A-BRIEF ANALYSIS-THE IMPACT OF COVID-19 ON RIGHTS OF CHILDERN

SURESHA.C

ASSISTANT PROFESSOR

DEPARTMENT OF SOCIOLOGY

H.P.P.C. FIRST GRADE COLLEGE CHALLAKERE-577522

Abstract

The **League of Nations adopts the Declaration** of the Rights of the Child on **September 16, 1924,** which is the first international treaty concerning children's rights. In five chapters it gives specific rights to the children and obligations to the adults. Children must enjoy the same human rights as everybody else - from the right to freedom of expression to the right to privacy. This means all human rights laws apply equally to children and adults. In the history of human rights, the rights of children are the most ratified. The United Nations Convention on the Rights of the Child (UNCRC) defines **Child Rights** as the minimum entitlements and freedoms that should be afforded to every citizen below the age of 18 regardless of race, national origin, colour, gender, language, religion, opinions, origin, wealth, birth status, disability, or other characteristics. A milestone in the international human rights legislation, the **'Convention on the Rights of the Child'** has been instrumental in putting all the issues pertaining to children issues on the global as well as national agenda. In addition to this, it has extensively mobilized actions for the realization of the **rights** and development of children worldwide.

Key words- September 16, Child Rights, Convention, Citizen, Adult, Education, Participation, minimum standard food

INTRODUCTION

In the middle of the 19th century, the idea appears in France to give children special protection, enabling the progressive development of "minors' rights". Since 1841, laws start to protect children in their workplace. Since 1881, French laws include the right for the children to be educated.

At the beginning of the 20th century, children's protection starts to be put in place, including protection in the medical, social and judicial fields. This type of protection starts first in France and spreads across Europe afterwards.

Since 1919, the international community, following the creation of The League of Nations (later to become the UN), starts to give some kind of importance to that concept and elaborates a Committee for child protection.

The **League of Nations adopts the Declaration** of the Rights of the Child on **September 16, 1924,** which is the first international treaty concerning children's rights. In five chapters it gives specific rights to the children and obligations to the adults.

Children's rights are human rights. Children must be treated with equality, respect and dignity, not because they are **"the future"** or the **"adults of tomorrow",** but because they are human beings today. All humans are born inherent with fundamental freedoms and rights.

Children must enjoy the same human rights as everybody else - from the right to freedom of expression to the right to privacy. This means all human rights laws apply equally to children and adults.

However, children are afforded a low status in most societies. For example, in almost every country children under the age of 18 are denied political power because they cannot vote, and most countries allow parents to hit their children even though they would be prosecuted for assault if they hit an adult.

There are four general principles that underpin all children's rights:

- **Non-discrimination** means that all children have the same right to develop their potential in all situations and at all times. For example, every child should have equal access to education regardless of the child's gender, race, ethnicity, nationality, religion, disability, parentage, sexual orientation or other status
- **The best interests of the child** must be "a primary consideration" in all actions and decisions concerning a child, and must be used to resolve conflicts between different rights. For example, when making national budgetary decisions affecting children, Government must consider how cuts will impact on the best interests of the child

- **The right to survival and development** underscores the vital importance of ensuring access to basic services and to equality of opportunity for children to achieve their full development. For example, a child with a disability should have effective access to education and health care to achieve their full potential
- **The views of the child** mean that the voice of the child must be heard and respected in all matters concerning his or her rights. For example, those in power should consult with children before making decisions that will affect them.

They are abandoned. They do not get a chance to step in a school. They are left to fend for themselves on the streets. They suffer from many forms of violence. They do not have access to even primary healthcare. They are subjected to cruel and inhumane treatments every day. They are children – innocent, young and beautiful – who are deprived of their rights.

In the history of human rights, the rights of children are the most ratified. The United Nations Convention on the Rights of the Child (UNCRC) defines **Child Rights** as the minimum entitlements and freedoms that should be afforded to every citizen below the age of 18 regardless of race, national origin, colour, gender, language, religion, opinions, origin, wealth, birth status, disability, or other characteristics.

These rights encompass freedom of children and their civil rights, family environment, necessary healthcare and welfare, education, leisure and cultural activities and special protection measures.

The UNCRC outlines the fundamental human rights that should be afforded to children in four broad classifications that suitably cover all civil, political, social, economic and cultural rights of every child:

Right to Survival:
• Right to be born
• Right to minimum standards of food, shelter and clothing
• Right to live with dignity
• Right to health care, to safe drinking water, nutritious food, a clean and safe environment, and information to help them stay healthy

Right to Protection:
• Right to be protected from all sorts of violence
• Right to be protected from neglect
• Right to be protected from physical and sexual abuse
• Right to be protected from dangerous drugs

Right to Participation:
• Right to freedom of opinion
• Right to freedom of expression
• Right to freedom of association
• Right to information
• Right to participate in any decision making that involves him/her directly or indirectly

Right to Development:
• Right to education
• Right to learn
• Right to relax and play
• Right to all forms of development – emotional, mental and physical

Impact of the Convention of the Child Rights

A milestone in the international human rights legislation, the **'Convention on the Rights of the Child'** has been instrumental in putting all the issues pertaining to children issues on the global as well as national agenda. In addition to this, it has extensively mobilized actions for the realization of the **rights** and development of children worldwide.

It was not an overnight initiative that resulted in the adoption of the Child Rights. It took several years of movements and activism on shaping favourable, positive and constructive attitudes toward children, and also inciting actions to improve their well-being. The enormous efforts involved toward the implementation of the Convention, the significant amount of resources committed to this cause, and the overall effectiveness of the systems put in place for the execution process have a bearing on the success of child well-being outcomes.

Over the last 20 or so years, implementation of the Convention and its effect on child well-being varied from country to country and from one region of the world to the other. Based on analysis, there has been outstanding progress at a global level in addressing the issues related to children. These include progress in access to services,

reaching their fullest potential through education, enactment of laws that upholds the principle of the best interests of child, and child survival.

Though a noteworthy progress has been achieved, yet in developing countries, particularly India, there is still a long way to go in realising the rights of children. Though all the relevant rules and policies are in place, there is a lack in enforcement initiatives. As barriers, there are several factors that forbid effective implementation of the laws.

Due to relatively low success in achieving concrete child development outcomes in India, the condition of **underprivileged kids and underprivileged youth** is harsh and needs urgent attention. There is a need to intensify efforts for children welfare at all levels to implement the rules and provisions of the Convention and contribute to create a world suitable for children.

The Right to Education

The father of modern education—John Amos Comenius proposed – "all persons should be educated, so we could have peace in the world". Visionaries of the world understood that peace meant guaranteeing every person certain rights that are conditional for humanity—education being one of the most important.

The addition of the Right to Education (RTE) in the Universal Declaration of Human Rights in 1948 was the beginning of a remarkable expansion of educational opportunities around the world. The parliament of India enacted the Right of Children to Free and Compulsory **Education Act or Right** to Education Act (RTE) on August 2009. The same got enforced on April 1st 2010.

As per the act, education is a fundamental right of every child who is between 6 and 14 years old. The act also states that until the completion of elementary education, no child shall be held back, expelled or required to pass a board examination. There is also a provision for special training of school drop-outs to bring them up to par with students of the same age.

The corona virus disease (COVID-19) pandemic has multifaceted impacts on children that are psychological, mental, physical, social and cultural.

Forty-one per cent of India's population is less than 18 years of age, and their mental health issues cannot be neglected during the pandemic and post pandemic. These effects are not limited to health and well-being but extend to many dimensions of children's lives, their education, safety and poverty.

Contrary to the general perception that the novel corona virus spares children, there have been reports of children below 12 years of age becoming infected in India, although compared to other age groups far fewer are affected.

Agencies working on children's issues have also expressed their concern that heightened anxiety and stress on families due to COVID-19 may lead to an exacerbation of mental health problems in children

Acting upon these concerns, some agencies and professionals have come forward in different countries to provide counseling and psychosocial support services for children and young people. These services are often not well-organized and not directed towards specific needs of children.
Although India has limited infrastructure and manpower for mental health services, it is providing services such as a helpline number.

Due to lockdown, many children have had no physical access to friends, peers, schoolmates and relatives for over two months. Limited or no opportunity for outdoor play and socialization may also impact children adversely, making them easily bored, angry and frustrated.

Although many are active on mobile phones and virtually connected, there is higher probability that they will become increasingly engrossed in social media and online entertainment. There have been reports in Indian media of problems such as overuse of mobile phones and impact on functioning.

Increased digital connections can also result in 'emotional contagion' where the distress and fear experienced by one spread to another person.

Children who have lost one or both parents due to the pandemic are obviously highly vulnerable. Some children may experience bereavement reactions that are complicated by not having had contact with an ill relative before they passed away, for example because of quarantine restrictions.

Fear about loved ones' health and financial security can take an emotional toll on children. Such children may experience a range of psychological issues such as anxiety, low mood, insomnia and loss of appetite. Quarantine, isolation and traumatic bereavement may also lead to post-traumatic stress disorder.

Adversities affecting children may be divided into three categories, viz. (a) those who are COVID-positive patients and are isolated; (b) children of COVID-positive parents and children who have lost either or both parents

due to the infection; and (c) children who are in quarantine/shielding or isolated due to general lockdown. Children in different categories may face different sets of mental health issues.

In such a scenario, mental health service providers, parents and immediate caregivers have a major responsibility to help children in distress. For parents, it is essential to create a sense of normalcy at home by planning a package which should include play, academic activities, interaction with family members, creative writing, socialization through phone, video calls to friends and relatives.

The Indian Association for Child and Adolescent Mental Health also suggests that children need reassurance that this time will pass; it is important for parents and caregivers to be calm and proactive, letting the child feel their emotions, check in with them about what they are hearing and doing, and by monitoring their own and their children's behavior.

Studies show that uncommon emergencies such as the present pandemic or natural disasters can lead to severe and impairing psychopathology in some children. The psychological problems identified in such children range from mood to conduct disorders, substance abuse, anxiety disorders and suicidal tendencies.

The development of an emotional epidemic curve to understand the mental health epidemiology of the pandemic is the need of the hour.
In India, very few data-based studies have been undertaken and in-depth surveys and clinical studies are required to understand the epidemiology of mental health problems during the pandemic.

The authors suggest that child mental health care should form an essential component of public health interventions. Available mental health resources must reach out to children in distress through community-based services (or schools if possible).

Detailed data on epidemiology, interventions and their outcomes are needed to develop a country-specific conceptual framework. In India, the stigma attached to mental health issues is strong; limited access and availability of mental health services coupled with stigma might leave many vulnerable children in long-term distress without much professional help unless the government takes appropriate steps to mitigate the mental health impact of the pandemic.

Covid-19 is having a severe and disproportionate impact on vulnerable children, a new report has found.

The latest report by the Child Care Law Reporting Project has found instances of severe neglect as well as addiction and domestic violence.
It has also found the pandemic has caused reduced access for parents to children in care and a restriction in services for children and their parents.

Some children in care have been deprived of meaningful access visits with their parents and assessments essential to their future care have been reduced or delayed.

The cases highlighted by the project include instances where foster carers have expressed concern about allowing access to children, in situations where they or a member of their household are at risk from Covid-19.

This has meant access visits and assessments have sometimes had to be cancelled or curtailed.

Court proceedings have also had to be adjourned, causing delays in making decisions that could affect children throughout their live

Parents experiencing problems with addiction or mental health are finding it more difficult to access therapy that might help them overcome their problems and be reunited with their children.

Dr Coulter also raised instances of severe neglect going unnoticed due to the closure of schools.

Children in two separate cases were hospitalized with infections caused by head lice infestation.

This raised an issue, she said, about whether the prolonged closure of schools meant teachers had been cut off from protecting vulnerable children and the neglect had gone unnoticed for too long. She said teachers were often at the frontline of protecting such children.

Ms Coulter suggested the Government should consider early vaccination for child protection workers and foster careers to try to reduce the impact as much as possible.

The project said that as in previous publications, this volume of reports sees a disproportionate number of cases involving domestic violence as well as cases involving Traveler families and families from ethnic minorities.

It has also warned that future cases involving parents who have come to this jurisdiction to avoid proceedings in Northern Ireland or in England, may be affected by Brexit "as the legal architecture for transferring cases between EU jurisdictions no longer applies".

10 Stories From The Ground To Understand The Impact Of COVID-19 On Child Rights
2020 was an unprecedented and challenging year. Over the past year, we at Prerana documented our observations, challenges, and the overall situation of child rights and child protection on the ground, based on our field experiences in Mumbai. Here are some of the key stories we shared that can help in understanding the field experiences of working with trafficking and child protection in India in light of COVID-19.

1. Voices From The Field: Counseling In Times Of Corona virus

A sudden break in the client-counselor relationship during highly anxious times such as a global pandemic can adversely affect the rapport established between the client and the counselor. Our counselor, Priya Ahluwalia, shared her experience of counseling in times of Covid-19.

2. COVID Stories: And Miles to Go Before They eat

A few weeks into the lockdown, some women walked over 30 km to reach our Night Care Center (NCC) in the Kamathipura red-light area, in the hope of finding essential supplies. Azra Qaisar, with inputs from Prerana's NCC team, shared how people were severely affected due to the lack of essential provisions

3. COVID Stories: What about My Family?

During the time of lockdown and the COVID-19 pandemic, many people felt that the safest place for vulnerable children is the Child Care Institutions (CCI) but what happens when a child living in a CCI is concerned about their family's safety and security during such testing times, asks Prachi Naik from our Institutional Placement Programme team.

4. COVID Stories: Reaching Home – The Struggles Of A Migrant Family

This case, documented by Geetarani Lourembam from our Sentinel Team, brought to light the fate of workers who have migrated to Mumbai but are rendered absolutely helpless amid the lockdown. The pandemic has affected the dignity and self-respect of many by making them depend on relief material for survival. The failure of state systems at various levels are adding to their woes. In this blog, we share the story of a family trying to reach their home state from Mumbai.

5. From Ashram School To Being Stranded In A Field – Reema's Story

The sudden announcement of lockdown had led to a crisis in the lives of many, and Reema's case highlights how it affected people even in areas with seemingly few cases of COVID-19, writes Amrapali Mukherjee from our *Sanmaan* team.

6. Covid Stories: Amplified Risks To Victims Of Inter-Generational Prostitution

The vulnerabilities of victims of inter-generational prostitution concerns are further increased during a global crisis, making girls like Abhilasha quite vulnerable in the current situation, writes Aaheli Gupta from our Sentinel team.

7. Covid Stories: Does Relief Material Actually Reach Those In Need?

This case, documented by Rashmi Taylor from our ATC team, highlights the need to ensure that relief material reaches those that are actually in need. Despite the crisis, in some places, people in positions of power were still depriving people of essential services.

8. Covid Stories: Missing Milestones – Stories Of Disfranchised Grief

The COVID-19 pandemic and the subsequent lockdown altered the way grief was seen and experienced. At the present time, parents and caregivers are not only grieving the loss of their jobs and financial security but also the loss of their autonomy, personal space, daily interactions, and missed milestones. Here are a few stories, documented by Priya Ahlwaulia, that illustrate this thought.

9. Covid Stories: Building Support Systems For A Child After Restoration: Neema's Story

Neema entered the juvenile justice system in 2019, as a child in need of care and protection. After being restored to her family, she was sexually assaulted in 2020. This case, by Geetarani Lourembam, highlights how social workers can work with a child, despite the physical distance to ensure the child's safety and build support systems.

10. Covid Stories: When Empowerment Is An Illusion – Navigating Patriarchy At Home

As stakeholders working with young women, it is important that we understand the structures in which these young women are existing. One of the most common ways in which structures adapt is by providing an illusion of choice and progression in specific situations. Priya Ahluwalia from our Sentinel team shares her observations and the impact of COVID-19 on those situations

The brief says, "All children, of all ages, and in all countries, are being affected, in particular by the socio-economic impacts and, in some cases, by mitigation measures that may inadvertently do more harm than good. This is a universal crisis and, for some children, the impact will be lifelong."

The UN warns that the damage could be due to the following factors:

- Falling into poverty
- Threats to child survival and health
- Exacerbating the learning crisis
- Risk to child safety

The UN estimates that " 42-66 million children could fall into extreme poverty as a result of the crisis this year, adding to the estimated 386 million children already in extreme poverty in 2019." Poverty could also directly impact

the children's access to healthcare. The brief says, "Economic hardship experienced by families as a result of the global economic downturn could result in hundreds of thousands of additional child deaths in 2020, reversing the last 2 to 3 years of progress in reducing infant mortality within a single year. And this alarming figure does not even take into account services disrupted due to the crisis – it only reflects the current relationship between economies and mortality, so is likely an under-estimate of the impact."

The report also raises concerns about how the closure of schools and educational institutions in wake of the coronavirus outbreak could impact the lives of children. It says, "188 countries have imposed countrywide school closures, affecting more than 1.5 billion children and youth. The potential losses that may accrue in learning for today's young generation, and for the development of their human capital, are hard to fathom. More than two-thirds of countries have introduced a national distance learning platform, but among low-income countries the share is only 30 percent. Before this crisis, almost one third of the world's young people were already digitally excluded."

Addressing the subject of child safety the report says, " Lockdowns and shelter in place measures come with heightened risk of children witnessing or suffering violence and abuse. Children in conflict settings, as well as those living in unsanitary and crowded conditions such as refugee and IDP settlements, are also at considerable risk. Children's reliance on online platforms for distance learning has also increased their risk of exposure to inappropriate content and online predators."

The brief lists the following three priorities as the way to tackle the challenges that children are facing or likely to face amidst the pandemic:

- Re-balance the combination of interventions to minimise the impact of standard physical distancing and lockdown strategies on children in low-income countries and communities and expand social protection programmes.
- Prioritise the continuity of child-centred services, with a particular focus on equity of access – particularly in relation to schooling, nutrition programmes, immunization and other maternal and newborn care, and community-based child protection programmes.
- Provide practical support to parents and caregivers, including how to talk about the pandemic with children, how to manage their own mental health and the mental health of their children, and tools to help support their children's learning.

REFERENCES
- **Social Survey**
- **Print Media**
- **Social Media**
- **Information Communication Technology**
- **Who Blog**