

Haiti case shows how far children's rights have come

This year we celebrate the 20th anniversary of the United Nations Convention on the Rights of the Child.

The Convention on the Rights of the Child is the most widely ratified human-rights treaty in the history of the world. In fact, it has been ratified by every recognized country in the world except the United States and Somalia. (Of course, Somalia has no recognized government, so it could not ratify the treaty even if it wanted to.)

The Convention on the Rights of the Child embodies values about childhood that are now universally accepted. For example, the convention recognizes the child's rights to live with and be cared for by one's parents and to grow up in one's own culture, traditions and community. It also calls upon the international community to assist in reunifying children with their relatives when natural disasters strike, such as the recent earthquake in Haiti.

Twenty years ago, none of these standards existed. Prior to the convention, it was common for child victims of natural disasters to be removed from their communities both through charitable efforts as well as illicit child trafficking. Now extensive efforts are made by the international community to photograph and trace separated family members so that families can be reunited as promptly as possible.

When it is not possible to reunify children with their families, the convention provides that children should be raised in a family environment. Only when this is not possible should alternative care in an institution or orphanage be considered. Finally, international adoption may be considered as a last resort, but only when all other avenues have been exhausted and the states have determined that it is in the best interests of the child.

The recent arrests of 10 Americans in Haiti who tried to cross the Dominican Republic border illegally with 33 Haitian children highlight the efforts



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Commentary

Haiti has made in recent years to protect its children and comply with the Convention on the Rights of the Child.

In addition to developing extensive legal requirements for international adoptions, Haiti promulgated laws that require children to have proper legal documentation before they are allowed to cross the country's borders. Its police and border guards proved well-trained to be alert to signs of child trafficking. Given Haiti's historical issues with child exploitation and trafficking, such protections are especially crucial at a time like this.

Unfortunately, there seem to be those who respect neither international nor national laws. In this case, the 10 Americans have claimed both naivete and to be on "a mission from God."

Although the church-affiliated group has made many claims about what they were doing and why, subsequent investigations suggest that the group has been less than honest about both. We now know that most of the children were not orphans as the "missionaries" claimed, but poor children from a local village whose parents say they were misled about the group's plan for the children.

Thus, it was not surprising that on Thursday the Haitian government announced that it was charging the 10 Americans with kidnapping and criminal conspiracy.

Despite the tragic aspects of this incident, their prosecution serves as a reminder of how far the world has come in the past two decades in recognizing children's rights and implementing laws to protect them, especially when they are most vulnerable.

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