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HUMAN RIGHTS



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# Convention on the Rights of the Child

Adopted by the General Assembly of the United Nations  
on 20 November 1989

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*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
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# CONVENTION ON THE RIGHTS OF THE CHILD

## PREAMBLE

The States Parties to the present Convention,

*Considering* that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

*Bearing in mind* that the peoples of the United Nations have, in the Charter, reaffirmed 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,

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

*Recalling* that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

*Convinced* that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

*Recognizing* that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

*Considering* that the child should be fully prepared to live an individual life in society, and 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,

*Bearing in mind* that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the General Assembly on 20 November 1959 and recognized in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural Rights<sup>1</sup> (in particular in article 10) and in the statutes and relevant instruments of specialized agencies and international organizations concerned with the welfare of children,

*Bearing in mind* that, as indicated in the Declaration of the Rights of the Child, "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",

*Recalling* the provisions of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict,

*Recognizing* that, in all countries in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration,

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<sup>1</sup>Treaty Series No. 6 (1977), Cmd. 6702.

*Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child,*

*Recognizing the importance of international co-operation for improving the living conditions of children in every country, in particular in the developing countries,*

*Have agreed as follows:*

## PART I

### ARTICLE 1

For the purposes of the present Convention, a child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier.

### ARTICLE 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

### ARTICLE 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.
2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.
3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

### ARTICLE 4

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

### ARTICLE 5

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

### ARTICLE 6

1. States Parties recognize that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

#### ARTICLE 7

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.
2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

#### ARTICLE 8

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.
2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to speedily re-establishing his or her identity.

#### ARTICLE 9

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.
2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.
3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.
4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being of the child. States Parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.

#### ARTICLE 10

1. In accordance with the obligation of States Parties under article 9, paragraph 1, applications by a child or his or her parents to enter or leave a State Party for the purposes of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. States Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.
2. A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances personal relations and direct contacts with both parents. Towards that end and in accordance with the obligation of States Parties under article 9, paragraph 1, States Parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country. The right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect the national security, public order (*ordre public*), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

#### ARTICLE 11

1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.
2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.

#### ARTICLE 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

#### ARTICLE 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.
2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
  - (a) For respect of the rights or reputations of others; or
  - (b) For the protection of national security or of public order (*ordre public*), or of public health or morals.

#### ARTICLE 14

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.
2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.
3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

#### ARTICLE 15

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.
2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others.

#### ARTICLE 16

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.
2. The child has the right to the protection of the law against such interference or attacks.

## ARTICLE 17

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health. To this end, States Parties shall:

- (a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;
- (b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;
- (c) Encourage the production and dissemination of children's books;
- (d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;
- (e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

## ARTICLE 18

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.

2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.

3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.

## ARTICLE 19

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

## ARTICLE 20

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.

2. States Parties shall in accordance with their national laws ensure alternative care for such a child.

3. Such care could include, *inter alia*, foster placement, *kafalah* of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

#### ARTICLE 21

States Parties that recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

- (a) Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counselling as may be necessary;
- (b) Recognize that inter-country adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;
- (c) Ensure that the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;
- (d) Take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it;
- (e) Promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavour, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs.

#### ARTICLE 22

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

#### ARTICLE 23

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.

2. States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.

3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development.

4. States Parties shall promote, in the spirit of international co-operation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

#### ARTICLE 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

- (a) To diminish infant and child mortality;
- (b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;
- (c) To combat disease and malnutrition, including within the framework of primary health care, through, *inter alia*, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;
- (d) To ensure appropriate pre-natal and post-natal health care for mothers;
- (e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breast-feeding, hygiene and environmental sanitation and the prevention of accidents;
- (f) To develop preventive health care, guidance for parents and family planning education and services.

3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.

#### ARTICLE 25

States Parties recognize the right of a child who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health, to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

#### ARTICLE 26

1. States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.



2. The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

#### ARTICLE 27

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.

3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.

#### ARTICLE 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

- (a) Make primary education compulsory and available free to all;
- (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
- (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
- (d) Make educational and vocational information and guidance available and accessible to all children;
- (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international co-operation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

#### ARTICLE 29

1. States Parties agree that the education of the child shall be directed to:

- (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
- (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;

- (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
- (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
- (e) The development of respect for the natural environment.

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

#### ARTICLE 30

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

#### ARTICLE 31

- 1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.
- 2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

#### ARTICLE 32

- 1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.
- 2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:
  - (a) Provide for a minimum age or minimum ages for admission to employment;
  - (b) Provide for appropriate regulation of the hours and conditions of employment;
  - (c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

#### ARTICLE 33

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

#### ARTICLE 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.

#### ARTICLE 35

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

#### ARTICLE 36

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

#### ARTICLE 37

States Parties shall ensure that:

- (a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;
- (b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;
- (c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;
- (d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

#### ARTICLE 38

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.
2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.
3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.
4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

#### ARTICLE 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

#### ARTICLE 40

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:

- (a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;
- (b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:
  - (i) To be presumed innocent until proven guilty according to law;
  - (ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;
  - (iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;
  - (iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;
  - (v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;
  - (vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;
  - (vii) To have his or her privacy fully respected at all stages of the proceedings.

3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:

- (a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;
- (b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected.

4. A variety of dispositions, such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

#### ARTICLE 41

Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:

- (a) The law of a State Party; or
- (b) International law in force for that State.

## PART II

### ARTICLE 42

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

### ARTICLE 43

1. For the purpose of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the present Convention, there shall be established a Committee on the Rights of the Child, which shall carry out the functions hereinafter provided.

2. The Committee shall consist of ten experts of high moral standing and recognized competence in the field covered by this Convention. The members of the Committee shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal systems.

3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

4. The initial election to the Committee shall be held no later than six months after the date of the entry into force of the present Convention and thereafter every second year. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to States Parties inviting them to submit their nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating States Parties which have nominated them, and shall submit it to the States Parties to the present Convention.

5. The elections shall be held at meetings of States Parties convened by the Secretary-General at United Nations Headquarters. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

6. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. The term of five of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these five members shall be chosen by lot by the Chairman of the meeting.

7. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State Party which nominated the member shall appoint another expert from among its nationals to serve for the remainder of the term, subject to the approval of the Committee.

8. The Committee shall establish its own rules of procedure.

9. The Committee shall elect its officers for a period of two years.

10. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee. The Committee shall normally meet annually. The duration of the meetings of the Committee shall be determined, and reviewed, if necessary, by a meeting of the States Parties to the present Convention, subject to the approval of the General Assembly.

11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

12. With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide.

#### ARTICLE 44

1. States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights:
  - (a) Within two years of the entry into force of the Convention for the State Party concerned;
  - (b) Thereafter every five years.
2. Reports made under the present article shall indicate factors and difficulties, if any, affecting the degree of fulfilment of the obligations under the present Convention. Reports shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.
3. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports submitted in accordance with paragraph 1(b) of the present article, repeat basic information previously provided.
4. The Committee may request from States Parties further information relevant to the implementation of the Convention.
5. The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities.
6. States Parties shall make their reports widely available to the public in their own countries.

#### ARTICLE 45

In order to foster the effective implementation of the Convention and to encourage international co-operation in the field covered by the Convention:

- (a) The specialized agencies, the United Nations Children's Fund, and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies, the United Nations Children's Fund and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite the specialized agencies, the United Nations Children's Fund, and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;
- (b) The Committee shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children's Fund and other competent bodies, any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance, along with the Committee's observations and suggestions, if any, on these requests or indications;
- (c) The Committee may recommend to the General Assembly to request the Secretary-General to undertake on its behalf studies on specific issues relating to the rights of the child;
- (d) The Committee may make suggestions and general recommendations based on information received pursuant to articles 44 and 45 of the present Convention. Such suggestions and general recommendations shall be transmitted to any State Party concerned and reported to the General Assembly, together with comments, if any, from States Parties.

### PART III

#### ARTICLE 46

The present Convention shall be open for signature by all States.

#### ARTICLE 47

The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

#### ARTICLE 48

The present Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

#### ARTICLE 49

1. The present Convention shall enter into force on the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.<sup>1</sup>
2. For each State ratifying or acceding to the Convention after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

#### ARTICLE 50

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.
2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.
3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the present Convention and any earlier amendments which they have accepted.

#### ARTICLE 51

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.
2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.
3. Reservations may be withdrawn at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall then inform all States. Such notification shall take effect on the date on which it is received by the Secretary-General.

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<sup>1</sup> The Convention entered into force on 2 September 1990.

#### ARTICLE 52

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General.

#### ARTICLE 53

The Secretary-General of the United Nations is designated as the depositary of the present Convention.

#### ARTICLE 54

The original of the present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.<sup>1</sup>

In witness thereof the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.

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<sup>1</sup> Texts in the Arabic, Chinese, French, Russian and Spanish languages will appear in the United Nations Treaty Series available through Agency Section HMSO, P.O. Box 569, London SE1 9NY.



## SIGNATURES AND RATIFICATIONS

<i>State</i>	<i>Date of signature</i>	<i>Date of deposit of instrument of Ratification</i>	<i>Effective date</i>
Afghanistan *	27 Sep 1990		
Albania	26 Jan 1990		
Algeria	26 Jan 1990		
Angola	14 Feb 1990	5 Dec 1990	4 Jan 1991
Antigua and Barbuda	12 Mar 1991		
Argentina *	29 Jun 1990	4 Dec 1990	3 Jan 1991
Australia *	22 Aug 1990	17 Dec 1990	16 Jan 1991
Austria	26 Jan 1990		
Bahamas *	30 Oct 1990	20 Feb 1991	22 Mar 1991
Bangladesh *	26 Jan 1990	3 Aug 1990	2 Sep 1990
Barbados	19 Apr 1990	9 Oct 1990	8 Nov 1990
Belgium *	26 Jan 1990	16 Dec 1991	15 Jan 1992
Belize	2 Mar 1990	2 May 1990	2 Sep 1990
Benin	25 Apr 1990	3 Aug 1990	2 Sep 1990
Bhutan	4 Jun 1990	1 Aug 1990	2 Sep 1990
Bolivia	8 Mar 1990	26 Jun 1990	2 Sep 1990
Brazil	26 Jan 1990	24 Sep 1990	24 Oct 1990
Bulgaria	31 May 1990	3 Jun 1991	3 Jul 1991
Burkina Faso	26 Jan 1990	31 Aug 1990	30 Sep 1990
Burundi	8 May 1990	19 Oct 1990	18 Nov 1990
Byelorussian Soviet Socialist Republic	26 Jan 1990	1 Oct 1990	31 Oct 1990
Cameroon	25 Sep 1990		
Canada *	28 May 1990	13 Dec 1991	12 Jan 1992
Central African Republic	30 Jul 1990		
Chad	30 Sep 1990	2 Oct 1990	1 Nov 1990
Chile	26 Jan 1990	13 Aug 1990	12 Sep 1990
China	29 Aug 1990		
Colombia *	26 Jan 1990	28 Jan 1991	27 Feb 1991
Comoros Islands	30 Sep 1990		
Costa Rica	26 Jan 1990	21 Aug 1990	20 Sep 1990
Cote d'Ivoire	26 Jan 1990	4 Feb 1991	6 Mar 1991
Cuba *	26 Jan 1990	21 Aug 1991	20 Sep 1991
Cyprus	5 Oct 1990	7 Feb 1991	9 Mar 1991
Czechoslovakia *	30 Sep 1990	7 Jan 1991	6 Feb 1991
Denmark *	26 Jan 1990	19 Jul 1991	18 Aug 1991
Djibouti *	30 Sep 1990	6 Dec 1990	5 Jan 1991
Dominica	26 Jan 1990	13 Mar 1991	12 Apr 1991
Dominican Republic	8 Aug 1990	11 Jun 1991	11 Jul 1991
Ecuador *	26 Jan 1990	23 Mar 1990	2 Sep 1990
Egypt *	5 Feb 1990	6 Jul 1990	5 Aug 1990
El Salvador	26 Jan 1990	10 Jul 1990	2 Sep 1990
Finland *	26 Jan 1990	20 Jun 1991	20 Jul 1991
France *	26 Jan 1990	7 Aug 1990	6 Sep 1990
Gabon	26 Jan 1990		
The Gambia	5 Feb 1990	8 Aug 1990	7 Sep 1990
Germany, Democratic Republic of	7 Mar 1990	2 Oct 1990	
Germany, Federal Republic of *	26 Jan 1990		
Ghana	29 Jan 1990	5 Feb 1990	2 Sep 1990
Greece	26 Jan 1990		
Grenada	21 Feb 1990	5 Nov 1990	5 Dec 1990
Guatemala *	26 Jan 1990	6 Jun 1990	2 Sep 1990
Guinea Bissau	26 Jan 1990	20 Aug 1990	19 Sep 1990
Guyana	30 Sep 1990	14 Jan 1991	13 Feb 1991
Haiti	26 Jan 1990		
Holy See *	20 Apr 1990	20 Apr 1990	2 Sep 1990
Honduras	31 May 1990	10 Aug 1990	9 Sep 1990
Hungary	14 Mar 1990	7 Oct 1991	6 Nov 1991
Iceland	26 Jan 1990		
Indonesia *	26 Jan 1990	5 Sep 1990	5 Oct 1990
Iran *	5 Sep 1991		
Ireland, Republic of *	30 Sep 1990		
Israel	3 Jul 1990	3 Oct 1991	2 Nov 1991
Italy	26 Jan 1990	5 Sep 1991	5 Oct 1991

<i>State</i>	<i>Date of signature</i>	<i>Date of deposit of instrument of Ratification</i>	<i>Effective date</i>
Jamaica	26 Jan 1990	14 May 1991	13 Jun 1991
Japan	21 Sep 1990		
Jordan *	29 Aug 1990	24 May 1991	23 Jun 1991
Kenya	26 Jan 1990	30 Jul 1990	2 Sep 1990
Korea, People's Democratic Republic of	23 Aug 1990	21 Sep 1990	21 Oct 1990
Korea, Republic of *	25 Sep 1990	20 Nov 1991	20 Dec 1991
Kuwait *	7 Jun 1990	21 Oct 1991	20 Nov 1991
Lebanon	26 Jan 1990	14 May 1991	13 Jun 1991
Lesotho	21 Aug 1990		
Liberia...	26 Apr 1990		
Liechtenstein	30 Sep 1990		
Luxembourg	21 Mar 1990		
Madagascar	19 Apr 1990	19 Mar 1991	18 Apr 1991
Maldives *	21 Aug 1990	11 Feb 1991	13 Mar 1991
Mali *	26 Jan 1990	20 Sep 1990	20 Oct 1990
Malta *	26 Jan 1990	30 Sep 1990	30 Oct 1990
Mauritania *	26 Jan 1990	16 May 1991	15 Jun 1991
Mexico	26 Jan 1990	21 Sep 1990	21 Oct 1990
Mongolia	26 Jan 1990	5 Jul 1990	2 Sep 1990
Morocco	26 Jan 1990		
Mozambique	30 Sep 1990		
Namibia	26 Sep 1990	30 Sep 1990	30 Oct 1990
Nepal	26 Jan 1990	14 Sep 1990	14 Oct 1990
Netherlands	26 Jan 1990		
New Zealand	1 Oct 1990		
Nicaragua	6 Feb 1990	5 Oct 1990	4 Nov 1990
Niger	26 Jan 1990	30 Sep 1990	30 Oct 1990
Nigeria	26 Jan 1990	19 Apr 1991	19 May 1991
Norway *	26 Jan 1990	8 Jan 1991	7 Feb 1991
Pakistan *	20 Sep 1990	12 Nov 1990	12 Dec 1990
Panama	26 Jan 1990	12 Dec 1990	11 Jan 1991
Papua New Guinea	30 Sep 1990		
Paraguay	4 Apr 1990	25 Sep 1990	25 Oct 1990
Peru	26 Jan 1990	4 Sep 1990	4 Oct 1990
Philippines	26 Jan 1990	21 Aug 1990	20 Sep 1990
Poland *	26 Jan 1990	7 Jun 1991	7 Jul 1991
Portugal	26 Jan 1990	21 Sep 1990	21 Oct 1990
Romania	26 Jan 1990	28 Sep 1990	28 Oct 1990
Rwanda	26 Jan 1990	24 Jan 1991	23 Feb 1991
Samoa	30 Sep 1990		
Senegal	26 Jan 1990	31 Jul 1990	2 Sep 1990
Sierra Leone	13 Feb 1990	18 Jun 1990	2 Sep 1990
Soviet Union	26 Jan 1990	16 Aug 1990	15 Sep 1990
Spain *	26 Jan 1990	6 Dec 1990	5 Jan 1991
Sri Lanka	26 Jan 1990	12 Jul 1991	11 Aug 1991
St. Kitts and Nevis	26 Jan 1990	24 Jul 1990	2 Sep 1990
St. Lucia	30 Sep 1990		
Sudan	24 Jul 1990	3 Aug 1990	2 Sep 1990
Suriname	26 Jan 1990		
Swaziland	22 Aug 1990		
Sweden *	26 Jan 1990	29 Jun 1990	2 Sep 1990
Switzerland	1 May 1991		
Syria	18 Sep 1990		
Tanzania	1 Jun 1990	10 Jun 1991	10 Jul 1991
Togo	26 Jan 1990	1 Aug 1990	2 Sep 1990
Trinidad and Tobago	30 Sep 1990	5 Dec 1991	4 Jan 1992
Tunisia *	26 Feb 1990	30 Jan 1992	29 Feb 1992
Turkey *	14 Sep 1990		
Uganda	17 Aug 1990	17 Aug 1990	16 Sep 1990
Ukrainian Soviet Socialist Republic	21 Feb 1990	28 Aug 1991	27 Sep 1991
United Kingdom *	19 Apr 1990	16 Dec 1991	15 Jan 1992
Uruguay *	26 Jan 1990	20 Nov 1990	20 Dec 1990
Vanuatu	30 Sep 1990		
Venezuela *	26 Jan 1990	13 Sep 1990	13 Oct 1990

<i>State</i>	<i>Date of signature</i>	<i>Date of deposit of instrument of Ratification</i>	<i>Effective date</i>
Vietnam ... ..	26 Jan 1990	28 Feb 1990	2 Sep 1990
Yemen Arab Republic ... ..	13 Feb 1990	1 May 1991	31 May 1991
Yugoslavia * ... ..	26 Jan 1990	3 Jan 1991	2 Feb 1991
Zaire ... ..	20 Mar 1990	27 Sep 1990	27 Oct 1990
Zambia ... ..	30 Sep 1990	6 Dec 1991	5 Jan 1992
Zimbabwe ... ..	8 Mar 1990	11 Sep 1990	11 Oct 1990

\* For texts of declarations and reservations see page 21.

## ACCESSIONS

<i>State</i>	<i>Date of Accession</i>	<i>Effective from</i>
Estonia ... ..	21 Oct 1991	20 Nov 1991
Ethiopia ... ..	14 May 1991	13 Jun 1991
Guinea ... ..	13 Jul 1990	2 Sep 1990
Laos ... ..	8 May 1991	7 Jun 1991
Lithuania ... ..	31 Jan 1992	1 Mar 1992
Malawi ... ..	2 Jan 1991	1 Feb 1991
Mauritius * ... ..	26 Jul 1990	2 Sep 1990
Myanmar * ... ..	15 Jul 1991	14 Aug 1991
San Marino ... ..	25 Nov 1991	25 Dec 1991
Sao Tomé and Príncipe ... ..	14 May 1991	13 Jun 1991
Seychelles... ..	7 Sep 1990	7 Oct 1990

\* For texts of declarations, reservations and objections see page 21.

## DECLARATIONS, RESERVATIONS AND OBJECTIONS

(Unless otherwise indicated, the declarations and reservations were made upon ratification or accession.)

### AFGHANISTAN

*Upon signature:*

*Declaration:*

“The Government of the Republic of Afghanistan reserves the right to express, upon ratifying the Convention, reservations on all provisions of the Convention that are incompatible with the laws of Islamic Shari’a and the local legislation in effect.”

### ARGENTINA

*Reservation and declarations made upon signature and confirmed upon ratification:*

*Reservation:*

The Argentine Republic enters a reservation to sub-paragraphs (b), (c), (d) and (e) of article 21 of the Convention on the Rights of the Child and declares that those sub-paragraphs shall not apply in areas within its jurisdiction because, in its view, before they can be applied a strict mechanism must exist for the legal protection of children in matters of inter-country adoption, in order to prevent trafficking in and the sale of children.

*Declarations:*

Concerning article 1 of the Convention, the Argentine Republic declares that the article must be interpreted to the effect that a child means every human being from the moment of conception up to the age of eighteen.

Concerning article 38 of the Convention, the Argentine Republic declares that it would have liked the Convention categorically to prohibit the use of children in armed conflicts, such a prohibition exists in its domestic law which, by virtue of article 41 of the Convention, it shall continue to apply in this regard.

*Upon ratification:*

*Declaration:*

Concerning sub-paragraph (f) of article 24 of the Convention, the Argentine Republic considers that questions relating to family planning are the exclusive concern of parents in accordance with ethical and moral principles and understands it to be a State, obligation under this article, to adopt measures providing guidance for parents and education for responsible parenthood.

### AUSTRALIA

*Reservation:*

“Australia accepts the general principles of article 37. In relation to the second sentence of paragraph (c), the obligation to separate children from adults in prison is accepted only to the extent that such imprisonment is considered by the responsible authorities to be feasible and consistent with the obligation that children be able to maintain contact with their families, having regard to the geography and demography of Australia. Australia, therefore ratifies the Convention to the extent that it is unable to comply with the obligation imposed by article 37 (c).”

### BAHAMAS

*Upon signature:*

*Reservation:*

“The Government of the Commonwealth of The Bahamas upon signing the Convention reserves the right not to apply the Provisions of article 2 of the said Convention insofar as those Provisions relate to the conferment of citizenship upon a child having regard to the Provisions of the Constitution of the Commonwealth of The Bahamas.”

### BANGLADESH

*Reservations:*

“[The Government of Bangladesh] ratifies the Convention with a reservation to article 14, paragraph 1.

“Also article 21 would apply subject to the existing laws and practices in Bangladesh.”

## BELGIUM

*Upon ratification:*

*Interpretive declarations:*

1. With regard to article 2, paragraph 1, according to the interpretation of the Belgian Government non-discrimination on grounds of national origin does not necessarily imply the obligation for States automatically to guarantee foreigners the same rights as their nationals. This concept should be understood as designed to rule out all arbitrary conduct but not differences in treatment based on objective and reasonable considerations, in accordance with the principles prevailing in democratic societies.
2. Articles 13 and 15 shall be applied by the Belgian Government within the context of the provisions and limitations set forth or authorized by said Convention in articles 10 and 11 of the European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950.
3. The Belgian Government declares that it interprets article 14, paragraph 1, as meaning that, in accordance with the relevant provisions of article 18 of the International Covenant on Civil and Political Rights of 19 December 1966 and article 9 of the European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950, the right of the child to freedom of thought, conscience and religion implies also the freedom to choose his or her religion or belief.
4. With regard to article 40, paragraph 2 (b) (v), the Belgian Government considers that the expression "according to law" at the end of that provision means that:
  - (a) This provision shall not apply to minors who, under Belgian law, are declared guilty and are sentenced in a higher court following an appeal against their acquittal in a court of the first instance;
  - (b) This provision shall not apply to minors who, under Belgian law, are referred directly to a higher court such as the Court of Assize.

## CANADA

*Upon ratification:*

*Reservations:*

"(i) *Article 21*

With a view to ensuring full respect for the purposes and intent of Article 20(3) and Article 30 of the Convention, the Government of Canada reserves the right not to apply the provisions of Article 21 to the extent that they may be inconsistent with customary forms of care among aboriginal peoples in Canada.

(ii) *Article 37(c)*

The Government of Canada accepts the general principles of Article 37(c) of the Convention, but reserves the right not to detain children separately from adults where this is not appropriate or feasible."

*Statement of understanding:*

"*Article 30*

It is the understanding of the Government of Canada that, in matters relating to aboriginal peoples of Canada, the fulfilment of its responsibilities under Article 4 of the Convention must take into account the provisions of Article 30. In particular, in assessing what measures are appropriate to implement the rights recognized in the Convention for aboriginal children, due regard must be paid to not denying their right, in community with other members of their group, to enjoy their own culture, to profess and practise their own religion and to use their own language."

## COLOMBIA

*Upon signature:*

*Declaration:*

The Colombian Government considers that, while the minimum age of 15 years for taking part in armed conflicts, set forth in article 38 of the Convention, is the outcome of serious negotiations which reflect various legal, political and cultural systems in the world, it would have been preferable to fix that age at 18 years in accordance with the principles and norms prevailing in various regions and countries, Colombia among them, for which reason the Colombian Government, for the purpose of article 38 of the Convention, shall construe the age in question to be 18 years.

*Upon ratification:*

*Reservation:*

The Government of Colombia, pursuant to article 2, paragraph 1(d), of the Vienna Convention on the law of treaties, concluded on 23 May 1969, DECLARES that for the purposes of article 38, paragraphs 2 and 3, of the Convention, the age referred to in said paragraphs shall be understood to be 18 years, given the fact that, under Colombian law, the minimum age for recruitment into the armed forces of personnel called for military service is 18 years.

## CUBA

*Upon ratification:*

*Declaration:*

With reference to article 1 of the Convention, the Government of the Republic of Cuba declares that in Cuba, under the domestic legislation in force, majority is not attained at 18 years of age for purposes of the full exercise of civic rights.

## CZECHOSLOVAKIA

*Upon ratification:*

*Declaration in respect of article 7, paragraph 1:*

"In cases of irrevocable adoptions, which are based on the principle of anonymity of such adoptions, and of artificial fertilisation, where the physician charged with the operation is required to ensure that the husband and wife on one hand and the donor on the other remain unknown to each other, the non-communication of a natural parent's name or natural parents' names to the child is not in contradiction with this provision."

On 7 June 1991, the Secretary-General received from the Government of Czechoslovakia the following objection concerning the reservation made by Kuwait upon signature of the above-mentioned Convention (in this connection, reference is made to depositary notification C.N.163.1990.TREATIES-8 of 3 August 1990 concerning, *inter alia*, the said signature by Kuwait):

(Original: English)

"The Government of the Czech and Slovak Federal Republic takes an objection to the reservations entered by the Government of the State of Kuwait to the Convention of the Rights of the Child as these reservations are incompatible with the object and purpose of the Convention. In the opinion of the Czechoslovak Government the said reservations are in contradiction to the generally recognized principle of international law according to which a state cannot invoke the provisions of its own internal law as justification for its failure to perform a treaty. Therefore, the Czech and Slovak Federal Republic does not recognize these reservations as valid."

## DENMARK

*Upon ratification:*

*Declaration:*

"Until further notice the Convention shall not apply to Greenland and the Faroe Islands."

*Reservation:*

"Article 40, paragraph 2(b)(v) shall not be binding on Denmark."

It is a fundamental principle in the Danish Administration of Justice Act that everybody shall be entitled to have any penal measures imposed on him or her by a court of first instance reviewed by a higher court. There are, however, some provisions limiting this right in certain cases, for instance verdicts returned by a jury on the question of guilt, which have not been reversed by the legally trained judges of the court."

## DJIBOUTI

*Declaration:*

[The Government of Djibouti] shall not consider itself bound by any provisions or articles that are incompatible with its religion and its traditional values.

## ECUADOR

*Upon signature:*

*Declaration:*

"In signing the Convention on the Rights of the Child, Ecuador reaffirms . . . [that it is] especially pleased with the ninth preambular paragraph of the draft Convention, which pointed to the need to protect the unborn child, and believed that that paragraph should be borne in mind in interpreting all the articles of the Convention, particularly article 24. While the minimum age set in article 38 was, in its view, too low, [the Government of Ecuador] did not wish to endanger the chances for the Convention's adoption by consensus and therefore would not propose any amendment to the text."

## EGYPT

*Reservation made upon signature and confirmed upon ratification:*

Since The Islamic Shariah is one of the fundamental sources of legislation in Egyptian positive law and because the Shariah, in enjoining the provision of every means of protection and care for children by numerous ways and means, does not include among those ways and means the system of adoption existing in certain other bodies of positive law,

The Government of the Arab Republic of Egypt expresses its reservation with respect to all the clauses and provisions relating to adoption in the said Convention, and in particular with respect to the provisions governing adoption in articles 20 and 21 of the Convention.

## FINLAND

*Objections:*

On 25 July 1991, the Secretary-General received from the Government of Finland the following objection to the reservation made by Indonesia upon ratification.

The Government of Finland has taken note of the reservation made by the Republic of Indonesia upon ratification of the said Convention, by which Indonesia expresses that "With reference to the provisions of Articles 1, 14, 16, 17, 21, 22 and 29 of this Convention, the Government of the Republic of Indonesia declares that it will apply these articles in conformity with its Constitution".

In the view of the Government of Finland this reservation is subject to the general principle of treaty interpretation according to which a party may not invoke the provisions of its internal law as justification for failure to perform a treaty. For the above reason the Government of Finland objects to the said reservation. However, the Government of Finland does not consider that this objection constitutes an obstacle to the entry into force of the said Convention between Finland and the Republic of Indonesia.

Also, on 25 July 1991, the Secretary-General received from the Government of Finland the following objection to the reservation made by Pakistan upon signature and confirmed upon ratification.

The Government of Finland has taken note of the reservation made by Pakistan upon signature of the said Convention, by which Pakistan expresses that "Provisions of the Convention shall be interpreted in the light of the principles of Islamic laws and values".

In the view of the Government of Finland this reservation is subject to the general principle of treaty interpretation according to which a party may not invoke the provisions of its internal law as justification for failure to perform a treaty. For the above reason the Government of Finland objects to the said reservation. However, the Government of Finland does not consider that this objection constitutes an obstacle to the entry into force of the said Convention between Finland and Pakistan.

## FRANCE

*Declarations and reservation made upon signature and confirmed upon ratification:*

(1) The Government of the French Republic declares that this Convention, particularly article 6, cannot be interpreted as constituting any obstacle to the implementation of the provisions of French legislation relating to the voluntary interruption of pregnancy.

(2) The Government of the Republic declares that, in the light of article 2 of the Constitution of the French Republic, article 30 is not applicable so far as the Republic is concerned.

(3) The Government of the Republic construes article 40, paragraph 2 (b) (v), as establishing a general principle to which limited exceptions may be made under law. This is particularly the case for certain non-appealable offences tried by the Police Court and for offences of a criminal nature. None the less, the decisions handed down by the final court of jurisdiction may be appealed before the Court of Cassation, which shall rule on the legality of the decision taken.

## GERMANY, FEDERAL REPUBLIC

*Upon signature:*

*Declaration:*

“The Government of the Federal Republic of Germany reserves the right to make, upon ratification, such declarations as it considers necessary, especially with regard to the interpretation of articles 9, 10, 18 and 22.”

## GUATEMALA

*Upon signature:*

*Declaration:*

“The State of Guatemala is signing this Convention out of a humanitarian desire to strengthen the ideals on which the Convention is based, and because it is an instrument which seeks to institutionalize, at the global level, specific norms for the protection of children, who, not being legally of age, must be under the guardianship of the family, society and the State.

“With reference to article 1 of the Convention, and with the aim of giving legal definition to its signing of the Convention, the Government of Guatemala declares that article 3 of its Political Constitution establishes that: ‘The State guarantees and protects human life from the time of its conception, as well as the integrity and security of the individual.’”

## HOLY SEE

*Reservations:*

“(a) [The Holy See] interprets the phrase ‘Family planning education and services’ in article 24.2 to mean only those methods of family planning which it considers morally acceptable, that is, the natural methods of family planning.

“(b) [The Holy See] interprets the articles of the Convention in a way which safeguards the primary and inalienable rights of parents, in particular insofar as these rights concern education (articles 13 and 28), religion (article 14), association with others (article 15) and privacy (article 16).

“(c) [The Holy See declares] that the application of the Convention be compatible in practice with the particular nature of the Vatican City State and of the sources of its objective law (art. 1, Law of 7 June 1929, n. 11) and, in consideration of its limited extent, with its legislation in the matters of citizenship, access and residence.”

*Declaration:*

“The Holy See regards the present Convention as a proper and laudable instrument aimed at protecting the rights and interests of children, who are ‘that precious treasure given to each generation as a challenge to its wisdom and humanity’ (Pope John Paul II, 26 April 1984).

“The Holy See recognizes that the Convention represents an enactment of principles previously adopted by the United Nations, and once effective as a ratified instrument, will safeguard the rights of the child before as well as after birth, as expressly affirmed in the ‘Declaration of the Rights of the Child’ [Res. 136 (XIV)] and restated in the ninth preambular paragraph of the Convention. The Holy See remains confident that the ninth preambular paragraph will serve as the perspective through which the rest of the Convention will be interpreted, in conformity with article 31 of the Vienna Convention on the Law of Treaties of 23 May 1969.

“By acceding to the Convention on the Rights of the Child, the Holy See intends to give renewed expression to its constant concern for the well-being of children and families. In consideration of its singular nature and position, the Holy See, in acceding to this Convention, does not intend to prescind in any way from its specific mission which is of a religious and moral character.”

## INDONESIA

*Reservation:*

The 1945 Constitution of the Republic of Indonesia guarantees the fundamental rights of the child irrespective of their sex, ethnic or race. The Constitution prescribes those rights to be implemented by national laws and regulations.

The ratification of the Convention on the Rights of the Child by the Republic of Indonesia does not imply the acceptance of obligations going beyond the Constitutional limits nor the acceptance of any obligation to introduce any right beyond those prescribed under the Constitution.

With reference to the provisions of articles 1, 14, 16, 17, 21, 22 and 29 of this Convention, the Government of the Republic of Indonesia declares that it will apply these articles in conformity with its Constitution.



## IRAN

*Upon signature:*

“In signing this convention the Islamic Republic of Iran is making reservation to the articles and provisions which may be contrary to the Islamic Shariah, and preserves the right to make such particular declaration, upon its ratification.”

## IRELAND

*Upon signature:*

*Declaration:*

“Ireland reserves the right to make, when ratifying the Convention, such declarations or reservations as it may consider necessary.”

## JORDAN

The Hashemite Kingdom of Jordan expresses its reservation and does not consider itself bound by articles 14, 20 and 21 of the Convention, which grant the child the right to freedom of choice of religion and concern the question of adoption, since they are at variance with the precepts of the tolerant Islamic Shariah.

## KOREA

*Upon ratification:*

*Reservation:*

The Republic of Korea . . . considers itself not bound by the provisions of paragraph 3 of Article 9, paragraph (a) of Article 21 and sub-paragraph (b) (v) of paragraph 2 of Article 40.

## KUWAIT

*Upon signature:*

*Reservation:*

“[Kuwait expresses] reservations on all provisions of the Convention that are incompatible with the laws of Islamic Shari'a and the local statutes in effect.”

*Upon ratification:*

*Declarations:*

*Article 7:*

The State of Kuwait understands the concept of this Article to signify the right of the child who was born in Kuwait and whose parents are unknown (parentless) to be granted the Kuwaiti nationality as stipulated by the Kuwaiti Nationality Laws.

*Article 21:*

The State of Kuwait, as it adheres to the provisions of the Islamic Shariah as the main source of legislation, strictly bans abandoning the Islamic religion and does not therefore approve adoption.

## MALDIVES

*Upon signature:*

*Reservations:*

“1) Since the Islamic Shariah is one of the fundamental sources of Maldivian Law and since Islamic Shariah does not include the system of adoption among the ways and means for the protection and care of children contained in Shariah, the Government of the Republic of Maldives expresses its reservation with respect to all the clauses and provisions relating to adoption in the said Convention on the Rights of the Child.

“2) The Government of the Republic of Maldives expresses its reservation to paragraph 1 of article 14 of the said Convention on the Rights of the Child, since the Constitution and the Laws of the Republic of Maldives stipulate that all Maldivians should be Muslims.”

*Upon ratification:*

*Reservations:*

With respect to Articles 14 and 21.

## MALI

The Government of the Republic of Mali declares that, in view of the provisions of the Mali Family Code, there is no reason to apply article 16 of the Convention.

## MALTA

*Reservation:*

"Article 26—The Government of Malta is bound by the obligations arising out of this article to the extent of present social security legislation."

## MAURITANIA

*Upon signature:*

*Reservation:*

In signing this important Convention, the Islamic Republic of Mauritania is making reservations to articles or provisions which may be contrary to the beliefs and values of Islam, the religion of the Mauritania People and State.

## MAURITIUS

*Reservation:*

"[Mauritius] . . . with express reservation with regard to article 22 of the said Convention."

## MYANMAR

*On accession:*

*Reservations:*

*Article 15*

1. The Union of Myanmar interprets the expression "the law" in Article 15, paragraph 2, to mean the Laws, as well as the Decrees and Executive Orders having the force of law, which are for the time being in force in the Union of Myanmar.
2. The Union of Myanmar understands that such restrictions on freedom of association and freedom of peaceful assembly imposed in conformity with the said Laws, Decrees and Executive Orders as are required by the exigencies of the situation obtaining in the Union of Myanmar are permissible under Article 15, paragraph 2.
3. The Union of Myanmar interprets the expression "national security" in the same paragraph as encompassing the supreme national interest, namely, the non-disintegration of the Union, the non-disintegration of national solidarity and the perpetuation of national sovereignty, which constitute the paramount national causes of the Union of Myanmar."

*Article 37*

The Union of Myanmar accepts in principle the provisions of Article 37 as they are in consonance with its laws, rules, regulations, procedures and practice as well as with its traditional, cultural and religious values. However, having regard to the exigencies of the situation obtaining in the country at present, the Union of Myanmar states as follows:

1. Nothing contained in Article 37 shall prevent, or be construed as preventing, the Government of the Union of Myanmar from assuming or exercising, in conformity with the laws for the time being in force in the country and the procedures established thereunder, such powers as are required by the exigencies of the situation for the preservation and strengthening of the rule of law, the maintenance of public order (*ordre public*) and, in particular, the protection of the supreme national interest, namely, the non-disintegration of the Union, the non-disintegration of national solidarity and the perpetuation of national sovereignty, which constitute the paramount national causes of the Union of Myanmar.
2. Such powers shall include the powers of arrest, detention, imprisonment, exclusion, interrogation, enquiry and investigation.

## NORWAY

*Upon ratification:*

*Objections with respect to article 40, paragraph 2(b)(v).*

On 30 December 1991, the Secretary-General received from the Government of Norway the following objection to the declaration made by Djibouti upon ratification:

“The Government of Norway has examined the content of the reservation made by the Republic of Djibouti, by which the Republic of Djibouti expresses that ‘(The Government of the Republic of Djibouti) hereby formally declares its accession to the Convention and pledges, on behalf of the Republic of Djibouti, to adhere to it conscientiously and at all times, except that it shall not consider itself bound by any provisions or articles that are incompatible with its religion and its traditional values.’

A reservation by which a State party limits its responsibilities under the Convention by invoking general principles of national law may create doubts about the commitments of the reserving state to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. It is in the common interest of states that treaties to which they have chosen to become parties also are respected, as to object and purpose, by all parties. The Government of Norway, therefore, objects to this reservation.

This objection shall not constitute an obstacle to the entry into force of the Convention between Norway and the Republic of Djibouti.”

Also on 30 December 1991, the Secretary-General received from the Government of Norway the following objection to the reservation made by Indonesia upon ratification:

“The Government of Norway has examined the content of the reservation made by the Republic of Indonesia, by which the Republic of Indonesia expresses that ‘The ratification of the Convention on the Rights of the Child by the Republic of Indonesia does not imply the acceptance of obligations going beyond the constitutional limits nor the acceptance of any obligation to introduce any right beyond those prescribed under the Constitution’ and further ‘With reference to the provisions of articles 1, 14, 16, 17, 21, 22 and 29 of this Convention, the Government of the Republic of Indonesia declares that it will apply these articles in conformity with its Constitution.’

A reservation by which a State party limits its responsibilities under the Convention by invoking general principles of national law may create doubts about the commitments of the reserving state of the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. It is in the common interest of states that treaties to which they have chosen to become parties also are respected, as to object and purpose, by all parties. The Government of Norway, therefore, objects to this reservation.

This objection shall not constitute an obstacle to the entry into force of the Convention between Norway and the Republic of Indonesia.”

Also on 30 December 1991, the Secretary-General received from the Government of Norway the following objection to the reservation made by Pakistan upon signature and confirmed upon ratification:

“The Government of Norway has examined the content of the reservation made by Pakistan, by which Pakistan expresses that ‘Provisions of the Convention shall be interpreted in the light of the principles of Islamic laws and values.’

A reservation by which a State party limits its responsibilities under the Convention by invoking general principles of national law may create doubts about the commitments of the reserving state to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. It is in the common interest of states that treaties to which they have chosen to become parties also are respected, as to object and purpose, by all parties. The Government of Norway, therefore, objects to this reservation.

This objection shall not constitute an obstacle to the entry into force of the Convention between Norway and Pakistan.”

## PAKISTAN

*Reservation made upon signature and confirmed upon ratification:*

“Provisions of the Convention shall be interpreted in the light of the principles of Islamic laws and values.”

## POLAND

### *Reservations:*

In ratifying the Convention on the Rights of the Child, adopted by the United Nations General Assembly on 20 November 1989, the Republic of Poland, in accordance with the provision contained in article 51, paragraph 1, of the Convention, registers the following reservations:

- With respect to article 7 of the Convention, the Republic of Poland stipulates that the right of an adopted child to know its natural parents shall be subject to the limitations imposed by binding legal arrangements that enable adoptive parents to maintain the confidentiality of the child's origin;
- The law of the Republic of Poland shall determine the age from which call-up to military or similar service and participation in military operations are permissible. That age limit may not be lower than the age limit set out in article 38 of the Convention.

### *Declarations:*

- The Republic of Poland considers that a child's rights as defined in the Convention, in particular the rights defined in articles 12 to 16, shall be exercised with respect for parental authority, in accordance with Polish customs and traditions regarding the place of the child within and outside the family;
- With respect to article 24, paragraph 2(f), of the Convention, the Republic of Poland considers that family planning and education services for parents should be in keeping with the principles of morality.

## SPAIN

### *Declarations:*

1. Spain understands that article 21, paragraph (d), of the Convention may never be construed to permit financial benefits other than those needed to cover strictly necessary expenditure which may have arisen from the adoption of children residing in another country.
2. Spain, wishing to make common cause with those States and humanitarian organizations which have manifested their disagreement with the contents of article 38, paragraphs 2 and 3, of the Convention, also wishes to express its disagreement with the age limit fixed therein and to declare that the said limit appears insufficient, by permitting the recruitment and participation in armed conflict of children having attained the age of fifteen years.

## SWEDEN

### *Objections:*

On 20 September 1991, the Secretary-General received from the Government of Sweden the following objection to the reservation made by Indonesia upon ratification:

The Government of Sweden has examined the content of the reservation made by the Republic of Indonesia, by which the Republic of Indonesia expresses that "With reference to the provisions of Articles 1, 14, 16, 17, 21, 22 and 29 of this Convention, the Government of the Republic of Indonesia declares that it will only apply these articles in conformity with its Constitution".

A reservation by which a State party limits its responsibilities under the Convention by invoking general principles of national law may cast doubts on the commitments of the reserving state to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. It is in the common interest of states that treaties to which they have chosen to become parties also are respected, as to object and purpose, by all parties. The Government of Sweden therefore objects to the reservation.

This objection does not constitute an obstacle to the entry into force of the Convention between Sweden and the Republic of Indonesia.

Also on 20 September 1991, the Secretary-General received from the Government of Sweden the following objection to the reservation made by Pakistan upon ratification:

The Government of Sweden has examined the content of the reservation made by Pakistan, by which Pakistan expresses that "Provisions of the Convention shall be interpreted in the light of the principles of Islamic laws and values".

A reservation by which a State party limits its responsibilities under the Convention by invoking general principles of national law may cast doubts on the commitments of the reserving state to the object and purpose of the Convention and, moreover, contribute to undermining the basis of international treaty law. It is in the common interest of states that treaties to which they have chosen to become parties also are respected, as to object and purpose, by all parties. The Government of Sweden therefore objects to the reservation.

This objection does not constitute an obstacle to the entry into force of the Convention between Sweden and Pakistan.

## TUNISIA

### *Upon ratification:*

#### *Declaration:*

1. The Government of the Republic of Tunisia declares that it shall not, in implementation of this Convention, adopt any legislative or statutory decision that conflicts with the Tunisian Constitution.
2. The Government of the Republic of Tunisia declares that its undertaking to implement the provisions of this Convention shall be limited by the means at its disposal.
3. The Government of the Republic of Tunisia declares that the Preamble to and the provisions of the Convention, in particular article 6, shall not be interpreted in such a way as to impede the application of Tunisian legislation concerning voluntary termination of pregnancy.

#### *Reservation:*

1. The Government of the Republic of Tunisia enters a reservation with regard to the provisions of article 2 of the Convention, which may not impede implementation of the provisions of its national legislation concerning personal status, particularly in relation to marriage and inheritance rights.
2. The Government of the Republic of Tunisia regards the provisions of article 40, paragraph 2 (b) (v), as representing a general principle to which exceptions may be made under national legislation, as is the case for some offences on which final judgement is rendered by cantonal or criminal courts without prejudice to the right of appeal in their regard to the Court of Cassation entrusted with ensuring the implementation of the law.
3. The Government of the Republic of Tunisia considers that article 7 of the Convention cannot be interpreted as prohibiting implementation of the provisions of national legislation relating to nationality and, in particular, to cases in which it is forfeited.

## TURKEY

### *Upon signature:*

#### *Reservation:*

The Republic of Turkey reserves the right to interpret and apply the provisions of articles 17, 29 and 30 of the United Nations Convention on the Rights of the Child according to the letter and the spirit of the Constitution of the Republic of Turkey and those of the Treaty of Lausanne of 24 July 1923.

## UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

### *Upon signature:*

"The United Kingdom reserves the right to formulate, upon ratifying the Convention, any reservations or interpretative declarations which it might consider necessary."

### *Upon ratification:*

- (a) The United Kingdom interprets the Convention as applicable only following a live birth.
- (b) The United Kingdom interprets the references in the Convention to "parents" to mean only those persons who, as a matter of national law, are treated as parents. This includes cases where the law regards a child as having only one parent, for example where a child has been adopted by one person only and in certain cases where a child is conceived other than as a result of sexual intercourse by the woman who gives birth to it and she is treated as the only parent.
- (c) The United Kingdom reserves the right to apply such legislation, in so far as it relates to the entry into, stay in and departure from the United Kingdom of those who do not have the right under the law of the United Kingdom to enter and remain in the United Kingdom, and to the acquisition and possession of citizenship, as it may deem necessary from time to time.
- (d) Employment legislation in the United Kingdom does not treat persons under 18, but over the school-leaving age as children, but as "young people". Accordingly the United Kingdom reserves the right to continue to apply Article 32 subject to such employment legislation.
- (e) Where at any time there is a lack of suitable accommodation or adequate facilities for a particular individual in any institution in which young offenders are detained, or where the mixing of adults and children is deemed to be mutually beneficial, the United Kingdom reserves the right not to apply Article 37(c) in so far as those provisions require children who are detained to be accommodated separately from adults.
- (f) In Scotland there are tribunals (known as "children's hearings") which consider the welfare of the child and deal with the majority of offences which a child is alleged to have committed. In some cases, mainly of a welfare nature, the child is temporarily deprived of its liberty for

up to seven days prior to attending the hearing. The child and its family are, however, allowed access to a lawyer during this period. Although the decisions of the hearings are subject to appeal to the courts, legal representation is not permitted at the proceedings of the children's hearings themselves. Children's hearings have proved over the years to be a very effective way of dealing with the problems of children in a less formal, non-adversarial manner. Accordingly, the United Kingdom, in respect of Article 37(d), reserves its right to continue the present operation of children's hearings.

Moreover, the instrument of ratification by the United Kingdom of Great Britain and Northern Ireland contains the following declaration:

“ . . . [The Government of the United Kingdom reserves] the right to extend the Convention at a later date to any territory for whose international relations the Government of the United Kingdom is responsible . . . ”

## URUGUAY

*Upon signature:*

*Declaration:*

On signing this Convention, Uruguay reaffirms the right to make reservations upon ratification, if it considers it appropriate.

*Upon ratification:*

*Reservation:*

The Government of the Eastern Republic of Uruguay affirms, in regard to the provisions of article 38, paragraphs 2 and 3, that in accordance with Uruguayan law it would have been desirable for the lower age limit for taking a direct part in hostilities in the event of an armed conflict to be set at 18 years instead of 15 years as provided in the Convention.

Furthermore, the Government of Uruguay declares that, in the exercise of its sovereign will, it will not authorize any persons under its jurisdiction who have not attained the age of 18 years to take a direct part in hostilities and will not under any circumstances recruit persons who have not attained the age of 18 years.

## VENEZUELA

*Interpretative declarations:*

1. Article 21(b):

The Government of Venezuela understands this provision as referring to international adoption and in no circumstances to placement in a foster home outside the country. It is also its view that the provision cannot be interpreted to the detriment of the State's obligation to ensure due protection of the child.

2. Article 21(d):

The Government of Venezuela takes the position that neither the adoption nor the placement of children should in any circumstances result in financial gain for those in any way involved in it.

3. Article 30:

The Government of Venezuela takes the position that this article must be interpreted as a case in which article 2 of the Convention applies.

## YUGOSLAVIA

“The competent authorities (ward authorities) of the Socialist Federal Republic of Yugoslavia may, under Article 9, paragraph 1 of the Convention, make decisions to deprive parents of their right to raise their children and give them an upbringing without prior judicial determination in accordance with the internal legislation of the SFR of Yugoslavia.”