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Children's Human Rights

The Theory:

The Convention on the Rights of the Child guarantees children basic human rights. The vast majority of states are party to the Convention. Not all abide by their obligations.

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Protecting the child

Children have rights. They are set out in the Convention on the Rights of the Child and recognized in other international human rights treaties, such as the International Covenant on Civil and Political Rights. The Convention on the Rights of the Child is the most comprehensive statement of children's rights ever made. It is the first to give all these rights the force of international law. It was adopted by the UN General Assembly on 20 November 1989. It has the highest number of States Parties of all international human rights treaties.

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Amnesty International works to promote awareness of and adherence to internationally recognised human rights instruments, such as the Convention on the Rights of the Child.

The main principles of the Convention are:

A child is a person below the age of 18, unless national law fixes an earlier age of majority.

Each child must be granted all the rights in the Convention without exception or discrimination of any kind.

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In all actions concerning children, the best interests of the child shall be a major consideration.

States have an obligation to comply with the Convention.

The rights which are of direct concern to the work of Amnesty International are:

Every child has the inherent right to life.

Capital punishment or life imprisonment shall not be imposed for crimes committed before the age of 18.

Children must not be tortured or suffer cruel, inhuman and degrading treatment or punishment.

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No child shall be deprived of his or her liberty unlawfully or arbitrarily.

Children who are victims of exploitation, torture or armed conflicts should receive appropriate treatment and be helped to reintegrate.

Children have the right to freedom of expression.

Children have the right to freedom of thought, conscience and religion.

They have the right to freedom of association and to freedom of peaceful assembly.

All children shall have access to information from a variety of different sources.

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Children of minority and indigenous populations shall freely enjoy their own culture, religion and language.

Special protection is to be given to refugee children.

States shall cooperate with international agencies to this end and also to help reunite children separated from their families.

Other important rights guaranteed by the Convention are:

	<i>Children have the right to be with their family or with those who will care for them best.</i>
p. 6	<i>Children have the right to enough food and clean water for their needs. Children have the right to an adequate standard of living. Children have the right to health care. Children have the right to play. Children have the right to be kept safe and not hurt or neglected. Disabled children have the right to special care and training. Children must not be used as cheap workers or as soldiers. Children have the right to free education.</i>
cover	Children's Human Rights The Reality: Children all over the world face unlawful arrest and detention, torture and political killings. Amnesty International campaigns against such human rights violations.
p.1	China: Sherab Ngawang, aged twelve, was arrested whilst taking part in a peaceful pro-independence demonstration in Lhasa. She was released in February 1995 after three years in a labour camp. Three months later, in mid-May, Sherab died. She was fifteen years old. The circumstances are not clear. According to information received by Amnesty International she was beaten and ill-treated in detention, and when released was suffering from malfunctioning kidneys and lung problems. China ratified the Convention on the Rights of the Child in 1992
p.2	USA: Gary Davies Hart was sentenced to death for a crime he committed when he was sixteen years old. In the United States of America, 128 juvenile offenders have been sentenced to death since 1973. Of these, 9 people who committed crimes before they were 18 have been executed. In 21 states of the USA children of sixteen can be sentenced to death. In four states the death penalty can be imposed on seventeen-year-olds. USA signed the Convention on the Rights of the Child in 1995.
p.3	Burundi: Sylvie Ntungiyabani and her family are Hutu. They fled from their home in northern Burundi. They had witnessed the killing of three Tutsi by a Hutu gang. When they arrived at a camp for displaced Hutu in October 1995, Sylvie's husband was taken by soldiers and stabbed to death. Her son Richard was later macheted and clubbed to death while soldiers stood by, encouraging his Tutsi killers. Burundi ratified the Convention on the Rights of the Child in 1990.
p.4	Argentina: Valeria Beláustegui Herrera was about two months pregnant when she "disappeared" on 13 May 1977. It is believed that she was abducted by the security forces. Neither Valeria nor her child have been heard of since.

Many women who "disappeared" during the period of military rule in Argentina (1976 - 1983) gave birth in secret detention centres. Some children have been traced. The fate of many others, including Valeria and her child, remains unclear.

Argentina ratified the Convention on the Rights of the Child in 1990

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Romania:

Virgiliu Ilies, a fifteen-year-old boy, says that police officers beat his hands and the soles of his feet with rubber truncheons to force him to confess to stealing from cars. He was detained in a police lock-up together with adults, although he was a child. Later he told a local human rights organization that he had been repeatedly beaten by his cell-mates, who told Virgiliu that they had been ordered by the guards to beat him.

Romania ratified the Convention on the Rights of the Child in 1990.

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Iraq:

Fariq Tawfiq 'Ali was found dead just a month before his twelfth birthday. According to reports, he was arrested with ten other people on 5 May 1994, in the town of Halabja. Their bodies were recovered over the next few days. They had been dumped in various locations on the outskirts of the town. They were not killed by government forces. They were taken by members of the Patriotic Union of Kurdistan (PUK), a Kurdish political party, who suspected them of involvement in an opposing political party.