

# Human Rights Watch

## Children's Rights

<https://www.hrw.org/news/2009/11/18/us-ratify-childrens-treaty>

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On 20th anniversary, Convention on the Rights of the Child Embraced by World but Not the US

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(New York) - The United States should ratify the Convention on the Rights of the Child, which is supported by nearly every other nation in the world, Human Rights Watch said today. The United States and Somalia are the only countries that have failed to ratify the Convention, which was adopted 20 years ago, on November 20, 1989.

The Convention on the Rights of the Child became the most widely and rapidly ratified human rights treaty in history. The United States signed the Convention in 1995, but no US president then or since has sent it to the Senate for ratification.

"The United States' failure to ratify the Convention on the Rights of the Child is an embarrassment," said Jo Becker, children's rights advocacy director for Human Rights Watch. "It damages the US' reputation as a human rights leader and undermines its ability to improve the lives of children around the globe."

The Convention was largely negotiated during the Reagan administration. During the ten years of negotiations, the United States influenced nearly every substantive provision and proposed more articles-on freedom of speech, association, assembly, and privacy-than all other governments combined.

The Convention emphasizes the rights of children to survival; to develop to their full potential; to protection from abuse, neglect, discrimination, and exploitation; and to participate in family, cultural, and social life.

"The Convention reflects what all Americans want for their children," Becker said. "President Obama and the US Senate should act quickly to ratify the treaty the US worked so hard to shape."

Most US laws are already in compliance with the Convention. In 2005, the US Supreme Court removed the most significant legal impediment when it ruled that the use of the death penalty for crimes committed before age 18 was unconstitutional. The practice is prohibited by the Convention.

Some US critics claim that the Convention is "anti-family" and will undermine the rights of American parents. However, the Convention repeatedly refers to the importance of the family and states that governments should respect the rights, responsibilities, and duties of parents to raise their children.

During a presidential debate before his election, President Obama pledged to review the Convention and other human rights treaties that the US has not yet ratified. In August 2009 the US signed the Convention on the Rights of Persons with Disabilities. The last human rights treaties to be ratified by the United States were two optional protocols to the Convention on the Rights of the Child that at the US request, had been negotiated as stand-alone treaties that could be ratified regardless of whether a country had ratified the Convention itself. One concerned the involvement of children in armed conflict and the other on the sale of children, child prostitution and child pornography.

In early 2009, the State Department initiated an interagency review of the Convention, but no further action has been taken.

"Over the past 20 years, virtually every other country has joined this treaty, leaving the US in the sole company of Somalia, a country with no government," said Becker. "US ratification is long over-due."

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