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The Rights of the Child: A Classification Plan

A Guide to the Compilation and Review
of Laws Affecting the Rights of the Child
in each Country in Observance of
THE INTERNATIONAL YEAR OF THE CHILD

By Morris L. Cohen
Luke T. Lee
Jan Stepan

International Advisory Committee on Population and Law



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- 1/ *Population and Law*. Luke T. Lee and Arthur Larson (eds.) (Leyden: A. W. Sijthoff; Durham, North Carolina: Rule of Law Press, 1971).
- 2/ *International Migration Law*. Richard O. Plender (Leyden: A. W. Sijthoff, 1972).
- 3/ *Population in the United Nations System: Developing the Legal Capacity and Programs of UN Agencies*. Daniel G. Partan (Leyden: A. W. Sijthoff; Durham, North Carolina: Rule of Law Press, 1973).
- 4/ *World Population Crisis: The United States Response*. Phyllis T. Piotrow (New York: Praeger, 1973).
- 5/ *Human Rights and Population: From the Perspectives of Law, Policy and Organization* (Medford, Massachusetts: Law and Population Programme, 1973).
- 6/ *The Abortion Experience*. Howard J. Osotsky and Joy D. Osotsky (eds.) (New York: Harper & Row, 1973).
- 7/ *The United Nations and Population: Major Resolutions and Instruments* (New York: United Nations Fund for Population Activities, 1974). (Also in French and Spanish)
- 8/ *Le Droit et la Croissance de la Population en Roumanie*. Ioan Ceterchi, Victor D. Zlatescu, Ioan M. Copil, and Petre Anca, (Bucarest: Commission Nationale de Demographie de la Republique Socialiste de Roumaine, 1974). (Also in English)
- 9/ *Law and Population in the Philippines* (Medford, Massachusetts: Law and Population Programme, 1974).
- 10/ *La Ley y la Poblacion en Colombia*. Oscar Lopez Pulecio (Medford, Massachusetts: Law and Population Programme, 1975).
- 11/ *Symposium on Law and Population: Proceedings, Background Papers and Recommendations* (New York: United Nations Fund for Population Activities, 1975). (Also in French)
- 12/ *Law and Population Change in Africa: Proceedings of the Regional Workshop on the Teaching of Population Dynamics in Law Schools in Africa*. (Nairobi, Kenya, 1976).
- 13/ *Seminaire Regional Sur Le Droit Et Les Problems Demographiques Dans Les Pays D'Afrique Francophone*. (Lome, Togo: Le Projet Droit Et Population, 1977).
- 14/ *Proceedings of the Regional Seminar on Law and Population for South and South-east Asia* (Djakarta, Indonesia, 1976).
- 15/ *Law and Population* (New York: United Nations Fund for Population Activities, 1976).
- 16/ *Survey of Contraceptive Laws: Country Profiles, Checklists and Summaries* (New York: United Nations Fund for Population Activities, 1976).
- 17/ *Readings on Population for Law Students* (Paris: UNESCO, 1977). (Also in French and Spanish)
- 18/ *Law and the Status of Woman* (New York: United Nations, 1977).
- 19/ *Status of Women in Latin America: Law and Custom*. Carmen Rodriguez de Munoz and Elsa Roca de Salonen (Medford, Massachusetts: Law and Population Programme, 1977). (Also in Spanish)
- 20/ *Annual Review of Population Law, 1976*. International Advisory Committee on Population and Law (Medford, Massachusetts: Law and Population Programme, 1977).
- 21/ *Human Rights Aspects of Population Programmes* (Paris: UNESCO, 1977).
- 22/ *Legal Aspects of the World Population Problem*. International Advisory Committee on Population and Law (Medford, Massachusetts: Law and Population Programme, 1978).

Law and Population Monograph Series

- 1/ *Law and Family Planning*, by Luke T. Lee (1971). (Also in French and Spanish)
- 2/ *Brief Survey of U.S. Population Law*, by Harriet F. Pilpel (1971).
- 3/ *Law and Population Growth in Eastern Europe*, by Peter B. Maggs (1972). (Revised edition, 1977)
- 4/ *Legal Aspects of Family Planning in Indonesia*, by the Committee on Legal Aspects of the Indonesian Planned Parenthood Association (1972).
- 5/ *Law and Population Classification Plan*, by Morris L. Cohen (1972).
- 6/ *Law, Human Rights and Population: A Strategy for Action*, by Luke T. Lee (1972). (Also in French and Spanish)
- 7/ *Population in the UN System: Developing the Legal Capacity and Programs of UN Agencies*, by Daniel G. Partan (a summary of a book, see item 3 above.) (1972).

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**THE RIGHTS OF THE CHILD:
A CLASSIFICATION PLAN**

**By Morris L. Cohen
Luke T. Lee
Jan Stepan**

**A Guide to
the Compilation and Review
of Laws Affecting
the Rights of the Child
in each Country
in Observance of
THE INTERNATIONAL YEAR OF THE CHILD**

INTERNATIONAL ADVISORY COMMITTEE ON POPULATION AND LAW

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FOREWARD

It is with pleasure that I congratulate Professor Luke T. Lee of the Fletcher School of Law and Diplomacy, Tufts University, and Professor Morris L. Cohen and Dr. Jan Stepan of the Harvard Law School for putting together this Classification Plan on The Rights of the Child, intended as a guide for the use of countries wishing to review their laws for children. Since this guide was prepared in special observance of the International Year of the Child, it is our cherished hope that national efforts in observance of IYC will serve to bring the child back into the center of world attention.

The General Assembly of the United Nations has proclaimed the year 1979 as the International Year of the Child and designated the United Nations Children's Fund as the lead agency of the United Nations system, responsible for coordinating the activities of the Year. It is significant that 1979 will mark the twentieth anniversary of the United Nations Declaration of the Rights of the Child.

We in the IYC Secretariat welcome the timely publication of this Classification Plan as we move towards the International Year of the Child.

Estefania Aldaba-Lim

Special Representative for the
International Year of the Child

INTRODUCTION

The General Assembly,

. . . .

Urges governments to expand their efforts at the national and community levels to provide lasting improvements in the well-being of their children. . . .¹

This central theme of General Assembly resolution 31/169 proclaiming the year 1979 the International Year of the Child (IYC) follows logically upon the World Population Year (WPY) and the International Women's Year (IWY). All the rhetoric and solemn proclamations about the rights of men and women will come to naught, after all, if the basic rights of the child--including the rights to education, health, job opportunity, food and housing--cannot be secured. It is plain that just as a weak foundation will not support a strong superstructure, so an illiterate, undernourished, sick, and psychologically insecure child cannot mature into an adult who enjoys the state of well-being to which the WPY and IWY aspire.²

The objectives of IYC in providing "lasting improvements" in the well-being of the child are complementary to those of UNICEF. That organization was born out of the ashes of World War II, which saw the destruction and starvation of millions of innocent children; its very symbol, "UNICEF" --United Nations International Children's Emergency Fund--denotes a post-war, emergency need for the "rehabilitation" of "children and adolescents of countries which were victims of aggression."³ Such rehabilitative activities, are by definition, responsive to existing emergency situations rather than directed toward long term solutions. Although the General Assembly changed the name of the organization to the "United Nations Children's Fund" in 1953,⁴ the "emergency" and "charitable" role endures in the emphasis on the "relief" nature of the work, characterized by a donor-recipient relationship between developed and developing countries. The organization's retention of the symbol "UNICEF" is not entirely coincidental.

UNICEF's provision of food, clothing, medicine and other supplies to starving, sick and impoverished children has alleviated misery as well as provided time and experience for the search for long-term solutions. In the long run, there can be no substitute for self-help by each government if the well-being of the child is to have "lasting improvements." Hence, the International Year of the Child. Hence also this Classification Plan, designed to help those governments committed to the "lasting improvements" of the well-being of the child compile and review their own laws in the

light of the United Nations Declaration on the Rights of the Child and other human rights instruments.⁵

This emphasis on the legal approach is predicated on the fact that law and policy belong, in essence, to the same continuum.⁶ As broad policy options are narrowed to a specific policy choice, the decision to adopt a policy must be reflected in the law--law to refine, coordinate, finance and implement the determined policy. Absent such law, a policy will remain ineffectual.

The importance of this legal approach was recognized by the World Population Plan for Action adopted by the World Population Conference in Bucharest in 1974, which specifically accords "high priority" to the "review and analysis of national and international law which bears directly or indirectly on population factors."⁷ Among the laws singled out for special mention as needing periodic reviews are the laws concerning "the rights of the child."⁸

In addition to suggesting the various types of law which affect the rights of the child, this Classification Plan also provides, through its key number system, a standard form for compiling and reporting intended to facilitate comparability of laws among nations. Such comparability would in turn make it easier for some central authority (UNICEF itself, it is hoped) eventually to publish a Legislative Series on the Rights of the Child.

It should be stressed that not all laws affecting the rights of the child are included in this Plan. Some states may wish, for example, to add to their education laws certain instructional requirements, such as the cultivation of a "spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood," as called for by the United Nations Declaration on the Rights of the Child.⁹

The International Advisory Committee on Population and Law's concern for the rights of the child is due, at least in part, to the fact that children make up approximately one-half of the world's population. Indeed, in the developing world, the majority of the people in all regions except East Asia are less than 20 years of age.¹⁰

As was the case with the Law and Development Classification Plan¹¹ and with the Classification Plan for Laws Regulating and Influencing the Vital Registration System,¹² the present Plan is a joint undertaking of Professor Morris L. Cohen and Dr. Jan Stepan, both of Harvard Law School, and myself.

Grateful acknowledgements are due to Dr. Estefania Aldaba-Lim, Special Representative for the International Year of the Child, who strongly supported the use of law as an instrument to safeguard the Rights of the Child, and kindly wrote the Foreword for this Classification Plan. We are indebted also to Mrs. Helvi Sipila, Assistant Secretary General for Social

Development and Humanitarian Affairs, for her encouragement and guidance in this undertaking--as a logical follow-up activity to the International Women's Year, of which she was Secretary General. The Classification Plan has benefited from the helpful comments of the following: Ms. D. Adjemovitch, Technical Officer, IYC Secretariat; Mr. Donald C. Bross of the University of Colorado Medical Center; Ms. Helen L. Bottenwieser, Attorney at Law, New York; Professor Ruth-Arlene Howe of the Boston College Law School; Ms. Kate Katzki, Secretary-General of the International Council on Social Welfare; Dr. David Kline of the Harvard University Graduate School of Education; Mr. G.A. Kouassigan, Technical Officer, IYC Secretariat, Geneva; Mr. Edward B. Marks, Associate Director, IYC Secretariat; Ms. María E. Vargas Solerax of the Interamerican Institute for the Child; Dr. Robert L. Sprague, Director, Institute for Child Behavior and Development, University of Illinois at Urbana-Champaign; Mr. Hans Thoolen, Executive Secretary, International Commission of Jurists; Ms. Alice E. Weil, Senior Legal Officer, General Legal Division, Office of Legal Affairs, United Nations; and Mr. Steven Zieff of the International Commission of Jurists. The final responsibility for the Plan rests, however, with the co-compilers.

Luke T. Lee
Executive Secretary
International Advisory Committee
on Population and Law

November 1977

FOOTNOTES

- 1
General Assembly resolution 31/169. Text reproduced in Appendix A below.
- 2
UNESCO, Readings on Population for Law Students (Paris, 1977), p. 79.
- 3
See General Assembly resolution on the Establishment of an International Children's Emergency Fund: 57 (I), adopted unanimously 11 December 1946.
- 4
See General Assembly resolution on the United Nations Children's Fund (UNICEF): 802 (VIII), adopted unanimously 6 October 1953.
- 5
Principally the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights. For texts of these and other instruments, see UNFPA, The United Nations and Population: Major Resolutions and Instruments (New York, 1974) and its French and Spanish editions published in 1976.
- 6
UNFPA, Law and Population (Population Profiles No. 2; New York 1976), p. 4.
- 7
U.N., Report of the United Nations World Population Conference, 1974 (Bucharest, 19-30 August 1974; New York, 1975), para. 78 (h).
- 8
Para. 39 (c).
- 9
Proclaimed and adopted unanimously by the General Assembly of the United Nations on 20 November 1959 in resolution 1386 XIV, Principle 10. Text in Appendix 3 below.
- 10
UNESCO, supra note 2, at 79.

11

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Law and Population Monograph Series No. 44 (1977).

CLASSIFICATION PLAN FOR LAWS AFFECTING THE RIGHTS OF THE CHILD

100 Definition of "Child"

- 110 By age
 - 120 Civil majority
 - 122 Criminal responsibility
 - 124 Marriage age
 - 126 Military service
 - 128 Labour age
 - 130 Others: See also ages for alcoholic beverages, driver's license, entertainment, and voting, where relevant
- 150 By status or emancipation (e.g., marriage, military service)

200 Non-Discrimination

- 210 Sex
- 220 Race, colour and caste
- 230 Handicaps
 - 232 Physical
 - 234 Mental
 - 236 Social
- 240 Language
- 250 Religion
- 260 Political or other opinion
- 270 National or social origin
- 280 Property
- 290 Birth status
- 295 Marital status

300 Name, Nationality and Registration

310 Name

320 Citizenship

324 Jus solis

326 Jus sanguinis

328 Naturalization

330 Immigration and emigration

332 Passports

334 Visas

340 Residency (father's, mother's, guardian's)

342 No fixed residency (nomads, floating population,
gypsies, etc.)

350 Membership in ethnic or religious groups

360 Vital registration

400 Family Relations

410 Impact of dissolution of marriage or parental disagreement

415 Right not to be separated from family or either parent

420 Custody and visitation rights

430 Legal status in relation to marriage of parents

435 Determination of paternity

440 Parents' obligations and rights

442 Physical care and upbringing (see also Neglect and
Cruelty, Section 710 below)

444 Support or maintenance

445 Administration of child's property

446 Representation of the child

448 Choice of child's occupation

- 450 Right to inheritance
- 460 State supervision of parental obligations
 - 465 Abolishing or restricting parental rights; removal of child from parents
- 470 Guardianship
 - 472 Orphans
 - 474 Incapacity of parents
- 480 Adoption; foster care
- 490 Family counselling; parents' education
- 495 Family planning services

500 Protection of Child's Health

- 505 Pre-natal care of mother
- 510 Nutrition
- 515 Prevention of diseases; immunization
- 520 Safety of products
- 525 Health care (physical as well as mental)
 - 527 Free health services and hospitalization
 - 529 Parental consent for medical procedures
- 530 Recreation: sports
- 540 Alcohol and tobacco; drug abuse

550 Child's Welfare

- 555 State role in general: moral and material security
- 560 Care facilities
 - 562 Day-care centers
 - 564 Orphanages
- 570 Housing

580 Social benefits related to children; child allowances

590 Taxation

600 Property and Economic Rights

605 Contracts and sales

610 Banks and checking accounts

615 Personal property

620 Real property

625 Others

630 Education

635 Right to education

636 Compulsory education

637 Free education

638 Access to special or private schools

640 Parents' rights related to education of children

645 Freedom of choice of language

650 Teaching subjects and curricula

655 Population, family and sex education

660 Institutional discipline (corporal punishment, suspension, etc.)

665 Religious control of schools

670 Labour

675 Age restrictions

680 Conditions of work

682 Minimum wage

685 Restrictions as to the kind of work; working time

690 Conditions of work of pregnant women and mothers

695 Vocational training

700 Special Aspects of Protection of Children

710 Neglect and cruelty

720 Homeless children

730 Traffic in children

740 Prostitution

745 Statutory rape or age of consent

750 Using children for entertainment purposes

755 Protection against violence and obscenity spread in the media, shows and literature

760 Protection of privacy

765 Organizations for protection of and aid to children

770 Children ombudsman ("protector")

780 Protection during war and violence

790 International agreements relating to protection of children

800 Children in Judicial and Administrative Procedures

810 National versus local jurisdiction

820 Child as a witness

824 In family litigations

828 On sexual matters

830 Right to counsel

840 Representation of child's interest in proceedings

850 Standing in courts--to sue and be sued

860 Cooperation with experts on child's psychology, psychiatry and pedagogy

870 Conflict of laws issues

900 Juvenile Delinquency

- 910 Prevention of delinquency
- 920 Treatment of delinquents prior to the age of responsibility
- 930 Special regulation of penal responsibility of juveniles
 - 934 Punishments
 - 938 Rehabilitative treatment other than punishment
- 940 Juvenile courts and procedure
- 950 Restrictions on reporting; record-keeping of juvenile offenses

APPENDIX A

Resolution adopted by the General Assembly

Resolution 31/169

International Year of the Child

The General Assembly,

Having considered the report of the Secretary General on measures and modalities to ensure the adequate preparation, support and financing of an International Year of the Child, 1/ Economic and Social Council decision 178 (LXI) of 5 August, 1976 on an international year of the child and the additional report of the Secretary General 2/ prepared in the light of the discussions in the Economic and Social Council,

Recognizing the fundamental importance in all countries, developing and industrialized, of programmes benefiting children not only for the well-being of the children, but also as part of broader efforts to accelerate economic and social progress,

Recalling in this connection its resolution 2626 (XXV) of 24 October, 1970 containing the International Development Strategy for the Second United Nations Development Decade, 3201 (S-VI) and 3202 (S-VI) of 1 May, 1974 containing the Declaration and the Programme of Action on the Establishment of a New International Economic Order, and 3362 (S-VII) of 16 September, 1975 on development and international economic cooperation,

Deeply concerned that, in spite of all efforts, far too many children, especially in developing countries, are undernourished, are without access to adequate health services, are missing the basic educational preparation for their future and are deprived of the elementary amenities of life,

Convinced that an international year of the child could serve to encourage all countries to review their programmes for the promotion of the well-being of children and to mobilize support for national and local action programmes according to each country's conditions, needs and priorities,

Affirming that the concept of basic services for children is a vital component of social and economic development and that it should be supported and implemented by the cooperative efforts of the international and national communities,

Bearing in mind that the year 1979 will be the twentieth anniversary of the Declaration of the Rights of the Child 3/ and could serve as an

occasion to promote further its implementation,

Aware that, for an international year of the child to be effective, adequate preparation and the widespread support of governments, non-governmental organizations and the public will be required,

Believing that administrative costs for the year should be kept to the minimum necessary,

Taking note of the statement made by the Executive Director of the United Nations Children's Fund at its 60th meeting of the Second Committee, 4/

1. Proclaims the year 1979 International Year of the Child;
2. Decides that the International Year of the Child should have the following general objectives;
 - (a) To provide a framework for advocacy on behalf of children and for enhancing the awareness of the special needs of children on the part of decision-makers and the public;
 - (b) To promote recognition of the fact that programmes for children should be an integral part of economic and social development plans, with a view to achieving, in both the long-term and the short-term, sustained activities for the benefit of children at the national and international levels;
3. Urges governments to expand their efforts at the national and community levels to provide lasting improvements in the well-being of their children, with special attention to those in the most vulnerable and particularly disadvantaged groups;
4. Calls upon the appropriate organs and organizations of the United Nations system to contribute to the preparation and implementation of the objectives of the International Year of the Child;
5. Designates the United Nations Children's Fund as the lead agency of the United Nations system responsible for coordinating the activities of the International Year of the Child and the Executive Director of the Fund to be responsible for its coordination;
6. Invites non-governmental organizations and the public to participate actively in the International Year of the Child and to coordinate their programmes for the Year as fully as possible, especially at the national level;
7. Appeals to governments to make contributions or pledges for the International Year of the Child through the United Nations Children's Fund

to ensure the adequate financing of activities for the preparation and carrying out of the Year;

8. Expresses the hope that governments, non-governmental organizations and the public will respond generously with contributions to attain the objectives of the International Year of the Child and, through the United Nations Children's Fund and other channels of external aid, to increase substantially the resources available for services benefiting children;
9. Requests the Executive Director of the United Nations Children's Fund to report to the General Assembly at its thirty-second session, through the Economic and Social Council at its sixty-third session, on progress in preparing for the International Year of the Child, including its financing and the level of contributions pledged.

1/ E/5844

2/ A/31/323

3/ General Assembly resolution 1386 (XIV)

4/ See A/C.2/31/SR.60.



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1975 session

INTERNATIONAL YEAR OF THE CHILD

Statement by Professor Luke T. Lee, International Advisory Committee
on Population and Law to the UNICEF Executive Board meeting
28 May 1975

Thank you, Mr. Chairman, for giving me the opportunity to speak as Executive Secretary of an NGO accredited to both the Economic and Social Council and UNICEF, the International Advisory Committee on Population and Law. Our concern, as the name implies, is to explore ways and means to maximize the well-being of each individual--man, woman and the child through review and reform of law of each country. By law we mean not only formal law but also customary law. And since children in many countries constitute the majority of the population, you can understand our active interest in UNICEF's work.

Basically, what we do is to focus on the rights of the child as an individual human being itself--not merely as an appendage of its parents. Too often we view children from the viewpoints of the need and convenience of their parents--as sources of comfort for the parents, as an additional labour force for the family, and an old-age security in retirement.

Forgotten are the rights of the child--to be born wanted--wanted in the sense that the parents indeed want the child to be born, and not just by accident; wanted in the sense that the society wants the child to be born as evidenced by the availability of adequate health care, food, housing, education and job opportunities which the society can provide to each and every child; and above all, wantedness in the sense that the child, if it had the choice, would have wanted to be born, especially if neither the parents nor the society really wants it.

Human rights, as defined by Sir Humphrey Waldock, presently a judge in the International Court of Justice are "rights which attach to all human beings equally, I repeat, equally whether men, women or children,

whatever their nationality." This being the International Women's Year, in which the women's rights are being systematically reviewed against the various human rights instruments and conventions, it is only logical that after the World Population Year, and International Women's Year there should be an International Year of the Child. I therefore support fully what Canon Moerman stated at the beginning of the session.

I concur wholeheartedly with Mr. Labouisse's insistence that there should be specific objectives for the Year if such a Year is to be designated, in addition to what Canon Moerman had already mentioned as concrete objectives. From our organization's viewpoint we would like to have the following three projects undertaken in connexion with the International Year of the Child:

(a) First, the compilation and analysis of laws governing the rights of the child as measured against the standards of the 1959 United Nations Declaration of the Rights of the Child and other human rights instruments. This would be in accord with the World Population Plan of Action, paragraphs 78 (g) and (h) and paragraphs 28 and 29 of the draft World Plan of Action, for the International Women's Year;

(b) Second, the organization of three symposia: one on health and nutrition with the possible collaboration of the World Health Organization (WHO) and the Food and Agriculture Organization (FAO), another on education and training with the possible assistance of the International Children's Centre (ICC) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the last on Human Rights of the Child to involve legislators, lawyers, policy makers along the lines of the United Nations symposium on Population and Human Rights held in Amsterdam, in January 1974, and the United Nations Fund for Population Activities/ United Nations symposium in law and population held in Tunis, in June 1974; and

(c) Third, publication of (a) and (b) as well as a publication on the United Nations and the Child: Principal Resolutions and Instruments and one on Children within the United Nations System.

Finally, I should stress that these projects ought to be undertaken in their own rights, irrespective of the existence of an International Year of the Child. However, from past experience, we are convinced that by tying these projects to the Year, they will galvanize more action and support from Governments, non-governmental organizations as well as international organizations toward the fulfilment of the objectives for which UNICEF was founded.

APPENDIX C

DECLARATION OF THE RIGHTS OF THE CHILD

Proclaimed by the General Assembly of the United Nations on 20
November 1959 (General Assembly resolution 1386 XIV)

Preamble

Whereas the peoples of the United Nations have, in the Charter, re-affirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

Whereas the United Nations has, in the Universal Declaration of Human Rights, proclaimed that everyone is entitled to all the rights and freedoms set forth therein, 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,

Whereas the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth,

Whereas the need for such special safeguards has been stated in the Geneva Declaration of the Rights of the Child of 1924, and recognized in the Universal Declaration of Human Rights and in the statutes of specialized agencies and international organizations concerned with the welfare of children,

Whereas mankind owes to the child the best it has to give,

Now therefore,

The General Assembly

Proclaims this Declaration of the Rights of the Child to the end that he may have a happy childhood and enjoy for his own good and for the good of society the rights and freedoms herein set forth, and calls upon parents, upon men and women as individuals, and upon voluntary organizations, local authorities and national Governments to recognize these rights and strive for their observance by legislative and other measures progressively taken in accordance with the following principles:

Principle 1

The child shall enjoy all the rights set forth in this Declaration. Every child, without any exception whatsoever, shall be entitled to these rights, without distinction or discrimination on account of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, whether of himself or of his family.

Principle 2

The child shall enjoy special protection, and shall be given opportunities and facilities, by law and by other means, to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of laws for this purpose, the best interests of the child shall be the paramount consideration.

Principle 3

The child shall be entitled from his birth to a name and a nationality.

Principle 4

The child shall enjoy the benefits of social security. He shall be entitled to grow and develop in health; to this end, special care and protection shall be provided both to him and to his mother, including adequate pre-natal and post-natal care. The child shall have the right to adequate nutrition, housing, recreation and medical services.

Principle 5

The child who is physically, mentally or socially handicapped shall be given the special treatment, education and care required by his particular condition.

Principle 6

The child, for the full and harmonious development of his personality, needs love and understanding. He shall, wherever possible, grow up in the care under the responsibility of his parents, and, in any case, in an atmosphere of affection and of moral and material security; a child of tender years shall not, save in exceptional circumstances, be separated from his mother. Society and the public authorities shall have the duty to extend particular care to children without a family and to those without adequate means of support. Payment of State and other assistance towards the maintenance of children of large families is desirable.

Principle 7

The child is entitled to receive education, which shall be free and compulsory, at least in the elementary stages. He shall be given an education which will promote his general culture, and enable him, on a basis of equal opportunity, to develop his abilities, his individual judgement, and his sense of moral and social responsibility, and to become a useful member of society.

The best interests of the child shall be the guiding principle of those responsible for his education and guidance; that responsibility lies

in the first place with his parents.

The child shall have full opportunity for play and recreation, which should be directed to the same purposes as education; society and the public authorities shall endeavour to promote the enjoyment of this right.

Principle 8

The child shall in all circumstances be among the first to receive protection and relief.

Principle 9

The child shall be protected against all forms of neglect, cruelty and exploitation. He shall not be the subject of traffic, in any form.

The child shall not be admitted to employment before an appropriate minimum age; he shall in no case be caused or permitted to engage in any occupation or employment which would prejudice his health or education, or interfere with his physical, mental or moral development.

Principle 10

The child shall be protected from practices which may foster racial, religious and any other form of discrimination. He shall be brought up in a spirit of understanding, tolerance, friendship among peoples, peace and universal brotherhood, and in full consciousness that his energy and talents should be devoted to the service of his fellow men.

- 8/ *The World's Laws on Voluntary Sterilization For Family Planning Purposes*, by Jan Stepan and Edmund H. Kellogg (1973).
- 9/ *Law and Population Growth in Singapore*, by Peter Hall (1973).
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- 15/ *Anti-Contraception Laws in Sub-Saharan Francophone Africa: Sources and Ramifications*, by Bernard Wolf (1973). (Also in French)
- 16/ *International Status of Abortion Legalization*, by Luke T. Lee (1973).
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- 24/ *The Impact of Law on Family Planning in Australia*, by H. A. Finlay (1975).
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- 29/ *Law and Population in Lebanon*, by George M. Dib (1975).
- 30/ *Annual Review of Population Law, 1974*, International Advisory Committee on Population and Law (1975).
- 31/ *Law and Population Growth in Chile*, by José Sulbrandt and Maria Alicia Ferrera (1975). (Also in Spanish)
- 32/ *Law and the Status of Colombian Women*, by Josefina Amezcua de Almeyda (1975) (Also in Spanish)
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- 35/ *Law and Population Growth in Ethiopia*, by Daniel Haile and Erku Yimer (1976).
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