



General Assembly Plenary Committee
Topic 2: Promoting and Protecting the Rights of Children¹

18 September 2014

Despite the strong global consensus that children have the right to be protected from violence and exploitation, millions of children suffer from the direct and indirect consequences of violence and exploitation daily. Certain groups of children are especially vulnerable due to their socioeconomic background, their gender, religion, race, ethnicity, or other personal characteristics. Establishing and implementing standards to protect children is a major concern to states and international organizations, but significant disagreements remain about what is fair to children, what should be sacrificed for their future, and what can be done to reduce childhood deprivation.

The General Assembly (GA), along with UNICEF, Save the Children, Human Rights Watch, and hundreds of other organizations dedicated to human rights, is working to establish better standards of treatment for minors around the globe. These organizations monitor and try to prevent a variety of human rights abuses against children, as defined by the Convention on the Rights of the Child (CRC). In paying particular attention to the rights of children, they act on the principle that “Children's physical and intellectual immaturity makes them particularly vulnerable to human rights violations. Their ill-treatment calls for special attention because, for the most part, children cannot speak for themselves, their opinions are seldom taken into account and they can rarely form their own organizations to work for change.”²

The children’s rights abuses that the UN and human rights agencies monitor and strive to prevent include:

the use of children as soldiers; the worst forms of child labor; torture of children by police; police violence against street children; conditions in correctional institutions and orphanages; corporal punishment in schools; mistreatment of refugee and migrant children; trafficking of children for labor and prostitution; discrimination in education because of race, gender, sexual orientation, or HIV/AIDS; and physical and sexual violence against girls and boys.³

This list illustrates the wide variety of concerns about children’s rights. In addition to these stark failures to protect children, however, are less evident failures to promote their survival and prosperity. Although most countries have ratified the CRC, many serious violations of children’s rights continue to occur.

History and Current Events

To protect children’s rights, it is important to understand the broad concept of rights and the specific rights UN member states have agreed to in particular treaties. In addition, it is important to understand specific rights abuses of concern today, including violence against children, abuses of child labor, and poor living standards.

The Concept of Human Rights

¹ This background guide was written by Thecla Backhouse-Prentiss, Nicholas Potratz, and faculty advisor Karen Adams with contributions from David Shelton and Samantha Stephens. Copyright 2014 by Karen Ruth Adams.

² Childwatch International Research Network, “Human Rights Watch – Children’s Rights Division,” available at <http://www.childwatch.uio.no/research/children-rights/human-rights-watch.html>, accessed 15 July 2014.

³ Childwatch International Research Network, “Human Rights Watch – Children’s Rights Division.”

Montana Model UN High School Conference

“Rights” have been a subject of political and philosophical debate for centuries. Early civilizations and many of the world’s great religions provided for some kind of rights, usually either for citizens (on the basis of their membership in a certain community) or for all people (on the basis of their humanity). Over time, people have codified these rights in various ways. It was not until the 20th Century, however, that they were widely thought to apply to children.

Most of the early efforts to codify rights occurred on a state-by-state basis. For example, in 1215, England’s King John was “forced by his lords to sign the Magna Carta acknowledging that free men are entitled to judgment by their peers and that even a sovereign is not above the law.” Later, in 1689, this was elaborated into the British Bill of Rights, which was strongly influenced by John Locke’s notions of natural rights to life, liberty, and property and which, in turn, influenced the authors of the US Declaration of Independence and the French Declaration of the Rights of Man and Citizen.⁴

Other than religious statements of natural rights for all people, the earliest statements of human rights on a global scale came from Grotius, a sixteenth century Dutch legal scholar, who spoke of the “brotherhood of humankind and the need to treat all people fairly.” But it was not until the Congress of Vienna in 1815 that statesmen first acknowledged human rights, in general, not just the rights of their own subjects. At the Congress, European leaders declared that people had a right to determine their own religion. They also discussed civil rights (such as the right to free speech) and political rights (such as the right to vote), and condemned the slave trade. Thirty years later, Russia, France, Prussia, Austria, and Great Britain signed the first international treaty to protect human rights, the Treaty of London (1841), in which they agreed to abolish slavery. The US abolished slavery in 1865, with passage of the 13th Amendment.⁵

Children’s Rights

The children’s rights movement began with labor regulations in the 1800s in the US and other developed countries.⁶ But general children’s rights were not addressed until 1919, when a British woman named Eglantyne Jebb founded the non-governmental organization, Save the Children, to provide aid to children throughout Europe after World War I. Jebb had done relief work in the Balkans during the war. In her view, “all wars are waged against children.”

Eglantyne believed that every country should do its best to help its own people, and not just rely on aid. So as Save became a success across the British Empire - and spread to Ireland, the United States, Scandinavia and many other countries — the focus was not just on relief for war victims, but also for the disadvantaged children of each country. Whilst many other aid agencies (such as Herbert Hoover’s American relief Organization) were helping across Europe, most of the aid was channeled to adults. It was Eglantyne’s firm opinion that Children had the greatest need. She wrote, “Every generation of children, in fact, offers mankind the possibility of rebuilding his ruin of a world.” Through the children she saw the best hope of lasting peace.⁷

⁴ Franklin and Eleanor Roosevelt Institute, “Ongoing Struggle for Human Rights: The Universal Declaration of Human Rights,” available at http://cf.linnbenton.edu/artcom/social_science/clarkd/upload/TIMELINE-Human%20Rights.pdf, accessed 15 July 2014.

⁵ Franklin and Eleanor Roosevelt Institute, “Ongoing Struggle for Human Rights.”

⁶ Child Labour Education Project, “Child Labour in U.S. History,” http://www.continuetolearn.uiowa.edu/laborctr/child_labor/about/us_history.html, accessed 14 July 2014.

⁷ Mick Yates, “Leader Values: Eglantyne Jebb,” 2008; 2; available at <http://www.leader-values.com/leaders.php?lid=1>.

Montana Model UN High School Conference

When it became apparent to Jebb that children's needs would not end with recovery from the war, she and her sister, Dorothy Buxton, decided to make the organization permanent. In 1923, Jebb wrote the Declaration of the Rights of the Child (also called the Declaration of Geneva), which was adopted by the League of Nations (the precursor to the UN) in 1924. The declaration enumerated the right of children to things necessary for "material and spiritual development," including food, shelter, medical care, and training for non-exploitative employment. In 1959, this declaration became the basis of the UN Declaration of the Rights of the Child.⁸ These declarations were important statements of intent. But they were not binding treaties.

As stated in the UN Charter, one of the purposes of the General Assembly is to assist in "the realization of human rights and fundamental freedoms for all without the distinction as to race, sex, language, or religion."⁹ In 1978, in response to pressure from non-governmental organizations including Save the Children, the GA declared 1979 the International Year of the Child and set up a working group to clarify and protect the rights of children. Over the next 10 years, the group drafted the Convention on the Rights of the Child, a binding treaty that the GA opened for signature in 1989 and that entered into force in 1990, during the World Summit on Children.¹⁰

The Convention begins by defining a child as "a person who is under 18, unless national law recognizes the age of majority earlier." It further discusses a full range of children's rights -- civil, political, economic, social, and cultural. In this respect, it differs from the two primary international human rights conventions, which distinguish between civil and political rights, on the one hand, and economic, social, and cultural rights on the other.¹¹

The UN International Children's Emergency Fund was created in 1947 to help children affected by World War II. Later renamed the UN Children's Fund (UNICEF), the organization's mission has expanded to "promote the rights of every child, everywhere, in everything the organization does... [and] advocate for the protection of children's rights, to help meet their basic needs and to expand their opportunities to reach their full potential."¹²

Convention on the Rights of the Child

In defining and pursuing these goals, the 1989 Convention on the Rights of the Child (CRC) guides the actions of UNICEF, and describes the Convention as follows:

Built on varied legal systems and cultural traditions, the Convention is a universally agreed set of non-negotiable standards and obligations. These basic standards—also called human rights—set minimum entitlements and freedoms that should be respected by governments. They are founded on respect for the dignity and worth of each individual, regardless of race, colour, gender, language, religion, opinions, origins, wealth, birth status or ability and therefore apply to every human being everywhere. With these rights comes the obligation on both governments and individuals not to infringe on the parallel rights of others. These standards are both interdependent and indivisible; we cannot ensure some rights without—or at the expense of—other rights.¹³

⁸ Yates, "Leader Values: Eglantyne Jebb," 2008. Save the Children, "Our History," available at <http://www.savethechildren.org.uk/about-us/history>, accessed 15 July 2015.

⁹ "Charter of the United Nations," Article 13, available at <http://www.un.org/en/documents/charter/>.

¹⁰ Save the Children, "History of Save the Children." Marian Koren, "Human Rights of Children: An Emerging Story," *The Lion and the Unicorn* 25.2 (2001), 242-259, available from Project MUSE [online database].

¹¹ "International Covenant on Civil and Political Rights," 1966, and "International Covenant on Economic, Social, and Cultural Rights," 1966, available at <http://www2.ohchr.org/english/law/>.

¹² UNICEF, "Convention on the Rights of the Child," available at <http://www.unicef.org/crc/>.

¹³ UNICEF, "Convention on the Rights of the Child."

Montana Model UN High School Conference

The Convention has four core principles: “[1] non-discrimination; [2] devotion to the best interests of the child; [3] the right to life, survival and development; and [4] respect for the views of the child.” The specific rights it enumerates are: “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.” In addition, the CRC “protects children’s rights by setting standards in health care; education; and legal, civil and social services.”¹⁴ Although the Convention underlines a number of important rights that are present in other rights treaties, there are a number of rights outlined in the CRC that are unique to children. Some of these include: the best interests of the children must be taken into account (Article 3(1)); there is an obligation to guarantee maximum survival and development (Article 6); the child’s identity must be preserved (Article 8); a “right not to be separated from parents;” etc.¹⁵

By ratifying the Convention states agree to protect these rights. More states have ratified the CRC than have ratified any other treaty.¹⁶ Today, all UN member states except Somalia, South Sudan, and the United States have ratified the Convention. All three states have signed, but not ratified the treaty. As with most treaties, however, many states have made special declarations or expressed certain reservations about how they will interpret and apply the Convention. For example, many Islamic states have declared that they will disregard any stipulation that does not conform to Shari’a law. Similarly, Oman has stated that it “does not consider itself to be bound by those provisions of [A]rticle 14 of the Convention that accord a child the right to choose his or her religion or those of its [A]rticle 30 that allow a child belonging to a religious minority to profess his or her own religion.”¹⁷

Just as it took several decades for the international community to outlaw slavery worldwide after the Treaty of London, the CRC has not eliminated human rights abuses against children. The Convention has, however, created a standard by which to judge children’s treatment. In addition, states that have ratified the treaty have agreed to publicize children’s rights to foster a stronger, broader understanding of what they require. State parties have also agreed to international oversight by the UN Committee on Children’s Rights. Every five years, each state must report on the “factors and difficulties, if any, affecting the degree of fulfillment of the obligations under the ... Convention,” and the CRC can ask them to submit additional information. Every two years, the CRC submits to the GA a report on the status of children’s rights worldwide.¹⁸

Armed Conflict and other Forms of Violence

In addition to monitoring implementation of the CRC, the Committee monitors compliance with three optional protocols to the Convention. The first two entered into force in 2002, and the third entered into force in April 2014. The first, the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict, was motivated by the widespread use of child soldiers. The 156 countries that have ratified this protocol agree to “take all feasible measures to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities” and that, if children are recruited for military

¹⁴ Office of the United Nations High Commissioner for Human Rights (OHCHR), “Convention on the Rights of the Child,” 20 November 1989, available at <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>.

¹⁵ “Rights: Unique rights for children in the Convention on the Rights of the Child,” Child Rights Information Network (CRIN), 11 Dec. 2008; available at <https://www.crin.org/en/library/news-archive/rights-unique-rights-children-convention-rights-child>.

¹⁶ Paul Gordon Lauren, *The Evolution of International Human Rights: Visions Seen*, 2nd Ed. (Philadelphia: Univ. of Penn. Press, 2003).

¹⁷ UN Treaty Collection, “Convention on the Rights of the Child,” Status on 10 October 2010, available at http://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&lang=en#EndDec

¹⁸ OHCHR, “Convention on the Rights of the Child,” Articles 43-44. For country reports, see UNHCR, “Committee on the Rights of the Child,” available at <http://www.refworld.org/publisher,CRC,STATEPARTIESREP,,0.html>.

Montana Model UN High School Conference

service before the age of 18, their recruitment is voluntary and carried out with the consent of their parents or guardians.¹⁹ Despite the Convention, UNICEF estimates that “300,000 child soldiers — boys and girls under the age of 18 - are involved in more than 30 conflicts worldwide.”²⁰

In June 2010, two of the nations that have yet to ratify the Convention on the Rights of the Child were both implicated in the use of child soldiers in Somalia. The media reported that the US continued to provide military funding to Somalia despite its use of child soldiers and a US law passed in 2008 that should have prevented funding to Somalia.²¹ Even in 2012 observers criticized the US for waiving sanctions on some states that had child soldiers (e.g. Yemen), because it was in the US’s strategic interest to maintain cooperative relations.²²

The effects of armed conflict on children extend beyond their use as soldiers. Of particular concern is their vulnerability during times of war. According to UNICEF,

- In recent decades, the proportion of civilian casualties in armed conflicts has increased dramatically and is now estimated at more than 90 per cent. About half of the victims are children.
- An estimated 20 million children have been forced to flee their homes because of conflict and human rights violations and are living as refugees in neighboring countries or are internally displaced within their own national borders.
- More than 2 million children have died as a direct result of armed conflict over the last decade.
- At least 6 million children, have been permanently disabled or seriously injured from armed conflict.
- More than 1 million have been orphaned or separated from their families.
- Between 8,000 and 10,000 children are killed or maimed by landmines every year.²³

States and other military groups that deliberately target civilians in times of war are in violation of the Fourth Geneva Convention, which states that warring parties must to everything they can to limit civilian casualties.²⁴

Additional issues related to violence against children include corporal punishment, the practice of female genital mutilation, the use of the death penalty and life imprisonment sentences for children who have committed crimes, and the use of sexual violence (rape) against children. Corporal punishment has been prohibited by only 30 countries, of which 22 are in the European Union.²⁵ In 2010, Islamic leaders in Mauritania issued a fatwa, or

¹⁹ UN Treaty Collection, “Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,” May 25, 2000, available at https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-b&chapter=4&lang=en.

²⁰ UNICEF, “Factsheet: Child Soldiers,” available at <http://www.unicef.org/emerg/files/childsoldiers.pdf>, accessed 25 July 2014.

²¹ Jeffrey Gettleman, “Children Carry Guns for a U.S. Ally, Somalia,” *The New York Times* 13 June 2010; available at <http://www.nytimes.com/2010/06/14/world/africa/14somalia.html?>

²² Josh Rogin, “Obama Waives Sanctions on Countries that use Child Soldiers,” *Foreign Policy*, 1 October 2012, http://thecable.foreignpolicy.com/posts/2012/10/01/obama_waives_sanctions_on_countries_that_use_child_soldiers.

²³ UNICEF, “Children in Conflict and Emergencies,” [updated] 1 January 2011, <http://www.unicef.org/protection/armedconflict.html>.

²⁴ On the Geneva Conventions and the “Responsibility to Protect” civilians from armed conflict, see Samantha Stephen and Karen Adams, “Security Council: Topic 3: Protecting Civilians from Armed Conflict,” Montana Model UN background guide, 7 October 2010, available at <http://www.cas.umt.edu/munold/documents/2010/SC%2010%20Civilians%20in%20Armed%20Conflict%20final.pdf>.

²⁵ Elizabeth Breshears, “Is it Time for a U.S. Policy to Ban Corporal Punishment of School Children?” *International Journal of Education Reform*, 23:1 (Winter 2014).

Montana Model UN High School Conference

religious opinion, banning the practice of female genital mutilation. This led a number of parliamentarians across Africa to come together to discuss a continent-wide ban on the practice. That same year, the US Supreme Court ruled sentencing juvenile offenders in non-homicide cases with life without parole unconstitutional.²⁶ According to UNICEF, “Investigative reports following the 1994 genocide in Rwanda concluded that nearly every female over the age of 12 who survived the genocide was raped.”²⁷

Human Trafficking and other Labor Abuses

The second optional protocol to the CRC is the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography. As of today, this Protocol has been ratified by 167 states. This protocol was motivated by the prevalence of trafficking in and sexual abuse of children, which are often related. Human trafficking is a modern form of slavery. It is “the acquisition of people by improper means such as force, fraud or deception, with the aim of exploiting them.”²⁸ Human trafficking is one of the fastest growing areas of international criminal activity. Victims are often coerced, smuggled into a foreign country, and forced to repay their passage through sexual exploitation, forced labor, military service, or organ removal. Between 2007-2010, 27% of all trafficking victims were children. This varies by region, however; in the Middle-east and Africa, 68% were children, and in Europe only 16% were children. Virtually every country is affected by human trafficking, whether as a country of origin, transit, or destination. The region with the largest number of trafficking victims (as a source country) is East Asia and the Pacific.²⁹

The use of children’s labor is one of the most prevalent abuses of the rights of children. The Child Labor Public Education Project defines child labor as “work that harms children or keeps them from attending school.” On a global level, child labor occurs in all industries, but almost 59% of it can be found in agriculture. Specifically, children are used to farm bananas in Ecuador, cotton in Egypt and Benin, cut flowers in Columbia, oranges in Columbia, tea in Argentina and Bangladesh, and fruits and vegetables in the United States. Other prominent areas of child labor are in manufacturing, mining, domestic services, hotels, restaurants, and retail. About 5.7 million children are involved in “work that, under any circumstances, is considered unacceptable, including the sale and trafficking of children in debt bondage, serfdom, and forced labor.” These “unconditional worst forms of child labor” also include sexual exploitation for commercial purposes, armed conflict and other illegal activities incorporating production and traffic of drugs. According to the International Labor Organization (ILO), 168 million children from 5 to 17 currently work in conditions that are illegal, hazardous, or extremely exploitative.³⁰

Child labor affects people worldwide. Cote d’Ivoire, which provides nearly half of the world’s cocoa supply, is believed to have more than 800,000 children involved in cocoa production. In response,, chocolate

26 “Violence Against Children: Beyond the UN Study,” Child Rights Information Network (CRIN), 02 June 2010; available at <http://www.crin.org/resources/infodetail.asp?id=22668>.

27 UNICEF, “Children in Conflict and Emergencies.”

28 United Nations Office on Drugs and Crime, “UNODC on Human Trafficking and Migrant Smuggling,” available at <http://www.unodc.org/unodc/en/human-trafficking/index.html>. accessed 15 July 2014

29 UNODC, “Global Report on Trafficking in Persons 2012,” 2012, available at https://www.unodc.org/documents/data-and-analysis/glotip/Trafficking_in_Persons_2012_web.pdf.

30 Child Labour Education Project, “What is Child Labour?”, available at http://www.continuetolearn.uiowa.edu/laborctr/child_labor/about/what_is_child_labor.html, accessed 15 July 2014. International Labour Organization, “International Programme on the Elimination of Child Labour (IPEC),” available at <http://www.ilo.org/ipec/lang--en/index.htm>, accessed 15 July 2014.

Montana Model UN High School Conference

companies signed an agreement to reduce child labor in the industry by 70%. According to a US study, however, company programs have helped less than 4% of children in Cote d'Ivoire.³¹

Reporting Abuses of Children's Rights

The third optional protocol is the Optional Protocol to the Convention on the Rights of the Child on a communications procedure. The protocol came into force when it received 10 ratifications in April 2014, as of July 2014, 11 states have ratified the protocol.³² The protocol established a commission to hear complaints from children whose rights have been violated by their state. Once states have become party to the protocol, they agree to allow the commission to make decisions on cases when the domestic legal system fails to protect the rights of a child.³³

Poor Living Standards

In 2000, UN member states at a special summit of the General Assembly pledged to achieve the eight Millennium Development Goals (MDGs) by 2015. Two of the goals – universal education and child health – specifically relate to children. The other MDGs address problems that affect children as well as adults — poverty and hunger; gender equality; maternal health; HIV/AIDS; and environmental sustainability.³⁴ As UNICEF suggests, the MDGs are pertinent to children for two additional reasons. First, children represent a particularly susceptible age group to the problems that the MDGs try to solve. Second, the future of poverty reduction and development depends on children. Providing for the physical, economic, and social, and education well being of children today, offers the opportunity to improve the lives of adults and later generations in the future.³⁵

Much remains to be done, however, in both accelerating progress on the goals by 2015, and establishing new goals for the post-2015 period.³⁶ In regard to the former, many children in developing states fail to even complete their primary education as MDG #2 aims to achieve, let alone continue on to secondary or tertiary (collegiate) levels of schooling. According to the UN,

the achievement of universal primary education requires both enrollment in, and completion of, the full cycle of primary school education. Between 2000 and 2011, persistent early school leaving has slowed progress towards this goal in developing regions. During this period, the proportion of pupils in developing regions starting first grade who completed the last grade of primary education remained at 73 per cent.³⁷

Similarly, the target of MDG #4 is to reduce child mortality for children under five from 93 children of every 1,000 in 1990 to 31 of every 1,000 by 2015. According to the UN, states have made progress “The global rate of under-

³¹ Humphrey Hawksley, “Ivory Coast Cocoa Farms Child Labor: Little Change,” *BBC News*, 10 November 2011, available at <http://www.bbc.com/news/world-africa-15681986>.

³² UN Treaty Collection. “Optional Protocol to the Convention on the Rights of the Child on a communications procedure,” p19 December 2011, available at https://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtdsg_no=iv-11-d&chapter=4&lang=en.

³³ UNICEF, “Advancing the CRC,” [updated] 19 May 2014, http://www.unicef.org/crc/index_protocols.html.

³⁴ United Nations, “Millennium Development Goals,” <http://www.un.org/millenniumgoals/>.

³⁵ UNICEF, “About the Goals,” available at http://www.unicef.org/mdg/index_aboutthegoals.htm, accessed 14 June 2014.

³⁶ UNICEF, “About the Goals.”

³⁷ United Nations, “Millennium Development Goals Report 2014,” 7 July 2014, p.18, available at <http://www.un.org/millenniumgoals/2014%20MDG%20report/MDG%202014%20English%20web.pdf>.

Montana Model UN High School Conference

five mortality in 2012 was almost half of its 1990 rate, dropping from 90 to 48 deaths per thousand live births.” Still the UN notes that “[d]espite substantial progress, the world is still falling short of the MDG child mortality target.”³⁸ More Generally, as John Macarthur notes, “the MDG framework is imperfect. Several issues, such as gender equality and environmental sustainability, are defined too narrowly. The education goal is limited to the completion of primary school, overlooking concerns about the quality of learning and secondary school enrollment levels.”³⁹

Problems extend beyond issues with the goals themselves. As both Macarthur and economist Jeffrey Sachs explains, although considerable progress has been made towards reaching the MDGs, extreme poverty eradication falls short of the MDG targets. According to Sachs, this failure “is international in origin, many due to high-income countries.” In particular, he argues, the problems are foreign aid shortfalls compared to commitments, climate change, large-scale corruption, rampant population growth, trade, and neglect.⁴⁰ Here the focus is on the failure of developed states to meet their promised aid targets.

In the Millennium Declaration (2000), UN member states called on developed countries “to grant more generous development assistance, especially to countries that are genuinely making an effort to apply their resources to poverty reduction.” At the 2002 Monterrey Conference on Financing for Development and the 2005 World Summit on Sustainable Development, a target of 0.7% of gross domestic product (GDP) was established. According to the UN Development Programme (UNDP), if all developed countries spent this amount on official development assistance (ODA), there would have been sufficient funds to achieve the MDGs by 2015.⁴¹

For the purposes of this target, developed countries are defined as members of the Development Assistance Committee of the Organization for Economic Cooperation and Development (OECD), which include the 30 richest countries in the world (measured in terms of GDP per capita). In 2013, only Denmark, Luxembourg, Norway and Sweden continued to contribute more than the .7% target, while the United Kingdom met the target for the first time. Total ODA from developed states rested at just .3% of donor states GDPs, less than half of the .7 targets.⁴²

As the 2015 deadline nears, the UN and Member States have begun to consider what should be done to continue, build on, or eliminate unaddressed problems in the MDGs. A group of states have now formed a “Zero Draft” of “Sustainable Development Goals” (SDGs) that the UN should adopt for the post-2015 era. Several of these relate to children and their rights, such as providing quality education, improving nutrition (with emphasis on preventing the stunted growth of children under five), and attaining gender equality (with reference to young girls).⁴³

Previous Committee Work on this Topic

In 2000, the Committee on the Rights of the Child launched a discussion of violence against children by states, focusing on children’s conflicts with the law and children living in the care of the states in orphanages and

³⁸ United Nations, “Millennium Development Goals Report 2014,” p. 24.

³⁹ John Macarthur, “Own the Goals,” *Foreign Affairs*, 92:2 (March/April 2013); [online database].

⁴⁰ Jeffrey Sachs, “Millennium Goals, Five Years to Go,” *International Herald Tribune*, 17 September 2010, available at <http://www.nytimes.com/2010/09/18/opinion/18iht-edsachs.html>.

⁴¹ UN Development Group, “The 0.7% Target: An in-depth Look,” 2006, available at <http://www.unmillenniumproject.org/press/07.htm>.

⁴² United Nations, “Millennium Development Goals Report 2014,” p. 48.

⁴³ Sustainable Development Knowledge Platform, “Zero Draft –eRev 1,”eUnited Nations, available at <http://sustainabledevelopment.un.org/focussdgs.html>. accessed 15 July 2014. See also UNICEF’s proposed amendments for the goals, specifically focusing on how the goals can better meet the needs of children, available at http://www.unicef.org/post2015/files/CFA_protecting_children.pdf.

Montana Model UN High School Conference

other institutions. After these discussions, the General Assembly held a special session in May 2002 to discuss the progress made since the 1990 World Summit for Children and to re-energize global commitment to children's rights. More than 7,000 people, including 70 heads of state, attended the session. Four governments -- the Netherlands, Norway, Sweden and Togo -- brought youth representatives to address the General Assembly. In his opening statement UN Secretary-General Kofi Annan, addressed the children of the world:

We, the grown-ups, have failed you ...one in three of you has suffered from malnutrition before you turned five years old. One in four of you has not been immunized against any disease. Almost one in five of you is not attending school. Of those of you who do go to school, four out of five will never reach the fifth year of classes. So far, many of you have seen violence that no child should ever see. All of you live under the threat of environmental degradation. We, the grown-ups, must reverse this list of failures. And we are pledged to do so.”⁴⁴

In its 68th Session (2013-2014) the GA adopted six resolutions on protecting children and their rights. The GA decided in the most recent, Resolution 68/273 (A/RES/68/273) passed in May 2014, to hold a high level meeting on November 20, 2014 to commemorate in honor of the 25-year anniversary of the Convention on the Rights of the Child. In the Resolution, Member States decided and discuss the CRC. The meeting will be comprised of participants from states (including children representatives), NGOs, and the UN Secretariat.⁴⁵

The theme of the 68th (2013) Session of the GA was “The Post-2015 Development Agenda: Setting the Stage.”⁴⁶ Thus, the GA devoted a number of meetings in the 68th session to the post-2015 development agenda. For instance, in September 2013, the GA held a “Special Event” on the MDGs, at which Member States agreed to work to accelerate progress on the MDGs before the 2015 deadline, and to hold a High-Level Summit in 2015 to adopt new goals for the Post-2015 era.⁴⁷ At a High Level Meeting in March 2013, Anthony Lake, Executive Director of UNICEF, spoke to the GA. In his speech Lake stated that

children must be at the heart of the post-2015 Agenda...because it is simply right. Right because every child has rights. Every child, in every society has the right to a fair start in life. But this is more than an issue of rights and moral responsibility. It is an issue of enlightened self-interest. How can we build for the future, if we don't invest in the people who will decide what the future will be?⁴⁸

UNICEF has released a list of “key messages” for states developing the post-2015 agenda. The first, and most broad, key message to states was that although the MDGs have made progress on protecting children and their

⁴⁴ United Nations Special Session on Children, “World Leaders ‘Say Yes’ for Children,” available at <http://www.unicef.org/specialsession/>. United Nations General Assembly, ““For Every Dollar Invested in the Development of a Child, There is a Seven Dollar Return for Society,”” Kofi Annan Says at Special Session Opening,” Press Release SG/SM/8228, GA/10017, August 5, 2002, available at <http://www.un.org/News/Press/docs/2002/sgsm8228.doc.htm>.

⁴⁵ UN General Assembly Resolution 68/273 (A/RES/68/273), available at http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/68/273.

⁴⁶ UN Department of Public Information, “General Assembly Faces ‘Pivotal’ Year as it Seeks to Define Development Agenda for Post-2015 Era, New President Says at Opening of Sixty-Eighth Session,” press release GA/11415, 17 September 2013, <http://www.un.org/News/Press/docs/2013/ga11415.doc.htm>.

⁴⁷ United Nations, “Beyond 2015: Overview,” <http://www.un.org/millenniumgoals/beyond2015-overview.shtml>.

⁴⁸ Anthony Lake, “The Contributions of Women, the Young and Civil Society to the Post-2014 Development Agenda,” 6 March 2014, available at http://www.unicef.org/post2015/index_69527.html.

Montana Model UN High School Conference

development “there is major unfinished business as well as emerging and neglected issues that must be addressed boldly in the post-2015 development agenda, to ensure a world fit for children.”⁴⁹

Conclusion

Despite progress in defining children’s rights, much remains to realize them. This is a considerable challenge, due to the prevalence of armed conflict, the extensive use of child labor, and the effects of poverty on children. As you research your country’s position on this issue, consider the following questions:

- Has your country ratified the Convention on the Rights of the Child and/or the three optional protocols? If not, why not? If so, is it in compliance with them?
- What kinds of issues related to children’s rights does your country report to the CRC? What children’s issues are UNICEF, Save the Children, and/or Human Rights Watch addressing in your country?
- To what extent has your country achieved and/or helped other countries achieve the MDGs? What post-2015 SDGs might your country support or develop to protect children and their rights?
- To which kinds of rights — civil, political, economic, social, or cultural — is your country most (and least) committed? Why?
- What could your country do to improve children’s rights within its borders and around the world?
- What can and should the General Assembly do to further children’s rights? In particular, how can the GA persuade more states to become party to the third CRC Protocol? What additional issues could be included in new optional protocols?

Recommended Reading

Children’s Rights Information Network. Website. Available at <http://www.crin.org/>.

This site provides extensive information about the situation of children in various countries. It also provides links to scholarly reviews of different aspects of the CRC.

“Convention on the Rights of the Child” (CRC). 1989. Office of the United Nations High Commissioner for Human Rights website. Available at <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>.

It is important to understand what is in the CRC and to know whether your country has ratified it and the optional protocols and, if so, whether it is in compliance. On the OHCHR website are links the UN Treaty Collection, where you can find lists of state parties and states that have expressed reservations to certain parts of the treaties. In addition, there are links to the sites of monitoring bodies such as the Committee on the Rights of the Child, which makes bi-annual reports to the GA. In the reports, you can see which countries have been discussed by the Committee and referred to the GA for abuses of children’s rights.

Human Rights Watch. “Children’s Rights.” Website. Available at <http://www.hrw.org/topic/childrens-rights>.

Human Rights Watch (HRW) is a non-governmental organization devoted to publicizing human rights abuses and pressuring governments to end them. This site provides access to recent HRW news reports on the situation of children in various countries.

International Labour Organization. “International Programme on the Elimination of Child Labour.” Available at <http://www.ilo.org/ipecc/lang--en/index.htm>, accessed 14 July 2014.

⁴⁹ UNICEF, “Towards a Post-2015 World Fit For Children,” October 2012, available at http://www.unicef.org/parmo/files/Post-2015_Key_Messages_V05.pdf.

Montana Model UN High School Conference

This site provides an excellent overview of the ILO's work to eliminate child labor. There are separate pages for each region of the world.

"Publications." UNICEF website. Available at http://www.unicef.org/protection/57929_58022.html.

This page provides links to publications in a variety of areas related to children and children's rights. This includes information on issues such as child labor, violence, and trafficking, as well as policy prescriptions.

UNICEF. "Millennium Development Goals." Available at <http://www.unicef.org/mdg/>.

This site contains information on the current eight MDGs. Click the links eight links at the top of the page for more specific information from UNICEF on each goal.

UNICEF, "Post-2015 Development Agenda." Available at http://www.unicef.org/post2015/index_69583.html, accessed 14 July 2014.

This site provides information on the Post-2015 Development Agenda, with reference to the place of children in the Agenda. In particular visit the resource page to find Anthony Lake's speech to how SDGs that benefit children benefit society more widely, UNICEF's "key messages," and its recommended amendments to the Sustainable Development Goals in the Zero Draft.