



# I have rights, you have rights, he/she has rights ...

An introduction to children's rights

*Everyone has rights. Moreover, as a boy or girl aged under 18 you have certain specific rights. A list of these rights, as well as steps governments must take to help you exercise them, is set out in the 1989 United Nations Convention on the Rights of the Child.*



## Your survival, your protection and your development

- You are entitled to have your interests protected in all decisions that concern you and not to be discriminated against, for example because of your origins, opinions, beliefs or sex.
- You have the right to life and to a balanced and healthy physical, mental, spiritual, moral and social development.
- You are entitled to have basic needs such as food, clothing, housing and health looked after.
- You have the right to protection against all forms of exploitation, abuse and physical and psychological violence, including what happens in the family and in establishments that look after children.
- You are entitled to a high standard of education to ensure the fullest possible development of your personality, talents and abilities. Your education must teach you to respect the rights and freedoms of others and prepare you for a responsible life in a free society, in the spirit of understanding, peace, tolerance, equality and friendship among all peoples.
- You are entitled to a wide range of objective information.
- If you have a mental or physical disability, you have a right to lead a life of dignity, so that you can integrate into society, develop your personality and enjoy maximum autonomy.
- You have a right to rest, leisure, play and recreational, artistic and cultural activities in an environment which is age appropriate and respects your rights.



# Your identity, your private life and your family

- You have the right to a name, a nationality and the protection of your identity. If you belong to an ethnic, religious or linguistic minority, you may not be deprived of your right to lead your own cultural life, to practise your religion or to use the language of your group.
- You are entitled to protection of your privacy. No one may interfere unlawfully in your private life or that of your family. Your home, your correspondence, your honour and your reputation are protected by law.
- Your parents have joint responsibility for your upbringing and development. They have the right and the duty to offer you guidance in how you should exercise your rights and respect your obligations.
- You have a right to know who your parents are and to be brought up by them, unless this is not in your interests.
- You have a right to know where your parents are and to enter another country to join them. Your parents have the same right towards you.
- In the event of separation, you are entitled to be consulted on all decisions concerning your relations with your parents. If you are separated from your parents, or from one of them, you have the right to see them regularly, unless this is not in your interests.
- Adoption may only be authorised if it is in your interests.



## Your freedoms

- Freedom of opinion: as soon as you are capable of doing so, you are entitled to give your opinion on anything that concerns you. Your opinion must be taken into account.
- Freedom of expression: you have the right to express yourself freely and to seek, receive and disseminate information.
- Freedom of thought, conscience and religion.
- Freedom of association: you are entitled to associate with other persons and take part in meetings.

There are limits to these freedoms. You must respect the rights and freedoms of others, and must not pose a threat to society or to yourself.



## You and the state

- The state must do whatever is necessary to enable you to exercise your established rights and freedoms.
- The state must protect you and assure your well-being. It must help your parents or the persons who care for you by establishing institutions and services to look after your interests and your well-being.
- If you cannot live with your family, the state must protect and help you. It must find a solution that takes account of your past and your culture, and you will be entitled to have your situation regularly reviewed.
- The state must take measures to protect you from the dangers connected to illicit drugs.
- If you have suffered violence, the state must help you and assist your return to a normal way of life.
- You are entitled to justice. The state must ensure that the justice system is adapted to your specific rights and needs.
- You may not be subjected to torture or cruel or degrading punishment.
- You may not be executed or imprisoned for life.
- You may not be arrested unlawfully. Detention must be the last possible option. It must be as short as possible and take account of your needs and your age. In detention, you must be separated from adult detainees or prisoners and, other than in exceptional circumstances in your own interests, you will have the right to remain in contact with your family.
- In wartime, the state must protect and care for you. If you are under 15 you may not be recruited into any armed forces.

International conventions are contracts between states. These contracts lay down rules that must be obeyed, but they also encourage states to take measures that are still more favourable to children. If the law of your country is more favourable to you than a convention, it is the national law that must be applied.

## International organisations and you

States have established numerous international organisations. Some, like the United Nations and the Council of Europe, were set up to protect human rights, prevent conflicts and develop fairer and more prosperous and democratic societies. Nearly all international conventions are produced by these organisations, which then take steps to ensure that states respect the rights that they lay down.

The Committee on the Rights of the Child monitors the application of the United Nations Convention on the Rights of the Child. You can consult the committee's recommendations concerning your country.

Children can also bring cases before the European Court of Human Rights. For instance, the Court has found that a country violated the Convention because it did not protect children against corporal punishment in prison, school and the home. Another country was found not to have looked after a girl who was travelling alone.



## What if these rights are not respected?

The exercise of certain rights may be restricted for valid reasons, for example to protect you from significant danger or to take account of your maturity or age. Some rights, such as those to life, education, health and protection against violence or exploitation, may never be restricted, even by parents or teachers. If you think your rights have been violated, you may:

- speak to trusted persons, such as your parents, teachers, doctors, friends, social workers or the persons who look after you;
- call a special telephone number for child victims of violence to speak to a person who will be able to advise you;
- go to the police, make a complaint and ask the state for protection;
- contact a children's ombudsman or a voluntary association that defends children's rights;
- in certain circumstances you can even take your case to the European Court of Human Rights.





## The Council of Europe

The Council of Europe is an international organisation founded in 1949 which now has 47 member states. Its role is to promote human rights, democracy and the rule of law. It establishes common democratic principles based on the European Convention on Human Rights and other conventions and recommendations on the protection of persons, which of course includes Europe's 150 million children.

The programme "Building a Europe for and with children" is concerned with promoting children's rights and protecting them from violence. The team in charge of the programme deals with such matters as violence in the home and at school, human rights education, children and the Internet and children and the justice system. You can visit our site for more information on our conventions, meetings and publications, and our online game "Wild Web Woods".

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