

UNDERSTANDING

THE CONVENTION ON THE RIGHTS OF THE CHILD

Q: What is the Convention on the Rights of the Child (CRC)?

A: The Convention on the Rights of the Child (CRC) is an international treaty that recognises the human rights of children, defined as persons up to the age of 18 years old. The CRC sets out these rights in 54 articles and two Optional Protocols. It spells out the basic human rights that children everywhere have:

- the right to survival;
- to develop to the fullest;
- to protection from harmful influences, abuse and exploitation;
- and to participate fully in family, cultural and social life.

Q: What is the new vision of the child in the CRC?

A: The CRC reflects a new vision of the child – that children are neither the property of their parents nor are they helpless objects of charity. They are human beings and are the subject of their own rights.

It offers a vision of the child as an individual *and* a member of a family and a community, with rights and responsibilities appropriate to his or her age and stage of development.

Recognising children's rights in this way firmly sets a focus on the whole child. Previously seen as negotiable, the child's needs have become legally binding rights. No longer the passive recipient of benefits, the child has become the subject or holder of rights.

Q: When was the CRC adopted?

A: The CRC was adopted by the United Nations General Assembly through unanimous vote on 20 November 1989. It is the most universally accepted human rights document in history.

Q: Why was the CRC created?

A: The CRC believes that every child – regardless of where they are born, the race or ethnic group they belong to, whether they are a boy or girl, rich or poor– must have a full opportunity to become a productive member of society and must have the right to speak up and be heard.

It was created to protect the most basic rights of children, including their right to:

- Identity
- Shelter
- Healthcare
- Safety
- Education
- Special protection in times of war

Q: What are the principles of the CRC?

A: The CRC rests on four foundation principles:

1. non-discrimination (article 2);
2. best interests of the child (article 3);
3. the child's right to life, survival and development (article 6);
4. respect for the views of the child (article 12).

Q: What was the process to develop the CRC?

A: It took over 10 years to develop the standards in the CRC with negotiations between governments, non-governmental organisations, human rights advocates, lawyers, health specialists, social workers, educators, child development experts and religious leaders.

The result is a consensus document that takes into account the importance of tradition and cultural values for the protection and harmonious development of the child. It reflects the principal legal systems of the world and acknowledges the specific needs of developing countries.

Q: What mechanisms are in place to ensure the CRC is upheld to protect child rights?

A: The CRC constitutes a common reference against which progress in meeting human rights standards for children can be assessed and results compared.

Having agreed to meet the standards in the CRC, governments are obliged to:

- bring their legislation, policy and practice into accordance with the standards in the CRC
- transform the standards into reality for all children
- abstain from any action that may preclude the enjoyment of those rights or violate them.

Governments are required to report periodically to a committee of independent experts on their progress to achieve all the rights.

Q: How does the international community monitor implementation progress of the CRC?

A: The Committee on the Rights of the Child, an internationally elected body of independent experts that sits in Geneva to monitor the CRC's implementation, requires governments that have ratified the CRC to submit regular reports on the status of children's rights in their countries.

The Committee reviews and comments on these reports and encourages States to take special measures and to develop special institutions for the promotion and protection of children's rights.

Where necessary, the Committee calls for international assistance from other governments and technical assistance from organisations like UNICEF.

Q: What steps does the Committee on the Rights of the Child encourage governments to undertake to meet its obligations to children?

A: Through its reviews of country reports, the Committee urges all levels of government to use the CRC as a guide in policy-making and implementation to:

- Develop a comprehensive national agenda for children.
- Develop permanent bodies or mechanisms to promote coordination, monitoring and evaluation of activities throughout all sectors of government.
- Ensure that all legislation is fully compatible with the CRC.
- Make children visible in policy development processes throughout government by introducing child impact assessments.
- Carry out adequate budget analysis to determine the portion of public funds spent on children and to ensure that these resources are being used effectively.
- Ensure that sufficient data are collected and used to improve the plight of all children in each jurisdiction.
- Raise awareness and disseminate information on the CRC by providing training to all those involved in government policy-making and working with or for children.
- Involve civil society – including children themselves – in the process of implementing and raising awareness of child rights.
- Set up independent statutory offices – ombudspersons, commissions and other institutions – to promote children's rights.

Q: When did Malaysia ratify the CRC?

A: The Malaysian Government ratified the CRC on 17 February 1995.

For more information, visit www.unicef.org/malaysia/about_crc.html