

GLOSSARY: CHILDREN'S RIGHTS

C

- Convention on the Rights of the Child:

The Convention on the Rights of the Child is an international treaty of human rights which recognise the right of everyone under the age of 18 to be protected, to be allowed to develop his/her full potential and to actively participate in society. The Convention establishes that children are subjects of law and thus, it sets out their civil, political, economic, social, health and cultural rights. It was adopted by the General Assembly of the United Nations on 20 November 1989. It has been ratified by all but three countries around the world (Somalia, the United States and Southern Sudan).



Flags of the member countries of the United Nations.
- UN Photo/Jean-Marc Ferré

- Convention, pact or treaty:

These three words are almost synonyms and they describe agreements signed between countries, between international organisations (such as the United Nations or the Union of African States) or between countries and international organisations. The objective of such agreements is to establish deals that are respected legally in the countries that sign and ratify the document.

- Committee on the Rights of the Child:

This is a group of experts in charge of ensuring that the States that have signed and ratified the Convention on the Rights of the Child comply with their obligations to protect the rights of the child.

- Conflict of rights:

A conflict of rights happens when the exercise of the rights of one or more people restricts the rights of others. An example would be when someone is being spied on (infringing on his/her right to privacy) under suspicion that other people could be in danger (right to security). There may also be conflicts between the traditions of a community or the interests of a group (cultural rights) and the rights of individuals. For example this is what happens with female genital cutting and other traditional practices harmful to children.

D

- Declaration of the Rights of the Child:

Prior to the Convention on the Rights of the Child, the only international document that recognised the existence of children's rights was the Declaration of the Rights of the Child. Unlike the Convention, it had no legal value in the countries that signed it. The first Declaration was signed in 1924 and it was later expanded in 1946 and 1959.

F

- Fundamental principles of the Convention on the Rights of the Child:

The Convention on the Rights of the Child is based on four fundamental principles: non-discrimination; adherence to the best interests of the child; the right to life, survival and development; and the right to participate. They represent the underlying requirements for any and all rights to be realized.

H

- Human Rights:

Set of rights common to all human beings from birth, regardless of the legal guarantees offered by their country. Human rights are based on two fundamental values: equality and human dignity. The rights of the child are human rights.

G

- Generations of rights - First generation rights:

These are civil and political rights, and they are based on the principle of freedom.

- Generations of rights - Second generation rights:

These are economic and social rights, based on the principle of equality.

- Generations of rights - Third generation rights (collective rights):

The basic idea of third generation rights is solidarity. Specific rights that are most often included in the third generation rights category are the right to development, to peace, to a healthy environment, to participate in the common heritage of mankind, to communication and to humanitarian assistance.



Human Rights Council. - UN Photo/Jean-Marc Ferré

O

- Optional protocols:

After the Convention on the Rights of the Child entered into force, annex documents were drafted to increase the protection of children in specific situations. There are three protocols: the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and the use of children in pornography (ratified by 167 countries), the optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (ratified by 156 countries) and the Optional Protocol to the Convention on the Rights of the Child in the communications procedure (ratified by 11 countries).

P

- Principles of rights - Inalienable:

As all the human rights, the rights of the child are inalienable. This means that they cannot be lost because they are linked to human existence. However, some may be suspended or restricted under particular circumstances. For example, someone responsible for a crime can be temporarily deprived of his or her freedom in jail.

- Principles of rights - Indivisible, interdependent and interrelated:

The rights of the Convention on the Rights of the Child are intrinsically interconnected and cannot be viewed separately from one another. The enjoyment of a right depends on the fulfilment of many other rights and no one right is more important than the rest.



The Convention on the Rights of the Child equally protects all the boys and girls around world.

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- Principles of rights - Universal:

The Rights of the Child are universal, meaning that they apply equally to all children, anywhere in the world and without a time limit. Each child has the right to enjoy their rights without any discrimination on grounds of skin colour, sex, language, religion, politics, origin, birth, etc.

S

- State Parties of a treaty:

The countries that sign a treaty (accepting its content and supporting it) and also ratify or access it (committing to implement it by the amendment of their national laws) are the State Parties of the treaty.

T

- Types of rights - Natural rights:

Natural rights are acquired at birth, they are inherent to the human condition and they are based on the dignity of all persons. They are different from positive rights, which are solely based on laws and are not common to all human beings from birth. For example, the right not to be a slave is a natural right, but the right to have a month's holidays is a positive right.

- Types of rights - Civil rights:

Civil rights provide the minimum guarantees for physical and moral integrity and allow individuals their own scope of conscience and beliefs. For example: the rights of equality and freedom, the rights to freedom of worship, the right to express your own opinion and the right to not be tortured or killed.

- Types of rights - Legal Rights:

They provide protection for people during proceedings, when dealing with the political and legal system. For example: the right to be protected against arbitrary arrest and detention, the right to be considered innocent until found guilty in a court of justice and the right of appeal. Minors have no legal autonomy for the majority of contracts and legal proceedings, but they have

the right to be represented by adults to defend their interests. Furthermore, in the event of a conflict with law, children and adolescents have the right to special protection if they are arrested, prosecuted, or imprisoned.

- Types of rights - Political rights:

Political rights are required to participate in society as citizens: for example, the right to vote, the right to belong to political parties, the right to freedom of association or the right to have access to information. Minors may not vote or join political parties, but the Convention does recognise their right to express an opinion on the issues that affect them, to have access to appropriate information and to meet and associate with others.

- Types of rights - Social rights:

These are rights that are necessary to participate in our communities. They include, at the very least, the right to education and the right to have a family but many of the rights that are often considered to be civil rights are also social rights: for example, the right to leisure, the rights to health and privacy and the non-discrimination.

- Types of rights - Economic rights:

Economic rights include the right to work – just for adults–, the right to a household and to an adequate standard of living, and also the right to a welfare allowance for the elderly, orphaned or disabled. Economic rights reflect the fact that a minimum degree of material security is necessary for human dignity. Poverty is the reason why many children around the world are missing their rights to education, health, protection or even their very survival.

- Types of rights - Cultural rights:

Cultural rights are related to the way of life of a community and, usually, they tend to be minimised compared to other types of rights. The right to freely participate in the cultural life of the community is an example of these rights. It is important to note that, cultural rights are not secondary rights because they are linked to the right to non-discrimination, especially in the case of cultural and ethnic minorities. The Convention recognizes the right of indigenous children to enjoy their culture and to use their mother tongue, protecting them from discrimination for cultural reasons.