

THE DECLARATION OF THE RIGHTS OF THE CHILD

At the time when the Centenary of the Red Cross is about to be celebrated, it would be fitting to remember the rôle so many members and officers of the International Committee of the Red Cross have played in the drafting and the proclamation of the Rights of the Child. This declaration called the *Declaration of Geneva* was proclaimed forty years ago by the Council of the " Save the Children International Union " (SCIU). It was on May 17, 1923, that the final draft in five brief clauses was adopted. It is to be recalled that at that time the ICRC and the SCIU worked in close co-operation. Indeed, it was Dr. Frédéric Ferrière's report (then Vice-President of the ICRC) on the disastrous situation in which children lived in Vienna which incited Eglantyne Jebb to come to Geneva for the first time.

Mrs. R. M. Frick-Cramer, Honorary Member of the ICRC, described the person who was going to be the founder of the SCIU in the following way : " Those who have known her never forget the following impression : a woman between two age-groups, her hair half blond, half grey—She speaks calmly in a soft voice and what she says is inspired by the imagination prompted by the heart, by a deep feeling, yet controlled by clear reasoning. She is both visionary and realist ".¹

Eglantyne Jebb had already, previously, together with her sister, Mrs. C. R. Buxton, in England, launched a movement for relief to children who were victims of the war and its consequences, (famine, epidemics etc.), which they called " Save the Children Fund ". Dr. Ferrière's report made her realize that the basis of the movement had to be widened, because the situation was

¹ Speech made on the 25th Anniversary of the SCIU on Jan. 6, 1945, in Geneva. *Plate*.

such that every country's co-operation was needed as well as everybody's goodwill. Thus, the Save the Children International Union was founded on January 6, 1920, at the Athénée in Geneva, in the same hall where the Red Cross was created. The three founder members were: "Save the Children Fund", the ICRC and the Swiss Committee of Child Welfare (dissolved in 1927). In quick succession German, French, Italian, Dutch and Swedish Committees joined the initial nucleus and, slowly, others followed, as well as several National Societies of the Red Cross. Among them, the Belgian is still a member today, while many others are part of national member organizations, which have a federative character. Horace Micheli, member of the ICRC, was one of the presidents at the founder meeting of the new organization, which was directly placed under the high patronage of the ICRC. Among the first members of the Executive Committee of the SCIU, were Dr. Ferrière, Professor d'Espine, Mrs. Chaponnière-Chaix. The tradition was then established that the president of the ICRC would be Honorary Member of the SCIU's Committee, as long as that Committee existed.

From the start, Eglantyne Jebb endowed the movement with unity and solidarity which, already on November 29, 1919, found expression in a simultaneous appeal made by Pope Benedict XV and the Archbishop of Canterbury, announcing that not only should December 28 of that year be an occasion for collections, but also a day of intercession and prayer on behalf of children in countries sorely tried. All Christian churches, as well as other religious communities, joined together in this appeal. The report of the first year of activities also mentioned the support given by the International Congress of the Socialist Party, of the miners and several women organizations.

During the first years of the SCIU, when its activity consisted nearly exclusively of relief actions, often on a very large scale, the delegates of the ICRC most of the time took charge of the distribution of relief material. The personal contacts were numerous and the co-operation very close between those two organizations. Besides the personalities mentioned above, Georges Werner, also a member of the ICRC, was the first president of the Executive Committee of the Union. The first Secretary-General was Etienne Clouzot, chief of Secretariat of the ICRC, assisted by Miss Suzanne Ferrière.

Moreover, large-scale relief actions had but strengthened Eglantyne Jebb's deep conviction. She was certain that only adequate childhood protection and education in a spirit of dedication could assure the world a better future. She was also aware of the fact that war and its accompanying upheavals were not the only cause of misery and injustice in the world. There were also the bad social conditions in general: ignorance, injustice, hate or, in short, indifference. The desire for a far-reaching crusade against these evils and, at the same time, the desire to give people of goodwill an aim and a rallying-point, inspired her to draft the Declaration of the Rights of the Child.

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Eglantyne Jebb liked to go and meditate on the Salève, a mountain near Geneva. It was there that she worked out the Declaration, but it was Georges Werner and Etienne Clouzot who helped her to put it in its final form. The original, in French, is deposited at the Record Office in Geneva.¹ The Declaration was also translated and published in several languages. Gustave Ador, former President of the Swiss Confederation and President of the ICRC at the time, read it in his beautiful warm voice, at the radio station of the Eiffel Tower in Paris, which made an even bigger impression in those days because broadcasting was then still in its prime.² In this way, he contributed to its wide dissemination and finished his lecture with information about the Red Cross and the Promotion of Child Welfare.

On September 26, 1924, the Declaration was solemnly approved as the League of Nations' Charter on Child Welfare, by the Assembly presided over in that year by Giuseppe Motta, Switzerland's Delegate.

The Declaration of Geneva certainly filled an existing need and it became a sort of symbol to all the peoples who aspired to a better future for their children. Indeed, numerous Heads of State and other influential personalities understood this only too well, and with the years many appended their name to the Declaration translated into

¹ See G. Werner's article on the handing over of the "Declaration of Geneva" to the State Council of Geneva for preservation in the Record Office, in the *Revue internationale de la Croix-Rouge*, March 1924.

² *Plate*.

their country's language. But it was not only a question of asserting principles, because the Declaration often served as argument to those, who in their respective countries, wanted a new law or wanted to reform one or the other service or institution.

Immediately after the Second World War, steps were taken to induce the United Nations Organization to approve the Geneva Declaration as the League of Nations had done in 1924 and as was done again ten years later. Indeed, war had again put solicitude for children in the foreground. More than ever did one realize that it was essential to publicize the necessity of ensuring youth with a better future. Not only is a child's life something precious, but it must also be able to build a new world on which all hope rests.

Furthermore, many nations achieved their independence or retrieved it after centuries. It was easier to see the needs of countries in the process of developing, needs such as poverty, ignorance, sickness, infantile mortality, lack of prospects ; all these were often their children's fate. Yet, in more advanced countries, experience has proved that evils could be overcome if vigorously enough attacked. For this reason, all the available resources must be concentrated in a united effort of all nations.

It seemed therefore timely to assert solemnly that all children have the right to a minimum chance in life and that it is the community's duty to secure it for them. The Declaration of Geneva had shown that by proclaiming certain principles it could inspire a social policy. If it sets an aim, it also serves as an argument like a lever in the hands of those who fight for the amelioration of the child's conditions in life and the perspectives of its future. As long as in the whole world these conditions are not satisfactory such a declaration has its "raison d'être" and its justification.

Besides, it would be wrong to think that only underdeveloped countries are in need of it. No State, not even those said to be very advanced, can pride itself on giving youth all that it requires. On the contrary, it seems that precisely in the countries where the economic standard is high, where the state of health of the population is satisfactory, where infantile mortality is low, where preventive vaccinations stop epidemics from spreading, where compulsory schooling is enforced, where social legislation is very developed, in these very countries the behaviour of youth causes the greatest anxiety. And one asks oneself what is the reason. The material conditions, however important, are by themselves evidently not

sufficient to guarantee the child a happy development. For this reason the Declaration of the Rights of the Child must consider all the aspects of life—affective, psychic as well as physical.

The first idea, launched in 1946, was to induce the United Nations to adopt the Declaration of Geneva, in the same way as the League of Nations had done, even if only to make some modifications or to add some complementary clauses. The *Division of Social Welfare* then took steps to consult Governments, the Specialized Institutions and the Non-Governmental Organizations (NGO), which enjoy the privilege of an *advisory status*. In view of the response, the Social and Humanitarian Cultural Committee decided to take the Declaration of Geneva into consideration, as well as other proposals. Consequently a draft was worked out in 1950. It seemed, however, advisable to consult the Commission on Human Rights before putting it before the Assembly, since there were points in common between the adopted draft and the text of the Declaration of Human Rights. The Commission on Human Rights could, however, only attend to it in 1957. The main question to be decided was whether the Declaration of the Rights of the Child was useful, even necessary, beside the Declaration of Human Rights. The general consensus of opinion was in the affirmative ; most of the delegates considered the Declaration of Human Rights to be so general that the child, in view of its legal status of minority, was in need of a more special protection. Certain delegates would have liked to go one step further and, instead of a simple declaration, prepare a convention by binding the signatories. However, it was considered premature.

There were also long debates on the advisability of mentioning certain categories of children and there were several proposals made by governmental delegates, as well as non-governmental organizations, concerning the text itself. At the Commission, as well as at the Third Commission of the Assembly, discussions arose between the delegates. Some wanted a very precise document containing clauses of application, and others preferred general principles drafted in a simple and concise way, which would be a source of inspiration to the various States for legislative and practical application. The second group, desirous to give the text a lasting value, both in time and space, considered it dangerous to include detailed dispositions. There might be a risk that such detailed dispositions were inapplicable in certain parts of the world and,

consequently, would discredit the entire Declaration, or would render it only too soon out of date.

The drawing up of the Declaration of the United Nations was thus somewhat laborious and took several years. On November 29, 1959, the Third Commission of the Assembly convened a plenary session and, finally adopted the text unanimously, without any further discussions, by seven votes against zero and two abstentions.¹

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A delicate problem then arose at the International Union for Child Welfare (IUCW), as the old SCIU is now called, since its fusion in 1946 with the International Association for the Promotion of Child Welfare, which had its headquarters in Brussels. Should one uphold the old Declaration of Geneva, amended in 1948, in response to certain criticisms recognized as justified, or should one concur in opinion on the text adopted by the United Nations? Certain national organizations were reluctant to abandon the Declaration of Geneva. They had grown attached to it, having found it clearer and more imperative. Also some had already disseminated it in their own country or incorporated it in their statutes.

But slowly, it was realized that in the interest of the children's welfare, everything had to be avoided which might give the impression of rivalry or create confusion. It was indeed better to combine efforts; consequently, the General Council of the IUCW, convened in Lisbon in 1960, unanimously adopted the Declaration of the United Nations as the Charter of the IUCW. This made it possible to propose it the following year as the theme for *Universal Children's Day*, which was, since the resolution of the General Assembly in 1954, jointly organized by the IUCW and the United Nations Children's Fund (FISE/UNICEF). In fact, during the first years of Universal Children's Day, when the IUCW was solely responsible for it, it often proposed as theme one or other of the principles of the Declaration. Thus the latter still keeps its full value where the declaration of principles is concerned and, in a way, it serves constantly as an impetus to the progress of child welfare. It has

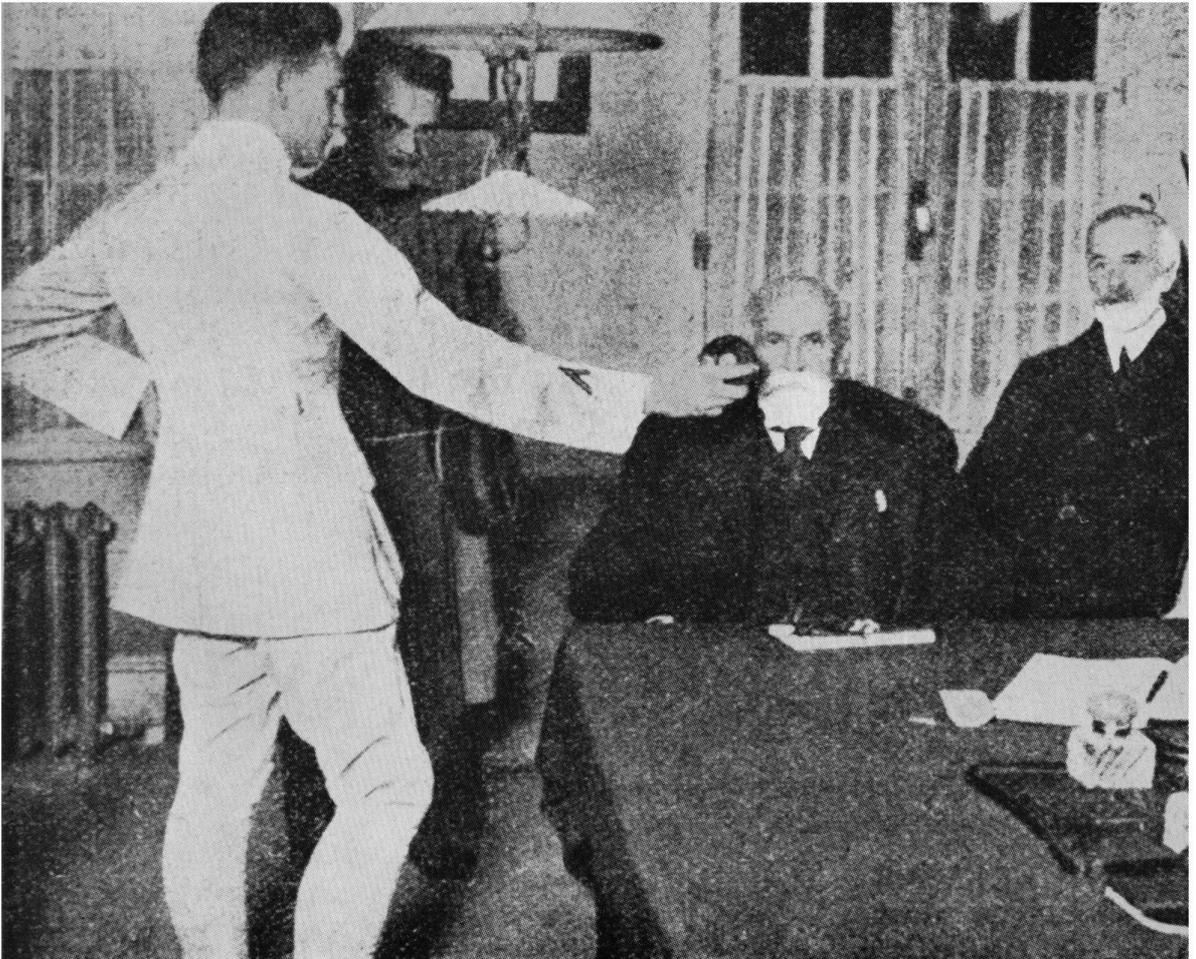
¹ The *International Review* published the text of this Declaration in its October number, 1962. (*Edit.*)



Eglantyne Jebb

(1876-1928). *Founder of the International Union of Child Welfare and author of the Declaration of the Rights of the Child, known as the **Declaration of Geneva***

At the Eiffel Tower Broadcasting Station, Paris, November 21, 1923: Gustave Ador, President of the ICRC reading the **Declaration of Geneva. (On his left, C.F. de Geer, President of the Executive Committee of the IUCW)**



Dear Madam with sincere

The Council of the San Francisco Board
have had before them the Declaration of Seneca. We
consider it a most inspiring manifesto, well
calculated to serve the purpose for which it is
designed, & we can assure you that we will do
our utmost to secure its recognition by the
principals of the law, down in Great Britain &
to Boston & Providence.

Yours very sincerely
E. C. Carter - J. H.

now been translated into about 70 languages. It is also interesting to see that, as in the case of the Declaration of Human Rights, a moment may come when, under the patronage of the United Nations, it might be possible to work out a veritable international convention of child welfare, which would knit closer ties between the States than the declaration of principles.

However, as long as numerous States have not accepted the essence of the principles of the Declaration, and have not even ratified it, to think of preparing a convention would be premature. By this, we do not only mean a symbolic adherence to the Declaration, but the realization of its principles in acts by legislation and by the appropriate institutions. We are still far from this, even in the so-called " advanced " countries which, while wanting all the best for the child, often have quite different ideas as to the way in which to achieve it.

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In conclusion, we would return to our starting-point to say that, not only are we pleased with the close ties which have been formed, right from the beginning, between the ICRC and the IUCW, but also with the excellent relationship which has been established and maintained in many countries during these years ; also between the Red Cross Societies and the National Organizations for the Promotion of Child Welfare, which, we hope, will always work more closely together towards the recognition of the principles of the Declaration of the Rights of the Child and their practical realization in their own countries, as well as by mutual aid in other less favoured countries.

ANDRÉE MORIER

Honorary President of the International Union
for Child Welfare.