



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.”

Convention on the Rights of the Child, 1989



On this momentous 20th anniversary of the adoption of the Convention on the Rights of the Child, we celebrate the achievements that have been made on behalf of our youngest members of the human family. Following are excerpts from United Nations documents upholding the right to life of all the world's children, born and unborn.

Geneva Declaration of the Rights of the Child (1924)

League of Nations (Sept. 26, 1924)

- (2) The child that is hungry must be fed; the child that is sick must be nursed; the child that is backward must be helped; the delinquent child must be reclaimed; and the orphan and the waif must be sheltered and succored.

The Universal Declaration of Human Rights (Dec. 10, 1948)

Article 3: Everyone has the right to life, liberty and security of person.

Declaration of the Rights of the Child (Nov. 20, 1959, General Assembly Resolution 1386 (XIV))

Preamble:

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

Principal 4

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

Principal 5

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

Principal 8

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

Convention on the Rights of the Child (Nov. 20, 1989, General Assembly Resolution 44)

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."

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 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.

Article 24

2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:
 - (a) To diminish infant and child mortality
 - (d) To ensure appropriate pre-natal and post-natal health care for mothers.



Abortion violates the rights of children

At this historic gathering, we also commemorate those children lost to abortion. The destruction of human life by abortion is the greatest human rights struggle of our time. The World Health Organization estimates that there are 42 million abortions performed worldwide each year—a profound violation of the equal dignity and rights of human beings.

Abortion kills a human being

As a matter of biological fact, the unborn (i.e., embryo or fetus) is a distinct, living and whole (though immature) human organism—a full-fledged member of the species *Homo sapiens*, needing only the proper care and nutrients to develop itself through the many stages of human life.

Explains Dr. Micheline Matthews-Roth of Harvard Medical School, “It is scientifically correct to say that an individual human life begins at conception, when egg and sperm join to form the zygote, and this developing human always is a member of our species in all stages of its life.”

Each human zygote or one-cell embryo, whether conceived by fertilization or cloning, has the full genetic code he or she will carry through life. Nothing else is added except oxygen and nutrition.

Abortion is the killing of this young, growing human being before he or she is born. Most abortions entail dismembering the unborn human via the suction curettage or dilation and evacuation (D & E) procedures.

All human beings have human rights

Morally, no relevant difference exists between human beings before and after birth. Notes author Scott Klusendorf, “In the past, we used to discriminate on the basis of skin color and gender (and still do at times), but now, with elective abortion, we discriminate on the basis of size, level of development, location, and degree of dependency. We’ve simply swapped one form of bigotry for another.”

Human beings are valuable in themselves, not by virtue of acquired properties or abilities. Every member of the human family is equal in his or her fundamental rights, including the right to life itself, without which no other rights are possible.

It is therefore wrong to kill unborn human beings, who are valuable, rights-bearing persons deserving of respect, just like every other member of our species. Further, because governments have a responsibility to protect their people from unjust harm or killing, elective abortion should be prohibited by law.

Women and children deserve better than abortion

Women suffer serious physical, mental and sociological consequences resulting from abortion. (With every abortion there is at least one dead and one wounded, and sometimes two dead.) Attempts to dehumanize the unborn child to make her or him appear to be something less than human are designed to make it easier for us to accept that the killing of one of our own is in some way “acceptable” or “necessary.” It is not. Abortion is wrong.

As we recognize the 20th anniversary of the Convention on the Rights of the Child, we must remember that abortion serves neither the child nor his or her mother. The international community encompasses enough resources that no pregnant woman should ever feel that abortion is her only option.

Two questions must be answered:

- 1. Is the unborn a human being?**
- 2. Do all human beings have rights?**



Protecting children—born and unborn

This Geneva meeting faces three challenges within its theme: “Dignity, Development and Dialogue.” Each of these holds the promise of protecting the lives of the world’s children, born and unborn.

Theme One: Dignity

The Charter of the United Nations (U.N.) and the Universal Declaration of Human Rights declare “faith in fundamental human rights and in the dignity and worth of the human person.” Those nations which have agreed to these and subsequent human rights documents (e.g. the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights) have obligated themselves to recognize the fact that the inherent dignity and worth and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.

Every child possesses dignity as a human being. The dignity of the child is present from the beginning of his or her humanity—at conception. The U.N. Universal Declaration of Human Rights states (art. 3) that “Everyone has the right to life, liberty and security of person.” Abortion violates those rights of the child.

Theme Two: Development

The U.N. Convention on the Rights of the Child states that “Parties shall ensure to the maximum extent possible the survival and development of the child” (art. 6.2). Survival and development within the womb are essential to the child’s future physical, mental, spiritual, moral, psychological and social development. The above mentioned instruments make no distinction between a child’s location inside or outside the womb; the right to development is to be protected at every stage of the child’s life.

Theme Three: Dialogue

The goal of including children in decisions which will impact them is nowhere more critical than in their right to life. The Convention on the Rights of the Child states, “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.” The unborn child’s inability to communicate his or her will to live must be understood in this “special needs and care” context in which “appropriate legal protection” is provided as a basic human right. The presumption must always be for life.

An absolute prohibition on the intentional killing of innocent civilians is an universally-held legal and moral principle. This principle is found in numerous legal instruments, both international and domestic. The International Covenant on Civil and Political Rights (ICCPR) forbids the death penalty to be carried out on pregnant women. The principal reason for inclusion of this provision was to save the life of an innocent unborn child (made clear in the ICCPR *travaux préparatoires*). This precedent must be upheld and applied on behalf of every unborn child. There is no dialogue without life.



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