

Human Rights Belong to All, Regardless of Age, and Children Have Their Own Rights.

A child is any person under the age of 18, regardless of race, sex, language, religion, place of birth, national or social origin, property, birth, or any other status. Child rights are the rights and freedoms that every child should have.

In order for children to develop harmoniously they need to grow up in an atmosphere of love and kindness, in a family, and be surrounded by close and loving people. It is the job of adults to help children prepare for independent life, become a full member of society, and enable normal conditions for the physical and intellectual development of children.

Developing the concept of human rights has led to children's rights getting their own category. In the early 20th century, children's rights were usually viewed in the context of existing problems like child labor, child trafficking, and the prostitution of minors. The need to legally protect the health of children and protect their rights prompted the League of Nations to adopt the Geneva Declaration of the Rights of the Child in 1924 (the League of Nations was the first global organization with the goal of maintaining peace and promoting international cooperation. It was formally founded on January 10, 1920 and ceased to exist on April 18, 1946 with the formation of the UN) [1].

The next important step was the Declaration of the Rights of the Child, adopted by the UN in 1959 which declared the social and legal principles relating to the protection and welfare of children. It stated that "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, both before and after birth."

One of the major problems in protecting the rights of children is the problem of child abuse. Child abuse is defined as "all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse of the child."

This phenomenon is not unique to developing countries only, where children's issues are obvious and out in the open, like hunger, war, lack of adequate housing and health care – all things that threaten the life and health of a child. It also exists in developed, better-off countries. After all, the concept of child abuse includes any form of ill-treatment from parents, guardians, teachers, educators, and representatives from law enforcement agencies towards a child. When treated abusively, children often become people who are poorly educated, who are unable to work, create a family, or be good parents or citizens of their country, which leads to the breeding of violence and abuse in society.

Abuse includes the following main forms: physical, sexual, psychological, and social. Physical abuse is the intentional infliction of physical injury on children, causing damage to their health, hindering their development, or even depriving them of life. It also includes exposing a child to

drugs, alcohol, poisons, or 'medicinal drugs' that cloud the mind. Sexual abuse is the involving of a child, with or without their consent, in sexual acts, prostitution, or in the pornography business. A child's consent to sexual intercourse is not grounds to consider the act non-abusive, since the child still isn't able to foresee all of the negative consequences of their actions. Psychological abuse is the periodic, prolonged, or constant psychological influence on a child, which also includes putting demands on a child that don't correspond to their abilities at that age, hinder their personal development, and lead to the formation of psychological inhibitions. Social abuse is neglecting the interests and needs of a child, including a lack of basic child care and the proper basic needs (food, clothing, shelter, education, and medical care). As a result, children may have a disturbed emotional state and their health and normal development are threatened.

Statistics show that up to 40% of child abuse cases occur in the family with 38% at schools and children's institutions, etc. /2/. Therefore, there is of huge importance to have a system that protects children's rights and allows for violations of children's rights to be monitored and controlled. In this instance, one of the most representative countries is America, which has a vast number of laws in the interest of children. For example, there is a law that carries liability for failure to pay child support, and compliance with it is quite serious. Negligent parents are often caught when renewing their driver's licenses as the computer quickly identifies the debtor and will not issue a driver's license until the parent has paid the amount owed. Some states have a law requiring employers to check job seekers for any parental debt present. The rules are the same: first pay child support and only then can you have a job. It is very well possible to trace the entire breadth of the concept of "child abuse" to America's example /2/. There are tons of laws providing for parental responsibility in various violations of children's rights.

Now, we will get a view of a child's right to express their opinion, which is included in article 12 of the UN Convention on the Rights of the Child. States Parties shall assure children who are able to form their own views the right to express these views freely in all matters affecting the child's interests with the child's views being given due weight in accordance with their age and maturity. It is for this purpose in particular, children should be given the opportunity to be heard in any judicial and administrative proceedings affecting the interests of the child, either directly or through a representative or appropriate body in a manner consistent with the procedural norms of national law. The child's opinion is of importance in making family decisions that affect the legal status of the child. The opinions of children gain significant importance when the child reaches 10. Considering the opinion of children over the age of 10 is required except in cases when it would be contrary to their interests. If the court disagrees with the child's opinions, other state and municipal bodies are required to justify the reasons why decisions made contrary the child were so made. The interests of children must be understood as ensuring their healthy lifestyle, normal mental and physical development, education, adequate material and home conditions, and other needs.

As noted, a child's right to express their opinion is provided for in article 12 of the UN Convention on the Rights of the Child. Thus, the legislature has made this condition mandatory – a child's opinions should be considered once they have reached the age of 10 /3/. It should be noted that article 12 of the Convention on the Rights of the Child does not set a lower age limit for the right to express one's opinion. In our view, there is a need to create a positive context in order to inculcate children's rights from early childhood and the minimum age for children should be reduced to 7. It is also important to move away from traditional beliefs that regard

early childhood as mainly a time for socializing immature human beings into mature adults. The Convention requires that children, even the very youngest, be respected as persons with their own rights. Young children should be accepted as participating members of the family and society as a whole with their own concerns, interests and views. We also emphasize that, in determining how much weight a child's opinion should carry, it is worth moving away from age as the only criterion. Instead, criteria should be two-fold: age and maturity. The concept of maturity is not defined in the Convention; however, the commentary on it talks about how maturity is understood as the ability to understand and assess the impact of the issues discussed. This does not mean, though, that small children's opinions should have less significance – in many cases, small children are capable of demonstrating their understanding of the reality around them. In addition to a restriction on age, some countries propose, in this case again, not to consider the views of the child if they are contrary to their own interests. This provision in the law also requires some commentary in the context of international obligations in the area of protecting children's rights, in particular from the Committee on the Rights of the Child's point of view, which notes that government doesn't have the right to rely on the principles of the child's best interests in order to limit children from expressing their views. In general, it should be noted that the concept of the child's best interest is not anchored in law, giving officials the possibility of wider interpretation. Such an interpretation is often contrary to the spirit of the Convention on the Rights of the Child. Meanwhile, as the Committee on the Rights of the Child briefly noted, any interpretation of the best interests of a child should conform to the Convention as a whole and in particular the idea that the child is a human being with their own view and feelings, and is subject to civil and political rights.

The next serious problem requiring legal regulation is the involvement of children in strikes. Strikes are a collective and organized demand through which those on strike demand changes for better living and working conditions. Strikers resist changes that worsen living and working conditions and put forth political demands, changes in government, and changes in legislation. In our view, it is time to unite and say that there is no place for children in strikes. The majority of the population sees strikes as a normal means of protecting their rights and don't think about the children involved who could be affected during the strikes. Therefore, I propose prohibiting the involvement of minors in strikes at the national and international level.

References:

1. The Universal Popular Scientific Online Encyclopedia
(http://www.krugosvet.ru/enc/istoriya/LIGA_NATSI.html)
2. The United Nations Convention on the Rights of the Child
3. Implementation Handbook for the Convention on the Rights of the Child. United Nations Children's Fund. 2007. p.153 (www.ohchr.org/english/bodies/crc/discussion.htm)