
Appendix VII

Convention on the Rights of the Child

BRIEF SUMMARY OF ARTICLES

PREAMBLE

ARTICLE 1

DEFINITION OF THE CHILD

Every human being below 18 years unless majority is attained earlier according to the law applicable to the child.

ARTICLE 2

NON DISCRIMINATION

All rights must be granted to each child without exception. The State must protect the child without exception. The State must protect the child against all forms of discriminations.

ARTICLE 3

BEST INTERESTS OF THE CHILD

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

ARTICLE 4

IMPLEMENTATION OF RIGHTS

The obligation of the State to ensure that the rights in the Convention are implemented.

ARTICLE 5

PARENTS, FAMILY, COMMUNITY RIGHTS AND RESPONSIBILITIES

States are to respect the parents and family in their child rearing function.

ARTICLE 6

LIFE, SURVIVAL AND DEVELOPMENT

The right of the child to life and the state's obligation to ensure the child's survival and development.

ARTICLE 7

NAME AND NATIONALITY

The right from birth to a name, to acquire a nationality and to know and be cared for by his or her parents.

ARTICLE 8

PRESERVATION OF IDENTITY

The obligation of the State to assist the child in re-establishing identity if this has been illegally withdrawn.

ARTICLE 9

NON-SEPARATION FROM PARENTS

The right of the child to retain contact with his parents in cases of separation. If separation is the result of detention, imprisonment or death the State shall provide the information to the child or parents about the whereabouts of the missing family member.

ARTICLE 10

FAMILY REUNIFICATION

Requests to leave or enter country for family reunification shall be dealt with in a humane manner. A child has the right to maintain regular contacts with both parents when these live in different States.

Article 11: Illicit transfer and non-return of children

The State shall combat child kidnapping by a partner or third party.

ARTICLE 12

EXPRESSION OF OPINION

The right of the child to express his or her opinion and to have this taken into consideration.

ARTICLE 13

FREEDOM OF EXPRESSION AND INFORMATION

The right to seek, receive and impart information in various forms, including art, print, writing.

ARTICLE 14

FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

States are to respect the rights and duties of parents to provide direction to the child in the exercise of this right in accordance with the child's evolving capacities.

ARTICLE 15
FREEDOM OF ASSOCIATION

The child's right to freedom of association and peaceful assembly.

ARTICLE 16
PRIVACY, HONOUR, REPUTATION

No child shall be subjected to interference with privacy, family, home or correspondence.

ARTICLE 17
ACCESS TO INFORMATION AND MEDIA

The child shall have access to information from a diversity of sources; due attention shall be paid to minorities and guidelines to protect children from harmful material shall be encouraged.

ARTICLE 18
PARENTAL RESPONSIBILITY

Both parents have common responsibilities for the upbringing of the child and assistance shall be given to them in the performance of the parental responsibilities.

ARTICLE 19
ABUSE AND NEGLECT (WHILE IN FAMILY OR CARE)

States have the obligation to protect children from all forms of abuse. Social programmes and support services shall be made available.

ARTICLE 20
ALTERNATIVE CARE FOR CHILDREN IN THE ABSENCE OF PARENTS

The entitlement of the child to alternative care with national laws and the obligation on the State to pay due regard to continuity in the child's religious, cultural, linguistic or ethnic background in the provision of alternative care.

ARTICLE 21
ADOPTION

States are to ensure that only authorised bodies carry out adoption. Inter-country adoption may be considered if national solutions have been exhausted.

ARTICLE 22
REFUGEE CHILDREN

Special protection is to be given to refugee children.

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

ARTICLE 23
DISABLED CHILDREN

The right to benefit from special care and education for a fuller life in society.

ARTICLE 24
HEALTH CARE

Access to preventive and curative health care services as well as the gradual abolition of traditional practices harmful to the child.

ARTICLE 25
PERIODIC REVIEW

The child who is placed for care, protection or treatment has the right to have the placement reviewed on a regular basis.

ARTICLE 26
SOCIAL SECURITY

The child's right to social security

ARTICLE 27
STANDARD OF LIVING

Parental responsibility to provide adequate living conditions for the child's development even when one of the parents is living in a country other than the child's place of residence.

ARTICLE 28
EDUCATION

The right to free primary education, the availability of vocational education, and the need for measures to reduce the drop-out rates.

ARTICLE 29
AIMS OF EDUCATION

Education should foster the development of the child's personality and talents, preparation for a responsible adult life, respect for human rights as well as the cultural and national values of the child's country and that of others.

ARTICLE 30
CHILDREN OF MINORITIES AND INDIGENOUS CHILDREN

The right of the child belonging to a minority or indigenous group to enjoy his or her culture, to practise his or her own language.

ARTICLE 31
PLAY AND RECREATION

The right of the child to play, recreational activities and to participate in cultural and artistic life.

ARTICLE 32
ECONOMIC EXPLOITATION

The right of the child to protection against harmful forms of work and against exploitation.

ARTICLE 33
NARCOTIC AND PSYCHOTIC SUBSTANCES

Protection of the child from their illicit use and the utilisation of the child in their production and distribution.

ARTICLE 34
SEXUAL EXPLOITATION

Protection of the child from sexual exploitation including prostitution and the use of children in pornographic materials.

ARTICLE 35
ABDUCTION, SALE AND TRAFFIC

State obligation to prevent the abduction, sale of or traffic in children.

ARTICLE 36
OTHER FORMS OF EXPLOITATION

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare

ARTICLE 37
TORTURE, CAPITAL PUNISHMENT AND DEPRIVATION OF LIBERTY

Obligation of the State vis-à-vis children in detention.

ARTICLE 38: ARMED CONFLICTS

Children under 15 years are not to take a direct part in hostilities. No recruitment of children under 15.

ARTICLE 39
RECOVERY AND REINTEGRATION

State obligations for the re-education and social reintegration of child victims of exploitation, torture or armed conflicts.

ARTICLE 40
JUVENILE JUSTICE

Treatment of child accused of infringing the penal law shall promote the child's sense of dignity.

ARTICLE 41
RIGHTS OF THE CHILD IN OTHER INSTRUMENTS

Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child

ARTICLE 42
DISSEMINATION OF THE CONVENTION

The state's duty to make the convention known to adults and children.

ARTICLE 43-54
IMPLEMENTATION

These paragraphs provide for a Committee on the Rights of the Child to oversee implementation of the Convention.

For further information please log on to http://www.europa.eu/pol/rights/index_en.htm