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COMMISSION ON HUMAN RIGHTS
Forty-third session
Pre-sessional open-ended Working Group
on the Question of a Convention on the
Rights of the Child

26-30 January 1987

Proposal submitted by the United States of America

Article 18 (draft) (revised)

1. States Parties to the present Convention recognize the rights of the child to freedom of expression, freedom of association and freedom of peaceful assembly.
2. States parties recognize the right of the child not to be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence.
3. The exercise of the rights to freedom of expression, association and peaceful assembly shall be subject only to those restrictions which are provided by law and which are necessary in a democratic society in the interests of national security, public order ["ordre public"], the protection of public health and morals or the protection of the rights and freedoms of others.
4. In no case shall a child be subjected to incarceration or other confinement for the legitimate exercise of these rights or other rights recognized in this Convention.
5. This article shall not be interpreted as affecting the lawful rights and duties of parents or legal guardians, which should be exercised in a manner consistent with the evolving capacities of the child.