

Sos political science & Public
administration

M.A Political science IV Sem
Human Rights (402)

UNIT-III

Topic Name-Rights of the Child

What do you mean by child rights?

- ▶ **Children's rights** include the **right** to health, education, family life, play and recreation, an adequate standard of living and to be protected from abuse and harm. **Children's rights** cover their developmental and age-appropriate needs that change over time as a **child** grows up.

A history of children's rights

- ▶ After World War I, the League of Nations (which would later become the UN) drafted the Universal Declaration of Human Rights which included the rights to life, food, shelter, education, freedom of speech and religion, justice and peace.
- ▶ Recognising that children were especially vulnerable, the UN agreed to adopt the Declaration of Geneva on Children's Rights. This declaration was short with only five statements, but it outlined a list of responsibilities towards children who were considered vulnerable.
- ▶ After the Second World War, the United Nations General Assembly accepted the Declaration of the Rights of the Child. This declaration paved the way for the adoption of the Convention on the Rights of the Child in 1989, which became the first legally binding international text to protect children's rights.

A history of children's rights

- ▶ The Convention on the Rights of the Child is the most widely ratified human rights treaty in history. It sets out the rights of children in 54 articles and is guided by four beliefs:
- ▶ Children should not suffer discrimination (Article 2).
- ▶ In all decisions affecting children, their best interests should be the main concern (Article 3).
- ▶ Children have the right to survive and develop healthily (Article 6).
- ▶ Children have the right to have their views taken into account in matters that affect them (Article 12).

What is the importance of child rights?

- ▶ **Child Rights Importance. Child Rights** are fundamental freedoms and the inherent **rights** of all human beings below the age of 18. These **rights** apply to every **child**, irrespective of the **child's** parent's / legal guardian's race, color, sex, creed or other status. The essential message is equality of opportunity.

What you need to know about child rights

- ▶ Around the world, child rights are a topic of concern in every country. Every child, regardless of age, race, gender, wealth, or birthplace, deserves not just to live, but to thrive. Yet millions of children's basic rights are denied and their childhoods are stolen from them by abuse, exploitation, or slavery.
- ▶ Many violations children face are a consequence of exploitative practices and education gaps in both developed and developing communities. But poverty, exploitation, and violence are not inevitable. With enlightened support from governments, civil society, and religious groups, vulnerable children can flourish and

Fast facts: Child rights violations

- ▶ About 1 billion children ages 2 to 17 are estimated to have experienced physical, sexual, or emotional violence or neglect during 2015.
- ▶ 152 million children are engaged in child labor; 73 million work under hazardous conditions.
- ▶ 41 percent of girls in least-developed countries are married before age 18. Of the 47 least-developed countries, 33 are in Africa.
- ▶ A World Bank study indicates that as many as three in 10 children with disabilities have never been in school.
- ▶ 200 million women and girls have experienced female genital mutilation.
- ▶ Children with disabilities are almost four times more likely to experience physical or sexual violence.
- ▶ About 126 million girls are “missing” around the world due to a preference for sons and prenatal sex selection.
- ▶ About one billion children ages 2 to 17 are estimated to have experienced physical, sexual, or emotional violence or neglect during 2015.

What are child rights?

- ▶ Child rights are human rights that also recognize the special needs for care and protection of minors — generally defined as anyone younger than 18.
- ▶ International agreements on child rights say that all children should grow up in the spirit of peace, dignity, tolerance, freedom, equality, and solidarity. In an ideal world, these tenets would direct each country's systems of education, health,

Is progress being made in protecting children's rights?

- ▶ Yes, improvements in child mortality, healthcare, and school attendance are some of the signs that children's rights concerns are receiving greater recognition. These are aspects of human development that give children a brighter future.
- ▶ Globally, progress is also being made against some of the worst violations of children's rights. For example, in the past decade, 25 million child marriages have been prevented, according to UNICEF, the U.N. children's agency.
- ▶ The U.N. reported in June 2019 that 13,600 child soldiers were released and participated in reintegration programs in 2018, up from 12,000 children the year before. Still, nearly 240 million children are living in countries affected by conflict, and many are at risk of being recruited as child soldiers. Sadly, 12,000 children were killed or maimed in conflict in 2018.
- ▶ Child labor and female genital mutilation are also declining, but progress against the practices vary greatly in different countries.

Understanding children's rights

- ▶ Every child has the right to:
- ▶ A name and a nationality from birth.
- ▶ Family care or parental care, or to appropriate alternative care when removed from the family environment.
- ▶ Basic nutrition, shelter, basic health care services and social services.
- ▶ Be protected from maltreatment, neglect, abuse or degradation.
- ▶ Be protected from exploitative labour practices.
- ▶ Not be required or permitted to perform work or provide services that are inappropriate for a person of that child's age or risk the child's well-being, education, physical or mental health or spiritual, moral or social development.

Understanding children's rights

- ▶ Not be detained except as a measure of last resort, in which case, in addition to the rights a child enjoys under sections 12 and 35, the child may be detained only for the shortest appropriate period of time, and has the right to be kept separately from detained persons over the age of 18 years.
- ▶ Be treated in a manner, and kept in conditions, that take account of the child's age and have a legal practitioner assigned to the child by the state, and at state expense, in civil proceedings affecting the child, if substantial injustice would otherwise result.
- ▶ Not be used directly in armed conflict, and to be protected

Constitutional Guarantees that are meant specifically for children include:

- ▶ Right to free and compulsory elementary education for all children in the 6-14 year age group (Article 21 A)
- ▶ Right to be protected from any hazardous employment till the age of 14 years (Article 24)
- ▶ Right to be protected from being abused and forced by economic necessity to enter occupations unsuited to their age or strength (Article 39(e))
- ▶ Right to equal opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and guaranteed protection of childhood and youth against exploitation and against moral and material abandonment (Article 39 (f))
- ▶ Right to early childhood care and education to all children until they complete the age of six years (Article 45)

Besides, Children also have rights as equal citizens of India, just as any other adult male or female

- ▶ Right to equality (Article 14)
- ▶ Right against discrimination (Article 15)
- ▶ Right to personal liberty and due process of law (Article 21)
- ▶ Right to being protected from being trafficked and forced into bonded labour (Article 23)
- ▶ Right of minorities for protection of their interests (Article 29)
- ▶ Right of weaker sections of the people to be protected from social injustice and all forms of exploitation (Article 46)
- ▶ Right to nutrition and standard of living and improved public health (Article 47)

With rights come responsibilities

- ▶ The right to family care, love and protection and the responsibility to show love, respect and caring to others especially the elderly.
- ▶ The right to a clean environment and the responsibility to take care of their environment by cleaning the space they live in.
- ▶ A right to food and the responsibility not to be wasteful.
- ▶ A right to good quality education and the responsibility to learn and respect their teachers and peers.
- ▶ A right to quality medical care and the responsibility to take care of themselves and protect themselves from irresponsible exposure to diseases such as HIV/Aids.
- ▶ A right to protection from exploitation and neglect and the responsibility to report abuse and exploitation.

Classification

- ▶ **Provision:** Children have the right to an adequate standard of living, health care, education and services, and to play and recreation. These include a balanced diet, a warm bed to sleep in, and access to schooling.
- ▶ **Protection:** Children have the right to protection from abuse, neglect, exploitation and discrimination. This includes the right to safe places for children to play; constructive child rearing behavior, and acknowledgment of the evolving capacities of children.
- ▶ **Participation:** Children have the right to participate in communities and have programs and services for themselves. This includes children's involvement in libraries and community programs, youth voice activities, and involving children as decision-makers

Justifications

- ▶ [There] is a mass of human rights law, both treaty and 'soft law', both general and child-specific, which recognises the distinct status and particular requirements of children. [Children], owing to their particular vulnerability and their significance as the future generation, are entitled to special treatment generally, and, in situations of danger, to priority in the receipt of assistance and protection.

World Children's Day

- ▶ In 2019, the world marked the 30th anniversary of the Convention on the Rights of the Child on World Children's Day, 20 November. World Children's Day is an opportunity to raise awareness on child rights, inspire a recommitment from governments and communities to realise those rights, promote accountability and spur people to act.
- ▶ In alignment with the UN Sustainable Development Goals, full realisation of the CRC would result in a world where no-one – no child left behind. World Vision works in more than 90 countries to improve child wellbeing and is committed to the objectives of the CRC.

THANK YOU

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