

ENTITLED TO SPECIAL CARE AND ASSISTANCE

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“A century that began with children having virtually no rights is ending with children having the most powerful legal instrument that not only recognizes but protects their human rights,” said Carol Bellamy, UNICEF Executive Director, and in 1989 the Convention of the Rights of the Child was adopted by the U.N. Today, I would like you to listen to my belief that we must think about the Convention again.

“Why?” you ask. Because there are three crucial misunderstandings which prevent the Convention from demonstrating its full power and leave many issues concerning children unresolved. In 1994, Japan ratified the Convention as a foundation for protecting children’s rights and still it is the only document vowing children’s rights concretely in Japan. However, at present, a variety of children’s problems – child prostitution, child pornography, bullying, juvenile delinquency, suicide, drug abuse and child abuse – have grown in seriousness, and we are at a loss to cope with those issues. Therefore, now is the time for us to understand the Convention truly.

The first misunderstanding: “The treaty was adopted for poor developing countries and the rights of children born in wealthy nations like Japan are never violated.” The Convention is often considered to have little to do with Japan. But that is far from the truth. Does every child in Japan live in safe and peaceful conditions? Hardly. As I said before, the social environment surrounding children is very severe. Yes, we are blessed materially but this doesn’t mean that children’s rights are always maintained. Because of this misunderstanding, people do not notice the situation that children’s rights are infringed and there are lots of cases we have no response to the problems. Let’s consider child sexual assault. In many developed countries, the age of consent for sexual intercourse is 16. On the other hand, Japanese criminal code set it at 13-year-old though 35% of the boys and girls who turn into a deviate sexual intercourse is a junior high school student and they suffer from unwanted pregnancy and abortion.

The second misunderstanding: “The contents of the Convention are already expressed in legal instruments such as the Constitution and International Covenants on Human Rights and there are necessary legislative changes or new budgeting based on them.” It is true that children’s rights have been considered in some fields such as education, welfare and juvenile justice, but they work separately and the important concept of the Convention, that is to consider children’s rights comprehensively is missed out and makes it difficult for us to solve children’s problems. In child abuse cases, for instance, only the police can intervene, while cooperation among families, child consultation centers, doctors and lawyers are also needed.

The third and last misunderstanding: “Children may become more disobedient and delinquent if children’s rights are strongly emphasized because of the Convention, so that problems concerning children may grow too complex to solve.” This is a totally mistaken conception. Giving rights do not mean to allow children to do as they like. It is an adults’ duty to teach this if children misunderstand.

Furthermore, if children’s rights are stressed, we can understand what kind of obligation we have not carried out. According to the National Institute for Educational Policy Research, 76 percent of juvenile delinquents were raised inappropriately and 64 percent experienced their parents’ divorce or parental abuse. Just by looking this, it is obvious that our efforts to recognize and protect their rights stop children from becoming delinquent.

We need to clear up these three misunderstandings about the Convention and make efforts to solve juvenile problems based on it. To do this, I would like to emphasize that what we, adults, must deepen our understanding of the Convention. A survey by the Federation for the Protection of Children’s Human Rights shows that 50 percent of teachers who have to teach about the Convention don’t know the details even if they know its name. To correct such shortcomings, the board of education of Kawanishi City, Hyogo Prefecture distributes a handbook written about the Convention to each home and school. It also cooperates with schools and gives lectures to teachers and parents.

On a personal level, I would like you to cooperate in correcting these misunderstandings by sharing my speech with your family and friends. Too easy, you may say, but such grassroots initiatives are the strongest because they work from the bottom up.

Since I started the speech activity, I have encountered a great number of speeches showing us children's endless tears. Every time, I asked myself, "Why do they have to suffer so seriously?" Then, I noticed that there were always our ignorance and misunderstandings of children's rights at the root of various children's problems.

The Preamble to the Convention of the Rights of the Child states:

"...the United Nations has proclaimed that childhood is entitled to special care and assistance...

"The child should be fully prepared to live an individual life in society, and brought up in the spirit of...peace, dignity, tolerance, freedom, equality and solidarity."

What we must do is to put into practice that which we have ratified.