



infocus

National Commission for Protection of Child Rights

New Year, New Hopes

The New Year has begun on a good note. From this year onwards, January 24 will be celebrated as National Girl Child Day. Not only will this focus greater attention on the various problems she faces like foeticide, domestic violence, malnutrition and trafficking, it will reiterate the urgent need to value the girl child.

Just like this decision has raised new hope for the girl child, the groundswell of support that was seen at our recently concluded National Convention on Right to Education and Abolition of Child Labour has given a new fillip to the efforts being made to abolish child labour and ensure every child goes to school.

At the convention, held in December last year in Delhi, the atmosphere was charged with defenders of child rights from all over the country stating that there could not be any 'ifs' and 'buts' in upholding the right of every child to be in school. There were about 1,500 participants from both government and civil society. They were members of gram panchayats, youth volunteers, district and sub-district level officials from the most remote corners of the country, state government officials, academicians, experts and professionals and children themselves.

Every child up to 18 years of age must be in school and this must be a non-negotiable. This was reiterated by Ms Renuka Chowdhury, Minister for Women and Child Development, in her inaugural address and by other dignitaries. Equally significant was the joint statement by all the National Commissions asking for a total abolition of child labour in all its forms and for protection of the children's rights including their right to education until they attain 18 years of age.

The convention also resonated with the voices of millions of children who are out of school and engaged in some form of work and their aspiration to join school like their peers. The uplifting mood of the convention has paved the way for acceptance of the link between the abolition of child labour and the realisation of their fundamental right to education.

On another note, children continue to live precariously in many parts of the country, particularly in Manipur where they lack access to health care and adequate treatment of HIV and AIDS. Orphans, children without security, and children in need of counselling face multiple deprivations.

Likewise, the situation of children of migrant workers having no access to basic amenities is a cause for immediate policy and programmatic action. Since these children have an interrupted path of education, it often leads them to a dead end with few or no opportunities. In some cases, these vulnerable children are also trafficked.

The Commission believes that education prevents this loss of childhood, giving children access to all their other entitlements. To boost these efforts, the NCPCR has appointed a Special Rapporteur on child trafficking.

We welcome your suggestions and feedback. Do log on to our website and let us know how we can partner to protect the rights of children. ■

Shantha Sinha

January 2009 Issue

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Photo courtesy: Janani

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Educate all Children and Abolish Child Labour



India has the dubious distinction of having the largest number of child labourers in the world – a staggering 12.6 million-some of them as young as five and six years old. So at the National Convention on Right to Education and Abolition of Child Labour, held in New Delhi on December 11-12, 2008, a huge turnout of 1,500 activists, bureaucrats, politicians, panchayat leaders, trade union representatives and about 200 children raised their voices in unison for freedom and dignity of all children. They were vociferous in their demand to end child labour and get every child into school.

The convention was organised by the National Commission for Protection of Child Rights, UNICEF and ILO. Union ministers Renuka Chowdhury, Raghuvansh Prasad and Oscar Fernandes pledged their support to end child labour and ensure that education helped children secure a bright future. The country representatives of UNICEF and ILO, Karin Hulshof and Leyla Tegmo Reddy, said that the children of the poor were being nudged into the work force. It was the duty of the government as well as civil society to ensure that child labour was not an option.

The national convention was the culmination of several state consultations which highlighted the exploitation, suffering and servitude of children who never attended school and were engaged in work. These state consultations reiterated the need for total abolition of child labour in the country and showed that it was possible to abolish all forms of labour with sustained efforts and an increase in the budget for education.

Children's voices could be heard through the two days of deliberations. They set the mood for the conference by staging a play, Akhira Kab Tak, based on their lives and struggle to get out of the work force.

In fact, the message that it was hazardous for children to be out of the protective environment of school reverberated through the two days of intense discussions. The strong anti-child labour sentiments led to an assurance from Chowdhury that the distinction between hazardous and non-hazardous jobs for children would cease. It was for the first time that there was a unanimous agreement that all individuals below 18 years should be categorised as children. At present, different policies in the country have variously defined children as those below 14, 16 or 18 years.

The demand for equity and quality in education was voiced by children from across the country. The children flagged the absence of high schools in villages, adequate number of teachers (in Orissa, 40,000 posts of teachers need to be filled) and basic facilities like school infrastructure, drinking water and toilets. "What is our future without education? Who will employ us?" asked child representatives.

Ending child labour and getting every child into school were seen as interlinked and endorsed as 'non-negotiable.' Chowdhury announced that the Ministry of Women and Child Development would soon bring out a logo to endorse products that did not employ children in their manufacturing process. "Children employed in agriculture or involved in home based work including domestic labour, cooking and sibling care are equally exploited," she said. "These 'no where children' are those who neither go to work or school. They are invisible and are more at risk of being exploited and trafficked," she said. An estimated 75 million children fall into the category of 'no where children'.

The Minister said the girl child was always discriminated

against. She said the Ministry was considering observing a day in January as the Girl Child Day. From that day to Women's Day on March 8, there would be a series of events focussing on the girl child.

Chowdhury stressed the need to look at anomalies in the law and enhance penal provisions to deter all forms of child labour. She said special attention needed to be given to children in conflict with the law. The Minister said that social ostracism could be one form of shaming society into ending child labour in addition to strict implementation of laws. Schools and institutions needed to be sensitised on child rights as well.

At a session with parliamentarians, where children presented their charter of demands, Oscar Fernandes, Minister for Labour and Employment, said that even the poorest parents did not want their children to work but sometimes circumstances did not allow them to send their children to school.

Fernandes said his Ministry was committed to ending child labour. Poverty was one of the factors pushing families towards child labour. Efforts were being made by the government to ensure that families earned enough to feed their children and were motivated to send them to school through the National Rural Employment Guarantee Act (NREGA), he said.

Fernandes said that all rights could be accessed once a child's education was ensured. He said that after the Right to Education Bill was passed, it would not only provide free education for children but also make the state more responsible for ensuring all children went to school.

The Minister asked panchayats to take a vow to make their villages child labour free. "If local self government institutions monitor each child and his/her education, child labour can be abolished. In fact, children need to be involved in gram sabha discussions so that they can contribute in rescue and rehabilitation operations and prevent child labour in their area," he suggested.

Union Rural Development Minister Raghuvansh Prasad Singh said child labour was a national shame. In 2001, there were as many as 1.40 crore child labourers. He said that poverty was the cause of child labour and poverty in turn was largely caused by unemployment. The problem of unemployment had to be tackled. He said NREGA was a revolutionary step taken by the government to provide work in rural areas and stop distress migration. He said parents would not push their children into the work force if rural incomes could be raised to Rs 3,000 a month.

"Training and productive self-employment schemes are the answer to the problems of the poor and can help to free India of poverty by 2015. The five key issues are "*roti, kapda, makaan, padhai aur dawai* (bread, clothes, shelter, education and medicines)," he said.

Singh said the expansion of the Sarva Shiksha Abhiyan, empowerment of panchayati raj institutions and implementation of schemes like Bharat Nirman and National Rural Health Mission would uplift the poor and in a few years child labour would end. Singh was also hopeful that the Right to Education Bill would be passed by Parliament. This, too, would help to

end child labour, he said.

Significantly, eight national commissions including those representing minorities, Scheduled Castes and Scheduled Tribes and Safai Karamcharis, issued a joint statement advocating total abolition of child labour of all forms up to the age of 18 years, whether the children were with an employer, a middleman or even their own family.

Akshay Sarvariya and Mona Naidu, who had been selected by other children to be their spokespersons, listed the critical issues that emerged from consultations amongst themselves. These were:

Educate all children and abolish child labour

- Children should not work. However, even today several children are seen working at railway stations. The government should intervene and stop them from working
- The government should send all children to school. Children have the right to education and play. The government has the responsibility of ensuring the rights of children are protected
- The responsibility of putting children in schools has been left to parents. It is important that the government share this responsibility to ensure the future of all children

Protect children of all ages

- There should be only one definition of a child. All those up to 18 years should be considered children
- Government policies relating to child labour cover children only in the 6 to 14 age group. There should be rights for children below 6 and above 14 years too

Provide financial support

- Invest more in children. Instead of spending huge sums of money on buildings used to host conferences, the money should be utilised to build hostels for children
- Finding employment is becoming difficult for parents. The government must assure jobs so there would be no need to send children to work
- Only Rs 4 out of every Rs 100 spent by the government is for children's education. With such low investments, what kind of future will the children and the country have?

Treat all children equally

- The government should have schemes to encourage girls to become educated and become professionals. This will stop the killing of the girl child
- Equity is needed in quality of education. Government schools should be brought on par with good private schools

The underlying message that emerged from the convention, which focussed on seven themes, was the urgent need to eliminate child labour and ensure every child went to school. The various recommendations made by the seven thematic panels will be used to influence mindsets, government policies and programmes to achieve these goals. ■



Children's Protest Bears Fruit

Over 1,300 children of seasonal migrants, studying in 52 residential care centres in Nuapada district, Orissa, under the initiative of the Sarva Shiksha Abhiyan (SSA), face the risk of starvation and becoming homeless because of shortage of funds.

Expressing concern over the turn of events, the National Commission for Protection of Child Rights (NCPCR) has written to the Orissa government's Chief Secretary and Principal Secretary (School and Mass Education), asking for immediate action to prevent this injustice as Nuapada was a migration prone district with over 88 per cent distress migration. Children of these seasonal migrants bear the brunt of migration as they are often required to follow their parents leading to a disruption in their education.

The Residential Care Centres (RCCs) is an initiative to encourage the enrolment of children in schools and stop them from dropping out. However, the non governmental organisations (NGOs) under the Lokadrusti consortium running these RCCs or seasonal hostels since October last year have not received funds. As a result, they are finding it difficult to maintain their services.

In the letter to the state government, NCPCR chairperson Shantha Sinha has asked for an immediate release of pending funds and an action taken report in the matter. "As these children are from migrant families and are among the poorest of the poor in our country, they must be provided with immediate

relief in terms of food grains and all other necessary facilities so that they do not remain hungry," she said.

To help build a momentum, a peaceful demonstration was held by these children in January this year. Accompanied by 46 representatives of village education committees (VECs), 50 leaders of self help groups (SHGs) and Lokadrusti consortium members, a memorandum outlining the children's plight was handed over to the District Collectorate.

According to Abani Mohan Panigrahi, secretary, Lokadrusti, children of approximately 30,000 seasonal migrants are deprived of education and care for at least six months in a year. He said that the RCCs run with the additional support of the America India Foundation in the seven most migration prone villages in Khariar block in Nuapada district were faced with severe resource crunch because of non-release of funds and were unable to do justice to their responsibility of educating the children.

Although the combined pressure from the NCPCR, RCC children, NGOs and other community members has led to a commitment for release of the pending funds, the RCCs have yet to receive it.

Every year, over 20,000 children in Orissa accompany their parents as they migrate to Andhra Pradesh in search of work. NGOs working in the state estimate that 20 per cent of the labourers working in the brick kilns in Andhra Pradesh are children. ■

Give Migrant Children Their Rights

A large section of the work force in India migrates, leaving hearths and homes in search of work. These migrants do not seek charity or doles. All that they seek is work and wages as they struggle against all odds to live a life of dignity and honour.

Hundreds and thousands of children who should actually be studying in schools accompany the families. Of the humongous 650,000 migrant labour in the sugarcane industry in Maharashtra, 200,000 are children in the 6-14 years age group. Similarly, in the brick kilns it is estimated that countrywide there are 25 million workers, of whom about one-third, that is 7.5 million, are children. The neglect of such children is indeed woeful. Children are left uncared for in their tattered huts on worksite and have to fend for themselves. They don't have even basic amenities like shelter, water, sanitation, health and nutrition or a carefree life. Older girls (8 years and above) care for their siblings instead of being taken care of and looked after.

There have been attempts by the Sarva Shiksha Abhiyan, partnering with local NGOs, to meet the educational needs of such children. Seasonal hostels for children who have stayed back whilst their parents have gone in search of work have been set up in several states. For children who accompany their parents, there is a provision for their education at the worksites. In many instances there has been active involvement of government officials in creating procedures for maintenance of records of such children, conducting assessment tests, transfer of records and documents pertaining to the child's original school and other procedures that enable continuance of their education. Since many of these children need to be educated in their mother tongue, there is also a provision for teaching them in their own language. In some instances, such educational centres have also been given midday meals, on par with meals provided in regular schools.

Although there have been such interventions, they have not been institutionalised. So migrants have largely depended on the goodwill of the district official. Many of the contracts with the NGO partners have been informal, by word of mouth and in good faith. Often, when the official changes, there is a disruption in the programme. However, some NGOs who have not stopped their programme as the children continue to come to the centres, are in a precarious situation as funds are yet to be released. Many NGOs have wound up programmes or downsized their reach and the children are left uncared for and unprotected.

In January, NCPCR chairperson Shantha Sinha visited the Bardoli Sugar Co-operative area and the surrounding areas of Mota, Rayam and Madhi where there are over 28,000 migrant labourers. She was accompanied by the District Collector of Surat and other concerned officials. The visit was to look at the educational facilities for children of migrant workers. The centre in Bardoli is being run by the NGO Janarth, with support from the SSA Gujarat. The teachers are all volunteers from Maharashtra who came along with the children and their families to teach. They too live in the same slums and work with

dedication. The schools are run in temporary shacks made of gunny bags with very limited facilities. Some children were found playing with clay on a small mat. One shack was converted into a science laboratory and had equipments like test tubes, beakers etc. This was the picture that emerged at all the education centres visited by the Commission. Of the 24 centres in the area, the Commission found that only nine provided midday meals.

There were a large number of children in all age groups, looking unkempt and unprotected. In one of the centers at Madhi, there were anganwadi workers who told the NCPCR team that the nutrition programme was doing well and all children were covered. One factory said it was spending Rs 39 lakhs on the health of migrant labour. However, most children looked undernourished. The children seen by the NCPCR team were covered in dust and scantily clothed.

The chairperson has asked the Gujarat chief secretary, D Rajagopalan, to report back to the Commission on the steps being taken by the government to set up the health and edu-



Photo courtesy: UNICEF, New Delhi

ational facilities for the migrant children. The Bardoli factory had agreed to share expenses with the state government on setting up these facilities.

The Commission has also sought a report on the health and nutritional status of the children. If the Madhi sugar factory is indeed spending Rs 39 lakhs on the health of its workers as it claims it is doing, the Commission feels it can provide comprehensive health care to the children. It has asked the District Collector to study the health support services of the sugar factories to the migrant workers specially their children. A health plan for all children must be developed in collaboration with the health department. Though there were educational centres in the area, the Commission has pointed out that they did not cover all children. A few residential bridge courses must be started by the next season for the older children it has said. ■

Still Waiting for Food and Education

In July 2007, the National Commission for Protection of Child Rights (NCPCR) visited Dharni block of Amravati district in the Melghat region of Maharashtra to examine the nutrition and education problems faced by tribal children in government and ashram schools, anganwadis and health care centres. Following observations made by the team headed by NCPCR chairperson Shantha Sinha, several recommendations to improve the status of these children were made to the district administration. However, with the district administration not having sent any report on the action taken on these directives even after a year of the visit, the NCPCR sent an expert team to assess the progress.

In November 2008 the team, comprising Paromita Goswami, social activist and director of Shramik Eegar, Chandrapur, Ashutosh Dharamadhikari, advocate, Nagpur High Court, and SK Ravi, NCPCR consultant, visited Dharni and Chikkaldhara blocks in Melghat region. The expert team was disturbed to find that although the right to food had become a fundamental right and significant efforts had been made to reduce malnourishment in the Melghat region, children continued to be deprived of food. The fact that the majority of the malnourished children were girls was a matter of serious concern for the team. In this context, they felt that it was necessary to find whether the reasons for this systematic deprivation stemmed from the cultural belief that boys had to be fed first. It also expressed concern at the lack of a gender perspective in the policy and programme measures designed to tackle malnourishment and hunger in Melghat.

The team found that anganwadi and health care workers did not show the same concern for children suffering from the slightly lower degree (Grade 1 and 2) of malnutrition as they did for those falling under the higher Grade 3 and 4, probably because they thought these children required less attention. The team members felt that this perception had to change as all children needed to be healthy and normal.

It was also not clear how the allocation of funds and diet charts to ensure proper nutrition for children in anganwadis was fixed. The team found that eggs, vegetables and roti were given to children suffering from malnutrition of Grade 3 and 4 while the others received only khichdi, (gruel of rice and lentils) or boiled chickpeas and lobhiya (Indian bean). Although milk, vegetables, cereals, pulses and millet was freely available, these were not being procured by the anganwadis. In fact, the team found that anganwadi centres did not have any linkages with parents, community or panchayati raj institutions. The role of self help groups (SHGs) was also limited to cooking food for the anganwadis. There was also a lack of hygiene, sanitation, safe drinking water and a stimulating education environment in the anganwadis.

The team found several lacunae in the ashram schools or ashramshalas. The ashramshala code was being violated as mandatory standards for food, drinking water, uniforms, toilets, books, bedding and other infrastructure were not being provided. For instance, in Biroti, Khairi in Dharni block and in

Aadadhi in Chikkaldhara block, the ashramshalas were running in makeshift shacks or dilapidated rooms. The team was concerned to find that children of the ashramshala in Biroti studied in roofless shacks and slept in the houses of the villagers. They also slept in rooms rented by ashramshalas in different parts of the village for use as kitchen and storerooms. No effort had been made to use the classrooms of the zilla parishad school as night shelters for the children.

Although all the ashramshalas visited by the team had been functioning for five years, their condition had not improved reflecting a lack of effort by the Department for Tribal Development.

The team concluded that both NGOs and the state government had a critical role to play in addressing child rights in the Melghat region. It was important for them to work together as partners to bring about change. One of the many recommendations made by the team to catalyse change was the appointment of a special rapporteur on child rights for Vidharba. This would help in facilitating the process of monitoring and protection of child rights by the district administration, state, NGOs and the community.

Recommendations

Institutionalising support and monitoring mechanisms

- Institutional mechanisms need to be set up for monitoring the progress at the ground level of the directives issued by NCPCR. For this, the NCPCR may appoint a committee or special rapporteurs/commission with clear terms of reference to monitor the situation at the local level
- Education should primarily be the responsibility of the education department and all other departments running schools/centres should be monitored, supervised and made accountable to it. This includes the departments of tribal development, social welfare and labour. Doing so would ensure that a certain quality and uniformity is maintained in the education and facilities imparted to children
- Ashramshalas should not be allowed to function outside the purview of panchayati raj institutions. Committees to monitor the schemes of the tribal development department, including hostels and ashramshalas, should be formed right from the level of the gram panchayat to the zilla parishad
- Anganwadis should be linked to the education department for management and supervision
- A time bound action plan should be evolved by the district administration to construct buildings for anganwadis and ashramshalas/hostels
- A fixed percentage of funds from the MPLAD, MLA Fund and BRGF should be reserved for children's rights and education in rural areas

Designing and implementing sensitised programmes

- The gender sensitive aspects of malnourishment among

children in Melghat should be reflected in government policies and programmes

- As far as possible, the tribal development department should not set up ashramshalas in areas where zilla parishad (ZP) schools capable of absorbing tribal students are already functioning. In these areas, the children should instead be admitted to ZP schools and the tribal development department may consider running hostels instead where required
- Violation of the ashramshala code should be taken seriously and strict action taken against erring officials
- As far as possible procurement of food, milk, vegetables should be from local sources to ensure timely delivery and quality
- Wherever required, classrooms of ZP schools should be made available to ashramshalas for children to sleep at night

Learning from best practices

- The district administration and tribal development department should evolve a plan to construct anganwadis and ashramshalas/hostels within a period of six months. Necessary help may be sought in designing appropriate centres/hostels from renowned sources that follow low cost creative methods like the Laurie Baker Centre, School of Planning and Architecture, New Delhi and National Institute of Design, Ahmedabad
- Exposure visits should be organised for anganwadi workers, community leaders and panchayati raj institution leaders to the best anganwadis (like in a village in Aladoh, Chikhaldhara). In a similar manner, ashramshala teachers should visit well run ashramshalas
- Efficient anganwadi teachers like Sumitra Akotkar of Aladoh village, Chikhaldhara, should be recognised for their extraordinary commitment and leadership qualities reflected in the maintenance of the anganwadi and the quality of service it provides to the children and community ■

24 जनवरी/January



राष्ट्रीय बालिका दिवस
NATIONAL GIRL CHILD DAY

The government has declared February 24 as National Girl Child Day (*logo as above*). From this year onwards, the day will be marked by a series of events designed to celebrate the girl child. The events will continue right up to March 8, which is the International Women's Day.



Feedback

This is the first time I read Infocus. I found the October issue very informative on issues related to children in India. The newsletter is a brilliant tool to sensitise the general public and remove ignorance and apathy towards critical issues. It has helped me understand the complexity surrounding the implementation of action plans to tackle child issues. I commend the NCPCR initiatives and follow-ups to ensure that good ideas are actually implemented on the ground. ■

Srinivas Ventrpragada
Andhra Pradesh

The October issue of the NCPCR newsletter Infocus was very informative. I would like to suggest that while talking about

total abolition of child labour, NCPCR should give equal, if not more, emphasis on the proper rehabilitation of children who have been removed from labour.

While discussing 'Making Education a Reality' for these children, NCPCR should ensure quality education is given to these former child labourers. Else, it would be a severe violation of the children's right to survival and development. Past experiences show that thousands of children have been removed from hazardous/non hazardous occupations by various government /non government agencies without a proper rehabilitation plan. This has forced many of them to lead a life that is worse even than what they were leading prior to their removal from work. ■

K K Tripathy
Coordinator
Butterflies, New Delhi

Build More Ashram Schools in Dantewada

In the Naxal affected districts of Chhattisgarh, an estimated 40,000 children are out of school and there is urgent need to construct 400 ashram schools with the capacity of accommodating 100 children in each. Further, in Dantewada alone, due to the conflict situation, it was found that about 800 posts of teachers were vacant although the entire waitlist of teachers had been exhausted.

Since its first visit to the area in December 2007, the National Commission for Protection of Child Rights (NCPCR) has been monitoring the status of children in Chhattisgarh, especially in the districts affected by conflict. In January, it wrote to the state's chief secretary, P Joy Oommen, pointing out the gaps in ensuring the health, wellbeing and education of children in these districts. Although there is an improvement, a lot more needs to be done, said NCPCR chairperson Shantha Sinha. A three-member team led by NCPCR member Dipa Dixit visited camps in Sukma block of Dantewada district and interacted with state, district and block level officials, as well as with villagers, children and teachers.

While displaced people are trying to get back to their villages, basic facilities like schools are often non-functional because very few teachers have returned. Asking the administration to facilitate the safe return of teachers, the Commission has said it should consider drawing them from the rosters of adjoining districts.

Several school buildings are also lying half constructed though the funds have been handed over to the panchayats. The Commission has sought support for panchayats that are unable to undertake civil construction works and has said that issues like lack of basic infrastructural facilities and vacancies in the posts of sub-engineers and tehsildars needed to be addressed.

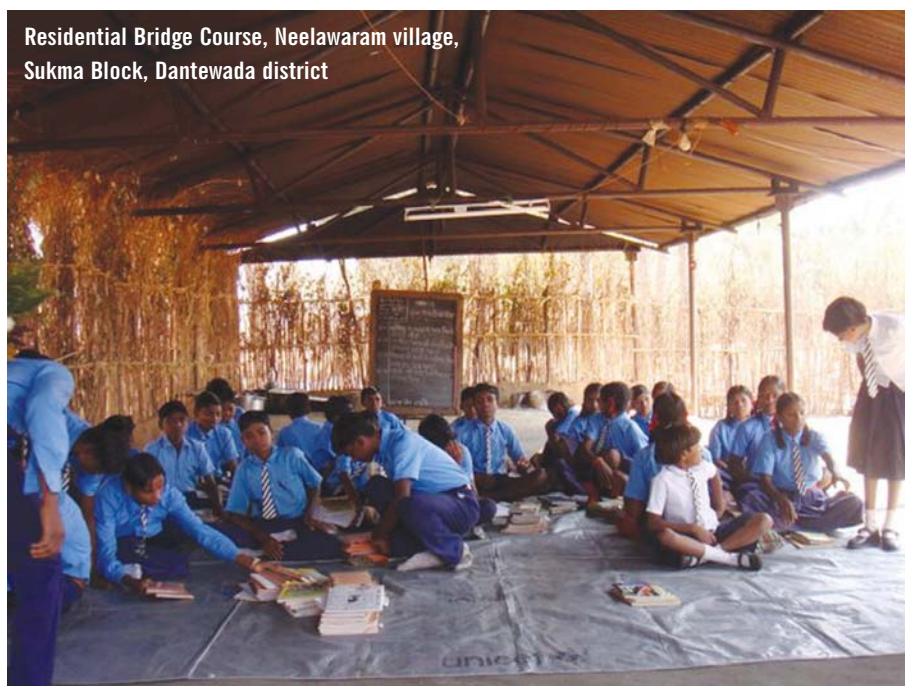
Appreciating the number of residential bridge courses (RBCs) that have been set up to help children whose studies have been disrupted, the Commission has however pointed out that the community is often confused about the difference between the RBCs and the residential ashram schools run by the tribal department. The Commission has therefore suggested that the RBCs be conducted in the premises of the ashram schools and after completion of the six to nine months course, the children should be mainstreamed into formal schooling in the ashrams.

There is widespread support from the community to send children to the residential ashram schools which provide food, clothing, shelter, regular attendance of teachers and most importantly security, especially in Naxal affected areas. Four hundred more such ashram schools are needed and the Sarva

Shiksha Abhiyan and Ministry of Tribal Affairs should step up funding for these schools. It has also been suggested that with the support of the National Bamboo Mission, 'portacabin' schools can be constructed within 7-10 days of laying the plinth.

The Commission found that several schools and ashrams were being occupied by the CRPF, which has exacerbated the bombing of schools by Naxalites. Even though schools are often the only pucca buildings in remote villages, the rights of children need to be protected and the CRPF withdrawn from schools and ashrams by making some alternative accommodation available for them. To protect children in remote areas, the Commission has recommended a dialogue between the government, the Naxalites and the Salwa Judum so that schools and ashrams are declared 'zones of peace.'

The Commission has also sought training for anganwadi workers to maintain growth charts and undertake referrals of malnourished children in camps and villages. Convergence



Residential Bridge Course, Neelawaram village,
Sukma Block, Dantewada district

between health and ICDS staff at all levels was needed to strengthen care of malnourished children and vacancies filled for supervisors and child development project officers.

The Commission also noticed various gaps in health facilities in the conflict affected areas. It has suggested that vacancies of doctors, nurses, ANMs, ASHAs and other staff be filled and insecticide treated mosquito nets be provided to combat malaria in the region.

Impressed by the efforts made by Child Protection Committees trying to get out-of-school children back into school, the Commission has sought greater support for them. In addition to asking for identification of nodal block and district government functionaries to whom child rights petitions can be sent, the NCPCR has also asked for the appointment of a state level child protection commissioner. ■

Kandhamal Unrest Affects Board Exam Students

The unrest in the Kandhamal district of Orissa is taking a heavy toll on children's education. Since August 23 last year, as many as 21 schools (as reported by the government) have been taken over as relief camps and for accommodating the Central Reserve Police Force (CRPF) battalions.

The education of thousands of other children living in the relief camps as well as those children who fled from troubled zones to unknown destinations have also been disrupted. Of concern too is the situation of students of Class 10 and 12 who have not received their admit cards for the Board Examinations because of their inability to fill up the exam forms, appear at the pre-test examination, fulfill the requirement for minimum attendance and make arrangements to pay for exam fees.

The NCPCR has written to the Orissa chief minister to provide the support to enable the children in the district to take the Board Examination since many of them have struggled with great difficulty to even reach Class 10 and 12.

The Commission has urged the state government to waive formalities by issuing 'admit cards' to all the pre-Board students. It has also said that as a special case, the Board Exams for all students in the district should be held after three months, thus providing children in the area an opportunity to compete on par with their peers. It has said that extra classes should be held for these children to complete their courses satisfactorily. In addition, residential facilities should be provided free of cost to the affected or displaced children along with provision of text books, test papers, model questions, coaching for the Board Exams and mock tests. It should also monitor their status at the block, district and state level every 15 days, and furnish bi-monthly progress reports to the NCPCR on measures taken to ensure the children appeared for their exams.

International Ombudspersons for Child Sex Crimes

NCPCR chairperson Shantha Sinha and member Sandhya Bajaj participated in the Third World Congress against Sexual Exploitation of Children and Adolescents, held in Rio de Janeiro from November 25-28, 2008. Organised by the Brazilian government with UNICEF as a key partner, the outcome of the Congress was a blueprint for action called the Rio Declaration and Action Plan to Prevent and Stop the Sexual Exploitation of Children and Adolescents.

The Rio Action Plan suggests strategies to counter new forms of sexual exploitation around the world such as internet pornography, child trafficking, and increasing migration. Among them is the sanctioning of the law against internet paedophilia and a partnership agreement for the operation of a hotline to identify and hold violators accountable for crimes against the rights of children and adolescents on the internet.



The Congress has also resulted in the creation of international ombudspersons for the protection of the rights of children and adolescents, the unification of data banks on sexual exploitation and the improvement of partnerships with Interpol. It also approved the creation of a code of conduct for all corporates and the preparation of periodic governmental reports to be given to the UN by signatory countries of the Third Congress.

Sinha said, "Of particular interest was that national Ombudspersons from other countries shared their institutional arrangements for monitoring violence on children and their rehabilitation." The NCPCR chairperson chaired a meeting of the Board of the Global Network of Independent Human Rights Institutions for Children that reviewed the role of the Ombudspersons Network in monitoring the violation of rights of children.

The Third Congress was the largest such convention with over 3,000 delegates including 300 adolescents from 170 countries. Studies in the last decade, including the recent UN Study on Violence Against Children, indicate that sexual exploitation of children and adolescents is increasing. There is also growing evidence of criminal activity related to the trafficking of children for sexual purposes and the proliferation of exploitative imagery and other internet-related crimes.

Rapporteur on Child Trafficking

Veena S Rao, former secretary to the government of India, has joined the National Commission for Protection of Child Rights (NCPCR) as Special Rapporteur on child trafficking. During her stint as joint secretary, Ministry of Women and Child Development from 1999-2004, she worked on matters relating to trafficking, missing children and malnutrition. She has used her rich experience to author several books on trafficking and malnutrition.

Protect Rights of Railway Children

The NCPCR has held several meetings with child rights activists and various NGOs to draft guidelines to protect the rights of children at railway platforms. The meetings, chaired by NCPCR Member Sandhya Bajaj, discussed various problems of these children like use of drugs, physical abuse by the Railway Police Force (RPF), lack of shelters, problems of identification and rehabilitation, lack of health care facilities and vul-

Suggestions

- Ban sale of white fluid at railway platforms as the children are increasingly getting into this substance abuse
- Railway authorities must accept safeguarding the rights of children on railway platforms as their responsibility
- Facilities for medical treatment should be readily provided to the physically and sexually abused children at railway platforms
- Children on railway platforms should be classified into various categories
- Rights of child ragpickers should also be safeguarded as they take care of the environment by removing plastic from the railway station
- Identity cards must be issued by the RPF to the NGOs protecting children on railway platforms
- Circulars should be issued by the NCPCR to the RPF informing them of the rights of these children
- There should be a centralised complaint system of displaced and missing children on railway platforms
- There should be a centralised database maintained by NCPCR regarding information sharing. There should be speedy and instant protocol within 10 minutes for the displaced, missing and abused children on railway platforms
- An early intervention system by the NCPCR should be generated
- A Child Welfare Committee (CWC) should be located near the railway station
- Shelter homes must not resemble jails; they must be more homely in terms of sanitation and treatment of the rehabilitated children
- The functioning of shelter homes should be reviewed and a social audit conducted
- NCPCR must formulate a social audit process of NGOs working with rehabilitation centres and shelter homes for displaced, missing and abused children on railway platforms ■



nerability to HIV and AIDS.

Meetings were held during October and November last year with over 25 NGOs and the railway children themselves. The NGOs included Saathi, Anubhav, Project Concern International, Delhi Brotherhood Society, Chetana, Salam Balak Trust, ActionAid, Human Rights Law Network, Childline India

Foundation and Child Rights Forum.

Several suggestions (see box) emerged from these meetings. According to Bajaj, these suggestions will be shared at a national workshop to be held on safeguarding the rights of children at railway platforms. Thereafter, guidelines will be issued to the railway authorities. ■

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