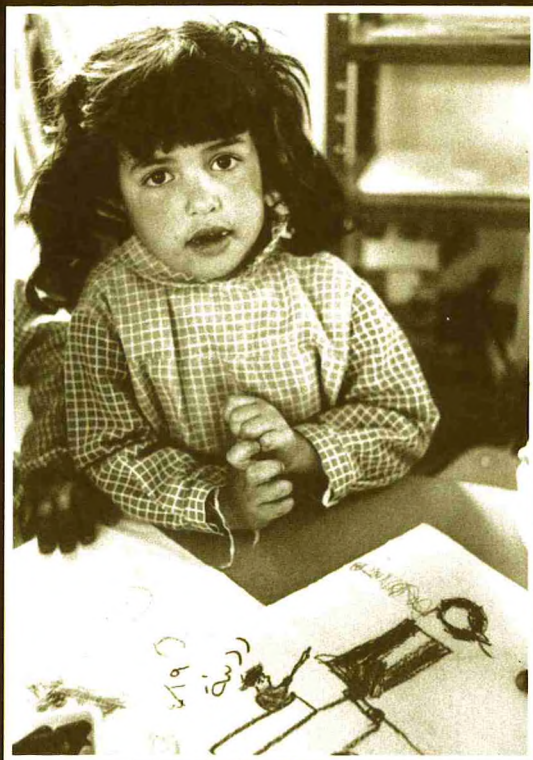


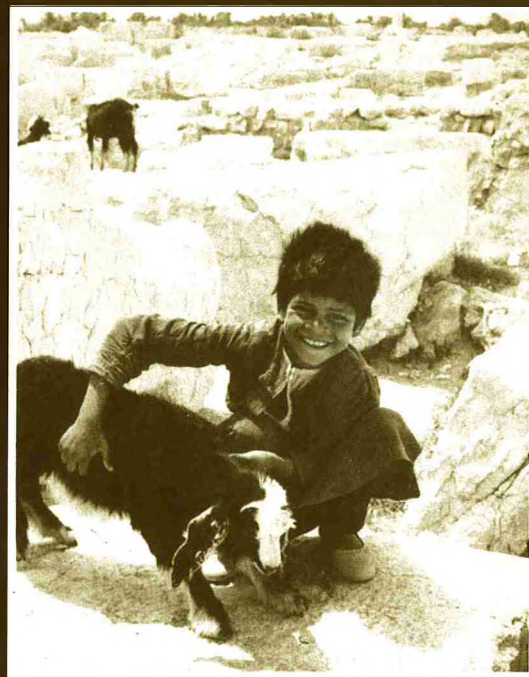
New Edition

Teachers Handbook

Teaching the UN Convention on The Rights of the Child



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UNICEF-UK

Save the Children



HRE/CHILD/pR/9

A guide for teachers on introducing the UN Convention on The Rights of the Child across the curriculum. Designed for use with:

- The Whole Child
- It's Our Right
- Keep Us Safe.

'The whole world stands to lose if the children of any nation are allowed to grow up degenerate and demoralised through hunger, and the whole world stands to gain if they grow up strong and healthy, able and willing to work for the good of their fellow men. For better or for worse, the world can be revolutionised in one generation, according to how we deal with the children.'

Ms. Eglantyne Jebb, founder of the Save the Children Fund. In 1923 she drafted the first Declaration of the Rights of the Child; the basis for the United Nations Convention on the Rights of the Child.



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TEACHERS' HANDBOOK

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Sensitivity

Many of the Articles in the Convention deal with issues which are intimately personal to the individual. Teachers need to be aware of the sensitivity of some of the issues and the suggested activities which could be distressing to some of the children in the class, although we have tried to avoid suggesting such activities as far as possible.

Introduction

In 1989 the Education Departments of SCF and UNICEF-UK, together with the Oxford Development Education Unit, collaborated to produce three project books, together with this Teachers' Handbook, (which is now in its second edition) for learning about the Convention on the Rights of the Child in junior schools, middle schools and the lower end of secondary schools (key stages 2 and 3 of the National Curriculum).

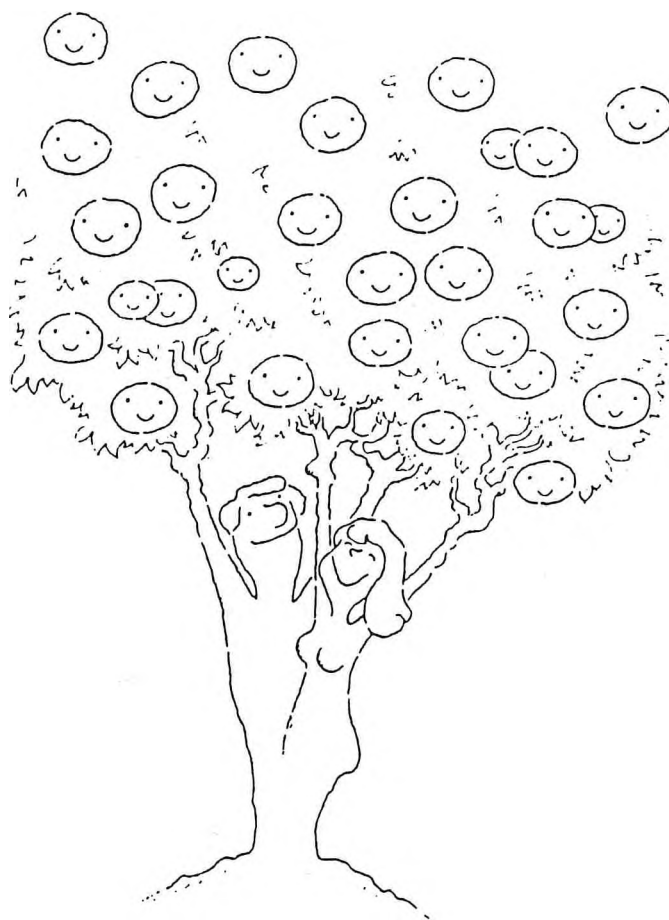
Article 42 of the new Convention of the Rights of the Child states that children should be informed of their rights, and that is what the three project books set out to do. However, the aim is not only to inform but to stimulate children to consider the lives of children everywhere and not just in the country where this project is being followed.

Why Teach About Children's Rights?

Teaching about children's rights lends itself naturally to expansion into a global view of children's lives. It is hoped that children will gain an empathy for their sisters and brothers throughout the world. For these children are the future - they stand to inherit a world which has been violated, almost irredeemably, over the last 100 years. It may not be too dramatic to say that the future of the world depends on them acting together to stem the tide of environmental destruction and to bring about fairer financial and trading partnerships which will put a stop to the continued exploitation of the developing world, with its riches of raw materials, by the industrialised world.

Many of those responsible for introducing a multi-cultural dimension to the curriculum have already realised that talking about children's rights, needs, duties and responsibilities is an uncontroversial entry point. These materials are based on the principle of starting with the child's own experience in relation to different rights and then extending this with stories and information about the lives of children in other countries, particularly from so-called developing countries. Looking at the similarities of our own lives with the everyday lives of children and their families in other countries could serve to build a global family where cultural differences can be celebrated without fear or suspicion because the basic needs and desires of our lives are seen to be the same.

More information about the contents of the whole series is given on pages 5 - 8.



Every child is my child

Summary of the Convention on the Rights of The Child

The Convention defines a child as a person under 18 unless national law recognises that the age of majority is reached earlier. (Article 1)

All the rights laid down in the Convention are to be enjoyed by children regardless of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. (Article 2)

All actions concerning the child should be in his/her best interests. (Article 3)

The State's obligation to translate the rights of the Convention into reality. (Article 4)

The State should respect the rights and responsibilities of parents to provide guidance appropriate to the child's capacities. (Article 5)

Every child has:

The right to life. (Article 6)

The right to a name and a nationality and, as far as possible, the right to know and to be cared for by his/her parents. (Article 7)

The right to protection of his/her identity by the state. (Article 8)

The right to live with her/his parents unless incompatible with her/his best interests. (Article 9)

The right, if desired, to maintain personal relations and direct contact with both parents if separated from one or both. (Article 9)

The right to leave and enter her/his own country, and other countries, for purposes of reunion with parents and maintaining the child-parent relationship. (Article 10)

The right to protection by the State if unlawfully taken or kept abroad by a parent. (Article 11)

The right to freely express an opinion in all matters affecting her/him and to have that opinion taken into account. (Article 12)

The right to express views, and obtain and transmit ideas and information regardless of frontiers. (Article 13)

The right to freedom of thought, conscience and religion, subject to appropriate parental guidance. (Article 14)

The right to meet together with other children and join and form associations. (Article 15)

The right to protection from arbitrary and unlawful interference with privacy, family, home and correspondence, and from libel and slander. (Article 16)

The right of access to information and materials from a diversity of sources and of protection from harmful materials. (Article 17)

The right to benefit from child-rearing assistance and child-care services and facilities provided to parents/guardians by the state. (Article 18)

The right to protection from maltreatment by parents or others responsible for her/his care. (Article 19)

The right to special protection if s/he is temporarily or permanently deprived of her/his family environment, due regard being paid to her/his cultural background. (Article 20)

The right, in countries where adoption is allowed, to have it ensured that an adoption is carried out in her/his best interests. (Article 21)

The right, if a refugee, to special protection. (Article 22)

The right, if disabled, to special care, education and training to help her/him enjoy a full life in conditions which ensure dignity, promote self-reliance and a full and active life in society. (Article 23)

The right to the highest standard of health and medical care attainable. (Article 24)

The right, if placed by the State for purposes of care, protection or treatment, to have all aspects of that placement regularly evaluated. (Article 25)

The right to benefit from social security. (Article 26)

The right to a standard of living adequate for her/his physical, mental, spiritual, moral and social development. (Article 27)

The right to education, including free primary education. Discipline to be consistent with a child's human dignity. (Article 28)

The right to an education which prepares him/her for an active, responsible, life as an adult in a free society which respects others and the environment. (Article 29)

The right, if a member of a minority community or indigenous people, to enjoy her/his own culture, to practise her/his own religion and use her/his own language. (Article 30)

The right to rest and leisure, to engage in play and to participate in recreational, cultural and artistic activities. (Article 31)

The right to protection from economic exploitation and work that is hazardous, interferes with her/his education or harms her/his health or physical, mental, spiritual, moral and social development. (Article 32)

The right to protection from narcotic drugs and from being involved in their production or distribution. (Article 33)

The right to protection from sexual exploitation and abuse. (Article 34)

The right to protection from being abducted, sold or trafficked. (Article 35)

The right to protection from all other forms of exploitation. (Article 36)

The right not to be subjected to torture or degrading treatment. If detained, not to be kept with adults, sentenced to death nor imprisoned for life without the possibility of release. The right to legal assistance and contact with family. (Article 37)

The right, if below 15 years of age, not to be recruited into armed forces nor to engage in direct hostilities. (Article 38)

The right, if the victim of armed conflict, torture, neglect, maltreatment or exploitation, to receive appropriate treatment for her/his physical and psychological recovery and reintegration into society. (Article 39)

The right, if accused or guilty of committing an offence, to age-appropriate treatment likely to promote her/his sense of dignity and worth and her/his reintegration as a constructive member of society. (Article 40)

The right to be informed of these principles and provisions by the state in which s/he lives. (Article 42)

Note: The Convention has 54 Articles in all. Articles 41 to 54 are concerned with its implementation and entry into force.

The Convention on the Rights of the Child was adopted by the United Nations General Assembly 20 November 1989.

The project books

The Basic Principles of the Convention on the Rights of the Child

The Articles of the Convention cover a great range of issues affecting children, but put simply the Convention is about Participation, Provision and Protection. The three project books also follow these groupings.

Participation - The Whole Child

An exciting new aspect of the Convention is the way it encourages the participation of all children in decisions affecting them (Article 12), particularly in judicial and administrative proceedings affecting their future. Children are no longer perceived as the passive recipients of adult care or neglect but as individuals with their own rights. In *The Whole Child* we look at the essence of childhood, the growth of a sense of identity, play and leisure, access to education and information and the right to freedom of speech.

Provision - It's Our Right

The Convention lays down the basic needs that must be met for a child's survival, growth and development. e.g. the right to health care, shelter, nutritious food and clean water. The Convention is clear that the family is the ideal place for a child and that the State is obligated to support and, if necessary, assist parents. (Article 18). In *It's Our Right* we provide active methods of examining the provision of these services in the UK and abroad. We also look at the rights of disabled children and children without parents.

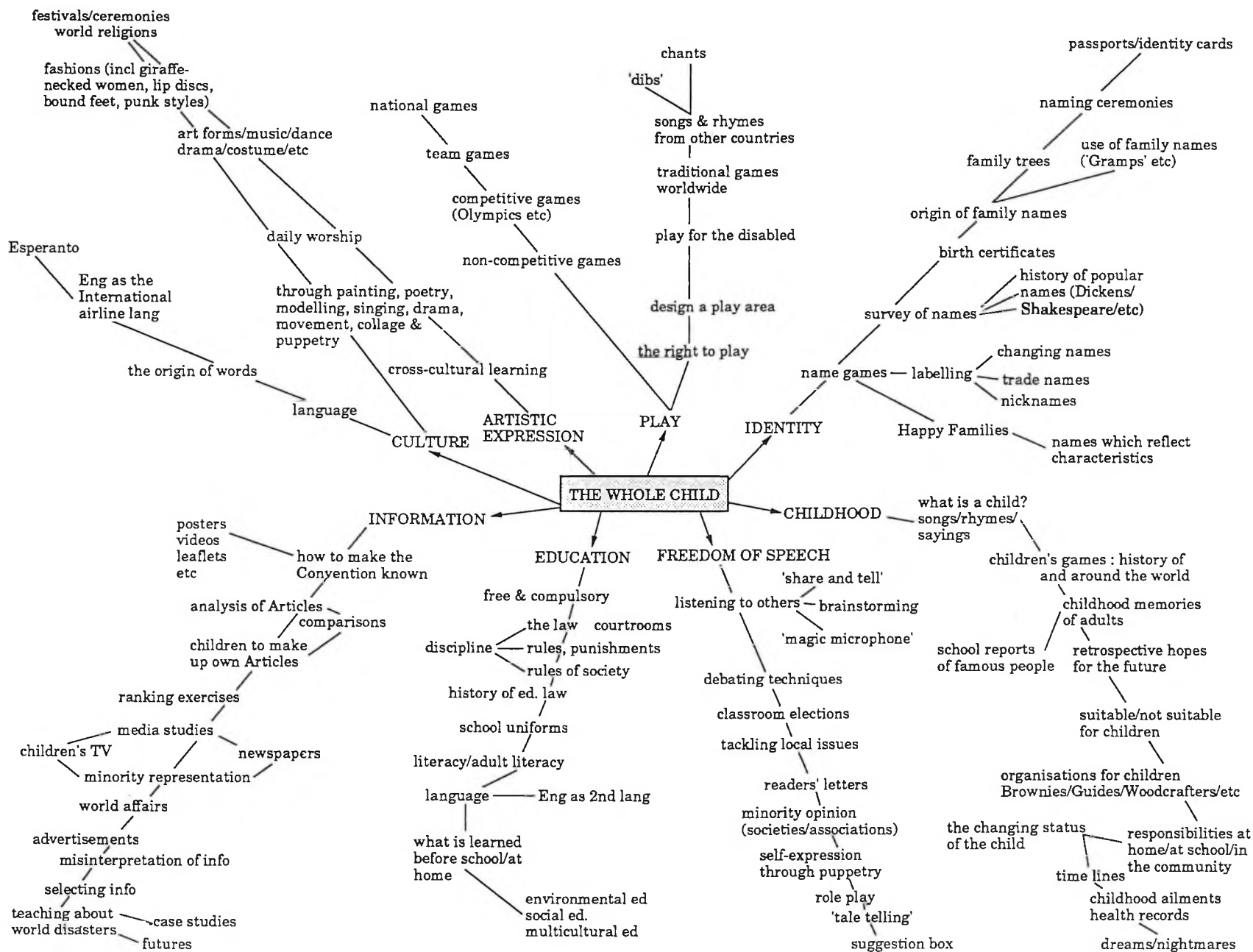
Protection - Keep Us Safe

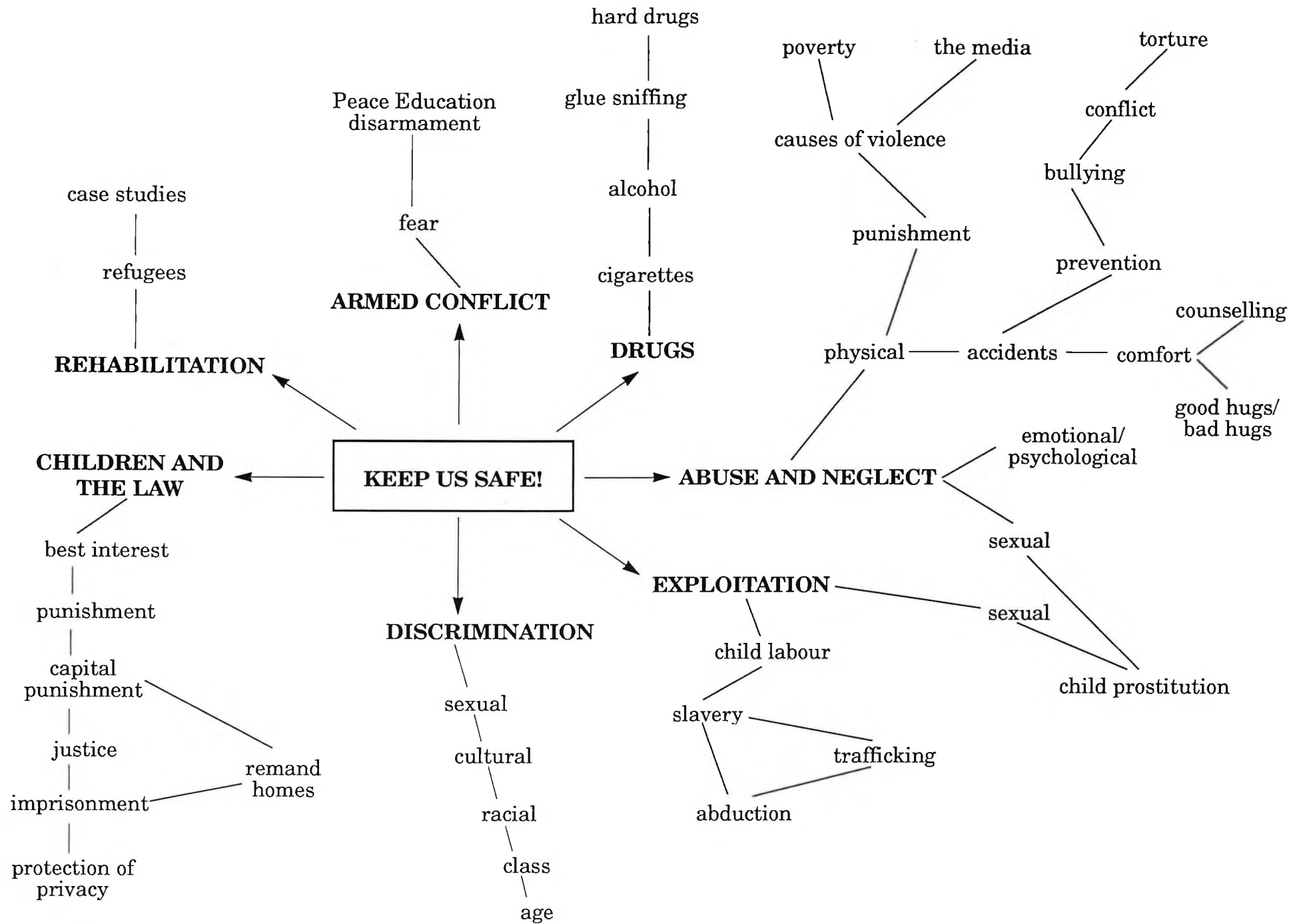
It is a sad fact that for many children life is no better than it would have been a hundred years ago. The Convention obligates States to protect children from exploitative labour, physical and sexual abuse, the affects of war, neglect and discrimination of any kind. States are charged to provide rehabilitative care for children who have suffered from maltreatment, neglect, torture or exploitation. (Article 39). In *Keep Us Safe* we have tried to find ways in which teachers can raise these difficult and sensitive issues in the classroom.

There follow copies of the topic webs from each of the project books which show how these principles relate to many familiar areas of classroom learning.



The right to a name and identity





Children's rights in the Curriculum

While the subject of children's rights needs to be introduced and discussed with children the contents of the Articles mean that it need not remain an isolated subject. The topic webs, on pages 5 - 7, help to illustrate the ways in which various Articles are pertinent to subject areas and themes which are very familiar to any teacher. These themes are universal and apply to learning requirements in the National Curriculum of England and Wales (e.g. for the geography of family lives at key stage 2), to *social and environmental understanding* in Scotland and *mutual understanding* in Northern Ireland.

Once an awareness of the Convention and an outline of its contents has been introduced in the school references can be made to it within the context of many different subject or theme areas.

For example, Article 24(c) covers several very familiar themes - food, water, environmental pollution and health care:

'States should take appropriate measures to combat disease and malnutrition through the provision of adequate nutritious foods and clean drinking water, taking into consideration the danger and risks of environmental pollution.'

Using the Project Books for Curriculum Subjects

The table on page 9 outlines how selected topics from the three Project Books could be used across a range of teaching subjects. The asterisks show the relative importance of each topic in a particular subject (***) = highly relevant).

This basic guide indicates ways of using the project books in the curriculum. Teachers may wish to devise their own or extend the range to cover all the topics in the project books.

The prime difficulty for teachers who wish to introduce the Convention into the school and use it in policy making and lesson planning is learning the contents of the Articles. Pages 21 - 37 of this book contain the full text of the Convention, but pages 16 - 17 illustrate ways in which your staff could quickly become familiar with the contents of the Convention and start discussions on how to include it in the life of the school.

HOUSING IN MALAYSIA
Look at this picture of a traditional house in Malaysia, and then read the statements made by Mr Lim Jee Yuan, a Malaysian housing expert.

"The traditional Malay house, which allows good ventilation and protection from the heat, was more suitable than the Western style houses now being built in parts of Malaysia."

"The modern Western style housing estate is usually very hot. It wastes a lot of space for roads and car parking. Also the plan of housing estates does not encourage people to be friendly and help each other."

"We should make our towns more like the country, not the country more like the towns."

ATTAP ROOF

- made from natural materials
- waterproof
- made by villagers themselves
- good climatic qualities

STORAGE SPACE

- for padi
- fuel (firewood, coconut leaves etc)
- for implements used for padi planting

RAISED LEVEL OF HOUSE

- prevent floods and animals
- provide privacy
- catch winds of higher velocity

HOUSE COMPOUND

- for drying materials, social interaction, work
- as children's playground

COCONUT TREES

- for shading
- food, making implements
- and as fuel

JITRA TOILET

- easy to build
- cheap and hygienic

WELL

- for clothes washing, bathing and even drinking
- coconut leaves form privacy barrier
- concrete slabs as pavement

SOAK-AWAY DRAINAGE

- waste water from kitchen drained and sunk into sandy ground

PROJECT BOOK:	The Whole Child			It's Our Right			Keep Us Safe		
Example topic	(B/C) 'myself' identity and childhood	(D) 'school' education	(F) 'games' play and leisure	(D) 'food' nutritious food	(F) 'health' care and education	(G) 'homes' standard of living	(B) 'jobs' child labour	(E) 'peace' armed conflict	(F) 'journeys' refugees
SUBJECT									
English	◆◆◆	◆◆	◆	◆	◆	◆	◆	◆	◆
Art/Music	◆◆	◆	◆◆	◆	◆◆				
Physical Education	◆	◆	◆		◆◆				
Religion	◆	◆	◆	◆	◆	◆	◆◆	◆◆◆	◆◆
Geography	◆	◆		◆◆	◆◆	◆◆	◆◆	◆	◆◆◆
History	◆	◆	◆	◆◆	◆◆	◆◆	◆◆◆	◆◆	◆◆
Maths		◆	◆	◆	◆	◆			◆
Science	◆	◆	◆	◆◆◆	◆◆◆	◆◆	◆	◆	◆
Technology	◆	◆	◆	◆◆	◆◆	◆◆◆	◆	◆	◆

Children's Rights in the National Curriculum

The following suggestions for introducing learning about children's rights in every area of the school curriculum relate to current (1993) requirements for subjects in the NC for England.

English

Many of the activities in the topic books invite individual and group expression of ideas, attitudes and opinions. Deciding what rights children should have (in Unit A on Information in *The Whole Child*) can be used for AT1 Speaking and Listening, level 4, to express a personal view. Discussing appropriate punishments for specific offences (in Unit D on Children and the Law, *Keep Us Safe*) can be used for AT1 Speaking and Listening, level 5, to advocate and justify a point of view.

Mathematics

Some of the activities in the topic books involve calculation. Counting the cost of eating good food (in Unit D on Nutritious food, *It's Our Right*) can be used for AT2 Number, level 3, to interpret numbers in the context of money. Finding out what jobs children do (in Unit B on Child labour, *Keep Us Safe*) can be used for AT5 Handling data, level 4, to conduct a survey on an issue of their choice.

Science

Case studies on environmental issues in different parts of the world can be used to extend children's understanding of science. Learning about causes and effects of polluted water in England, Malaysia and Zimbabwe (in Unit E on Clean Water, in *It's Our Right*) can be used for AT2 Life and living processes, level 3, to know that human activity can produce changes in the environment. Learning about the cold chain and the use of rehydration salts (in Unit F on Health care and education, *It's Our Right*) can be used for AT2 Life and living processes, level 6, to know that variation in living organisms has environmental causes.

Technology

Many of the case studies in the topic books provide scope for understanding lifestyles and technological opportunities in different cultures. Describing a home-made toy (in Unit F on Play and leisure, *The Whole Child*) can be used for AT4 Evaluating, level 3, to comment on the materials used and how the task was tackled. Investigating how comic books affect children's attitudes to violence (in Unit E on Armed Conflict, *Keep Us Safe*) can be used for AT1 identifying needs and opportunities, level 5, to show judgement in the choice of sources of information.

Geography

Many of the case studies in the topic books enable students to learn about family lives and environmental and economic processes in different places. Comparing the lives of urban and rural children in Zimbabwe (in Unit G on Standard of Living, *It's Our Right*) can be used for AT2 Knowledge and Understanding of places, level 4, to describe how daily life is affected by landscape and wealth. Understanding why children have left their homes and the experiences they have had (in Unit F on Refugees, *Keep Us Safe*) can be used for AT4 Geography, level 7, to analyse the causes and effects of a recent large scale migration of population.

History

Some of the contemporary child studies in the project books are given historical contexts. Finding out how different settlers in England have added to the language (in Unit E on Culture, religion and language, *The Whole Child*) can be used for AT1 Knowledge and understanding of history, level 3, to identify differences between times in the past. Learning about working conditions for children in England during the 1930s (in Unit C on Childhood, *The Whole Child*) can be used for AT1 Knowledge and understanding of history, level 4, to recognise that over time some things have changed while others stayed the same.

Art, Music, Languages, Religion

The above examples serve to show the range of activities offered by The Rights of the Child project books for a selection of National Curriculum subjects. There are clearly possibilities for practical work in **art** (giving visual expression to experiences and learning from other children's expressions) and for extending understanding of different cultures through **music**. Different cultural values relating to children can be viewed through **religion**, as can adult attitudes to the welfare of children. Additional work on values and attitudes brings in cross-curricular themes of **careers and guidance, economic and industrial understanding, environmental education, health education** - and especially **education for citizenship**.



Photo: Pat Francis

Children at Sparsholt School created their own versions of 'Benefits' after using this activity in It's Our Right, Unit A

Children's Rights in the Northern Ireland Curriculum

As in the English curriculum children's rights can be introduced into the teaching of many subjects and topics. Those promoting the Convention of the Rights of the Child in N.I. have found the most obvious curriculum spot is in Religious Education.

Attainment Target 3: Morality

Pupils should develop their ability to think and judge about morality, to relate Christian moral principles to personal and social life, and to identify values and attitudes that influence behaviour.

Key Stage 1: Programme of Study (with exemplary Statements of Attainment)

Teachers should provide opportunities for pupils to develop:

- a) respect for self - recognise that each one is unique and special - recognise that they are loved and respected
- b) respect for others - recognise the value of co-operation

Key Stage 2

- a) respect for self - acquire positive attitudes towards their talents, qualities and values
- b) respect for others - identify the various communities to which they belong

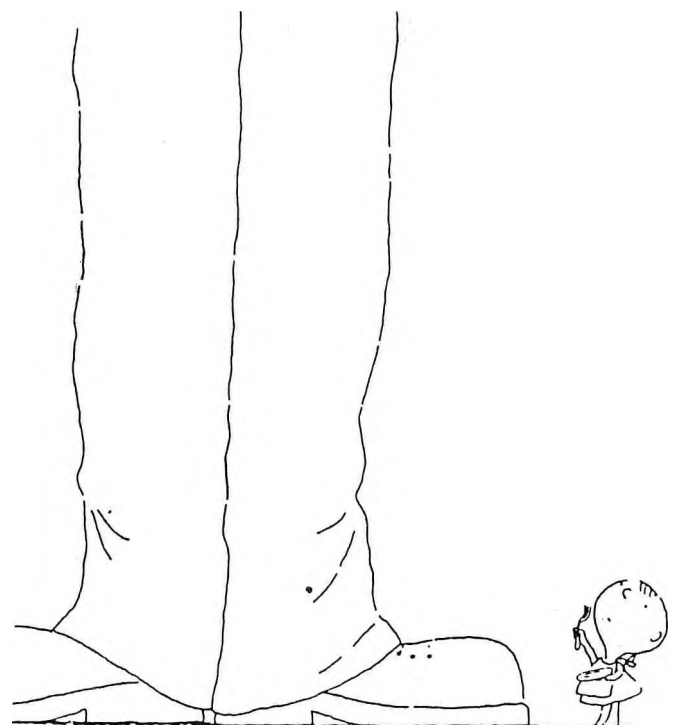
Key Stage 3

- a) knowing and respecting myself - develop positive attitudes towards themselves, their sexuality and relationships by considering their own uniqueness
- b) relationships - consider their roles in the community and their responsibilities towards minority groups

These particular programmes of study can be appropriate openings for using *The Whole Child* which covers identity, the difference between being a child and an adult, and the different experiences of childhood. *It's Our Right* also has relevant stories which show different experiences of childhood.

Keep Us Safe has useful examples of the lives of minority groups and refugees. It also covers rehabilitation which many minority people, and those who have been persecuted, need.

(This information was collated by the One World Centre in N.I.)



The right to grow

Children's Rights in the Scottish Curriculum

The 5-14 Curriculum is still under discussion, but these direct opportunities exist in the following subject guidelines.

Personal and Social Development identifies '*interpersonal relationships*' and '*independence and interdependence*' as Outcomes, and suggest '*Community*' as a learning Context for both, and '*The Developing World*' as a learning Context for the first outcome as well.

'*Education for Equality*' is identified as a key cross-curricular theme in considering the **Structure and Balance of the Curriculum**.

Religious and Moral Education has a strand '*Relationships and Moral Values*' within its Attainment Outcome '*Personal Search*' which would be well supported by many of the materials within these books.

Environmental Studies concentrates on the physical rather than the social environment but in the Subject Outcomes '*Understanding People in Society*', and to a lesser extent, '*Understanding People in the Past*' offer opportunities for exploring the idea of Rights and the way it has developed.

The **Expressive Arts** Attainment Outcome '*Expressing Feelings, Ideas, Thoughts and Solutions*' affords many opportunities to reflect the values underpinning the UN Convention in creative forms.

Bold lettering denotes specific 5-14 curriculum documents.

(Processed by SCF's Scottish Education Officer)



Source: National RiverWatch Project / WATCH 1991

Education for Citizenship

The Convention on the Rights of the Child is listed as a possible subject of study in the National Curriculum Council's Curriculum Guidance 8: *Education for Citizenship, Section 4 Content: The Essential Components, No. 3, Being a Citizen*, along with other human rights conventions.

This document states that "Schools must lay the foundations for positive, participative citizenship in two ways:

- i) "to help pupils to acquire and understand essential information;
- ii) by providing them with opportunities and incentives to participate in all aspects of school life."

At the time when the recommendations for *Education for Citizenship* appeared in print the UK had not ratified the Convention. The government ratified the Convention on December 16th, 1991, becoming one of over 130 countries to do so, although it placed reservations on four of the Articles (see page 40).

This means that the government has accepted the contents of the Convention (apart from the Reservations) and is therefore duty bound to fulfil them, or at least show they are making efforts to do so. In 1994 the UK government will have its first meeting with the Rights of the Child Committee which has been set up to monitor those states which ratify the Convention. Their role is described in Article 43 (see page 36).

Article 42 of the Convention states:

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

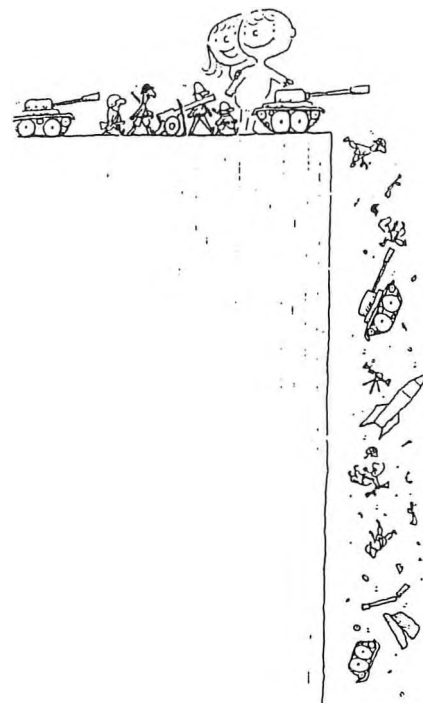
School is an obvious place for children to learn about their rights, and responsibilities, and start to exercise these rights and responsibilities in a democratic environment. Since our government has ratified the Convention the implication is now that Articles like those quoted above and below are more than a listed reference in a curriculum document, to be referred to in one lesson.

Article 12 of the Convention states:

States Parties shall assure 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, the view of the child being given due weight in accordance with the age and maturity of the child.

Article 13 states:

The child shall have the right to freedom of expression, this right shall include freedom to seek, receive and impart information and ideas of all kinds.



Children and Peace

Article 14 states:

States Parties shall respect the right of the child to freedom of thought, conscience and religion.

Article 15 states:

States Parties recognise the rights of the child to freedom of association and to freedom of peaceful assembly.

These Articles, all of which have to do with the personal development of the child, and his/her right to be listened to and involved in what is of immediate concern, have strong implications for the management of schools and a greater involvement of their pupils. **If the purpose of Education for Citizenship is to prepare children to play an active role in society then the way in which it is taught is as important as what is taught.**

An example of how Articles 12 and 13 are relevant to the involvement of children in school policy making.

Many schools have a school council to which pupils elect their own representatives, who then carry the pupils' requests and statements to the council for consideration. After discussion by the council some requests may then be put to members of staff or the headteacher. In many schools this apparently democratic process actually fails to really respond to the pupils' strongest desires, but rejects them time and time again.

A familiar topic may be the nature of the school uniform. It happened that in two schools in which I worked whether or not the girls could wear trousers in the winter months was a major issue, and in both schools it was repeatedly rejected, to the anger of both pupils and many of the staff. After a change of head, the first school finally settled this problem by agreeing that girls could wear black cord trousers from November to March. Immediately the atmosphere improved as all felt that justice had been done. I then moved to another school where exactly the same request was repeatedly put to the head from the school council, and repeatedly turned down. This was a school which continued to maintain an attitude that the school could 'boil over' at any time, although the actual behaviour of the pupils was no different than at the first school. (Heather Jarvis)

In pages 16 and 17 in **Education for Citizenship**, which suggest ways of Planning Education for Citizenship, the possibility of it permeating the whole curriculum and becoming part of the school ethos is suggested. It is our contention that the Convention on the Rights of the Child is an ideal vehicle for bringing citizenship, with all its implications, into the whole school as something which has real meaning and reality for children of all ages and abilities.

Using the Convention on the Rights of the Child for whole school policies

The Articles of the Convention encompass every facet of justice and equality that any school wrestling with anti-racist and anti-sexist strategies could wish for:

Article 2 states that all rights apply to all children without exception: irrespective of the child's or his or her parents or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

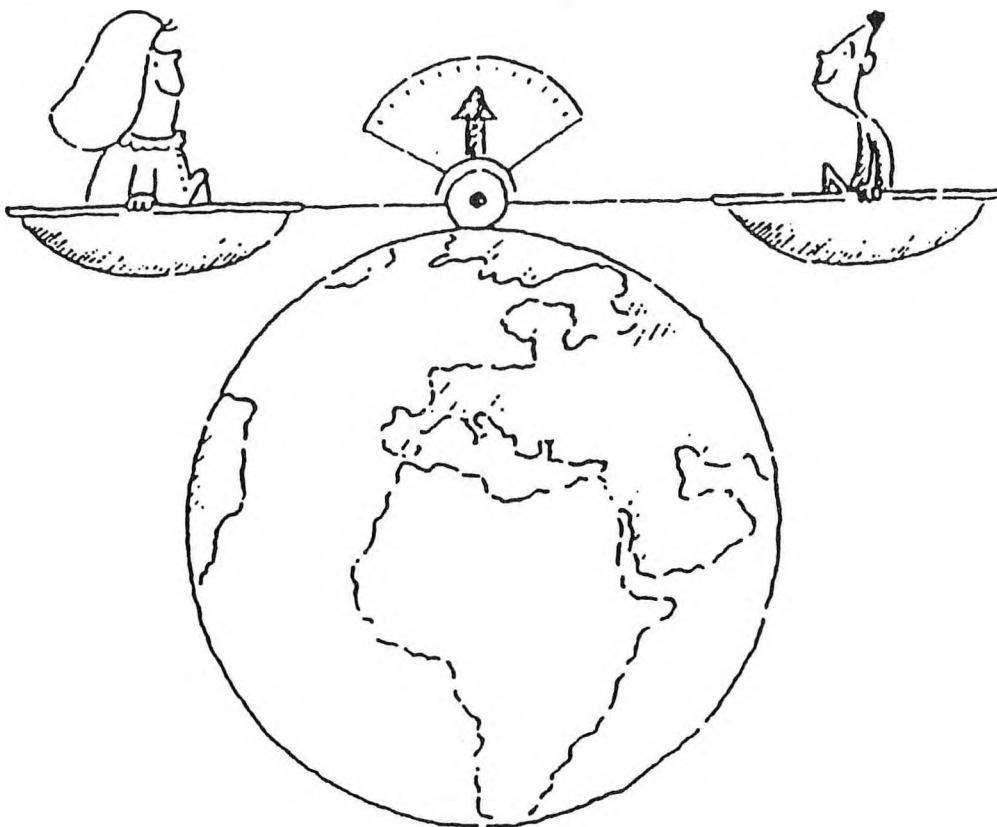
Whole school strategies to combat bullying and name-calling are suggested by Article 19:

The State's obligation to protect children from all forms of maltreatment perpetrated by parents or others responsible for their care, and to undertake preventive and treatment programmes in this regard.

Questions of appropriate punishment can be explored with an awareness of paragraph 2 of Article 28:

States Parties shall 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 present Convention.

While some schools may be able to devote considerable time to work around children's rights, particularly primary schools or in PSE in secondary schools, taking in many aspects of Participation, Provision and Protection, many others may prefer to incorporate it into their subject or topic teaching. A combination of the two may provide the ideal.



The right to equality

Suggestions for Inset Sessions to Introduce the Convention

These sessions can be done in an hour or less, depending on where the discussion is intended to lead i.e. whether or not it is to form the basis for formulating a school or departmental policy.

Starting point A

This exercise involves people working in pairs and it may be useful for teachers of similar age groups or the same subject to work together.

You will need enough photocopies of:

The summary of the Convention (pages 2 - 3)

The three topic webs (pages 5 - 7)

for each person or pair.

1. First give each member of the group., or each pair, a copy of the Convention Summary. Ask them to read it and then in pairs to mark those Articles which immediately strike them as having some reference to their present work - it may be to do with subject or topic to do with the actual organisation and behaviour of children in the classroom or school. (10 minutes)

Then ask pairs to share their discussions with the group. Hopefully some will be seeing some points of reference to their work.

2. Then give each person or pair. copies of the three topic webs. at the beginning of each of the three topic books. Again ask pairs to look at them and circle those topics which they touch on or cover during their school year. (Allow 10 or 15 minutes for this.)

Again ask some pairs to share their discussions with the group.

You may then wish to make larger groups of subject teachers or those teaching similar age groups who could then discuss the potential for incorporating the Convention into their work. At this point teachers may benefit from looking at the project books as the Units and pupil pages may provide additional stimulus and ideas.

Starting point B

Make copies of some of the activities from the books for teachers to do in pairs.

Activities which can be used in this way are:

From *The Whole Child*: A2, C1, C4, E1

From *It's Our Right*: A1, A5, B3, B5, D4, E3

From *Keep Us Safe*: A8, B2, B3, C1, C2, D4, D5, E5

You will need to read the relevant Teachers' Notes in each Unit if the instructions are not self-explanatory. You will probably want to have different pairs or small groups working on different activities, maybe selected because of the relevance to their subject or current topic.

Approaching from this starting point may make it easier to then lead a group discussion about how children's rights can come into many areas of the curriculum. You could then use the Summary sheets to introduce the Articles for an overview of the Convention.

Starting point C

(This is particularly appropriate for use with professional groups who are not teachers.)

You will need

- paper and pens for each pair or small group
- a flip chart and felt pen
- Convention summaries for each person or pair

Ask pairs or small groups to write down the children's rights which are relevant to their work in the classroom. (Allow 10 minutes)

Then draw up a group list of all the rights they have thought of on the flip chart. You may find that over half of the contents of the Convention have been mentioned. You can then give out the Convention summary to be compared with the group's list.

At some point you will need to make the point that the Convention on the Rights of the Child is an international charter which has been ratified by 133 governments. Different Articles will have particular significance for different countries and cultures. The situation for children is obviously different in different countries, and while children in developing countries may lack some of the services which UK children take for granted the extended family makes other Articles less relevant.

A dimension of the Project Books which we think is important is the way UK stories are mixed in with stories of children from other countries. As workers for International children's organisations, which work to improve the situation of children, particularly in developing countries, we feel it is important that children in the UK develop a concept of the globality of children's rights. The case stories help children learn about the lives of children elsewhere, as well as gain a greater understanding of their own lives, and of the lives of other children in the UK.



The right to play, leisure and creativity

An Introduction to SCF and UNICEF

The Save the Children Fund and the United Nations Children's Fund both have particular reason to welcome the UN Convention on the Rights of the Child. Both these organisations were formed to ease the plight of children who were the innocent victims of the two world wars which have devastated Europe this century.

The Save the Children Fund (SCF) was started by two energetic sisters, Dorothy Buxton and Eglantyne Jebb, in 1919. The First World War had laid waste the area of Europe then known as the Balkans and the sisters appealed for funds to help starving children there. The Fund was soon working in Armenia and the Baltic States, helping the thousands of children and their families who faced starvation and misery after fleeing their homes. In 1921, appeals were made for children in Russia after the harvests failed. In the 1930s, work in Europe was largely taken up with refugee problems.

SCF became involved in relief work in the United Kingdom during the General Strike and depression years through the provision of supplies and day nurseries. During the war SCF provided residential accommodation for evacuees. Since then SCF has continued to develop its pioneering work to improve provision for children in the United Kingdom, beginning with pre-school play-groups and hospital play-schemes. Through its current United Kingdom programme SCF is still working to tackle disadvantage and combat discrimination in partnership with communities, health and education authorities and other agencies. SCF provides family resource centres in inner city areas, is improving day care provision for under fives, and supports action by young people with disabilities to improve their life-chances.

There was also a major expansion of SCF's work with children beyond Europe after the Second World War. Disaster relief was a frequent need, in Korea, during the Agadir earthquake, with orphans in Vietnam and Tibetan refugees fleeing to India. The overseas programme of SCF now focuses on long-term development and emergency aid in over 50 countries. Projects are concentrated in the fields of primary health care, mother and child health, nutrition, immunization, disability, water and sanitation, education, welfare, refugees and income-generation.



Source: John R. Freeman & Co. Ltd.

The early years of SCF saw many disaster relief operations, among them a huge feeding scheme during the Russian famine.

On the basis of its continuing field work experience and study in different parts of the world, SCF strives to promote the Rights of the Child and to influence national and international policy and practice in order to achieve lasting benefits for children within the communities in which they live. SCF (UK) aims to make this impact for children along with the twenty other members of the International Save the Children Alliance.



Source: UNICEF

Finland 1947 - UNICEF delivered food rations north of the Arctic Circle by reindeer and sledge.

UNICEF, the United Nations Children's Fund, was formed as a direct result of the Second World War. It was created by the UN General Assembly at its first meeting in 1946. Originally called The United Nations International Children's Emergency Fund, it provided food, milk, clothing and medical treatment for the millions of children in war-torn Europe.

UNICEF's work was finished in Europe by 1950 but it was not wound up as originally intended but turned to meeting the needs of children in the less developed countries. UNICEF works with governments in 121 countries.

As the United Nations agency created to support the survival, protection and development of children UNICEF is a named agency in the Convention on the Rights of the Child.

UNICEF provides and promotes low cost health care which is estimated to be saving at least two million lives each year. For example, programmes like universal immunisation by 1990 have made great headway since they were launched ten years ago. Then fewer than 10% of the developing world's children were immunised against the major childhood diseases. Now the target of 80% by 1990 is likely to be reached.

While UNICEF has given top priority to reducing child deaths, it has also recognised that to save the lives of children who do not have the opportunity to grow and develop is a hollow victory. Therefore UNICEF's work also includes nutrition, education and female literacy programmes, water and sanitation programmes and programmes to conserve the environment. UNICEF will help governments that ratify the Convention to work towards meeting the provisions therein.

With their common mandate of working for the survival and development of children the Save the Children Alliance and UNICEF are partners in many programmes in developing countries.

A short history of children's rights

Societies through history have treated children in special ways, but it is only during this century that children's rights have become internationally recognised. Eglantyne Jebb, founder of SCF, drafted a Children's Charter following her work with refugee children in the Balkans after the First World War. In 1923 she wrote:

"I believe we should claim certain Rights for children and labour for their universal recognition."

In 1924 she achieved her ambition when the League of Nations, the fore-runner of the United Nations, adopted the **Declaration of the Rights of the Child**, otherwise known as the Declaration of Geneva. However, both the Declaration and the League of Nations were rendered useless and powerless by the outbreak of the Second World War in 1939.

In 1948 the UN General Assembly approved the adoption of a **Universal Declaration of Human Rights**. The rights of children were implicitly included but it was thought that this was not enough and that the special needs of children justified an additional, separate document.

In 1959 on 20th November, the UN General Assembly adopted the **second Declaration of the Rights of the Child** - listed on page 8 of 'The Whole Child'. A declaration is not legally binding and does not carry an implementation procedure.

1979 was the **International Year of the Child**. During this year the 10 points of the Declaration were highly publicised. The Human Rights Commission of the UN Working Group started work on the draft of The Convention on the Rights of the Child which was originally submitted by the Government of Poland.

1989 Work on the draft of the Convention on the Rights of the Child was completed and adopted by the UN General Assembly on 20th November.

1990 The Convention on the Rights of the Child entered into force after twenty nations had ratified it.

1991 The United Kingdom ratified the Convention on December 16th.

Declarations are what is known as 'soft' laws; they are statements of general principles accepted by governments but which carry no specific obligations. Conventions are binding, 'hard' laws, and they require an active decision on the part of individual countries to agree or ratify them. Those countries, or States, which ratify the contents of a Convention are indicating their intention to comply with the provisions and obligations it contains. A mechanism for monitoring their compliance is normally established as an integral part of the Convention.

In the case of the Convention on the Rights of the Child any country which agrees to be bound by it will have to report regularly to an independent Committee on the Rights of the Child. This ten member Committee will ascertain to what extent the Convention is being implemented in a country and will pass on requests made by any countries for technical advice and cooperation; countries should be encouraged and helped to protect and promote children's rights, rather than face punitive measures.

THE CONVENTION ON THE RIGHTS OF THE CHILD

Official text

PREAMBLE

The States Parties to the present Convention,

Considering that in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Bearing in mind that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

Recognizing that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity,

Bearing in mind that the need for extending particular care to the child has been stated in the Geneva Declaration on the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the United Nations in 1959 and recognized in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural Rights (in particular in its article 10) and in the statutes and relevant instruments of specialized agencies and international organizations concerned with the welfare of children,

Bearing in mind that, as indicated in the Declaration of the Rights of the Child adopted by the General Assembly of the United Nations on 20 November 1959, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth,"

Unofficial summary of main provisions

PREAMBLE

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

Official text

Recalling the provisions of the 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; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict,

Recognizing that in all countries in the world there are children living in exceptionally difficult conditions, and that such children need special consideration,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child,

Recognizing the importance of international cooperation for improving the living conditions of children in every country, in particular in the developing countries,

Have agreed as follows:

PART 1

Article 1

For the purposes of the present Convention a child means every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.

Article 2

1. The States Parties to the present Convention shall respect and ensure the rights set forth in this Convention 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.
2. States Parties shall take all appropriate measures to ensure that the child is protected against 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 family members.

Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.
2. States Parties undertake 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, and, to this end, shall take all appropriate legislative and administrative measures.
3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff as well as competent supervision.

Unofficial summary of main provisions

Definition of a child

All persons under 18, unless by law majority is attained at an earlier age.

Non-discrimination

The principal that all rights apply to all children without exception, and the State's obligation to protect children from any form of discrimination. The State must not violate any right, and must take positive action to promote them all.

Best interests of the child

All actions concerning the child should take full account of his or her best interests. The State is to provide adequate care when parents or others responsible fail to do so.

Official text

Article 4

States Parties shall undertake all appropriate legislative, administrative, and other measures, for the implementation of the rights recognized in this Convention. In regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

Article 5

States Parties shall respect the responsibilities, rights, and duties of parents or, where applicable, the members of the extended family or community as provided for by the 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 present Convention.

Article 6

1. States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

Article 7

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality, and, as far as possible, the right to know and be cared for by his or her parents.
2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

Article 8

1. States Parties undertake 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.
2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to speedily re-establishing his or her identity.

Article 9

1. State Parties shall ensure that a 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 separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.
2. In any proceedings pursuant to paragraph 1, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.

Unofficial summary of main provisions

Implementation of rights

The State's obligation to translate the rights of the Convention into reality.

Parental guidance and the child's evolving capacities

The State's duty to respect the rights and responsibilities of parents and the wider family to provide guidance appropriate to the child's evolving capacities.

Survival and development

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

Name and nationality

The right to have a name from birth and to be granted a nationality.

Preservation of identity

The State's obligation to protect and, if necessary, re-establish the basic aspects of a child's identity (name, nationality and family ties).

Separation from parents

The child's right to live with his/her parents unless this is deemed incompatible with his/her best interests; the right to maintain contact with both parents if separated from one or both; the duties of States in cases where such separation results from State action.

Official text

3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parties on a regular basis, except if it is contrary to the child's best interests.
4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential 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. State Parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.

Article 10

1. In accordance with the obligation of States Parties under article 9, paragraph 1, applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. State Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.
2. A child whose parents reside in different States shall have the right to maintain on a regular bases save in exceptional circumstances personal relations and direct contacts with both parents. Towards that end and in accordance with the obligation of States Parties under article 9, paragraph 2, States Parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country. The right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect the national security, public order (*ordre public*), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

Article 11

1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.
2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.

Article 12

1. States Parties shall assure 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, the views of the child being given due weight in accordance with the age and maturity of the child.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Unofficial summary of main provisions

Family reunification

The right of children and their parents to leave any country and to enter their own in order to be reunited or to maintain the child-parent relationship.

Illicit transfer and non-return

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

The child's opinion

The child's right to express an opinion, and to have that opinion taken into account, in any matter or procedure affecting the child.

Official text

Article 13

1. The child shall have the right to freedom of expression; this right shall include 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 other media of the child's choice.
2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 - (a) for respect of the rights or reputations of others; or
 - (b) for the protection of national security or of public order (*ordre public*), or of public health or morals.

Article 14

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.
2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.
3. Freedom to manifest one's religion or beliefs 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.

Article 15

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.
2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others.

Article 16

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.
2. The child has the right to the protection of the law against such interference or attacks.

Unofficial summary of main provisions

Freedom of expression

The child's right to obtain and make known information, and to express his or her views, unless this would violate the rights of others.

Freedom of thought, conscience and religion

The child's right to freedom of thought, conscience and religion, subject to appropriate parental guidance and national law.

Freedom of association

The right of children to meet with others and to join or set up associations, unless the fact of doing so violates the rights of others.

Protection of privacy

The right to protection from interference with privacy, family, home and correspondence, and from libel/slander.

Official text

Article 17

States Parties recognize the important function performed by the mass media and shall 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 social, spiritual and moral well-being and physical and mental health. To this end, States Parties shall:

- (a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;
- (b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;
- (c) Encourage the production and dissemination of children's books;
- (d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;
- (e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being bearing in mind the provisions of articles 13 and 18.

Article 18

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.
2. For the purpose of guaranteeing and promoting the rights set forth in this Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.
3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child care services and facilities for which they are eligible.

Article 19

1. States Parties shall take all appropriate legislative, administrative, social and educational 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.
2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment, and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

Unofficial summary of main provisions

Access to appropriate information

The role of the media in disseminating information to children that is consistent with moral well-being and knowledge and understanding among peoples, and respects the child's cultural background. The State is to take measures to encourage this and to protect children from harmful materials.

Parental responsibilities

The principal that both parents have joint primary responsibility for bringing up their children, and that the State should support them in this task.

Protection from abuse and neglect

The State's obligation to protect children from all forms of maltreatment perpetrated by parents or others responsible for their care, and to undertake preventative and treatment programmes in this regard.

Official text

Article 20

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.
2. States Parties shall in accordance with their national laws ensure alternative care for such a child.
3. Such care should include, *inter alia*, foster placement, Kafala of Islamic law, adoption, or if necessary, placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

Article 21

States Parties which recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

- (a) ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counselling as may be necessary;
- (b) recognize that intercountry adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;
- (c) ensure that the child concerned by intercountry adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;
- (d) take all appropriate measures to ensure that, in intercountry adoption, the placement does not result in improper financial gain for those involved in it;
- (e) promote, where appropriate, the objectives of this article by concluding bilateral or multilateral arrangements or agreements, and endeavour, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs.

Article 22

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in this Convention and in other international human rights or humanitarian instruments to which the said States are Parties.
2. For this purpose, States Parties shall provide, as they consider appropriate, cooperation in any efforts by the United Nations and other competent intergovernmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases

Unofficial summary of main provisions

Protection of children without families

The State's obligation to provide special protection for children deprived of their family environment and to ensure that appropriate alternative family care or institutional placement is made available to them, taking into account the child's cultural background.

Adoption

In countries where adoption is recognised and/or allowed, it shall only be carried out in the best interests of the child, with all necessary safeguards for a given child and authorization by the competent authorities.

Refugee children

Special protection to be granted to children who are refugees or seeking refugee status, and the State's obligation to cooperate with competent organisations providing such protection and assistance.

Official text

where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

Article 23

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance, and facilitate the child's active participation in the community.
2. States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and 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.
3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development.
4. States Parties shall promote in the spirit of international co-operation the exchange of appropriate 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, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken to the needs of developing countries.

Article 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.
2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:
 - (a) to diminish infant and child mortality,
 - (b) to ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care,
 - (c) to combat disease and malnutrition including within the framework of primary health care, 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,
 - (d) to ensure appropriate pre- and post-natal health care for mothers,

Unofficial summary of main provisions

Handicapped children

The right of handicapped children to special care, education and training designed to help them to achieve greatest possible self-reliance and to lead a full and active life in society.

Health and health services

The right to the highest level of health possible and to access to health and medical services, with special emphasis on primary and preventative health care, public health education and the diminution of infant mortality. The State's obligation to work towards the abolition of harmful traditional practices. Emphasis is laid on the need for international cooperation to ensure this right.

Official text

- (e) 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,
 - (f) to develop preventive health care, guidance for parents, and family planning education and services.
3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.
 4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in this article. In this regard, particular account shall be taken of the needs of developing countries.

Article 25

States Parties recognize the right of a child who has been placed by the competent authorities for the purposes of care, protection, or treatment of his or her physical or mental health, to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

Article 26

1. States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.
2. The benefits should, where appropriate, be granted taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

Article 27

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.
2. The 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.
3. States Parties in accordance with national conditions and within their means shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.
4. States Parties shall 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. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements as well as the making of other appropriate arrangements.

Unofficial summary of main provisions

Periodic review of placement

The right of children placed by the State for reasons of care, protection or treatment to have all aspects of that placement evaluated regularly.

Social security

The right of children to benefit from social security.

Standard of living

The right of children to benefit from an adequate standard of living, the primary responsibility of parents to provide this, and the State's duty to ensure that this responsibility is first fulfillable and then fulfilled, where necessary through the recovery of maintenance.

Official text

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:
 - (a) make primary education compulsory and available free to all;
 - (b) encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
 - (c) make higher education accessible to all on the basis of capacity by every appropriate means;
 - (d) make educational and vocational information and guidance available and accessible to all children;
 - (e) take measures to encourage regular attendance at schools and the reduction of drop-out rates.
2. States Parties shall 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 present Convention.
3. States Parties shall promote and encourage international co-operation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

Article 29

1. States Parties agree that the education of the child shall be directed to:
 - (a) the development of the child's personality, talents and mental and physical abilities to their fullest potential;
 - (b) the development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
 - (c) the development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
 - (d) the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
 - (e) the development of respect for the natural environment.
2. No part of this article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of this article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Unofficial summary of main provisions

Education

The child's right to education, and the State's duty to ensure that primary education at least is made free and compulsory. Administration of school discipline is to reflect the child's human dignity. Emphasis is laid on the need for international cooperation to ensure this right.

Aims of education

The State's recognition that education should be directed at developing the child's personality and talents, preparing the child for active life as an adult, fostering respect for basic human rights and developing respect for the child's own cultural and national values and those of others.

Official text

Article 30

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language.

Article 31

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

Article 32

1. States Parties recognize the right of the child to be protected from 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 physical, mental, spiritual, moral or social development.
2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of this article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:
 - (a) provide for a minimum age or minimum ages for admissions to employment;
 - (b) provide for appropriate regulation of the hours and conditions of employment; and
 - (c) provide for appropriate penalties or other sanctions to ensure the effective enforcement of this article.

Article 33

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

Article 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- (a) the inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) the exploitative use of children in prostitution or other unlawful sexual practices;
- (c) the exploitative use of children in pornographic performances and materials.

Unofficial summary of main provisions

Children of minorities or indigenous populations

The right of children of minority communities and indigenous populations to enjoy their own culture and to practice their own religion and language.

Leisure, recreation and cultural activities

The right of children to leisure, play and participation in cultural and artistic activities.

Child labour

The State's obligation to protect children from engaging in work that constitutes a threat to their health, education or development, to set minimum ages for employment, and to regulate conditions of employment.

Drug abuse

The child's right to protection from the use of narcotic and psychotropic drugs and from being involved in their production or distribution.

Sexual exploitation

The child's right to protection from sexual exploitation and abuse, including prostitution and involvement in pornography.

Official text

Article 35

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction, the sale of or traffic in children for any purpose or in any form.

Article 36

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

Article 37

States Parties shall ensure that:

- (a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below 18 years of age;
- (b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;
- (c) Every child deprived of liberty shall be 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 their age. In particular every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;
- (d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance as well as 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.

Article 38

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.
2. States Parties shall 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.
3. States Parties shall 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 shall endeavour to give priority to those who are oldest.
4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

Unofficial summary of main provisions

Sale, trafficking and abduction

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

Other forms of exploitation

The child's right to protection from all other forms of exploitation not covered in articles 32, 33, 34 and 35.

Torture and deprivation of liberty

The prohibition of torture, cruel treatment or punishment, capital punishment, life imprisonment, and unlawful arrest or deprivation of liberty. The principles of appropriate treatment, separation from detained adults, contact with family and access to legal or other assistance.

Armed conflicts

The obligation of States to respect and ensure respect for humanitarian law as it applies to children. The principle that no child under 15 take a direct part in hostilities or be recruited into the armed forces, and that all children affected by armed conflict benefit from protection and care.

Official text

Article 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social re-integration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and re-integration shall take place in an environment which fosters the health, self-respect and dignity of the child.

Article 40

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be 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 re-integration and the child's assuming a constructive role in society.
2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:
 - (a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions which were not prohibited by national or international law at the time they were committed;
 - (b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:
 - (i) to be presumed innocent until proven guilty according to law;
 - (ii) to be informed promptly and directly of the charges against him or her, and if appropriate through his or her parents or legal guardian, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;
 - (iii) to have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;
 - (iv) not to be compelled to give testimony or to confess guilt; 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;
 - (v) if considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;
 - (vi) to have the free assistance of an interpreter if the child cannot understand or speak the language used;
 - (vii) to have his or her privacy fully respected at all stages of the proceedings.
3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and in particular:

Unofficial summary of main provisions

Rehabilitative care

The State's obligation to ensure that child victims of armed conflicts, torture, neglect, maltreatment or exploitation receive appropriate treatment for their recovery and social re-integration.

Administration of juvenile justice

The right of children alleged or recognised as having committed an offence to respect for their human rights and, in particular, to benefit from all aspects of the due process of law, including legal or other assistance in preparing and presenting their defence. The principle that recourse to judicial proceedings and institutional placements should be avoided wherever possible and appropriate.

Official text

- (a) the establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;
 - (b) whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.
4. A variety of dispositions, such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

Article 41

Nothing in this Convention shall affect any provisions that are more conducive to the realization of the rights of the child and that may be contained in:

- (a) the law of a State Party; or
- (b) international law in force for that State.

PART II

Article 42

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

Article 43

1. For the purpose of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the present Convention, there shall be established a Committee on the Rights of the Child, which shall carry out the functions hereinafter provided.
2. The Committee shall consist of 10 experts of high moral standing and recognized competence in the field covered by this Convention. The members of the Committee shall be selected by States Parties from among their nationals and shall serve in their present capacity, consideration being given to equitable geographical distribution as well as the principal legal systems.
3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each States Party may nominate one person from among its own nationals.
4. The initial election to the Committee shall be held no later than six months after the date of the entry into force of the present Convention and thereafter every second year. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to States Parties inviting them to submit their nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating States Parties which have nominated them, and shall submit it to the States Parties to the present Convention.
5. The elections shall be held at meetings of States Parties convened by the Secretary-General at United Nations Headquarters. At those meetings, for which two-thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who

Unofficial summary of main provisions

Respect for existing standards

The principle that, if any standards set in national law or other applicable international instruments are higher than those of this Convention, it is the higher standard that applies.

Implementation and entry into force

The provisions of articles 42-54 notably foresee:

- i) *the State's obligation to make the rights contained in this Convention widely known to both adults and children.*
- ii) *the setting up of a Committee on the Rights of the Child composed of ten experts, which will consider reports that State Parties to the Convention are to submit two years after ratification and every five years thereafter. The Convention enters into force - and the Committee would therefore be set up - once 20 countries have ratified it.*
- iii) *State Parties are to make their reports widely available to the general public.*
- iv) *The Committee may propose that special studies be undertaken on specific issues relating to the rights of the child, and may make its evaluations known to each State Party concerned as well as to the UN General Assembly.*
- v) *In order to "foster the effective implementation of the Convention and to encourage international cooperation", the specialised agencies of the UN (such as the ILO, WHO and UNESCO) and UNICEF would be able to attend the meetings of the Committee. Together with any other body recognised as "competent", including NGOs in consultative*

Official text

obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

6. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. The term of five of the members elected at the first election shall expire at the end of two years; immediately after the first election the names of these five members shall be chosen by lot by the Chairman of the meeting.
7. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State Party which nominated the member shall appoint another expert from among its nationals to serve for the remainder of the term, subject to the approval of the Committee.
8. The Committee shall establish its own rules of procedure.
9. The Committee shall elect its officers for a period of two years.
10. The meetings of the Committee shall normally be held at the United Nations Headquarters or at any other convenient place as determined by the Committee. The Committee shall normally meet annually. The duration of the meetings of the Committee shall be determined, and reviewed, if necessary, by a meeting of the States Parties to the present Convention, subject to the approval of the General Assembly.
11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.
12. With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from the United Nations resources on such terms and conditions as the Assembly may decide.

Article 44

1. States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights:
 - (a) within two years of the entry into force of the Convention for the State Party concerned,
 - (b) thereafter every five years.
2. Reports made under this article shall indicate factors and difficulties, if any, affecting the degree of fulfilment of the obligations under the present Convention. Reports shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.
3. A State Party which has submitted a comprehensive initial report to the Committee need not in its subsequent reports submitted in accordance with paragraph 1 (b) repeat basic information previously provided.
4. The Committee may request from States Parties further information relevant to the implementation of the Convention.
5. The Committee shall submit to the General Assembly of the United Nations through the Economic and Social Council, every two years, reports on its activities.

Unofficial summary of main provisions

Implementation and entry into force (continued)

status with the UN and UN organs such as the UNHCR, they can submit pertinent information to the Committee and be asked to advise on the optimal implementation of the Convention.

Official text

6. States Parties shall make their reports widely available to the public in their own countries.

Article 45

In order to foster the effective implementation of the Convention and to encourage international co-operation in the field covered by the Convention:

- (a) The specialized agencies, UNICEF and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies, UNICEF and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite the specialized agencies, UNICEF and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities.
- (b) The Committee shall transmit, as it may consider appropriate, to the specialized agencies, UNICEF and other competent bodies, any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance along with the Committee's observations and suggestions, if any, on these requests or indications.
- (c) The Committee may recommend to the General Assembly to request the Secretary-General to undertake on its behalf studies on specific issues relating to the rights of the child.
- (d) The Committee may make suggestions and general recommendations based on information received pursuant to articles 44 and 45 of this Convention. Such suggestions and general recommendations shall be transmitted to any State Party concerned and reported to the General Assembly, together with comments, if any, from States Parties.

PART III

Article 46

The present Convention shall be open for signature by all States.

Article 47

The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 48

The present Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 49

1. The present Convention shall enter into force on the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.
2. For each State ratifying or acceding to the Convention after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

Appendix 1 - UK Declaration & Reservations

UN Convention on the Rights of the Child

UK Ratification

The instrument of ratification contained in the following reservations and declarations:

- (a) The United Kingdom interprets the Convention as applicable only following a live birth.
- (b) The United Kingdom interprets the reference in the Convention to "parents" to mean only those persons who, as a matter of national law, are treated as parents. This includes cases where the law regards a child as having only one parent, for example where a child has been adopted by one person only and in certain cases where a child is conceived other than as a result of sexual intercourse by the woman who gives birth to it and she is treated as the only parent.
- (c) The United Kingdom reserves the right to apply such legislation, in so far as it relates to the entry into, stay in and departure from the United Kingdom of those who do not have the right under the law of the United Kingdom to enter and remain in the United Kingdom, and to the acquisition and possession of citizenship, as it may deem necessary from time to time.
- (d) Employment legislation in the United Kingdom does not treat persons under 18, but under the school-leaving age as children, but as "young people". Accordingly the United Kingdom reserves the right to continue to apply Article 32 subject to such employment legislation.
- (e) Where at any time there is a lack of suitable accommodation or adequate facilities for a particular individual in any institution in which young offenders are detained, or where the mixing of adults and children is deemed to be mutually beneficial, The United Kingdom reserves the right not to apply Article 37(c) in so far as those provisions require children who are detained to be accommodated separately from adults.
- (f) In Scotland there are tribunals (known as "children's hearings") which consider the welfare of the child and deal with the majority of offences which a child is alleged to have committed. In some cases, mainly of a welfare nature, the child is temporarily deprived of its liberty for up to seven days prior to attending the hearing. The child and its family are, however, allowed access to a lawyer during this period. Although the decisions of the hearings are subject to appeal to the courts, legal representation is not permitted at the proceedings of the children's hearings themselves. Children's hearings have proved over the years to be a very effective way of dealing with the problems of children in a less formal, non-adversarial manner. Accordingly, the United Kingdom, in respect of Article 37(d), reserves its right to continue the present operation of children's hearings.

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Department of Health (*who have responsibility for co-ordinating the government report to the UN Committee on the Rights of the Child on the UK's progress towards implementation.*)

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This book is one of three and a Teachers Handbook designed to introduce the UN Convention on the Rights of the Child to 8-13 year-olds

- **The
Whole
Child**
(The Participation Articles)

- **It's
Our
Right**
(The Provision Articles)

- **Keep
Us
Safe**
(The Protection Articles)

- **Teachers
Handbook**



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