

BACKGROUND INFORMATION

1. WHAT IS CRC?

The Convention on the Rights of the Child (adopted in 1989) is the most widely ratified human rights agreement in the world. Today, 193 States parties have ratified the CRC. The Convention states that everyone under the age of 18 (the definition of a child), regardless of gender, origin, religion or possible disabilities, needs special care and protection because children are often the most vulnerable.

By ratifying the Convention, governments state their intention to put this commitment into practice. State parties are obligated to amend and create laws and policies to fully implement the Convention; they must consider all actions taken in light of the best interests of the child. The task, however, must engage not just governments but all members of society.

Guiding principles:

Although the Convention has 54 articles in all, it is guided by four fundamental principles.

- Non-discrimination (article 2): Children should neither benefit nor suffer because of their race, colour, gender, language, religion, or national, social or ethnic origin, or because of any political or other opinion; because of their caste, property or birth status; or because they are disabled.
- The best interests of the child (article 3): Laws and actions affecting children should put their best interests first and benefit them in the best possible way.
- Survival, development and protection (article 6): The authorities in member countries must protect children and help ensure their full development – physical, spiritual, moral and social.
- Participation (article 12): Children have a right to have their say in decisions that affect them, and to have their opinions taken into account.

The CRC has the same meaning for people in all parts of the world. While laying down common standards, the Convention takes into account the different cultural, social, economic and political realities of individual states so that each state may seek its own means to implement the rights common to all.

WHAT IS CRC@18

The CRC was ratified 18 years ago, and anyone born who turns 18 this year is part of the first generation to go from birth to adulthood protected by the CRC. They are among those who were growing up with child rights. In their early life, their rights to survival, to food, to an identity were very important. But when they reached school age, their right to an education became more and more critical. Finally, when reaching their teens, their rights to protection and participation took on increased importance as they became more independent and engaged with the world around them. And all of us should help them to realize their rights. Today more than ever before, young people are recognized as having rights. What's more, they are seen as playing an active role in asserting their rights.

To commemorate this landmark anniversary of the CRC, UNICEF would like to strengthen public's understanding of the Convention in general, as well as motivate young people to play an active role in determining the impact and relevance of the CRC in their lives.

2. VIET NAM AND CRC

Viet Nam was the first country in Asia and the second country in the world to ratify the CRC in 1990. Viet Nam also signed the optional protocols on (1) the sale of children, child prostitution and child pornography and (2) the involvement of children in armed conflicts.

Since its ratification of CRC, Government of Viet Nam has issued a number of laws and policies to implement the CRC in Viet Nam. For example:

- The **Law on Protection, Care and Education of Children**, first issued in 1991, and replaced by a new version in 2004, clearly states the principle that the benefit and welfare of children should come first in all activities implemented by agencies, organisations, and individuals. The law also defines the principle of non-discrimination of children and outlines 10 groups of fundamental rights and duties of children.
- **Labour Code**: regulations for minimum working age, strictly prohibiting child labour
- **Law on Gender Equality**: no discrimination between boys and girls shall be tolerated.
- **Criminal Proceedings Code of 2003**: special proceedings for criminal cases with adolescent involvement (including adolescent witnesses, victims, arrestees, defendants, and temporary detainees);
- **Civil Proceedings Code of 2005**: details procedures for the initiation, investigation, prosecution, and implementation of civil cases, provides special regulations to ensure women and children's legal rights are upheld.
- And many other sub-laws that consist of regulations to protect children

The government of Viet Nam has also made efforts to integrate **children's issues in to the Social Economic Development Plan (SEDP) 2006-2010**.