

Every Right for Every Child



Child Rights - An Overview

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Do you know that...

- Children also have rights
- Children are citizens of a nation right from their birth
- The Constitution of India covered child rights in 1950
- The United Nations (UN) announced the Convention on the Rights of the Child (CRC) in 1989
- India ratified the United Nations Convention on the Rights of the Child (UN – CRC) in 1992
- UN-CRC is the most widely ratified Human Rights Convention in history
- According to UN-CRC, a child means every human being below the age of 18 years

Why should Children have Rights?

Can you imagine a world without children? Children bring life, joy and purity to the world.



Children should have rights because...

- Children are human beings and require safety and opportunities for development.
- Personality formation takes place faster during early childhood. Therefore child friendly services and nurturance are of utmost importance.
- Children are young in age, small in size and low in energy as compared to adults. Therefore, they need much more care and help, than grown ups do.
- Being young in age, they cannot participate in politics or judicial system despite contributing to the society's progress.
- During early years, they are dependent on adults and therefore need extra protection and appropriate guidance.

Children should have rights because...

What are Child Rights?

Difference between Needs and Rights

- Rights emerge from needs and desires. One can make a long list of what a child needs or desires. However, the most **basic needs** of children are referred to as **rights**. Without fulfilment of the basic needs, a child's normal development cannot take place. Rights are **fair** and **just** for a person to have.
- Rights and responsibilities go together. Needs are not linked to responsibilities.
- Rights have a framework of rules and laws, which make it possible for a person to seek legal action if her/his rights are violated. In case of needs, one cannot seek legal action nor can one demand fulfilment of one's needs because nobody can be legally held responsible to meet the other persons' needs.

The most **basic needs** of children are referred to as **rights**.

Constitution of India and Child Rights

The Constitution of India, which became operational in 1950 refer to certain child rights. For example, its Articles 24, 39 and 45 mention about protection of children from being employed in hazardous employment, protection against moral and material abandonment, and provision of free and compulsory education for all children up to 14 years of age.



Child Rights as Visualised by the United Nations

UN-CRC deals with all the aspects of a child and that too in different circumstances. For specific rights, the following thematic clustering is used:

The Right to Survival



Components: right to life, the highest attainable standard of health, nutrition and adequate standard of living, the right to a name and nationality.

The Right to Development

Components: the right to education (formal and non-formal), support for early childhood care and development and the right to leisure, recreation and cultural activities.

The Right to Protection



Components: freedom from all forms of exploitation, abuse, inhuman or degrading treatment and neglect, including the right to special protection in situations of emergency and armed conflict.

The Right to Participation

Components: respect for the views of the child, freedom of expression, access to appropriate information and freedom of thought, conscience and religion.

Pinciples of UN-CRC

Whenever one faces a dilemma while deciding any issue pertaining to a child, one should refer to the principles underlying UN-CRC outlined below:

a. Non-discrimination

Every country that ratifies UN-CRC has to make sure that all the rights in this Convention apply to every single child in that country.

b. Best Interests of the Child

UN-CRC requires the legislature, the executive, the major agencies of government, courts of law and private social welfare institutions within a country to make the “best interests of the child” a primary consideration in their action and decisions.

c. The Rights to Life, Survival and Development

UN-CRC envisages that the state should provide adequate services to children both before and after birth and through the period of growth to ensure their full physical, mental and social development.

d. Respect for the Views of the Child

UN-CRC as well as the Constitution of India lay emphasis to the freedom of expression. In the family situation as well as in judicial system, a child's views should be taken into consideration.

Role of Various Stakeholders in

Promoting Child Rights

As the Government



- Amend existing laws and enact new laws to have a uniform Definition of CHILD (in the context of age).
- Create infrastructure and train the required human resources to implement the National Plan of Action for Children (NPAC) -2005 of the Government of India.
- To make adequate budgetary provisions to fulfil its commitment to children.
- To disseminate information about child rights to all the stakeholders by using the Government machinery.

As the Civil Society



- Make the Government accountable to fulfill Constitutional directives and NPAC-2005.
- Advocate for satisfactory implementation of child rights.
- Support the government to implement the National and State schemes for children.
- Monitor implementation of the National and State Plans of Action for Children.
- Demand adequate budget provision to implement schemes related to children.
- Ensure that children's issues are included in election manifestoes.
- Motivate people to improve the status of children by undertaking various activities in any area of their choice i.e. child labour, child health, child education and so on.



As Parents

- Respect children as human beings.
- Understand children's development pattern
- Be open to learn from children.
- Give them space and freedom of expression.
- Treat them as partners.



As Academic Institutions



Apart from parents, teachers spend more time with children and hence have a significant role to play in promoting child rights. Academicians are also expected to provide leadership to students in research and other curricular and co-curricular activities. They can play a significant role by

- Enabling the teachers and teacher educators at all the levels to have conceptual clarity about child rights so that they can further the cause of children.
- Integrate child rights in the curricula of schools and colleges.
- Plan and organise activities in schools and colleges to create awareness and promote child rights.
- Join hands with Government Organisations (GOs) and NGOs to design conceptually sound and realistic programmes.
- Undertake research to collect evidence and suggest amendments to policies.



As NGOs¹, CBOs², VOs³



- Sensitise key stakeholders i.e. parents, teachers, community leaders, medical practitioners, law enforcement officers, judiciary and children about child rights.
- Enhance capacity of selected stakeholders including the representatives of the government and non-government organisations about issues concerning child rights.
- Support the Government to implement the schemes related to children.
- Provide essential linkages between policies and programmes.
- Organise activities related to child rights at grass root level.
- Form and activate the networks to advocate for amendment of laws or for taking necessary action on a particular issue.
- To work as pressure groups to monitor the implementation of policies, programmes and schemes to actualise child rights.





As Media

Media can create mass awareness about significant issues pertaining to child rights such as compulsory registration of birth, providing health care, reducing malnutrition and exploitation and abuse of children through

- Publishing articles, special features, interviews, case studies in print media.
- Airing radio jingles, songs, series of programmes on issues related to children.
- Telecasting spots, special features, serials to project child rights.
- Producing films, documentaries, feature films on children's issues.
- Curbing misuse of children in advertisements on TV and films.
- Creating public opinion to prevent violence against children and value the girl child.

As Law Enforcement Officers and Judiciary



- Sensitise police personnel at different levels, personnel of Juvenile Homes and lawyers about child rights.
- Orient the above-mentioned personnel to treat children with respect and compassion.
- Probe the reasons for children's misdeeds rather than apply punitive measures.
- Try to be friends of children rather than inhibit them with adults' muscle power or knowledge.

As Medical and Para-medical professionals



- To be familiar with the PC &PNDT Act (Preconception and Prenatal Diagnostic Test Act) 2003 and the MTP Act (Medical Termination of Pregnancy Act), 1971 and spread awareness about the same to the communities.
- To contribute to the strict implementation of the PC & PNDT Act and the MTP Act.
- To spread awareness in the community about the pre-natal and post-natal care of the mother and the newborn child.
- To assist the Government machinery in maintaining Birth and Death Records.

As Corporate Sector



- Orient the employees on child rights from time to time.
- Adopt child friendly approach while planning their products and designing the advertisements.
- Provide crèches for employees' young children.
- Introduce progressive trends such as paternity leave.



Some Milestones Leading towards Child Rights

1950

Constitution of India covered provision for children's well being.

1974

National Policy for Children formulated by Government of India.

1992

India ratified UN-CRC, which was announced by the UN in 1989.

2001

India's first periodic report on UN-CRC submitted to the UN Committee on Child Rights.

2003

National Charter for Children announced.

2005

National Plan of Action for Children (NPAC) was launched by the Government of India.

2005

The State Plan of Action for Children (SPAC) was revised from the year 2005 to 2010 by the Government of Gujarat.

2006

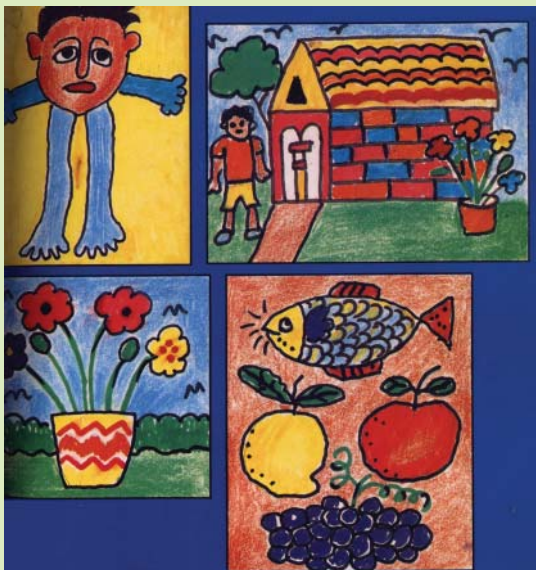
A National Commission to Protect Child Rights Bill was passed by the Parliament.

(Footnotes)

¹ Non Government Organisation

² Community based Organisations

³ Voluntary Organisations



Milestones of Child Rights

About CHETNA

CHETNA¹, meaning “awareness” in several Indian languages and an acronym for Centre for Health Education, Training and Nutrition Awareness is a non-government support organisation based in Ahmedabad, Gujarat. CHETNA’s mission is to contribute to the empowerment of disadvantaged children, adolescents and women to gain control over their own, their families’ and communities’ health. Beginning its activities in 1980, CHETNA has broadened its activities in the field of nutrition, health, education and development from a “Rights” perspective.

CHETNA builds the management capacities of education/health practitioners/supervisors/managers with a view to enable them to implement their field programmes from a holistic and gender perspective and advocate for people centered policies.

CHETNA develops need-based training and education materials, which are widely disseminated at the state, national and international levels.

An Information and Documentation Centre (IDC) addresses the information needs of individuals, organisations, academicians, reserachers and students working on health, education and development concerns.

CHETNA has been identified as a Regional Resource Centre (RRC) for Gujarat State and the Union Territories of Daman, Diu and Dadra Nagar Haveli to provide technical assistance to NGOs to improve RCH, facilitate GO-NGO partnership, document and disseminate successful approaches and provide inputs to GOI to ensure effective implementation of policies.



For Children Young People Women

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