

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	re: non-selection (12 pages)	11/02/1993	b(6)
002. resume	re: non-selection (11 pages)	00/00/0000	b(6)
003a. memo	Eric Schwartz to Anthony Lake re: Nomination for Executive Director of UNICEF (1 page)	03/17/1995	P1/b(1)
003b. memo	Anthony Lake to the President re: Nomination for Executive Director of UNICEF (6 pages)	00/00/0000	P1/b(1)
004. list	re: non-selection (5 pages)	00/00/0000	b(6)

COLLECTION:

Clinton Presidential Records
First Lady's Office
Melanne Verveer
OA/Box Number: 20056

FOLDER TITLE:

UNICEF [2]

2013-0534-S

rc1862

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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Congress of the United States
House of Representatives
Washington, DC 20515

March 2, 1995

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

We are writing concerning the executive director position at UNICEF. With the passing of James Grant, the United States lost one of its great public servants and the children of the developing world lost one of their greatest advocates and spokespersons. We believe that the appropriate person to carry on this tradition is our colleague, Tony Hall.

We write to salute Jim and the legacy he has left at UNICEF. This great American made UNICEF a household name synonymous with caring, effectiveness and children. Despite all of the criticism which has been leveled at the United Nations over the years, UNICEF has been a shining star with a glowing track record. We trust that the Clinton Administration will acknowledge Jim's accomplishments and the importance of his work by placing the highest degree of importance upon the naming of his successor.

Over the past decade and a half, one of our colleagues, Tony Hall, has worked closely with Jim. Tony, who has appropriately been referred to as the "conscience of Congress," has utilized his background as a Peace Corps volunteer and his passion for the hungry to effectively influence legislation on behalf of the impoverished. We would terribly miss Tony in the Congress. However, we think he would be the best person to fill the immense void left in the United Nations by the passing of Jim.

Tony represents the best of public service. His bi-partisan, common-sense approach on behalf of the hungry and destitute has motivated and at times humbled many of us in Congress. He places principle before politics as demonstrated by the 24-day water-only fast Tony embarked upon when the House Select Committee on Hunger was abolished. While serving on this important committee, of which he became chairman after the unfortunate passing of his close friend Mickey Leland, he was the first member of Congress to inspect first hand the Ethiopian famine in 1984. Later, during a trip to Africa, he proposed to Ethiopian President, Zenawi Meles, a humanitarian summit to address the regional human needs of the entire Horn of Africa. He also traveled to Bangladesh in the late 1980's to help flood victims, flew to northern Iraq and Turkey to assist the Kurds and during this past year, as chairman of the Hunger Caucus, has visited both Rwanda and Angola to determine what steps the international community should take on behalf of the victims of war.

In addition to inspecting UNICEF programs on every continent of the world, Tony worked closely with Jim Grant to promote sound fiscal and social policy to assist children. These two advocates worked together on the World Summit for Children and Tony has since introduced legislation in the House to promote the Summit's goals of child survival, basic education and micronutrient therapy. Tony also strategized with Jim about the need for

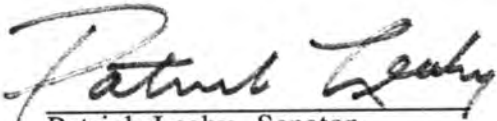
The President
March 2, 1995
Page 2 of 2

increased involvement by and coordination among various portions of the United Nations regarding children's issues. Tony was a motivating force behind the formation of the Department of Humanitarian Affairs (DHA) in the United Nations and he chaired Hunger Committee hearings where DHA's executive director, Mr. Jan Eliasson, testified. Tony also was the brain child behind the landmark 1993 World Bank conference, "Overcoming Global Hunger." Tony's comments at this event, in which he stated that "a hungry child knows no politics," personifies his commitment and leadership on behalf of children. It is clear to us that Tony Hall is the person who could best carry on the legacy of Jim Grant.

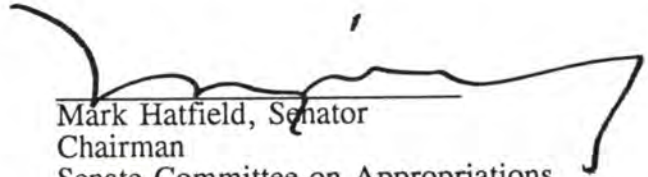
Although the Secretary General of the United Nations has placed a few arbitrary criteria upon the selection of a new executive director for UNICEF, we believe that the importance of this post requires the United States to submit their best candidate. As you are aware, a significant management assessment was recently conducted of UNICEF which stated that the agency is in need of a major overhaul. If this organization is to step into the next century with a firm financial and programmatic foundation, it will need a strong, goal-oriented leader at its helm and we can think of no one better than Tony.

UNICEF is perhaps the most important agency in the United Nations and we have full confidence that your Administration will treat it as such. We thank you for your consideration regarding this matter and look forward to hearing from you in the near future.

Sincerely,



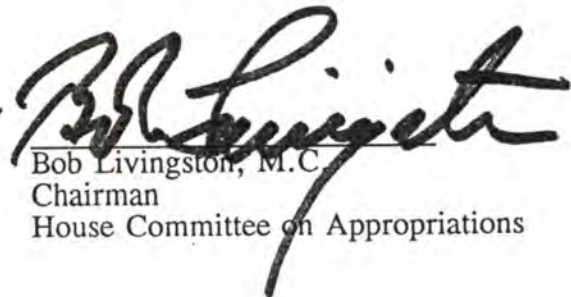
Patrick Leahy, Senator
Ranking Minority Member
Senate Committee on Agriculture,
Nutrition and Forestry



Mark Hatfield, Senator
Chairman
Senate Committee on Appropriations



Dick Gephardt, M.C.
Minority Leader



Bob Livingston, M.C.
Chairman
House Committee on Appropriations

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The President of the United States of America

Awards this

Presidential Medal of Freedom

to

JAMES GRANT

Recognizing that our children are our most important resource and most profound responsibility James Grant has devoted his life to making the world a better place for its youth. He has proven to be a compassionate and visionary executive director at UNICEF, teaching us the disastrous effects of poverty, population growth, and environmental degradation upon the vulnerable and dispossessed children of our world. Under his leadership, UNICEF has fought to reduce disease, malnutrition, disability, and illiteracy on a global scale. His wise stewardship has pointed the way toward a future in which these adversities may no longer threaten our children. James Grant continues to create hope and opportunity where there was once only despair, earning our eternal gratitude and ensuring a brighter tomorrow for our world.

The White House

Washington, D. C., August 8, 1994

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

August 8, 1994

REMARKS BY THE PRESIDENT
IN MEDAL OF FREEDOM CEREMONY

The East Room

4:40 P.M. EDT

THE PRESIDENT: Thank you very much. Ladies and gentlemen, welcome to the White House. As you might imagine, one of the great pleasures of the presidency is selecting recipients of the Presidential Medal of Freedom -- the highest honor given to civilians by the United States of America.

If I might begin on a very personal and immediate note, last fall, this annual ceremony was held on a very happy day for me and for those of us who want a safer and more humane United States. It was the day we made the Brady Bill the law of the land.

Today as we gather here, Congress is on the verge of voting on the most comprehensive anticrime bill in history. But that bill has been held hostage for 11 days by certain special interest groups. So as we recognize the contributions of civilians to our country's way of life, I'd like to take this opportunity to call on those groups who are blocking the crime bill to let it come to a vote, and ask the other citizens of the United States to ask the Congress for the same thing. Many people we honor here today have given their whole lives to enriching the fabric of the future, and we can do no less. (Applause.)

This afternoon we will present the Presidential Medal of Freedom to nine remarkable individuals whose service to our democracy and to humanity has advanced the common interest of freedom-loving people, not only here at home but throughout the world -- Herbert Block, the late Cesar Chavez, Arthur Flemming, Dorothy Height,

Barbara Jordan, Lane Kirkland, Robert Michel and Sargent Shriver.

The medals these Americans receive today has a special history. It was established by President Truman in 1945 at first reward notable service in the war. In 1963 President Kennedy amended the award for distinguished civilian service in peace time. The honorees that year included the singer, Marian Anderson, Justice Felix Frankfurter, diplomat John McCloy, labor leader George Meany, the writer E.B. White, playwright Thornton Wilder and the artist Andrew Wyeth.

By the time that first ceremony was held here in the White House in December of 1963, President Johnson had added to the roll of names President Kennedy and His Holiness Pope John XXIII. Listen to this: At that time, Under Secretary of State George Ball said that the President is establishing what we can proudly call an American civil honors list. How many of our greatest citizens who went on to achieve other things, said that the greatest thing that could ever be said about them was that they were good citizens. That is true in every way of those we honor today.

Herbert Block, or "Herblock," as we know him, became an editorial cartoonist with The Chicago Daily News in 1929; not a very good year to begin writing funny cartoons. (Laughter.) His long and prolific career has spanned the presidencies of 11 different presidents. The fact that he gets to choose the targets in cartoons may have something to do with the longevity of his career.

His cartoons have appeared in The Washington Post since 1946, the year I was born. (Laughter.) He educates and persuades public opinion with effectiveness, artistry, warmth and great good humor. He has a big heart. He sides with the little guy; people of common sense and all who hold healthy irreverence for any sort of pretensions.

Cesar Chavez, before his death in April of last year, had become a champion of working people everywhere. Born into Depression-era poverty in Arizona in 1927, he served in the United States Navy in the second world war, and rose to become one of our greatest advocates of nonviolent change. He was for his own people a Moses figure.

The farm workers who labored in the fields and yearned for respect and self-sufficiency pinned their hopes on this remarkable man, who, with faith and discipline, with soft-spoken humility and amazing inner strength, led a very courageous life. And in so doing, brought dignity to the lives of so many others, and provided for us inspiration for the rest of our nation's history.

MORE

We are honored to have his wife, friend and long-time working partner, Helen Chavez, to be with us today to receive the award.

Arthur Flemming served every president from Franklin Roosevelt to Ronald Reagan as the Republican member of the Civil Service Commission, as a member of the Hoover Commission on the Executive Branch, established by President Truman, as director of defense mobilization and a member of President Eisenhower's National Security Council, and as Secretary of Health, Education and Welfare.

In addition to being an able administrator, Dr. Flemming is also a respected educator and former journalist. Over the course of his long and eminent career in public service, he contributed to the struggles for Social Security, civil rights and most recently, health care reform -- something for which the First Lady and I are particularly in his debt. These three struggles he calls the greatest domestic crusades of his lifetime.

James Grant is the remarkable Executive Director of the United Nations Children's Fund -- UNICEF -- where he has tirelessly waged a global crusade on behalf of the world's children. Like his father before him, he was born and raised in China, where he took up his family's tradition of offering assistance abroad and first went to work for the United Nations at the end of World War II.

In the fall of 1992 he helped to broker a brief ceasefire during the siege of Sarajevo and personally directed the safe passage of a convoy carrying winter supplies of clothing, blankets and food. As the international community's guardian of innocent children in troubled regions, he oversees the delivery of humanitarian assistance that without him might otherwise never reach those in need.

Dorothy Height is one of the world's most tireless and accomplished advocates of civil rights, the rights of women and the health and stability of family and community life. From the days when she helped Eleanor Roosevelt to organize the World Youth Conference in 1938, she has remained engaged in the public arena for 60 years and more. As a leader of the National Council of Negro Women and the Young Women's Christian Association, she's been a powerful voice for equal opportunity here and in developing nations around the world. In recent years, her Black Family Reunion celebrations have reminded our society that self help and self reliance within loving, extended families are the dominant cultural traditions of the African American community.

For 20 years Barbara Jordan* has been the most outspoken moral voice of the American political system, a position she reached

MORE

soon after becoming the first black congresswoman elected from the deep South from her native Texas in 1972. From national platforms she has captured the nation's attention and awakened its conscience in defense of our Constitution, the American Dream and the commonality we share as American citizens.

As Professor of Ethics and Public Policy at the Lyndon B. Johnson School of Public Affairs, she ensures that the next generation of our public servants will be worthy of the legacy she has done so much to build.

Lane Kirkland has been at the center of the American labor movement for almost 50 years. After serving in the Merchant Marine during the second world war and his subsequent graduation from the School of Foreign Service at Georgetown University, he became a researcher for organized labor in the same year that he worked as a 26-year-old speechwriter in the 1948 campaign of Harry Truman and his running mate, Alben Barkley.

Throughout the Cold War when some leaders saw only the threats to our freedom overseas and neglected the barriers to freedom and inequality within our own land, Kirkland showed America that you can stand up to communism abroad just as forcefully as you can stand up for working men and women here at home.

As President of the AFL-CIO for the last 15 years, he has helped to teach us that solidarity is a powerful word in any language, and that a vibrant labor movement is essential to every free society.

Robert Michel has served in the United States House of Representatives since 1957. That is the second longest tenure of any Republican in American history. As Minority Leader in the House for the last 13 years, he has served his party well, but he has also served our nation well, choosing the pragmatic but harder course of conciliation more often than the divisive, but easier, course of confrontation. In the best sense he is a gentleman legislator who, in spite of the great swings in public opinion from year to year, has remained always true to the Midwestern values he represents so faithfully in the House. He retires at the end of this year generally regarded by Democrats and Republicans alike as one of the most decent and respected leaders with which any president has had the privilege to work.

Sargent Shriver is the man who launched the Peace Corps 33 years ago. Because of his creativity, his idealism, his brilliance, the Peace Corps remains one of the most popular government initiatives ever undertaken. From the time he and his wife, Eunice, helped to organize a Conference on Juvenile Delinquency

MORE

for the Attorney General in 1947 to his efforts for public education in Chicago in the 1950s, to his leadership of Head Start and legal services and now the Special Olympics, Sargent Shriver has awakened millions of Americans, including many in this administration to the responsibilities of service, the possibilities of change and the sheer joy of making the effort.

These recipients of the Presidential Medal of Freedom represent different political parties, different ideologies, different professions; indeed, different ages. Their different eras, different races, different generations in American history cannot be permitted to obscure the fact of what they share in common -- an unusually profound sense of responsibility to improve the lives of their fellow men and women, to improve the future for our children, to embody the best of what we mean by the term "American citizen." By their remarkable records of service and by their incredible spirit, we have all been enriched.

And now, I would ask the military aide to read the citations as I present the Medal of Freedom.

(Citations are read.)

Ladies and gentlemen, in closing let me say that I couldn't help thinking as the citations were read and I looked into the faces of our honorees and their families, friends and admirers here, that we too often reserve our greatest accolades for our citizens when they are gone. I wish that Cesar Chavez could be here today. I am grateful that his wife is here, and I am so grateful that all these others are here.

Let us remember today that the greatest gift any of us can give the founders of this Constitution and this Republic is to emulate the work of these citizens whom we honor today, every day, each in our own way.

Thank you for being here. God bless you all.
(Applause.)

END5:02 P.M. EDT

MORE

NATIONAL SECURITY COUNCIL

April 16, 1993

NOTE FOR MELANNE VERVEER

FROM: ERIC SCHWARTZ
395-3736

The attached paper is not
going to the President.



United States Department of State

Washington, D.C. 20520

LIMITED OFFICIAL USE
April 14, 1993

NOTE FOR
MELANNE VERVEER AND FRANCES ZWENIG

The attached internal State Department memorandum to Secretary Christopher outlines the legal and policy issues associated with U.S. ratification of the U.N. Convention on the Rights of the Child.

I forward it at Ms. Zwenig's request to give you background on the issue. Please do not hesitate to contact me should you have any questions.

A handwritten signature in cursive script, appearing to read "Glyn Davies".

Glyn Davies
Acting Deputy Executive Secretary

TO: THE SECRETARY
FROM: HA - JAMES K. BISHOP, ACTING
SUBJECT: CONVENTION ON THE RIGHTS OF THE CHILD

THE U.N. GENERAL ASSEMBLY ADOPTED THE CONVENTION ON THE RIGHTS OF THE CHILD IN 1989 AFTER TEN YEARS OF DIFFICULT NEGOTIATIONS. THE U.S. PARTICIPATED ACTIVELY IN THOSE NEGOTIATIONS AND, DESPITE HAVING NOT OBTAINED ALL THE TEXTUAL CHANGES IT SOUGHT, NONETHELESS JOINED THE OTHER MEMBERS OF THE GENERAL ASSEMBLY IN ADOPTING THE TREATY BY CONSENSUS. WHILE VOICING ITS SUPPORT FOR THE PRINCIPLES AND GOALS REFLECTED IN THE CONVENTION, HOWEVER, THE

LIMITED OFFICIAL USE

PREVIOUS ADMINISTRATION DID NOT DECIDE WHETHER TO SIGN AND SUBMIT IT TO THE SENATE FOR ADVICE AND CONSENT TO RATIFICATION, FOR TWO PRINCIPAL REASONS: {1} THE CONVENTION POSES A NUMBER OF DIFFICULT LEGAL AND POLICY ISSUES, AND {2} THE ADMINISTRATION AND SENATE WERE FOCUSED ON OTHER PENDING TREATIES TO WHICH THE U.S. WAS ALREADY A SIGNATORY.

THE GENERAL THRUST OF THE CONVENTION IS COMMENDABLE; THE DIFFICULTIES COME IN SEEING HOW ITS SPECIFIC PROVISIONS WOULD BE TRANSLATED INTO U.S. LAW AND FEDERAL PROGRAMS, ESPECIALLY GIVEN THE IMPACT ON STATE AND LOCAL JURISDICTIONS AS WELL AS THE FEDERAL BUDGET. A SUMMARY OF THE TREATY, TOGETHER WITH A BRIEF ANALYSIS OF THE CONTENTIOUS ISSUES MOST LIKELY TO ARISE DURING SENATE CONSIDERATION, IS ATTACHED AT TAB 1; THE FULL TEXT OF THE TREATY IS AT TAB 2.

TO REACH AN INFORMED JUDGMENT ON WHETHER AND HOW THESE ISSUES CAN BE ACCEPTABLY RESOLVED, THE DEPARTMENT (AND IN PARTICULAR L) SHOULD MOVE NOW UNDER THE CIRCULAR 175 PROCEDURES TO COORDINATE AN INTERAGENCY REVIEW, ASSESSING THE COMPATIBILITY OF THE TREATY WITH EXISTING FEDERAL AND STATE LAW AND PRACTICE AND FORMULATING EITHER PROPOSED CHANGES TO U.S. LAW OR THE NECESSARY RESERVATIONS, UNDERSTANDINGS AND DECLARATIONS. THE PARTICULAR EXPERTISE OF THE DEPARTMENT OF JUSTICE AND OTHER FEDERAL AGENCIES INVOLVED IN CHILDREN'S ISSUES IS VITAL TO THIS REVIEW, SINCE THE PRINCIPAL IMPACT OF RATIFICATION WOULD BE ON DOMESTIC (ESPECIALLY STATE AND LOCAL) LAW. THE PROCESS SHOULD ALSO INCLUDE APPROPRIATE CONSULTATIONS WITH SENATE STAFF, CHILDREN'S RIGHTS ADVOCACY GROUPS, AND STATE AND LOCAL OFFICIALS. THE RESULTING ANALYSIS WOULD FORM THE BASIS FOR A RECOMMENDATION TO THE PRESIDENT WHETHER THE UNITED STATES SHOULD PROCEED TO SIGN AND SEEK RATIFICATION OF THE CONVENTION.

WE HAVE ALREADY ASKED THE NSC STAFF, ON AN INFORMAL BASIS, FOR CONCURRENCE TO BEGIN THE INTERAGENCY REVIEW.

ASSUMING APPROVAL OF THAT STEP, IT WOULD BE ENTIRELY APPROPRIATE FOR THE ADMINISTRATION TO ANNOUNCE PUBLICLY THAT IT INTENDS TO STUDY THE CONVENTION AS A PRIORITY MATTER, WITH A VIEW TO DECIDING WHETHER TO SIGN AND SUBMIT IT TO THE SENATE FOR ADVICE AND CONSENT TO RATIFICATION, THEREBY DISTINGUISHING ITSELF FROM THE INACTION OF ITS PREDECESSOR.

I WOULD STRONGLY RECOMMEND, HOWEVER, AGAINST COMMITTING THE ADMINISTRATION AT THIS POINT TO SIGNING THE TREATY BEFORE KNOWING WHETHER THERE ARE IN FACT SERIOUS LEGAL AND/OR POLITICAL OBSTACLES TO RATIFICATION (WHICH MIGHT BE THE CASE, FOR EXAMPLE, IF THE U.S. WOULD HAVE TO CONDITION RATIFICATION ON SWEEPING RESERVATIONS WHICH OUR TREATY PARTNERS AND CHILDREN'S ADVOCATES MIGHT FIND UNACCEPTABLE OR WHICH MIGHT BE INCOMPATIBLE WITH OUR GENERAL TREATY PRACTICES.) IN THIS REGARD, IT IS WORTH NOTING THAT THE CONVENTION EXPRESSLY PROHIBITS ANY RESERVATIONS INCOMPATIBLE WITH ITS OBJECT AND PURPOSE (ART. 51(2)), RAISING THE POSSIBILITY THAT U.S. RESERVATIONS TO WHICH OTHER STATES PARTIES OBJECTED COULD BE CONSIDERED INCOMPATIBLE AND THEREFORE MIGHT NOT BE EFFECTIVE.

ATTACHMENTS:

- - TAB 1. SUMMARY OF THE RIGHTS OF THE CHILD CONVENTION
- - TAB 2. FULL TEXT OF THE TREATY ON RIGHTS OF THE CHILD CONVENTION

SUMMARY OF THE RIGHTS OF THE CHILD CONVENTION

THIS CONVENTION REQUIRES EACH STATE PARTY TO RESPECT AND ENSURE TO EACH CHILD (DEFINED AS ANYONE UNDER 18 YEARS OF AGE) WITHIN ITS JURISDICTION A BROAD LIST OF ENUMERATED RIGHTS WITHOUT DISCRIMINATION OF ANY KIND, IRRESPECTIVE OF THE CHILD'S (OR HIS OR HER PARENT'S OR LEGAL GUARDIAN'S) RACE, COLOR, SEX, LANGUAGE, RELIGION, POLITICAL OR OTHER OPINION, NATIONAL, ETHNIC OR SOCIAL ORIGIN, PROPERTY, DISABILITY, BIRTH OR OTHER STATUS. STATES MUST ENSURE THAT THE "BEST INTERESTS OF THE CHILD" ARE A PRIMARY CONSIDERATION IN ALL ACTIONS CONCERNING CHILDREN TAKEN BY PUBLIC OR PRIVATE SOCIAL WELFARE INSTITUTIONS, COURTS, ADMINISTRATIVE AND LEGISLATIVE BODIES, AND THAT EACH CHILD IS ACCORDED "SUCH PROTECTION AND CARE AS IS NECESSARY FOR HIS OR HER WELL-BEING." STATES MUST ALSO TAKE ALL APPROPRIATE LEGISLATIVE, ADMINISTRATIVE AND OTHER MEASURES FOR THE IMPLEMENTATION OF THE RIGHTS RECOGNIZED IN THE CONVENTION.

AMONG OTHERS, STATES ARE REQUIRED TO RECOGNIZE THE CHILD'S RIGHT TO LIFE, TO A NAME AND NATIONALITY, TO PRESERVE HIS OR HER IDENTITY, NOT TO BE SEPARATED FROM HIS/HER FAMILY, TO FREEDOM OF EXPRESSION, THOUGHT, CONSCIENCE, RELIGION, ASSOCIATION, PEACEFUL ASSEMBLY, PRIVACY, HEALTH (INCLUDING TREATMENT AND REHABILITATION), SOCIAL SECURITY (INCLUDING

SOCIAL INSURANCE}, A STANDARD OF LIVING ADEQUATE TO THE CHILD'S PHYSICAL, MENTAL, SPIRITUAL, MORAL AND SOCIAL DEVELOPMENT, EDUCATION, AND REST AND LEISURE {INCLUDING TO ENGAGE IN AGE-APPROPRIATE PLAY AND RECREATIONAL ACTIVITIES}.

STATES MUST USE THEIR BEST EFFORTS TO ENSURE RECOGNITION OF THE PRINCIPLE THAT BOTH PARENTS HAVE COMMON RESPONSIBILITIES FOR THE UPBRINGING AND DEVELOPMENT OF THE CHILD; THEY MUST TAKE ALL APPROPRIATE MEASURES TO PROTECT THE CHILD FROM PHYSICAL OR MENTAL VIOLENCE, INJURY OR ABUSE, NEGLECT AND EXPLOITATION WHILE IN THE CARE OF PARENTS, GUARDIANS OR CUSTODIANS. STATES MUST ALSO PROTECT CHILDREN FROM ECONOMIC EXPLOITATION, ILLICIT USE OF NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES, SEXUAL EXPLOITATION AND ABUSE, AND "ALL OTHER FORMS OF EXPLOITATION PREJUDICIAL TO ANY ASPECTS OF THE CHILD'S WELFARE."

THE CONVENTION SETS FORTH SPECIFIC REQUIREMENTS FOR THE SYSTEM OF ADOPTION, FOR REFUGEE CHILDREN, AND FOR THE MENTALLY AND PHYSICALLY DISABLED. IT ACCORDS ALL CHILDREN FREEDOM FROM ARBITRARY ARREST AND DETENTION, AS WELL AS BASIC RIGHTS OF DUE PROCESS IN THE CRIMINAL CONTEXT.

THE CONVENTION ESTABLISHED THE COMMITTEE ON THE RIGHTS OF THE CHILD {TEN INDEPENDENT EXPERTS ELECTED BY STATES PARTY}, TO CONSIDER IMPLEMENTATION REPORTS BY STATES PARTY. THE COMMITTEE DOES NOT CONSIDER STATE-TO-STATE COMPLAINTS OR INDIVIDUAL PETITIONS.

LIKELY ISSUES:

-- FEDERALISM. TO A MUCH GREATER EXTENT THAN THE OTHER HUMAN RIGHTS TREATIES NOW BEFORE THE SENATE, THIS CONVENTION ADDRESSES AREAS TRADITIONALLY CONSIDERED TO BE PRIMARILY OR EXCLUSIVELY WITHIN THE PROVINCE OF STATE AND LOCAL GOVERNMENTS, SUCH AS MEASURES FOR CHILD DEVELOPMENT AND PROTECTION, CUSTODY AND VISITATION, ADOPTION AND FOSTER CARE, EDUCATION AND WELFARE. THERE COULD BE SIGNIFICANT OPPOSITION TO "FEDERALIZING" THESE AREAS. CRAFTING A SUFFICIENTLY BROAD RESERVATION TO PRESERVE THE CURRENT ARRANGEMENTS MAY PROVE DIFFICULT DOMESTICALLY AS WELL AS INTERNATIONALLY.

-- PARENTAL RIGHTS/FAMILY. SOME CRITICS ARGUE THAT THE CONVENTION ACCORDS INSUFFICIENT ATTENTION TO THE CENTRAL ROLE OF PARENTS AND INVITES GOVERNMENTS INTO FAMILY

MATTERS. THIS CONCERN IS FUELED BY THE PERCEPTION THAT MANY OF THE RIGHTS SPECIFICALLY ENDORSED BY THE TREATY {E.G., TO FREEDOM OF EXPRESSION, THOUGHT, CONSCIENCE, RELIGION, PRIVACY, ACCESS TO THE MEDIA, ETC.} WOULD NOT BE SUBJECT TO {INDEED, WOULD BE LEGALLY ASSERTIBLE AGAINST} PARENTAL AUTHORITY.

-- PRIVATE ACTION. OTHER PROVISIONS OF THE CONVENTION WOULD APPEAR TO IMPLICATE ACTIONS BY INDIVIDUALS AND PRIVATE ENTITIES. THE FUNDAMENTAL NON-DISCRIMINATION PROVISION IN ART. 2{1}, FOR EXAMPLE, REQUIRES STATES TO ENSURE THE RIGHTS RECOGNIZED IN THE CONVENTION FOR "EACH CHILD WITHIN THEIR JURISDICTION WITHOUT DISCRIMINATION OF ANY KIND." THE U.S. WOULD LIKELY HAVE TO LIMIT ITS UNDERTAKING IN THIS REGARD TO SOME FORM OF "STATE ACTION." BUT HOW, UNDER ART. 31{1}, WOULD THE FEDERAL GOVERNMENT GUARANTEE AS A MATTER OF FEDERAL LAW "THE RIGHT OF THE CHILD TO REST AND LEISURE, TO ENGAGE IN PLAY AND RECREATIONAL ACTIVITIES APPROPRIATE TO THE AGE OF THE CHILD AND TO PARTICIPATE FREELY IN CULTURAL LIFE AND THE ARTS"?

-- ABORTION. RIGHT TO LIFE GROUPS WILL PUSH FOR AN UNDERSTANDING THAT THE CONVENTION PROTECTS THE UNBORN {UNDER ART. 6{2}, "STATES SHALL ENSURE TO THE MAXIMUM EXTENT POSSIBLE THE SURVIVAL AND DEVELOPMENT OF THE CHILD"}; ABORTION RIGHTS GROUPS WILL URGE THE ADMINISTRATION TO SAY THAT THE CONVENTION IS ABORTION-NEUTRAL. THE ISSUE SHOULD BE ADDRESSED, IN VIEW OF AN EXPLICIT PREAMBULAR REFERENCE TO THE NEED TO PROVIDE CHILDREN "SPECIAL SAFEGUARDS AND CARE, INCLUDING APPROPRIATE LEGAL PROTECTION, BEFORE AS WELL AS AFTER BIRTH."

-- JUVENILE DEATH PENALTY. ARTICLE 37{A} SPECIFICALLY PROHIBITS IMPOSITION OF THE DEATH PENALTY FOR CRIMES COMMITTED PRIOR TO AGE 18. THE SUPREME COURT RECENTLY HELD THAT THE U.S. CONSTITUTION DOES NOT PROHIBIT IMPOSITION OF THE DEATH PENALTY IN ALL SUCH CASES. NOT RESERVING ON THIS POINT TO PRESERVE THE EXISTING RIGHT OF STATES TO TREAT JUVENILES AS ADULTS IN CAPITAL CASES MIGHT PROVE CONTROVERSIAL.

-- "SOFT" RIGHTS. THE CONVENTION PURPORTS TO GUARANTEE SUCH "RIGHTS" AS HEALTH CARE, AN ADEQUATE STANDARD OF LIVING AND SOCIAL SECURITY, AND SPECIFICALLY COMMITS STATES PARTIES IN ART. 4 TO UNDERTAKE TO IMPLEMENT SUCH RIGHTS THROUGH "ALL APPROPRIATE LEGISLATIVE,

ADMINISTRATIVE AND OTHER MEASURES ... TO THE MAXIMUM EXTENT OF THEIR AVAILABLE RESOURCES." THE U.S. HAS NOT TRADITIONALLY REGARDED SUCH ITEMS AS LEGALLY ENFORCEABLE "RIGHTS" BUT RATHER AS SERVICES, BENEFITS OR ENTITLEMENTS THAT MAY BE AMENDED OR RESCINDED SOLELY ON THE BASIS OF POLITICAL OR BUDGETARY CONSIDERATIONS. EVEN IN THIS CONTEXT, THE CONVENTION MAY BE VIEWED AS CALLING FOR SUBSTANTIAL NEW BENEFIT PROGRAMS FOR CHILDREN WITH SIGNIFICANT RESOURCE IMPLICATIONS. IT IS NOT ENTIRELY CLEAR, FOR EXAMPLE, HOW THE FEDERAL GOVERNMENT COULD EFFECTIVELY GUARANTEE THE RIGHT OF EVERY CHILD IN THE COUNTRY "TO THE ENJOYMENT OF THE HIGHEST ATTAINABLE STANDARD OF HEALTH" {ART. 24{1}} OR "TO A STANDARD OF LIVING ADEQUATE FOR THE CHILD'S PHYSICAL, MENTAL, SPIRITUAL, MORAL AND SOCIAL WELL-BEING" {ART. 27{1}}.

-- SELF-EXECUTING. SINCE SUPPORTERS OF THE CONVENTION WILL WANT TO USE IT AS A LITIGATING TOOL TO ADVANCE CHILDREN'S RIGHTS UNDER U.S. LAW, FOLLOWING OUR NORMAL PRACTICE OF DECLARING SUCH TREATIES TO BE "NON-SELF-EXECUTING" IS LIKELY TO BE CONTROVERSIAL. IN THIS RESPECT, THE SCOPE OF THIS CONVENTION IS OF PARTICULAR CONCERN SINCE MANY OF ITS PROVISIONS ARE CAST IN BROAD, IDEAL, AND UNQUALIFIED TERMS. TAB 2 TEXT OF CONVENTION FAXED TO PARTY IN TOKYO. YY



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United States Department of State

Washington, D.C. 20520

April 22, 1993

MEMORANDUM FOR ANTHONY LAKE
THE WHITE HOUSE

Subject: Convention on the Rights of the Child

I am forwarding for your information a memorandum on the United Nations Convention on the Rights of the Child, as requested in a note from Will Itoh dated April 16.

Marc Grossman
Executive Secretary

Some of the problems outlined above will require that the U.S. either take reservations, understandings and declarations in ratifying the Convention or pass legislation implementing those provisions currently incompatible with U.S. law and practice. The extent to which ratification would require significant changes in federal, state and local law needs to be clarified, as do the implications for domestic programs (including budgetary impact). Unfortunately, the Convention expressly prohibits any reservations incompatible with its object and purpose. This provision creates the possibility that other treaty partners would refuse to recognize the validity of key reservations, leaving the U.S. obligated under international law to respect Convention provisions inconsistent with U.S. domestic law and practice.

Although there is widespread domestic support for the Convention there also are objections, particularly from religious groups concerned about the conflict between children's rights and parental rights and responsibilities. The Convention is quite detailed, fifty articles covering 20 pages, and it is not clear that all of its advocates are familiar with all of its provisions.

Options

The upcoming meeting of the UNICEF Board (April 26) provides an opportunity to announce the Administration's intentions on the Convention. However, an announcement which came on the heels of a gay rights march in Washington this weekend could be seen as provocative by Convention opponents.

1. Signature: The President could sign or order a subordinate official to sign the Convention. The initial domestic reaction would be overwhelmingly positive. However, prospects for ratification could be compromised by Senators who objected to lack of prior consultation. Moreover, as the Convention has not been scrutinized by Justice, State or by the domestic program agencies within the current Administration, problems could be identified which would preclude even an attempt to ratify the Convention. In particular, the new leadership at Justice has not yet had the opportunity to review the legal analysis of the prior Administration and develop its position.

2. Declaration of Intent to Sign: The President or a delegated official could announce that the U.S. government intends to sign the Convention, subject to an immediate assessment of its compatibility with existing federal and state law and the preparation of whatever declarations, reservations, clarifications or new statutes might be required for its ratification. The announcement could indicate that the assessment process would include discussions with Senate staff, children's and other rights groups, and state and local government officials.

Although this option would not have as much positive impact here and abroad as immediate signature, it would provide a measure of protection for the Administration from embarrassment should ratification prove on examination impractical.

3. Declaration of Intent to Examine: The President or a delegated official could commit the Administration to an immediate examination of the feasibility and modalities for signature of the Convention. Such a declaration would be similar to option 2 but would not commit the Administration to signature. Obviously, this approach would earn the Administration less credit with Convention advocates than the previous options, while offering greater protection against finding itself painted into a corner.

A Speech: Option 2 or 3 could be exercised within the context of a major address on children and women delivered by a major Administration figure. The draft of such a speech, to be delivered at UNICEF, is attached.

Attachments: Summary Description of Treaty
Draft speech for UNICEF

Drafted by: HA:JKBishop; bsh
4/16/93 x71180 (SEWJOHNS 118)

Cleared: L/HRR:DStewart
C:RLikins
DOJ:PColborn
IO:RMiller
PA:JSnyder
H:TROGAN

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Summary of the Rights of the Child Convention

This Convention requires each State Party to respect and ensure to each child (defined as anyone under 18 years of age) within its jurisdiction a broad list of enumerated rights without discrimination of any kind, irrespective of the child's (or his or her parent's or legal guardian's) race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. States must ensure that the "best interests of the child" are a primary consideration in all actions concerning children taken by public or private social welfare institutions, courts, administrative and legislative bodies, and that each child is accorded "such protection and care as is necessary for his or her well-being." States must also take all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the Convention.

Among others, States are required to recognize the child's right to life, to a name and nationality, to preserve his or her identity, not to be separated from his/her family, to freedom of expression, thought, conscience, religion, association, peaceful assembly, privacy, health (including treatment and rehabilitation), social security (including social insurance), a standard of living adequate to the child's physical, mental, spiritual, moral and social development, education, and rest and leisure (including to engage in age-appropriate play and recreational activities).

States must use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child; they must take all appropriate measures to protect the child from physical or mental violence, injury or abuse, neglect and exploitation while in the care of parents, guardians or custodians. States must also protect children from economic exploitation, illicit use of narcotic drugs and psychotropic substances, sexual exploitation and abuse, and "all other forms of exploitation prejudicial to any aspects of the child's welfare."

The Convention sets forth specific requirements for the system of adoption, for refugee children, and for the mentally and physically disabled. It accords all children freedom from arbitrary arrest and detention, as well as basic rights of due process in the criminal context.

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The Convention established the Committee on the Rights of the Child (ten independent experts elected by States Party), to consider implementation reports by States Party. The Committee does not consider state-to-state complaints or individual petitions.

Likely Issues:

- Federalism. To a much greater extent than the other human rights treaties now before the Senate, this Convention addresses areas traditionally considered to be primarily or exclusively within the province of state and local governments, such as measures for child development and protection, custody and visitation, adoption and foster care, education and welfare. There could be significant opposition to "federalizing" these areas. Crafting a sufficiently broad reservation to preserve the current arrangements may prove difficult domestically as well as internationally.

- Parental Rights/Family. Some critics argue that the Convention accords insufficient attention to the central role of parents and invites governments into family matters. This concern is fueled by the perception that many of the rights specifically endorsed by the treaty (e.g., to freedom of expression, thought, conscience, religion, privacy, access to the media, etc.) would not be subject to (indeed, would be legally assertible against) parental authority.

- Private Action. Other provisions of the Convention would appear to implicate actions by individuals and private entities. The fundamental non-discrimination provision in Art. 2(1), for example, requires States to ensure the rights recognized in the Convention for "each child within their jurisdiction without discrimination of any kind." The U.S. would likely have to limit its undertaking in this regard to some form of "state action." But how, under Art. 31(1), would the federal government guarantee as a matter of federal law "the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts"?

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- 3 -

• Abortion. Right to Life groups will push for an understanding that the Convention protects the unborn (under Art. 6(2), "States shall ensure to the maximum extent possible the survival and development of the child"); abortion rights groups will urge the Administration to say that the Convention is abortion-neutral. The issue should be addressed, in view of an explicit preambular reference to the need to provide children "special safeguards and care, including appropriate legal protection, before as well as after birth."

• Juvenile Death Penalty. Article 37(a) specifically prohibits imposition of the death penalty for crimes committed prior to age 18. The Supreme Court recently held that the U.S. Constitution does not prohibit imposition of the death penalty in all such cases. Not reserving on this point to preserve the existing right of states to treat juveniles as adults in capital cases might prove controversial.

• "Soft" Rights. The Convention purports to guarantee such "rights" as health care, an adequate standard of living and social security, and specifically commits States Parties in Art. 4 to undertake to implement such rights through "all appropriate legislative, administrative and other measures ... to the maximum extent of their available resources." The U.S. has not traditionally regarded such items as legally enforceable "rights" but rather as services, benefits or entitlements that may be amended or rescinded solely on the basis of political or budgetary considerations. Even in this context, the Convention may be viewed as calling for substantial new benefit programs for children with significant resource implications. It is not entirely clear, for example, how the federal government could effectively guarantee the right of every child in the country "to the enjoyment of the highest attainable standard of health" (Art. 24(1)) or "to a standard of living adequate for the child's physical, mental, spiritual, moral and social well-being" (Art. 27(1)).

• Self-Executing. Since supporters of the Convention will want to use it as a litigating tool to advance children's rights under U.S. law, following our normal practice of declaring such treaties to be "non-self-executing" is likely to be controversial. In this respect, the scope of this Convention is of particular concern since many of its provisions are cast in broad, ideal and unqualified terms.

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UNICEF SPEECH

--It has been only fourteen weeks since this administration took office. It has passed in a flash - very little time. In that blink of an eye, 3.5 million children around the world have died. 35,000 every ^{day} ~~week~~. Not because of any natural disaster, or even because of war. No natural or manmade catastrophe in history has ever killed at that rate. But poverty does, week after week after week.

--And yet I come today filled with the spirit of hope and with the firm conviction that this is a moment of historic opportunity. For all the suffering that we see, we can also look back on the past 50 years when mankind has made more progress in alleviating human misery than in the previous 2000 years. When real incomes in the developing world have more than doubled; when life expectancy has grown by a third; when death rates for infants ~~and~~ children have been cut by more than half; and when the proportion of those who survive who start school has jumped from less than half to more than three-quarters. And all that despite the heavy burden of the Cold War.

--Now that burden has been lifted. We have a flowering of democracy. Political leaders are recognizing more and more that their primary obligation is to the wellbeing of their people; that

their job, as we believe, is to put people first. The fruits of decades of scientific research have provided us with an arsenal of affordable technologies for meeting essential human needs. Most of all, the new means of mass communication provide us with an unprecedented ability to educate and mobilize people, reaching from the most crowded urban slums to the most remote hamlets on the planet.

--For the first time, we can realistically look toward the day when those basic and essential human needs are met - for everyone. Because that opportunity is here, we have an absolute moral obligation to seize it. How can any of us forget, for example, that of those 3.5 million children whose lives have ended since Jan 21, 2 million died of three easily preventable or treatable diseases - measles, pneumonia and diarrhoea.

Domestic Initiatives

--Our first concern has been to spark economic renewal in the US. Our plans are based on the conviction that doing that requires meeting the needs of individuals, and that among our people, the most vulnerable, the ones who have been least served in the past decade, are children. We know that while 1 in 5 people in the world lives on less than \$1 per day, that in this land of wealth, 1 in 5 American child lives in poverty. And so - immunization, primary health care, education/Head Start.



December 17, 1993

ACTION

MEMORANDUM FOR ANTHONY LAKE

THROUGH: RICHARD A. CLARKE *RA*
FROM: SUSAN *LR* RICE
SUBJECT: UNICEF Event: Briefing Memo for the President

At Tab I is a draft of the substantive portion of the briefing memo to the President for the UNICEF event. It has been cleared with the Domestic Policy Council. Dan Wexler in the Office of Public Liaison is responsible for producing the final memo to the President, which will incorporate our Purpose and Background sections. Wexler will provide the sections relating to the press and logistical details. At Tab II is a background paper on UNICEF and on-going U.S. initiatives to improve children's health.

Jeremy Rosner is drafting the President's remarks and will provide you with drafts as they emerge. The latest available draft is at Tab III.

Eric Schwartz will be handling coordination of the UNICEF event in my absence. Please return this package with any comments to him for revision and inclusion in the final package.

Concurrences by: *8x* Eric Schwartz, Ernest Wilson, Bill Galston
(DPC), Nicole Rabner (First Lady's Office)

RECOMMENDATION

That you approve the attached for inclusion in the President's Briefing package for the White House UNICEF Event on December 21.

Approve _____ Disapprove _____

Attachments

Tab I Draft Memo to the President
Tab II Background Information on UNICEF and Selected U.S.
Child Health Initiatives
Tab III Draft Remarks

THE WHITE HOUSE

WASHINGTON

WHITE HOUSE UNICEF EVENT

DATE: December 21, 1993

LOCATION: East Room

TIME: 2:00-3:00 pm

FROM: ALEXIS HERMAN
ANTHONY LAKE
CAROL RASCOI. PURPOSE

To enable UNICEF to present to you its 1994 State of the World's Children Report and to take this opportunity to reaffirm the Administration's commitment to improving the health of the world's children, both at home and abroad. In addition, we will use this forum to celebrate the many American contributions to international child survival by honoring six distinguished Americans who have dedicated their lives to this effort.

II. BACKGROUND

UNICEF AND ITS REPORT

UNICEF (The United Nations Children's Fund) was established in 1946 to provide emergency assistance to children in war-torn Europe. In 1953, it became a permanent UN-affiliated organization dedicated to assisting developing countries enhance child health and welfare services. Today, UNICEF remains among the UN's most successful and effective organizations, and the U.S. Government contributes approximately \$100 million annually to UNICEF.

Every December, UNICEF's annual State of the World's Children Report is released simultaneously in over 130 countries around the world. Customarily, Jim Grant, UNICEF's American Executive Director since 1980, launches the report jointly with a Head of State dedicated to international children's issues. These leaders have included: President Salinas, Prime Minister Mulroney, Prime Minister Thatcher, German President Von Weizsacker, and President Rajiv Gandhi.

This year's report emphasizes sustainable development and, in particular, the challenges to children posed by the combined effects of poverty, population growth, and environmental stress. The Report also highlights the considerable progress made by many developing nations in achieving the children's health and nutrition goals agreed at the UNICEF-sponsored 1990 World Summit for Children, including polio eradication and prevention of neonatal tetanus. It warns, however, that these gains are precarious and, in some instances, already slipping.

In a brief section on the United States, the Report notes the significant setbacks in American children's health and welfare that resulted from the domestic social policies of the 1980s. In contrast, the Report praises the Clinton Administration's policy objectives that "point to a new deal for American children." Although it should not come up publicly, as you greet the guests you may be asked whether the U.S. plans to sign and ratify the UN Convention on the Rights of the Child. This issue is currently under review within the Administration as detailed in a separate memo recently sent to you.

YOUR REMARKS

In your remarks, you will elaborate on a theme you struck at the United Nations -- the need to "do better by the world's children." Specifically, you will affirm the Administration's support for meeting the "Year 2000" goals of the World Summit for Children, which were endorsed by over 150 nations. These goals include the achievement of high impact, low-cost improvements in children's health and nutrition. Both domestically and internationally, the goals are readily achievable through such basic steps as enhancing delivery systems for vaccines, iodized salt, and oral rehydration therapy.

In particular, you will pledge American engagement and expertise to help universalize childhood immunization against polio and measles, to extend basic treatment of major childhood diseases such as diarrhea and pneumonia, and to improve nutrition by combatting Vitamin A deficiency and promoting breast-feeding. These specific goals were carefully selected with an eye to ensuring both their importance, consistency with existing Administration programs, and attainability within current resource levels. The relevant USG agencies are pursuing concrete implementation plans to achieve each of these goals and, on several, they have already made significant progress. One million lives are saved each year around the world due to USAID's child survival programs.

"HEALTH HEROES"

In addition, at this ceremony, we will honor six American "health heroes" who represent the tremendous contributions that many Americans have made for generations to improving the health of the world's children. The First Lady will introduce them individually and you will present each of them with a certificate of recognition. The six "Health Heroes" selected by HHS and the White House are:

Dr. Gretchen Berggren:

For her life-long commitment as a medical missionary and public health expert to improving the health of children around the world. Dr. Berggren has made significant contributions to community-based nutrition and primary child care program.

Dr. William Foege:

For his long-standing commitment to the health of the world's children through his efforts to immunize children world-wide and eradicate smallpox.

Dr. Norbert Hirschorn:

For his distinguished career in public health through his leadership in demonstrating the practical value of oral rehydration therapy to save the lives of those afflicted with diarrheal disease. Dr. Hirschorn has made sustained contributions through service in the United States and abroad, as well as through his scholarly research.

Dr. Donald Hopkins:

For his leadership in the global effort to eradicate smallpox and dracunculiasis. Dr. Hopkins' work has helped assure safe water and improve sanitation where dracunculiasis is endemic.

Mrs. E.F. Patrice Jeliffe:

For her work with her late husband, Dr. Derek Jeliffe, and for their life-long commitment to the world's children. As a public health expert, Patrice Jeliffe has promoted nutrition education in nursing education and has fostered breastfeeding world-wide. With her late husband, Patrice Jeliffe has worked in 81 countries over the span of 27 years.

Dr. Carl Taylor:

For his leadership in promoting community-based primary care and nutrition education. Dr. Taylor has demonstrated his commitment to children around the world through his sustained work to protect children in especially difficult circumstances. His life-time work has demonstrated the importance of early good nutrition.

III. PARTICIPANTS (60 CHILDREN and 60 ADULTS)

- o Members of the World Children's Choir, McLean, Virginia
- o Students from the Seabrook Elementary School in Maryland, The Oyster Bilingual School in D.C., and the Herndon Elementary School in Virginia, who have actively supported UNICEF
- o The Six American "Health Heroes" and their guests
- o Administration Officials
- o Members of Congress who have been leaders on Child Survival Issues

- o Corporate Leaders
- o Representatives of Leading Non-Governmental Organizations
- o UNICEF Officials and the Director of Other Related UN Agencies

IV. PRESS PLAN

V. SEQUENCE

Attachments

Tab A	Background on UNICEF and U.S. Child Health Initiatives
Tab B	Remarks
Tab C	List of Invited Guests

THE WHITE HOUSE

WASHINGTON

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ANTHONY LAKE
CAROL RASCO

SUBJECT: Background Information on UNICEF and U.S. Child
Health Initiatives

UNICEF

The United Nations Children's Fund (UNICEF) was established in 1946 as a temporary organization to provide emergency assistance to children in war-torn Europe. In 1953, UNICEF became a permanent UN-affiliated organization and its mission changed to assisting developing countries build health and welfare services. Today, as an estimated 35,000 children die daily, UNICEF is focussed on addressing the causes of early childhood death and disease as well as promoting education and opportunity for girls. With operations in 117 countries and 35% of its resources devoted to child health and nutrition programs and another 22% to emergency relief, UNICEF remains on the cutting edge of the fight for child survival.

In 1990, UNICEF convened 151 Heads of State and senior government representatives at a unprecedented World Summit for Children. The summit concluded with a concrete commitment by participating countries to craft and implement national strategies for meeting a number of "Year 2000" goals. President Bush attended the Summit, and the U.S. is a signatory to the World Summit Declaration. In publishing its strategy, A Culture of Caring, the U.S. joined over 100 nations that have prepared detailed plans of action to meet the Year 2000 goals. If the Year 2000 goals are achieved, six million additional children's lives will be saved each year.

UNICEF is the only UN agency that receives a substantial share of its funds directly from the international public. While generations of Americans have fond memories of "trick-or-treating for UNICEF" and writing UNICEF holiday cards, in recent years, U.S. private contributions have declined. Fewer schools now actively encourage UNICEF fundraising and, although still quite popular, UNICEF has suffered from negative images of the UN popularized during the 1980s and from the latest recession.

Sweden is the world's largest contributor to UNICEF. The U.S. is second, donating approximately 18% of UNICEF's annual budget through \$100 million in direct government contributions and \$40 million in private voluntary and in-kind contributions.

Selected U.S. Child Health Initiatives

DOMESTIC

Immunization: The Administration is committed to trying to immunize fully 90% of American two-olds by 1996 through extensive local mobilization campaigns and by providing vaccines without cost to health care providers serving uninsured and underinsured patients.

Child Health Services: The Health Security Act will extend coverage to 9 million uninsured children and provide complete neonatal and well-baby care with no cost-sharing. In addition, the Administration will promote targeted child health education in the public schools.

Nutrition: The Administration sought and achieved increased FY 94 funding for the WIC program, which provides nutrition education and services to women and their young children. These new funds will enable WIC to serve 400,000 more participants this fiscal year. The Administration is also supporting joint government-private sector efforts to increase the prevalence and duration of breast-feeding.

INTERNATIONAL

Immunization: Over the past five years, USAID and the Centers for Disease Control (CDC) have been implementing a \$50 million measles immunization initiative. AID bilateral assistance and funds from the multilateral Child Survival Fund will continue to support these efforts. Separately, the CDC will assist next month in the largest public health event in history when China plans to immunize 100 million children against polio in two days.

Child Health Services: As part of its effort to extend life-saving treatment services for diarrhea and pneumonia, AID will support important new research projects as well as launch a ten-year initiative known as the BASICS Project. BASICS is aimed at developing simple and appropriate health care delivery systems to assure that every AID-assisted country can eventually address its own highest priority children's health needs.

Nutrition: AID is now launching a worldwide campaign against Vitamin A and other micronutrient deficiencies targeting those countries with the highest levels of related child deaths. AID is also actively promoting universal and exclusive breast-feeding throughout the world.

REMARKS OF PRESIDENT WILLIAM J. CLINTON
UNICEF Event on Children
December 21, 1993

7-1-93

We meet this afternoon at the heart of the holiday season -- a season ~~marked by our celebrations of God's blessings and~~ filled with the joy of children. We have gathered to rededicate ourselves to working on behalf of children everywhere to ensure that more of them enjoy the blessings and the promise of our world.

The treatment of children is a precise yardstick of civilization, for they are the focal point of family life, the vessels of human culture and a perfect miniature of our future. Their value transcends all lines of ideology, nationality and language. No one ever needed an interpreter to comprehend a child's laughter or a mother's tears. As James Agee once wrote: "In every child who is born under no matter what circumstances, the potentiality of the human race is born again; and in him, too, our terrific responsibility towards human life; ~~toward~~ the utmost idea of goodness, of the horror of error, and of God."

Today we are here, in part, to note the outstanding work of an organization and its leader who work every day to advance that ideal. UNICEF and its Director, Jim Grant, are among the best friends any child could have. Three years ago, UNICEF was the driving force behind a first-ever World Summit for Children, in which ~~the~~ ^{from 150} leaders ~~of 71~~ countries came to New York to ^{very} ~~act~~ define goals for improving the health and welfare of children everywhere by the year 2000. Today Jim Grant and UNICEF are working tirelessly to ensure all of us make progress toward those goals.

Today, UNICEF is releasing its annual ~~report on the~~⁹ State of the World's Children Report. The US Agency for International Development also is releasing its own annual report on Child Survival. These impressive reports document how far we have come towards our goals. [#s]

Yet we have so far to go. Around the world, it is children who suffer disproportionately from poverty, malnutrition, disease, armed conflict and the degradation of natural resources. This very day, just like yesterday and tomorrow, in villages and neighborhoods around the globe, 30,000 children will perish from malnutrition or preventable disease. Over the past decade, more than 25 times as many children died from preventable disease as from war. As Jim Grant has reminded me and many other world leaders, behind each of these statistics there is a face, a family, a set of hopes and dreams and a potential for accomplishment that now will never be.

While the plight of children in many overseas nations is especially ~~acute~~¹, we must never forget that poverty, hunger and ill-health afflict far too many of the children in our own nation. [#s]. *Over America*

and my people's health *to*
~~I have no higher ambition or duty~~ as President than ensuring that the next generation of America's children grows up with ~~a little~~ more health, hope and happiness than those of this generation. And we are working to ensure we achieve that goal.

That is why one of the first bills I signed as President was a Family and Medical Leave Act, so parents can keep the jobs they need while still caring for the children they love. And now, with the leadership of Secretary Shalala, we are taking other steps to make a better life for our children:

- o We are working to enact my health reform plan, which will provide health security for the nine million American children who are now uninsured, including complete pre-natal care and the full range of preventive child health services.
- o We are committed to achieve immunization of 90% of our two year olds by 1996 by supporting low-cost provisions of vaccines to uninsured and underinsured children. It is simply unacceptable that today nearly half of America's children are not receiving their basic polio vaccines, and we are determined to do something about it.
- o We are striving to make good on our promise of access to adequate and appropriate nutrition for all American children. As part of this effort, we are fully funding the Women, Infants and Childrens program to expand coverage by 1996 to include 1.2 million additional people.
- o Crime/violence

We are also committed to improving the lives of children in other lands. Not simply out of charity, although we are a charitable people. But also out of prudence, because investing in the

world's children can be the most cost-effective means to relieve suffering, to advance economic development, to improve self-sufficiency and even to stem future conflicts.

We must understand the powerful relationships between such things as a child's health and a community's development. We must understand, for example, that excessive birth rates decline sharply when families begin to have confidence that the children they do have will survive.

There have been times when the fight for the world's children seemed a losing battle. But the Children's Summit and related events have alchemized frustration into urgent hope. By concentrating on the most affordable and efficient methods, enormous strides are being made.

?

Consider that a generation ago, only [#tk] percent of the world's children were immunized against the six most common and deadly forms of childhood disease. Today, through the universal child immunization campaign, that number is 80 percent. The result is that three million young boys and girls who would otherwise have died this year will instead have a chance at life.

The United States is determined to build on this progress. Under the direction of Secretary of State Warren Christopher and AID Director Brian Atwood, we have sent draft legislation to Congress that would completely overhaul our foreign assistance program in accordance with the priorities of the new era. At the heart of our proposal is a vision of sustainable development centered on

human development. We propose bold action on child health, population, the environment and the alleviation of poverty. Working with UNICEF and other governmental and nongovernmental organizations, we seek to make the goals of the Children's Summit come true ^{as soon as possible} ~~in our own lifetimes~~

Today I call on all Americans, in the private and public sectors, to join ^{with} ~~us in working with~~ dedicated leadership in developing nations, to ^{help} ~~ensure~~ that we make tangible progress in the following key areas by the year 2000:

- o First, universal childhood immunization. We must work to reduce the risk of serious childhood illness, in particular to ensure that 90% of the world's children will be covered by the measles vaccine, and ^{virtually} ~~to~~ eradicate polio as surely as the world ^{eliminated} ~~eradicated~~ smallpox decades ago. We should note that eradicating polio overseas would protect Americans from that disease forever, while saving hundreds of millions of dollars in our own immunization programs.
- o Second, we must work toward full access to essential child health services. We should strive to assure that at least 80 percent of the world's children have access to life-saving treatment for diarrhea and pneumonia -- the two biggest childhood killers.
- o Third, adequate and proper nutrition. It is not enough that children merely survive, they must be able to thrive. To this end, the U.S. will work with other nations to virtually

eliminate deadly Vitamin A deficiency and to promote breast-feeding of infants.

These are simple, low-cost health strategies. They don't depend on space-age technology. They depend on simple antibiotics, low-cost vaccines, drinkable water, access to family planning services and enhanced educational opportunities, especially for women and girls.

Because the financial burdens will be shared, these strategies are affordable, even within today's very strict budgetary limits. What's more, we are finding that health techniques practiced overseas can often be applied successfully in those areas of our own nation where children's health needs are particularly acute.

We have but to scan the world's horizon to know that desperation is a parent to violence. When a child is neglected, desperation grows and socially-destructive behavior often results. But when a child is healthy and nurtured, so often are that child's children and their children. They are more likely to become citizens and contributors. They put down roots. They participate in the global marketplace in which our own nation has an enormous stake. This is how free societies and open economies evolve. This is how global progress is made. This is how future allies and friends of the United States are created.

We still call this the post-Cold War era. But that tells us only where we have been, not where we are going. We must chart a new path. We must channel the remarkable forces that are at work in

By Bill Clinton

the world today with new approaches and with a bold vision of what might be. Let us commit today that our children and the world's children will figure large in that vision, in our hearts, and in our daily efforts. Thank you, God bless you, and may each of you have the happiest of holidays.

file UNICEF

United Nations Children's Fund
Fonds des Nations Unies pour l'enfance
Fondo de las Naciones Unidas para la Infancia

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10 November 1999

Dear Melanne:

Alex Palacios has filled me in on his good discussions with you and Eric Schwartz regarding the development of the Administration's budget request for UNICEF. I am sorry that my heavy travel schedule has prevented me from meeting with you so far this year, but I am pleased to know that you and Eric are keeping a close eye on this process over the course of the coming weeks and months.

I found the President's statement a few weeks ago regarding the importance of foreign aid and the UN system most heartwarming and encouraging. This was particularly well received as it occurred during the month when UNICEF suffered the tragic loss of two humanitarian staff members who were murdered in the field. WFP have lost several as well. Despite the challenges presented by an increasing number of armed conflicts and violence in the field, UNICEF is very much engaged with our partners in development and humanitarian response on behalf of children, including State, USAID and OFDA.

I remain hopeful that the Administration in this its last budget request before the Congress can send the strongest possible signal in support of UNICEF's management and program agenda.

Please let me know if there is anything further I can do to help you make this case.

Warmest regards.

Sincerely,

A handwritten signature in dark ink, appearing to be "C Bellamy".

Carol Bellamy
Executive Director

Ms. Melanne Verveer
Chief of Staff
Office of the First Lady
The White House
Washington, D.C. 20500



United Nations Children's Fund
Fonds des Nations Unies pour l'enfance
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14 May 1997

Princeton
Dear Ambassador Lyman:

Many thanks for taking the time to see me last Thursday. I enjoyed our conversation as always and appreciated the opportunity to bring you up to date on UNICEF's progress with regard to its internal management reform and programs.

I also appreciated our discussion regarding the Secretary-General's UN reform efforts. Based on my two years of experience here at UNICEF, I applaud his leadership in this vital area and am pleased to be able to assist in the effort within the context of the two UN Reform Executive Committees on which UNICEF serves (Development Operations and Humanitarian Affairs). Through these two committees, we have already reached significant agreements to develop a more effective and efficient UN presence in the field by further elimination of overlap and duplication and enhanced coordination of programmes. As I noted during our talk on the SG's Track 1 reforms, we have agreed on increased use of common premises and services where this makes economic sense; the preparation of a common Development Assistance Framework to provide the context for the programmes of individual UN Funds and Programmes; and the development of a common country assessment by all UN agencies.

Beyond this, however, the UN System clearly needs bold reform if it is to be able to address the numerous political, development and humanitarian challenges we face. Two compelling examples are the crisis in the Great Lakes region of Africa, which began in Rwanda in 1994 and now affects seven countries; and the HIV/AIDS pandemic, which is well on the way to creating 10 million orphans worldwide by the year 2000. While each country circumstance is special and must be reviewed on a case-by-case basis, it is clear that these challenges will require strong inter-agency collaboration, including a common strategy; and the most efficient and cost-effective operations. It is also essential that there be a strong focus on the impact of these crises on children.

The Honorable Princeton Lyman
Assistant Secretary
Bureau for International Organization Affairs
U.S. Department of State
Washington, D.C.

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UNICEF is following closely the discussions with regard to the so-called "Track 2" reforms that are to be announced by the Secretary-General later next month and subsequently brought before the General Assembly. Here again, we appreciate the reform spirit underlying these efforts and will assist in every way we can. However, I think it is important at this stage to examine carefully the consequences of our reform efforts to ensure that we fully appreciate their impact, especially at the field/country program level. After all, it is at the country level that UNICEF's effectiveness should be measured.

As we discussed, UNICEF needs to maintain a distinct identity as the single agency within the UN System that focuses on the well-being of the "whole child" and serves as the leading moral force for the world's children. Unless there is a UN agency that speaks specifically for children, there is a real danger that their welfare will be overlooked. Experience has shown that children are not automatically placed on the list of a country's development and human rights priorities.

As the UN System moves toward further reform, we need to ensure that we can maintain this constant and unyielding voice for children. UNICEF can do so only if it has a clear and distinct presence, the capacity to deliver identifiable essential services for children throughout the developing world and the ability to advocate and generate political will at the highest levels of national governments. It is UNICEF's unique identity and the respect it enjoys that made possible the 1990 World Summit for Children, at which 70 heads of State or Government assembled in the cause of children; the mobilization of worldwide support for the eradication of smallpox -- and soon Polio; and the campaign for Universal Child Immunization.

UNICEF's independent advocacy on behalf of children is the reason its private sector fund-raising has risen to more than \$300 million per year, and why it has continued to receive generous government contributions at a time of declining ODA flows. UNICEF has been and continues to be supported by goodwill ambassadors from Danny Kaye to Peter Ustinov and Roger Moore. Its national committees and greeting card sales are the foundation for a worldwide structure of volunteers and supporters.

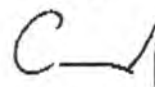
To be frank, it is not clear at this moment how UNICEF's strong voice for children, locally and globally, could continue to be heard within the context of a consolidated development entity. I believe this is an issue that requires serious consideration and exploration.

/...

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I thought I would share with you a copy of Stephen Lewis' letter to Maurice Strong, which amplifies the discussion of these issues in the context of Mr. Strong's request for a summary of UNICEF's "core functions".

Sincerely,

A handwritten signature in black ink, appearing to be 'C-Bellamy'.

Carol Bellamy
Executive Director

Attachment



United Nations Children's Fund
Fonds des Nations Unies pour l'enfance
Fondo de las Naciones Unidas para la Infancia

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30 April 1997

Dear Mr. Strong,

Further to your memo of 7 April requesting the identification of core functions and outputs, I am pleased to send you UNICEF's contribution.

As we approach the 21st century, the overarching objective of UNICEF remains as it was when the organization was created in the aftermath of World War II: to improve the well-being of children and to ensure that their special needs are taken into account. Under current General Assembly mandates, the core functions of UNICEF are to serve as an advocate for the protection of children's rights; to help meet children's basic needs; and to expand their opportunities to reach full potential. Guided by the Convention on the Rights of the Child, UNICEF is working globally to establish children's rights as enduring ethical principles and to develop international standards and norms of behavior toward children.

In carrying out its core functions, the major focus of UNICEF programmes is on the survival, protection and development of children. The Executive Board has set out five major areas of activity: integrated primary health care, with a special emphasis on maternal and child health and safe motherhood, as well as family planning; food and nutrition; safe water and environmental sanitation; basic education, with a special emphasis on girls and women; and children in especially difficult circumstances. All UNICEF programmes are situated within general development strategies and take into account, *inter alia*, national execution, capacity building, poverty alleviation, community empowerment (particularly that of women) and participation in planning and implementation, sustainability, environmental soundness, and coordinated and intersectoral policies. As a result of the increasing numbers of children in situations of armed conflict, and in accordance with resolutions of its Executive Board, UNICEF continues to strengthen its humanitarian assistance and emergency response activities.

Mr. Maurice Strong
Executive Coordinator
Office of the Executive Coordinator
for United Nations Reform
United Nations
New York

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The basic strategy for delivery of UNICEF outputs in developing countries is contained in the Country Programme, an overall framework for activities developed in partnership with host Governments. It draws on the goals established by the 1990 World Summit for Children and takes into account more recent international conferences, other relevant guidelines such as the UN Special Initiative on Africa, as well as the work of development partners. The Convention on the Rights of the Child recognizes the special role of UNICEF in fostering its successful implementation. Since its adoption in 1989, the Convention has provided support for country programme activities and reinforced the conviction that children have the same spectrum of cross-sectoral rights as adults: civil and political, social, cultural and economic.

In carrying out field-level operations, UNICEF makes use of a wide range of additional activities within its mandate, all of which are mutually reinforcing and directly related to the well-being of children. These include setting of norms and standards, social mobilization, procurement services, fund-raising and resource mobilization, support for NGOs and civil society, and policy analysis and dialogue. The capacity to draw on this range of cross-cutting activities, in a coherent and holistic manner, and the resultant synergy, is an essential aspect of successful and efficient implementation of the Country Programme.

In carrying out the above activities, UNICEF works in close collaboration with its development partners, particularly sister organizations in the UN system, but also with donor Governments and agencies, IFIs and civil society. Because children are a distinct target group rather than a sector, UNICEF counts on the sectoral expertise of other UN funds and agencies. By sharing knowledge, information and ideas, it can influence their actions for the benefit of children. UNICEF therefore complements and supplements the work of others. Major partners in the UN system, and specific areas of collaboration, include ILO (child labour); WFP (food and nutrition); UNDP (poverty); UNESCO (education); WHO (health); UNHCR (children affected by armed conflict, refugee and internally displaced children); High Commissioner for Human Rights (child rights); World Bank (SIPs); etc. This country level and global interaction is defined through a series of MOUs signed with major partners.

UNICEF's effectiveness is the result of its singular focus on the well-being of the "whole child". This all-embracing strategy, and a distinct organizational identity, have made it possible for UNICEF to act as a moral force for children the world over. It has generated political will at the highest levels, mobilized resources far beyond the Country Programme and secured a broad-based public constituency. UNICEF's approach has made it possible to achieve ratification of the Convention on the Rights of the Child by 190 countries in less than eight years, the most rapid acceptance of a human rights treaty in history. It led to the 1990 World Summit for Children at which 70 heads of state/government assembled in the cause of children, then the largest gathering of world leaders ever held. It allowed for the mobilization of worldwide support for the eradication of smallpox and the campaign for Universal Child Immunization. The strategy has made it possible to mobilize support for "corridors of peace,"

- 3 -

"days of tranquillity" and the Graça Machel Study, the most comprehensive human rights appraisal of the impact of armed conflict on children. It has been and continues to be supported by an unbroken string of Goodwill Ambassadors, from Danny Kaye to Audrey Hepburn, Peter Ustinov and Roger Moore.

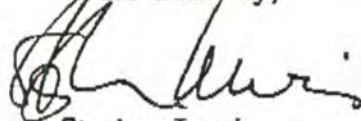
UNICEF is able to use its strong identification with the child and the success of Country Programmes to further the broader conceptual debate on development issues. The World Summit for Children, with its specific numerical goals, a structure of implementation through national programmes of action, and a system of monitoring and follow-up, established a model for future international conferences. The campaign for *Adjustment with a Human Face* changed the nature of structural adjustment programmes and focused attention on the social imperatives. The 20/20 Initiative has brought an increased focus on the need for basic social services as a critical aspect of poverty alleviation.

The strong focus on the child, and an independent voice combined with concrete, measurable outcomes resulting from clearly identifiable programmes, has enabled UNICEF to increase private sector fund-raising to more than \$300 million per year. This success has been enhanced by direct access to political leadership at country level and "a place at the table" in planning exercises. Moreover, UNICEF's widely sold greeting cards are recognized the world over, and "Change for Good" raises millions of dollars annually from international and domestic flights worldwide. Fund-raising also provides the basis for a worldwide structure of national committees supported by hundreds of thousands of community volunteers. In addition to raising significant monies for children, the committees mobilize millions of supporters in the service of the UNICEF mandate and, by extension, that of the broader UN system.

It is our conviction that unless there is a UN agency that speaks directly for children, globally and locally, there is a very real danger of them being forgotten. Children are not automatically placed on the list of a country's development and human rights priorities. They need a constant, tenacious and identifiable advocate.

We thank you for this opportunity of setting out the functions and activities of UNICEF and look forward to continuing working closely with you in the furtherance of UN reform.

Yours sincerely,



Stephen Lewis
Deputy Executive Director



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3 United Nations Plaza
New York, NY 10017

FACSIMILE TRANSMISSION

PROGRAMME FUNDING OFFICE

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Date: June 11, 1996

Page: 1 of 10 Pages

TO: Ms. Melanne Verveer Deputy Chief of Staff Office of the First Lady The White House	FAX #: 202 456 6244
FROM: Alejandro Palacios <i>Alex P.</i> Sr. Programme Funding Officer Programme Funding Office	DRAFTED BY: AP
	REF: AJP/478/sr
SUBJECT: Information on Haiti	

Dear Melanne:

Thanks again very much for your role in arranging Carol Bellamy's meeting with the First Lady last Tuesday. As always, Mrs. Clinton was inspiring.

As we discussed, I am attaching to this note some information regarding UNICEF's work in Haiti generally. In addition, I thought I would pass along some information sent to us following our meeting regarding visits to UNICEF-funded activities Mrs. Clinton may wish to see during her upcoming trip. The first group of activities suggested by the field office would involve a brief helicopter trip to Gros Morne in the Department of Antionites, but can be done within a half of a day. UNICEF is working jointly with UNFPA in Gros Morne. Among the projects are "Alma Ata", a Baby Friendly Hospital (promotion of breastfeeding) run partly by a church and partly by the Ministry of Health which offers integrated child/mother health services. In addition, UNICEF supports community organization, and water and sanitation projects in Gros Morne. UNICEF's major partners in the region include CARE/CARITAS.

If Mrs. Clinton does not have the time to travel beyond the limits of Port Au Prince, an alternative would be to visit a particular urban slum area where UNICEF and UNFPA are supporting an integrated women and family health project. The project also includes credit for poor women and support for community organization. A good part of UNICEF supported interventions in these areas has been funded by USAID.

The field office is preparing an updated overview of the Haiti country program and I should be able to fax it to you within a day or two. This overview will provide more details on the above and additional examples. However, in the meantime, I thought it would be useful to Federal Express along a copy of a very thorough document prepared late in 1995, titled UNICEF Haiti and the Emergency Economic Recovery Programme. Attached are its first nine pages which set out UNICEF's sectoral priorities in the country.

I hope this is helpful.

Regards.

UNICEF

HAITI

and the

EMERGENCY ECONOMIC

RECOVERY PROGRAMME

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I. EXECUTIVE SUMMARY

Haiti has been in a state of socio-political-economic crisis following a coup d'état in September 1991. The ensuing economic and social marginalization of the country, one of the world's poorest nations, is impacting heavily on several million children in the poorest villages and urban slums. Conditions in the social sector have deteriorated seriously in the past three years. Even prior to the recent crisis, the majority of the Haitian population had little access to public education, health services, or clean water, and malnutrition was widespread. At the same time, the population seeking these services continues to grow by around 2% per year, with an increase from 6.9 million residents to 8.0 million forecast during the next 6 years.

Cuts in essential social services have meant health centres without trained personnel or essential supplies, communities without clean water and sanitation services, schools without books and teachers, thereby increasing the likelihood that Haitian children will fail to grow to their physical and mental potential, fail to complete school, fail to find work, and fail to become well-adjusted, economically productive, and socially responsible adults.

UNICEF has participated, along with other International Organisations, in assisting the Haitian Government to develop an Emergency Economic Recovery Programme (EERP). UNICEF believes that restoration of democracy to Haiti can only be achieved as part of an overall process which sees the international community supporting a government able to deliver basic social services to its people, especially the children and women who have suffered most in the country's tragic decline.

UNICEF's programme of cooperation aims to contribute to stopping, and then reversing, the deterioration that has occurred in the health and nutritional status of children and women, while also promoting respect for child rights and for the women's charter at all levels of society. It is based on interventions in the areas of a) health & nutrition, b) water & sanitation, c) education, d) women's empowerment & community organisation, e) local capacity-building, and f) child rights & communication. The programme strategy focusses on community mobilisation to ensure not only the sustainability of services but development of community capacity to become aware of and to control their living conditions.

The programme's operational strategy will contribute to the EERP goal of decentralising administrative structures and procedures by working through the local government system, namely the Commune and the Mayor's Offices. Local government institutions will be strengthened to enable them to become effective coordinators of local participatory development, initiating, implementing and monitoring activities that favour children and women. Local NGOs will be reinforced to improve their capacity for service delivery in response to community needs.

The entire 1995-1997 programme budget is US\$41,396,800 of which \$11,292,344 has been secured. The total supplementary funding requested amounts to US\$30,104,456.

II. INTRODUCTION

2.1 *Statement of the Problem*

Political instability has been a long-standing problem in Haiti. Exploitative authoritarianism and military rule have plagued Haitian politics particularly over the 29 years of Duvalier family rule that ended in 1986. Since 1988, the political situation has been subject to many difficulties characterized by ten changes of government, strikes, incertitude, unrest and violence. This has adversely affected children and women who were already in a very precarious situation following years of dictatorship.

For three years following the September 1991 coup, Haiti suffered under political violence and an economic embargo imposed by the international community. This period was characterised by political repression, progressive atrophy of the state and other institutions which, together with the *de facto* government's economic mismanagement, provoked an accelerated deterioration of the national economy. The political events of the past three years have produced an almost continuous state of emergency, and had a tremendous impact on the daily existence of average Haitians, who have been living in a state of semi-permanent personal and economic insecurity.

Haiti today presents a scenario characterized by pervasive poverty, grossly inadequate access to health care, low levels of education, debilitated institutions, and diminished wage levels. Real gross national product per capita declined from \$370 in 1990 to only \$250 in 1994, leaving Haiti by far the poorest country in the western hemisphere.

The return to constitutional order initiated with the October 1994 reinstallation of Haiti's democratically elected President, Jean-Bertrand Aristide, has ended the acute crisis begun by the 1991 Coup d'Etat. However, it is crucial that a concerted effort is undertaken immediately to redress the negative effects of the past years of social and economic decline which have impacted particularly on children and women.

2.2 *Status of children and women*

Consequences of the socio-political-economic crisis

The economic sanctions contributed to rampant inflation in food prices which adversely affected the nutritional status of the most vulnerable families. Wages, which were already below the poverty line for a high proportion (80%) of the population, diminished as employment opportunities were lost due to the embargo. Unemployment is currently estimated at 75%, much of which is centred in the capital, Port-au-Prince, where the main industries and employment opportunities had been centered.

Direct effects of the crisis have been a significant fall in primary school enrollment, due to declining incomes, and population migration, due to political repression. Existing services in health, water and sanitation deteriorated due to lack of investment and maintenance. The absence of social safety nets was exacerbated by the rising number of poor people.

All these have translated into a worsening of the living conditions of children and women, manifested in lower nutrition levels (in some health institutions, low-weight births have risen from 15% to 25%), less resistance to disease, reduced access to drinking water and sanitation facilities, and drastically reduced capacity of an already weak system to cope with the situation.

Child survival

Child survival and nutritional status are among the worst in the hemisphere; in 1987, infant and juvenile mortality rates were at 94 and 133 respectively per 1,000 live births. While no national survey has been carried out since then, the infant mortality rate was estimated to have risen to approximately 101/1000 by 1994. The incidence of moderate and severe malnutrition is very high even in "normal" times (18.5% of children under five years of age in 1990). The global statistic on malnutrition in children under five years was 27% in 1990. In 1994, most organisations working in the health field estimated that at least half of all Haitian children under-five suffered from some degree of malnutrition.

Diarrhoea remains the main cause of infant mortality and morbidity. It is estimated that each child suffers from diarrhoea seven times per year (twice the world average), thereby contributing to 40% of all deaths in children of under five years. The high incidence of diarrhoea in children under 1 is attributed to the rapid decrease in exclusive breast feeding with only 12.5% of mothers feeding exclusively for the first three months. This figure is even lower in Port-au-Prince (2.8%).

Poor support from the health institutions, inadequate parental education, and economic distress account for low breast-feeding rates. Over the past few years, women have been forced to move further from home to find income, working longer hours for diminishing returns. About 85% of Haitian women are involved in the work force, mostly earning subsistence incomes. Their children suffer from poor quality or non-existent child care.

Maternal mortality/nutrition

The fertility rate is 4.7 children per woman. The rate of maternal mortality is now estimated at 350 per 100,000, due mainly to haemorrhage (37%), eclampsia (21%), septicemia (14%), abortion (12%), and others (16%). Contraception is used by only 7.4% of the population. 3,086 cases of AIDS were recorded in 1991, of which 40% were women. The rate of HIV positive cases is between 5 to 8% of urban adults and between 2 to 4% among the rural population.

Economic hardship also affects maternal nutrition through decreasing household food security. Poor households spend a high proportion of their income on food and are therefore particularly vulnerable to adverse changes in their income and/or food prices, the most vulnerable group being women of childbearing age whose need for an nutritious diet is often compromised due to budgetary constraints at the household level.

Water and sanitation

Unavailability and ignorance of the importance of clean water contributes to diarrhoeal disease being the main killer of children in Haiti. Approximately 40% of urban dwellers and 20% of the rural population have access to clean drinking water, while only 60% of small and medium-sized towns have water systems. It is estimated that 93% of the population of the slums of Port-au-Prince buy water in buckets. In the countryside, searching for water is a family chore which takes between three and eight hours a day.

During the past three years, the water situation has been adversely affected by the collapse of the Haitian state and lack of investment following the economic sanctions. In 1991, 53% of the inhabitants of Port-au-Prince had access to clean water; by 1994 this percentage had fallen to 35%. In addition, due to poor maintenance of systems, there has been a substantial deterioration in the quality of the water available.

Access to sanitation facilities (latrines and toilets) is restricted to 40% of the population in urban areas and 13% in the countryside. It is estimated that only about 3% of the entire population has access to water drainage systems.

Education

The quality of education offered to Haitian children is poor, due to the almost nonexistent qualifications of the teaching personnel, low salaries, uncoordinated development of curriculum and instruction materials, and lack of textbooks. School attendance dropped by over 25% due to the economic crisis, as families kept children at home rather than paying even modest tuition fees. It is now estimated that less than 50% of school age children are enrolled, one third of whom will complete the primary education cycle. The low level of public investment in education is reflected in the dominance of the private sector (over 80% of enrollments) which is not bound by any norms or standardisation to ensure quality.

Over half of all children attending primary school are older than the upper age limit (12 years of age). In 1990, the actual percentage of primary school age children (6 to 12 years of age) enrolled was only 44% of the total inscription.

The situation is no better within the sub-sector of non-formal education. Street children and children in domestic servitude have little access to education. In 1990 the women's literacy level was 47%. This percentage is decreasing as a result of the weakness of literacy programmes.

Rights of the child

While information on child rights is well known in urban areas, due to the mobilisation campaigns of recent years, respect for child rights is rare in Haiti. The three years of crisis have led to an increase both in street children (from 5,000 to 10,000 nation-wide) and in child servants (from an estimated 130,000 to almost 200,000). Existing services and programmes for social reintegration of these and other children living in difficult circumstances are insufficient in both quantity and quality.

Regional variations

Even though reliable general data is not always available, evidence suggests that the health and nutritional status of children and women is worse in the North West and in the marginal zones of the capital than in other parts of the country.

2.3 UNICEF's role within the EERP

The Emergency Economic Recovery Programme for Haiti has been developed to respond to the current situation by easing the difficult conditions that now exist nationwide, while laying the foundation for future development. UNICEF/Port-au-Prince believes strongly in the critical relationship between social and economic issues and is of the conviction that economic recovery for Haiti is inextricably linked with social progress.

UNICEF has developed a three-year programme of cooperation with the Government and people of Haiti, beginning in 1995, which is incorporated within the social and governance sectors of the EERP. The development of a democratic society hinges on the adoption of policies that improve the status of society's most vulnerable members. UNICEF's concern lies in particular with the improvement of social conditions that impact negatively on children and women, and proposes to participate in the EERP with a programme based on the provision of services essential for survival, predominantly within the sectors of health & nutrition, water & sanitation, and education, employing a strategy based on community organisation and participation, supported by reinforced local public and private institutions.

This is in keeping with the EERP aims of decentralising decision-making to local level and of initiating participatory community organisation, essential considerations in effectuating real long-term change in the quality of life of Haitian children and women, both in urban areas and in the provinces.

The 1995-1997 programme of cooperation is presented here in its entirety, the first 18 months coinciding with the duration of the EERP. This approach is adopted with the intention of illustrating the longer-term results anticipated from UNICEF's three-year intervention. Activities planned within each sector will be increased and extended geographically in the event that additional funding becomes available.

The sectoral programmes contain the following components:

- **Health/Nutrition:** improvement in child and maternal health/nutrition status by meeting basic needs such as vaccination, correct diarrhoeal diseases management, correct infant feeding, provision of vitamin A and food supplements for malnourished children, and basic obstetric care.
- **Water/Sanitation:** construction and rehabilitation of small water systems, distribution of water in the slums of the capital, construction of latrines, organisation of community committees to maintain water points.
- **Education:** development and support of preschool and primary education, adult literacy, and education alternatives for children currently outside the scope of the primary school system.
- **Women's empowerment & community organisation:** advocacy, finance and support for income generating activities, organisation and assistance for community groups, particularly women's groups, to develop local ability to plan activities and manage services in favour of children and women.
- * **Local capacity development:** Support in the form of training and logistics to Mayor's offices and local NGOs to strengthen their capacity to plan and implement programmes for children; support for the creation of a local forum to coordinate community development.
- * **Child rights and communication,** employment of a massive, ongoing information\education\communication campaign to inform on, and mobilise support for, children's rights; provision of essential services (basically education and training) for street children, child servants, and children in institutions; support for activities aimed at self-reliance and reintegration in society; transmission of basic survival messages to parents and caretakers of children.

UNICEF's programme of cooperation will function at central level in coordination and cooperation with Government Ministries, supporting policy development and establishment of standards and regulations, as well as decentralisation of administrative structures and procedures. At local level, the programme will be implemented principally through existing local government structures, namely the Communal administration, headed by the elected Mayors. Mayors' offices will be strengthened to enable them to adopt their role as dynamic coordinators of local development, with a real ability to respond to community-manifested needs. Ultimately, they will assume responsibility for initiating, implementing and monitoring local participatory development programmes benefitting children and women. Local NGOs will be reinforced and supported in providing basic services and in facilitating community organisation, under the coordination of the Mayor's office.

DRAFT

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THE WHITE HOUSE

WASHINGTON

WHITE HOUSE UNICEF EVENT

DATE: December 21, 1993

LOCATION: East Room

TIME: 2:00-3:00 pm

FROM: ALEXIS HERMAN
ANTHONY LAKE
BILL GALSTONI. PURPOSE

To enable UNICEF to present to you its 1994 State of the World's Children Report and to take this opportunity to reaffirm the Administration's commitment to improving the health of world's children, both at home and abroad. In addition, we will use this forum to celebrate the many American contributions to international child survival by honoring six distinguished physicians who have dedicated their lives to this effort. These themes will echo your broader concern to reform health care.

II. BACKGROUND

UNICEF AND ITS REPORT

UNICEF (The United Nations Children's Fund) was established in 1946 to provide emergency assistance to children in war-torn Europe. In 1953, it became a permanent UN-affiliated organization dedicated to assisting developing countries enhance child health and welfare services. Today, UNICEF remains among the UN's most successful and effective organizations.

Every December, UNICEF's annual State of the World's Children Report is released simultaneously in over 130 countries around the world. Customarily, Jim Grant, UNICEF's American Executive Director since 1980, launches the report jointly with a Head of State dedicated to international children's issues. These leaders have included: President Salinas, Prime Minister Mulroney, Prime Minister Thatcher, German President Von Weizscker, and President Rajiv Gandhi have provided their support.

This year's report emphasizes sustainable development and, in particular, the challenges to children posed by the combined effects of poverty, population growth, and environmental stress. The Report also highlights the considerable progress made by many developing nations in achieving the children's health and nutrition goals agreed at the UNICEF-sponsored 1990 World Summit for Children, including polio eradication and prevention of neonatal tetanus. It warns, however, that these gains are precarious and, in some instances, already slipping.

In a brief section on the United States, the Report notes the significant setbacks in American children's health and welfare

DRAFT

*File
UNICEF*

MEMORANDUM

DATE: April 19, 1993

TO: Hillary Clinton

FROM: Marian Wright Edelman

RE: U.N. Convention on the Rights of the Child and the upcoming UNICEF Executive Board Meeting.

=====

As you know, the United States is one of a small handful of nations that have not yet acted on the U.N. Convention on the Rights of the Child. As of January, 154 countries had ratified (127) or signed (27) the Convention. This included every nation in NATO except the U.S. The holdouts around the world included: 16 very small nations, many of them island nations (such as Fiji, the Marshall Islands, Tonga, and Tuvalu); nine nations devolved from parts of the former Soviet Union and Yugoslavia -- nations which have not had the time or focus to consider the Convention; and seven other nations with populations of more than 3 million: Iraq, Libya, Malaysia, Saudi Arabia, Somalia, South Africa, and the United States. In this country and around the world, people are incredulous that the United States is keeping such company on the Convention.

The annual UNICEF Executive Board meeting in New York begins on April 26th. I hope you will attend and speak about the Convention. Supporters of the Convention in this country, as well as UNICEF leaders and member nations on the UNICEF Executive Board, will be looking for a clear signal of a change in position by the U.S. Such a change, symbolic of a deeper U.S. commitment to the needs of children at home and worldwide, would gain the Administration a great deal of good will at home and abroad and greatly energize the worldwide children's movement.

There are at least two possible ways to send this signal:

- o The White House could announce at the UNICEF Executive Board session, or before then, that the President has signed the Convention. This is the more dramatic step, although signing the Convention still is a step well short of sending it to the Senate for advice and consent to ratification. Signing is, rather, a statement that the Convention generally deserves support and the Administration will study the Convention closely to determine the conditions under which it will later send the Convention to the Senate for ratification, if appropriate.

- o If the President is not willing to sign the Convention on this timetable, the White House and State Department should give the U.S. delegation to the UNICEF Executive Board substantial latitude to state that the Administration is positively disposed to the Convention, is uncomfortable with the prior delays on this issue, is seeking rapid agency review, and will be moving quickly to sign the Convention and submit it for ratification unless unforeseen difficulties arise.

The State Department Legal Advisor's office has begun reviewing the Convention (again). But they are beginning a process -- referral to the other agencies, examination of conflicts with U.S. law, and recommendation of technical reservations upon possible submission of the Convention to the Senate -- that will take many months and is concerned with ratification of the Convention. While this process should go forward (and be expedited), it is essentially irrelevant to the upcoming UNICEF meeting or sending a positive signal soon. Rather, the United States should send in the next few days, either from the White House or at the UNICEF Executive Board next week, a strong signal of support for the Convention short of a commitment to proceed to ratification.

The Bush Administration took no action on the Convention because it faced: an internal split among its agencies as to whether it should act favorably; hostility to the Convention from the extreme Right Wing (although a number of key moderate Republicans, including Senators Dole and Lugar, support early Senate consideration of the Convention); and, at best, indifference inside the White House.

The Clinton Administration needs to decide soon how to act on the Convention. The isolation of the U.S. on this children's issue may become increasingly uncomfortable for an Administration so deeply dedicated to the children's cause. Supporters of the Convention have begun to discuss how to encourage the Administration to sign and ratify. New resolutions urging the President to act have been introduced in Congress. The American Bar Association (which has already endorsed the Convention) will shortly be issuing another favorable report.

Analysis

1. The Convention. The Convention sets out a broad range of civil, political, social, economic and human rights for children. The rights range from freedom of expression, religion and association to positive rights to health care, education and subsistence, to protection from various forms of exploitation and abuse. The Convention is an important statement of the human rights of children. The elaboration of rights is coupled with recognition of the central role of parents and the family in directing a child's development.

Many of the Convention's components (but not all) already appear in other international instruments, some of them already ratified by the U.S. In many respects, the Convention reflects the Declaration on the Rights of the Child, the Covenant on Civil and Political Rights, and the Covenant on Economic, Social and Cultural Rights.

The U.S. took an active role in the international working group that negotiated and drafted the Convention over a 10 year period. The U.S. delegation successfully sought numerous changes to align the document's provisions with U.S. law. The U.S. then joined the unanimous vote for the Convention on the floor of the General Assembly on November 20, 1989. In 1990 at a World Summit for Children held at the United Nations, the U.S. joined several dozen other nations in signing a statement that included a commitment to "work to promote the earliest possible ratification and implementation" of the Convention. But the Bush Administration never acted on these implicit and explicit promises.

2. Bush Administration Concerns and Other Possible Objections. While the Bush Administration signed the 1990 Summit commitment to work towards ratification, it never formally approved (or repudiated) the Convention. It is my understanding that a number of agencies, including Education and HHS, supported submitting the Convention to the Senate for ratification. While they had specific concerns, many minor and a handful significant (see below), they knew those concerns could be dealt with in the ratification process, which allows the ratifying nation to take "reservations" from or express "understandings" about particular provisions. The Bush Administration Justice Department, on the other hand, opposed moving along the Convention.

Here are the key concerns that have been raised either in Bush Administration deliberations or by the Right Wing:

Abortion: The Right Wing has attacked the Convention as "pro-abortion." In fact, the drafters went to great lengths to make it wholly neutral on abortion so that both pro- and anti-abortion nations could ratify it. The wide range of ratifying nations (from the Vatican to Sweden) testifies to the drafters' success in this regard.

Family. Some Far Right critics have claimed the Convention is anti-family. This is specious. Throughout the Convention the primary role of the family is emphasized and reaffirmed. Family-supporting and parent-protecting language appears in nearly a dozen articles. The Convention on its face, and its support by many conservative legislators here and governments abroad, in fact present an opportunity to show that the Right Wing uses "anti-family" claims as an indiscriminate slogan rather than an analytic tool. Any fair reading of the Convention shows that it protects children and families against unwarranted

government actions and does not give children rights within their families that are more expansive than common U.S. conceptions of what is appropriate.

Juvenile capital punishment. The Convention outlaws capital punishment for crimes committed by children. The United States is one of the very few nations that still allows such punishment. President Clinton supports capital punishment for adults, but we do not know if this belief extends to wanting to continue to allow capital punishment for crimes committed by juveniles. If it does, and the U.S. wanted to retain the option of such capital punishment, it could take a reservation from this particular clause.

Federalism concerns and economic rights. Broader concerns relate to federalism (the convention covers many areas governed exclusively or primarily by the states) and the Convention's creation of economic and social rights as well as political and civil rights (e.g., rights to basic health care or a minimally adequate standard of living). Some believe such human rights should not be the subject of international treaties. These rights are, however, crucial to children. To the extent that the Clinton Administration or the Senate feels that the articulation of such rights is too extreme, the Convention can be modified through "reservations" and "understandings." Moreover, many of the Convention's provisions are not self-executing under U.S. law and are essentially precatory -- not requiring particular state action or spending; and unlike some human rights treaties, the Convention has no international dispute resolution process. That parts of the Convention are not readily enforceable, however, does not make the symbolic and public education functions or the enforceable parts, any less important.

In short, there are no reasons why the U.S. can not join the rest of the civilized world in signing and then ratifying the Convention.

3. Support for the Convention. A very large array of organizations and individuals with varied political perspectives supports the Convention:

- o There was substantial bipartisan representation among the 85 House and 60 Senate co-sponsors of the 1990 resolutions urging the President to forward the Convention to the Senate for consideration of ratification. Those resolutions passed both the House (H.Res. 312 on September 17, 1990) and the Senate (S. Res. 231 on September 11, 1990) by voice vote, without dissent. New resolutions (S. Res. 70 and H. Res. 15) were introduced in the last three months and have drawn broad bipartisan support. Republican Senate sponsors include Dole, Durenberger, Hatfield, Lugar, Specter and Chafee.

- o In early 1991, 13 Republican senators wrote President Bush asking him to send up the Convention. The 13 included Minority Leader Dole and Sen. Lugar, the ranking Republican on the Foreign Affairs Committee.
- o Senators Lugar and Bradley co-chair a group working toward U.S. ratification.
- o Organizations supporting ratification of the Convention include: the American Academy of Pediatrics, the American Association of Retired Persons, the American Bar Association, American Red Cross International Services, Amnesty International, the Association of Junior Leagues, B'nai B'rith, CARE, Catholic Charities, Christian Children's Fund, Interaction, Oxfam, PLAN International, the Presbyterian Church (USA), Save the Children, the United Church of Christ, the United Methodist Church, the U.S. Committee for UNICEF, the YWCA, and dozens of other religious, education, women's, labor, anti-hunger, relief, and children's groups.
- o There is considerable interest in the Convention among school children and educators. The NEA is taking an active role in the grass roots ratification movement.

As noted before, the opposition has come from a sliver of the very far Right Wing. But it is notable that the Right Wing has lost its former ability to stop any and all human rights treaties, as the U.S. ratified in recent years the Genocide and Torture conventions and, in 1992, the Covenant on Civil and Political Rights.

Note that if and when President Clinton signs the children's Convention and then sends it to the Senate for advice and consent, it will become one of several human rights treaties pending in the Senate. President Carter signed and sent up, inter alia, the Convention on the Elimination of Discrimination Against Women, the Convention on the Elimination of Racial Discrimination, and the Covenant on Economic, Social and Cultural Rights. The Administration will have to decide which treaties to move first, when, and how. Key Senators and groups in the human rights movement will have varying views on which treaties to move first. But the decision to sign the children's Convention need not wait for these strategic decisions in the Senate.



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United States Department of State

Washington, D.C. 20520

April 22, 1993

MEMORANDUM FOR ANTHONY LAKE
THE WHITE HOUSE

Subject: Convention on the Rights of the Child

I am forwarding for your information a memorandum on the United Nations Convention on the Rights of the Child, as requested in a note from Will Itoh dated April 16.

A handwritten signature in dark ink, appearing to read "Marc Grossman".

Marc Grossman
Executive Secretary

Some of the problems outlined above will require that the U.S. either take reservations, understandings and declarations in ratifying the Convention or pass legislation implementing those provisions currently incompatible with U.S. law and practice. The extent to which ratification would require significant changes in federal, state and local law needs to be clarified, as do the implications for domestic programs (including budgetary impact). Unfortunately, the Convention expressly prohibits any reservations incompatible with its object and purpose. This provision creates the possibility that other treaty partners would refuse to recognize the validity of key reservations, leaving the U.S. obligated under international law to respect Convention provisions inconsistent with U.S. domestic law and practice.

Although there is widespread domestic support for the Convention there also are objections, particularly from religious groups concerned about the conflict between children's rights and parental rights and responsibilities. The Convention is quite detailed, fifty articles covering 20 pages, and it is not clear that all of its advocates are familiar with all of its provisions.

Options

The upcoming meeting of the UNICEF Board (April 26) provides an opportunity to announce the Administration's intentions on the Convention. However, an announcement which came on the heels of a gay rights march in Washington this weekend could be seen as provocative by Convention opponents.

1. Signature: The President could sign or order a subordinate official to sign the Convention. The initial domestic reaction would be overwhelmingly positive. However, prospects for ratification could be compromised by Senators who objected to lack of prior consultation. Moreover, as the Convention has not been scrutinized by Justice, State or by the domestic program agencies within the current Administration, problems could be identified which would preclude even an attempt to ratify the Convention. In particular, the new leadership at Justice has not yet had the opportunity to review the legal analysis of the prior Administration and develop its position.

2. Declaration of Intent to Sign: The President or a delegated official could announce that the U.S. government intends to sign the Convention, subject to an immediate assessment of its compatibility with existing federal and state law and the preparation of whatever declarations, reservations, clarifications or new statutes might be required for its ratification. The announcement could indicate that the assessment process would include discussions with Senate staff, children's and other rights groups, and state and local government officials.

Although this option would not have as much positive impact here and abroad as immediate signature, it would provide a measure of protection for the Administration from embarrassment should ratification prove on examination impractical.

3. Declaration of Intent to Examine: The President or a delegated official could commit the Administration to an immediate examination of the feasibility and modalities for signature of the Convention. Such a declaration would be similar to option 2 but would not commit the Administration to signature. Obviously, this approach would earn the Administration less credit with Convention advocates than the previous options, while offering greater protection against finding itself painted into a corner.

A Speech: Option 2 or 3 could be exercised within the context of a major address on children and women delivered by a major Administration figure. The draft of such a speech, to be delivered at UNICEF, is attached.

Attachments: Summary Description of Treaty
Draft speech for UNICEF

Drafted by: HA:JKBishop^{gm};bsh
4/16/93 x71180 (SEWJOHNS 118)

Cleared: L/HRR:DStewart
C:RLikins
DOJ:PColborn
IO:RMiller
PA:JSnyder
H:TROGAN *g*

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Summary of the Rights of the Child Convention

This Convention requires each State Party to respect and ensure to each child (defined as anyone under 18 years of age) within its jurisdiction a broad list of enumerated rights without discrimination of any kind, irrespective of the child's (or his or her parent's or legal guardian's) race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. States must ensure that the "best interests of the child" are a primary consideration in all actions concerning children taken by public or private social welfare institutions, courts, administrative and legislative bodies, and that each child is accorded "such protection and care as is necessary for his or her well-being." States must also take all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the Convention.

Among others, States are required to recognize the child's right to life, to a name and nationality, to preserve his or her identity, not to be separated from his/her family, to freedom of expression, thought, conscience, religion, association, peaceful assembly, privacy, health (including treatment and rehabilitation), social security (including social insurance), a standard of living adequate to the child's physical, mental, spiritual, moral and social development, education, and rest and leisure (including to engage in age-appropriate play and recreational activities).

States must use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child; they must take all appropriate measures to protect the child from physical or mental violence, injury or abuse, neglect and exploitation while in the care of parents, guardians or custodians. States must also protect children from economic exploitation, illicit use of narcotic drugs and psychotropic substances, sexual exploitation and abuse, and "all other forms of exploitation prejudicial to any aspects of the child's welfare."

The Convention sets forth specific requirements for the system of adoption, for refugee children, and for the mentally and physically disabled. It accords all children freedom from arbitrary arrest and detention, as well as basic rights of due process in the criminal context.

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- 2 -

The Convention established the Committee on the Rights of the Child (ten independent experts elected by States Party), to consider implementation reports by States Party. The Committee does not consider state-to-state complaints or individual petitions.

Likely Issues:

- Federalism. To a much greater extent than the other human rights treaties now before the Senate, this Convention addresses areas traditionally considered to be primarily or exclusively within the province of state and local governments, such as measures for child development and protection, custody and visitation, adoption and foster care, education and welfare. There could be significant opposition to "federalizing" these areas. Crafting a sufficiently broad reservation to preserve the current arrangements may prove difficult domestically as well as internationally.

- Parental Rights/Family. Some critics argue that the Convention accords insufficient attention to the central role of parents and invites governments into family matters. This concern is fueled by the perception that many of the rights specifically endorsed by the treaty (e.g., to freedom of expression, thought, conscience, religion, privacy, access to the media, etc.) would not be subject to (indeed, would be legally assertible against) parental authority.

- Private Action. Other provisions of the Convention would appear to implicate actions by individuals and private entities. The fundamental non-discrimination provision in Art. 2(1), for example, requires States to ensure the rights recognized in the Convention for "each child within their jurisdiction without discrimination of any kind." The U.S. would likely have to limit its undertaking in this regard to some form of "state action." But how, under Art. 31(1), would the federal government guarantee as a matter of federal law "the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts"?

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• Abortion. Right to Life groups will push for an understanding that the Convention protects the unborn (under Art. 6(2), "States shall ensure to the maximum extent possible the survival and development of the child"); abortion rights groups will urge the Administration to say that the Convention is abortion-neutral. The issue should be addressed, in view of an explicit preambular reference to the need to provide children "special safeguards and care, including appropriate legal protection, before as well as after birth."

• Juvenile Death Penalty. Article 37(a) specifically prohibits imposition of the death penalty for crimes committed prior to age 18. The Supreme Court recently held that the U.S. Constitution does not prohibit imposition of the death penalty in all such cases. Not reserving on this point to preserve the existing right of states to treat juveniles as adults in capital cases might prove controversial.

• "Soft" Rights. The Convention purports to guarantee such "rights" as health care, an adequate standard of living and social security, and specifically commits States Parties in Art. 4 to undertake to implement such rights through "all appropriate legislative, administrative and other measures ... to the maximum extent of their available resources." The U.S. has not traditionally regarded such items as legally enforceable "rights" but rather as services, benefits or entitlements that may be amended or rescinded solely on the basis of political or budgetary considerations. Even in this context, the Convention may be viewed as calling for substantial new benefit programs for children with significant resource implications. It is not entirely clear, for example, how the federal government could effectively guarantee the right of every child in the country "to the enjoyment of the highest attainable standard of health" (Art. 24(1)) or "to a standard of living adequate for the child's physical, mental, spiritual, moral and social well-being" (Art. 27(1)).

• Self-Executing. Since supporters of the Convention will want to use it as a litigating tool to advance children's rights under U.S. law, following our normal practice of declaring such treaties to be "non-self-executing" is likely to be controversial. In this respect, the scope of this Convention is of particular concern since many of its provisions are cast in broad, ideal and unqualified terms.

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UNICEF SPEECH

--It has been only fourteen weeks since this administration took office. It has passed in a flash - very little time. In that blink of an eye, 3.5 million children around the world have died. 35,000 every ~~week~~^{day}. Not because of any natural disaster, or even because of war. No natural or manmade catastrophe in history has ever killed at that rate. But poverty does, week after week after week.

--And yet I come today filled with the spirit of hope and with the firm conviction that this is a moment of historic opportunity. For all the suffering that we see, we can also look back on the past 50 years when mankind has made more progress in alleviating human misery than in the previous 2000 years. When real incomes in the developing world have more than doubled; when life expectancy has grown by a third; when death rates for infants ~~and~~^{and} children have been cut by more than half; and when the proportion of those who survive who start school has jumped from less than half to more than three-quarters. And all that despite the heavy burden of the Cold War.

--Now that burden has been lifted. We have a flowering of democracy. Political leaders are recognizing more and more that their primary obligation is to the wellbeing of their people; that

their job, as we believe, is to put people first. The fruits of decades of scientific research have provided us with an arsenal of affordable technologies for meeting essential human needs. Most of all, the new means of mass communication provide us with an unprecedented ability to educate and mobilize people, reaching from the most crowded urban slums to the most remote hamlets on the planet.

--For the first time, we can realistically look toward the day when those basic and essential human needs are met - for everyone. Because that opportunity is here, we have an absolute moral obligation to seize it. How can any of us forget, for example, that of those 3.5 million children whose lives have ended since Jan 21, 2 million died of three easily preventable or treatable diseases - measles, pneumonia and diarrhoea.

Domestic Initiatives

--Our first concern has been to spark economic renewal in the US. Our plans are based on the conviction that doing that requires meeting the needs of individuals, and that among our people, the most vulnerable, the ones who have been least served in the past decade, are children. We know that while 1 in 5 people in the world lives on less than \$1 per day, that in this land of wealth, 1 in 5 American child lives in poverty. And so - immunization, primary health care, education/Head Start.

International Initiatives

--Just as our economic plan is to help grow the world economy by building our own, our children's initiative will be matched by an equal determination to lead in a global effort to meet the needs of the world's children, with a special emphasis on the girl child.

-- We see this initiative as an essential, integral element of meeting our other goals: to achieve environmentally sustainably^e development; to improve the lot of women; to bolster democracy and further its spread around the world. None of these goals stands alone. Each of them - meeting basic needs, protecting the environment, advancing women's equality, and securing political and civic rights - is a vital part of the stream needed to fuel global economic growth. We know beyond doubt that poverty and environmental decline are tightly linked. And no democracy can long survive in the face of falling incomes, rising unemployment, soaring population growth and growing hunger and human need.

-- We have reason to be bold in setting our goals. The 1980s were rightly known as the "lost decade" for development. Per capita food and income fell in many parts of the world, commodity prices dropped, military spending rose, debt soared and recession took its toll everywhere. But quietly, the countries of the world, led by the World Health Organization and by UNICEF, achieved one of mankind's great successes, meeting the goal of immunizing 80

percent of the children in the developing world by 1990. In just a few years, the combined efforts of everyone from national leaders, to teachers, clergy, film and sports stars, politicians, business leaders and thousands upon thousands of citizens in groups of all kinds, have created a system that now reaches into the most remote villages on earth. Creativity, local organization and low costs have marked the effort. In Nepal, the mailman also gives the life saving immunizations. In Bangladesh, one of the poorest and most crowded countries in Asia, the immunization rate leapt from 2% in 1985 to 62% in 1990. Today children in Calcutta, Lagos and Mexico City have far higher levels of immunization at ages one and two than do children here in New York or in the U.S. as a whole.

--We should take a moment to celebrate this astounding success. We are all too aware of the shortcomings of our international institutions; of the times when it seems impossible to bring the 180 (check) nations of the UN together in concerted action to meet the problems that crowd in on us. We know all too much of the empty plans and promises that pile upon each other in international agreements. But only a few years ago this goal too was just a piece of paper, and today - thanks in large part to the work of this great organization - it is saving the lives of 10,000 children a day, more than 3 million every year. That indeed is something to applaud.

--Immunization should be just the beginning. We have knowledge, we have new, lower cost technologies, we have the means

to reach and educate everyone, and we have growing political will. We know that the symptoms of poverty are also its causes: that no one can work when they are ill or blind from a preventable cause, or debilitated by constant infection from contaminated water; that children can not succeed when they do not have adequate nutrition for their bodies and brains to grow or the time in school to become literate; that families crushed by illness can not save and invest; that women weakened by children born too early, too late or too close together can not make their full contribution.

--Experience in the field has brought costs down. Providing clean water in Africa costs half of what it cost in the mid-'80s--\$20/yr. Basic education can be provided at about the same cost. Projects in India and Africa have halved the rate of child malnutrition for less than \$10 per child per year. We know what Oral Rehydration Therapy, breastfeeding, Vitamin A and iodization of salt can do. All at low cost. We are learning, as Jim Grant, UNICEF's president says, "how to outsmart poverty at the outset of each new life."

-- What we don't yet have enough of is national leadership. As first steps, in our new effort, President Clinton has directed an early and quick review of the reasons why the previous administration did not sign the Convention on the Rights of the Child. If we can sign it consistent with US law, we will do so, quickly and submit it promptly for ratification by the Senate.

--The President has also directed that as a part of our redesign of the US bilateral assistance program and the Agency for International Development, that agencies report to him on whether the U.S. can meet the goal set by the United Nations Development Program in 1990 . That goal, as you know, is that 20 percent of aid should directly support primary health care, nutrition, basic education, family planning, and safe water and sanitation. The President has asked Congress for greater resources for both family planning and environment, both of which contribute directly to these goals, so that the proportion of US lending for basic needs will already rise above our current level of 8.5 percent.

-- We will now examine how much higher we can go, and how much we can contribute toward meeting the specific goals set by the 1990 World Summit for Children - to reduce infant and child mortality by another third, to cut maternal mortality by half, to halve severe child malnutrition, to provide universal access to safe water and sanitation, to halve adult illiteracy, especially among women and to ensure universal access to primary education for all children, especially girls.

--Achieving these great ends will demand the efforts not just of governments, but of the press, the business world and individuals. The world media is vital, in making everyone aware of the human suffering around us, of the tragic, avoidable deaths, and of the reasons for bounding hope. Papers like the Chicago Tribune (check), which is now reporting every childhood death by

violence in Chicago on its front page, can make a huge difference. They are a vital part of our educational system.

--Meeting these goals is an endeavor in which there are no divisions among countries - developing countries, developed countries, North and South. If we can galvanize the national effort, there need be no barriers to international cooperation here, and our successes in this effort can stand as a beacon for cooperation in other more contentious areas.

Conclusion

--There are only 350 weeks from today until the turn of the century. I can think of no better way to mark the millenium than for the world to be able to see that the goal of meeting the essential human needs of every child, woman and man - adequate food, clean water, sanitation, primary health care, family planning, and basic education - is within arms reach. 350 weeks, less than 2500 days. We have our work cut out for us. Let us promise that in pursuit of this great goal that we will not waste a single one of them.