

Forum:	Legal Committee (GA6)
Issue:	Reforming International Family Law to Ensure the Protection of Children’s Rights
Student Officer:	Lida Galati
Position:	Chair

PERSONAL INTRODUCTION

Dear delegates of the Legal Committee,

My name is Lida Galati I am seventeen years old, and I attend the 12th grade of High School at Anavryta Model Lyceum. It is a great honor and pleasure to serve as your main Chair in this year’s PS MUN Conference. I have been in my school’s MUN club for two years and during that time I have been actively participating in such conferences. Being an active MUN member is beneficial not only for the Student Officer, but mostly for delegates. MUN conferences provide an opportunity for participants to familiarize themselves with modern pressing issues. This year’s agenda includes three important global legal topics that should be resolved.

The topic that this study guide will be covering is “Reforming International Family Law to ensure the Protection of Children’s Rights”, which is salient and affects countries’ policies worldwide. My responsibility as a Student Officer is to direct your research for the topic, familiarize you with the key terms, guide you through the most important information about the topic but also propose some solutions, while also directing you to existing previous attempts to address the topic. Do not rely exclusively on this study guide. By conducting your own research, it will be more personal and intriguing, if you get further informed about the issue, and you will be able to defend your country’s policy more sufficiently and participate actively in the process of the debate.

Through this study guide and your research, you will sufficiently address this topic. anticipate meeting all of you. Should you have any further questions, contact me at galati.lida@gmail.com. I hope to assist you with your research.

Best,

Lida

INTRODUCTION

The rights of children protect all minors, because of their vulnerable societal position. A person younger than 18 years old is protected by both human rights and children's rights. The United Nations Convention on the Rights of the Child (UNCRC), which was adopted in 1989, recognized the socio-economic and cultural rights of children. It highlighted those potential changes in family structure, globalization, climate change, digitalization, mass migration, and changing employment patterns have had serious repercussions on minors. These changes are detrimental especially in armed conflicts or similar emergency situations.

Children are also more vulnerable to poor living conditions such as poverty, inadequate health care, nutrition, safe water, housing, and environmental pollution. The effects of disease, malnutrition, and poverty threaten their future and, thus, future generations. They should also develop physically, mentally, and emotionally in appropriate conditions.

It is necessary for children to experience substantial freedom in the context of a democratic state, where dialogue, respect for the individual, and meritocracy prevail. The state has a duty to provide children with a true education, by fostering their judgment and reflection and by helping to initiate them into principles and high ideals. Consequently, raising awareness protects children's rights and ensures that they live in adequate conditions.

Political leaders must be role models by fighting for the prevalence of respect for human rights. There is a need for the legal protection of rights for all people and the constant concern of every state and the international community for their protection. Finally, the role of international organizations needs to be strengthened to implement international family law. It is imperative to raise awareness and activate society, as human rights are the crowning glory of respect for human beings and a cultural indicator of a society. Children must live with dignity and through their smooth socialization, they must develop into citizens of quality.

The concept of children's rights, family law, and the paradox of progress refers to the complexity between advancements in modern society and the challenges that might arise in ensuring the rights and well-being of children. The paradox is that although societal progress usually leads to many advancements in many aspects of human rights, including children's, it may also create new dilemmas that can affect their well-being. For instance, progress in education is a positive characteristic of societal advancement. However, there is still some difficulty in ensuring access to quality education for all, particularly those from disadvantaged backgrounds. Economic progress can sometimes contribute to child labor in a sense that it is more likely that

families may rely on the income that is generated by their children. Therefore, balancing economic growth with protecting children from being exploited and forced to labor practices becomes crucial.

In general, as technology progresses, it provides a plethora of benefits, however, it can also expose children to risks. As a result, ensuring the safety of children in the digital world must be a priority in any society that values the balance between technological advancement and the protection of human rights. By promoting child protection, society can increase awareness of the prevalence of violence and abuse. These issues will become more difficult to understand as societies evolve.

Addressing the paradox of progress requires an approach that considers children's rights within a broader context of societal development. By implementing and enforcing laws and policies that safeguard children's rights, eructating, always promoting social equity, and including children in decision-making processes that affect their lives will balance the advantages of progress with the need to promote children's rights. It is a continuous challenge that requires collaboration on both local and global levels. This is why international family law is to be reformed, as to avoid facing these challenges, as societies move forward.

DEFINITION OF KEY TERMS

Child Abuse

"Any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm, sexual abuse or exploitation"¹

Child Labour

"Child labour is mentally, physically, socially or morally dangerous and harmful to children; and/or interferes with their schooling by: depriving them of the opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work."²

¹ Division (DCD), Digital Communications. "What Is Child Abuse or Neglect? What Is the Definition of Child Abuse and Neglect?" *HHS.gov*, 9 Feb. 13AD, www.hhs.gov/answers/programs-for-families-and-children/what-is-child-abuse/index.html#:~: Accessed 8 Sept. 2023.

² International Labour Organization. "What Is Child Labour (IPEC)." *Ilo.org*, International Labour Organization, 2020, www.ilo.org/ipec/facts/lang--en/index.htm.

Child Poverty

“Child poverty describes when a child is raised with limited access to or, in some cases, no access to, the essential resources they need to survive and live well.”³

Child Trafficking

“The action or practice of illegally procuring and relocating children, typically for the purposes of forced labour or sexual exploitation.”⁴

Discrimination

Discrimination is the treatment of a person or group which affects them unfairly because of something about them, like their age, disability, gender, race and religion or beliefs⁵.

Family law

“Family law, body of law regulating family relationships, including marriage and divorce, the treatment of children, and related economic matters.”⁶

Paradox of progress

“The paradox of progress is the idea that the more society moves forward, the more problems are created.”⁷

Treaty

“A written agreement between two or more countries, formally approved and signed by their leaders”⁸.

BACKGROUND INFORMATION

Historical background

The Industrial Revolution exposed the harsh conditions under which many children were forced to work long hours in unsafe environments, sparking a public outcry for

³ World Vision. “What Is Child Poverty? | World Vision UK.” *Www.worldvision.org.uk*, 2022, www.worldvision.org.uk/about/blogs/what-is-child-poverty/.

⁴ Oxford Dictionary. “Oxford Languages.” *Oxford Languages*, Oxford University Press, 2023, languages.oup.com/google-dictionary-en/.

⁵ Cambridge Dictionary. “DISCRIMINATION | MEANING in the Cambridge English Dictionary.” *Cambridge.org*, 2019, dictionary.cambridge.org/dictionary/english/discrimination.

⁶ “Family Law.” *Encyclopedia Britannica*, www.britannica.com/topic/family-law.

⁷ *Study.com*, 2022, homework.study.com/explanation/what-is-the-paradox-of

[progress.html#:~:text=The%20paradox%20of%20prs](#)

⁸ “TREATY | Meaning in the Cambridge English Dictionary.” *Cambridge.org*, 2019, dictionary.cambridge.org/dictionary/english/treaty.

reform. During that time, the fact that children's rights had to be restored was acknowledged and the first steps were taken. As the concept of promoting the best interests of children begins to emerge, the assertion that society should put the well-being of children first, on legal and social issues has finally gained momentum. The declaration of the rights of children in Geneva in 1924 was the first international convention that exclusively concerned the protection of children's rights.

This Convention was the first step towards the recognition of children's rights and, thus, served as a foundation for their protection. The convention states, inter alia, that children must enjoy special protection, opportunities for healthy and dignified development, a social and safe environment, including shelter, food and health care, education and protection from all forms of neglect, cruelty and exploitation. The convention also endorses the "progressive development of international standards and data as reflected in the 1959 Declaration of the Rights of the Child".

Later, in 1966, two very important legal instruments were recognized, The Covenant on Civil and Cultural Rights (ICCPR) and the Covenant on Economic, Social and Cultural Rights (ESC). Both contain provisions protecting especially children. A couple years later in 1973 the International Labour Organization adopted Convention 138, which sets 18 as the minimum age for undertaking work.

The UN General Assembly adopted The Convention on the Rights of the Child in 1989 as a means to change the way children are treated. This convention transformed them from passive recipients of charity to human beings with a distinct set of rights. The Convention emphasizes the fact that childhood is a vulnerable time and that children are in need of special care and protection. It was the first global set of legally binding rights that apply to all children.

It must also be understood that the protection of rights needs constant and unjust effort as it will always be a timeless issue for humanity. For this reason, international cooperation of all countries would be optimal for children's rights to be accepted worldwide. Of course, there are still many inequalities to be resolved such as in access to education, adequate healthcare, and protection that need to be addressed all around the world.

In conclusion, the development of children's rights is an obvious sign that society can evolve and adapt. From a historical landscape marred by exploitation and disregard, we have evolved and will continue to evolve, along this path, towards understanding that children are not only recipients of care but also holders of rights. We have so far demonstrated that sustained commitment, awareness and cooperation can ensure that children's rights are respected, protected and fulfilled around the world.

The Importance of Children's Rights

By protecting children's rights, it can be made possible to encompass protection from mistreatment, abuse, exploitation, neglect and generally minimize any form of violence. Children's rights main aim is to effectively establish a legal and ethical framework to essentially safeguard children's physical, emotional and psychological health.

Also, they are given a fair opportunity to access proper nutrition, healthcare, education, and sanitation. By ensuring that necessities are covered their overall health can be improved as well as a steady foundation for a healthy life is being set. Moreover, children have the right to express their views, opinions, and ideas. By respecting their input can empower them and allow policymakers to understand their needs and perspectives. In addition to that, children's rights also affirm their cultural, religious, and linguistic identity. Not only that, but they ensure that every child enjoys the rights of their gender, race, ethnicity, disability, social background. This gives them the chance to maintain a sense of belonging and connection to their own heritage and to have equal opportunities and treatment.

Children are usually the most affected by political controversies and conflicts. Therefore, the protection of children's rights ensures that children who go against the law should be guided to the penitentiary instead of being harshly punished. Also, something else worth noting is that they restrict child labour, human trafficking and any form of economic exploitation.

Children's rights also advocate for the importance of balanced family life and, when it is considered necessary, provide better alternative care options that aim to protect children's best interests. Defending children's rights also ensures that when conflicts with the law arise, children will be protected and that correctional rather than punitive measures will be promoted. It also must be noted that they strictly limit child labor, trafficking, and any form of economic exploitation. Either way, children are the future citizens and leaders of all societies of tomorrow. For this reason, it is important to cultivate the values and ideals. With the genome of humanitarian education, well-informed people can contribute appropriately to their communities and the world.

Problems with International Family Law

Children are protected legally through international family law that deals with such issues that cross national borders. The goal of international family law is to provide solutions for complex situations regarding families from various countries.

From one country to another, family law varies widely. Different legal systems, cultural norms, and religious beliefs may lead to disparities in how family issues are addressed. This lack of uniformity can create inequality when resolving international family

disputes. After all, it is very complex to determine which country's laws apply in international family cases. This is particularly true in cases of divorce, child custody, and international adoption. Jurisdictional disputes can delay proceedings significantly and stress the family members involved. Even if a family law judgment is recognized in one country, it does not mean it will be automatically enforced in another. This lack of recognition can make it difficult to enforce court orders and access their rights.

Moreover, International family law cases may involve parties from different cultural backgrounds. Miscommunication and misunderstandings due to cultural and language barriers can further complicate negotiations and legal proceedings. Different countries prioritize different factors when making such decisions and, also, they have many differences in financial laws and systems, which can lead to difficulties in enforcement and meeting financial obligations.

The Hague Conventions on international family law provides legal frameworks for resolving issues like child abduction. Even so, not all countries are signatories to these conventions. This can limit their effectiveness in some cases. Not only that but, legal professionals and some systems may not always be culturally knowledgeable about the circumstances and cultural contexts of international families. This can potentially lead to biased resolutions and misinterpretation of cultural practices. Addressing these challenges requires better standardization of laws and procedures and improved mechanisms for enforcing the decisions that are made across borders. While international family law's main aim is to provide solutions for families in complex cross-border situations, its effectiveness is contingent on the ability to overcome these inherent difficulties.

Violation of Children's Rights

Today, since people have realized that they have to secure their rights, a realization that came about through struggles, pain, sacrifices and human lives, various organizations have been established at the international level and written texts such as the Universal Declaration of Human Rights have been drawn up, precisely in order to secure them.

However, these rights are often violated, and the phenomenon is mainly observed in socially vulnerable groups. And that is precisely why, because they are vulnerable for whatever reason, they are unable to take action and oppose the violation of their rights and become victims of exploitation. One such vulnerable social group is minor children.

The children, being disempowered, are once again victims of exploitation. Beatings, sexual exploitation and abandonment by unresponsive parents are unfortunately not isolated extreme incidents. Children are victims of the marital strife. The children of

poor families can be easily exploited of exploitation of the mass media. They have no critical thinking, nor do they have the strength to resist their exploitation.

The main paradox is that in times when children's rights in the western world would be at least guaranteed, there is multiple evidence that comes to show that even in the E.U. food, shelter and care for many children are not to be taken for granted.

Their financial contribution to boost an insufficient family budget is the main factor that pushes children into work and, thus, into exploitation from a very early age. The dominant role of the economic factor in the initiation of child labour becomes obvious if one looks at the family background of the children. These are mainly children from economically disadvantaged families, illiterate and a large proportion of refugees. Cruelty to children is not limited here. Even in modern times, there are many recorded child abuse cases all around the world. This phenomenon has long lasting effects in a child's mental health and can and will affect their adult life later on.

Child Labour

The International Labour Organization (ILO) defines child labor as “work that is mentally, physically, socially or morally dangerous and harmful to children; and interferes with their schooling by depriving them of the opportunity to attend school; obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work”⁹

The International Labour Organization (ILO), estimates that 218 million children are working as child labourers around the world. These children are refused the opportunity to go to school, play with friends or receive the right nutrition and care for a healthy and fulfilled life. Instead, they are forced to

work long hours for little reward and they are often exploited economically, physically and sexually. According to the latest Child Labour Global Estimates, published in June, approximately 160 million children, 63 million girls and 97 million boys, were in child labour globally at the beginning of 2020.¹⁰

OF THE 152 MILLION CHILDREN IN CHILD LABOUR

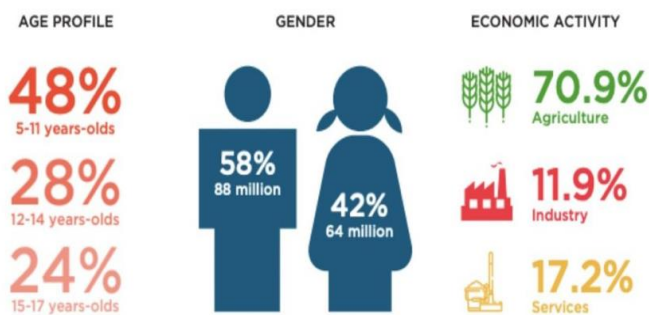


Figure 1: Global estimates of child labour¹¹

⁹“Child Labor Facts and Statistics about Child Labor around the World - Compassion International.” www.compassion.com, www.compassion.com/poverty/child-labor-quick-facts.htm#:~:text=152%20million%20children%20worldwide%20ae

¹⁰ International Labour Organization. “Child Labour: Global Estimates 2020, Trends and the Road Forward.” www.ilo.org, 10 June 2021, www.ilo.org/ipec/Informationresources/WCMS_797515/lang-en/index.htm.

¹¹“Redirect Notice.” Google.com, 2023,

Child Trafficking

Child trafficking involves both international and domestic movement of children. The root cause of the criminal phenomenon of trafficking is its complex nature. There are a multitude of perpetrators and acts that extend beyond the borders of a state, creating a chain of situations. One of the causes of trafficking is legislative provisions and conflicting policies that result in the creation of large gaps. Other causes include demand, strict migration policies, and the lack of a centralized data collection mechanism, which hampers efforts to design policy actions for the protection of children and causes side effects in evaluating the observance of rights.

The consequences of this phenomenon are many and affect not only the children who are trafficked but also their families and society. As far as child victims are concerned, they experience inhumane nutrition and hygiene conditions and face serious, lasting health problems. They show signs of hopelessness, depression, shame, and even guilt. For this reason, they are often separated from their families and further isolated.

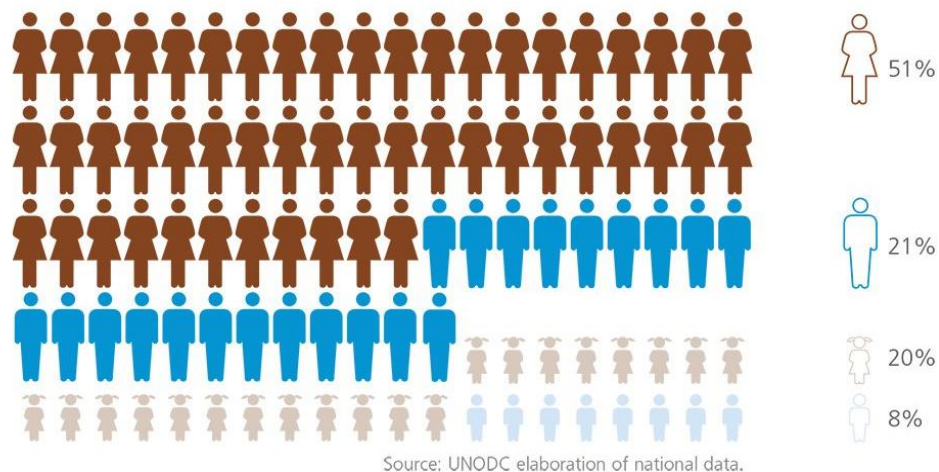


Figure 2: Child trafficking statistics¹²

www.google.com/url?sa=i&url=https%3A%2F%2Fwww.gcwj.org%2FWorld-day-against-child-labor%2F&Psig=AOvVaw0II_9US4AP5TanUhd51Lm&ust=1693406301187000&source=images&cd=vfe&opi=89978449&ved=0CBiQjhXqFwoTCLjh3JqMoEDFQAAAAAdAAAAABAE

¹²United Nations. “Report: Majority of Trafficking Victims Are Women and Girls.” *United Nations Sustainable Development*, 22 Apr. 2018,

www.un.org/sustainabledevelopment/blog/2016/12/report-majority-of-trafficking-victims-are-women-and-girls-one-third-children/.

In the past years, many efforts to combat child trafficking have been made. These involve a combination of global cooperation for legal measures and public awareness campaigns. Many international treaties and agreements have been agreed upon, which have been established to protect children from trafficking and exploitation. Not to mention that many countries also have their own laws and legislations to address child trafficking and punish those involved already.

Child Abuse

Child abuse has existed throughout known human history, but it has been very little time that people have begun to think differently about the issue. Only recently has society acquired a legal definition of abuse, government agencies that could remove children from their homes and thousands of studies on the subject. In general, the forms of abuse that children may experience vary, but it can be categorised in four main categories: physical abuse, psychological abuse, sexual abuse and neglect.

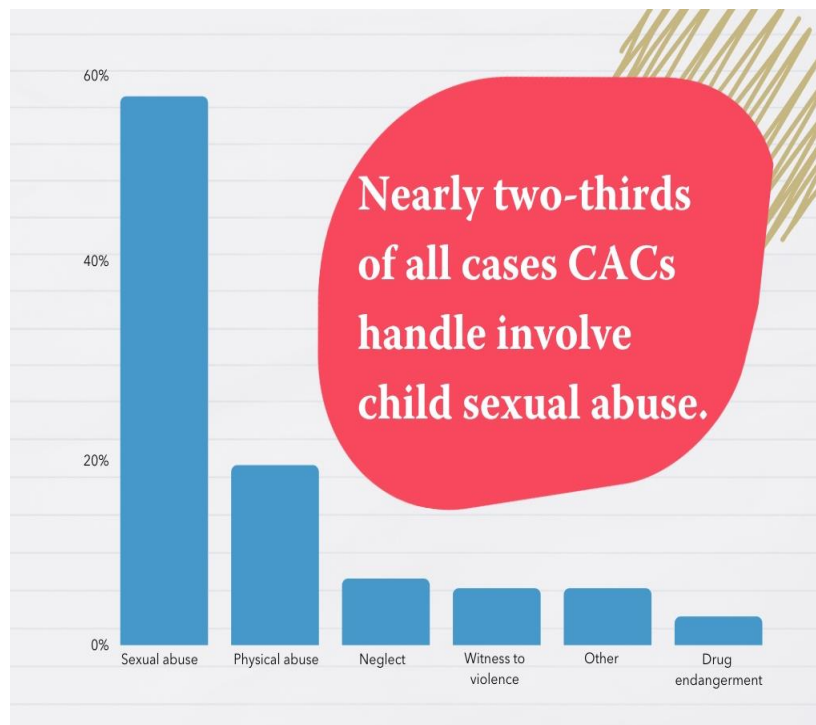


Figure 3: Child abuse statistics¹³

¹³ National Children's Alliance. "National Child Abuse Statistics from NCA." *National Children's Alliance*, 2023, www.nationalchildrensalliance.org/media-room/national-statistics-on-child-abuse/.

Physical abuse can be defined as intentional use of physical force against children that results in – or has a high likelihood of resulting in – harm for children's health, survival, development, or dignity. Psychological abuse of a child can include acts and behaviors that involve rejection, intimidation, isolation, exploitation, devaluation, emotional unresponsiveness, and socially deviant acts.

Parental neglect occurs when a parent or caregiver fails to provide the care, supervision, affection and support needed for the health, safety and well-being of children. A child is neglected if left unattended for long periods of time or abandoned. Because neglect has very specific areas that can be noticed, it is necessary that it is a different category.

Sexual abuse can be defined as engaging in sexual activities with a child who, according to the relevant provisions of national law, has not reached the legal age for sexual activities and engaging in sexual activities with a child when coercion, force, threats or abuse is used or the abuse is carried out from a recognised position of trust, authority or influence over children. These acts violate not only the incestuous barrier but also society's general perceptions of family relationships and the boundaries of family roles.

Child Poverty

“Children are more likely to live in poverty than adults. They’re also more vulnerable to its effects.”¹⁴

Unfortunately, children also tend to be affected by income poverty than adults, and deprivation of material goods in the early years of their lives is more likely to negatively affect their development and future opportunities. The cases of children living with long-term unemployed or low-income parents are of greatest concern. The absence of a working adult can affect children's performance in terms of education and future labor market performance. Child poverty seems to have no borders as it can affect children in rich or poor countries of the world with equal ease.

It also appears to be interdependent, since if there is a lack of economic resources, then, children may be driven to malnutrition, which can cause problems in their education and health. These problems may eventually lead to dysfunctional development as an adult. Children are not passive victims of the times, but potential members of society who experience certain situations and seek certain needs. They have been observed to be upset when they cannot have things that other children have and worried and stressed about the lack of financial resources in their family. It must be noted that poverty can be definitive to a child's physical health but also their mental health as well.

¹⁴ Unicef. “Child Poverty.” *Unicef*, 2014, www.unicef.org/social-policy/child-poverty.

According to UNICEF “across the world, about 1 billion children are multidimensionally poor, meaning they lack necessities as basic as nutrition or clean water. Some 100 million additional children have been plunged into poverty due to COVID-19.”¹⁵

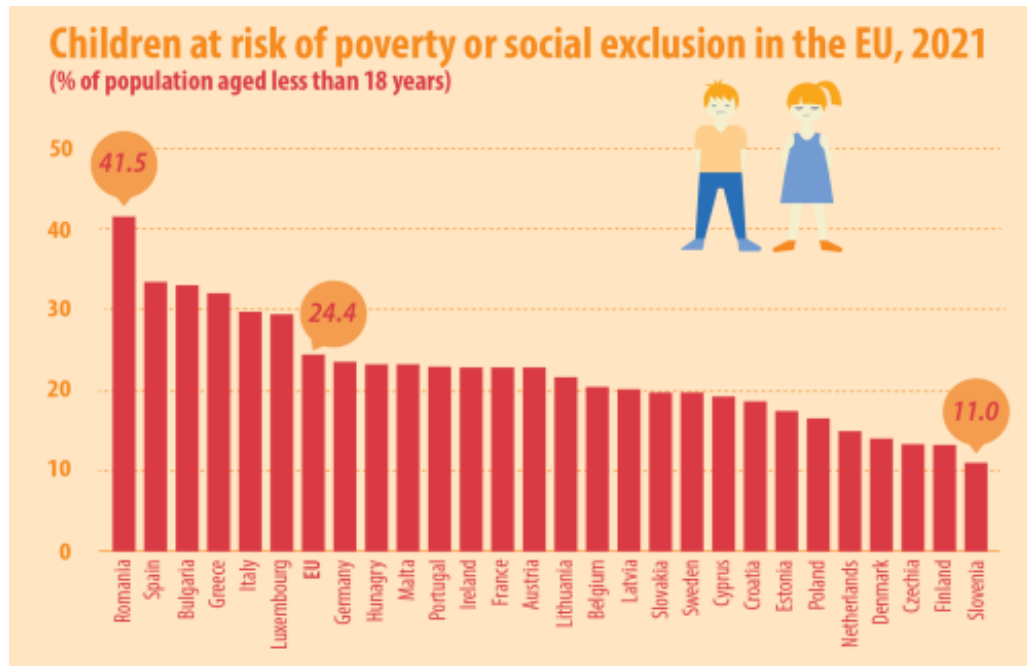


Figure 4: Children at risk of poverty in the EU¹⁶

Causes of Child Mistreatment

Certain difficulties such as poverty, unemployment, and inadequate housing can drastically increase family stress levels. These conditions in some cases, make it more likely for abusive or neglectful behaviors to be engaged due to frustration and hopelessness.

Substance abuse issues can modify a caregiver's self-control, which can lead to the neglect or abuse of children. Psychological illnesses that have not been properly treated or not yet further diagnosed may exacerbate the phenomenon of child abuse. Many times, parents cannot help their children physically and mentally because of their illness. As a result, unintentional neglect or abuse might be subjected to the children.

Children who have been previously abused or neglected themselves are sometimes more likely to repeat these behaviors as adults, because these were the behaviours

¹⁵Unicef. “Child Poverty.” *Unicef*, 2014, www.unicef.org/social-policy/child-poverty.

¹⁶“Children at Risk of Poverty or Social Exclusion.” *Ec.europa.eu*, ec.europa.eu/eurostat/statistics-explained/index.php?title=Children_at_risk_of_poverty_or_social_exclusion.

they grew up to consider normal and standard. They didn't grow to be loved or cared for correctly, so in some cases, they become the perpetrators of an intergenerational cycle of maltreatment.

Cultural norms and beliefs may also contribute to child abuse. Some communities may encourage harsh disciplinary practices or view some forms of abuse as acceptable because that is the way they are taught. Also, the stigma associated with seeking help for family problems or even admitting to child neglect can prevent caregivers from reaching out to support services and interventions. It also should be noted that inadequate funding, high caseloads, and bureaucratic challenges within those child protective services can significantly delay or provide inadequate responses to reports of abuse.

The inconsistency of the enforcement of child protection laws and the rather lenient sentencing for such offenders can also fail to deter potential abusers. There is also a general lack of awareness about the potential signs of child maltreatment. Tolerance and fear of adults to clash with interests and expediency lead many children to "sacrifice". Available resources that can detect early intervention and support affected children and families, are equally as limited. This is a common reality for comprehensive parenting education programs which can leave caregivers unable to handle the challenges of raising children.

Children are by nature vulnerable and powerless to assert and protect their rights. They are a completely passive recipients of the actions of adults, whether in the family or in the wider social environment. They identify with and accept the conditions of their environment. The economic and mental state of adults will influence a child's lifestyle.

They may experience racism and prejudice when it is experienced by their family due to historical and social circumstances. Children with physical weaknesses and peculiarities are even more aware of the inadequacy of modern societies in terms of welfare. They are also vulnerable due to semi or non-literacy. A large proportion of cybercrime takes advantage of a child's lack of judgment and inability to appreciate the danger of certain elements of culture.

The Effects of Child Mistreatment

If certain interventions are not made, behavioral and learning problems may develop and last a lifetime, that will affect children greatly. The infliction of violence against a child is harmful, regardless of the reasons why it is used, and is a serious insult to the child. A child whose rights have never been respected is more likely to experience intense excitement and feel constantly threatened. Thus, it is possible that this state

of intense stress, combined with the development of an unhealthy emotional bond with the caregiver, may also cause a lack of social-emotional and cognitive development, but also to the emergence of limited empathic abilities.

Mental balance and the feeling of security, which is particularly important in human development, is also lost. As they lack the basics of belonging to a balanced family environment, they are doomed to marginalization and isolation. They are unable to enter the competitive rhythms of society and will be exploited through the perpetuation of obscenity and illegality. They are more likely to be driven to crime either as a reaction, a repetition of violence or to make their presence felt. Reinforcement of class society, prejudice, and inequalities. In the long term, society is not safe. It is not a sign of civilization, and it tarnishes the social image. It is not a sign of civilization and violates the social framework.

In conclusion, in order to reduce the impact of these experiences, in cases of abuse and neglect, on the development of the child it is important to intervene quickly. However, it will always be more beneficial to prevent abuse and neglect through institutionalized intervention strategies that focus on implementing social policies at the family level.

MAJOR COUNTRIES AND ORGANIZATIONS INVOLVED

Brazil

Despite recent economic growth in Brazil, large segments of the population continue to live in poverty. Rural areas and urban suburbs have not benefited from national economic progress. Poverty remains the one of the main challenges that deprives children of their rights. Economic hardship limits children's access to good health care and sanitation, forces them into illegal and hazardous work, increases the risk of child marriage, sexual abuse, and related problems, leads to criminal activities, and ultimately increases unwanted interactions between children and the law. All these risks prevent children from enjoying their fundamental human rights.

However, Brazil has committed to several international instruments for the protection of children's rights. Nevertheless, there are still several factors contributing to child maltreatment, that Brazil has to address, such as sexual exploitation, child trafficking and child labour.

China

China ratified the Convention on the Rights of Children in March 1992, the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography in

December 2002, and the Optional Protocol on the Involvement of Children in Armed Conflict in December 2007. China already has some existing legislations and laws on the matter, such as the Law of the People's Republic of China on the Protection of Minors, which stresses the importance of proper protection of minors in cases of abuse.

Also seeing as China is one of the biggest and most populated countries, many efforts have been made to improve access to education, especially in the more rural areas. The first step was making public education mandatory for all. Also, they have various laws addressing child labor, however, over time their effectiveness has been questioned especially in informal sectors. China has also implemented many vaccination programs and child health services to combat malnutrition and improve public health.

However, technological advancements and the great divisions between social levels have led to some notable problems in the most impoverished districts; infant mortality rates are almost five times higher than in the wealthiest provinces. The limited access to health care for both the lower social levels and those living in remote areas further exacerbate the phenomenon. China has an estimated 150 million internal migrants, accounting for more than 11 percent of its population.¹⁷

Iceland

Currently children's rights are best protected and respected in Iceland, says a new UN based study. In 2013, the Convention on the Rights of the Child, together with the first two Optional Protocols, was directly incorporated into Icelandic law. The programme has created child-friendly municipalities, which now cover 55% of all children. A dashboard that gave a comprehensive overview on the status of children was being developed and would be implemented in all child friendly municipalities. The Child Protection Act was also amended, 5th of May 2016, to increase the right to information and a child-friendly environment. Generally, Iceland provides many social services to assist children in need. These support systems prioritize guidance to families that are currently facing challenges. Also, they have implemented many regulations to minimize violence against children in a broad societal context.

They have been raising awareness by promoting campaigns, educational, and support programs. They have taken many measures to ensure that all children have access to proper education and adequate health care. Nevertheless, violence against children is one of the most serious challenges they have to face. That is why the government, in 2020, started to adopt a new plan, to address the vulnerabilities of the law, which do

¹⁷*Digital Labour Platforms and Labour Protection in China*, www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-beijing/documents/publication/wcms_757923.pdf.

not fully cover cases of sexual violence. Children's rights have always been and must always be a priority for Iceland.

Somalia

“Because of the civil war, children in Somalia have suffered from lack of schooling, education and hope for the future. Of Somalia’s approximately 14 million inhabitants, approx. 75% are under 30 years and more than 80% of them are illiterate.”¹⁸ Somali children cannot systematically exercise their rights because of the extremely difficult living conditions. Somalia, in general has many challenges to face such as displacement, access to education, recruitment of child soldiers, sexual abuse, marriage and child labour. According to the Office for the Coordination of Humanitarian Affairs, “the most urgent needs of affected people include access to basic services, protection of vulnerable groups of displaced people from abuse, including sexual and gender-based violence, livelihoods, resilience building and the needs of disproportionately affected "hard-to-reach" populations.”¹⁹

United States of America

The USA remains the only country that has not ratified the CRC. Since they have not ratified the convention, the topics that it covers are sometimes left to the judgment of the state's judicial system and the federal system. However, we should keep in mind that each state has its own legislation. Sometimes it can vary greatly from state to state. For this reason, they have established certain legal bodies that investigate and address abuse cases such as the Child Protective Services and the Child Abuse Prevention and Treatment Act. Still, some issues arise.

First, child marriage is permitted in 41 states which is something that the CRC does not support. Also, the USA is the only country where children can be persecuted like adults, which the Convention on the Rights of the Child prohibits. At the beginning of 2020, more than 1,400 people were serving life-without-parole sentences in the US for offenses committed as children. In that year, 62% percent of those serving sentences of life without parole for childhood offenses are Black, though they make up only 14 percent of the US youth population.”²⁰ Not to mention that the state also struggles with access to adequate and affordable healthcare services, while some states do better than others. Hence all states can improve their laws to keep children safe.

¹⁸ “Children of Somalia - Their Future Our Purpose.” *Children of Somalia*, cosfo.org/en/.

¹⁹ UNICEF, www.unicef.org/media/131931/file/2023-HAC-Somalia.pdf. Accessed 20 Oct. 2023.

²⁰ Braga, Arianna. “How Do Us States Measure up to Children’s Rights?” *Humanium*, 8 Nov. 2022, www.humanium.org/en/how-do-us-states-measure-up-to-childrens-rights/.

International Bureau for Children’s Rights (IBCR)

The IBRC works to protect and promote the rights of children in emergency situations caused by crises, armed conflicts, or natural disasters, including those related to climate change. By strengthening the capacities of all humanitarian actors, the Office aims to effectively implement national, regional, and international laws and standards relating to sustainable expertise. The Bureau’s main aim is to prevent all forms of exploitation, violence, abuse, and neglect of children. Therefore, sexual exploitation cases, child pornography, armed or urban conflicts, trafficking in children, and any other practices that might put the child's life and well-being at risk are thoroughly investigated and prevented. Through its program, IBCR aims to protect child victims and witnesses of crime and children in conflict with the law, responding to requests for support from governments, professionals, and children who come into direct contact with the system.

Humanium

Humanium is an international non-governmental organization for the protection of children's rights based in Switzerland, founded on November 20th, 2008 in Geneva, working to stop violations of children's rights around the world. The organization strives for a concrete improvement in the basic rights of children everywhere. Humanium's activities comprise four complementary activities approaches: raising awareness of children's rights among more than five million people every year worldwide; legal aid for victims of child rights violations; support for local partners in fieldwork projects for children, providing mental health support, access to quality education and reducing child labor and advocating for the recognition of children's environmental rights.

United Nations Children’s Fund (UNICEF)

The United Nations Children's Fund (UNICEF) was created by the United Nations General Assembly on 11 December 1946, to provide emergency food and healthcare to children and mothers in countries that had been devastated by World War II. In 1950, UNICEF's mandate was expanded to cover the long-term needs of children and women in developing countries around the world. UNICEF works in some of the world's most challenging places to reach the most vulnerable children and young people. It works in more than 190 countries to help children survive, thrive, and reach their potential from childhood to adolescence.

The world’s largest provider of vaccines, supporting child health and nutrition, providing safe water and sanitation, quality education and skill building, as well as ensuring that HIV prevention and treatment for mothers and babies is provided, and protecting children and adolescents from violence and exploitation. Before, during and after humanitarian emergencies, UNICEF is on the ground, bringing life-saving

help and hope to children and families while remaining non-political and impartial. It also intervenes in emergencies to protect children's rights. UNICEF, in collaboration with UN partners and humanitarian agencies, provides a unique rapid response capacity to alleviate the suffering of children and their caregivers.

TIMELINE OF EVENTS

DATE	EVENT
26 September 1924	United Nations General Assembly adopts a Declaration of the Rights of the Child.
11 December 1946	United Nations Children's Fund (UNICEF) is created by the United Nations General Assembly.
4 November 1950	The European Convention on Human Rights opens for signature in Rome.
3 September 1953	The European Convention on Human Rights comes into force.
10 December 1959	The United Nations General Assembly adopts the Convention of the Rights of the Child.
16 December 1966	The ICESCR is adopted by the United Nations General Assembly.
14 November 1974	The Declaration on the Protection of Women and Children in Emergency and Armed Conflict is ratified.
3 January 1976	The ICESCR enters into force.
20 November 1989	UN General Assembly adopts the CRC.
November 20th, 2008	Humanium is founded in Geneva.
1 October 2010	The Equality Act comes into force.
5 May 2013	The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights enters into force.
5th of May 2016	The Child Protection Act is amended.

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

UN Convention on the Rights of the Child

The UNCRC consists of 54 articles that set out children’s rights and how governments should work together to make them available to all children. Under the terms of the Convention, governments are required to meet children’s basic needs and help them reach their full potential. Central to this is the acknowledgment that every child has fundamental rights. Prior to the passing of the treaty, it was acceptable to view children as passive objects that were products of their parents. Through the UNCRC, children are viewed as distinct individuals with lives, needs, and opinions separate from that of their parents.

Furthermore, it enables international bodies to create regulatory frameworks to ensure children’s rights are protected outside of their country, such as with refugees, immigrants, trafficking victims, and asylum-seekers. Children with disabilities worldwide are often excluded, particularly when it comes to education. The Convention empowers children whose voices are frequently silenced by saying that all children are entitled to the same rights. The UNCRC stressed the importance of including everybody in the educational system. The UNCRC helped make impoverished children a more visible population for policymakers and governments to consider. This is why it is one the most ratified legal documents in the history of time.

International Covenant on Economic, Social and Cultural Rights (ICESCR)

The ICESCR was adopted by the United Nations General Assembly on 16 December 1966 and entered into force on 3 January 1976, after 35 States parties had ratified it. In addition to the reporting procedure, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR), which entered into force on 5th May 2013, further allows to receive and consider communications from individuals claiming that their rights under the Covenant have been violated. Furthermore, it gives individuals the opportunity to undertake inquiries on grave or systematic violations of any of the economic, social and cultural rights. This treaty was not specifically ratified for children but it was essentially a good start to ensure the general protection of human rights.

European Convention on Human Rights (ECHR)

The Convention for the Protection of Human Rights and Fundamental Freedoms, better known as the European Convention on Human Rights, was opened for signature in Rome on 4 November 1950 and came into force on 3 September 1953. Essentially, after World War Two, it was the first legal body to give effect to the rights stated in the Universal Declaration of Human Rights. “The Convention is the most widely ratified human rights treaty in history. It has inspired governments to change laws and policies and make investments so that more children finally get the health care and

nutrition they need to survive and develop, and there are stronger safeguards in place to protect children from violence and exploitation.”²¹

Declaration of the Rights of the Child

On 10 December 1959, the United Nations General Assembly adopted a Declaration of the Rights of the Child, based on the structure and contents of the 1924 original, with ten principles. An accompanying resolution, called on governments to recognise these rights, strive for their acceptance, and publicize the document as widely as possible. This date has been adopted as the Universal Children's Day. This Declaration was followed in 1989 by the Convention on the Rights of the Child, adopted by the UN General Assembly, adopted and opened for signature, ratification and accession on 20 November 1989. The Declaration articulates that all people owe children the right to: means for their development; special help in times of need; priority for relief; economic freedom and protection from exploitation; and an upbringing that instills social consciousness and duty. It also recognizes, among other rights, children’s rights to education, play, a supportive environment and health care. Twenty years later, in 1968, the International Conference on Human Rights was convened to evaluate the progress made by countries.

Declaration on the Protection of Women and Children in Emergency and Armed Conflict

The Declaration, which was ratified on the 14th of November 1974, says that women and children are victims of foreign oppression, aggression, colonialism, racism, domination and subjugation. The Declaration explicitly prohibits attacks and bombings against the civilian population, as well as the use of chemical and biological weapons against the civilian population. The Declaration also calls on countries to take measures to end "persecution, torture, punitive measures, degrading treatment and violence", especially when directed against women and children, and to recognise as crimes "detention, torture, shootings, mass arrests, collective punishment, destruction of homes and forced evictions".

POSSIBLE SOLUTIONS

Public Awareness on Human Rights

First of all, citizens should receive proper humanitarian education to, on the one hand, know human rights and understand that they are inalienable and concern every human being regardless of religion, color, social origin and economic power and

²¹ “Convention on the Rights of the Child.” *Unicef.org*, UNICEF, 1989, www.unicef.org/child-rights-convention.

demonstrate spirit tolerance towards diversity. Furthermore, within society, it is beneficial to organize municipalities and communities lectures, campaigns, and festivals on human rights in order to encourage citizens to understand when their freedoms are being put under attack heresy and when they themselves undermine rights.

Creating a Framework to Cover Children's Basic Needs

The child protection framework needs to ensure that families are able to survive by providing them with adequate health, education, and food for free or at minimal cost. The framework should include mechanisms to relocate children going through such difficulties, into caring families. This can be achieved either through adoption or foster care. By strengthening the foster care system, a lot of children going through misfortunes can be relocated into a place that will improve their living conditions and will provide them with a new life without fear and stress.

This also includes the investment in primary education in developing countries which have very high rates of return, both for society and for the individual. Something also important to note is that many health problems can be prevented, diagnosed and treated with the relatively simple and affordable tools available, and hygiene and waste management activities through the promotion of affordable technologies for low-income communities. To add to this the promotion of technological development in vaccines and diagnostics, can be in most cases vital. Furthermore, it would be for the best if the state gathers data between some periods of time in order to assess data on child welfare, educational attainment, and healthcare access as to keep track of the state's progress. Hence the framework is not a single ministry or single government body. It is the interlinking functions of all ministries and law sectors.

Education Reforms

When it comes to education, it is best if schools do not make any distinction in provision based on sex, race, color, language, religion, political opinion, nationality, ethnicity, ability, or any other status. There should be an adequate number of classrooms, with separate sanitation facilities for girls and boys, that are always sufficiently equipped with the necessary products. Teachers should receive good quality re-service and in-service training with built-in components on gender sensitivity, nondiscrimination, children's mental health and human rights. Children should be safe on route to and in school. Clear anti-bullying policies and confidential systems for reporting and addressing any form of abuse or violence should also be in place, while also providing children with the opportunity to visit the school psychologist when needed.

Participation of Children in Government Bodies

By developing accessible documents and resources for children, they could fully access information, express their views and participate, further support and strengthen peer education among children regarding the rights of the child and the socio-political participation of children as well as develop and roll out training for officials and professionals in Council of Europe services and bodies, and at the national level of member states on how to engage and consult with children. Moreover, it is wise to promote child efficient working methods and tools to support officials and professionals in hearing and consulting children as to create concrete spaces and opportunities for the best interests of the child, within member states and the Council of Europe.

Training Litigators

A good start would be to ensure that training law enforcement officers and all relevant groups of officials and professionals in the justice system on the rights of the child are constantly upgrading their knowledge. Issue recommendations to all police stations to identify and respond to conduct of law enforcement officers that does not conform with national law and the rights of the child and strengthen accountability. In addition to that, the right of the child to privacy and data protection must be clearly regulated by law. That includes the context of the justice system to strengthen the accountability of the media as well as officials and professionals in the justice system and other service providers.

Regulating Online Violence

It would be helpful to request state institutions to regulate in national law the right of the child to privacy and protection from all forms of violence and exploitation in the digital environment and guarantee the accountability of international private actors. Acts to promote digital education courses, both through schools and complementary programmes, for children, parents and other adults regarding the potential of new technologies and the risks encountered on the web and support the access to meaningful support services. We could also develop practical guidance for distance education, building on the experiences of children, teachers, schools and parents made during the pandemic and create spaces for continuous exchanges and consultations between adults and children to identify priorities, understand emerging needs, define intervention policies and regulations.

Eliminating Child Labour and Investing in Education

When it comes to regulating child labour and promoting the right to education, there are some strategies for getting and keeping children in school and out of child labour. This can be achieved by aligning the minimum working age and the end of compulsory schooling and by generally improving the quality of education. These measures

increase the chances of students staying in school and succeeding. Abolishing or reducing school costs, which tend to be unaffordable for some and include school-feeding facilities while also registering every child at birth, as a birth certificate with proof of legal identity and age is often required to access education, will also contribute to the minimization of child labour. Providing universal child benefits as part of countries' social protection systems and other policy instruments, could also promote more equitable access to education. Furthermore, back-to-school campaigns in response to pandemic related school closures and flexible school calendar and curricula to incentivise school attendance can sensitize parents on the importance of investing in education.

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