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## Closing Remarks

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# CLOSING REMARKS

SUSAN KILBOURNE\*

Thank you for inviting me here and giving me this opportunity to close your symposium. It is always fun to get the last word in. I am going to switch gears a little bit. I was asked to talk about the Convention on the Rights of the Child<sup>1</sup> and to put the specific issues that we have heard today into an international human

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She works on children's rights issues with several non-governmental organizations, including the American Bar Association Section of Individual Rights and Responsibilities, ChildRights International Research Institute, and Youth Advocate Program International. She also serves on the Steering Committees of the U.S. Alliance for the Convention on the Rights of the Child, and Amnesty International USA's Children's Rights Network.

Ms. Kilbourne is currently a Public Interest Law Scholar at Georgetown University Law Center, where she was Symposium Director of the *Georgetown Journal on Fighting Poverty*. She is the author of several law review articles on children's rights, and has spoken on the subject of political opposition to U.S. ratification of the U.N. Convention on the Rights of the Child at many national conferences, law schools, and human rights events.

Most importantly, she is the mother of the two most wonderful daughters in the whole world, Alden (eight years-old) and Zoë (seven years-old).

<sup>1</sup> See Convention on the Rights of the Child, G.A. Res. 44/25, 166 U. N. Doc. A/44/736 (1989) (reprinted in 28 I.L.M. 1448 (1989)) (with corrections at 29 I.L.M. 1340 (1990)) [hereinafter *Convention*].

rights context. You have already heard a lot about some parts of the Convention. So what I would like to do is give you an overview of the international legal landscape of children's human rights.

In order to give some perspective, I want to start briefly with the Universal Declaration of Human Rights.<sup>2</sup> As you may know, we recently celebrated the 50th anniversary of the UDHR on December 10, 1998. You may also know that the UDHR, adopted in 1948, was a direct response to the human rights atrocities perpetrated especially during World War II.

I am assuming you are all here because of your respect and concern for human rights, so I am not going to spend this time running down a list of horrible things that people do to each other, because we all read the newspapers. Instead, I would like to talk about how the UDHR and its successor treaties, especially the Convention on the Rights of the Child, actually work.

At the time the UDHR was drafted, it was unusual because it contained two categories of rights. One category is the civil and political rights, including rights to freedom of thought, conscience and religion, freedom of opinion, freedom of association, and the right to vote. These types of rights are very familiar to us from our own Bill of Rights,<sup>3</sup> and they are often referred to as negative rights, because they guarantee freedom from governmental intrusion or interference.

The other categories of rights in the UDHR are economic, social and cultural rights. These are a little different from what we are used to here in the United States. They include the right to adequate food, clothing, housing, medical care, and education. They are often called affirmative rights because they require the provision of programs that address certain needs.

It is important to understand that the UDHR is not a legally binding instrument. Rather, it is an expression of aspirations, a set of goals the people of all countries should aspire to reach. There is no enforcement mechanism in the UDHR, no international committee set up to monitor whether countries are actually abiding by its principles.

For that reason, two important treaties were drafted to give

<sup>2</sup> Universal Declaration of Human Rights, G.A. Res. 217A (III), U.N. GAOR, 3d Sess., U.N. Do. A/810 (1948).

<sup>3</sup> U.S. CONST. amend. I-X.

life to the UDHR: the International Covenant on Civil and Political Rights,<sup>4</sup> and the International Covenant on Social and Cultural Rights.<sup>5</sup> Together, these two treaties comprise what is known as the International Bill of Rights,<sup>6</sup> and they were adopted by the U.N. General Assembly in 1966. These two treaties are legally binding on the nations that ratify them, and both include monitoring and enforcement mechanisms.

Following the drafting and adoption of the International Covenants, several more human rights declarations and treaties were developed. The most notable are the Genocide Convention,<sup>7</sup> the Torture Convention,<sup>8</sup> the Convention on the Elimination of Racial Discrimination,<sup>9</sup> the Women's Convention,<sup>10</sup> and the Convention on the Rights of the Child, or the CRC.

The original idea and draft for the CRC came from Poland in the 1970s. A working group met from 1979 to 1989 to draft the 54 articles that make up the CRC. One reason it took so long was that the drafting was done by consensus, which means every delegate had to agree to every word of every article.

Another factor was that it was the height of the Cold War and some countries just did not play well together. The resulting document is an interesting mix. It returns to the UDHR model of including both civil and political rights and economic, social and cultural rights, includes some rights designed to be self-executing and immediately enforceable, and other provisions are drafted in a way that make them more progressive or aspirational.

The other really important philosophical achievement of the CRC is that it calls on States Parties to recognize children as

<sup>4</sup> Adopted Dec. 19, 1966, 999 U.N.T.S. 171 (entered into force Mar. 23, 1976).

<sup>5</sup> Adopted Dec. 16, 1966, 993 U.N.T.S. 3 (entered into force Jan. 3, 1976).

<sup>6</sup> See Susan Kilbourne, *Placing the Convention on the Rights of the Child in an American Context*, 26 HUM. RTS. 27 (1999).

<sup>7</sup> See Convention on the Prevention and Punishment of the Crime of Genocide, Dec. 10, 1948, 102 Stat. 3045, 78 U.N.T.S. 277, U.N.G.A. Res. 260, U.N. GAOR, 3d Sess., 179th plen. mtg. at 174, U.N. Doc. A/810 (1948) (entered into force for the United States Feb. 23 1989) [hereinafter *Genocide Convention*].

<sup>8</sup> Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Dec. 10, 1984, G.A. Res 39/46, U.N. GAOR, 39th Sess., Supp. No. 51, U.N. Doc. A/39/51 (1984) (reprinted in 23 I.L.M. 1027, 24 I.L.M. 535) (entered into force for the United States Nov. 20, 1994) [hereinafter *Torture Convention*].

<sup>9</sup> Convention on the Elimination of All Forms of Racial Discrimination, March 7, 1966, 660 U.N.T.S., 195 G.A. Res. 2106, U.N. GAOR, 20th Sess., Agenda Item 58, U.N. Doc. A/Res/ 2106 (1966).

(reprinted in 5 I.L.M. 352) (entered into force Jan. 4, 1969) [hereinafter *Race Convention*]

<sup>10</sup> G.A. Res. 180, U.N. GAOR, 34th Sess., U.N. Doc. A/RES/34/180 (1980).

people and citizens. Historically, children have been considered the property of their fathers. Over time, however, a shift has occurred and we are beginning to understand that children are capable social actors. The CRC focuses on children as rights bearers, not simply as objects of protection.

First, the CRC establishes that "child" means any human being under the age of 18. The CRC contains four articles that have come to be known as the general principles: the child's right to life; the right to be heard in matters affecting him or her; the principle of non-discrimination; and the use of the best interests of the child standard.

Other articles provide for civil, political, economic, social and cultural rights. The CRC contains protections against abuse and neglect, sexual exploitation, exploitive labor, capital punishment and participation in armed conflict. Additionally, the CRC contains standards for the administration of juvenile justice, adoption, and child protective services as we have discussed here today.

The CRC also establishes a monitoring mechanism, the Committee on the Rights of the Child.<sup>11</sup> The committee is made up of the nationals of ten of the states that are parties to the Convention.<sup>12</sup> The committee's membership is elected on a rotating basis and with attention to geographic diversity. The committee's role is to receive reports from States Parties every five years, review those reports, and then make recommendations for improvement.<sup>13</sup> There is no enforcement mechanism included in the CRC.<sup>14</sup> The committee does not have the ability to investigate, to sanction or otherwise punish States Parties. Implementation of the CRC's provisions depends entirely on the voluntary efforts of State Parties, and enforcement consists only of international and internal political pressure.

The CRC was adopted by the U.N. General Assembly on November 20, 1989 and entered into force less than a year later,

<sup>11</sup> See *Convention*, *supra* note 1, at art. 43.

<sup>12</sup> See *id.*

<sup>13</sup> See *id.* at art. 44(1)(a), 44(1)(b).

<sup>14</sup> See, e.g., *id.* at art. 43(1); see also Donna Gomien, *Whose Right (And Whose Duty) Is It? An Analysis of the Substance and Implementation of the Convention on the Rights of the Child*, 7 N.Y.L. SCH. J. HUM. RTS. 161, 162-64 (1989) (discussing Convention on the Rights of the Child).

which was a record. One hundred and ninety-one nations have become States Parties to the Convention. As someone mentioned earlier, the only two that have not are Somalia, which does not have a government capable of concluding an international agreement, and the United States.

The United States did participate heavily in the drafting of the CRC. We signed the convention in February 1995, which means that we agreed not to act in contradiction of the Convention while we determine whether or not to ratify. Officially, the Convention is under State Department review because the U.S. takes the position that human rights treaties are very important and therefore must be carefully and completely deliberated.

I would like to sidetrack briefly here and give you a brief background on the United States treaty process. When a human rights treaty is opened for signature, first the President must decide whether we should sign it. Of course, this decision involves complex political considerations. If the President or his representative does sign the treaty, then it undergoes a lengthy legal analysis at the State Department and any other agencies the administration thinks should be involved.

Once this analysis is complete, and if the political climate is hospitable to ratification, the President transmits the treaty to the Senate, along with his recommendations for ratification and for any modifications that he feels should be made to the treaty. When the Senate receives the treaty, it is first assigned to the Senate Foreign Relations Committee, which is key. That committee holds at least one hearing. If the Foreign Relations Committee approves the treaty, it may be sent to other committees with jurisdiction over the subject matter, or it may go back to the Senate floor. After a floor debate, the Senate must vote on the treaty and if two-thirds of the Senators approves the treaty, the Senate gives what is called its advice and consent to ratification.<sup>15</sup> At that point, the President is authorized to ratify it, and if he does so, he sends the instrument of ratification to the U.N. Secretary General.

It is a long, arduous, and frustrating process. There is one more wrinkle. Treaties are often ratified by the United States

<sup>15</sup> See U.S. Const. Art. II, 2 (providing that the President "shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of Senators present will concur").

and other countries with modifications, called "Reservations, Understandings and Declarations," or RUDs. RUDs describe what the State Party understands certain parts of the treaty to mean, or reserve the right for the State Party not to be bound by certain provisions.

For example, the International Covenant on Civil and Political Rights contains a prohibition on the juvenile death penalty. The United States took a "reservation" to that provision. This means that the United States refuses to be obligated to outlaw the execution of people who were under 18 when they committed their crime.

Another important "reservation" the United States has taken to each human rights treaty is the "non-self-execution reservation." Usually when the U.S. ratifies a treaty, it becomes law under Article 6 of the Constitution. In other words, the treaty is self-executing. It does not require any additional laws to implement it. However, when we ratify human rights treaties, we always include a statement that the treaty will not be self-executing. There must be some sort of legislation passed at some level of government to implement or execute the treaty's provisions.

Now, the United States is a State Party to four major human rights conventions: the Torture Convention,<sup>16</sup> the Genocide Convention,<sup>17</sup> the Race Convention<sup>18</sup> and the International Covenant on Civil and Political Rights.<sup>19</sup> Just as an example of how long it can take, the U.S. took almost 40 years to ratify the Genocide Convention. On the one hand, I think it is horrible and shameful that the U.S. is only a party to four of these conventions. On the other hand, I think it is a miracle that we have gotten through the process that many times.

I would like to talk for just a minute about why I think we should ratify the CRC. According to the Children's Defense Fund, every day in America six children commit suicide,<sup>20</sup> 13

<sup>16</sup> See *Torture Convention*, *supra* note 8.

<sup>17</sup> See *Genocide Convention*, *supra* note 7.

<sup>18</sup> See *Race Convention*, *supra* note 9.

<sup>19</sup> G.A. Res. 2200A, U.N. GAOR, 21st Sess., Supp. No. 6, U.N. Doc. A/6316 (1966) [hereinafter *Civil and Political Rights Convention*].

<sup>20</sup> See CHILDREN'S DEFENSE FUND, CHILDREN 1990: A REPORT CARD, BRIEFING BOOK AND ACTION PRIMER 4 (1990).

children are murdered,<sup>21</sup> and 36 children die from accidents.<sup>22</sup> In the United States, 781 babies are born at low birth weight,<sup>23</sup> 1403 babies are born to mothers younger than 20,<sup>24</sup> 5,702 children are arrested,<sup>25</sup> 316 of them for violent crimes.<sup>26</sup>

Among industrialized countries, the United States ranks first in domestic gross product,<sup>27</sup> first in the number of millionaires and billionaires,<sup>28</sup> first in health technology,<sup>29</sup> first in exports,<sup>30</sup> first in military technology,<sup>31</sup> and first in defense spending.<sup>32</sup> However, we rank last in protecting our children from gun violence.<sup>33</sup> One in five American children lives in poverty<sup>34</sup> and one in seven has no health insurance.<sup>35</sup> Clearly, we can and must do better than this.

Would the Convention on the Rights of the Child fix all these problems? No, of course not. However, the Convention would provide a tool for advocates to help bring about changes in legislation and in the implementation of programs for children. First, it would provide a framework against which we can measure our governmental policies for children, policies currently scattered among many governmental agencies and levels of government with no coordination or oversight.

Secondly, ratification of the CRC would allow the United States to participate in the work of the Committee on the Rights of the Child, establishing international standards for the care

<sup>21</sup> See *id.*

<sup>22</sup> See *id.*

<sup>23</sup> See *id.*

<sup>24</sup> See *id.*

<sup>25</sup> See *id.*

<sup>26</sup> See *id.*

<sup>27</sup> See Dale White, *Make Child Care No. 1, Speaker Says*, SARASOTA HERALD TRIBUNE, May 31, 1999, at 1B.

<sup>28</sup> See Brian Becker, *Clinton's Summit is a Sham*, THE PLAIN DEALER, April 25, 1997, at 11B.

<sup>29</sup> See White, *supra* note 27, at 1B.

<sup>30</sup> See Julia Miller, *Take a Stand for This Nation's Children*, THE DETRIOT NEWS, May 30, 1996.

<sup>31</sup> See White, *supra* note 27, at 1B.

<sup>32</sup> See *Funding Cuts Imperil Home Health Care*, ASBURY PARK PRESS, May 27, 1998, at A10.

<sup>33</sup> See *id.*

<sup>34</sup> CHILDREN'S DEFENSE FUND, *POVERTY MATTERS: THE COST OF CHILD POVERTY IN AMERICA* 19 (1998).

<sup>35</sup> CHILDREN'S DEFENSE FUND, *THE STATE OF AMERICA'S CHILDREN YEARBOOK 1995*, 27 (1995) ("In 1993, almost one in every seven children, as well as an estimated 500,000 or more pregnant women, were uninsured.").



and protection of children. Finally, ratification would trigger the Convention's reporting requirement, providing a forum for public examination of governmental policies for American children, shining a spotlight on the problems faced by our kids.

So why have we not ratified the treaty? Well, the answer boils down to politics. The bottom line answer is that Senator Jesse Helms does not like the CRC and Senator Helms is Chair of the Foreign Relations Committee. So if he does not want the Committee to consider the treaty, the Committee probably will not consider the treaty.<sup>36</sup>

A related political obstacle involves the Convention on the Elimination of All Forms of Discrimination Against Women.<sup>37</sup> The Women's Convention was signed by the U.S. 15 years before the Convention on the Rights of the Child was signed, and therefore has been awaiting ratification considerably longer. It is rumored the President will not send the Children's Convention to the Senate until the Women's Convention is ratified. So the current political reality seems to be that the CRC has to wait its turn.

Beyond the "inside the Beltway" politics lies the reality that the CRC has been the subject of significant political opposition in the United States. Most of this opposition, or at least the most vocal opposition comes from conservative religious right organizations, including the Christian Coalition, Concerned Women for America, Eagle Forum, Family Research Council, Focus on the Family, the John Birch Society and the National Center for Home Education. These organizations are well funded, well organized, and very vocal. Senators' aides have reported they receive tremendous volumes of anti-Convention mail, sometimes at a ratio of 100 anti-Convention letters for every one pro-Convention letter. The materials published by these organizations depict the Convention as a radical, dangerous document that will guarantee unlimited government interference in family life.

In general, opponents make two types of arguments. The first criticizes the United Nations and human rights treaties in

<sup>36</sup> See, e.g., 141 CONG. REC. S8400 (June 14, 1995) (statement of Sen. Helms) (stating "as long as I am chairman of the Senate Committee on Foreign Relation, it is going to be very difficult for this treaty even to be given a hearing").

<sup>37</sup> G.A. Res. 34/180 (Dec. 18, 1979) (reprinted in 19 I.L.M. 33 (1980)).

general. This argument asserts that U.S. ratification of the Convention would be tantamount to surrendering our sovereignty<sup>38</sup> and would destroy our system of federalism and cause violations of states' rights.<sup>39</sup> Some of the less restrained rhetoric I have read characterizes the United Nations as conducting a "war against the family"<sup>40</sup> and "striv[ing] relentlessly to disrupt and subvert the traditional home,"<sup>41</sup> and notes UNICEF's "depraved sexual agenda."<sup>42</sup>

The second type of opposition argument, and the more interesting political argument, focuses on the substance of the Convention's provisions, especially those articles that critics interpret as threatening parents' rights. In general, opponents claim the Convention "strips parents of rights"<sup>43</sup> and "put[s] an end to parenting as we know it."<sup>44</sup> Opponents argue that the Convention gives our children unrestricted access to abortion, pornography, gangs and the occult, and "would create in children the legal equivalent of a 'fundamental' right to rebel against their parents."<sup>45</sup>

Central to this line of reasoning is the idea that the CRC is to be enforced by the state against individual parents. However, the CRC is intended and drafted to place obligations on States Parties, the governments of the countries that ratify it. Just as our Constitution protects us against certain types of governmental actions and intrusions, the CRC protects children

<sup>38</sup> See, e.g., CHRISTIAN COALITION, CONTRACT WITH THE AMERICAN FAMILY 15 (1995); Michael Farris, *Don't Hand U.S. Policy Over to the U.N.*, ROANOKE TIMES & WORLD NEWS, Jan. 23, 1997, at A11; James P. Lucier, *Unconventional Rights: Children and the United Nations*, (Fam. Res. Council, Washington D.C.), Aug. 1992, at 14; Douglas Phillips, *The Legal Impact of the the [sic] United Nations Convention on the Rights of the Child* (Nat'l Ass'n for Home Educ., Paeonian Springs, Va.); Phyllis Schlafley, *The New World Order Wants Your Children*, THE PHYLLIS SCHLAFLEY REP. (Eagle Trust Fund, Alton, Ill.), Mar. 1993; 141 CONG. REC. S9400 (June 14, 1995) (statement of Senator Jesse Helms) (characterizing Convention as "yet another attempt, in a growing list of United Nations ill-conceived efforts, to chip away at the U.S. Constitution").

<sup>39</sup> See, e.g., Lucier, *supra* note 38, at 14; Schlafley, *supra* note 38; Phillips, *supra* note 38.

<sup>40</sup> William Norman Grigg, *Uninvited House Guests*, THE NEW AMERICAN, Apr. 3, 1997, at 30.

<sup>41</sup> *Id.*

<sup>42</sup> *Id.*

<sup>43</sup> *U.N. Treaty Strips Parents of Rights*, FOCUS ON THE FAM. CITIZEN, July 17, 1991, at 1.

<sup>44</sup> INGRID J. GUZMAN, PARENT POLICE: THE U.N. WANTS YOUR CHILDREN Back Cover (1995).

<sup>45</sup> Phillips, *supra* note 38.

against governmental actions and intrusions, as in the area of civil rights. In addition, the CRC requires governments to provide programs for children's benefit.

However, the parental rights arguments, while based on a misunderstanding of the CRC's implementation, are very catchy and make for great sound bites. I would like to read you just a couple of the quotes I have come across in opposition materials: Article 2 "[e]mpowers the government to determine the religious training of a child by adoptive parents."<sup>46</sup> Under Article 13, "parents would be subject to prosecution for any attempt to prevent their children from interaction [sic] with pornography, rock music or television."<sup>47</sup> Article 14 gives children "a legal right to object to all religious training. Alternatively, children may assert their right against parental objection to participate in a cult, Muslim, or Buddhist worship services."<sup>48</sup> Article 15 could prevent parents "from forbidding their child to associate with people deemed to be objectionable companions. . . . [C]hildren could claim a 'fundamental' right to join gangs, cults and racist organizations over parental objection."<sup>49</sup> Article 16 "gives the child a virtually absolute 'right of privacy,' to be enforced at law against all others, including parents. Presumably, this privacy right includes the right to have an abortion without parental consent, the right to fornication and homosexual conduct within the home, the right to view obscenity within the home, the right to obtain and use birth control."<sup>50</sup> Finally, Article 43 "calls for a 'Committee' of ten experts of high moral stature 'to investigate and prosecute parents who violate their children's rights.'"<sup>51</sup>

These arguments find an audience with caring parents who are legitimately concerned about their ability to protect their children from harmful societal influences. If most of the critics' allegations about the Convention were true it would indeed be a dangerous document. However, they are not true.

Speaking as a parent myself, I would certainly be opposed to a treaty or law that said all those things, but the Convention on

<sup>46</sup> Beverly LaHaye, *Operation "Hands Off Our Kids" Special Legislative Report* (Concerned Women for Am., Washington, D.C.) (undated).

<sup>47</sup> Phillips, *supra* note 38.

<sup>48</sup> Phillips, *supra* note 38.

<sup>49</sup> Phillips, *supra* note 38.

<sup>50</sup> Phillips, *supra* note 38.

<sup>51</sup> LaHaye, *supra* note 46.

the Rights of the Child does not. The language of the Convention, as well as the drafting history and the interpretation by the Committee on the Rights of the Child, clearly indicate its intent to set standards for governmental policy regarding children. It is a policy framework, not a code of parental conduct.

The Convention does not provide for prosecutions against parents or guardians. No form of the word "prosecute" appears anywhere in the Convention. The civil and political rights, such as the right to expression, religion, association and the right of privacy, are protections from governmental intrusions, not parental guidance. In fact, the Convention's text is quite deferential to parents and families. For example, Article 5 requires States Parties to "respect the responsibilities, rights and duties of parents in a manner consistent with the evolving capacities of the child, to provide appropriate direction and guidance."<sup>52</sup> The vital role of parents is also recognized and reinforced in several other parts of the Convention.

In addition, the comments from the Committee on the Rights of the Child have consistently been supportive of parents. For example, high rates of abortion and teen pregnancy, the ease of access to harmful or inappropriate media, and the negative effects of divorce and family breakdown have all been subjects of concern for the Committee. The Committee's comments for one country even referred to a distressing lack of sufficient parental guidance. Furthermore, as I mentioned earlier, the United States implementation of human rights treaties provides an additional safeguard for parental rights. It is extremely unlikely the U.S. Senate would approve the CRC without making clear that it was not to be interpreted to undermine parents.

That being said, I would like to just highlight a couple of areas where the opposition arguments are on more firm ground. First is corporal punishment. The text of the CRC does not specifically mention corporal punishment. The closest it comes is in Article 19, requiring States Parties to protect children from all forms of physical or mental violence, injury or abuse.<sup>53</sup> However, the Convention is being interpreted by the Committee as requiring the prohibition of corporal punishment, even within the family.

<sup>52</sup> See *Convention, supra* note 1, at art. 5.

<sup>53</sup> See *Convention, supra* note 1, at art. 19.

If the United States was to attempt to comply with this requirement, many American families would likely object on privacy grounds.

Another issue is "values" education. Article 29 appears to obligate the federal government to prescribe "values curricula," even for private schools. This might violate the First Amendment of the U.S. Constitution,<sup>54</sup> and would in any case be controversial.

The final extremely important aspect of the opposition is the rhetoric it uses. Opposition materials employ extremely volatile language designed to exploit the primal fears of parents. I read a few quotes a few minutes ago. In addition, I have seen the Convention on the Rights of the Child described as "the most insidious document ever signed by an American President,"<sup>55</sup> "the ultimate program to annihilate parental authority,"<sup>56</sup> "a blank check for government intervention within the home,"<sup>57</sup> akin to "the family policies of Soviet Russia, Red China and Nazi Germany,"<sup>58</sup> and "a tool for perverts."<sup>59</sup>

This kind of rhetoric is not easily countered by rational debate. The Convention on the Rights of the Child is not easily reduced to sound bites and this is a problem CRC advocates encounter all the time. It is going to take a lot of education to make this treaty clear to the American public.

There are people working on that education. Just to give you an idea of what children's rights advocates are doing, there are over 300 non-governmental organizations representing millions of Americans who have publicly expressed their support for U.S. ratification, including religious bodies, professional associations, labor unions and civil rights groups.<sup>60</sup> There are people working very hard to lay the groundwork for bringing the CRC to

<sup>54</sup> See AMERICAN BAR ASSOCIATION WORKING GROUP ON THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD, REPORT OF THE AMERICAN BAR ASSOCIATION WORKING GROUP ON THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD 86 (June 1993).

<sup>55</sup> JOHN ROSEMOND, A FAMILY VALUE 116 (1995).

<sup>56</sup> GUZMAN, *supra* note 44.

<sup>57</sup> WILLIAM NORMAN GRIGG, FREEDOM ON THE ALTER 58 (1995).

<sup>58</sup> *Id.* at 89.

<sup>59</sup> Grigg, *supra* note 96, at 31.

<sup>60</sup> See Joe Mettimano, *Organizations Which Endorse the U.N. Convention on the Rights of the Child* (United States Committee for UNICEF, Washington, D.C.) Feb. 21, 1997.

consideration in the Senate. Many organizations are currently doing projects designed to study or promote the CRC.

For example, the American Bar Association's Section of Individual Rights and Responsibilities is working on a project to compare the Convention's provisions to existing state laws. Consistently, more groups and universities are holding events like this one, incorporating information about the CRC. Now, at this point advocates feel we are in an education phase, frustrating as that is. Most of us agree the CRC is not going to be ratified in the next year or two, and that we need to lay the groundwork for a hospitable climate in the Senate before we want the President to transmit it.

We are trying to accomplish this by providing information and I am pleased to tell you that we have established a new organization whose mission is solely focused on promoting ratification of the CRC. It is called the United States Alliance for the Convention on the Rights of the Child, and we are in the process of raising seed money, so if anybody would like to chip in, let me know. When we get our new organization up and running we will try to increase public education, as well as education efforts aimed at members of Congress and their staffs, and put grass roots energy to work.

Now, I hope you are sitting there wondering what you can do to advance the goal of ratification. The first thing I would suggest is exactly what you are doing now. Find out more about the CRC, the political issues surrounding it, and do not take my word for anything, read it yourselves in all your spare time.

Secondly, get involved with local, state, regional, national or international groups. It really does make a difference even though it is frustrating sometimes. The third thing is to educate your Senators and their staff about the CRC. Believe me, they need information. Most of what they are hearing at this point comes from opposition organizations and includes all the misconceptions outlined today. The CRC will not be ratified tomorrow or probably even next year. After it is ratified, we need to fight for implementation. So we are in this for the long haul.

I want to leave you with one very quick personal anecdote. A few months ago I overheard a snippet of conversation between my seven-year-old daughter, Zoë, and two of her friends. They were talking about what kinds of jobs their parents have. The

first girl said, "My mommy is a biochemist." The second one said, "My mommy is a nurse." Then Zoë said, "My mommy is trying to change the world." Now, it is going to take more than one mommy to do that. I certainly can not do it and I do not think U.S. ratification of the Convention on the Rights of the Child is going to change the world, either. However, implementing the CRC might.

So while we are fighting to get the U.S. to ratify the Convention, I would also like to challenge each of us to work however we can toward full implementation of at least a segment of the Convention, whatever your area of work is. To paraphrase the Native American proverb, we did not inherit the world from our fathers, but we borrowed it from our children. So at the very least, we owe them back a world that nurtures them.