



Cayman Islands
Human Rights Commission

promoting, protecting and preserving human rights

‘Stop Violence Against Children!’



Universal Children’s Day
20th November, 2017

An Educational Guide

Message from the Human Rights Commission

The Human Rights Commission (the “Commission”) was created by the Cayman Islands Constitution Order 2009 (the “Constitution”). The primary role of the Commission is to promote observance and awareness of human rights. As part of this role the Commission engages in community outreach projects to fulfil our responsibility to the public. The Commission has identified s.17 of the Constitution – Protection of children, as one of the rights it wishes to highlight in 2017.

The Commission joins individuals and institutions in countries across the globe in celebrating the United Nations’ Universal Children’s Day 2017 on 20th November. Established in 1954, Universal Children’s Day seeks “to promote international togetherness, awareness among children worldwide, and [improve] children’s welfare”.¹ This year’s theme; ‘Stop Violence Against Children!’ was chosen to lend support to the UN’s aim of “eliminating child labour and violence against children, and helping children who are feeling the psychological effects of war or armed conflict.”²

20th November is a landmark day for the UN “as it is the date in 1959 when the UN General Assembly adopted the Declaration of the Rights of the Child. It is also the date in 1989 when the UN General Assembly adopted the Convention on the Rights of the Child (the “CRC”). Since 1990, Universal Children’s Day also marks the anniversary of the date that the UN General Assembly adopted both the declaration and the convention on children’s rights.”³

Universal Children’s Day is spearheaded by the United Nations Children’s Fund (“UNICEF”). UNICEF upholds the CRC and works in 190 countries and territories to advocate for the protection of the rights of every child. The CRC specifies a number of children’s rights which afford protection and basic liberties including:-

- “the right to life
- the right to health and health services
- the right to a family
- the right to education and play
- the right not to be tortured or subjected to inhuman treatment or punishment
- the right to be protected from exploitation, violence and abuse
- the right to have a voice, to be heard
- the right not to be discriminated against
- the right to freedom of expression, thought, conscience and religion”.⁴

¹ http://www.savethechildren.org/site/c.8rKLIXMGIpI4E/b.7869959/k.5C54/Universal_Childrens_Day.htm

² <http://www.ibtimes.co.uk/universal-childrens-day-2014-facts-history-aims-united-nations-day-1475670>

³ http://www.savethechildren.org/site/c.8rKLIXMGIpI4E/b.7869959/k.5C54/Universal_Childrens_Day.htm

⁴ <https://www.compassion.com/world-days/universal-childrens-day.htm>

The Cayman Islands has been signatory to the CRC since 1994. As a State Party to this human rights treaty, the Cayman Islands is obligated to submit periodic reports, every five years, on the actions it has taken to guarantee such rights to children and young persons. Together with the CRC, section 17 of the Constitution affords protection of children by holding the Legislature responsible for implementing “laws to provide every child and young person under the age of eighteen with such facilities as would aid their growth and development”. The provisions of this section also ensure that every child has basic rights such as –

- “not to be required or permitted to perform work or provide services that-
 - (i) are inappropriate for a child of that age; or
 - (ii) place at risk the child’s well-being, education, physical or mental health or spiritual, moral or social development; and
- not to be used directly in armed conflict, and to be protected in times of armed conflict.”

The Commission encourages individuals in the Cayman Islands to get involved and show their support for Universal Children’s Day 2017 and the elimination of violence against children, for example by:-

1. Donating to local non-governmental organisations such as the Cayman Islands Crisis Centre (CICC) which provides programmes such as Estella’s Place and The TAYA Lounge (teens and young adults), which provides a safe and supportive environment for children and young adults who have been affected by some form of maltreatment or abuse;
2. Becoming familiar with the CRC to learn more about how this treaty affects the Cayman Islands and the significant obligations it places on the government to provide every child and young person with basic human rights and ensure their protection;
3. Spending the day engaging with your children, nieces, nephews, grandchildren or with friends’ children by taking them to the beach, a park or participating in other activities that contribute to their growth and development;
4. Holding a party for children and their families to celebrate the day; and
5. Watching a movie that highlights children’s rights such as *In This World* (2002), *Arna’s Children* (2004) and *Slumdog Millionaire* (2008).⁵

In order to lend its support to the UNs’ Universal Children’s Day the Commission has prepared this educational guide for children, teens and young adults which discusses the basic human rights extended to children such as the right to education, health care services and protection from mistreatment and abuse. For more information on the Commission please visit the website at www.humanrightscommission.ky, e-mail info@humanrightscommission.ky or call 244-3685.

⁵ <https://www.wincalendar.com/Universal-Childrens-Day>

What is Universal Children's Day?

Universal Children's Day is celebrated on 20th November each year as the day when the United Nations Declaration of the Rights of the Child was adopted in 1959, and the United Nations Convention on the Rights of the Child (CRC) was ratified, to promote child rights.

All of the rights set out in the CRC apply to all children and adolescents in nations (such as Cayman) which are party to the treaty, regardless of their race, colour, sex, language, nationality, ethnic or social origin, disability, or other status.⁶

Key Points on the Convention on the Rights of the Child (CRC)

- The Convention on the Rights of the Child (CRC) is an international human rights treaty created specifically to promote and protect the well-being of all children.
- The United States of America played a pivotal role in the long process of drafting the CRC and thus in the world for children. It incorporates many of the standards first found in that country's own Constitution and Bill of Rights.
- The CRC sets forth basic standards for children's rights to survival, development, protection and participation.
- The CRC supports the rights of parents in recognizing the family "as the fundamental group of society."
- 193 countries have ratified the CRC. The US (despite its role in the drafting of the document), Somalia, and South Sudan are the only UN member states that have not done so.
- The CRC would establish a useful framework from which leaders could create cost-effective, comprehensive programs that target the needs of children and families.
- The CRC also has Optional Protocols on the involvement of children in armed conflict and the sale of children, child prostitution and child pornography.
- The CRC can be implemented into our policies and programs for children right now.⁷

⁶ *Global commitments to youth rights*: Commonwealth Secretariat, 1997.

⁷ Based on http://www.kcglobalconcepts.org/game/Past_Conferences_Exhibits_files/CRC_Toolkit2012.pdf

Children have the right...
to be protected from conflict, cruelty, exploitation and neglect...



and the responsibility...
not to bully or harm each other.




Children have the right...
to a clean environment, at home, at school or wherever they are...




and the responsibility...
to do what they can to look after their environment.



Children have the right...
to be educated...




and the responsibility...
to learn as much as they can and help others to learn.



Children have the right...
to freedom of thought and religion...



and the responsibility...
to respect other people's thoughts and religions.



⁸ Image provided by:

<https://i.pinimg.com/736x/09/8f/2c/098f2c6fc6566f4f16e82f8f5a3772de--democracy-for-kids-childrens-rights-and-responsibilities.jpg>

Constitution – Section 17 – Protection of Children

Section 17 of the Constitution requires the protection of children. In the Constitution, a child is defined as a young person under the age of 18 years old. This right reflects Cayman’s obligations under the CRC. It covers convention obligations such as a child’s right to a name, from the time of birth; protection from exploitative labour practices; and protections where a child enters the justice system.

The protection of children requires the provision of basic needs; shelter, a name, and family, parental or alternative care. It protects children from abuse and exploitive labour practices and ensures that the best interests of the child are regarded as paramount in many situations involving children.

As part of this right Government is required to provide support and other services for children who do not have a home or family to take care of them.

The Children Law (2012 Revision)

The Cayman Islands’ Children Law (2012 Revision) (“the Law”) was enacted on 1 July, 2012. Its purpose is to protect children from abuse and makes it an offence for people in certain defined categories to stay silent when they suspect a child is being abused. The Law implemented many of the convention obligations placed on Cayman’s government.

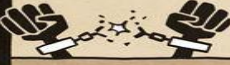


⁹ Image provided by: <http://www.straighttalkwithrobertday.org/daily-radio-blog/childrens-rights>

The Universal Declaration of
HUMAN RIGHTS

Adopted by the General Assembly of the United Nations in 1948, the Universal Declaration states basic rights and fundamental freedoms to which all human beings are entitled.

No one has the right to hold you in slavery.




No one has the right to torture you.

You have the right to recognition everywhere as a person before the law.

We are all equal before the law and are entitled to equal protection of the law.

You have the right to seek legal help if your rights are violated.





No one has the right to wrongly imprison you or force you to leave your country.

You have the right to a fair and public trial.


Everyone is innocent until **PROVEN** guilty.

You have the right to privacy. No one can interfere with your reputation, family, home or correspondence.


You can travel wherever you want.

You have the right to seek asylum in another country if you are being persecuted in your own country.



Everyone has the right to a nationality.

All adults have the right to marriage and to raise a family.




WE ARE ALL BORN FREE AND EQUAL

EVERYONE IS ENTITLED TO THESE RIGHTS

NO MATTER YOUR RACE, RELIGION OR NATIONALITY

EVERYONE HAS THE RIGHT TO LIFE, FREEDOM AND SAFETY




You have the responsibility to respect the rights of others

NO ONE CAN TAKE AWAY ANY OF YOUR RIGHTS

You have the right to own property.


Everyone has the right to belong to a religion.



Freedom of Expression: You have the right to free thought and to voice your opinions to others.

Everyone has the right to gather as a peaceful assembly.

You have the right to help choose and to take part in governing your country, directly or through chosen representatives.




You have the right to social security and are entitled to economic, social and cultural help from your government.

Workers' rights: Every adult has the right to a job, a fair wage and to join a trade union.

You have the right to leisure and rest from work.

Everyone has the right to an adequate standard of living for themselves and their family.



Everyone has the right to education.

Your intellectual property as an artist or scientist should be protected.

We are all entitled to social order so we can enjoy these rights.

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¹⁰ Image available at: <https://i.pinimg.com/736x/14/51/31/1451310bbefd47ba6808568605b00f7f--declaration-of-human-rights-human-rights-day.jpg>

United Nations Convention on the Rights of the Child (the “CRC”)

The website EveryChild.ca¹¹ provides a simplified version of the CRC, which is included below. The CRC has been signed by 191 countries.

The Convention operates on 4 guiding principles: non-discrimination; right to life, survival, and development; doing what is in the best interest of the child; and meaningfully engaging children and youth.

Article 1

Everyone under 18 has all these rights.

Article 2

You have the right to protection against discrimination. This means that nobody can treat you badly because of your colour, sex or religion, if you speak another language, have a disability, or are rich or poor.

Article 3

All adults should always do what is best for you.

Article 4

You have the right to have your rights made a reality by the government.

Article 5

You have the right to be given guidance by your parents and family.

Article 6

You have the right to life.

Article 7

You have the right to have a name and a nationality.

Article 8

You have the right to an identity.

Article 9

You have the right to live with your parents, unless it is bad for you.

Article 10

¹¹ <http://www.everychild.ca/uncrc>

If you and your parents are living in separate countries, you have the right to get back together and live in the same place.

Article 11

You should not be kidnapped.

Article 12

You have the right to an opinion and for it to be listened to and taken seriously.

Article 13

You have the right to find out things and say what you think, through making art, speaking and writing, unless it breaks the rights of others.

Article 14

You have the right to think what you like and be whatever religion you want to be, with your parents' guidance.

Article 15

You have the right to be with friends and join or set up clubs, unless this breaks the rights of others.

Article 16

You have the right to a private life. For instance, you can keep a diary that other people are not allowed to see.

Article 17

You have the right to collect information from the media – radios, newspapers, television, etc. – from all around the world. You should also be protected from information that could harm you.

Article 18

You have the right to be brought up by your parents, if possible.

Article 19

You have the right to be protected from being hurt or badly treated.

Article 20

You have the right to special protection and help if you can't live with your parents.

Article 21

You have the right to have the best care for you if you are adopted or fostered or living in care.

Article 22

You have the right to special protection and help if you are a refugee. A refugee is someone who has had to leave their country because it is not safe for them to live there.

Article 23

If you are disabled, either mentally or physically, you have the right to special care and education to help you develop and lead a full life.

Article 24

You have a right to the best health possible and to medical care and to information that will help you to stay well.

Article 25

You have the right to have your living arrangements checked regularly if you have to be looked after away from home.

Article 26

You have the right to help from the government if you are poor or in need.

Article 27

You have the right to a good enough standard of living. This means you should have food, clothes and a place to live.

Article 28

You have the right to education.

Article 29

You have the right to education which tries to develop your personality and abilities as much as possible and encourages you to respect other people's rights and values and to respect the environment.

Article 30

If you come from a minority group, because of your race, religion or language, you have the right to enjoy your own culture, practice your own religion, and use your own language.

Article 31

You have the right to play and relax by doing things like sports, music and drama.

Article 32

You have the right to protection from work that is bad for your health or education.

Article 33

You have the right to be protected from dangerous drugs.

Article 34

You have the right to be protected from sexual abuse.

Article 35

No one is allowed to kidnap you or sell you.

Article 36

You have the right to protection from of any other kind of exploitation.

Article 37

You have the right not to be punished in a cruel or hurtful way.

Article 38

You have a right to protection in times of war. If you are under 15, you should never have to be in an army or take part in a battle.

Article 39

You have the right to help if you have been hurt, neglected, or badly treated.

Article 40

You have the right to help in defending yourself if you are accused of breaking the law.

Article 41

You have the right to any rights in laws in your country or internationally that give you better rights than these.

Article 42

All adults and children should know about this convention. You have a right to learn about your rights and adults should learn about them too.

The convention has 54 articles in total. Articles 43 – 54 are about how governments and international organisations will work to support children's rights and so have not been included here.

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