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INTERNATIONAL LAW ON CHILDREN'S RIGHTS

The history of children's rights is recent. It can be traced back to the twentieth century, when many states and supranational organisations became more and more aware of children's fundamental rights.

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The history of children's rights is recent. It can be traced back to the twentieth century, when many states and supranational organisations became more and more aware of children's fundamental rights. Indeed, in 1919, the League of Nations created the first international organisation supporting children, i.e. the **Committee for the Protection of Children**. In 1924, the **Declaration of the Rights of the Child** was introduced, thus affirming the responsibility of adults towards children. An important year was certainly 1946, when UNICEF was born as a relief organisation for children. In 1959, UNICEF approved the **Declaration of the Rights of the Child**. This Declaration laid down ten principles in order to protect and help children: the child was still considered as an object of care rather than a subject of rights.

On 20th November 1989, the General Assembly of the United Nations adopted the **International Convention on the Rights of the Child**. This Convention represents today's most important international normative instrument for the promotion and protection of children's rights. It has been approved by 193 states, including Italy (5th September 1991); among the member states of United Nations, only the United States of America and Somalia have not approved it yet.

The Convention is made of a **preamble** and **54 articles** divided into three sections:

Provision: it refers to the child's right to be born and grow up in a healthy manner and, in particular, to be guaranteed all the rights that are necessary to survive; **Protection**: it consists of all the rights protecting the child against any abuse, negligence or exploitation; **Promotion**: it protects the rights of the child as a citizen, for example the rights to freedom of thought and expression. Apart from **the definition of "child"** as "every human being below the age of eighteen years" (art. 1), the most important contents of this Convention are the right to life ("All the children have the right to life. They shall be registered immediately after birth, they shall have the right to a name, the right to acquire nationality and the right to be cared for by their parents", artt. 6 and 7), **the right to express their views** ("When adults make decisions concerning children, the latter have the right to express their views and be heard", art. 12), **the right to education** (artt. 28 and 29) and the right to play ("States Parties shall recognise the right of the child to rest and leisure", art. 31).

The Convention on the Rights of the Child is supported by two **optional protocols**. The first is the **Optional Protocol concerning children's involvement in armed conflicts**: States Parties shall ensure that people who have not attained the age of eighteen years are not compulsorily recruited into their armed forces. However, sixteen-year-old volunteers can be recruited, yet they are entitled to special protection. The second is the **Optional Protocol concerning the sale of children, child prostitution and child pornography**:

having given the definition of such actions, States Parties are asked to forbid them in their penal law.
