



Kate Harrison  
Councilmember District 4

CONSENT CALENDAR  
September 10<sup>th</sup>, 2019

To: Honorable Mayor and Members of the City Council  
From: Councilmembers Kate Harrison and Ben Bartlett  
Subject: Resolution Endorsing the United Nations Convention on the Rights of the Child

#### RECOMMENDATION

1. Adopt a resolution endorsing the United Nations Convention on the Rights of the Child.
2. Send a letter of support to Acting U.S. Ambassador to the United Nations, Jonathan Cohen.

#### BACKGROUND

On November 20, 1989, the United Nations General Assembly adopted the United Nations Convention on the Rights of the Child (CRC). The CRC outlines the civil, political, economic, social, health and cultural rights of children. It includes, but is not limited to, the right to an adequate standard of living (such as food, water, and healthcare), the right to education, freedom from discrimination and bigotry, and protections in the justice system. Ratifying governments must periodically report to the United Nations Committee on the Rights of the Child to be evaluated on the progress it has made on advancing the implementation of the CRC.

Thirty years later, the U.S. is the only country in the United Nations that has not ratified the CRC, despite playing an active role in drafting it. According to The Atlantic, the U.S. has a child poverty rate of 43% and its infant mortality rate is uncharacteristically high among developed nations.<sup>1</sup> The ACLU adds that American juvenile prisons often lack proper rehabilitation services, 14 states have no minimum age for a child to be prosecuted for a crime as an adult, and 2,500 people were sentenced to life in prison without parole as children and are incarcerated today.<sup>2</sup>

<sup>1</sup> "Is America Holding Out on Protecting Children's Rights?"

<https://www.theatlantic.com/education/archive/2017/05/holding-out-on-childrens-rights/524652/>

<sup>2</sup> "There's Only One Country That Hasn't Ratified the Convention on Children's Rights: US"

<https://www.aclu.org/blog/human-rights/treaty-ratification/theres-only-one-country-hasnt-ratified-convention-childrens>

Most recently, the U.S. has adopted a policy of detaining immigrant children in border detention centers and separating them from their families. More than 2,000 children are being held by the U.S. Border Patrol for days, sometimes weeks, without basic necessities like food, soap and toothpaste, and medical care.<sup>3</sup> These developments make the ratification of the CRC more critical than ever, to prevent this infringement on the basic rights of immigrant children within American borders.

Ratifying the CRC would put the U.S. on par with the international community and help align our laws and practices with international law, improving the quality of life of American children.

FISCAL IMPACTS OF RECOMMENDATION

No impact. Clerk time necessary to send letter.

ENVIRONMENTAL SUSTAINABILITY

No impact.

CONTACT PERSON

Kate Harrison, Berkeley City Councilmember, (510) 981-7140

ATTACHMENTS

- 1: Resolution
- 2: Letters

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<sup>3</sup> "The horrifying conditions facing kids in border detention, explained"  
<https://www.vox.com/policy-and-politics/2019/6/25/18715725/children-border-detention-kids-cages-immigration>

RESOLUTION NO. ##,###-N.S.

RESOLUTION ENDORSING THE UNITED NATIONS CONVENTION OF THE RIGHTS  
OF THE CHILD

WHEREAS, the United Nations Convention on the Rights of the Child (CRC) is a comprehensive human rights treaty protecting the rights of children, including "the right to survival, to develop to the fullest; to protection from harmful influences, abuse and exploitation; and to participate fully in family, cultural and social life"; and

WHEREAS, the United States is the only country in the United Nations that has not ratified the CRC; and

WHEREAS, the CRC would ensure children's right to access basic necessities like food, water, healthcare, and education; and

WHEREAS, the CRC guarantees fairness and equal treatment to all children despite their race, ethnicity, religious beliefs, parents, and background; and

WHEREAS, the convention provides protections for children in the juvenile justice system; and

WHEREAS, child poverty and infant mortality rates in the United States are some of the highest in the developed world, and its juvenile justice policies often do not offer adequate protection to children accused or convicted of crimes; and

WHEREAS, thousands of children are currently being held in U.S. Border Patrol custody for days or weeks at a time without their families, as well as basic necessities like food, hygienic products, and medical care; and

WHEREAS, ratifying the convention would allow for more U.S. global leadership and international collaboration on the issue of children's rights; and

WHEREAS, ratifying the convention would provide a framework for U.S. laws and practices affecting children;

NOW THEREFORE, BE IT RESOLVED that the Berkeley City Council urges the United States Ambassador to the United Nations and the United States Senate to ratify the United Nations Convention on the Rights of the Child; and

BE IT FURTHER RESOLVED that copies of this Resolution will be sent to the Acting Ambassador to the United Nations Jonathan Cohen.

The Honorable Jonathan Cohen  
United States Mission to the United Nations  
799 United Nations Plaza  
New York, NY 10017

**Re: Support from Berkeley City Council for the United Nations Convention on the Rights of the Child**

Dear Acting Ambassador Cohen,

We, the Berkeley City Council, wish to endorse the United Nations Convention on the Rights of the Child (CRC), a comprehensive human rights convention that protects the well-being of children worldwide.

The CRC was first adopted by the United Nations General Assembly in 1989. The CRC guarantees the civil, political, economic, social, health and cultural rights of children. It includes, but is not limited to, the right to an adequate standard of living (such as food, water, healthcare, legal protections) the right to education, freedom from discrimination, and protections in the justice system. However, despite taking a key leadership role in drafting the CRC, 30 years later the U.S. remains the only country in the United Nations not to ratify it. The Atlantic finds in 2017 that the U.S. has a child poverty rate of 43% and its infant mortality rate is uncharacteristically high among developed nations. The ACLU furthers in 2015 that the criminal justice system also harms children; 14 states have no minimum age for a child to be prosecuted for a crime as an adult, and 2,500 people are serving life in prison without parole for crimes they committed as children. Most recently, Vox finds in June that 2,000 immigrant children are being detained by the U.S. Border Patrol, separated from their families for days or weeks and denied basic needs like healthcare, food, and hygienic products like soap and toothpaste. These developments make the ratification of the CRC more critical than ever, to prevent this infringement on the basic rights of immigrant children within American borders.

Ratifying the CRC would bring the U.S. up to standard with the rest of the international community and improve global cooperation on children's rights. It would also help the U.S. align its own laws and practices with the standards outlined in the CRC, helping our children grow and thrive. We believe this convention is crucial towards the well-being of future generations of Americans.

Thank you for your leadership on children's rights in the international community.

Sincerely,

Berkeley City Council