



## Child rights and Child protection

Dr. D.Srinivas, Lr in commerce, MVNJS & RVR College, Malikipuram, E.G. Dt  
K. Rajewara Rao, Lr in commerce ,MVNJS & RVR College,  
Research Scholar, Department of Commerce and Management Studies, A.U

**Abstract:** Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. It is important to understand the difference between these two concepts. Child rights are a set of principles or ideals. They are entitlements and some of them are justifiable in court of law, but they are not tangible. Protection is one of these rights. But, Child Protection is more than a right. It is framework or system by which the rights of a child can come to be. The framework consists of various duty bearers such as the departments of the governments, police, school, civil society, who all have roles to play to ensure that a child's rights are met, and in the case that a child's rights are violated that the violator be brought to justice and care be provided to the child. Child protection is not only treatment, but should also be preventive. Risk management needs to take place to reduce the risk of violation of child rights in any given circumstances or space.

**Key words:** Child Protection, protect human rights, harmful situations.

**Introduction :** Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent and indivisible.

Universal human rights are often expressed and guaranteed by law, in the forms of treaties, customary international law, general principles and other sources of international law. International human rights law lays down obligations of Governments to act in certain ways or to refrain from certain acts, in order to promote and protect human rights and fundamental freedoms of individuals or groups. My topic is

child rights and child protection, So firstly we are going to understand child rights.

A right is as an agreement or contract established between the persons who hold a right (often referred to as the "rights-holders") and the persons or institutions which then have obligations and responsibilities in relation to the realization of that right (often referred to as the "duty-bearers".) Child rights are specialized human rights that apply to all human beings below the age of 18.

Universally child rights are defined by the United Nations and United Nations Convention on the Rights of the Child (UNCRC). According to the UNCRC Child Rights are minimum entitlements and freedoms that should



be afforded to all persons below the age of 18 regardless of race, colour, gender, language, religion, opinions, origins, wealth, birth status or ability and therefore apply to all people everywhere. The UN finds these rights interdependent and indivisible, meaning that a right cannot be fulfilled at the expense of another right.

The purpose of the UNCRC is to outline the basic human rights that should be afforded to children. There are four broad classifications of these rights. These four categories cover all civil, political, social, economic and cultural rights of every child.

- **Right to Survival :** A child's right to survival begins before a child is born. According to Government of India, a child life begins after twenty weeks of conception. Hence the right to survival is inclusive of the child rights to be born, right to minimum standards of food, shelter and clothing, and right to live with dignity.
- **Right to Protection:** A child has the right to be protected from neglect, exploitation and abuse at home, and elsewhere.
- **Right to Participation :** A child has a right to Participate in any decision making that involves him/her directly or indirectly. There are varying degrees of participation as per the age and maturity of the child .
- **Right to Development :** Children have the right to all forms of development: Emotional, Mental and physical development through recreation, play and nutrition. Now we are going discuss the child protection.

UNCRC considers child protection as the prevention of or responding to the incidence of abuse, exploitation, violence and neglect of children. This includes commercial sexual exploitations, trafficking, child labour and harmful traditional practices, such as female genital mutilation/cutting and child marriage. Protection also allows children to have access to their other rights of survival, development, growth and participation. UNICEF maintains that when child protection fails or is absent children have a higher risk of death, poor physical and mental health, HIV/AIDS infection, educational problems, displacement, homelessness, vagrancy and poor parenting skills later in life.

According to the Integrated Child Protection Scheme (ICPS) Child Protection is about keeping children safe from a risk or perceived risk to their lives or childhood. It is about recognizing that children are vulnerable and hence reducing their vulnerability by protecting them from harm and harmful situations. Child protection is about ensuring that children have a security net to depend on, and if they happen to fall through the holes in the system, the system has the responsibility to provide the child with the necessary care and rehabilitation to bring them back into the safety net. It is important to understand the difference between these two concepts. Child rights are a set of principles or ideals. They are entitlements and some of them are justifiable in court of law, but they are not tangible. Protection is one of these rights. But Child Protection is more than a right.



It is framework or system by which the rights of a child can come to be. The framework consists of various duty bearers such as the departments of the governments, police, school, civil society, who all have roles to play to ensure that a child's rights are met, and in the case that a child's rights are violated that the

violator be brought to justice and care be provided to the child. Child protection is not only treatment, but should also be preventive. Risk management needs to take place to reduce the risk of violation of child rights in any given circumstances or space.

Table-1: Child Protection

Prevention	Intervention	Rehabilitation
Law and Policies	Laws and Policies	Laws and Policies
Processes and Protocols	Access and Assistance	Long term care until age 18
Mechanisms and Systems	Immediate Relief (SOS attention)	Skills and training
Sensitization and Awareness Building	Restoration of rights/Status Quo Punish violators	

**Conclusion :** Child protection is hence the means through which all other rights of a child can be upheld. For example a child has a right to live a normal childhood in a family environment. The child protection framework need to first take steps to ensure families are able to survive by providing them when health, education, and food for free or at minimal cost. The next step is to address the needs of children who have fallen through the cracks such as destitute, abandoned, and orphan

children. The framework includes the mechanisms to relocate these children into caring families either through adoption or foster care and provide these children with access to health and education services. Hence the framework is not a single ministry or single government body it is the interlinking functions of all ministries and sectors.

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