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**EVERY CHILD IS UNIQUE; THEY SIMPLY UNWRAP THEIR GIFTS AT
RANDOM STAGES**

- Lakshay Manchanda & Bhavesh Kaul¹

Abstract

“Every Child is Unique; they simply unwrap their gifts at random stages”

Child abuse is defined as the intentional or unintentional damage or neglect of a youngster by another person, whether an adult or a child. Child abuse occurs in all cultural, ethnic, and socioeconomic groups. Child abuse may take many forms, including physical, emotional, verbal, sexual, and neglect. Abuse can cause major harm to a kid and possibly result in death. Rape, sexual assault, and sexual harassment are global concerns of gender violence that are just coming to light in India. There has been relatively little study in this field in India, and just a few books have been released, further obscuring the issue in the country's mind. The problem, however, remains astonishing and the specific profile of the Indians adds to the complexity of an early challenging issue. Fortunately, child sexual abuse is gradually becoming a major issue, and this article will thus focus heavily on child sexual abuse: the laws, victims, and offenders. Finally, an examination will be offered of the features of Indian culture that make this problem particularly difficult to grasp and deal with. But, in these times of development and advancement rather than thinking about Child abuse, what we have to ponder upon is how to enhance Child protection in the society.

As a signatory to the UN Convention on the Rights of the Child (1992), India acknowledged the importance of child rights across the world. The Indian Constitution also provide specific kid

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rights addressing essential problems such as "health," "education," and protection from "hazardous occupation" and "exploitation." Nonetheless, despite the existence of several legal measures, the vulnerability of Indian children in several dimensions cannot be overstated. This research aims to pinpoint the status of children in the Indian economy's development ladder at the regional level and demonstrate how disparities in development indicators actually accelerate the nature of exclusive development. Child abuse is stressed as a major impediment to child development. The "Protection of Children from Sexual Offenses Bill 2011" was finally adopted by the Indian Parliament.

Keyword - Indian Parliament, Child abuse, socioeconomic groups, Child protection, UN convention, Sexual Offenses Bill 2011

I. Introduction

"If we don't stand up for children, then we don't stand for much."

-- Marian Wright Edelman

The rights of children are a sub-set of human rights with a specific focus on the unique care and protection of rights for children (Not youth rights to be confused). A kid is defined as "any person below the age of 18 by the Convention on the Rights of the Child (CRC)², unless the child is enforced by law, the majority shall be obtained sooner." The rights of children include their right to association with parents, human identity and the fundamental needs of physical protection, food, universal state-paid education, health and criminal law for children's age and development, equal protection of child civil rights and free from discrimination on the basis of child race, sex, and sexual orientation children's rights. Childhood rights. Interpretations of children's rights range from granting children the ability to act autonomously to requiring children to be physically, cognitively, and emotionally free of abuse. What constitutes "abuse" is debatable. Other versions include the rights to be cared for and to be nurtured. In international law, there are no definitions of other terminology used to designate young people, such as "adolescents," "teenagers," or "youth," although the children's rights movement is regarded as

²"Adopted in 1989."

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different from the youth rights movement. Law, politics, religion, and morality all play a role in children's rights.

The UNCRC³, in the context of its development, opened up new pathways for thinking about children's rights in terms of gender, ethnicity, and culture, addressing concerns such as harmful traditional practices, religious freedom, and the right of children to privacy, among others. In other ways though, it standardized, universalized, and homogenized our conception of childhood and children's rights. As a result of this discovery, we propose that a study of children's rights must be contextualized in the historical, political, and social environment that influenced both the form of the treaty and its contents—the rights definitions. As a result, the historical context in which the UNCRC was founded must be represented in our empirical and theoretical studies of the relevance of the UN Convention on the Rights of the Child—some 30 years later, integrating with and engaging with a diversified and new social and political context. Such contextualization and theorization of human rights for children not only emphasizes a critique of the placed nature of rights and the sacrifices required. It provides an opportunity to analyze the consequences and dynamics of governance of children and childhoods not only within the framework of the UNCRC but also before, after and beyond its coming-into-being.

II. History

Nobody thought to provide children particular protection in antiquity. Children were thought to be "little grownups" throughout the middle Ages. In the middle of the nineteenth century, the notion of providing specific protection for children emerged in France, allowing for the gradual development of "minor's rights."⁴ Since 1841, legislation has been enacted to safeguard minors in the workplace. Since 1881, French legislation has included the right to education for children. Children's protection began to be put in place during the beginning of the twentieth century, encompassing protection in the medical, social, and legal spheres. This sort of security begins in France and then extends throughout Europe. Children's protection began to be put in place during the beginning of the twentieth century, encompassing protection in the medical, social, and legal spheres. This form of protection begins in France and then expands throughout Europe.

³"The united nations of convention of the right of the child."

⁴"Section 3 of Indian majority Act."

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Following the formation of the League of Nations (later to become the UN), the international community began to give some weight to that notion and established a Committee for Child Protection in 1919. On September 16, 1924, the League of Nations approved the Declaration of the Rights of the Child, the first international convention protecting children's rights.

It specifies children's rights and adult responsibility in five chapters. J. Anuszkowicz, a Polish physician, was the inspiration for the Geneva Declaration⁵. World War II and its fatalities have left thousands of youngsters in a precarious condition. As a result, the United Nations Fund for Urgency for Children (UNICEF)⁶ was established in 1947 and was granted the status of a permanent international agency in 1953. Since its foundation, UNICEF has focused primarily on assisting young World War II⁷ victims, mostly European children. However, in 1953, its purpose was broadened to a genuinely worldwide scope, and its efforts were enlarged to include emerging countries. UNICEF then implements a number of initiatives to assist children with their education, health, and access to clean water and food. Since December of last year, the Universal Declaration of Human Rights⁸ has recognized that “motherhood and kids are entitled to special care and assistance.” The United Nations General Assembly approves the Declaration of the Rights of the Child, which explains the rights of children in principles and while this statement has not been ratified by all nations and its concepts are simply suggestive, it does open the way for a Universal Declaration of Children's Rights⁹. Following the passage of the Universal Declaration of Human Rights, the United Nations sought to establish a Charter of Human Rights that would be legally binding and obligate governments to uphold it. As a result, a Commission on Human Rights was formed to draught this text.

In the midst of the Cold War, and after lengthy discussions, the United Nations General Assembly in New York approved two documents that supplemented the Universal Declaration of Human Rights:

⁵“Adopted in 1947.”

⁶“Became a permanent part of united nations system in 1953.”

⁷“Took place in 1939-1945.”

⁸“The declaration was declared in Paris on 10th dec, 1948 (general assembly resolution 217 A).”

⁹“Was declared on 23rd Feb, 1923.”

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- 1) The International Covenant on Economic, Social, and Cultural Rights affirms the right to economic protection, the right to education, and the right to healthcare.
- 2) The right to a name and nationality is established in the Civil Rights Charter.

The United Nations declares 1979 to be the International Year of the Child. That year, Poland proposed forming a working group inside the Human Rights Commission tasked with developing an international charter. On November 20, 1989, the United Nations General Assembly overwhelmingly adopted the Convention on the Rights of the Child. Its 54 articles outline children's economic, social, and cultural rights. The Convention on the Rights of the Child is the human rights treaty that has received the greatest attention. After being approved by 20 nations, this text became an international treaty and went into force on September 2, 1990.

III. India's perspective about child rights

The Republic of India is a South Asian republic with 29 states, with New Delhi serving as its capital. It shares borders with six countries: Pakistan, China, Nepal, Bhutan, Bangladesh, and Myanmar. India has a wide range of customs, traditions, and languages, with Hindi being the most widely spoken. With a current population of 1.21 billion, India is the world's second most populous and seventh largest country. It is a large country and one of the world's top emerging nations. Despite the fact that the country has had exceptional success in terms of economic growth, with an average of 7.3 percent over the last five years. It faces the same issues as the other BRICS¹⁰ countries, namely strong growth rates coupled by chronic poverty and inequality. This disparity is evident in the low levels of human development attained by the country's most disadvantaged groups, which include castes, tribal and rural populations, women, transgenders, individuals living with HIV¹¹, and migrants. Despite tremendous progress in reducing poverty, access to education, and HIV levels in India, the benefits have been mostly inconsistent. Children in India continue to experience some of the worst conditions anywhere in the world, with high rates of malnutrition (stunting), child labor and forced begging, and childhood diseases such as diarrhealdisease.

¹⁰“British, Russia, India, China, South Africa.”

¹¹“Human immuno-deficiency virus”.

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- Status of Children's Right

India has 472 million children under the age of 18, accounting for 39% of the total population. A sizable proportion, 29 percent, is youngsters aged 0 to 6 years. Furthermore, 73 percent of children in India live in rural regions, where they typically have inadequate access to basic requirements such as nutrition, healthcare, education, and protection. The significant proportion of children living in rural regions frequently leads to negative repressions in terms of children's access to fundamental rights. India's commission for the protection of children's rights (act 2005) (amended in 2006) has had some influence in advancing children's rights in India. Notable examples include the abolition of child labor and the protection of children and young people. The commission's objective is to "ensure that all laws, policies, programmers, and administrative mechanisms are in accordance with the Child Rights viewpoint as contained in the Indian Constitution¹² and The United Nation Convention on the Rights of the Child was established in 1989. It is apparent that supporting children's rights is a government priority in India, as it is incorporated into the constitution and protected by law. Despite this, children in India continue to encounter obstacles in obtaining these rights, notably those linked to education, forced labor, and child marriage. Given that children account for 39 percent of India's 1.21 billion populations, it is critical that their rights be respected.

- Realization of Children's Rights Index Indicator

An indicator is a specific visible and quantifiable feature that is used to illustrate changes or progress of a programme toward obtaining a certain result. Humanium monitors the status of children's rights throughout the world using important metrics. This is represented in the Index of Children's Rights Realization:

¹²“Established in 26 nov, 1949.”

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6, 30 / 10

Red level: Difficult situation

Population: 1.2 billion

Pop. Ages 0-14: 28.9 %

Life expectancy: 66, 4 years

Under-5 mortality rate: 38 ‰

- Child-Sensitive Social Protection

Social protection is critical for avoiding and eliminating child and family poverty, resolving inequities, and achieving children's rights. Furthermore, it is critical that social protection programs¹³ address children's vulnerabilities by maximizing beneficial impacts on children while reducing potential negative outcomes. Child-sensitive social protection has the potential to alleviate chronic poverty, social isolation, and external shocks that can have long-term consequences for children. This is especially critical for children living in rural areas, where their vulnerabilities are often compounded by their living situations. Given that just 27% of Indian children reside in cities and 73% reside in rural regions, it is critical to improve access to social safety services for children. As a result, saving children, UNICEF, and the ministry of social

¹³“Social Protection consists of policies and programs designed to reduce poverty and vulnerability.”

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protection all fund Child-Sensitive Social Protection (CSSP)¹⁴ programs in India. The goal is to promote and fulfill the rights of children by ensuring that social protection measures result in significant investment in children.

- Addressing the needs of Children

Right to Health:

Addressing access to health care is a critical indication of achieving children's rights. Nearly 1 million children under the age of five die in India, with an estimated 39 fatalities per 1,000 live births. Women and children are more likely to face barriers to health-care access, such as maternal and neonatal coverage. Only one in every three Indian women benefits from frequent pregnancy monitoring. Only 37% of newborns in rural regions are attended by skilled health staff. More than 204 million people in India are malnourished, with children bearing the brunt of the burden. Stunting is common among children in India, with rates as high as 39 percent. As a result, the government launched a huge public awareness effort to educate the public on the need for a diverse and balanced diet.

Other issues that children encounter include a high prevalence of HIV infections (3700 new infections among children), a shortage of safe drinking water, and proper sanitation. The latter as a result of inequitable access to comprehensive health care for women and children in rural states.

Right to education:

In India, access to education remains a major issue and a major impediment to the realization of children's rights. India continues to have the most illiterate people in the world, with 287 million adults, the world's biggest population and 37 percent of the total. Although India's literacy rate grew by 15% between 1991 and 2006, further population expansion resulted in a large number of uneducated persons. Despite India's efforts to contribute 10.5 percent of total government spending to education, the country's decentralized nature implies that richer states may spend far more on education than impoverished states. For example, a wealthy state such as Kerala spent

¹⁴“CSSP is an evidence-based approach that aims to maximize opportunities and developmental outcomes for children.”

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\$685 per person per year on education, whilst a poorer state such as Bihar paid just \$100 This unequal distribution of educational opportunities further marginalizes children, particularly those living in rural areas.

Prejudice based on caste and discrimination against women continues to exist, marginalizing millions of young Indians in the educational system. Despite this, the Indian government is working to discover ways to ensure that all Indians, young and old, have access to high-quality education in order to combat illiteracy. Despite the ongoing issues, India may be immensely proud of itself for having achieved significant progress in its educational system. Fore example, a wealthy state such as Kerala spent \$685 per person per year on education, whilst a poorer state such as Bihar paid just \$100 This unequal distribution of educational opportunities further marginalizes children, particularly those living in rural areas.

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Humanism has worked with local partners in India since 2009 to promote children's rights, including the establishment of residential special training facilities for former child laborers, the promotion of "child-friendly communities¹⁵," and different higher educational aid initiatives. The goal of these programmes is to abolish child labor via education, improve the living conditions of entire communities in rural areas, and give financial aid initiatives that allow young people from low-income households to continue higher education.

Right to expression, and freedom of expression:

A kid has the right in India to be safeguarded from neglect, exploitation, and abuse both at home and, outside. To mention a few, children have the right to be safeguarded against abuse, exploitation, violence, neglect, commercial sexual exploitation, trafficking, child labor, and harmful cultural practices. Nonetheless, according to a government survey done in 2007, more

¹⁵“CFCI was launched in 1996.”

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than 69 percent of children aged 5 to 18 are victims of abuse. Every day, countless people are subjected to humiliation and violence.

More than half of all child abuse is done by a small number of people who have a trusting and authoritative connection with the child. Parents in Indian homes have complete power over their children. Furthermore, this rigorous discipline may be observed in academic settings; according to one research, 65 percent of school-aged children have experienced physical punishment at the hands of academic personnel.

A contributing cause to child neglect is a lack of cultural norms that appreciate and respect children's voices and ideas. As a result, no Indian statute expressly acknowledges this right, and education concentrates on the respect that children must exhibit to adults. To completely realize children's rights to protection, a changed attitude toward children and their needs is required. It is also vital to spend teaching and training caregivers on the fundamental right of children to protection, as well as penalizing those who violate it.

Right identity:

A lack of cultural standards that value and respect children's opinions and thoughts is one of the causes of child neglect. As a result, no Indian laws officially recognize this right, and education focuses on the respect that children must demonstrate toward adults.

- Risk factors →Country-specific challenges

Child abuse:

Child sexual abuse is a terrible reality that is all too common in India and has a negative influence on children's health and well-being. According to statistics, one kid is sexually molested every 15 minutes. According to studies, there are two types of child sex offenders. The first category includes around 60% of officially recognized offenders who do not have a sexual preference issue yet sexually abuse children for a variety of reasons. The other classes include people who have a sexual preference abnormality, such as pedophilia.¹⁶

¹⁶“It is a psychiatric disorder in which an older adolescent experiences a primary or exclusive sexual attraction
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Individual variables such as low socioeconomic level, the loss of a parent or husband, and being born to a commercial sex worker are all routes to becoming a commercial sex worker. Other possible risk factors were a lack of sufficient family support, a family and personal history of mental health disorders, and family exposure to sexual pictures.

Furthermore, a lack of cleanliness and inadequate women's safety were discovered to be community-level variables that enhanced the chances of sexual assault. The health consequences of child sexual abuse can be divided into four categories: mental health, physical health, behavioral, and interpersonal. Children who have been sexually abused are more likely to develop mental problems such as obsessive-compulsive disorders, suicidal conduct, and depression.

Child marriage:

Over the 20-year period 1992–2012, there was a decrease in the percentages of females marrying under the age of 16 as well as under the age of 18. Furthermore, the average age at marriage is 16.6 years old. There is some evidence that child labor may raise the likelihood of child marriage. In addition, females who married as children were less likely to have completed secondary education. Only 40% of child brides were still enrolled in school at the age of 15, compared to 86% of unmarried females at the same age.

Child labor:

In recent years, India has taken steps to combat child labor through various initiatives. Food insecurity, extreme poverty, and social and economic situations are all major contributors to this problem.

Another reason is a lack of understanding about the adverse impacts of child labor, as well as a lack of access to basic and relevant quality education and skills training. A new examination of census data in the country finds that child labor has decreased by only 2.2 percent each year over the previous ten years. It has also been shown that child labor has increased by more than 50% in metropolitan areas. Children under the age of 14 are frequently required to spend long days

towards younger children.”

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chopping cobblestones, sewing shoes and footballs, rolling cigarettes and incense sticks, embroidery work on garments, crafts, packaging, and labeling, to mention a few. Child labor is frequently the result of adult unemployment or poor parental earnings, which forces youngsters to help with household production.

Children who are compelled to work rather than attend school do not have the chance to develop physically, cognitively, emotionally, or mentally. Despite having one of the world's youngest populations, more than 42.7 million youngsters are not in school.

IV. Judicial decision

- *P. Unni Krishnan vs. State of Andhra Pradesh*¹⁷: In this decision, the Humble Supreme Court of India put the right to education under the right to life. The court stated that 'education is a preparation for a living and for life,' and then concluded, 'we hold that every citizen has a "right to education" under the Constitution. The State is obligated to construct educational institutions to enable individuals to exercise the aforementioned rights.
- *C. Mehta vs. State of Tamil Nadu*¹⁸: Employers of minors at matchstick and cracker factories were fined Rs.20, 000 for each child working in violation of the Child Labor (Prohibition and Regulation) Act. The state government instructed such children, upon termination of work, to be provided education at a suitable institution.
- *BandhuaMuktiMorcha vs. Union of India*¹⁹: BandhuaMuktiMorcha is an Indian organization that strives to free bonded laborers. They wrote to the Supreme Court about bonded labor in Haryana's Faridabad area, which they described as "inhuman and inhumane." The letter was transformed into a writ petition by the court, and after confirmation of the existence of the bonded labor system by the court's investigation team; the court directed the State Governments to form Vigilance Committees in each district and its sub-divisions.k District Magistrate will prioritize the duty of identifying bonded labor.

The state government should focus on bonded labor rehabilitation and develop effective initiatives for this aim.

¹⁷"1993 AIR 2178, 1993 SCR (1) 594"

¹⁸"AIR 1997 SC 699"

¹⁹"1984 AIR 802, 1984 SCR (2) 67"

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- *Lakshmi Kant Pandey vs. Union of India*²⁰: The petition was initiated by a letter by Lakshmi Kant Pandey accusing the social organizations and voluntary agencies involved in work of offering Indian children for adoption to foreign parents of malpractices. The Supreme Court after due investigation laid down certain safeguards to be followed during inter-country adoptions:

Every application from a foreigner desiring to adopt a child must be sponsored by a social or child welfare agency recognized or licensed by the government of the country in which the foreigner is resident.

The Government of India shall prepare a list of social or child welfare agencies recognized or licensed for inter-country adoption.

The social or child welfare agency sponsoring the adoptive foreign parent must conduct a home study through a professional worker. The home study report should contain particulars, such as the personality of husband and wife, description of the home, relationship with community, accommodation for the child, etc.

Progress reports must be sent to the concerned social or child welfare agency in India in respect of the child until the adoption is effected by the social or child welfare agency sponsoring the adoptive parent.

Only social or child welfare agencies recognized or licensed by the government of India can process an application from an adoptive foreign parent. Private adoptions conducted by unauthorized individuals or agencies are prohibited.

Central Adoption Resource Agency (CARA)²¹ suggested to be established to act as a clearing-house for information regarding the children available for inter-country adoption.

The social or child welfare agency which is looking after the child selected by a prospective adoptive foreign parent may legitimately receive maintenance expenses from such adoptive parents, not exceeding Rest. 60/- per day. Unreasonable demands made by social or child welfare agencies as maintenance charges and medical expenses are not appreciated and require curtailment.

²⁰"1984 AIR 469, 1984 SCR (2) 795"

²¹"It was set up in 1990."

An application for adoption by adoptive foreign parents is to be placed before the High Court or the District Court, and the same is to be scrutinized by a Scrutinizing Agency such as the Indian Council of Child Welfare²² or the Indian Council for Social Welfare²³. Appropriate orders will be passed by the Court based on the report of the Scrutinizing Agency.

In case the biological parents of the child being given in adoption are known, they should be helped to understand all the implications of adoption, including adoption by a foreigner and prohibition on them contacting the child in future. A period of three months must be given to the biological parents to reconsider their decision. Once the decision is taken and not reconsidered, the decision to give the child in adoption is irrevocable and the procedure for adoption may commence.

Great care has to be exercised in permitting the child to be given in adoption to foreign parents to avoid abandonment of the child by the adoptive parents, moral or sexual abuse or forced labor of the child and to avoid the child to be placed in a worse situation than that in his country.

This judgment mainly relates to destitute or abandoned children offered for adoption, and not to children living with biological parents.

- *Sanjay Suri v. Delhi administration*²⁴: The court laid down orders to transfer some guilty officers and laid down the rules to protect children in jails. Juvenile under trials were the subject of Sanjay Suri's petition. Many children were sent to jail despite the prohibition in the children's Act. The Juvenile were kept together with habitual and other adults where they were brutalized and made to do undesirable tasks.
- *Gaurav Jain v. Union of India*²⁵: The Supreme Court ruled that isolating the children of prostitutes would not be in their best interests. The Supreme Court ruled that the children of prostitutes have the right to equal opportunity, dignity, care, and protection, as well as to be rehabilitated so that they can participate in mainstream social life without stigma.

²²"Was set up in 1952."

²³"Was set up in 1947."

²⁴"1988 AIR 414, 1988 SCR (2) 234"

²⁵"(1997) 8 SCC 114, AIR 1997 SC 3021"

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- *Francis Coralie Mullin vs. Union Territory of Delhi*²⁶: The court ruled that Article 21 protects employees' health and strength, as well as men, women, and children's rights, against abuse. According to the court, the occasion and services for children to develop and construct in a healthy manner and in order of freedom and decorum, as well as educational benefits.
- Laborers working on salal hydro-project vs. state of Jammu and Kashmir:²⁷ A bench of Jurists P Bhagwati and R Misra ordered that "no child under the age of 14 years be employed by any contractor/sub-contractor in any factories in the schemes." If a contractor/subcontractor hires a child laborer, prompt orders for their break should be issued immediately, and an outline report should be provided to the sanction.
- *KishanPattnayak v. State of Orissa*²⁸: Poor people were forced to sell children to buy food. The Orissa government was compelled to take several welfare actions. The petitioner wrote a letter to the Supreme court of India bringing to the court's notice the extreme poverty of the Kalahandi in Orissa where hundreds of people were dying due to starvation as a result they were forced to sell their children. This case has taken the issue of the lack of food and poverty. In this judgment, the Supreme Court took significant steps in implementing irrigation projects in order to reduce drought and certain measures were taken in order to ensure fair selling prices.

V. International perspective about child rights

The United Nations Declaration on the Rights of the Child (DRC) expands on rights established in a League of Nations Declaration in 1924. The Preamble states that children require "special protections and care, including proper legal protection, both before and after birth," reaffirms the 1924 Declaration's vow that "mankind owes to the child the best it has to offer," and particularly calls on voluntary groups and local governments to work for the preservation of children's rights. One of the major ideas in the DRC is that a child is entitled to "special protection" as well as "opportunity and facilities, via legislation and other methods," for healthy and normal physical, mental, moral, spiritual, and social development "under circumstances of freedom and dignity." The "primary consideration" in creating legislation for this reason is "the best interests

²⁶"1981 AIR 746, 1981 SCR (2) 516"

²⁷"1984 (1) SCALE 680, (1984) 3 SCC 538"

²⁸"1965 AIR 1655, 1965 SCR (2) 782"

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of the Child,” a standard that appears in legislative instruments concerning children's rights. A child is entitled to a name and nationality, proper nourishment, shelter, recreation, and medical services, education, and, for the disabled, "special treatment, education, and care," among other DRC ideals. Other principles include protection against neglect, brutality, and exploitation, as well as protection against trafficking, underage labor, and discrimination.

- Minimum age convention

Among other DRC objectives, a child is entitled to a name and nationality, appropriate sustenance, housing, recreation, and medical services, education, and, for the disabled, "particular treatment, education, and care." Other principles include safeguards against neglect, cruelty, and exploitation, as well as safeguards against human trafficking, child labor, and discrimination. That minimum cannot be less than the age of obligatory school completion and, in any event, cannot be less than fifteen years, though it may initially be set at fourteen years if a state's economy and educational facilities is underdeveloped (article 2). Age exceptions may also be granted for light labor or for purposes such as participation in cultural performances (articles 7 and 8). If the job may endanger a young person's health, safety, or morality, the minimum age is normally eighteen years old (article 3 (1)).

- U.N. Convention on the Rights of the Child 1989

The Convention on the Rights of the Child (CRC) is the most comprehensive document on children's rights. It is the longest U.N. human rights convention in effect, based only on the number of substantive rights it establishes, as opposed to implementation measures, and it is unique in that it tackles not only the granting and execution of rights in peacetime, but also the treatment of children in conditions of armed conflict. The CRC is especially noteworthy because it enshrines, "for the first time in binding international law, the principles underlying adoption, as seen through the eyes of the child." "The CRC is particularly concerned with four areas of children's rights ("the four "P's"): participation of children in decisions affecting them; protection of children from discrimination; and all other aspects of children's rights." forms of neglect and exploitation; avoidance of damage to children; and provision of support to children for their basic needs. A child is defined as "every human being under the age of eighteen years, unless the

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majority is acquired earlier by the legislation applicable to the child" for the purposes of the CRC (article 1).

The CRC's key achievements have been defined as fivefold. It establishes new rights for children under international law that did not previously exist, such as the right of the child to keep his or her identity (articles 7 and 8), the right of vulnerable children, such as refugees, to particular protection (articles 20 and 22), and the right of indigenous children to exercise their culture (articles 8 and 30). In certain cases, this innovation takes the shape of child-specific adaptations of existing rights, such as freedom of speech (article 13) and the right to a fair trial (article 40). Furthermore, the CRC enshrines in a global treaty rights that were previously only found in case laws under regional human rights treaties (for example, children's right to be heard in proceedings affecting them) (article 12). The CRC also replaced non-binding suggestions with binding standards (for example, protections in adoption procedures and handicapped children's rights) (articles 21 and 23). New duties are put on States Parties in the field of child protection, such as prohibiting traditional practices that are harmful to children's health and providing rehabilitative measures for victims of neglect, abuse, and exploitation (articles 28 (3) and 39). Finally, the CRC expressly prohibits States Parties from discriminating against the enjoyment of CRC rights by children. The right to participate in proceedings, it is stated, "forms the guiding principles of the Convention, which represent the vision of respect and autonomy which the drafters sought to create for all children," together with the values of non-discrimination in Article 2 and protection for the child's best interests in Article 3.

- Kid rights index

Overall Rank 2020	Countries/ 182	Score KRI 2020
1	Iceland	0,967
2	Switzerland	0,937
3	Finland	0,934
4	Sweden	0,915
5	Germany	0,908
6	Netherlands	0,904
7	Slovenia	0,897
8	Thailand	0,893
9	France	0,891
10	Denmark	0,890

Table: Overall Top 10 - Iceland ranks number one in the KidsRights Index 2020.

Overall Rank 2020	Countries/ 182	Score KRI 2020
182	Chad	0,129
181	Afghanistan	0,194
180	Sierra Leone	0,222
179	Equatorial Guinea	0,271
178	Central African Republic	0,273
177	Papua New Guinea	0,304
176	Democratic Republic of the Congo	0,309
175	Guinea	0,309
174	El Salvador	0,331
173	Guinea-Bissau	0,336

Table: Overall Bottom 10 - Chad is the lowest scoring country replacing Afghanistan in 2019.

- New Zealand child rights

Every consumer of health services in New Zealand is assigned a unique identification by the New Zealand health system. The National Child Protection Alert System allows for the placement of an alert against this identity, making child protection information available to health practitioners across the country. Local health-based multidisciplinary teams receive alert requests and determine whether to issue them, although the percent of alert requests granted varies greatly across New Zealand.

Objectives:

To investigate if removing variance in information supplied to multidisciplinary teams minimizes variance in the number of alerts accepted.

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Variance in the proportion accepted for an alert is not eliminated by removing variation in the information supplied. More study on the elements that influence warning choices in the New Zealand National Child Protection Alert System is required.

Date	Parties
2001	United Nations Optional Protocol on the Involvement of Children in Armed Conflict
2003	Children's Commissioner Act 2003 (CCA)
2004	Care of Children Act 2004
2010	Action for Children and Youth Aotearoa
2011	United Nations Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography

VI. Conclusion

Despite all of these pieces of the legal framework, there is still a shortage that exists, and there are still issues to be confronted both now and in the future. There are several instances when children have been denied justice. Social problems such as child marriage and child labor are still prevalent in society. The cause of child labor is of course, poverty; there have been several occasions where the provisions of the IPC²⁹ have been shown to be ineffective. There are occasions where a child is abducted, killed, physically, mentally, or sexually mistreated, and all of these incidents continue to occur. It should also be noted that all of the above-mentioned laws are still in effect.

²⁹"It was established in 1860."

It was in a recent verdict by the Additional Session Court (Special POCSO³⁰ court) in Palatka that three men were found not guilty of rape, sexual assault, and abetment of suicide of siblings in Walayar, Palakkad. The judge determined that the three ladies were not reliable witnesses. The court concluded that the witnesses had been fabricated in order to substantiate the prosecution's case. The judge also remarked that the police only had an account of persons against the accused, but no proof tying them to the crime. The postmortem report of the sisters proved that they were raped, but at the end of the day, the court's decision blew out the whole crowd, stating that the prosecution lacked scientific proof. They have had a significant impact on the accused, and as a result, the police and prosecution have omitted key information from the case, leading to such a decision.

Aside from the legislation I've described, this is the practical state of our legal structure in our country.

‘No parent can child-proof the world. A parent’s job is to world proof the child.’

³⁰“It was established on 1st apr,1968.”

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