

**1. The rights of children – 7 key principles**

- 1.1 Community social pediatrics is based on the 41 articles<sup>1</sup> of the Convention on the Rights of the Child, which was adopted in 1989 by 192 States and ratified by Canada in 1991. Drawing on a range of legal systems as well as different cultural traditions, the Convention is a set of standards that is universal and non-negotiable. It was born out of an analysis of the determinants of health and recognition of the basic rights of all children around the world.
- 1.2 Linking rights and health: (1) provides expertise on preventive and corrective measures so that fundamental rights are respected; (2) defuses conflict situations between adults that are harmful to the child’s development; (3) helps when referring families to legal aid or professional pro bono services; (4) empowers both the child and the family by transferring knowledge about fundamental rights to the community; and (5) ensures that everyone has access to justice (Trudel 2013).
- 1.3 The Fondation Dr Julien has grouped together the 41 children’s rights under seven key principles so that the notion of rights can be become an integral part of everyday practice (Trudel 2010). The first two encompass them all:

Convention on the Rights of the Child	Articles	Qc Charter, Q.C.C. and Y.P.A.	Principles
1 Non-discrimination	2, 6, 12	Right to equal recognition and exercise of rights and freedoms. Discrimination prohibited.	All children are equal before the law, irrespective of their background or that of their parents.
2 Child’s best interest	3, 6 and 12	Child’s interest and respect for rights taken into account in decisions.	All decisions must be made based on the child’s best interest.
3 Freedoms and civil rights A. Name, nationality and parental care B. Preservation of identity C. Freedom of expression; right to life, survival and development D. Freedom of thought, conscience and religion; respect of child’s opinions E. Freedom of association and freedom of peaceful assembly	7, 8, 13, 14, 15, 16, 17, 37a	Fundamental rights and freedoms  Right to life Right to assistance; to freedom of conscience, freedom of religion, freedom of opinion, freedom of expression, freedom of peaceful assembly and freedom of association; right to safeguard of	Every child must have an identity, a name and a nationality (right to an identity).  Every child has the right to protection of his or her privacy.

<sup>1</sup> The Convention on the Rights of the Child includes 54 articles; 41 refer specifically to children’s rights, while the others are enforcement measures.

<p>F. Protection of privacy G. Access to appropriate information</p>		<p>dignity, honour and reputation; right to respect for private life. Possibility to be heard.</p> <p>Economic and social rights Right to information</p>	<p>Every child has the right to express him or herself and to be heard on issues that affect him or her.</p> <p>Every child has the right to develop.</p>
<p>4 Family environment and placement (alternative care) A. Parental advice B. Parental responsibility C. Separation from parents and family reunification D. Illicit transfer and non-return of children F. Recovering child support G. Children deprived of their family environment H. Adoption I. Mistreatment and neglect J. Neglect or negligent treatment, including physical and psychological recovery and social reintegration</p>	<p>5, 18 (1) and (2) 9, 10, 11, 19, 20, 21, 25, 27(4), 39</p>	<p>Youth Protection Act</p> <p>Right to security and to development</p>	<p>Coordination involving the child, parent and the community.</p> <p>Every child should be able to live with his or her family surrounded by love and understanding.</p>
<p>5 Health and well-being A. Disabled children B. Health and health care services C. Social security and child-care services and facilities D. Standard of living</p>	<p>6, 18(3), 23, 24, 26, 27(1), 27(2), 27(3)</p>	<p>Economic and social rights Financial assistance so that the child can have a decent standard of living</p>	<p>Every child should have suitable clothing, food and lodging (and live in a healthy environment).</p> <p>Every child with a disability should be assisted so that he or she can live with others as independently as possible.</p> <p>The right to decent living conditions.</p>
<p>6 Education, leisure, recreational and cultural activities A. Education, including vocational training and guidance B. Cultural, artistic, recreational and leisure activities</p>	<p>28, 29, 31</p>	<p>Economic and social rights Free public education Cultural interests of minorities Religious and moral education</p>	<p>Every child has the education, leisure and rest, and to dream so that he or she grows and develops to become an independent person.</p>
<p>7 Special child protection measures A. Children in emergency situations 1. Refugee children 2. Children caught in armed conflict, including physical and psychological recovery, and social reintegration §1 Respect for rules of international humanitarian law §2 and 3 Participation in an armed conflict § 4 Protection and care of children B. Children who are in trouble with the system of administration of justice-1 Administration of juvenile justice; 2 Treatment of children who are deprived of their freedom, including those who are detained, imprisoned or placed in a guarded institution (Art. 37), b) arbitrary detention, c) children held separately from adults, being held in custody separately in cases of immigration, d) legal assistance); 4 Physical and psychological recovery, and social reintegration C. Children being exploited, including their physical and psychological recovery, and social reintegration: 1 Economic exploitation, 2 Use of narcotic drugs, 3 Sexual exploitation and sexual abuse, 4 Preventing sale of children, 5 Other forms of exploitation D. Children belonging to ethnic minorities or indigenous groups</p>	<p>22, 32, 30, 33, 34, 35, 36, 37(b), 37(c), 37(d), 38, 39, 40</p>	<p>Economic and social rights Child protection Right to a healthy environment in which biodiversity is preserved</p> <p>Legal rights Impartial hearing by an independent tribunal <i>In camera</i> Grounds for depriving someone of their freedom Separate incarceration facilities Habeas corpus Representation by a lawyer Full and complete defense Assistance from an interpreter</p>	<p>The right to protection against harmful influences, mistreatment and exploitation.</p> <p>Every child must be protected against all forms of violence.</p> <p>Nobody has the right to exploit a child.</p> <p>In times of war, children must be protected and must not become soldiers.</p> <p>When children infringe the law, they have the right to age-appropriate justice.</p>

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