



UNITED NATIONS HUMAN RIGHTS STANDARDS AND MECHANISMS ON VIOLENCE AGAINST CHILDREN: A Contribution to the UN Secretary General's Study on Violence Against Children

Protection from all forms of violence – each and every child's right

Ensuring that children are protected from all forms of violence is not simply a decisive and worthy goal for society. It is an obligation under international law. All children have a right to effective State protection from all forms of violence, wherever they are and in all aspects of their lives. The State must not only ensure it does not perpetrate violence against children directly, through the services and institutions it provides. It must do all that it can to deter violence and to create the necessary conditions to protect children from it wherever it occurs, including within the family. And it must provide appropriate support for victims of violence. All this requires the State to develop clear and enforceable laws and to take all other necessary measures - educational, social and administrative.

The starting point for the UN Secretary-General's Study on Violence against Children (the UN Study) is the right of all children to freedom from all forms of violence. The purpose of this review of existing UN human rights standards and mechanisms, relevant to violence against children, is to summarize the framework of human rights obligations set out in international instruments. It also describes how the Treaty Bodies established to monitor implementation of these instruments and other UN human rights mechanisms have addressed the issue of violence against children. The forthcoming review will be co-published by UNICEF Innocenti Research Centre and the Office of the High Commissioner for Human Rights.

The International Bill of Human Rights – the Universal Declaration and the two International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights – underline that recognition and respect for human dignity is fundamental to ensuring the human rights of everyone. "Everyone" includes children: children have an equal right to this respect.

Building on this foundation, the Convention on the Rights of the Child fully articulates that children too are holders of human rights, and it gives a particular emphasis to the right of the child to freedom from violence. On the one hand, the Convention reaffirms the right to freedom from torture and other cruel, inhuman and degrading treatment or punishment, as well as from capital punishment and life imprisonment without possibility of release. On the other hand, it affirms the State's obligation to ensure that school discipline is administered in a manner consistent with the child's human dignity and rights.

Moreover, the Convention is the first international human rights instrument specifically to address protection against violence within the family and under the responsibility of caregivers. Indeed, Article 19 requires States parties 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...".

The upcoming review presents the provisions of the Convention in greater detail and outlines the obligations of States parties to protect the child from particular forms of violence and exploitation. It also analyzes additional human rights standards and mechanisms relevant to violence against children.

For more information please contact the Innocenti Research Centre



Key UN standards and mechanisms relevant to violence against children:

- The Convention on the Rights of the Child
- The Convention's framework for addressing violence against children
 - Duties to implement
 - General principles
 - Article 2: non-discrimination
 - Article 3(1): best interest of the child
 - Article 6: right to life and development
 - Article 12: right to respect for the views of the child
 - The right to protection from all forms of violence
 - Other articles particularly relevant to violence against children
 - Optional Protocols to the Convention
- Committee on the Rights of the Child
 - General Discussion Day on State Violence Against Children
 - General Discussion Day on Violence Against Children, within the Family and in Schools
 - Other days of general discussion on:
 - children in armed conflict
 - economic exploitation of children
 - the role of the family in the promotion of the rights of the child
 - the girl child
 - the administration of juvenile justice
 - the child and the media
 - children with disabilities
 - children living in a world with AIDS
 - Extracts from General Comments of the Committee on the Rights of the Child
 - Aims of Education
 - Independent Human Rights Institutions for Children
 - HIV/AIDS and the Rights of the Child
 - Adolescent Health and Development
 - General Measures of Implementation

- Other key human rights instruments and violence against children
 - International Covenant on Civil and Political Rights
 - International Covenant on Economic, Social and Cultural Rights
 - International Convention on the Elimination of All Forms of Racial Discrimination
 - Convention on the Elimination of Discrimination against Women
 - Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

- Other relevant human rights instruments
 - Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime
 - ILO Convention No.182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour
 - ILO Convention No. 138 on the Minimum Age for Admission to Employment
 - Hague Convention on the Civil Aspects of International Child Abduction
 - Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption
 - Juvenile justice rules and guidelines
 - UN Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules)
 - UN Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines)
 - UN Rules for the Protection of Juveniles Deprived of their Liberty
 - UN Standard Minimum Rules for Non-Custodial Measures (the Tokyo Rules)
 - Vienna Guidelines for Action on Children in the Criminal Justice System

- Concluding Observations of the Committee on the Rights of the Child and other Treaty Bodies
 - Corporal punishment
 - Challenging all form of violence
 - Gender-based violence
 - Economic exploitation
 - Violence in the juvenile justice system
 - Child trafficking and sexual exploitation and abuse

- Other human rights mechanisms and violence against children
 - Commission on Human Rights
 - Special Rapporteurs
 - Special Rapporteur on extrajudicial, summary or arbitrary executions
 - Special Rapporteur on the sale of children, child prostitution and child pornography
 - Special Rapporteur on Torture
 - Special Rapporteur on violence against women, its causes and consequences
 - Special Rapporteur on the right to education