The Child in International Law: A Pathfinder and Selected Bibliography

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The Child in International Law: A Pathfinder
and Selected Bibliography

Christine Alice Corcos*

I. INTRODUCTION

Until recently children’s rights have not been a perceptible body of law separable from the greater universe of individual human rights. If they recognized them at all, lawyers and legal scholars considered that children’s rights derived from the rights of the parents or from individual human rights recognized by international or domestic law. Indeed, for centuries children did not have rights as we normally understand them; they were property to be disposed of at the whim of their (usually male) parents.¹ During the late eighteenth and early nineteenth centuries reformers began to agitate for the protection of children from exploitation through labor laws, compulsory schooling laws, child abuse and neglect laws and other forms of state protection against parental abuse. As the period of childhood lengthened, children escaped the duties that had traditionally constrained them and prevented them from escaping poverty and ignorance. Conversely, they continued to exist without the rights that adults acquired at majority—the right to choose a domicile, the right to marry, the right to engage in a particular profession, the right to practice a particular religion. Children’s rights advocates in Europe and the United States began as early as the late 1880s to demand that children be granted at least some of these rights, in both the civil and criminal legal arenas.² Thus, children began to exercise certain rights, without the corresponding responsibilities, creating a tension in the laws ex-

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panding the child’s expectation of liberty and the legal constraints still in
operation.

The United Nations Convention on the Rights of the Child is a bold
and innovative document, a consensus of international legal and political
opinion concerning those rights which children ought to expect their na-
tional governments to recognize. However, a close examination of the
language of the document reveals the tension still inherent in the area of
children’s rights between the control that parents, and to a lesser extent
the State, maintain over children and the autonomy that children can
claim through the rights recognized in this international agreement.

II. GENERAL WORKS ON HUMAN RIGHTS IN INTERNATIONAL LAW

A. Treaties, Conventions, and Agreements

Until the Convention was opened for signature, children’s rights ad-
vocates funnelled claims for minors through other conventions and
agreements such as the International Covenant on Civil and Political
Rights;3 these agreements still serve as an alternate mechanism for the
application and enforcement of children’s rights as a subset of individual
human rights. Many international agreements focus on human rights in
international law, and by implication encompass protection of the child’s
rights under international law. The United Nations Charter, for exam-
ple, states as one of its goals “[t]o reaffirm faith in fundamental human
rights, in the dignity and worth of the human person, in the equal rights
of men and women and of nations large and small.”4 The Universal Dec-
claration of Human Rights,5 which “reflects an international consensus on
the basic rights of man and which signals the beginning of a struggle to
create enforceable international norms”6 and subsequent declarations re-
iterate and amplify the rights presented in the U.N. Charter, but since
they are nonbinding, their influence has been limited to generating bind-
ing international covenants7 such as the United Nations International
Covenant on Civil and Political Rights,8 the International Covenant on

3 See e.g., Lysaght, The Scope of Protocol II and Its Relation To Common Article 3 of the
4 U.N. CHARTER preamble.
PRESENT STATUS OF THE INTERNATIONAL PROTECTION OF HUMAN RIGHTS: FORTY YEARS AF-
TER THE UNIVERSAL DECLARATION (1988), provides a learned study of the impact of the Universal
Declaration and related covenants.
6 Eekelaar, Parents and Children—Rights, Responsibilities and Needs: An English Perspective, 2
7 Id. at 113.
Economic, Social, and Cultural Rights, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the American Convention on Human Rights, the African Charter on Human and People’s Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination Against Women, and the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Universal Declaration of Human Rights, and the Declaration of the Rights of the Child, while lacking the status of international agreements are also statements of the rights of individuals in international law.

The most recent UN statement on the rights of the child appears in the Convention on the Rights of the Child, adopted without vote on November 20, 1989. Its appearance indicates that children’s rights have finally achieved a recognition and status equal to that of other minorities in international law. After seven years of drafts and discussion, the Convention was opened for signature in 1990.

B. Secondary Literature on Specific Agreements

1. The United Nations Covenants

The literature on the United Nations and the protection and imple-

2. The European Convention for the Protection of Human Rights and Freedoms


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22 For specific discussions of child labor and child marriage see McDougal, Lasswell, & Chen, at 475-76, 480-81.
C. Research Aids

For a very general introduction to the area of international human rights, the ENCYCLOPEDIA OF PUBLIC INTERNATIONAL LAW is a useful source. For example, see the article by Philip Alston on Children, International Protection.24 In addition, one part of the contents of volume 8 of the ENCYCLOPEDIA is devoted to human rights in international law. Included are articles on various international and regional conventions, including the African Charter on Human and Peoples' Rights,25 the status of aliens,26 the American Convention on Human Rights,27 the status of human rights in Europe,28 human rights in general,29 the Inter-American Court of Human Rights,30 and the International Covenant on Human Rights.31 J. FRIEDMAN & M. SHERMAN, HUMAN RIGHTS: AN INTERNATIONAL AND COMPARATIVE LAW BIBLIOGRAPHY (1985) is also useful.

III. NON-GOVERNMENTAL ORGANIZATIONS (NGOs) AND HUMAN RIGHTS

Non-governmental organizations whose major interests include the

25 See supra note 10.
promotion of one or more basic human rights include religious groups, secular organizations devoted to the promotion of all human rights, and those devoted to one particular right, for example, free speech.

Selected Bibliography


IV. THE POSITION OF THE CHILD IN INTERNATIONAL LAW

A. A Brief History of the Children’s Rights Movement

Commentators trace the inception of the international children’s rights movement to the work of the British-born Eglantyne Jebb, who founded the Save the Children International Union (SCIU) in Geneva in 1920. In 1923, the SCIU promulgated the Declaration of Geneva, which was later adopted by the League of Nations. Among the children’s rights recognized in the Declaration were the right to emotional and physical well-being, the right to a family, the right to aid in time of war or national disaster, the right to an education or training, and

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33 The International Committee of the Red Cross, the Women’s League for Peace and Freedom. *Id.* at 58.
34 Amnesty International; PEN; Americas Watch and Mid-East Watch are current examples of organizations primarily or currently concerned with the rights to speak and think freely.
36 *Id.*
37 *Id.*
38 *Id.*
39 *Id.*
the right to recognition of their places and responsibilities in the human family. 41 Between 1923 and 1959, various organizations put forward covenants, declarations and conventions which took into account the human rights of children. 42 In 1959, the United Nations adopted the Declaration of the Rights of the Child 43 and in recognition of the twentieth anniversary of that adoption, named 1979 the International Year of the Child. 44

As part of the celebration of the International Year of the Child, Poland suggested that the United Nations draft a covenant which would put into legal effect the principles pertaining to children set down in the non-binding Universal Declaration of Human Rights. 45 By authority of the General Assembly, the United Nations Human Rights Commission began drafting a Convention on the Rights of the Child. 46 As part of the thirty-year anniversary of the Universal Declaration, various groups began lobbying for a final version of the convention to be voted by 1989. 47 Some nations, however, saw a covenant on children’s rights as redundant, 48 or worse, as a ploy by Eastern bloc nations to create rights out of public policy decisions. 49 Within three years, the Commission on Human Rights, a part of the Economic and Social Council of the United Nations, launched a working group whose mission was to study the rights of the child in international law. 50 Other U.N. agencies actively studying the rights of the child included the United Nations Children’s Fund 51 and the World Health Organization. 52 A steady stream of reports from the Commission on Human Rights Working Group and from the NGO Ad Hoc Group on the Drafting of the Convention on the Rights of the Child 53 led to the presentation of the convention to the

40 Id.
41 Id.
44 Corporal Punishment, supra note 35, at 125.
45 Introductory Note, supra note 18.
47 Corporal Punishment, supra note 35, at 1449.
48 Id. at 1450.
49 Id. at 1449.
51 Id.
52 Batt suggests other UN organizations with an interest in children’s rights, including “the Commission for Social Development, the Commission on the Status of Women, the International Research and Training Institute for Women, the United States Development Programme, the Food and Agriculture Organization of the United Nations and the International Fund for Development Alternatives.” Id. at 68.
53 Introductory Note, supra note 18, at 1448-49.
General Assembly in 1989. Some of the rights directly attributable to NGO participation in the drafting process are "protection against 'traditional practices' (i.e. female circumcision), and against sexual exploitation, protection of rights of indigenous children, standards for the administration of school discipline and rehabilitation for victims of various types of abuse and exploitation." 

B. General Works

Serious scholarly interest in an international law analysis and justification of children's rights is fairly recent. Among the articles that have appeared in the past ten years, most take the view that children's rights are derived from the human rights asserted in various international covenants. However, Batt, *The Child's Right To a Best Interest Psychological Development Under the Declaration of the Rights of the Child: Policy Science Reflections on International Law, Psychological Well-Being and World Peace*, 2 HUM. RTS. ANN. 19 (1984) discusses the jurisprudential effect of the Declaration of the Rights of the Child and takes the view that because of their particular vulnerability, children have rights that must be articulated forcefully and directly rather than through existing theories of human rights. Cohen, *The Human Rights of Children*, 12 CAPITAL U. L. REV. 369 (1983) is another commentator who views children's rights as deriving from the infant's dependent state.

C. Selected Bibliography


Daoudi, *La Codification des Droits de l'enfant: Analyse des Prises de Posi-


Freeman, The Rights of Children In the International Year of the Child, 33 CURRENT LEGAL PROB. 1 (1983).


International Seminar of CIMEA On the Role of Children’s and Adolescents’ Organizations in the Struggle for the Application of the UN Declaration of the Rights of the Child (Wegimont, Belgium 1986).


International Year of the Child: Final Report Series (1981). This is a nine volume set.


M. Lacer, La Proteccion Internacional de los Derechos de los Ninos, 45
REVISTA GENERAL DEL DERECHO 2907 (1989); 45 REVISTA GENERAL DEL DERECHO 3819 (1989).
National Committee on the International Year of the Child, Report to the President (1980).


Rights of Children: Papers Presented at a Conference Organised By ABAFA (now BAAF) Legal Group To Mark the International Year of the Child (1981)(British Agencies For Adoption and Fostering, Discussion Series 3).


S. TIFFIN, IN WHOSE BEST INTEREST?: CHILD WELFARE REFORM IN THE PROGRESSIVE ERA (1982).


V. THE UNITED NATIONS DECLARATION ON THE RIGHTS OF THE CHILD

The predecessor declaration to the United Nations Convention on
the Rights of the Child, the United Nations Declaration on the Rights of the Child (1959) first stated those rights which are guaranteed in the Convention. The Batt article (discussed supra) analyzes the meaning of each clause of the Declaration at great length.

VI. THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD

This convention's major focus is the "best interests of the child" standard already familiar in U.S., British and other systems of domestic law. The convention repeats rights already stated in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights. However, the convention applies these rights directly to the situation of the child in international law. Some rights enumerated are peculiar to the situation of the juvenile, for instance Article 8 which focuses on the child's individual identity and Article 21, which discusses adoption.

The major features of this convention include recognition of the following rights of children:

Article 2: Non-discrimination; Article 3: Best interests of the child standard; Article 5: Right to remain with extended family or familiar community; Article 6: Right to nationality; Article 8: Right to personal identity; Article 9: Right to remain with parents barring proof of abuse; Article 10: Right to maintain contact with parents geographically separated from him/her; Article 11: Right to intervention by the state in cases of child abduction; Articles 12 and 13: Right to freedom of speech at an appropriate age; Article 14: Right

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59 Id.
60 28 I.L.M. at 1459.
61 Id.
62 Id. at 1460.
63 Id.
64 Id.
65 Id.
66 Id. at 1461.
67 Id.
68 Id. at 1461-62.
to freedom of thought and religion;\textsuperscript{69} Article 15: Right to freedom of assembly and association;\textsuperscript{70} Article 16: Right to freedom from arbitrary search and seizure;\textsuperscript{71} Article 17: Right to information;\textsuperscript{72} Article 18: Right to shelter and support from both parents;\textsuperscript{73} Article 19: Right to freedom from abuse and neglect by any party;\textsuperscript{74} Article 21: Right to adoption, within the laws of the affected state;\textsuperscript{75} Article 22: Right to asylum in time of war;\textsuperscript{76} Article 23: For disabled children, right to shelter, education, rehabilitation and protection;\textsuperscript{77} Article 24: Right to medical treatment;\textsuperscript{78} Article 28: Right to an education;\textsuperscript{79} Article 32: Right to protection from forced labor;\textsuperscript{80} Articles 34-36: Right to freedom from sexual abuse and harassment, Right to freedom from other forms of exploitation;\textsuperscript{81} Article 37: Right to freedom from torture or unauthorized imprisonment;\textsuperscript{82} Article 40: Right to due process in criminal cases.\textsuperscript{83}

\textit{Selected Bibliography}

The convention has engendered a great deal of secondary literature. Below is a selected bibliography of recent publications:


\textsuperscript{69} Id.

\textsuperscript{70} Id.

\textsuperscript{71} Id.

\textsuperscript{72} Id. at 1463.

\textsuperscript{73} Id.

\textsuperscript{74} Id.

\textsuperscript{75} Id. at 1464.

\textsuperscript{76} Id.

\textsuperscript{77} Id. at 1465.

\textsuperscript{78} Id.

\textsuperscript{79} Id. at 1467.

\textsuperscript{80} Id. at 1468-69.

\textsuperscript{81} Id. at 1469.

\textsuperscript{82} Id. at 1469-70.

\textsuperscript{83} Id. at 1471-72.


C. O'Donnell, CHILDREN'S RIGHTS IN INTERNATIONAL PERSPEC-
A quick scan of UNDOC also yields many primary citations to this crucial international agreement. Documents for the study of the development of the convention include the following:


VII. PROSECUTING CHILDREN’S RIGHTS VIOLATIONS

Advocates have brought children’s rights cases before the European Commission on Human Rights under the European Convention for the Protection of Human Rights and Fundamental Freedoms, Article 3. However, the only signatories to this Convention are the Member States of the Council of Europe. The American Convention on Human Rights (also known as the Pact of San Jose) has established the Inter-American Court of Human Rights, which can hear children’s rights cases under Article 5, Section 2. Advocates can also bring cases from states not parties to the Convention before the Inter-American Commission via Article 20 of Chapter IV of the Statute of the Inter-American

85 Corporal Punishment, supra note 35, at 115.
86 Id. at 116. See also Norris, Bringing Human Rights Petitions Before the Inter-American Commission, 20 SANTA CLARA L. REV. 733 (1980) [hereinafter Human Rights Petitions].
Commission on Human Rights. However, claims brought under Article 20 must allege violations of the American Declaration on the Rights and Duties of Man rather than violations of the Inter-American Convention on Human Rights.

The United States allows claims to be brought under the Alien Tort Claims Act for human rights violations, and alien parents have sued under this act for violation of their children's rights. Great Britain, for example, allows children's claims to be heard under the Children's Act 1989 and the Fatal Accidents Act. Other nations such as Australia allow children to bring claims either for personal injury or for the death of a parent.

The Sub-Commission on the Prevention of Discrimination and Protection of Minorities of the United Nations Human Rights Commission can accept and investigate any complaint alleging violation of the United Nations Charter's guarantee of human rights, based on Resolution 1503 of the United Nations Economic and Social Council (ECOSOC). If it finds that the complaint warrants further investigation or a formal hearing, the Subcommittee can refer the matter to the Commission on Human Rights. Thus, even citizens of states which are non-signatories to the conventions listed above can bring complaints to an international investigatory and judicial body. Examples of complaints which the Subcommittee has forwarded to the Commission include racial discrimination, arbitrary search and seizure, flagrant violation of personal rights, forced labor, and torture. Other IGOs have also established procedures

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87 Corporal Punishment, supra note 35, at 118. The Statute is reprinted in Human Rights Petitions, supra note 86, at 758.
88 Corporal Punishment, supra note 35, at 118.
91 Children Act, 1989, ch. 41.
95 Corporal Punishment, supra note 35, at 122.
to hear complaints of human rights violations. The European Court of Justice also hears claims brought either under provisions of the Treaty of Rome or under various European human rights conventions. Commentators such as Cohen have also documented children’s attempts to bring corporal punishment issues before the world’s courts.

Commentators have also pointed out that independent, non-governmental organizations such as Amnesty International, Americas Watch and others can be instrumental in focusing public attention on governmental practices and forcing errant states to curtail human rights violations. The statement by Robert Thomson, President of the Non-Governmental Organizations Committee on UNICEF, is also a powerful exposition of the steps that children’s rights advocates maintain must be taken in the next decades. Thomson’s concerns include the environment, education and the necessity for eliminating gender disparity. Other non-governmental organizations interested in children’s rights on an international scale include Helen Keller International and the International Agency for the Prevention of Blindness, whose interest is primarily in preventing the disability through the elimination of disease and the promotion of good nutrition, the La Leche League, also interested in prenatal and postnatal care, the International Catholic Child Bureau Incorporated, whose interest is primarily in the spiritual and family life of children, and the World Movement of Mothers.


99 Corporal Punishment, supra note 35.

100 Corporal Punishment, supra note 35, at 124.


102 Id. at 2.

103 Id. at 3.


VIII. DOING FURTHER RESEARCH ON CHILDREN'S RIGHTS IN INTERNATIONAL LAW

Below is a list of indices, databases and publications useful in investigating children's rights in an international context. Exclusion of a particular title is not a comment on its quality.

A. Indexes

Generally, articles on the rights of children in international law are indexed in general legal periodical indexes. Among these are: Current Law Index and its associated index, LEGALTRAC. Also check the LGLIND file of the LAWREV library on LEXIS and the LRI database on WESTLAW. EC Index (1984-1986 only, ceased publication 1986). Index to Legal Periodicals and its associated indexes, WILSONDISC, WILSONLINE, and ILP (on LEXIS and WESTLAW). Index to Foreign Legal Periodicals. Some appropriate subject headings are Child Welfare, Parents and Children, Offenses Against Family and Youth, Guardianship, Illegitimacy & Legitimation, Surrogate Mothers. Index to Canadian Legal Periodical Literature. Specialized indexes such as Kindex cover all aspects of the law applicable to children. Pittsburgh: National Center For Juvenile Justice, 1965/75.

B. Databases

LEXIS libraries of interest to researchers in children's rights include the INTLAW, LAWREV and NEXIS libraries. On WESTLAW databases of interest include the international law database and Legal Resource Index. Besides the traditional reference databases such as LCMARC, Books in Print, British Books in Print, GPO Monthly Catalog, and British Official Publications, DIALOG databases of interest include Child Abuse and Neglect (file 64), Exceptional Child Education Resources (file 54), ERIC (file 1), Family Resources (file 291), Dissertation Abstracts (file 35), Philosophies Index (file 57), and Population Bibliography (file 91). For materials on the history of children's rights, see America: History and Life (file 38) and Historical Abstracts (file 39). Note that many DIALOG databases are now available through a WESTLAW gateway as well (availability depends on the institutional contract).

C. Bibliographies

C. Campbell, THE RIGHTS OF CHILDREN AND LEGAL INFANTS: A SE-
LA PROTECTION INTERNATIONALE DES DROITS DE L’ENFANT; BIBLIOGRAPHIE (1979).

D. Periodicals

E. Digests
Juvenile and Family Law Digest. Reno, NV: National Council of Juvenile and Family Court Judges, 19—.

F. Selected Bibliography on Specific Rights
1. Child Custody; Parental Abduction; Adoption
Report of the Economic and Social Counsel: Draft Declaration on Social

2. Fetal Rights and Abortion; Family Planning

3. Health, Food, and Shelter

4. Criminal Sanctions

5. Child Witnesses


6. Civil Rights


7. Education; The Disabled Child


8. Military Service and Armed Conflict


Analysis of the Protection Afforded To Children in Warfare, 9 B.C. THIRD WORLD L.J. 297 (1989).

9. Child Labor

10. The Best Interests of the Child Doctrine; The “Tender Years” Doctrine
J. Goldstein, A. Freud, & A. Solnit, Beyond the Best Interests of the Child (1979).
J. Goldstein, A. Freud, & A. Solnit, In the Best Interests of the Child (1986).
Among the recognized treatises on children in specific jurisdictions are H. Bevan, Child Law (2d ed. 1989)(the United Kingdom), J. Goldstein, A. Freud, & A. Solnit, Beyond the Best Interests of the Child (1979)(the United States; the classic statement of the application of the “best interests of the child” doctrine), and L. Feldman, The Children Act 1989 (1990)(the United Kingdom).109 Works of histori-

109 The Children Act, 1989, is a massive rewriting of the law applicable to children in England and Wales. Members of Parliament and children’s rights advocates, horrified by the alleged abuses in Cleveland in 1987, induced the government to introduce and back this piece of legislation, which restated the bases on which all issues relating to children are decided. See also Great Britain, Children Act 1989 (J. Masson ed. 1990)(Current Law Statutes Annotated Reprints) for an annotated version of the Act.
cal interest include P. BINGHAM, THE LAW OF INFANCY AND COUVERTURE (2d Am. ed. 1849).

The idea of "children's rights" extends to obligations outside the family and criminal contexts. For example, some commentators are now advancing the position that the generic child is entitled to a certain standard of life and environmental health. Weiss, Agora: What Does Our Generation Owe To the Next? An Approach To Global Environmental Responsibility: Our Rights and Obligations To Future Generations For the Environment, 84 AM. J. INT'L L. 198 (1990).

IX. INTERNATIONAL ORGANIZATIONS

Many international and inter-governmental organizations specialize in the promotion of children's rights. A good source for names and addresses is the Encyclopedia of Associations International Organizations. Representative organizations include:

International Organization for the Child's Right to Play
c/o Jane Knight
1391 Halifax Place
Burlington, Ontario L7S 1J7

Central Union for Child Welfare
Armfeltintie 1
SF-00150 Helsinki 15, Finland

Children of the Americas
c/o W. O. Mills III
P. O. Box 140165
Dallas, Texas 75214

Defence for Children International
Case Postale 88
CH-1211 Geneva 20, Switzerland

(This organization publishes the CHILDREN'S RIGHTS MONITOR quarterly).

Food and Agriculture Organization of the United Nations (FAO)
Via delle Terme di Caracalla
I-00100 Rome, Italy

Numerous publications. Also maintains databases such as AGRIS (International Information System for the Agricultural Sciences and Technology).

Helen Keller International

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15 West 16th Street
New York, New York 10011

Inter-American Children’s Institute
Avenida 8 de Octubre 2904
Montevideo, Uruguay

International Action for the Rights of the Child
54, rue des Ecoles
Boîte Postale 427
F-75233 Paris 05 Cedex France

International Agency for the Prevention of Blindness
National Eye Institute
Building 31, Room 6A03
Bethesda, Maryland 20892

(Publishes IAPB Newsletter (twice yearly); World Blindness and Its Prevention (proceedings of quadrennial convention). Coordinates activities with UNICEF, WHO, other international agencies).

International Association of Juvenile and Family Court Magistrates
c/o Tribunal Pour Enfants
Palais de Justice
F-75055 Paris France

International Committee of Children’s and Adolescents’ Movements
Postafio 147
H-1389 Budapest 62, Hungary

International Society for Prevention of Child Abuse and Neglect
1205 Oneida Street
Denver, CO 80220

International Catholic Child’s Bureau
65, rue de Lausanne
CH-1202 Geneva, Switzerland

International Committee of the Red Cross
17, avenue de la Paix
17-1202 Geneva, Switzerland

Publishes ICRC Bulletin (monthly); International Review of the Red Cross (bimonthly).

International Planned Parenthood Federation
Regent’s College
Inner Circle
Regent’s Park
London NW1 4NS England

Publishes Open File (semimonthly); IPPF Medical Bulletin (bimonthly),
AIDS Watch (quarterly); Earthwatch/Eco-Monde (quarterly), many other publications.

International Society of Family Law
c/o Dr. David S. Pearl
Fitzwilliam College
Cambridge CB3 0DG England

Publishes a Directory of Members; Annual Survey of Family Law; Newsletter (annual); The Child and the Law, Family Violence; Marriage and Cohabitation in Contemporary Societies (monographs).

La Leche League International
9616 Minneapolis Avenue
P. O. Box 1209
Franklin Park, IL 60131

Publishes Leaven (bimonthly); a catalog and directory (annuals), various helpful materials including a cookbook.

Oxfam
274 Banbury Road
Oxford OX2 7DZ England

Publishes Oxfam News (quarterly); various publications in health and welfare topics.

Save the Children Fund
Mary Datchelor House
17 Grove Lane
Camberwell
London SE5 8RD England

United Nations Children’s Fund (UNICEF)
3 United Nations Plaza
New York, New York 10017

Publishes State of the World’s Children (annual); UNICEF Annual Report, and several brochures.

United Nations High Commission for Refugees
Palais des Nations
CH-1211 Geneva 10, Switzerland

Publishes Magazine Refugees (monthly).

World Food Council
Via delle Terme di Caracalla
I-00100 Rome, Italy

X. CONCLUSION

While the United Nations Covenant on the Rights of the Child is a tremendous step forward in the direction of recognition of the problems which the particular legal and economic status of the child may cause, it still does not address some of the issues which involve children or some of the situations which continue to put children at risk, namely juvenile justice, including capital punishment, the rights of child non-citizens, the forced relocation of children and right of the child to refuse to medical or scientific experimentation.\textsuperscript{111} Another novel idea omitted from the covenant as it was accepted is that of an International Ombudsman for children's rights.\textsuperscript{112} Based on the experiences of various nations with one or more of these issues, one may expect to see them championing or refusing to implement various children's rights as posited in the Covenant and attendant documents.\textsuperscript{113} Areas which continue to be hotly discussed include the rights of the unborn, the rights to freedom of religion and adoption, and the role of children in war.\textsuperscript{114} Cohen points out that the mechanism for implementation of the covenant is slightly different from those used for previous covenants, in that the emphasis is on reinforce-
ment of the activities of complying states rather than on sanctions of non-complying states. She notes as well that individual children have no means through which to lodge complaints with the Human Rights Committee. All of these areas are likely to repay close study and analysis as the Convention is signed and put into effect by the nations of the world.

115 Id. at 1452.
116 Id.