

The Value of Children's Rights in Himachal Pradesh

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Abstract

The cornerstone of any civilized society is its youth. They are a country's most valuable resource, and their welfare serves as a barometer for its economic health. Therefore, it is our responsibility to preserve these delicate blooms from being used for human exploitation. The issue of child employment is not a problem in and of itself; rather, it is a component of the wider issue of child welfare. The child's importance and significance stem from the reality that it is the universe. Without a child, there would be no humanity, and a cosmos cannot exist without people. If the child is not currently developing properly.

The future of the country will be in dark. It is thus an obligation of every of every generation to bring up children who will be citizen of tomorrow in a proper way. The leaders who will raise the national flag and uphold the nation's reputation are the youth of today. If a child makes a mistake due to a lack of sufficient care, education, and supervision, the society and administration of the time will be at fault. The welfare of children is a topic that has sparked a lot of attention on both the national and international levels. Children require extra protection due to their young age, developing physical and mental capacities. They require specific legal protection to shield them from fraud and exploitation, prevent them from certain liabilities, and help them develop their personalities in light of their precarious positions.

Keyword: Trafficking, abuse, child rights, UNCRC, UN, NCPCR, and violence.

Introductions:

Children everywhere are helpless, helpless, and dependent. They are all enquiring, engaged, and hopeful. His life ought to be full of laughter and serenity, play, education, and development. Giving children a solid basis in life is a crime against humanity. Children can't wait for tomorrow since they are always developing and becoming more aware of their environment. All children should be granted rights without distinction based on their race, color, sex, language, religion, nationality, or place of birth. If children are allowed to grow up in their natural innocence, we will not have to fight for them; otherwise, we would have lost our battle for true peace and a genuine war against war. Vain resolutions should not be passed; instead, we should progress from love to love and from peace to peace until the entire world is enveloped in the love and peace that it so desperately craves, whether consciously or unconsciously. universally acknowledged as any country's most valuable resource.

The way they are raised and cared for directly affects the future of the country. But sadly, they have not only been denied their fair part in a variety of endeavors, but also inhumane and demeaning errors are being made. The citizenry of the future is the young. Future of the nation rests on healthy child rearing and training the youth to become good citizens. Therefore, children's rights are a crucial, significant, and integral part of that process in order for children to properly develop their personalities. Children have

historically been subjected to access, abuse, and exploitation before being left on the streets to live as vagrants and homeless people until they pass away. This is in addition to the fact that they have been completely denied social, economic, and political justice. Every child has an inherent right to life, and the State is required to take all appropriate measures to guarantee that every child lives to be a healthy adult.

Origins of child rights:

For millennia, children have not only been denied justice in its fullest sense but have also been used, abused, exploited, and abandoned in order to lead immoral lives as vagrants, street people, and destitute people. Childhood and family life were shown in very poor light by early Western historians. From a historical perspective, there have been substantial developments in child welfare law, policy, and practice. Our past is a reflection of the periods that influenced and helped build the concept of human rights that we hold today. It started with the contributions of Greek philosophers and emperors and finished with the foundation of the United Nations. The majority of parents preferred to kill their children because child rearing was of such terrible quality. Everywhere in the universe, childhood steadily progressed from one stage to another. Childhood and family life were shown in very poor light by early Western historians.

Who are children?

Even individuals who are unable to speak, see, or taste anything are considered children. However, in legal terms, children are referred to as those between the ages of 0 and 7 years old. Details on each age group are provided below. It is important to understand what constitutes a child before discussing children's human rights. According to the convention on the rights of the child, a child is any person who is less than the age of eighteen, unless the kid is covered by a legislation that requires reaching majority earlier. Age determines what a child is. When determining whether a person is a child or an adult, chronological age is taken into account. However, national law does not alter whether the term "child" is used. A kid is defined by international law as someone under the age of 18. A person in the age range of 0 to 18 is considered a child. This widely recognized definition of a child derives from the United Nations Convention on the Rights of the Child (UNCRC), an international agreement that explains why individuals can only vote, obtain a driver's license, and engage into legally binding agreements once they reach the age of 18. The Child Marriage Act of 1929 prohibits the union of females under the age of 18 and a boy under the age of 21.

In addition, India updated its juvenile justice laws in 1992 after ratifying the UNCRC to ensure that every individual under the age of 18 who requires care and protection is entitled to get it from the state.

Major points

- Children are those who are under the age of 18.
- Every human being experience childhood, which is a dynamic process.
- As childhood progresses, children experience a variety of things.

Right Child: They have been abandoned. They are not given the opportunity to enter a school. They are left to make their own friends. Humanity must make every effort for the child. A specific set of fundamental rights, which are a prerequisite for living a "great life," ought to be guaranteed to every person born on earth. The right to live is the core of human existence if the right to life is the foundation of a nation. Children's rights can be interpreted in a variety of ways, from granting them the ability to take

autonomous action to requiring that they be protected from physical, mental, and emotional abuse and have access to all forms of care and nurturing. What do kids have rights to? A child's life begins after 20 weeks of pregnancy. As a result, the right to survival encompasses the right for a child to be born, the right to a reasonable amount of food, clothing, and shelter, as well as the right to live in dignity. A right takes the shape of a pact or contract made between the individual who has it (commonly referred to as a "right-holder") and the person or institution who is responsible for seeing that it is exercised (often referred to as a "duty-bearer"). All people under the age of 18 have particular human rights known as child rights. The United Nations and the United Nations Convention on the Rights of the Child (UNCRC) set down the obligations of the University to children. Child rights, according to the UNNCR, are the fundamental freedoms and rights that every person under the age of 18 is entitled to, regardless of their ability, wealth, race, sex, language, or any other characteristic. are without and, as a result, applicable to everyone. anywhere. These rights cannot be realized at the expense of other rights since they are interconnected and indivisible, according to the United Nations. The UNNCR seeks to define the fundamental human rights that ought to be accorded to children. These rights are categorized by four boards. All of a child's civil, political, social, economic, and cultural rights fall under one of these four areas.

Right to Life: A child's right to life begins even before birth. The Indian government asserts that child life begins twenty weeks after conception. As a result, the right to survival covers a child's right to a healthy birth, the right to a minimal amount of food, clothing, and shelter, as well as the right to live in dignity. a child has the right to protection from abuse, exploitation, and neglect both at home and in the community. A kid has the right to take part in any decision-making that affects them, whether directly or indirectly. The level of participation varies depending on the child's age and maturity. Children have a right to all types of development, including emotional, mental, and physical. Mental development is satisfied by education and learning, emotional development is satisfied by the correct care and affection of a support system, and physical development is satisfied by play, nutrition, and recreation.

Why should children have rights? Although the idea of human rights is based on the concepts of equality, liberty, and justice, its applications in a world where "human rights" are defined as child rights are unsurprisingly ignored. All human being's formative years are the most delicate time in their lives. Every person is raised, educated, and accustomed to the reality of life throughout this stage of life. A person's identity develops during their formative years. Children are the most vulnerable group on earth, making up around 60% of the total population. They are acting as fully supported, fully intended adults who are particularly prone to manipulation and all types of influence, both physically and mentally. The foundation of our nations, our societies, and the future all rest on the shoulders of today's youth. Future generations' equality will reflect the circumstances of their cherished childhoods in the interdependent community of countries, and states cannot be disinterested in the standards of societies where everyone's equality must coexist. The majority of nations in the world, including India, have passed laws and put them into effect to safeguard structures rather than children as persons who are compelled by institutions into a gender role and identity. Even now, the global government does not fully uphold the rights of women and children to equality and protection. A kid required extra protection under the law, which included the following requirements:

- The child must be provided with the resources necessary for its healthy development, both materially and spiritually;

- The hungry and sick must be cared for;
- The child who is behind in school must be assisted;
- The delinquent child must be reclaimed;
- The orphan and the waif must be provided with shelter and succor;
- The child must be placed in a position to be protected from any form of exploitation.
- The youngster must be raised with the understanding that their skills must be used for the good of the country.

Movement for children's rights

Mid-nineteenth-century child rights groups brought children together around a number of causes that were viewed as fundamental liberties for all people, such as the ability to possess property, suffrage, access to higher education, and reproductive freedom. The movements for children's rights are a contemporary movement devoted to the recognition and advancement of children's rights all over the world. A system of laws and policies that improve and safeguard the lives of children has been developed as a result of efforts by government organizations, attorneys, and judges that date back to the early 20th century. This was, in fact, the first global initiative aimed at children's rights and preserving the rights of a specific group within the community. The Geneva Declaration of the Rights of the Child was adopted by the League of Nations in 1924 nearly unchanged, and the UN amended and added to it in 1959.

Children's Rights Definitions

Sr. William Blackstone (1765–1799) identified three parental responsibilities for the child: upkeep, protection, and education. The Geneva Declaration of the Rights of the Child, adopted by the League of Nations in 1924, set forth the rights of children to receive the necessities for normal development, to be fed when they are hungry, to receive medical care when they are ill, to have their image of being behind other children uplifted, to have shelter provided for them if they are orphans, and to be protected from exploitation. In Article 25(2) of the 1948 Universal Declaration of Human Rights, it was acknowledged that all children have a right to particular protection as well as the need for "Special Protection & Assistance" during pregnancy and childhood.

United Nations's function

In order to establish common qualities that all new or current National Human Rights Institutions (NHRIs) should contain, the UN Center for Human Rights called a conference of national human rights institutions in 1991. The norms that emerged from the meeting became known as the "Paris Principles" because the meeting took place there, and they have now entered the vocabulary of human rights. These Principles serve as the minimal requirements for an NHRI to be accepted by its peer institutions and into the U.N. system. In accordance with the Paris Principles, NHRIs must:

- Protecting human rights includes receiving, looking into, and resolving complaints, mediating disputes, and engaging in monitoring activities.
- Promoting human rights involves helping the government and engaging in training, research, media, publications, and education.

Role of UN for Children:

- a. Development of child protection

- b. Supporting intergovernmental bodies, such as the Commission on the Status of the Child, in the formulation of policies and international standards. They do this in every nation where children face serious protection issues, such as kidnapping, killing, and maiming.
- c. To take the initiative, organize, and mainstream child protection within the mission. The missions must help to safeguard children.
- d. Raising Awareness: To assist radio stations, events, and campaigns in spreading awareness of child protection issues and encouraging measures to stop abuse of children in conflict situations.

UN child-related conventions

The civil, political, economic, social, health, and cultural rights of children are outlined in over twenty-three major UN conventions relating to human rights generally. Some of them are explicitly child-related. Which are:

1. Child's Right to Education Convention of 1989
2. The 1989 Convention on Every Child's Nationality
3. Convention of 1962 on the minimum age for marriage, the consent to marriage, and the registration of marriages
4. Convention on the abolition of all types of child discrimination.

1. **Sexual abuse:** A child who has experienced sexual abuse feels abandoned and lives in fear. Sexually abusing a minor refers to having sex with him or her without their consent. Child sexual abuse is the physical or psychological abuse of a child combined with the purpose to engage in sexual activity, typically by an older person. Child sexual abuse can be categorized into several categories such as child prostitution and child pornography.
2. **Child Labor Violation:** Child labour comprises young children taking on adult roles and working long hours that rob children of their youth, their potential, and their dignity. This is a general reality about young children that can be detrimental to their physical and mental development.
3. **Rag picker infraction:** a young person who collects and gathers trash in order to make a living. For a daily life hood, they collect trash from the streets, including rags.
4. **Rape:** Rape is a type of sexual assault that typically involves having sex with the victim or engaging in other forms of sexual penetration without the victim's consent. A person who is unable to give valid consent, such as one who is asleep, disabled, has an intellectual handicap, or is younger than the legal consent age, may be subjected to physical force, coercion, abuse of authority, or be the victim of any of these.
5. **Child Rights Act, 2005:** The commission for protection of child rights Act, 2005 (Act of 2005) is the result of efforts made by the Indian legislature to implement the provisions of the convention of the United Nations adopted by the government of India for the protection of children's rights in a variety of areas, including the right to life, the right to a dignified and respectable life, the right to education and development, the right to maintain one's identity, and the right to freedom of thought, conscience, and religion.

National commission for protection of child rights (NCPCR): On the same model upon which the (NCPCR), New Delhi was established, almost all the states have set up state commissions to monitor the functioning of various government or non-government agencies relating safeguard of child

rights of those children who are below the age of 18, including children of jail inmates & children, who are underprivileged, abandoned, orphaned, remained un-educated for one or the other.

Agenda of Children' Rights

Children should be completely protected in the home, classroom, and community so that they can live, grow, learn, and develop to their utmost potential. Millions of kids are not completely safe. On a daily basis, many of them experience violence, abuse, neglect, exploitation, exclusion, and/or discrimination. Generally speaking, rights are moral or legal entitlements to own or do anything; they are intended to foster an individual's intellectual and spiritual growth and also impose moral obligations on them. Children have been mistreated and exploited for centuries. A child does not have to live such a life, as they struggle with starvation and homelessness, unsafe working conditions, high infant mortality, inadequate healthcare, and little possibilities for basic education. Protection is a right for all children. They have the right to exist, to feel secure, to belong, to be heard, to get the care they need, and to raise their children in a safe atmosphere. The first line of defines for youngsters is their family. In order to create a safe and caring household, parents or other caretakers are required. Outside of the child's home, schools and communities are in charge of creating a secure and welcoming environment. Children should be completely protected in the home, classroom, and community so they can live, grow, learn, and develop to their best potential. Millions of kids are not completely safe. On a daily basis, many of them experience violence, abuse, neglect, exploitation, exclusion, and/or discrimination. Such transgressions reduce their prospects of surviving, advancing, and achieving their goals. Any child is susceptible to abuse in a variety of settings, including the family. It can be challenging to estimate the precise number of children who are subject to infractions. This kind of information is difficult to gather and is rarely updated. Nevertheless, it is believed that:

- In 2002, 150 million children aged 5 to 14 were involved in child labour; 73 million boys and 150 million girls under the age of 18 had forced sexual contact as well as various types of sexual violence and exploitation.
- In private homes, millions of children—mostly girls—work as domestic servants.
- The most recent estimate for child trafficking per year is 1.2 million (from 2000).
- Between 2005 and 2007, surveys in 37 countries found that between 22% and 84% of children aged 2 to 14 had received physical punishment at home.

Children can grow up in a family setting with the assistance of governments, communities, local authorities, and non-governmental organizations, including faith-based and community-based groups. They can ensure that all children are protected in schools and communities and that child abuse is avoided. They can defend both boys and girls from wrongdoings such abuse, sexual exploitation, trafficking, and labour under dangerous conditions, as well as bad customs like child marriage. Children's rights are fundamental liberties and the inalienable rights of every person under the age of 18. Every child is entitled to these rights, and opportunity equality is the key takeaway.

Conclusions

United Nation International Children's Emergency Fund (UNICEF, 2014) has declared the year 2014 as the most devastating and worst year for children throughout the world. The Executive Director of UNICEF, Anthony Lake (2014) while discussing child abuse has stated that children have been brutally

killed while studying in their classrooms, sleeping in their beds; they have been kidnapped, orphaned, raped, tortured and even were put up for sale as slaves. Nowhere in recent memory have so many children been subjected to such appalling cruelty in a single year than in 2014. It is astonishing that in the 25th anniversary year celebration of the Child Rights bestowed upon by the Convention on Child Rights, and when we have been able to celebrate so much progress for children world over, the rights of many more millions of others have been blatantly violated.

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