



# THE RIGHTS OF THE CHILD

THE 2019 I-MODEL UN UPR



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## THEMATIC ISSUE GUIDE

The Declaration of the Rights of the Child states 'the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth'. All of the States Under Review have ratified the Convention on the Rights of the Child (CRC). The CRC states that 'the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding'. The I-Model UN UPR follows the [definition given within the Convention on the Rights of the Child](#), with a 'child' constituting as **a person below the age of 18**. Key issues relating to the Rights of the Child in the context of the UPR include: **the right to education, the right to health, juvenile justice, child labour, violence, ethnic minority groups, child trafficking and sexual exploitation of children, and children in armed conflict**.<sup>1</sup>

### 1. MEASURES TO IMPROVE THE RIGHT TO AND QUALITY OF EDUCATION

The right to education is reflected both within Article 26 of the Universal Declaration of Human Rights and Articles 13 and 14 of the International Covenant on Economic, Social and Cultural Rights. To be underheld as a meaningful right, education in all its forms and at all levels should be available, accessible, acceptable and adaptable. [SDG Goal 4](#) further mandates that all girls and boys should be able to complete free primary and secondary schooling by 2030. Japan, the ROK, and also China have received acclaim for comparatively high test results and the role of education in economic development and creating some of the world's most educated workforces. Yet there are concerns that the brutally competitive nature of education in some of the States Under Review are equivalent to child abuse and cause high rates of youth suicide. Within past UPR cycles, issues regarding the right to education have included: **quality and accessibility levels of primary and secondary schooling, academic facilities, enrolment and dropout rates, human rights education in schools, and discrimination**. States and delegations are advised to refer to the following areas and assess respective legal systems and legislative educational policies of the States Under Review.

- Law and action on [corporal punishment](#) in the classroom
- Tackling hate speech in schools (particularly against social and ethnic minorities)

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<sup>1</sup> Please note that the provided topics within the overall thematic issue are a general guide only. Participants are encouraged to explore other topics related to the thematic issue aside from the ones outlined within this guide.

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- Incidents of [hate speech against Korean students in Japan](#)
  - Islamophobic comments in Korean and Chinese schools
  - Discrimination and xenophobia within history education and other lessons
    - Discrimination and mental/financial stress vis-à-vis [academic elitism](#)
  - Access to primary and secondary education for rural and/or undocumented children, girls, ethnic minorities and children with disabilities or low socioeconomic status
  - Comprehensive human rights education in schools (including [social minority rights and sex education](#) and freedom from ideological influences)

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## 2. MEASURES TO IMPROVE THE RIGHT TO HEALTH

[WHO](#) states that the right to health involves a claim to a set of institutional arrangements and environmental conditions that are needed for the realization of the highest attainable standard of health. The obligation of States to support the right to health is reviewed through various international human rights mechanisms and UN covenants and committees such as Article 12 of the 1966 International Covenant on Economic, Social and Cultural Rights and the CRC. Although the right to health is applicable to all, children constitute the most neglected segment for denial of access to health care. Children are further totally dependent upon adults for all of their needs. Within the UPR process, specific references to children's health have included: **infant mortality, malnutrition, children and HIV and AIDS, infant mortality, access to healthcare and immunisation, access to water, sanitation and hygiene, immunisation, healthcare facilities and discrimination in healthcare according to race, religion and gender**. The States Under Review have [demonstrated signs of commitment](#) to improving the right to health for children within past reviews. Delegates are recommended to explore legal systems and legislative measures of the States Under Review vis-à-vis the following subtopics:

- Law and action on corporal punishment [in homes](#) and [by family members](#)
- Access to healthcare for rural and/or [undocumented](#) children, girls, or ethnic minorities and children with disabilities or low socioeconomic status
- Accessibility and governmental provision of maternal and child healthcare services
  - Mental health services for young people and children
  - Malnutrition and adequate access to food, water and sanitation
    - Physical education in school

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### 3. OTHER RIGHTS

States are encouraged to examine less 'soft' and less common issues within the UPR process, and determine present legislation, laws, social attitudes and social and welfare schemes for issues such as:

- Child pornography and [sexual exploitation of children](#)
  - [Victim blaming](#) mentalities of runaway teenagers
    - [Child labour](#)
    - [Children living on the streets](#)
      - [Racial discrimination](#)
      - [Political participation](#)
    - Bullying and cyberbullying

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## OTHER USEFUL RESOURCES

- **UPR Database:** recommendations to the [ROK](#), the [DPRK](#), [China](#), and [Japan](#)
  - **[The Convention on the Rights of the Child \(CRC\)](#)**
  - **Child Rights International Network:** [report](#) on the status of children's rights in the UPR
  - **Human Rights Council Third Cycle UPR Review (DPRK):** Summary of Stakeholders' submissions (p.7 on the Right to Health, page 8 on the Right to Education)
  - **Human Rights Council Third Cycle UPR Review (ROK):** Summary of Stakeholders' submissions (p.9)
  - **Human Rights Watch:** [Submission to the Universal Periodic Review of South Korea, March 2017](#)
  - **UNESCO:** [Regional Overview East Asia - Education for All by 2015: Will We Make it?](#)
  - **OECD:** [Education Policy Outlook \(South\) Korea](#)
  - **UNICEF:** [Research and Reports](#)
  - **[Right to Education Initiative](#)**
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