

Children's Rights – What? Why? How?

Participants Booklet

For Scotland's learners, with Scotland's educators

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Information Sheet A: A Brief review of some historical precursors to human rights

Protecting the dignity of our human existence is not new: throughout history there have been many examples of a call to protect the freedom and dignity of people: a few exemplar pre-cursors to formal declarations of human rights are indicated below.

Some examples:

The Cyrus Cylinder:

- Ancient clay cylinder on which a declaration is written from the Persian King Cyrus the Great in the 6th century BC.
- Describes the genealogy of Cyrus the Great and outlines some of the history and politics of the time, and the principles by which the King sought to lead (e.g. justice, liberty).
- In the 1960's, the Shah of Iran described the cylinder as the world's first charter of human rights; there is some debate about this.

Natural Law:

- There have been many theories and proponents of a 'Natural Law' throughout history (many of the great philosophers and theologians such as Plato, Aristotle and Thomas Aquinas).
- Link between human rights and natural law: 'natural law is the view that certain rights or values are inherent in or universally cognizable by virtue of human reason or human nature'. (i.e our very existence should be protected, and how we act should support and promote the continuance of our existence (survival and development)).

1215 - Magna Carta Libertatis:

- Built on the King Henry I's *Charter of Liberties* in 1100, and amid a context of dishonesty and abuses of power, King John of England was 'led' to sign the 'Great charter of liberties' to assure protection of freedom of the citizens so that his power could not be abused arbitrarily.
- Clear precursor to a charter of human rights.
- Some examples:
 - The Church should be free from governmental interference.
 - All free citizens should be able to own and inherit property.
 - All free citizens should be protected from excessive taxes.
 - Widows with property should have the right not to remarry.

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Information Sheet B: An outline of two historical proponents of children's rights

Eglantyne Jebb:

- Born 1876 in Shropshire (Ellesmere) into a wealthy family with strong social conscience/commitment to public service.
- Studied history at Lady Margaret Hall, Oxford; trained to become Primary School Teacher (taught for 1 year).
- Moved to Cambridge to look after sick mother; became involved with Charity Organisation Society.
- 1913: journey to Macedonia on behalf of Macedonian Relief Fund; returned just before start of WWI.
- Involved in project to import European newspapers (with her sister Dorothy): some of the articles from Germany and Austria-Hungary showed that life in the enemy countries was worse than what propaganda suggested.
- Towards end of the war, the need and suffering of the children in these war-torn countries was apparent.
- 1919 – Fight the Famine Council set up a fund to raise money for the German and Austrian children (Save the Children Fund); raised a large sum of money.
- This success prompted Eglantyne and Dorothy to attempt to set up an international movement for children: the International Save the Children Union (founded in Geneva in 1920): new focuses for aid in Greece and Soviet Russia.
- As the Russian relief effort was ending, Eglantyne turned her attention to children's rights: she attended a meeting of the International Union with a plan for a Children's Charter.
- Eglantyne drafted the Declaration of the Rights of the Child in 1923 which was adopted by the International Union at its 4th general assembly; it was adopted by the League of Nations in 1924.
- First International Child Welfare congress held in Geneva in 1925; expanded version adopted by UN in 1959; one of the main inspirations behind the UNCRC.

Eglantyne Jebb's 'Declaration of the Rights of the Child' (1923):

- The child must be given the means requisite for its normal development, both materially and spiritually.
- The child that is hungry must be fed, the child that is sick must be nursed, the child that is backward must be helped, the delinquent child must be reclaimed, and the orphan and the waif must be sheltered and succoured.
- The child must be the first to receive relief in times of distress.
- The child must be put in a position to earn a livelihood, and must be protected against every form of exploitation.
- The child must be brought up in the consciousness that its talents must be devoted to the service of its fellow men

- Janusz Korczak

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- Born Henryk Goldsmit on 22nd July 1878 in Warsaw; birthname (adopted pseudonym Janusz Korczak). Polish Jewish doctor, writer and teacher: consistent focus on children throughout his life.

His work changed the general attitudes of teachers and parents towards children and young people: his general premise was that every child has his or her own path which he starts upon from the point of his/her birth; it is not for a teacher or parent to impose their or other goals on the child, but to support the child to achieve their OWN goals. Ultimately, his educational philosophy was an experiment with educational relationships as a true partnership rather than the teacher being seen as the definitive figure of knowledge and authority.

Director of two orphanages in Warsaw: one Jewish, one Catholic. Following the German occupation, the Jewish orphanage was moved inside the Warsaw ghetto; refusing to abandon the children, on 5th August 1942, he processed through the ghetto with 200 children on their way to deportation for the Treblinka death camp.

Even prior to any formal legislation, guidance or policy, he envisaged a document which wouldn't be a plea for goodwill, but a demand for action; he drew up his (unfinished) *Magna Charta Libertatis* concerning the rights of the child in 1919.

Some examples of what he said:

-
- **The child has the right to love.**
“Love the child, not just your own.”
- **The child has the right to respect.**
“Respect the mysteries and the ups and downs of that difficult task of growing up.”
- **The child has the right to optimal conditions in which to grow and develop.**
“We undertake to eliminate hunger, overcrowded conditions, neglect and exploitation. Suffering bred of poverty spreads like lice - sadism, crime and brutality are nurtured on it.”
- **The child has the right to live in the present.**
“Children are not the people of tomorrow. They are people today.”
- **The child has the right to mistakes.**
“There are no more fools among children than among adults.”
- **The child has the right to fail.**
“We renounce the deceptive longing for the perfect child.”
- **The child has the right to be taken seriously.**
“You will never understand children if you belittle their qualities. Who asks the child for her opinion or consent?”
- **The child has the right to protection.**
“We undertake to protect the child from all forms of violence and abuse.”
- **The child has the right to education.**
“One is struck by the fact that everywhere military spending is greater than that for education.”
- **The child has the right to forgiveness.**
“More often than not we are the harsh judges, rather than their counsellors and consolers.”
- **The child has the right to respect for his grief.**
“Even though it be for the loss of a pebble.”

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Information Sheet C: An overview of the Universal Declaration of Human Rights

Universal Declaration of Human Rights

The Universal Declaration of Human Rights, which was adopted by the UN General Assembly on 10 December 1948, was the result of the experience of the Second World War. With the end of that war, and the creation of the United Nations, the international community vowed never again to allow atrocities like those of that conflict happen again. World leaders decided to complement the UN Charter with a road map to guarantee the rights of every individual everywhere. The document they considered, and which would later become the Universal Declaration of Human Rights, was taken up at the first session of the General Assembly in 1946. The Assembly reviewed this draft Declaration on Fundamental Human Rights and Freedoms and transmitted it to the Economic and Social Council "for reference to the Commission on Human Rights for consideration . . . in its preparation of an international bill of rights." The Commission, at its first session early in 1947, authorized its members to formulate what it termed "a preliminary draft International Bill of Human Rights". Later the work was taken over by a formal drafting committee, consisting of members of the Commission from eight States, selected with due regard for geographical distribution.

The Commission on Human Rights was made up of 18 members from various political, cultural and religious backgrounds. Eleanor Roosevelt, widow of American President Franklin D. Roosevelt, chaired the UDHR drafting committee and was recognized as the driving force for the Declaration's adoption. The Commission met for the first time in 1947.

The final draft by Cassin was handed to the Commission on Human Rights, which was being held in Geneva. The draft declaration sent out to all UN member States for comments became known as the Geneva draft.

The first draft of the Declaration was proposed in September 1948 with over 50 Member States participating in the final drafting. By its resolution 217 A (III) of 10 December 1948, the General Assembly, meeting in Paris, adopted the Universal Declaration of Human Rights with eight nations abstaining from the vote but none dissenting. Hernán Santa Cruz of Chile, member of the drafting sub-Committee, wrote: *"I perceived clearly that I was participating in a truly significant historic event in which a consensus had been reached as to the supreme value of the human person, a value that did not originate in the decision of a worldly power, but rather in the fact of existing—which gave rise to the inalienable right to live free from want and oppression and to fully develop one's personality. In the Great Hall...there was an atmosphere of genuine solidarity and brotherhood among men and women from all latitudes, the like of which I have not seen again in any international setting."*

The entire text of the UDHR was composed in less than two years. At a time when the world was divided into Eastern and Western blocks, finding a common ground on what should make the essence of the document proved to be a colossal task.

United Nations Convention on the Rights of the Child

- From the end of 18th century, there was a growing awareness of the need to see children's rights differently.

1914-1918 – World War I

- 1917 – Declaration of children's rights produced by Proletkult following Russian Revolution.
- 1919 – Polish paediatrician and educationalist Janusz Korczak wrote about children's rights in his book 'How to Love a Child'.
- 1924 – Declaration of the Rights of the Child (Declaration of Geneva) adopted by League of Nations in 1924 (focused on care and protection).

1939-1945 – World War II

- 1945 – 50 nations form the UN following the war.
- 1948 – UDHR / amended form of 'Declaration of the Rights of the Child' adopted by UN.
- 1959 – Declaration expanded to 10 points to include special treatment, education and care for disabled children, as well as the rights to play and recreation.
- 1978 – Polish delegation to 34th session of the UN Commission tabled a motion that the UN should adopt a convention on the rights of the child (previously attempted in 1959).
- 1979 – UN International Year of the Child.
- 1989 – UNCRC ratified.
- 1990 – UNCRC brought into force.
- 1991 (December) UNCRC ratified by UK government.
- The UNCRC contains 54 Articles; 1-42 are about the rights and freedoms of children and young people themselves.
- The UNCRC is applicable from birth to 18 3 Optional Protocols:
 1. Involvement of children in armed conflict. This requires governments to increase the minimum age that children can join the armed forces from 15 years, and to make sure they are not involved in armed conflict under 18
 2. Sale of children, child prostitution and child pornography. Governments must commit to ending the sexual exploitation and abuse of children, child- trafficking, forced labour and illegal adoption and organ donation.
 3. On 19 December 2011, the UN General Assembly approved a third optional protocol on a Communications Procedure, which will allow individual children to submit a complaint to the UN when their rights have been violated and their own country's legal system has not been able to resolve the issue

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Information Sheet D: An overview of how human rights legislation has been in Europe and Scotland (organized chronologically)

European Convention on Human Rights (ECHR)

- While the UNCRC (United Nations Convention on the Rights of the Child) has standing in International Law, it is not currently incorporated into Scots Law; the European Convention on Human Rights (ECHR), however, is Law in Scotland.
- In the wake of World War II, and similar to developments taking place by the UN forming the Universal Declaration of Human Rights for the global community, the Council of Europe sought to form a declaration of rights for member states.
- 100 representatives of the 12 member states of the Council of Europe gathered in Strasbourg for the first meeting of the Consultative Assembly to draft a 'charter of human rights', and create a court which would enforce it.
- The convention is made up of 59 articles across 3 sections:
 1. Rights and freedoms.
 2. A court (and procedures) to support these rights and freedoms.
 3. Concluding provisions.
- The European Court of Human Rights (ECtHR) was established in 1959 to enforce the convention.

Since 1966, the European Court of Human Rights has found 97% of cases against the UK inadmissible, 3% progressing to full consideration and 1.7% of cases finding a violation of ECHR against the UK.
- 15 protocols are currently open for signature which either seek to amend the original convention or expand its scope.

Scotland's Commissioner for Children and Young People (SCCYP)

- 2003 – Commissioner for Children and Young People (Scotland) Act created the role with following aims:
 - *Promote and safeguard the rights of children.*
 - *Promote awareness and understanding of UNCRC.*
 - *Review adequacy and effectiveness.*
 - *Promote best practice.*
 - *Research matters relating to children's rights.*
- 2004 – First Commissioner of Scotland appointed.
- Current Commissioner: Bruce Adamson
- 2010: The Commissioner undertook a national consultation of children and young people called, '**A RIGHT blether**'. A total of 74,059 responses were made.
- 2011: Tam Baillie asked children between the ages of 2 and 5 to have their very own creative conversation using their own forms of expression. This creative conversation was called **a RIGHT wee blether**.

Equality and Human Rights Commission (EHRC)

- 2006 – Equalities Act created the Commission with a statutory remit to promote and monitor human rights; and to protect, enforce and promote equality across the nine "protected" grounds - age, disability, gender, race, religion and belief, pregnancy and maternity, marriage and civil partnership, sexual orientation and gender reassignment.
- The Scotland Committee is responsible for ensuring the overall work of the Commission reflects the needs and priorities of Scotland. The Committee sets strategic direction and steers the Commission's work in Scotland.
- Vision: a Britain where everyone is treated equally with dignity and respect with the same opportunities.
- Mission: catalyst for change and improvement on equality and human rights.
- Current chair of Commission in Scotland is Kaliani Lyle.

Scottish Human Rights Commission (SHRC)

- 2006 – Scottish Commission for Human Rights Act created the Commission, independent of Government(s). With a focus on ECHR and all rights instruments, it has the duty to promote awareness, understanding and respect of human rights .
- Current chair: Prof. Alan Miller.
- The Scottish National Action Plan (SNAP) is a roadmap for the realisation of human rights in Scotland. Its purpose is to help focus and co-ordinate action by public, private, voluntary bodies and individuals to make rights real in practice, and deliver positive outcomes in people's day to day lives.
- Next draft to be reviewed in October 2013; launch of final version is anticipated to be International Human Rights Day, 10 December 2013.
- Latest draft of SNAP pursues three key outcomes:
 - *People are empowered to understand and claim their rights, and duty bearers are enabled and accountable to realise rights.*
 - *We effectively tackle injustices and improve lives in Scotland.*
 - *We give effect to international obligations in Scotland and embrace our responsibilities internationally.*

Legislation / Policy

[The Children and Young People \(Scotland\) Act 2014](#): places a duty on local authorities and schools to ensure the wellbeing of children and young people is safeguarded, supported and promoted. The voice of the child or young person is essential in understanding their needs and ensuring their wellbeing is safeguarded, supported and promoted. Fostering strong relationships between staff and children and young people is essential to this practice.

[Progressing the Human Rights of Children in Scotland: An Action Plan 2018-2021](#)

Scottish Government's action plan to realise their vision for a Scotland where 'children are recognised as citizens in their own right and where their human rights are embedded in all aspects of society is the Vision we aspire to; a Scotland where policy, law and decision making takes account of children's rights and where all children have a voice and are empowered to be human rights defenders.'

In June 2019 The Deputy First Minister announced the government's intention to incorporate the UNCRC into Scot's law. This will take place by May 2021, and once in place, any public body that does not uphold the UNCRC will be breaking the law

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Overview Sheet

Below record some of your reflections from each of the Information sheets.

A

B

C

D

United Nation Convention on the Rights of the Child

**Article 44 Adopted and opened for signature, ratification and accession
by General Assembly resolution 44/25 of
20 November 1989
entry into force 2 September 1990, in accordance with article 49**

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 to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the General Assembly on 20 November 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 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, "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",

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 I

<p>Article 1 For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.</p>	<p>Rights for everyone under 18.</p>
<p>Article 2 1. States Parties shall respect and ensure the rights set forth in the present 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</p>	<p>You have the right to protection against discrimination.</p>

<p>child's parents, legal guardians, or family members.</p> <p>1.</p>	
<p>Article 3</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>2.</p>	<p>Anyone making decisions that affect young people should make young people's interests a high priority.</p>

<p>Article 4 States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With 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.</p>	<p>The Government has promised to make rights a reality for all young people.</p>
<p>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 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.</p>	<p>You should be able to get help from your parents to make the right decisions.</p>
<p>Article 6</p> <ol style="list-style-type: none"> 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. 	<p>Children and young people have a right to survive and develop and the Government should give as much help as is needed.</p>
<p>Article 7</p> <ol style="list-style-type: none"> 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. 3. 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. 4. 	<p>You have the right to have a name and a nationality.</p>

<p>Article 8</p> <p>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.</p> <p>5.</p> <p>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 re-establishing speedily his or her identity.</p> <p>6.</p>	<p>You have the right to an identity.</p>
<p>Article 9</p> <p>1. States 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.</p> <p>7.</p> <p>2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.</p> <p>8.</p> <p>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 parents on a regular basis, except if it is contrary to the child's best interests.</p> <p>9.</p>	<p>You should be able to stay with your parents, unless they can't look after you properly.</p>

<p>10. Article 9 (cont)</p> <p>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 or 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. States Parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.</p>	<p>You should be able to stay with your parents, unless they can't look after you properly.</p>
<p>Article 10</p> <p>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. States 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.</p> <p>11.</p> <p>2. A child whose parents reside in different States shall have the right to maintain on a regular basis, 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 1, 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.</p>	<p>If you and your parents are living in different countries, you have the right to get back together and live in the same place.</p>
<p>Article 11</p> <p>1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.</p>	<p>A parent should not abduct you to another country</p>

<p>12.</p> <p>2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.</p>	<p>when the law says you should stay where you are.</p>
<p>Article 12</p> <p>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.</p> <p>13.</p> <p>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.</p>	<p>You should have a say in decisions that affect you.</p>
<p>Article 13</p> <p>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.</p> <p>14.</p> <p>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:</p> <ul style="list-style-type: none"> (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. 	<p>You should be able to express yourself freely, while respecting other people's rights.</p>

<p>Article 14</p> <p>1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.</p> <p>15.</p> <p>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.</p> <p>16.</p> <p>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.</p>	<p>You have the right to freedom of thought, conscience, and religion, while respecting other people's rights.</p>
<p>Article 15</p> <p>1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.</p> <p>17.</p> <p>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.</p>	<p>You should be able to join things and meet people so long as you don't endanger or threaten others.</p>
<p>Article 16</p> <p>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.</p> <p>18.</p> <p>2. The child has the right to the protection of the law against such interference or attacks.</p>	<p>You should be able to keep things private, unless the law says there's a reason why you can't.</p>

<p>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:</p> <ul style="list-style-type: none"> (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. 	<p>You have the right to collect information from the media.</p>
<p>Article 18</p> <ol style="list-style-type: none"> 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. 19. 2. For the purpose of guaranteeing and promoting the rights set forth in the present 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. 	<p>Parents should work together to do what is best for you.</p>

<p>20. Article 18 (cont) 21.</p> <p>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.</p>	<p>Parents should work together to do what is best for you.</p>
<p>Article 19</p> <p>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.</p> <p>22.</p> <p>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.</p>	<p>You have the right to be protected from abuse or neglect by parents or carers.</p>
<p>Article 20</p> <p>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.</p> <p>23.</p> <p>2. States Parties shall in accordance with their national laws ensure alternative care for such a child.</p> <p>24.</p> <p>3. Such care could include, inter alia, foster placement, kafalah 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.</p>	<p>You should get special help and care if you can't live with your family.</p>

Article 21

States Parties that 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;
- 25.
(b) Recognize that inter-country 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;
- 26.
(c) Ensure that the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;
- 27.
(d) Take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it;
- 28.
(e) Promote, where appropriate, the objectives of the present 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.

**You should only
be adopted
if it is properly
regulated
and is the
best thing for you.**

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 the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

29.

2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or nongovernmental 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 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.

30.

**If you are a refugee,
you should get help
to make sure
your rights are
respected.**

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.
31. 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.
32. 3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article 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.
33. 4. States Parties shall promote, in the spirit of international cooperation, 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 of the needs of developing countries.

**If you are disabled
you have the right to
special care and
education and to be
included
in the community.**

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.³⁴
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-natal and post-natal health care for mothers;
 - (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 breastfeeding, 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 the present article. In this regard, particular account shall be taken of the needs of developing countries.³⁵

**You should get
the best
health care possible.**

<p>36. 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.</p>	<p>If the council looks after you, it should keep checking you are ok.</p>
<p>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.</p> <p>37.</p>	<p>The state should make sure there is enough money to look after you.</p>
<p>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. 38. 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. 39. 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. 40.</p>	<p>You have the right to a good enough standard of living.</p>

<p>Article 27 (cont)</p> <p>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.</p> <p>41.</p>	<p>You have the right to a good enough standard of living.</p>
<p>Article 28</p> <p>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:</p> <ul style="list-style-type: none"> (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. <p>42.</p>	<p>You have the right to an education.</p>

<p>Article 28 (cont)</p> <p>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.</p> <p>3. States Parties shall promote and encourage international cooperation 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.</p>	<p>You have the right to an education.</p>
<p>Article 29</p> <p>1. States Parties agree that the education of the child shall be directed to:</p> <p>(a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;</p> <p>(b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;</p> <p>(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;</p> <p>(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;</p> <p>(e) The development of respect for the natural environment.</p> <p>2. No part of the present 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 principle set forth in paragraph 1 of the present 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.</p>	<p>Education should develop your personality, talents and abilities to the full, and teach you to respect other people and the environment.</p>

<p>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 practise his or her own religion, or to use his or her own language.</p>	<p>You should be able to use your own language and enjoy the culture of your community in Scotland.</p>
<p>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. 44. 2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.</p>	<p>You have the right to relax, play music, play sports and enjoy drama.</p>
<p>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. 45. 2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present 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 admission to employment; (b) Provide for appropriate regulation of the hours and conditions of employment; (c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.</p>	<p>You should be protected from work that is dangerous.</p>

<p>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.</p>	<p>You have the right to protection from illegal drugs.</p>
<p>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:</p> <ul style="list-style-type: none"> (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. 	<p>You have the right to protection from sexual exploitation.</p>
<p>Article 35 States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.</p>	<p>No one is allowed to kidnap or sell you.</p>
<p>Article 36 States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.</p>	<p>You should be protected from any activities that could harm your development.</p>

<p>Article 37 States Parties shall ensure that:</p> <p>(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 eighteen years of age;</p> <p>(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;</p> <p>(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 his or her 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;</p> <p>(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.</p>	<p>If you absolutely have to be locked up, it should be for the shortest possible time, and you should be treated with dignity and helped to keep contact with your families.</p>
<p>Article 38</p> <p>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. 46.</p> <p>2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.</p>	<p>You should not be recruited into the armed forces or made to fight.</p>

<p>Article 38 (cont)</p> <p>3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.</p> <p>47.</p> <p>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.</p>	<p>You should not be recruited into the armed forces or made to fight.</p>
<p>Article 39</p> <p>States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration 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 reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.</p>	<p>If you have been treated badly, you should be helped to recover.</p>
<p>Article 40</p> <p>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 reintegration and the child's assuming a constructive role in society.</p>	<p>If you are accused of a crime you should be helped through the legal process, which should take account of your needs.</p>

<p>Article 40 (cont)</p> <p>2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:</p> <p>(a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;</p> <p>48.</p> <p>(b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:</p> <p>49.</p> <p>(i) To be presumed innocent until proven guilty according to law;</p> <p>(ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;</p> <p>(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;</p> <p>(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;</p> <p>(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;</p>	<p>If you are accused of a crime you should be helped through the legal process, which should take account of your needs.</p>
<p>50. Article 40 (cont)</p> <p>(vi) To have the free assistance of an interpreter if the child cannot</p>	<p>If you are accused of a crime you should be helped through</p>

<p>understand or speak the language used;</p> <p>(vii) To have his or her privacy fully respected at all stages of the proceedings.</p> <p>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:</p> <p>51.</p> <p>(a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;</p> <p>(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.</p> <p>52.</p>	<p>the legal process, which should take account of your needs.</p>
<p>Article 41</p> <p>Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:</p> <p>(a) The law of a State party; or</p> <p>(b) International law in force for that State.</p> <p>53.</p>	<p>Where our laws give young people more rights, we should stick with them.</p>

PART II

<p>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.</p>	<p>All adults and children should know about the UN Convention on the Rights of the Child.</p>
<p>Article 43</p> <ol style="list-style-type: none">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. 54.2. The Committee shall consist of ten experts of high moral standing and recognized competence in the field covered by this Convention. The members of the Committee shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal systems. 55.3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals. 56.4. 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. 57.5. 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 obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting. 58.6. 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.	

Article 43 (cont)

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 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.
59.
12. With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from 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 the present 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.
60.
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) of the present article, repeat basic information previously provided.
61.
4. The Committee may request from States Parties further information relevant to the implementation of the Convention.
62.
5. The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities.
63.
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 cooperation in the field covered by the Convention:

64.

- (a) The specialized agencies, the United Nations Children's Fund, 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, the United Nations Children's Fund 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, the United Nations Children's Fund, and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;

65.

- (b) The Committee shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children's Fund 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;

66.

- (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;

67.

- (d) The Committee may make suggestions and general recommendations based on information received pursuant to articles 44 and 45 of the present 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.

68.

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.
69.
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.

Article 50

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.
70.
2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.
71.
3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the present Convention and any earlier amendments which they have accepted.

Article 51

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.

72.

2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.

73.

3. Reservations may be withdrawn at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall then inform all States. Such notification shall take effect on the date on which it is received by the Secretary-General.

Article 52

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General.

Article 53

The Secretary-General of the United Nations is designated as the depositary of the present Convention.

Article 54

The original of the present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations. IN WITNESS THEREOF the undersigned plenipotentiaries, being duly authorized thereto by their respective governments, have signed the present Convention.

Articles of the UNCRC - Summary

Article 1

Everyone under 18 has these rights.

Article 2

You have the right to protection against discrimination.

Article 3

Adults should do what's best for you.

Article 4

You have the right to have your rights made a reality by government.

Article 5

You have the right to be given guidance by your parents and family.

Article 6

You have the right to life.

Article 7

You have the right to have a name and a nationality.

Article 8

You have the right to have an identity.

Article 9

You have the right to live with your parents unless it is bad for you.

Article 10

If you and your parents are living in different countries, you have the right to get back together and live in the same place.

Article 11

You should not be kidnapped.

Article 12

You have the right to an opinion and for it to be listened to and taken seriously.

Article 13

You have the right to find out things and say what you think, through making art, speaking and writing unless it breaks the rights of others.

Article 14

You have the right to think what you like and be whatever religion you want to be with your parents' guidance.

Article 15

You have the right to be with friends and join or set up clubs, unless this breaks the rights of others.

Article 16

You have the right to a private life. For example, you can keep a diary that other people are not allowed to see.

Article 17

You have the right to collect information from the media.

Article 18

You have the right to be brought up by your parents if possible.

Article 19

You have the right to be protected from being hurt or badly treated.

Article 20

You have the right to special protection and help if you can't live with your parents.

Article 21

You have the right to have the best care for you if you are adopted or living in foster care.

Article 22

You have the right to special protection and help if you are a refugee.

Article 23

If you are disabled, either mentally or physically, you have the right to special care and education.

Article 24

You have the right to the best health possible and to medical care and information.

Article 25

You have the right to have your living arrangements checked regularly if you are living away from home.

Article 26

You have the right to help from the government if you are poor or in need.

Article 27

You have the right to have a good enough standard of living.

Article 28

You have the right to education.

Article 29

You have the right to education which develops your personality, respect for other's rights and the environment.

Article 30

If you come from a minority group you have the right to enjoy your own culture, practice your own religion and use your own language.

Article 31

You have the right to play and relax by doing things like sport, music and drama.

Article 32

You have the right to protection from work which is bad for your health or education.

Article 33

You have the right to be protected from dangerous drugs.

Article 34

You have the right to be protected from sexual abuse.

Article 35

No one is allowed to kidnap you or sell you.

Article 36

You have the right to protection from any other kind of exploitation.

Article 37

You have the right not to be punished in a cruel or hurtful way.

Article 38

You have the right to protection in times of war. If under 15, you should never have to be in the army or a battle.

Article 39

You have the right to help if you have been hurt, neglected or badly treated.

Article 40

You have the right to help in defending yourself if you are accused of breaking the law.

Article 41

You have the right to any rights in laws in your country or internationally that give you better rights than these.

Article 42

All adults and children should know about this convention.

Further articles

Articles 43 - 54 are about how governments and international organisations will work to give children their rights.

Whole school Self Evaluation

This checklist should be completed where possible by members of the SMT or by an implementation group within the school. It can also be adapted to be used with individual staff where appropriate.

1 = Not part of current practice	2 = Ongoing development	3 = Consistent practice
1. Recognising and Realising Rights	a) We are aware of the history and development of human rights	
	b) We are all familiar with the articles of the UNCRC	
	c) We understand that the UNCRC underpins educational policy and practice (e.g. Getting it right for every child; CfE etc)	
	d) We are knowledgeable about the various agencies which support children's rights in education	
	e) We all understand and demonstrate our role as duty bearers of children's rights	
2. Culture, Values and Ethos	a) Protecting, respecting and promoting children's rights is a priority for the establishment's leaders	
	b) We have developed a vision and values for our establishment that has been developed by the whole school community.	
	c) Our vision and values reflect and promote the rights of the child	
	d) We ask pupils, parents, partners and staff about how well we demonstrate our vision and values	
	e) We have explicitly linked our relationship strategy/policy (and all other relevant policies) to the articles of the UNCRC	
	f) Articles displayed throughout the establishment have meaning and relevance	
3. Skills and attitudes	a) We reflect on our biases and endeavor to use constructive, non-judgmental and respectful language to describe people, issues or challenges	
	b) We challenge our own assumptions and aim to know and understand the environment, backgrounds and experiences of our children, to help meet their needs	
	c) We seek and act upon children's views	
	d) We consistently respect children's rights, even amid challenging circumstances	
	e) We build and sustain positive relationships which are based on an understanding of children's rights	
	f) We support children/staff/parents in developing their understanding of the establishment's promotion of rights	
4. Links to the curriculum	a) We know where the UNCRC articles are naturally taught within the curriculum	
	b) Relevant articles are highlighted in planning, teaching and learning	
	c) Relevant articles are highlighted in displays of children's young people's work/progress	
	d) We explore and reference articles through opportunities for wider achievement	
	e) We explore and reference articles through opportunities to engage with local, national and international community partners	
	f) We explore and reference articles through assemblies	

5. Target ed	a) The rights of all children are respected, including the most vulnerable and those most in need of support	
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IMPLEMENTING A RIGHTS BASED APPROACH - SOME IDEAS TO CONSIDER:

1. Recognising and Realising Rights	Access and deliver awareness-raising training on the UNCRC
	<ul style="list-style-type: none"> a) Access relevant agencies online: Education Scotland; CYPCS; Young Scot; SYP; Children’s Parliament; UNICEF; Save the Children; Amnesty b) Contact LA officer with responsibility for children’s rights; c) Contact and visit a school to observe good practice d) Share good practice with others – make the success highly visible
	<ul style="list-style-type: none"> a) Develop rights-based practice to promote non-discrimination, best interests of the child, right to life-survival-development, and participation b) Offer awareness-raising/refresher training c) Include as standing item on agenda at staff meetings – how you demonstrate the role of duty bearer of children’s rights; d) Explore rights charters (e.g. canteen charter; playground charter; staffroom charter etc)
2. Culture, Values and Ethos	<ul style="list-style-type: none"> a) Include as a priority on establishment improvement plan; Invite a steering group to lead this priority; Audit current knowledge of UNCRC; Raise awareness with stakeholders (assemblies; INSET – make links with children protection; parent evenings etc); Establishment leaders contribute to full-staff presentation to invite further exploration of rights
	<ul style="list-style-type: none"> b) Consult stakeholders in reviewing establishment’s values and vision, ensuring that the UNCRC is highlighted
	<ul style="list-style-type: none"> c) Review values and vision in light of the UNCRC and make any links explicit
	<ul style="list-style-type: none"> d) Use values and vision as a self-evaluation tool with stakeholders to audit current practice and plan for future action
	<ul style="list-style-type: none"> e) Evaluate current policies in light of UNCRC to identify needs and next steps
	<ul style="list-style-type: none"> f) Explicitly highlight the articles which link to the work and life of the school; explicitly inform stakeholders about your rights-based practice
3. Skills and attitudes	<ul style="list-style-type: none"> a) Access training in restorative/solution-oriented approaches for development across the establishment
	<ul style="list-style-type: none"> b) Access training in nurture, social-emotional wellbeing, attachment, resilience, mitigating unconscious bias, combatting stereotyping, and Adverse Childhood Experiences; Evaluate how information is recorded, shared and utilised within, across and beyond the school; Utilise the Getting it Right for Every Child Wellbeing Indicators to evaluate how effectively we identify and meet children/young people’s needs with agencies and partners
	<ul style="list-style-type: none"> c) Evaluate current opportunities for participation across the 4 arenas, and plan for improvement (e.g. learning, teaching and assessment; opportunities for personal achievement; decision making groups and wider community)
	<ul style="list-style-type: none"> d) Access training in social-emotional wellbeing for staff (e.g. self-awareness, self-regulation, empathy etc)
	<ul style="list-style-type: none"> e) Access training in restorative approaches for development across the school

	<ul style="list-style-type: none"> f) Include children and young people in discussions about improvement priorities – using How Good is OUR school Parts 1 and 2 g) Utilise the Suite of Professional Standards and/or The Common Core in PRD discussions with staff h) Inform and consult with parent council/forum members about the respecting of children’s rights
4. Links to the Curriculum	a) Audit and map where UNCRC articles naturally correlate to the curricular areas; identify important gaps in teaching about rights and plan to cover these across the year/contexts for learning; departments/stage-partners meet to review curriculum in light of articles
	b) Pilot the development, planning and teaching of curricular planners and teaching approaches which make the links to relevant articles explicit
	c) Plan displays of work and explicitly highlight links to any relevant UNCRC articles
	d) Identify UNCRC articles that are part of Interdisciplinary programmes
	e) Produce an outline of wider achievement opportunities that are available within the school and the local community; make explicit links to relevant articles and skills for life, learning and work
	f) Involve children and young people in making decisions about delivery, methodology and planning of learning, teaching and assessment
	g) Produce a calendar of assembly reflections for the year, each with a specific focus on certain articles; e.g. ‘article of the month’;
5. Targeted support	<ul style="list-style-type: none"> a) Engage in professional dialogue with staff about: <ul style="list-style-type: none"> i. how children’s/young people’s needs are expressed, identified and met ii. how effectively the language of rights is used when planning for and interacting with vulnerable pupils (e.g. on IEPs; CSPs etc) iii. how effectively exclusions are prevented or managed in line with national guidance (IEI2)
	b) Identify staff training needs around additional support and plan accordingly
	c) Review and update current staged intervention policy/procedures in light of the UNCRC

PERSONAL SELF-EVALUATION

ADAPTED FROM COMMON CORE OF SKILLS, KNOWLEDGE & UNDERSTANDING AND VALUES FOR THE 'CHILDREN'S WORKFORCE' IN SCOTLAND

See: <https://www2.gov.scot/Resource/0039/00395179.pdf>

What “common” and “core” means:

The Common Core is a description of the skills, knowledge and understanding and values that are valid for every employee and volunteer working with any child, young person or family. They are **common** because they apply to everyone, even though the detailed application may vary for different workers and/or different ages/groups of children, young people or families. They are **core** because they are fundamental if workers are to help improve the lives of children, young people and families.

Strengths Based Approach and the Common Core:

Our social policy frameworks (Early Years Framework, Equally Well and Achieving our Potential) promote an “assets” or strengths based approach to tackling poverty, inequality and ensuring that all of Scotland’s children get the best start in life.

Key principles of the strengths based approach include:

- Working with people, rather than seeing them as passive recipients of services – “doing with”, rather than “doing to”
- Helping people to identify and focus on the innate strengths within themselves and communities and enhancing and supporting them
- Supporting people to make changes for the better through enhancing skills for resilience, relationships, knowledge and self esteem
- Building networks and friendships so people can support each other, make sense of their environments and take control of their lives
- Demonstrating the characteristics and values within the Common Core helps to ensure all workers are able bring a strengths based approach to their work.

The Common Core draws on the views of children and young people about what they want from those who work with them. It also reflects the areas of agreement from respondents to a public consultation. So no-one should be surprised by the content of the Common Core, but the question to ask is not whether you demonstrate the characteristics within the Common Core, but how well you do it.”

Please take time to read the following statements. Consider each statement in relation to the UNCRC guiding principles, select a number on the scale 1- 5 which best describes where you would gauge your own level of skills & knowledge. Identify key evidence which relates to this work and areas to further improve your practice. **(1- strongly disagree; 5 strongly agree)**

UNCRC Article 2 - Non-discrimination	
All the rights guaranteed by the Convention must be made available to all children without discrimination	
<i>Relationships with children, young people and families</i>	
I recognise that the needs and strengths of children, young people and families are unique and will be influenced by their environment, backgrounds and circumstances (Common Core ref: A1)	1 2 3 4 5
I understand my impact on children, young people and families and how they might perceive me. I adapt my tone, language and behaviour to suit the circumstances (Common Core ref: A2)	1 2 3 4 5
<i>Relationships between workers</i>	
I am aware of who can help when provision for the needs or promotion of the strengths of children, young people or families is affected by their environment, backgrounds and circumstances (Common Core ref: B1)	1 2 3 4 5
I am aware of who can help when I cannot communicate effectively with children, young people or families for any reason (Common Core ref: B2)	1 2 3 4 5
<i>Evidence of my practice</i>	<i>Areas I would like to further develop</i>

UNCRC Article 3 - Best interests of the child

That the best interests of the child must always come first

Relationships with children, young people and families

I help to identify and work with the needs and strengths in parents, carers and their networks in the interests of children and young people for whom they care (Common Core ref: A3)	1	2	3	4	5
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I ensure children, young people and families understand what information will be kept in confidence; and why some information from or about them may be shared (Common Core ref: A4)	1	2	3	4	5
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Relationships between workers

I understand the extent of my own role and am aware of the roles of other workers (Common Core ref: B3)	1	2	3	4	5
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I respect and value the contribution of other workers (Common Core ref: B4)	1	2	3	4	5
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I know what information to share, when to share it and with whom (Common Core ref: B5)	1	2	3	4	5
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I am aware of who can help parents or carers identify their own needs or strengths (Common Core ref: B6)	1	2	3	4	5
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<i>Evidence of my practice</i>	<i>Areas I would like to further develop</i>

UNCRC Article 6 - Right to life, survival & development

All children have the right to life, survival and development

Relationships with children, young people and families

I am aware of how children and young people develop, seek to understand vulnerability and promote resilience (Common Core ref: A5)	1	2	3	4	5
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I understand appropriate child protection procedures and act accordingly (Common Core ref: A6)	1	2	3	4	5
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I consider the needs and potential risks for each child and young person in the context of where they live, their relationships and their wider world (Common Core ref: A7)	1	2	3	4	5
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Relationships between workers

I know who to contact if I have a concern or wish to make a positive recommendation about children, young people or families (Common Core ref: B7)	1	2	3	4	5
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I contribute to assessing, planning for and managing risks in partnership with others (Common Core ref: B8)	1	2	3	4	5
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<i>Evidence of my practice</i>	<i>Areas I would like to further develop</i>
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UNCRC Article 12 - Respect the views of the child

Children's views must be considered and taken into account in all matters affecting them.

Relationships with children, young people and families

I include children, young people and families as active participants, offering them choices and listening to their views (Common Core ref: A8)	1	2	3	4	5
I explain decisions to ensure children, young people and families understand them and their implications, especially if the final decision isn't what they hoped for (Common Core ref: A9)	1	2	3	4	5
I keep children, young people and families informed of progress (Common Core ref: A10)	1	2	3	4	5

Relationships between workers

I seek to support children, young people and families in partnership with them, their networks and other workers (Common Core ref: B9)	1	2	3	4	5
I recognise that timely, appropriate and proportionate action is appreciated by children, young people and families as well as other workers (Common Core ref: B10)	1	2	3	4	5

<i>Evidence of my practice</i>	<i>Areas I would like to further develop</i>
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Preparation for Recognising and Realising Children's Rights Professional Learning

What are your key priorities for attending Children's Rights training?				
What rights based work have you already undertaken in your setting?				
What areas do you think require development in terms of rights based work in your setting?				
How would you rate your current knowledge of rights based learning? (please highlight)				
Very little knowledge	Little knowledge	Adequate knowledge	Good knowledge	Very good knowledge
What areas of knowledge would you like to develop?				

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