10.1. The Human Rights of Children

The child should be fully prepared to live an individual life in society, and be brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity.\(^1\)

– The Preamble to the Convention on the Rights of the Child

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

– Article 2, the Universal Declaration of Human Rights, 10 December 1948

Massive human rights violations of children occur despite the fact that there are several human rights instruments that protect and safeguard the rights of all individuals including children within a country or territory without any distinction to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.\(^2\) This is the fundamental principle of


\(^{2}\) See the Universal Declaration of Human Rights, Article 2, The International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights, and see in the Preamble of the Convention on the Rights of the Child which states that “Recognizing that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex,
non-discrimination that the international human rights instruments are founded on. The United Nations Universal Declaration of Human Rights celebrated 60 years in 2008 and, as the United Nation’s Office of the High Commissioner for Human Rights states, is a document that embodies a real commitment to universal dignity and justice to be practically experienced by all. The Universal Declaration of 1948 is the most translated legal document in the world. It has set the standard for human rights protection all over the world and puts the individual human being at the centre for protection from specific acts by governments and state entities that have been determined to be violations of their rights. The International Bill of Rights is comprised of the Universal Declaration of Human Rights of 1948, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Cultural and Social Rights (ICECSR), the Optional Protocol to the International Covenant on Civil and Political Rights, and the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at abolishing the death penalty. The two Covenants are the most basic human rights instruments that put a direct legal obligation on governments and state entities to protect the human rights stated in them. While these documents also protect the rights of children both generally and more specifically in some articles, protection of the human rights of children was considered to be of such importance that it required a much more comprehensive legal framework and therefore the Convention on the Rights of the Child was developed.

language, religion, political or other opinion, national or social origin, property, birth or other status”.


4 Office of the High Commissioner for Human Rights, Universal Declaration of Human Rights, December 10, 1948


7 OHCHR, Fact Sheet No. 10 (Rev.1), The Rights of the Child, p. 1