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RIGHT OF THE CHILD

Joint written statement* submitted by Movimiento Cubano por la Paz y la Soberanía de los
Pueblos, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[8 February 2003]

*This written statement is issued, unedited, in the language(s) received from the
submitting non-governmental organization(s).

In the mild of the last century, according to the projects outlined by the intergovernmental organizations, there are two programs, called "Health for All in the Year 2000" and the "Declaration on the Rights of the Child of 1959". In January 1, 1959, it was also born the Cuban National Project in favor of the Cuban Family, without other precedent in the history of the American Continent.

Thirty years later with the sustainable growth of the state of impoverishment and the weakening of the morale of the childhood, it was necessary to celebrate in November 20, 1989 the Convention on the Child's Rights and in September 20-29, 1990 the World Summit in Favor of the Childhood. The great hope of millions of children and women was born. In these documents, they realized a force to alleviate the terrible conditions of life, while Cuba was developing many projects to rescue the situation of abandonment that childhood were living, mainly in the rural areas.

However in the majority of the countries, nothing has happened in favor the children or the family, on the contrary the things have worsened for them because the governments apply rigorous methods of exclusion to transform them in an easy prey of the ignorance and indignity, especially the children. All their rights and agreements are violated.

The World Summit in Favor of the Childhood, the States Parties present in the Convention of November 20, 1989 in conformity with the principles proclaimed in the Letter of the United Nations, freedom, justice and peace in the world are based on the recognition of the intrinsic dignity and of the same and inalienable rights of all the members of the human family. It agreed a series of precepts all directed to promote the social progress and to elevate the level of life within the widest concept of freedom... as well as the protection that should be given to the family like the fundamental group of society and natural environment for the growth and the well-being of all their members, and in particular of the children...

United States has been the only country that has not ratified the Convention 1989, whose arguments are in order to justify and confuse the opinion it publishes world. Which are the principal justifies?

1st The Convention state that...a child means every human being below the age of 18 years unless, under the law applicable to the child, majority is attained early... This has been interpreted by some to mean interference with the trial and sentencing of juvenile who have committed capital offenses. This article has been cited as one of the reasons the USA has not signed the Convention.

The USA is one of the only seven countries now legally permitting the death sentence for juveniles and women and children with mental disability and it has racial character.

2nd Other objections has been raised about children serving in the armed forces, but article 38 specifically states that "parties shall take all feasible measures to ensure that person who have not attained the age of 15 years but who have not attained the age of 18 yeas, states "parties shall endeavor to give priority to those who are oldest"

The USA allows 17-years olds to enlist; Article 38 uses the words “shall endeavor,” not the words “prohibit” or “exclude” in reference to those under 18 years.

We cannot forget the important role of the Firearm or Rifle Association to maintain its position with relation to avoid laws that protect to their citizens. Is a big business of the companies that cost a huge number of dead.

3rd The other Articles seem to be ones pediatricians support, such as supporting the rights of parents to provide guidance; the right of the child to have a name at birth , including a family name; it live with his o her parents (unless this is deemed incompatible with the child’s best interests); the right to leave and re-enter any country, especially for the purpose of maintaining the child-parent relation-ship; the right to prevent kidnapping; freedom of expression of his or her views, thoughts, religion; an freedom to meet with other for peaceful assembly There are those who believe that this statement interferes with families rights to bring up a child in their own religion. This is part of a larger fear of government interfering with families.

The governments from United States, not alone they violate this article, but also the Article 9, subsection 3, 4 and the articles 10 and 11 of the Convention...that says the States Parts they will respect the child's right or of both parents to maintain personal relationships and direct contact with both parents in a regular way, except for if it is contrary to the child's interest... still when that separation is the result of a measure adopted by a State Part, as the detention, the imprisonment, the exile, etc.

Obviously, the government of Unite States violates that right, when it impedes or it manipulates the encounter of the included families the daughters born in United States, of 5 men innocent detainees in the United States whose only crime was to impede the death of many people innocent included North American citizens, they are 5 Cuban Heroes that fought without resting against the terrorism.

In my opinion, of the US the government deceives to its people because to its people because me you that to accomplish an alone of those goals requires an extraordinary effort of all and a huge invest. The government knows the citizens to forget those details, while they are in charge of the war and their millionaire expenses.

If the United States has to ratify or not the Convention, will always express its arrogance and the scorn that it feels for the other ones. In any way, the Convention states that these are rights inalienable to any citizen or nation, those are rights to the life

There can’t be Security, Sustainability, Science or Peace, while millions of children die from preventable diseases and others live in high-risk war situations, and if the damage to the environment continues. These resources represent the basis of sustainable development—natural resources conservation, development policies and family planning. Obviously, none of these conditions can be attained due to straining or distorted international legal instruments.

On September 11, 2001, the world was shocked by the terrorist attack to the Twin Towers in the U.S. Maybe for some it seemed to be the holocaust but maybe it was just “the tip of the iceberg.” Because of that we had another opportunity to learn what is better for humankind.