



UNIT - I

CONCEPT OF CHILD RIGHTS



UNIT 1: CONCEPT OF CHILD RIGHTS



Concept and definition of child and child rights - Definition of a child under various laws in India: History of child rights in Tamil Nadu and India, Non-Governmental Organizations (NGO) working for child rights in Tamil Nadu and India - Historic treatment of children - Understanding child rights from the perspective of affected people - Importance and need to the rights of children - United Nations Convention on the Rights of the Child (UNCRC) - The Millennium Development Goals (MDGs) and the Sustainable Development Goals (SDGs) - Children's rights sustainable development goals.

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Concept and Definition of Child



Children were once seen primarily as property of their parents, not as a separate group.

General Definition:

A child is a young human being who has not reached adulthood.

The age threshold varies by legal, cultural, and social contexts.

UNCRC Definition:

The United Nations Convention on the Rights of the Child (UNCRC) defines a child as:

- Any individual below the age of 18,
- Unless majority is attained earlier under national law.

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Characteristics of Children's Vulnerability



Physical Vulnerability: Children are still growing, so they get sick or hurt more easily.

Cognitive Vulnerability: They may not fully understand risks or how to protect themselves.

Emotional Vulnerability: They may struggle to handle stress, fear, or trauma.

Dependency on Adults: Children need adults for care and safety.

Lack of Power: They often cannot speak up or make decisions for themselves.

Legal Protection: Special laws exist to protect children from harm and ensure their rights.

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Rights of Children's



What Are Child Rights?

- Child rights recognize that every child has the right to survive, grow, be protected, and participate in society.
- These rights are based on **equality, non-discrimination, and the best interests of the child.**
- The UN Convention on the Rights of the Child (UNCRC) is the main international agreement that outlines these rights.
- Child rights guide laws, policies, and actions to ensure children live in a safe, nurturing environment.
- Everyone — governments, communities, and families — shares the responsibility to protect and respect these rights.

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Perceptions and Myths About Children



Innocent: Children are often seen as pure, but they have a full range of emotions and behaviors.

Fragile: While they need care, children are also resilient and adaptable.

Blank Slates: Not entirely shaped by environment — they have their own traits too.

Naturally Obedient: Questioning and testing boundaries is a normal part of growth.

All the Same: Each child is unique with different strengths, interests, and personalities.

Manipulative: What may seem like manipulation is often just a way to express needs.

Only Parents' Responsibility: Children need support from family, schools, and society.

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The Concept of Rights



The idea of "Rights" has existed throughout history as a response to oppression and inequality.

Protests against injustice — whether religious, caste-based, or personal — have strengthened the call for human rights.

In early societies, small groups lived peacefully, but with the rise of family, property, and wealth, power-based oppression began.

As **feudal societies** developed, the gap between the ruler and the ruled widened.

Common people lost their rights, and many were treated as **slaves**, including the rise of women's oppression.

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The importance of rights



Protects Dignity: Ensures all people live in dignity and security, free from inhuman treatment.

Monitors Power: Helps check the actions of governments, corporations, and institutions.

Global Standards: International human rights hold governments accountable and support the oppressed.

Customary & Inclusive: Uphold fairness and equality, even if not always legally recognized.

Promotes Democracy: Encourages transparency, accountability, and democratic values.

Empowers the Marginalized: Supports the voices of the oppressed – including women, children, workers, Dalits, and indigenous communities – in fighting exploitation and corruption.

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Human Rights Declaration



The Universal Declaration on Human Rights in 1948 spelt out clearly that freedom, social justice and Peace can be ensured only when human **dignity**, **equality** and **basic human rights** are ensured.

Definitions of Human Rights

Harriet Laski:

Defined rights as those conditions of social life without which no man can seek to be himself at his best.

Aristotle:

Recognized the right to life, bodily integrity, and the means necessary for proper development, including food, clothing, shelter, and medical care

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Basic Principle of Human Rights



- ❖ Comes with our birth as a human being.
- ❖ Principle of non-discrimination
- ❖ Principle of equality
- ❖ No one can take them away from us
- ❖ Common to all
- ❖ Comes with a responsibility and it is limited.
- ❖ Obligated to ensure the rights of the others.

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Importance and the need to ensure the rights of children



1. Children are individuals.
2. Children start life as totally dependent beings.
3. The actions, or inactions, of government impact children more strongly than any other group in society.
4. Children's views should be heard and considered in the political process.
5. Many changes in society are having a disproportionate, and often negative, impact on children.
6. The healthy development of children is crucial to the future well-being of any society.
7. The costs to society of failing its children are huge.

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United Nations Convention on the Rights of the Child (UNCRC)



- ❖ Concern for children's rights grew with global focus on human rights in the 20th century.
- ❖ The Declaration of Geneva (1924) by the Save the Children Fund introduced the first child welfare principles.
- ❖ Endorsed by the League of Nations in 1924 and later revised by the UN in 1948 & 1959.
- ❖ The 1959 UN Declaration on the Rights of the Child was not legally binding – it was a “soft law.”
- ❖ To make child rights legally enforceable, the UN Convention on the Rights of the Child (UNCRC) was adopted on 20th November 1989.
- ❖ The UNCRC became a binding international treaty, setting legal standards for protecting children’s rights.

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United Nations Convention on the Rights of the Child (UNCRC)



Four core principles

The UNCRC is based on four core principles that guide the implementation of children's rights:

1. Non-Discrimination:

Every child has equal rights, no matter their race, gender, religion, ability, or background.

2. Best Interests of the Child:

Decisions affecting children must prioritize what is best for them.

3. Right to Life, Survival, and Development:

Children have the right to live and grow with dignity and proper care.

4. Respect for the Views of the Child:

Children have the right to express their views and be heard in matters affecting them.

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United Nations Convention on the Rights of the Child (UNCRC)

What is the UNCRC?

The UN Convention on the Rights of the Child (UNCRC) is an important, legally binding agreement signed by 196 countries (as of 12 July 2022) which outlines the fundamental rights of every child, regardless of their race, religion or abilities.

The following rights are of equal importance to every child. Every child has the right to:

- ❖ Relax and play (Article 31)
- ❖ Freedom of expression (Article 13)
- ❖ Be safe from violence (Article 19)
- ❖ An education (Article 28)
- ❖ Protection of identity (Article 8)
- ❖ Sufficient standard of living (Article 27)
- ❖ Know their rights (Article 42)
- ❖ Health and health services (Article 24)

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United Nations Convention on the Rights of the Child (UNCRC)



UNCRC at a Glance

Preamble

It states the main sources and principles for agreements to follow in the convention.

Part I

It contains 41 articles (Article 1 to Article 41) to define responsibilities of the state parties towards the rights of the child. The implied rights of the child are as follows:

1. Definition of a child

All people under the age of 18, unless by law, majority is attained at an earlier age.

2. Non-discrimination

All rights apply to all children without exception, and the State is obliged to protect children from any form of discrimination.

3. Best interests of the child

All actions concerning the child should take full account of his or her best interests.

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United Nations Convention on the Rights of the Child (UNCRC)



UNCRC at a Glance continuous.....,

4. Implementation of rights

The state is obliged to translate the rights in UNCRC into reality.

5. Parental guidance and the child's evolving capacities

The State has a duty to respect the rights and responsibilities of parents or the extended family to provide appropriate direction and guidance to children in the exercise of their rights.

6. Survival and development

The child has an inherent right to life, and the state must ensure the maximum survival and development of the child.

7. Name and nationality

Every child has the right to have a name from birth and to be granted a nationality.

8. Preservation of identity

The State is obliged to protect and, if necessary, re-establish the basics of a child's identity (name, nationality and family ties).

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United Nations Convention on the Rights of the Child (UNCRC)



UNCRC at a Glance continuous.....,

9. Separation from parents

Children have the right to live with their parents unless this is incompatible with their best interests;

10. Family re-unification

Children and their parents have the right to leave any country and to enter their own in order to be reunited or to maintain the child/ parent relationship.

11. Illicit transfer and non-return

The State is obliged to try to prevent and remedy the kidnapping or retention of children in another country by a parent or third party.

12. The child's opinion

The child has the right to express an opinion and to have that opinion taken into account in any matter or procedure affecting the child.

13. Freedom of expression

Children have the right to obtain and make known information and to express their views, unless this would violate the rights of others.

14. Freedom of thought, conscience, and religion

The child has the right to freedom of thought, conscience, and religion, subject to appropriate parental guidance and national law.

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UNCRC at a Glance continuous.....,

15. Freedom of association

The child has the right to meet with others and to join or set up associations, unless doing so violates the rights of others.

16. Protection of privacy

Children have the right to protection from interference with their privacy, family, home and correspondence and from libel/ slander.

17. Access to appropriate information

The media has a duty to disseminate information to children that is of social, moral, educational and cultural benefit to them, and which respects their cultural background.

18. Parental responsibilities

Both parents jointly have primary responsibility for bringing up their children and the State should support them in the task.

19. Protection from abuse and neglect

The State is obliged to protect children from all forms of physical or mental violence perpetrated by parents or others responsible for their care, and to undertake preventative and treatment programmes in this regard.

20. Protection of children without families

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UNCRC at a Glance continuous.....,

21. Adoption

In countries where adoption is recognized and/ or allowed, it shall only be carried out in the best interests of the child, with all necessary safeguards for a given child and authorization by the competent authorities.

22. Refugee children

Special protection is to be granted to children who are refugees or seeking refugee status and the State is obliged to cooperate with competent organizations providing such protection and assistance.

23. Disabled children

Disabled children have the right to special care, education and training, designed to help them

24. Health and health services

The child has the right to the highest level of health and access to health and medical services,

25. Periodic review of placement

A child placed by the State for reasons of care, protection or treatment, has the right to have all aspects of that placement evaluated regularly.

26. Social security

Children have the right to benefit from social security.

27. Standard of living

Children have the right to benefit from an adequate standard of living.

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UNCRC at a Glance continuous.....,

28. Education

The child has the right to education and the State has a duty to ensure that primary education, at least, is made free and compulsory.

29. Aims of education

The State must recognize that education should be directed at developing the child's personality and talents, preparing the child for active life as an adult, fostering respect for basic human rights.

30. Children of minorities or indigenous people

Children of minority communities and indigenous people have the right to enjoy their own culture and to practice their own religion and language.

31. Leisure, recreation, and cultural activities

Children have the right to leisure, play and participation in cultural and artistic activities.

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UNCRC at a Glance continuous.....,

32. Child labour

The State is obliged to protect children from engaging in work that constitutes a threat to their health, education or development, to set minimum age for employment, and to regulate conditions of employment.

33. Drug abuse

The child has the right to protection from the use of narcotic and psychotropic drugs and from being involved in their production or distribution.

34. Sexual exploitation

The child has the right to protection from sexual exploitation and abuse, including prostitution and involvement in pornography.

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United Nations Convention on the Rights of the Child (UNCRC)

UNCRC at a Glance continuous.....,

35. Sale, trafficking and abduction

The State is obliged to make every effort to prevent the sale, trafficking and abduction of children.

36. Other forms of exploitation

The child has the right to protection from all other forms of exploitation not covered in Articles 32, 33, 34 and 35.

37. Torture and deprivation of liberty

The prohibition of torture, cruel treatment or punishment, capital punishment and life imprisonment.

38. Armed conflicts

States are obliged to respect and ensure respect for humanitarian law as it applies to children.

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United Nations Convention on the Rights of the Child (UNCRC)



UNCRC at a Glance continuous.....,

39. Rehabilitative care

The State is obliged to ensure that children damaged by armed conflict, torture, neglect, maltreatment or exploitation receive appropriate treatment for their recovery and social reintegration.

40. Administration of juvenile justice

Children alleged or recognized as having committed an offence have the right to respect for their human rights and, in particular, to benefit from all aspects of the due process of law, including legal or other assistance.

41. Respect for existing standards

If any standards set by international law or other applicable international instruments are higher than those of this Convention, it is the higher standard that applies.

Part II

It contains 9 articles (Article 46 to Article 54) to define the procedures and instruments for state parties to have ratifications on the Convention.

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History of Child Rights in Tamil Nadu and India



Here's an overview of the history of child rights in Tamil Nadu and India:

- **Mahatma Gandhi**
 - ❖ Believed in love, freedom, and care for children
 - ❖ Opposed child labour and child marriage
 - ❖ Promoted education and child welfare
- **Dr. Muthulakshmi Reddy**
 - ❖ First female legislator in India
 - ❖ Fought against child marriage and the devadasi system
 - ❖ Worked to improve children's health and education
- **Periyar E.V. Ramasamy**
 - ▶ Advocate for social justice and equality
 - ▶ Opposed caste discrimination and child marriage
 - ▶ Supported equal education for all children



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History of Child Rights in Tamil Nadu and India

Here's an overview of the history of child rights in Tamil Nadu and India:

- **Dr. B.R. Ambedkar**
 - ❖ Ensured Right to Education in the Constitution
 - ❖ Championed rights of girl children through legal provisions
- **Ishwar Chandra Vidyasagar**
 - ❖ 19th-century social reformer and educator
 - ❖ Opposed child marriage

Key figure behind the Widow Remarriage Act (1856)

- □ Poet, **Bharathiyar (Subramanya Bharathi)**
 - ❖ Poet writer, and freedom fighter
 - ❖ Promoted education, freedom, and gender equality
 - ❖ Spoke out against child marriage and social injustice

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History of Child Rights in Tamil Nadu and India



Independence and Constitution:

After gaining independence in 1947, India recognized the need to protect the rights of children.

The Constitution of India, adopted in 1950, included provisions for the protection and welfare of children.

- i. Article 15(3) allowed the state to make special provisions for children.
- ii. Article 24 prohibited the employment of children in hazardous industries.

Formation of Policies and Institutions:

In the 1970s and 1980s, several policies and programs were implemented to address child rights issues.

- i. The National Policy for Children was formulated in 1974, focusing on children's rights, health, education, and welfare.
- ii. The Integrated Child Development Services (ICDS) was launched in 1975 to address the nutritional, health, and developmental needs of young children.
- iii. The Tamil Nadu Integrated Nutrition Project (TINP) was implemented in the late 1980s to address child malnutrition and improve maternal and child health.

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History of Child Rights in Tamil Nadu and India



Legislation and Legal Reforms:

The legal framework for child rights in India was strengthened through the enactment of various laws.

- i. The Juvenile Justice Act was first passed in 1986 to provide for the care, protection, and rehabilitation of neglected and delinquent children.
- ii. The Child Labour (Prohibition and Regulation) Act was enacted in 1986 to prohibit the employment of children in certain hazardous occupations.
- iii. The Right to Education Act (RTE) was passed in 2009, making education a fundamental right for children aged 6 to 14.

Focus on Education and Health:

Efforts have been made to improve access to quality education and healthcare for children in Tamil Nadu and India.

- i. Programs like Samagra Shiksha (formerly Sarva Shiksha Abhiyan (SSA)) and Rashtriya Madhyamik Shiksha Abhiyan (RMSA) aim to provide free and compulsory education to all children.
- ii. The National Health Mission (NHM) and the Reproductive, Maternal, New-born, Child and Adolescent Health (RMNCH+A) strategy focus on improving maternal and child health.

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History of Child Rights in Tamil Nadu and India



Child Protection and Welfare:

The government and civil society organizations have been working to address child protection issues and promote the overall welfare of children.

- i. Child Welfare Committees (CWCs), Juvenile justice boards (JJBs) and State Commissions for Protection of Child Rights (SCPCRs) were established to ensure the implementation of child protection laws.
- ii. Various schemes and programs, such as the Integrated Child Protection Scheme (ICPS), aim to prevent and respond to child abuse, exploitation, and trafficking.

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Non-Governmental Organizations working for Child Rights in Tamilnadu and India



Here are some prominent examples:

1. Tamil Nadu Child Rights Watch (TNCRW): TNCRW is a network of individuals and organizations working towards the promotion and protection of child rights in Tamil Nadu.

2. Campaign Against Child Labour (CACL):

They work towards ensuring that children are protected from exploitative labour practices and have access to education and a safe environment.

3. Right to Education (RTE) Forum Tamil Nadu:

The RTE Forum Tamil Nadu is a network of organizations and individuals advocating for the effective implementation of the Right to Education Act in the state.

4. Children Movement for Climate Justice –CMCJ

- **Who They Are:** Children (ages 12–18) from marginalized farming families across 7 Indian states
- **Their Mission:** To protect the Earth and make it liveable for present and future generations
- **What Inspires Them:**

A rights-based approach from the “Palar

Panchayat”Support from Kindernoithilfe (KNH), Germany

Guided by RCPDS, Madurai

Part of the Child-Focused Community Development (CFCD) initiative

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Reform and Social Justice movements in Tamil Nadu



NGOs in Tamil Nadu

Arunodhaya:

Supports street & working children with education, shelter, healthcare, and rehabilitation.

Thozhamai (Chennai): Prevents child abuse, labour, marriage, trafficking; provides counseling & education.

CCRD (Chennai): Promotes child rights, education, healthcare, and runs awareness campaigns.

Tulir (Chennai): Prevents and addresses child sexual abuse through training & support programs.

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Reform and Social Justice movements in Tamil Nadu



□ National NGOs:

Enfold Trust (Bengaluru): Focuses on child protection, healing from abuse, and training for safe environments.

Save the Children: Works nationwide on child education, health, and protection from harm.

CRY (Child Rights and You): Partners with local groups to uphold child rights through education & advocacy.

Pratham: Improves education quality and learning outcomes, offers vocational & digital training.

Butterflies: Empowers street children with education, health, and skills training.

Salaam Baalak Trust: Provides shelter, education, and life skills for urban street children.

HAQ: Centre for Child Rights (Delhi): Advocates for policies and legal support for child rights protection.

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Millennium Development Goals (MDGs):



The goals aimed to address some of the world's most pressing challenges by 2015. The MDGs were as follows:

- i. Eradicate extreme poverty and hunger
- ii. Achieve universal primary education
- iii. Promote gender equality and empower women
- iv. Reduce child mortality
- v. Improve maternal health
- vi. Combat HIV/AIDS, malaria, and other diseases
- vii. Ensure environmental sustainability
- viii. Develop a global partnership for development

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Sustainable Development Goals (SDGs):



The SDGs were adopted by the UN member states in 2015 as a successor framework to the MDGs, with a target to be achieved by 2030. The goals are as follows:

- i. No Poverty
- ii. Zero Hunger
- iii. Good Health and Well-being
- iv. Quality Education
- v. Gender Equality
- vi. Clean Water and Sanitation
- vii. Affordable and Clean Energy
- viii. Decent Work and Economic Growth
- ix. Industry, Innovation, and Infrastructure
- x. Reduced Inequalities
- xi. Sustainable Cities and Communities
- xii. Responsible Consumption and Production
- xvi. Peace, Justice, and Strong Institutions
- xvii. Partnerships for the Goals

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Children's rights and Sustainable Development Goals



- ▶ No Poverty
- ▶ Zero Hunger: SDG
- ▶ Good Health and Well-being
- ▶ Quality Education
- ▶ Gender Equality
- ▶ Clean Water and Sanitation
- ▶ Partnerships for the Goals
- ▶ Decent Work and Economic Growth
- ▶ Reduced Inequalities
- ▶ Peace, Justice, and Strong Institutions:



Thank You

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