and to health services, States Parties shall take appropriate measures to develop preventive health care.

**See also:** Disease / Health and health services / Health care

## Primary education

**CRC:** Art. 28(1)(a)

**Note:** For the implementation of the right of the child to education, States Parties are required to make primary education compulsory and available free to all.

**See also:** Compulsory education / Education / Free education

## Primary health care

**CRC:** Art. 24(2)(b)

**Note:** For the implementation of the right of the child to the enjoyment of the highest attainable standard of health and to health services, States Parties are required to take appropriate measures to ensure the provision of necessary medical assistance and health care to all children, with emphasis on the development of primary health care. According to Principle 7 of the Declaration of Alma-Ata (1978), primary health care includes at least: education

concerning prevailing health problems and the methods of preventing and controlling them; promotion of food supply and proper nutrition; an adequate supply of safe water and basic sanitation; maternal and child health care, including family planning; immunization against the major infectious diseases; prevention and control of locally endemic diseases; appropriate treatment of common diseases and injuries; and provision of essential drugs.

**See also:** Disease / Health and health services / Health care / Malnutrition

## Prison conditions

**See:** Cruel, inhuman or degrading treatment or punishment / Non-custodial measures / Standards of care / Standards of protection / Treatment of accused children / Treatment of convicted children / Treatment of children deprived of their liberty / Torture

## Privacy

**CRC:** Art. 16

**Note:** Article 16 accords to the child the right not to be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, and the right to the protection of the law against such interference.

**See also:** Correspondence / Honour and reputation / Privacy of accused children / Respect for family / Respect for home

## Privacy of accused children

**CRC:** Art. 40(2)(b)(vii)

**Note:** The right of the accused child to have his or her privacy fully respected at all stages of the proceedings is set forth in Article 40(2)(b)(vii) of the CRC.

**See also:** Accused children / Administration of juvenile justice / Privacy / Treatment of accused children

## Private schools

**See:** Educational institutions

## Procedures

**CRC:** Art. 9 (1)(2); Art 21(a)

**Note:** According to Article 9(1), States Parties shall ensure that the child shall not be separated from his or her parents against their will, except when competent authorities, subject to judicial review, determine, in accordance with applicable law and procedures, that such a separation is necessary for the best interests of the child. In any proceedings pursuant to Article 9(1), all interested parties shall be given an opportunity



to participate in the proceedings and make their views known (Article 9(2)). Article 21(a) of the CRC requires that the adoption of a child be authorized only by competent authorities acting in accordance with the applicable laws and procedures of their country.

**See also:** Adoption / Alternative care / Children deprived of a family environment / Inter-country adoption / National adoption / Periodic review of placement / Placement in institutions / Respect for the views of the child / Right to be heard / Separation from parent(s)

### Prompt legal assistance

**CRC:** Art. 37(d)

**Note:** The right of every child deprived of his or her liberty to prompt access to legal and other appropriate assistance is recognized in Article 37(d) of the CRC.

**See also:** Children deprived of their liberty / Determination of lawfulness of detention

### Prompt trial

**CRC:** Art. 40(2)(b)(iii)

**Note:** The right of the accused child to have a speedy trial without undue delay is recognized in Article 40(2)(b)(iii) of the CRC.

**See also:** Accused children / Administration of juvenile justice / Determination of lawfulness of detention

### Property

**See:** Discrimination

### Prostitution

**See:** Child prostitution

### Protection of children

**CRC:** Art. 3(2)

**Note:** States Parties are required to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her.

**See also:** Care of children / Standards of protection

### Public health or morals

**See:** Restrictions of rights

### Public order

**See:** Restrictions of rights

### Public safety

**See:** Restrictions of rights

### Punishment

**See:** Cruel, inhuman or degrading punishment or treatment / Discrimination and punishment / Non-custodial measures / School discipline / Torture / Treatment of accused children / Treatment of children deprived of their liberty / Treatment of convicted children

### Racial discrimination

**See:** Discrimination

### Ratification

**CRC:** Art. 47

**Note:** Article 47 of the CRC provides that the CRC is subject to ratification, and Article 48 provides that the CRC remains open for accession by any State. To become a Party to the CRC, a State must therefore either ratify or accede to the CRC. Ratification and accession both refer to the act whereby the competent authorities of the State express their consent to be bound by the CRC. The only difference is that ratification applies to those States that have signed the CRC and accession applies to those States that have not. The instruments of ratification or accession are to be deposited with the Secretary-General of the United Nations. As at 10 March 1995, the CRC had been ratified or acceded to by 170 States.

**See also:** Accession / Denunciation / Depositary / Entry into force / Signature

### Recovery and reintegration

**CRC:** Art. 39

**Note:** States Parties are required to take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of any form of abuse, neglect, or exploitation, of torture or any other form of cruel, inhuman or degrading treatment or punishment, or of armed conflicts.

**See also:** Abduction / Abuse and neglect / Child pornography / Child prostitution / Children in armed conflicts / Cruel, inhuman or degrading treatment or punishment / Drug production / Drug trafficking / Economic exploitation / Exploitation / Sale and trafficking / Sexual exploitation / Torture

### Recovery of maintenance

**CRC:** Art. 27(4)

**Note:** Article 27(4) of the CRC obligates States Parties to take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad,

including accession to or conclusion of international instruments concerning recovery of maintenance from abroad. Existing international treaties include: the Hague Convention on the Law Applicable to Maintenance Obligations Towards Children (1956); the Hague Convention on the Recognition and Enforcement of Decisions Relating to Maintenance Obligations (1973); and the Inter-American Convention on Support Obligations (1989).

**See also:** Illicit transfer and non-return / Maintenance obligations / Parental responsibilities

### Recreation

**CRC:** Art. 31

**Note:** Article 31 of the CRC accords to the child the right to engage in play and recreational activities appropriate to the age of the child. States Parties are required to encourage the provision of appropriate and equal opportunities for recreational activity.

**See also:** Equal opportunities / Leisure

### Recruitment

**CRC:** Art. 38(3)

**Note:** States Parties are required to refrain from recruiting any person who has not attained the age of 15 years into their armed forces. In recruiting among those persons who have attained the age of 15 years but who have not attained the age of 18 years, States Parties are required to endeavour to give priority to those who are oldest. The minimum ages established in States Parties for the purposes of recruitment and voluntary enlistment into the armed forces is of relevance to this provision. Article 77(2) of Protocol No. 1 Additional to the Geneva Convention of 12 August 1949 and Relating to the Protection of Victims of International Armed Conflicts (1977) and Article 4(3)(c) of Protocol No. 2 Additional to the Geneva Convention of 12 August 1949 Relating to the Protection of Victims of Non-International Armed Conflicts (1977) also deal with the recruitment of children into the armed forces.

**See also:** Children in armed conflicts / Participation in hostilities

### Refugee-assisting organizations

**CRC:** Art. 22(2)

**Note:** States Parties are required to provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations co-operating with the United Nations to protect and assist



refugee children, including the tracing of the parents or other family members of any refugee child in order to obtain information necessary for family reunification.

**See also:** Family tracing / Refugee children / Refugee protection / United Nations High Commissioner for Refugees

## Refugee children

**CRC:** Art. 22

**Note:** Article 22 of the CRC accords special rights to refugee children. Under this provision, refugee children are defined as children who are seeking refugee status outside the country of their nationality or former habitual residence or who are considered a refugee in accordance with applicable international or domestic law and procedures, whether unaccompanied or accompanied by their parents or by any other person. States Parties are required to ensure that such children receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the CRC and in other human rights or humanitarian treaties to which States Parties to the CRC are also Parties (see "Refugee protection"). In cases where no parents or family members of a refugee child can be traced, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment, as set forth in Article 20 of the CRC.

**See also:** Accompanied refugee children / Family reunification / Family tracing / Humanitarian assistance / Refugee-assisting organizations / Refugee protection / Refugee status / Unaccompanied refugee children / United Nations High Commissioner for Refugees

## Refugee protection

**CRC:** Art. 22

**Note:** The 1951 Convention and the 1967 Protocol Relating to the Status of Refugees, the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa (1969) and the Cartagena Declaration (1984) play an important role in the international system of refugee protection. The mandate of the United Nations High Commissioner for Refugees (UNHCR) is to provide international protection to refugees under the auspices of the United Nations and, together with governments, to seek permanent solutions to their problems. Article 22 of the CRC deals with the protection of refugee children, and obligates States Parties to ensure that these children receive appropriate protection and humanitar-

ian assistance in the enjoyment of applicable rights set forth in the CRC and in other international human rights or humanitarian treaties to which States Parties are also Parties.

**See also:** Humanitarian assistance / International humanitarian law / Refugee-assisting organizations / Refugee children / Refugee status / United Nations High Commissioner for Refugees

## Refugee status

**CRC:** Art. 22(1)

**Note:** The 1951 Convention and 1967 Protocol Relating to the Status of Refugees define a refugee regardless of age, and make no special provision for the status of refugee children. They obligate States Parties to apply the criterion of well-founded fear of persecution for granting refugee status. Applying this criterion to children does not normally give rise to any problem when, as in the majority of cases, they are accompanied by their parent(s). Determining the refugee status of unaccompanied children is more difficult and requires special consideration. Depending on the law of the State, a child seeking asylum may be granted: refugee status for having a well-founded fear of being persecuted, as defined in the aforementioned 1951 Convention and 1967 Protocol; refugee status as defined in the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa (1969); or refugee status as defined in the Cartagena Declaration (1984). If the refugee claim is denied, the child might be permitted to stay with an immigration status granted for another humanitarian reason, or receive a rejection or deportation order. Important to note is that Article 22 of the CRC accords protection not only to children who have been granted refugee status in host States Parties, but also to children who are seeking refugee status.

**See also:** Accompanied refugee children / Refugee children / Refugee protection / Unaccompanied refugee children

## Rehabilitation

**See:** Health and health services / Non-custodial measures / Recovery and reintegration / Treatment of accused children / Treatment of children deprived of their liberty / Treatment of convicted children

## Religion

**See:** Discrimination / Freedom of religion / Religious minority children

## Religious minority children

**CRC:** Art. 30

**Note:** A religious minority is a group of people of common religion or belief in minority within the territory of a State. Under Article 30 of the CRC those States Parties in which religious minorities exist shall not deny a child belonging to such a minority the right, in community with other members of his or her group, to profess and practise his or her own religion. This right is also recognized in Article 27 of the International Covenant on Civil and Political Rights (1966). Noteworthy is the standard-setting work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities of the United Nations Commission on Human Rights, including the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, which was adopted by the General Assembly of the United Nations in 1993.

**See also:** Discrimination / Freedom of religion / Minority children

## Reporting obligations

**CRC:** Art. 44

**Note:** States Parties to the CRC are required to submit to the Committee on the Rights of the Child reports on the measures they have adopted which give effect to the rights recognized in the CRC and on the progress made on the enjoyment of those rights, within two years of the entry into force of the CRC for the State Party concerned, and thereafter every five years.

**See also:** Committee on the Rights of the Child / Dissemination of reports / Domestic implementation

## Reputation

**See:** Honour and reputation

## Reservations

**CRC:** Art. 51

**Note:** Article 2(1)(d) of the Vienna Convention on the Law of Treaties (1969) defines a reservation as "a unilateral statement, however phrased or named, made by a state, when signing, ratifying, accepting, approving or acceding to a treaty, whereby it purports to exclude or modify the legal effect of certain provisions of the treaty in their application to that state". Reservations must be distinguished from other statements made with regard to a treaty that are not intended to have the legal effect of a reservation, such as understandings, political statements and interpretative declarations. Most treaties declare their positions as regards reservations. Some specify that reservations



are possible with regard to certain provisions only, while others prohibit altogether any reservations. The CRC provides in Article 51 that reservations may be made by States at the time of ratification or accession, and shall be received and circulated to all States by the Secretary-General of the United Nations. Reservations incompatible with the object and purpose of the CRC shall not be permitted. The rules of international treaty law concerning reservations are set forth in Articles 19 to 23 of the Vienna Convention on the Law of Treaties (1969).

**See also:** Amendments / Denunciation / Depositary

## Resources

**See:** Domestic implementation

## Respect for family

**CRC:** Art. 16

**Note:** The right of the child not to be subjected to arbitrary or unlawful interference with his or her family and the right to the protection of the law against such interference are set forth in Article 16 of the CRC.

**See also:** Family relations / Family reunification / Privacy / Separation from parent(s)

## Respect for home

**CRC:** Art. 16

**Note:** The right of the child not to be subjected to arbitrary or unlawful interference with his or her home and the right to the protection of the law against such interference are set forth in Article 16 of the CRC.

**See also:** Privacy

## Respect for the views of the child

**CRC:** Art. 12

**Note:** Article 12 of the CRC accords to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child and the right to have those views taken into account in accordance with the age and maturity of the child.

**See also:** Best interests of the child / Discrimination / Evolving capacities of the child / Freedom of expression / Judicial review / Procedures / Right to be heard

## Rest

**See:** Leisure

## Restrictions of rights

**CRC:** Art. 10(2); Art. 13(2); Art. 14(3); Art. 15(2)

**Note:** States Parties are only permitted to limit or restrict the enjoyment by the child of the rights set forth in the CRC where the relevant specific rights provision so allows. Such restrictions must be prescribed by law and be necessary on the basis of one or more of the grounds mentioned in the provision, such as the protection of national security or of public order.

**See also:** Freedom of assembly / Freedom of association / Freedom of expression / Freedom of religion / Leave a country

## Return of children

**See:** Illicit transfer and non-return

## Review

**See:** Administration of juvenile justice / Appeal / Judicial review / Procedures

## Right to be heard

**CRC:** Art 9(2); Art. 12(2)

**Note:** The right of the child to be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either in person, or through a representative or other appropriate body.

**See also:** Judicial review / Procedures / Respect for the views of the child / Separation from parent(s)

## Right to life

**CRC:** Art. 6

**Note:** The right to life is recognized in Article 6 of the CRC. In its General Comments on Article 6 of the International Covenant on Civil and Political Rights (1966), the Human Rights Committee stated that States Parties should undertake measures not only to prevent deprivation of life by criminal acts, but also to prevent arbitrary killing by their own security forces. In addition, the Committee noted that the right to life cannot properly be understood in a restrictive manner, and that the protection of this right requires that States adopt positive measures, including all possible measures to reduce infant mortality and to increase life expectancy, especially in adopting measures to eliminate malnutrition and epidemics.

**See also:** Capital punishment / Organ trafficking / Survival and development

## Sale and trafficking

**CRC:** Art. 35

**Note:** According to the United Nations Special Rapporteur on the Sale of Children,

(inter-country) adoption, forced labour and sexual exploitation are the three main practices in relation to which the sale and trafficking of children occurs. There has also been an increased number of as yet unsubstantiated reports of trafficking in children for the sale of their organs. The right of the child to protection against the sale of or traffic in children is set forth in Article 35 of the CRC. States Parties are required to take all appropriate national, bilateral and multilateral measures to prevent the sale of or traffic in children for any purpose or in any form.

**See also:** Abduction / Exploitation / Organ trafficking / Recovery and reintegration / Slavery

## Saving clause

**CRC:** Art. 41

**Note:** The saving clause enshrined in Article 41 of the CRC is intended to safeguard for children the protection of higher standards and additional rights incorporated in the law of States Parties or in other regional and international treaties to which States Parties are also Parties.

**See also:** Domestic implementation / Obligation of States

## School attendance

**CRC:** Art. 28(1)(e)

**Note:** For the implementation of the right of the child to education, States Parties are required to take measures to encourage regular attendance at schools.

**See also:** Drop-out rates / Education

## School discipline

**CRC:** Art. 28(2)

**Note:** States Parties are required to take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the CRC.

**See also:** Abuse and neglect / Cruel, inhuman or degrading treatment or punishment / Education

## Science and technology

**CRC:** Art. 28(3)

**Note:** For the implementation of the right of the child to education, States Parties are required to promote international co-operation in matters relating to education, in particular with a view to facilitating access to scientific and technical knowledge. In this regard, States Parties are required to take particular account of

the needs of developing countries.

**See also:** Developing countries / Education / Education and international co-operation / International co-operation

### Secondary education

**CRC:** Art. 28(1)(b)

**Note:** For the implementation of the right of the child to education, States Parties are required to encourage the development of different forms of secondary education, including general and vocational education, and to make them available and accessible to every child through, for example, the introduction of free education and offering financial assistance in case of need.

**See also:** Education / Education assistance / Free education / General education / Vocational education

### Self-executing provisions

**See:** Applicability

### Self-incriminating evidence

**CRC:** Art. 40(2)(b)(iv)

**Note:** The right of the accused child not to be compelled to give testimony or to confess guilt is set forth in Article 40(2)(b)(iv) of the CRC.

**See also:** Accused children / Administration of juvenile justice / Presumption of innocence

### Sentencing of children

**See:** Capital punishment / Cruel, inhuman or degrading treatment or punishment / Discrimination and punishment / Life imprisonment / Non-custodial measures / Torture / Treatment of children deprived of their liberty / Treatment of convicted children

### Separation from adult prisoners

**CRC:** Art. 37(c)

**Note:** The right of every child deprived of his or her liberty to be separated from adults, unless it is considered in the child's best interests not to do so, is set forth in Article 37(c) of the CRC.

**See also:** Children deprived of their liberty / Treatment of children deprived of their liberty

### Separation from parent(s)

**CRC:** Art. 9

**Note:** Article 9(1) of the CRC accords to the child the right not to be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child, for

example, in cases of abuse and neglect or where parents are divorced or living separately.

**See also:** Contact with both parents / Family reunification / Illicit transfer and non-return / Information on absent parent(s) or child / Judicial review / Procedures / Respect for family / Right to be heard

### Separation of parents

**See:** Contact with both parents / Separation from parent(s)

### Sex discrimination

**See:** Discrimination

### Sexual abuse

**CRC:** Art. 19(1); Art. 34

**Note:** The right of the child to protection against sexual abuse while in the care of parent(s), legal guardian(s) or any other person who has the care of the child is recognized in Article 19 of the CRC. In addition, under Article 34, States Parties are required to protect the child from all forms of sexual abuse by other persons, including the inducement or coercion of a child to engage in any unlawful sexual activity.

**See also:** Abuse and neglect / Sexual exploitation

### Sexual exploitation

**CRC:** Art. 34

**Note:** The right of the child to protection against all forms of sexual exploitation, including child pornography and child prostitution, is set forth in Article 34 of the CRC.

**See also:** Child pornography / Child prostitution / Exploitation / Recovery and reintegration / Sexual abuse

### Signature

**CRC:** Art. 46

**Note:** Article 46 of the CRC provides that the CRC shall be open for signature by all States. Signature of the CRC by State representatives normally precedes ratification. It does not mean that States have given their consent to be bound by the CRC. According to Articles 48 and 49 of the CRC, only ratification or accession have that effect. However, signature does obligate States to refrain from any acts which would defeat the object and purpose of the CRC, until they have made their intention clear not to become Parties to the CRC (see Article 18 of the Vienna Convention on the Law of Treaties (1969)).

**See also:** Accession / Depositary / Ratification

## Slavery

**Note:** Slavery is the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised (Article 1 of the Slavery Convention (1926)). Slavery, the slave trade, and institutions and practices similar to slavery are prohibited under all of the major global and regional human rights treaties (see Article 4 of the Universal Declaration of Human Rights (1948); Article 8 of the International Covenant on Civil and Political Rights (1966); Article 6 of the American Convention on Human Rights (1969); Article 5 of the African Charter on Human and Peoples' Rights (1981); and Article 4 of the European Convention on Human Rights (1950)), and under the Slavery Convention (1926) and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956). Of particular relevance to children are bonded labour or debt bondage and specific aspects of child trafficking.

**See also:** Bonded labour / Child labour / Economic exploitation / Exploitation / Forced labour / Sale and trafficking / Slavery

### Social insurance

**CRC:** Art. 26

**Note:** The right of every child to benefit from social security, including social insurance, is recognized in Article 26 of the CRC.

**See also:** Family assistance / Social security

### Social origin

**See:** Discrimination

### Social rights

**See:** Economic, social and cultural rights

### Social security

**CRC:** Art. 26

**Note:** The right of every child to benefit from social security, including social insurance, is recognized in Article 26 of the CRC.

**See also:** Family assistance / Social insurance

### Specialized agencies

**See:** United Nations specialized agencies

### Standard of living

**See:** Adequate standard of living

### Standards of care

**CRC:** Art. 3(3)



**Note:** States Parties are required to ensure that the institutions, services and facilities responsible for the care of children shall conform with the standards established by competent authorities, in particular in the areas of safety, health, the number and suitability of staff and competent supervision.

**See also:** Child-care / Care of children / Standards of protection

### Standards of protection

**CRC:** Art. 3(3)

**Note:** States Parties are required to ensure that the institutions, services and facilities responsible for the protection of children shall conform with the standards established by competent authorities, in particular in the areas of safety, health, the number and suitability of staff and competent supervision.

**See also:** Protection of children / Standards of care

### State Party

**See:** Accession / Domestic implementation / Obligation of States / Ratification / Reporting obligations

### Statelessness

**CRC:** Art. 7(2)

**Note:** For the implementation of the right of the child to acquire a nationality, States Parties are required to promote the prevention of statelessness of children.

**See also:** Nationality / Preservation of identity

### Status

**See:** Birth registration / Definition of the child / Discrimination / Identity / Majority / Minimum age(s) / Name

### Summary executions

**See:** Right to life

### Survival and development

**CRC:** Art. 6(2)

**Note:** The right of the child to survival and development is recognized in Article 6(2) of the CRC. States Parties are required to ensure to the maximum extent possible the survival and development of the child. The right of the child to survival and development is closely linked to the rights of the child to the enjoyment of the highest attainable standard of health, to health services, and to an adequate standard of living. Within the United Nations context, in particular the World Health Organization (WHO) and UNICEF, measures to

ensure "survival" include growth monitoring, oral rehydration and disease control, breastfeeding, immunization, child spacing, food and female literacy. Consider also the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children. These Declarations were adopted at the World Summit for Children, which was held at United Nations Headquarters on 30 September 1990.

**See also:** Adequate nutrition / Adequate standard of living / Health and health services / Right to life

### Technical advice and assistance

**CRC:** Art. 45(b)

**Note:** The Centre for Human Rights, located at the United Nations Office at Geneva, acts as the Secretariat of the United Nations on human rights issues. One of its principal tasks is the administering of the programme of advisory services and technical assistance in the field of human rights. This programme aims to improve the effective enjoyment of human rights through concrete projects designed to strengthen regional and national human rights infrastructures including democratic institutions. Such projects range from the provision of advice to Governments on domestic human rights legislation to the translation and dissemination of major human rights conventions into local languages. These activities are directed at fostering a climate conducive to respect for human rights, thereby furthering the application of international norms and standards which have been formulated within the United Nations. The Voluntary Fund for Technical Assistance in the Field of Human Rights provides additional financial support. Article 45(b) of the CRC complements this programme of advisory services and technical assistance by providing that the Committee on the Rights of the Child shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children's Fund (UNICEF) and other competent bodies, any State reports that contain a request, or indicate a need, for technical advice or assistance.

**See also:** Committee on the Rights of the Child / Competent bodies / Developing countries / Inter-governmental organizations / International co-operation / Non-governmental organizations / United Nations Children's Fund / United Nations specialized agencies

### Testimony or confession of guilt

**See:** Self-incriminating evidence

### Thought

**See:** Freedom of conscience

### Torture

**CRC:** Art. 37(a)

**Note:** The right of the child not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment is set forth in Article 37(a) of the CRC. The aim of this provision is to protect both the dignity and the physical and mental integrity of the child. Noteworthy are the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984), the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (1987) and the Inter-American Convention to Prevent and Punish Torture (1985).

**See also:** Cruel, inhuman or degrading treatment or punishment / Discrimination and punishment / Recovery and reintegration / Treatment of accused children / Treatment of children deprived of their liberty / Treatment of convicted children

### Trade unions

**Note:** The right of the child to freedom of association is set forth in Article 15 of the CRC, but does not explicitly mention the right of the child to form and join trade unions. However, during the drafting of this provision, the view was expressed that it should be recognized that older children, particularly children above the legal minimum age for admission to employment, have the right to join trade unions.

**See also:** Child labour / Enforcement of child labour standards / Freedom of association

### Traditional practices

**CRC:** Art. 24(3)

**Note:** States Parties are required to take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children. Such practices include all harmful traditional practices, such as female genital mutilation, or female circumcision, son preference, female infanticide, early marriage and dowry, early pregnancy, nutritional taboos and certain practices related to child delivery. Consider the Plan of Action for the Elimination of Harmful Traditional Practices Affecting the Health of Women and Children, prepared by the second United Nations Regional Seminar on Traditional Practices Affecting the Health of Women and Children, held at Colombo, Sri Lanka, from 4

to 8 July 1994, and adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities in its resolution 1994/30 of 26 August 1994.

**See also:** Health and health services

### **Trafficking and sale**

**See:** Sale and trafficking

### **Transformation**

**Note:** Many countries have constitutional provisions which determine the status of treaties in the national law, so that the precise legal implications of becoming party to the CRC will vary from State to State. In general, the approach of States to treaties can be divided into the transformation approach and the incorporation approach. States Parties which follow the transformation approach use the provisions of the CRC as the basis for enacting appropriate national legislative rules. Therefore, if a child wishes to invoke articles of the CRC in a national court or before an administrative tribunal the child relies upon the corresponding national provision and not on the article of the CRC itself.

**See also:** Applicability / Incorporation

### **Treatment and punishment**

**See:** Abuse and neglect / Capital punishment / Cruel, inhuman or degrading treatment or punishment / Discrimination and punishment / Life imprisonment / School discipline / Torture / Treatment of accused children / Treatment of children deprived of their liberty / Treatment of convicted children

### **Treatment of accused children**

**CRC:** Art. 40(1)

**Note:** The right of the accused child to appropriate treatment is recognized in Article 40(1) of the CRC. States Parties are required to ensure that such a child is treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

**See also:** Accused children / Administration of juvenile justice / Cruel, inhuman or degrading treatment or punishment / Discrimination and punishment / Privacy of accused children / Torture / Trial in the presence of parents / Treatment of children deprived of their liberty / Treatment of convicted children

### **Treatment of children deprived of their liberty**

**CRC:** Art. 37(c)

**Note:** The right of every child deprived of his or her liberty to appropriate treatment is recognized in Article 37(c) of the CRC. States Parties are required to ensure that such a child is treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. The right to appropriate treatment includes the right to be separated from adult prisoners, unless it is considered in the child's best interests not to do so, and the right to maintain contact with family members through visits and correspondence, save in exceptional circumstances.

**See also:** Children deprived of their liberty / Correspondence / Cruel, inhuman or degrading treatment or punishment / Discrimination and punishment / Separation from adult prisoners / Torture / Treatment of accused children / Treatment of convicted children

### **Treatment of convicted children**

**CRC:** Art. 40(1)

**Note:** The right of the convicted child to appropriate treatment is recognized in Article 40(1) of the CRC. States Parties are required to ensure that such a child is treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

**See also:** Administration of juvenile justice / Convicted children / Cruel, inhuman or degrading treatment or punishment / Discrimination and punishment / Torture / Treatment of accused children / Treatment of children deprived of their liberty

### **Trial**

**See:** Access to court / Determination of lawfulness of detention / Prompt trial

### **Trial in the presence of legal assistance**

**CRC:** Art. 40(2)(b)(iii)

**Note:** The right of the accused child to have the matter determined by a competent, independent and impartial authority or judicial body in the presence of legal or other assistance is recognized in Article 40(2)(b)(iii) of the CRC.

**See also:** Accused children / Administration of juvenile justice / Defence / Due process / Fair trial / Legal assistance / Trial in the presence of parents

### **Trial in the presence of parents**

**CRC:** Art. 40(2)(b)(iii)

**Note:** The right of the accused child to have the matter determined by a competent, independent and impartial authority or judicial body in the presence of his or her parents or legal guardians, unless it is considered not to be in the best interests of the child, is recognized in Article 40(2)(b)(iii) of the CRC.

**See also:** Accused children / Administration of juvenile justice / Treatment of accused children / Trial in the presence of legal assistance

### **Trial without delay**

**See:** Prompt trial

### **Truancy**

**See:** School attendance

### **Unaccompanied refugee children**

**CRC:** Art. 22

**Note:** Article 22 of the CRC accords special rights to children who are seeking refugee status outside the country of their nationality or former habitual residence or who are considered a refugee in accordance with applicable international or domestic law and procedures, whether accompanied or unaccompanied by their parents or by any other person.

**See also:** Accompanied refugee children / Children deprived of their family environment / Family reunification / Family tracing / Refugee children / Refugee status

### **Unborn child**

**CRC:** Preamble para. 9

**Note:** Article 1 of the CRC defines who is to be considered a "child" for the purposes of the CRC, but does not address the question of a lower age limit. The intent of the drafters was to maintain maximum flexibility in this regard so as to enable potential States Parties to the CRC to adopt whatever position they wished, for the purposes of their own domestic law, on the issue of the right to life of the foetus or unborn child. Thus, while recognizing in paragraph 9 of the preamble that the unborn child is deserving of appropriate protection, its right to life per se is not recognized in the CRC (see Article 6 of the CRC).

**See also:** Definition of the child

## United Nations Children's Fund

**CRC:** Art. 45(a)(b)

**Note:** In order to foster the effective implementation of the CRC and to encourage international co-operation in the field covered by the CRC, the specialized agencies, the United Nations Children's Fund (UNICEF), and other United Nations organs are entitled to be represented at the consideration by the Committee on the Rights of the Child of the implementation of such provisions of the CRC as fall within the scope of their mandate. The specialized agencies, UNICEF and other competent bodies may also be invited by the Committee to provide expert advice and to submit reports on the implementation of the CRC in areas falling within the scope of their respective mandates. In addition, any State reports that contain a request, or indicate a need, for technical advice or assistance may be transmitted by the Committee to such bodies.

**See also:** Committee on the Rights of the Child / Competent bodies / Technical advice and assistance / United Nations organs

## United Nations Committee on the Rights of the Child

**See:** Committee on the Rights of the Child

## United Nations High Commissioner for Refugees

**Note:** Article 22(2) of the CRC obligates States Parties to provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental and non-governmental organizations co-operating with the United Nations to protect and assist refugee children. The Office of the United Nations High Commissioner for Refugees (UNHCR) is the main organ of the United Nations dealing with refugees. The mandate of the High Commissioner is to provide international protection to refugees under the auspices of the United Nations and, together with governments, to seek permanent solutions to their problems. In August 1988 the UNHCR issued the first edition of the "Guidelines on Refugee Children", which was updated in 1994. These Guidelines, which define the objectives, principles and practical measures for the protection and assistance of refugee children, take the provisions of the CRC into account.

**See also:** Family tracing / Refugee-assisting organizations / Refugee children / Refugee protection / United Nations organs

## United Nations organs

**CRC:** Art. 45(a)(b)

**Note:** In order to foster the effective implementation of the CRC and to encourage international co-operation in the field covered by the CRC, the specialized agencies, the United Nations Children's Fund (UNICEF), and other United Nations organs are entitled to be represented at the consideration by the Committee on the Rights of the Child of the implementation of such provisions of the CRC as fall within the scope of their mandate. The specialized agencies, UNICEF and other competent bodies may also be invited by the Committee to provide expert advice and to submit reports on the implementation of the CRC in areas falling within the scope of their respective mandates. In addition, any State reports that contain a request, or indicate a need, for technical advice or assistance may be transmitted by the Committee to such bodies. United Nations organs concerned with human rights include the General Assembly, the Security Council, the Economic and Social Council (ECOSOC), the Trusteeship Council, the International Court of Justice and the Secretariat. Other United Nations bodies in the field of human rights include the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the treaty-monitoring bodies and the Centre for Human Rights.

**See also:** Committee on the Rights of the Child / Competent bodies / Economic and Social Council / General Assembly / United Nations Children's Fund / United Nations High Commissioner for Refugees / United Nations specialized agencies

## United Nations specialized agencies

**CRC:** Art. 45(a)(b)

**Note:** In order to foster the effective implementation of the CRC and to encourage international co-operation in the field covered by the CRC, the specialized agencies, the United Nations Children's Fund (UNICEF), and other United Nations organs are entitled to be represented at the consideration by the Committee on the Rights of the Child of the implementation of such provisions of the CRC as fall within the scope of their mandate. The specialized agencies, UNICEF and other competent bodies may also be invited by the Committee to provide expert advice and to submit reports on the implementation of the CRC in areas falling within the scope of their respective mandates. In addition, any State reports that contain a request, or indicate a need, for technical advice or assistance may be transmitted

by the Committee to such bodies. The specialized agencies of the United Nations concerned with human rights include: the International Labour Organization (ILO); the Food and Agricultural Organization of the United Nations (FAO); the United Nations Educational, Scientific and Cultural Organization (UNESCO); and the World Health Organization (WHO).

**See also:** Committee on the Rights of the Child / Competent bodies / Technical advice and assistance / United Nations organs

## United Nations studies

**CRC:** Art. 45(c)

**Note:** In order to foster the effective implementation of the CRC and to encourage international co-operation in the field covered by the CRC, the Committee on the Rights of the Child may recommend to the General Assembly of the United Nations to request the Secretary-General to undertake on its behalf studies on specific issues relating to the rights of the child.

**See also:** Committee on the Rights of the Child / General Assembly

## Victims

**See:** Recovery and reintegration

## Views

**See:** Discrimination / Freedom of expression / Respect for the views of the child / Right to be heard

## Visitation rights

**See:** Contact with both parents / Treatment of children deprived of their liberty

## Vocational education

**CRC:** Art. 28(1)(b)

**Note:** For the implementation of the right of the child to education, States Parties are required to encourage the development of different forms of secondary education, including vocational education, and to make them available and accessible to every child through, for example, the introduction of free education and offering financial assistance in case of need.

**See also:** Education / General education / Secondary education / Vocational guidance

## Vocational guidance

**CRC:** Art. 28(1)(d)

**Note:** For the implementation of the right of the child to education, States Parties are





required to make vocational information and guidance available and accessible to all children.

**See also:** Education / Educational guidance / Vocational education

### Wars

**See:** Children in armed conflicts

### Welfare

**See:** Social security

### Well-being

**See:** Care of children / Protection of children

### Witnesses

**See:** Examination of witnesses / Right to be heard

### Work

**See:** Child labour / Economic exploitation / Harmful work / Hazardous work

### Working conditions

**See:** Conditions of employment

### Working hours

**See:** Hours of employment

### Working parents

**See:** Childcare



GLOSSARY ON CHILDREN'S RIGHTS

# *Appendix*



## Thematic Listing of Selected International Instruments Relevant to Children's Rights

### Children's rights

Geneva Declaration of the Rights of the Child (1924)  
Universal Declaration of Human Rights (1948)  
European Convention for the Protection of Human Rights and Fundamental Freedoms (1950)  
United Nations Declaration of the Rights of the Child (1959)  
European Social Charter (1961)  
International Covenant on Civil and Political Rights (1966)  
International Covenant on Economic, Social and Cultural Rights (1966)  
American Convention on Human Rights (1969)  
Declaration of the Rights and Welfare of the African Child (1979)  
African Charter on Human and Peoples' Rights (1981)  
United Nations Convention on the Rights of the Child (1989)  
African Charter on the Rights and Welfare of the Child (1990)  
European Charter on the Rights of the Child (1992)  
European Convention on the Exercise of Children's Rights (1995)

### Basic health and welfare

Single Convention on Narcotic Drugs (1961)  
Convention on Psychotropic Substances (1971)  
WHO and UNICEF Declaration of Alma-Ata (1978)  
WHO International Code of Marketing of Breast Milk Substitutes (1981)  
European Recommendation on the Fight Against Drug Abuse and Trafficking (1984)  
World Declaration on the Survival, Protection and Development of Children (1990)  
Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children (1990)

### Child justice and deprivation of liberty

United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules) (1985)  
United Nations Rules for the Protection of Juveniles Deprived of their Liberty (1990)  
United Nations Guidelines for the Prevention of Juvenile Delinquency (1990)  
United Nations Standard Minimum Rules for Non-Custodial Measures (Tokyo Rules) (1990)

### Children in armed conflicts and refugee children

Geneva Convention No.4 Relative to the Protection of Civilian Persons in Time of War (1949)  
Statute of the Office of the United Nations High Commissioner for Refugees (1950)  
Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples (1965)  
Convention relating to the Status of Refugees (1951) and Protocol (1967)  
Declaration on the Protection of Women and Children in Emergency and Armed Conflict (1974)  
Geneva Protocol No.1 Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of International Armed Conflicts (1977)  
Geneva Protocol No.2 Additional to the Geneva Conventions of 12 August 1949 and Relating to the Protection of Victims of Non-International Armed Conflicts (1977)  
Council of Europe Recommendation regarding Conscientious Objection to Compulsory Military Service (1987)  
UNHCR Guidelines on Refugee Children (1988)

### Child work and exploitation of children

International Convention for the Suppression of the Traffic in Women and Children (1921), amended by Protocol (1947)  
Slavery Convention (1926)  
ILO Convention No.29 concerning Forced or Compulsory Labour (1930)  
ILO Convention No.77 on Medical Examination of Young Persons (Industry) (1946)  
ILO Convention No.78 on Medical Examination of Young Persons (Non-Industrial Occupations) (1946)  
ILO Convention No.79 on Night Work of Young Persons (Non-Industrial Occupations) (1946)  
ILO Convention No.90 on Night Work of Young Persons (Industry) (Revised) (1948)  
Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949)  
Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956)  
ILO Convention No.105 concerning the Abolition of Forced Labour (1957)  
Single Convention on Narcotic Drugs (1961)  
Convention on Psychotropic Substances (1971)  
ILO Convention No.138 Concerning Minimum Age for Admission to Employment (1973)  
European Recommendation on the Fight Against Drug Abuse and Trafficking (1984)  
Inter-American Convention on International Traffic in Minors (1994)

### Civil rights and freedoms

Convention relating to the Status of Stateless Persons (1954)  
Convention on the Reduction of Statelessness (1961)  
Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (1962)  
Recommendation on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (1965)  
European Convention on the Legal Status of Children Born out of Wedlock (1975)  
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)  
European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (1987)

### Education, leisure and cultural activities

UNESCO Convention against Discrimination in Education (1960)  
Protocol Instituting a Conciliation and Good Offices Commission to be Responsible for Seeking a Settlement of any Disputes which may arise between States Parties to the Convention against Discrimination in Education (1962)  
UNESCO Recommendation Concerning Education for International Understanding, Co-operation and Peace and Education Relating to Human Rights and Fundamental Freedoms (1974)  
European Community Directive on the Education of the Children of Migrant Workers (1977)

### Family environment and alternative care

Hague Convention on the Law Applicable to Maintenance Obligations Towards Children (1956)  
Hague Convention Concerning the Powers of Authorities and the Law Applicable in Respect of the Protection of Infants (1961)  
Hague Convention on Jurisdiction, Applicable Law and Recognition of Decrees Relating to Adoptions (1965)

European Convention on the Adoption of Children (1967)  
Hague Convention on the Recognition and Enforcement of Decisions  
Relating to Maintenance Obligations (1973)  
Council of Europe Resolution on Placement of Children (1977)  
European Convention on Recognition and Enforcement of Decisions Con-  
cerning Custody of Children and on Restoration of Custody of Children  
(1980)  
Hague Convention on the Civil Aspects of International Child Abduction  
(1980)  
Council of Europe Recommendation on Payment by the State of Advances  
on Child Maintenance (1982)

Council of Europe Recommendation on Parental Responsibilities  
(1984)  
Inter-American Convention on the Conflict of Laws Concerning the Adop-  
tion of Minors (1984)  
United Nations Declaration on Social and Legal Principles relating to the  
Protection and Welfare of Children, with Special Reference to Foster  
Placement and Adoption Nationally and Internationally (1986)  
Council of Europe Recommendation on Foster Families (1987)  
Inter-American Convention on Support Obligations (1989)  
Inter-American Convention on the Return of Children (1989)  
Hague Convention on Protection of Children and Co-operation in respect  
of Intercountry Adoption (1993)