

# COMMON QUESTIONS ABOUT CHILDREN'S RIGHTS



## What are children's rights?

Children's rights are defined by the United Nations Convention on the Rights of the Child. The Convention provides for three categories of rights:

- Rights of provision, for example to education and health care.
- Rights of protection, for example, from abuse and neglect.
- Rights of participation, for example the right to be heard in matters affecting the child.

## What is the United Nations Convention on the Rights of the Child?

On November 20, 1989, the United Nations General Assembly unanimously adopted the UN Convention on the Rights of the Child, the most comprehensive treaty for the protection and support of children in existence today. It reaffirms the fact that children, because of their vulnerability, need special care and protection, defined in terms of rights. The Convention represents a historic milestone. It not only symbolizes the many years of struggle to improve children's status in society but also attempts to consolidate international law on the basic rights of children. The Convention has been ratified by more countries than any other human rights treaty in history. Canada is one of over 170 nations that have signed the Convention, illustrating our government's commitment to recognize the fundamental human dignity of our children and to ensure their well-being and healthy development. By signing this document, countries are obliged to review their domestic laws and practices regarding children and to make any changes needed to reach the minimum standards set by the Convention.

## What are the guiding principles of the Convention?

There are four guiding principles; the aim is to provide the best conditions for the development of all children:

- The best interests principle. The Convention requires that the primary consideration in decision-making about children shall be the child's best interests.
- Non-discrimination. All children must be provided with equal opportunity for healthy development.
- Importance of family. The Convention supports the importance of the family to the child, parental authority and parental guidance.
- Participation. Children must be given a voice in all matters that affect them in accordance with their age and maturity.

### **Why is a legal document describing children's rights necessary?**

According to UNICEF Canada, each day 35,000 children die from malnutrition and related diseases. Wars have killed 2 million and disabled 4 million children over the past 15 years. Seven million are growing up in refugee camps or temporary settlements. Some 80 million children between the ages of 10 and 14 work for low wages often in dangerous conditions. So, what does this mean for Canadians? Canada's children are not immune to inadequate or inappropriate living conditions. Many of Canada's children experience poverty, poor nutrition, physical, sexual or emotional abuse, neglect, and more mild forms of child labor. Many of our refugee and immigrant children have experienced the trauma of war.

### **We have a Charter of Rights in Canada; why do we need something more?**

The Canadian Charter of Rights and human rights laws do apply to children. But the Convention is important in adding clarity, in expanding the list of rights, and in focusing on the needs of children specifically.

### **How does the Convention define a child?**

The Convention defines a child as a person below the age of 18, unless the laws of a particular country establish the legal age for adulthood as younger than 18.

### **Does the Convention address responsibilities?**

**With rights come responsibilities. The Convention outlines the following responsibilities:**

- For children: the responsibility to respect the rights of others.
- For parents: to respect and provide for the rights of their children.
- For governments: to support families and to respect and provide for the rights of children through laws, policies and special programs.

## **Common Questions About Children's Rights Education In Schools**

### **Why are children learning about their rights at school?**

The Convention requires that children, as well as adults, know about the rights described within it. Schools are the logical place to reach the vast majority of children.

### **How does the children's rights curriculum fit with the learning goals of the school system?**

The goals of both the children's rights curriculum and the school system are to assist children in achieving their potential and being responsible citizens. The information taught in the children's rights curriculum helps children learn respect for self and others, critical thinking skills, and informed decision-making.

### **Does teaching children's rights take time away from other classes?**

Children's rights is not taught as a separate course. The children's rights curriculum blends with existing classes in social studies, health, and personal development. Some teachers have also adapted the activities for use in math and other classes.

### **Won't children take advantage of adults if they are taught about their rights?**

The Convention is clear that children not only have rights, but also the responsibility to respect the rights of others. One of the aims of education about children's rights is the development of respect for parents and their values and culture.

### **What about children's respect for the rights of others?**

The issue of respect for the rights of others is contained in several articles of the Convention. For example, children have the right to express themselves and the right to meet with others and to form associations. But in exercising these rights, the child learns that she or he must respect the rights, freedoms and reputations of others. Research evidence shows that when children are taught in school about their rights and responsibilities under the Convention, they are indeed more respecting of the rights of others. Children who have learned about their rights under the Convention, compared with those who have not show:

- a more accurate understanding of what it means to have rights and responsibilities
- greater acceptance of minority children
- better relationships with their classmates and teachers
- higher self-esteem

### **How can parents support what children are learning about the Convention at school?**

Being involved in your child's activities and providing supervision are essential in promoting the development of healthy, positive behaviors in children. Family participation through activities and discussions not only makes the learning process more enjoyable for the child, but also strengthens family ties. Show your child that you view him or her as an active partner in your family, and as a valuable person with rights. Take the time to ask your child what he/she has learned recently regarding children's rights. Discuss the concepts learned in class, and try to think of examples from your own experiences, or from the media, of rights being respected or denied. Discuss how your child or your family can promote respect for rights, or help those whose rights have been violated.

Ask your child's opinion on children's rights, and offer to help your child with any homework activities or other projects being carried out at school. We encourage you to take an active part in your child's education. If possible, attend your child's class in order to teach your favorite games, to talk about your family background, type, or lifestyle, or even to explain your job to the students. As with most things, the learning of rights, respect, and responsibility begins at home. Children often learn what they see and hear. By becoming involved in your child's learning and showing an interest in who he/she is and what he/she is doing, you help your child to learn the importance of giving and sharing with others.

At the end of this handbook are a few suggested activities you can use to build on what the child is learning about rights at school.

## Common Questions About The Convention and Parenting

### Does the Convention undermine parental authority?

The Convention upholds the primary importance of the parent's role and refers to it repeatedly throughout the document. It says that the government must respect the responsibility of parents for providing appropriate guidance for their children, including guidance as to how children shall exercise their rights. Further, the Convention places on governments the responsibility to protect and assist families in fulfilling their essential role as the nurturers of children. Specifically, the Convention supports:

- Parents/caregivers in raising their children, consistent with the evolving capacities of the child. (Article 5)
- The recognition that the child has the right to preservation of identity, including nationality, name and family relations. (Article 8.1)
- The recognition that children have the right to know and, when possible, to be cared for by their parents. (Article 7.1)
- The recognition that parents have the right to guide the religious development of their children. (Article 14)
- The recognition that both parents have the common responsibility of raising their children. (Article 18)

### Can children still be expected to help their parents with chores?

The Convention protects children from economic exploitation and from work that is hazardous to their health or interferes with their education. It does not regulate the day-to-day details of home life, and therefore there is nothing in the Convention which prohibits parents from expecting that their children clean their rooms and help out at home in ways which are safe and appropriate to their age. In fact age-appropriate chores may be helpful in the development of prosocial and cooperative behavior and in improving cognitive skills and strategies such as problem solving and decision-making. At times children's help is desired in running a family farm or business. The Convention requires that the chores children do be safe and suited to the individual child's level of development.

Children's work should not jeopardize any of the other rights provided for in the Convention, including the right to education, rest, leisure, play and recreation. Children should be given a voice in what chores they do. Parents or guardians should determine which chores the child could be responsible for and then allow the child to select from among them. It is important to remember that by giving your children choices, they gain experience in making age-appropriate decisions, and learn more about the decision-making process and about responsibility.

## **What does the Convention say about the ways parents discipline their children?**

The Convention makes it clear that children should be protected from all forms of mental and physical violence. Thus, spanking, shouting, threatening, or humiliating the child are inappropriate. They also are ineffective in teaching a child how to behave. The Convention does not specify which discipline strategies parents can or should use, but it strongly supports parents providing guidance and direction to their children in non-violent ways which are appropriate to the child's developmental level and take the child's best interests into consideration. Discipline is an important part of childrearing, but should be a means of teaching the child desired behaviors rather than punishment. The following approaches are consistent with the Convention and generally work well:

- Set boundaries, routines, and rules. Children need to know what is expected of them. Having clear expectations also makes it easier to reward the child for good behavior and let them learn what behaviors you don't like.
- Give your child choices rather than commands. For example, would you like to brush your teeth before you get your pajamas on or after? This empowers children and avoids a power struggle.
- Ignore unwanted behaviors and reward wanted behaviors. Children sometimes misbehave to get attention. Ignore misbehaviors unless someone is getting hurt. Give your child attention for good behaviors and you encourage your child to repeat them. When you need to respond to misbehavior use time-out or take away a privilege.
- Criticize the behavior, not the child. Explain what you don't like about the behavior and why you don't like it. Avoid criticizing the child. For example, 'When you leave your coat on the floor it gets dirty and I am afraid someone will trip on it and fall?', rather than 'you are such a messy kid.'
- Have a family meeting. Explain the issues and let everyone discuss the problems together to reach mutually satisfactory solutions to conflicts.

## **What if a child is abused?**

There are many types of child abuse including neglect, emotional abuse, physical abuse, sexual abuse and maltreatment. Should your child, or any child, come to you and tell you of a personal experience of abuse, talk to the child in private and be sure to listen attentively. Remain calm and do not overreact. Reinforce to the child that what happened was not his/her fault and that he/she is not to blame, but that it is the abuser who has done something wrong. Reassure the child that you believe what he/she is telling you and that you will do something to help. Do not ask a lot of questions; leave them for people trained to do this. Call someone for assistance immediately, such as the police or the Children's Aid Society. Remember that under Canadian law, all suspected cases of child abuse must be reported.

## **What does the Convention say about parental separation or divorce?**

The Convention does not specifically address divorce, however a number of articles are relevant. Children have the right to participate and be heard in legal proceedings that affect them (Article 12), so they should have their views heard in custody and access decisions. Children have the right to maintain contact with both parents on a regular basis unless it is obviously not in the child's best interests (Articles 3 and 9). Children, then, should not be denied access to a parent except where there is clear evidence that the parent is abusive.

## How can parents provide for their children's rights?

**Ensure your child's basic health.** Establish healthy eating and sleeping and exercise habits. It is very important that children have a nutritious breakfast before going to school, and that healthy behaviors are modeled at home. For example, if parents drink or smoke, chances are children will also.

**Pay attention to your own behavior and attitudes.** Children model their own behavior and attitudes after their parents'. Parents can't expect their children to develop positive behaviors or a healthy attitude about themselves unless they see these in their parents. **Praise your children.** Children need praise. There is no such thing as too much! Don't

wait for something exceptional to provide praise. Praising an everyday event like getting ready for school on time is enough. What is important is that parents focus on the positive things their children do instead of on the negatives. Frequent criticism tends to lead to low self-esteem.

**Show your children lots of love and affection.** Children need to be shown love and affection through both words and physical actions. Parents should tell their children that they love them and think they are special. Make sure your children know you love them unconditionally ? regardless of the mistakes they make.

**Treat your children with respect.** Parents should treat their children with the same amount of respect that they would show to a friend or a stranger. One important way parents can show respect to their children is to watch what they say to them. Calling children names and/or belittling them can have a negative effect on their self-esteem. It is also very important to listen to your child. Allow your child to explain his or her understanding of situations, what happened in quarrels, bad days at school and so forth.

**Don't let your children criticize themselves.** Children should not be allowed to call themselves dumb because of a bad grade on a test. Rather, parents should point out to the child that it is not the child that is inadequate, but the problem is a result of some action that the child has or has not taken. If parents don't intervene when their children are being self-critical, children may believe that their parents agree with them.

**Spend time with your children.** Parents should set aside "special time" each day to spend with their children. Parents should give each individual child their own separate, undivided attention. This time can be spent doing some activity of the child's choosing. This time should be fun and stress free for both parent and child. Special times as short as 15 minutes per day will still send children the message that they are important.

**Involve children in decision-making.**

Decision-making is an important skill for children to have. Parents can encourage decision making by giving their children options and asking them to choose one. As children get older, they will be able to handle more choices, and should make more decisions on their own. Children should be encouraged to express their thoughts and have those thoughts taken seriously in all decision-making that affects them.

**Encourage your children's interests and abilities.** Parents should encourage their children to get involved in activities in which they are interested. Encouragement from parents lets children know that their parents think they're capable and competent.

## Suggested Activities to Support Learning About Rights

**The Word Game.** This activity is a good one to stimulate a discussion on thoughts, feelings and relevant issues. Prepare pieces of paper with one word printed on each such as: fun, hate, lonely, love, friendship, happy, etc. Each member of the family takes turns picking a paper and discussing what that feeling/word means to him/her. The paper then goes back into the pile so that others have a chance to pick it and say what that word means to them. (A variation of this activity would be to have each member discuss the meaning of each word as it is picked.)

**Name That Strength.** This activity is beneficial in enhancing self-concept. Each member of the family makes a list of the other members' personality strengths. Then each member takes a turn discussing the strengths of the others.

**Art Projects.** The use of art is a creative way of communicating ones feelings to others. The following art activities can serve as bridges to family discussions. They can provide enjoyable means by which family members may be brought closer together through the sharing of thoughts, feelings and ideas using an artistic medium.

And don't worry about your degree of artistic ability; just relax, have fun, and go with the flow! **Dreams.** Each family member draws a dream for the future, that is, a future dream or aspiration, and then discusses it with the other family members. In doing this, family members get to share their dreams and learn about the dreams and hopes of the others in the family, which may sometimes be quite surprising and interesting!

**Group Picture.** Family members all gather around a large piece of paper ( 3' X 6' ) and draw themselves and the others in the family doing their favorite activities. Then they each explain their pictures. This activity can help family members to see how the others view them, and what the other family members think they like. Our impressions of others' likes and dislikes may sometimes be quite erroneous and it is fun to see how closely our impressions match with reality!

**Joint Mural.** On a 3' X 6' piece of paper family members create a joint mural. As a group the family members must first decide what they want to do, and then they work on the mural together. When completed, family members discuss the mural and their experiences in drawing it. This is a good activity to get all family members to work together as a team sharing ideas, materials, skills, and most importantly, their time.