

## UN Convention on the Rights of the Child

Below is a summarised version of the UN Convention for reference. For more information regarding children's rights visit [www.unicef.org](http://www.unicef.org)

### **Article 1: Definition of a child**

Children are defined as all persons under eighteen years of age.

### **Article 2: Non-discrimination**

All rights in the Convention apply to all children without exception, and the State has an obligation to protect children from any form of discrimination.

### **Article 3: Best interests of the child**

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

### **Article 4: Implementation of rights**

The State has an obligation to translate the rights of the Convention into reality.

### **Article 5: Parental guidance and the child's evolving capacities**

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

### **Article 6: Survival and development**

The child has an inherent right to life, and the State has an obligation to ensure to the maximum extent possible the survival and development of the child.

### **Article 7: Name and nationality**

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

### **Article 8: Preservation of identity**

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

### **Article 9: Separation from parents**

The child has the right to live with his or her parents unless it is deemed

incompatible with his or her best interests; the child has the right to maintain contact with both parents if separated from one or both.

**Article 10: Family reunification**

The State has an obligation to foster and enable family reunification where children and parents live in separate countries; the child whose parents live in a different state has the right to maintain personal relations and direct contact with both parents.

**Article 11: Illicit transfer and non-return**

The State has an obligation to try to prevent and remedy the illicit transfer and non-return of children abroad by a parent or third party.

**Article 12: The child's opinion**

The child has the right to express an opinion, and to have that opinion taken into account, in any matter or procedure affecting the child, in accordance with his or her age and maturity.

**Article 13: Freedom of expression**

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

**Article 14: Freedom of thought, conscience and religion**

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

**Article 15: Freedom of association**

The child has the right to meet with others and to join or set up associations, unless the fact of doing so would violate the rights of others.

**Article 16: Protection of privacy**

The child has the right to protection from interference with privacy, family, home and correspondence, and from libel or slander.

**Article 17: Access to appropriate information**

The State has an obligation to ensure that the child has access to information and material from a diversity of media sources and to take measures to protect children from harmful materials.

**Article 18: Parental responsibilities**

The State has an obligation to recognise and promote the principle that both parents have common responsibilities for the upbringing and development of the child; the State shall support parents in this task through the provision of appropriate assistance.

**Article 19: Protection from abuse and neglect**

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

**Article 20: Protection of children without families**

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

**Article 21: Adoption**

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

**Article 22: Refugee children**

Special protection is to be granted to children who are refugees or seeking refugee status, and the State has an obligation to co-operate with competent organisations providing such protection and assistance.

**Article 23: Children with a disability**

Children with a physical disability or learning difficulties have the right to special care, education and training designed to help them to achieve the greatest possible self-reliance and to lead a full active life in society.

**Article 24: Health and health services**

The child has the right to the enjoyment of the highest attainable standard of health possible and to have access to health and medical services. In its provision of health services, the State shall place special emphasis on primary and preventative health care, public health education and the diminution of infant mortality. The State has an obligation to work towards the abolition of harmful practices prejudicial to the health of children. States that ratify the Convention have an obligation to promote international co-operation to advance the realisation of the child's right to health especially in developing countries.

**Article 25: Periodic review of placement**

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

**Article 26: Social security**

The child has the right to benefit from social security.

**Article 27: Standard of living**

The child has the right to an adequate standard of living; parents have the primary responsibility to provide this, and the State has a duty to assist parents, where necessary, in fulfilling this right. The State has an obligation to take appropriate measures to secure the recovery of maintenance for the child.

**Article 28: Education**

The child has the right to education; the State has a duty to make primary education compulsory and free to all and to take measures to develop

different forms of secondary education and to make this accessible to all children. School discipline should be administered in a manner consistent with the child's human dignity. States that ratify the Convention have an obligation to encourage international co-operation to ensure implementation of the child's right to education, taking particular account of the needs of developing countries.

**Article 29: Aims of education**

Education should be directed at developing the child's personality and talents; preparing the child for active life as an adult; fostering respect for basic human rights; developing respect for the child's own cultural and national values and those of others; and developing respect for the natural environment.

**Article 30: Children of minorities or indigenous peoples**

Children of minority communities and indigenous peoples have the right to enjoy their own culture, to practice their own religion and to use their own language.

**Article 31: Leisure, recreation and cultural activities**

The child has the right to rest and to engage in leisure, play and recreational activities and to participate in cultural and artistic activities.

**Article 32: Child labour**

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

**Article 33: Drug abuse**

The child has a right to protection from illicit use of narcotic and psychotropic drugs and from being involved in their production and distribution.

**Article 34: Sexual exploitation**

The child has the right to protection from all forms of sexual exploitation and sexual abuse, including prostitution and involvement in pornography

Optional Protocol - An Optional Protocol to the UN Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography was adopted by the UN General Assembly in 2000 and came into force on the 18 January 2002. It prohibits the sale of children, child prostitution and child pornography and requires State Parties to adopt appropriate measures to protect the rights and interests of child victims.

**Article 35: Sale, trafficking and abduction**

The State has an obligation to make every effort to prevent any form of abduction of children or sale of or traffic in children.

**Article 36: Other forms of exploitation**

The child has the right to protection from all other forms of exploitation not covered in Articles 32, 33, 34 and 35.

**Article 37: Torture and deprivation of liberty**

The State has an obligation to ensure that no child is subject to torture, cruel, inhumane or degrading treatment or punishment, capital punishment, life imprisonment, and unlawful arrest or deprivation of liberty. The child who is deprived of liberty must be treated with humanity and respect and in a manner that is appropriate to his or her age. Children who are detained should be separated from adults, have the right to contact with family, and access to legal and other assistance.

**Article 38: Armed conflicts**

The State has an obligation to respect, and to ensure respect for, humanitarian law as it applies to children in situations of armed conflict. States must ensure that no child under the age of fifteen can take direct part in hostilities or be recruited into the armed forces. States must take all feasible measures to ensure protection and care of children who are affected by armed conflict. Optional Protocol - An Optional Protocol to the UN Convention on the Rights of the Child on the Involvement of Children in Armed Conflict was formally adopted by the UN General Assembly on 25 May 2000 and came into force on 12 February 2002. This new Protocol establishes eighteen years as the minimum age for participation in armed conflict, for compulsory recruitment, and for recruitment or use in armed conflict by armed groups.

**Article 39: Rehabilitative care**

The State has an obligation to take all appropriate measures to promote the physical and psychological recovery and social integration of children who have been victims of any form of neglect, exploitation or abuse, torture or degrading treatment or of armed conflict.

**Article 40: Administration of juvenile justice**

Children alleged as, accused of, or recognised as having committed an offence have the right to respect for their human rights and in particular to benefit from all aspects of the due process of law, including legal or other assistance in preparing and presenting their defence. States have an obligation to promote alternative procedures and measures so as to ensure that recourse to judicial proceedings and institutional placements can be avoided wherever possible and appropriate.

**Article 41: Respect for existing standards**

If standards set in the national law of a country which has ratified the Convention, or in other applicable international instruments, are higher than those in the Convention on the Rights of the Child, it is the higher standard which will apply.

**Article 42: Raising public awareness of the Convention**

The State has an obligation to make the rights contained in the Convention widely known to adults and children alike.