

RIGHTS OF CHILDREN DURING COVID -19 AND BEYOND

A POLICY BRIEF



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Published by : Caritas India

CBCI Centre, 1 Ashok Place, New Delhi - 110001

Website : <https://www.caritasindia.org/>

Published First : September , 2020



DIRECTOR'S MESSAGE

2020 has presented a different set of challenges due to COVID halting all progress ahead. The coronavirus pandemic continues to have a devastating impact on the lives of children all around the world. The crisis has been exacerbating existing inequalities in society and exposed children towards multi-layered vulnerabilities including gender inequalities. Evidences show that this pandemic and associated measures such as school closures, extreme poverty, loss of livelihoods will possibly create irreversible setbacks and lost progress especially for girl children. Increase in child marriages, trafficking, forced labour and increased dropouts, gender-based violence at home are some of the severe consequences that are being foreseen in the society emerging as a parallel pandemic to COVID.

As world leaders work to deliver on the 2030 promise; now faced with the crisis of a pandemic due to COVID-19, the way forward for SDGs stands blurry and so does the realisation of Child Rights through implementation of SDGs. We are mindful that the effects of the pandemic and the preventive measures taken pose a challenge to the implementation of the Sustainable Development Goals and ensuring the full enjoyment of the rights of the child. In that sense, we reiterate our firm commitment to leave no-one behind; to leave no child behind. We recognize that children are positive change agents and we commit to partner with them now and in the future. Hence, we believe that it is important to relook into the SDGs in the current context and rethink strategies to achieve them by acknowledging the role of children as the rightful stakeholders.

Caritas India is reaching out to children in various ways in terms of emergency response, positive engagement strategies, psychosocial support and many more. Through this Policy brief on “Rights of Children during COVID and Beyond”, we are hereby submitting our recommendations towards which we can take collective action with Govt. Stakeholders and Non-Govt. Stakeholders towards ensuring rights of Children. Amidst this ‘new normal’ while we are still coping with the Pandemic, we hope that we built a collective synergy and concerted efforts towards new hope, peace and rightful childhood for all children.

Fr. Paul Moonjely
Executive Director
Caritas India

RIGHTS OF CHILDREN DURING COVID-19 AND BEYOND

The current Pandemic has triggered an unprecedented global health, humanitarian, socioeconomic and human rights crisis. What started as a public health emergency has snowballed into a formidable test for global development and for the prospects of today's children. The Sustainable development goals designed to bring the world to several life-changing 'zeros' with its anthem of leave no one behind stands blurry and so does the realisation of child rights through implementation of SDGs.

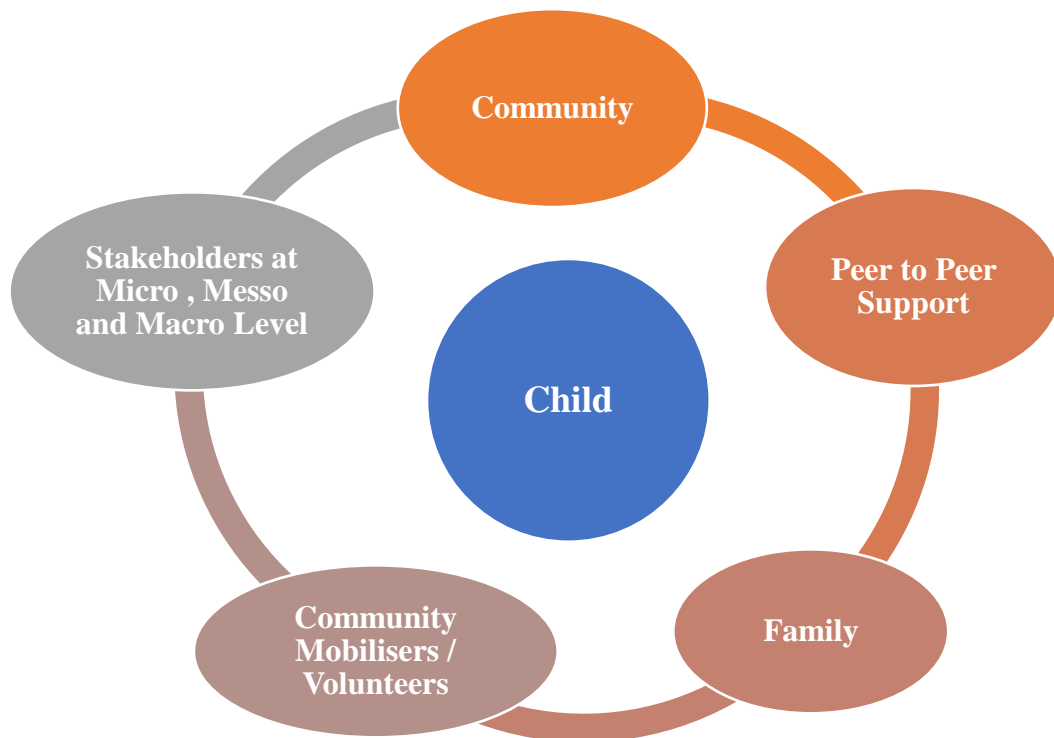
Worldwide, children have been profoundly affected by the social and economic upheavals caused by COVID-19. All children, of all ages, and in all countries, are being affected, in particular by the socio-economic impacts and, in some cases, by mitigation measures that may inadvertently do more harm than good.¹ The pandemic unleashed a perfect storm into the lives of most marginalised children. A single disaster can produce a cascading effect that would create an unforeseen chain of secondary or multiple risks. For instance, the recent Cyclone Amphan in West Bengal and Odisha caused serious damage to life, property and livelihood for millions of families. The relief measures could not reach many because of the COVID restrictions. Children are hugely affected at the intersection of the cyclone and the pandemic. The crisis has further intensified society's indifference towards the most vulnerable.

The concept of losing Zero Learning Days has been bleak during this pandemic as the ramification measures have posed severe challenges with Schools being shut since months and hence putting children away from school potentially breaking their learning cycles. Apart from children losing out on their Right to education, they are also exposed to several other risks of dropping out of school, becoming Child Labourers, increasing Violence against Children, Trafficking, Cyber Crimes, Child Marriages etc due to predicament of entering into inter-generational poverty as an aftermath of lockdown. Additionally, COVID-19 triggers an impending psychological disaster for many other children in distress. Survivors of child abuse are out of the frying pan and back into the fire. Children rescued from traffickers' grip are likely to be driven back into the dead marsh, surrounded by predators looking for opportunities to exploit economic adversity. Every child out of school is a potential child labour. There is a possibility that a substantial number of children would emerge as victims of such apparently positive measures. One impact would be an increase in the number of child workers. Along with the health crisis, and the economic and labour market shock that the pandemic has generated, the vulnerability of millions to child labour is another issue that merits serious attention. Already, there are 152 million child labourers worldwide. Despite the prohibition of engagement of children below the age of 14 in all occupations, India alone is home to 10.1 million child labourers in the age group 5-14 years (Census 2011). If the state governments do not take immediate and accelerated efforts to address this issue, we are going to lose the battle of eliminating all forms of child labour by 2025, a commitment under the sustainable development goals (SDGs). As COVID-19 has added insult to the injuries of many children, they must become our priority while we respond to the pandemic.

¹ UN Policy Brief :The Impact of COVID on children, 15 April 2020

Caritas India in Action during COVID-19 and Beyond

Amidst this Pandemic, Caritas India reached out to children in various ways in terms of emergency response, positive engagement strategies, psychosocial support and many more. Caritas India believes that anything for children cannot be without Children. Hence, it envisions Children at the Central of the ecosystem and other primary, secondary and tertiary influencers on the child as part of the ecosystem.



Caritas India developed its response mechanism in the following ways and continues to follow the same:

- 1. Be Informed:** Following the COVID -19 prevention guidelines issued by Government. Caritas also launched its #Caritas@ MissionCOVID19 to create awareness on COVID prevention and services pan India. Database of existing helpline numbers both Govt. and non-govt helplines were prepared and the list was shared across the Communities. This helped to create mass awareness amongst the Communities and further helped to link more and more families in deprivation to govt. schemes & services. Child Friendly TLMs (Teacher Learning Materials) and IECs (Information, Education and Communication materials) are being circulated in the forms of videos, pictures, audios and disseminate amongst Children through phones.
- 2. Be Compassionate -Support Families to cover their needs & care for their children:** Caritas India has supported Communities through provision of food kit, soap and hygiene kits and Healthcare workers supported through PPE Kits pan India.
- 3. Be Connected:** The Child Protection Workers (CPWs) continued to contact the Children's Club Members, Vigilance Committee Members (VC), Village Level Child

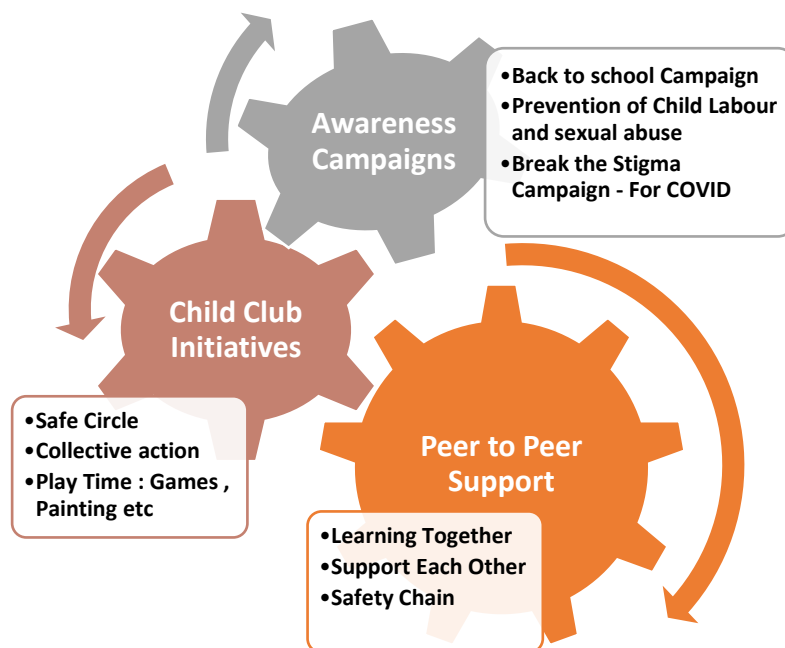
Protection Committee (VLCPCs), Gram Panchayat Members, CBO (Community Based Organizations) Members, Parents and Children through phone as well as door to door visit during the lockdown period.

4. **Psychosocial Support:** Amidst the new normal, children are losing out on their daily habits of going to school, impacted learning cycles, no play time, stigma and fear associated with COVID, associated poverty, hunger etc. Hence, it is extremely crucial to provide psychosocial support to children to relieve them from mental stress and help them accommodate with the “new normal”. Caritas India is reaching out to children through its Partners through their Child Rights help Line numbers and National Tele-Counselling Toll free number- 844-844-1082.
5. **Protect children from violence, exploitation and abuse:** Mass awareness generation is being created amongst the Child Leaders about issues concerning children and the possible aftermath of lockdown such as possible increase in Child abuse, child marriages, child labour, trafficking, school dropouts etc. They are made vigilant and also made aware about various laws related to children such as Right to Education, Protection of Children from Sexual Offences Act (POCSO Act) 2012 , JJ act , 2015 (Juvenile Justice Act), cyber safety etc and actions to be taken in cases of violence against children such as calling Child Line Number- 1098 , Child Rights help Desk etc.
6. **Support meaningful child participation in the development & implementation of programmes responding to COVID :** Apart from creating awareness, Animators as well as Child Protection Workers are also encouraging Child Leaders to engage in various awareness campaigns and take action such as preparation and dissemination of Childline nos., Child Rights Help Desk Nos. , COVID related helpline Numbers etc across the Community. Child leaders are also encouraged being vigilant and trying to create a close watch on the children near their neighbourhood through peer to peer support to prevent and protect children from violation of their rights. Child leaders have been further engaged in various positive initiatives such as food distribution, painting classes, poster making, cleanliness campaign, breaking the stigma campaign related to COVID, Handwashing Awareness Sessions across communities etc.
7. **Peer to Peer Support to keep children learning:** Children have been linked with Government initiative of virtual learning Platforms such as Doordarshan and AIR (All India Radio)which includes curriculum-based classes for primary, middle and high school level students wherever access of internet has been possible. During the COVID Times, it is necessary for Children to have the peer to peer support as they are losing out on their learning due to school closures, play time and other favourite past time with friends as they can't participate in larger groups. Hence, Peer to peer to support is the concept of companionship during COVID times wherein few children (in pair of two-five maintaining physical distancing norms) in the neighbourhood take care of each other and support through various ways such as studying together, playing etc. Further, as the lockdown eased, Animators and Community Mobilisers started Mohalla Classes focussing on play way methods in small groups of children to revive education classes.
8. **Networking and Linkages:** Caritas India and her partners are constantly engaging in dialogue with key government Stakeholders and members from Statutory Bodies at the Macro , meso and micro level such as National Nutrition Mission , NCPCR (

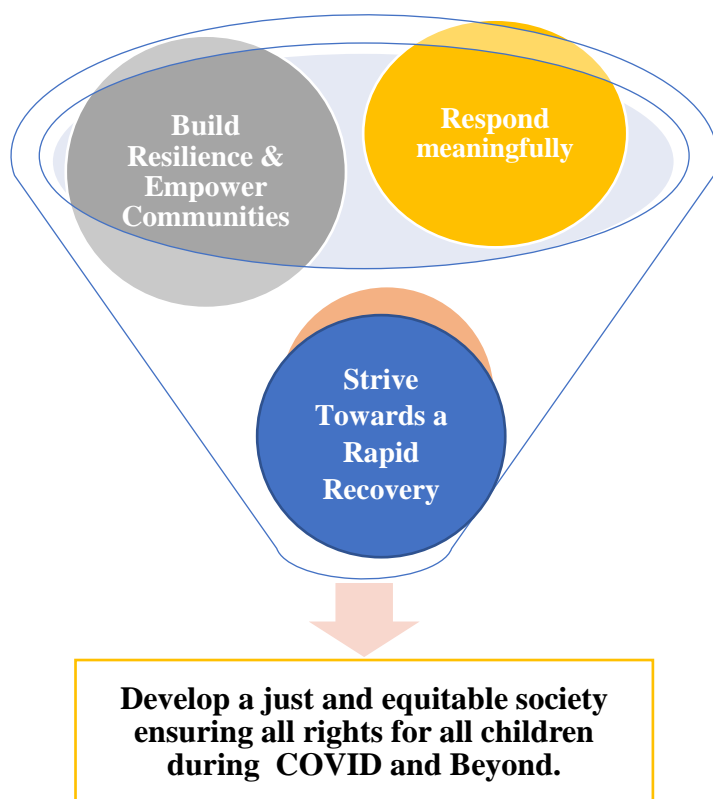
National Commission for Protection of Child Rights), SCPCRs (State Commission for protection of Child Rights – Bihar and West Bengal), Civil Society organisations such as UNICEF India, Save the Children , World Vision, Care India etc and networks such as CACL (Campaign against Child Labour) and RTE Forum (Right to education forum), CWCs (Child Welfare Committees), VLCPCs (Village level Child Protection Committees), Gram Panchayat Leaders , BDO (Block Development Officer), DM (District Magistrate) office etc to create collective synergies and strategies with govt. while reaching out to children.

9. **Empowering Communities through Virtual Trainings and Webinars :** Caritas India has been rigorously engaging through her partners to organise virtual training sessions on various child related laws such as POCSO, 2012 (Prevention of Children from sexual offences act,2012) , CLPRA (Child Labour Prohibition and Regulation Act) , Juvenile Justice Act 2015 (JJ Act) , ICDS(Integrated Child Development Schemes), new born care & safe motherhood during COVID, as well as schemes and services related to RMNCHA (Reproductive Maternal , Neonatal , Child Health + Adolescence)etc to build their capacities and generate awareness regarding their rights and entitlements. Similar concerted efforts have been done to train police officials, Border security force, Sahastra Seema Bal (SSB) & Indo – Nepal Border Protection (ITBP) Forces, VLCPC members on laws related to children to prevent trafficking, cybercrime and other forms of violence against children.

10. Empowering Children during COVID through positive engagement strategies



Caritas India calls for holistic and concerted approach through an amalgamation and convergence of all stakeholders to ensure all rights for all children based on the following primary principles:



GENERAL RECOMMENDATIONS FOR ENSURING RIGHTS OF CHILDREN DURING COVID-19 AND BEYOND

1. Increase Budget for Children

There should be mandatory announcements of annual budgets for children in the budget documents for National and State governments.

The budget for children (BfC)² in 2020-21 in the Union Budget is only 3.16%. This share has been declining over the years as has the share for education, health and child protection. A look at budgetary allocations for children shows that education has been receiving the highest share. However, it is far from the recommended allocation of 6% of India's GDP in the recent National Education Policy. The Economic Survey 2019- 20 reveals that education budgets hover at 3.1 % of total GDP and if India is to truly capitalise on the 'demographic dividend', and reverse the losses caused by the COVID-19, investments in education must be increased manifold.

2. Amend NDMA to include pandemic and human driven disasters with special focus towards CLDRR(Child Led Disaster Risk Reduction).

4. Ensure improved access to livelihood. Increase Budget under MGNREGA and strengthen support to micro enterprises to increase access to livelihood at the rural areas and create an ecosystem of self-reliant Indian villages.

² <https://www.haqcrc.org/new-at-haq/children-trillion-dollar-economy-budget-children-2019-2020/>

5. Encourage Intersectoral Convergence for cross-cutting themes enhancing better implementation and policy making. (eg: MoRD , MWCD , MHA, MoHFW) Collaborative effort between the public sector, the private sector, and the civil society would be critical for educational and social rehabilitation of affected children.

6. Declare functioning of Child Protection mechanisms and services under essential services.

7. Strengthen Community Based action and monitoring for efficient governance & delivery of services. Strengthen and enhance the role of Community Based Organisations (CBOs) to engage in empowering communities for community led action and coping mechanisms.

8. Data of All Children:-The government must invest in maintaining effective data systems that provide real-time and disaggregated data, for each and every child.

9. Access to vibrant child Rights Systems by All Children:- Strengthen the National Child Rights(State and District), Commission(s) in line with NHRC while investing in all child focussed systems and bodies [like ICPS, DCPU, CWC, JJB, Bal Mitra-Child Friendly Police stations etc] to make these more functional and robust. Strengthen the reporting mechanism on violence against children while making it more accessible to children.

10. The inclusion of All Children:- Ensure a barrier-free, violence-free and non-discriminatory environment for all children particularly the last child in lines with the SDG Goal 10 : Reduced Inequalities.

CHILDREN'S RIGHT TO PROTECTION

All children have the right to be protected from violence inflicted on them by anyone, whether parents, teachers, friends, romantic partners or strangers. Yet in every country, children experience violence at home, at school and in their communities, often at the hands of people they trust and interact with daily.³ The 2030 Agenda for Sustainable Development includes a global commitment to end violence against children and acknowledges that eradicating violence is a key component of sustainable development.(SDG Goal 16.2)⁴

In the wake of this Coronavirus pandemic, community mitigation strategies involving physical distancing and isolation, a prolonged lockdown has been mandated to prevent spread of the disease. However the lockdown has opened doors for the worst kind of abuses and violence that have shaken the society at large. Cases of domestic violence and sexual abuse has been on an all-time rise. Children especially are at the receiving end as they are vulnerable and are helpless on their own. In India every second child has experienced sexual abuse before the age of 18, most often the abusers are known to them. 109 children sexually abused every day in India in 2018: as per NCRB data.⁵ This has gotten worse amidst the pandemic induced lockdown. In the first 11 days of lockdown alone, CHILDLINE for children in distress, which is backed by the Ministry of Women and Child Development, received 3.07 lakh calls of which

³ https://www.unicef.org/protection/files/UNICEF_VAC_ToC_2_pager_WEB_051217.pdf

⁴ <https://sustainabledevelopment.un.org/?menu=1300>

⁵ <https://www.indiatoday.in/india/story/109-children-sexually-abused-every-day-india-2018-1636160-2020-01-12>

92,105 calls were regarding abuse and violence on children.⁶ Prolonged confinement due to lockdown, known perpetrators, exposure to explicit content on internet, lack of adult supervision, cybercrimes leading to mental health issues and dysfunctional family environment are some of the major factors aggravating the situation amidst this pandemic.

SPECIFIC RECOMMENDATIONS ON CHILDREN'S RIGHT TO PROTECTION

1. Pandemic or no pandemic, ensure Children's access to justice.

Core Child Protection service providers should be declared essential during any lockdown or declared emergency in order to ensure children's access to justice. SOPs should be issued for JJBs(Juvenile Justice Boards), CWCs (Child Welfare Committees), Special Courts under the POCSO act, Children's Courts and Police, SJPU's for production of Children, conduct of inquiries or trials, as the case may be, while ensuring physical distancing norms and adherence to due process as well as principles of juvenile justice.

Arrangements for virtual production of Children should be made if need be, but access to justice needs to be restored and made essential.

2. Strengthen existing Child Protection systems and make them functional. Urgent need for establishment and strengthening of CWCs (Child Welfare Committees) in various states to ensure access to justice & redressal mechanism. Existing community Mechanisms and Child protection structures such as District Child Labour Task Force, VLCPCs (Village Level Child Protection Committee), Gram Panchayat, SMCs (School Management Committees) etc needs to be made functional across the country.

3. Rehabilitation & Social Integration of Children

Establish and implement new robust mechanisms for children freed from labour and for children who have been victims of any form of violence or exploitation. There needs to be an enhanced focus towards complete social as well as economic rehabilitation.

Model Sponsorship Guidelines under Juvenile Justice (Care and Protection of Children) 2015 as well as District Labour Task Force Rescue and Repatriation guidelines should be developed with specific considerations incorporating the active involvement of local community mechanisms in enabling children's access to sponsorship services and monitoring their wellbeing in community based alternative care arrangements.

The Central Government should urgently increase its contribution to the sponsorship fund and increase the financial support per child in sponsorship / foster care / kinship care/ after care/Child and Adolescent Labour Rehabilitation Fund.

There is further need to create mass awareness generation of the Rehabilitation and sponsorship guidelines available amongst various stakeholders in order to establish the linkages and ensure holistic rehabilitation of the child.

4. Mapping of Child Labour Hotspots for Prevention & Needs Assessment.

The situation of Child Labour must be well documented and a centralised MIS system to track the rescue and rehabilitation of children must be maintained to prevent further engagement of Children in Child labour.

Further, activate the existing MIS systems to strengthen child protection monitoring mechanisms.

⁶ <https://www.thehindu.com/news/national/coronavirus-lockdown-govt-helpline-receives-92000-calls-on-child-abuse-and-violence-in-11-days/article31287468.ece>

5. Online Safety and security

Strengthen rules and mechanisms to enhance cyber safety and security for children amidst COVID as children are largely engaging into online spaces for their education as well as social networking. Generate mass awareness amongst Children, parents as well as teachers on safe usage of internet and strengthen cybercrime laws & reporting mechanisms.

CHILDREN'S RIGHT TO EDUCATION

As COVID struck the world, the school system came to a standstill as a result of the ramification measures. As the education system came to an abrupt stop, it stirred a pandemic within pandemic. The worldwide closure of schools has no historical precedent. According to UNESCO, approximately 0.32 billion students in India have been affected by school closures due to the Covid-19 pandemic (UNESCO 2020)⁷. Of these, almost 84% reside in rural areas while 70% attend government schools. As of 2015, the average dropout rate across secondary schools in India was 17.06% with higher numbers for rural areas (NUEPA 2016)⁸. Past evidence suggests that short term disruptions in schooling often lead to permanent dropouts among the poor (Reddy and Sinha 2010)⁹.

The discourse on education during the lockdown period has been essentially focused on online or televised learning. The measures taken for online classes preclude the rural and urban poor with limited or no access to electricity and network resources. Moreover, online classes are being facilitated largely for students who attend urban private schools, and already outperform government school students on most indicators of learning (Annual Status of Education Report 2018). The higher use of online learning platforms by private schools will increase this disparity.

KEY RECOMMENDATIONS ON CHILDREN'S RIGHT TO EDUCATION

1. **Bring all children back to School:** Run an extensive back to school campaign. Ensure enrollment of all children including children from migrant families. Schools must track all enrolled children, especially girls, transgender children, children with physical and intellectual disabilities, to ensure that no child drops out and is back to school once they reopen.
2. **Ensure staggered opening of schools.** After the schools reopen, it is important that safe spaces are created adhering to physical distancing norms and conduction of classes in small groups.
3. **Focus on Emotional Reintegration of children when back to school.** Teachers must focus on reintegration of children with schools and not on completion of syllabus. Inculcate emotional resilience, psychosocial support and safe school curriculum into

⁷ UNESCO. (2020). School closures caused by Coronavirus (Covid-19). Retrieved May 8, 2020, from <https://en.unesco.org/covid19/educationresponse>.

⁸ NUEPA. (2016). School education in India: Flash Statistics. New Delhi. <http://www.dise.in/Downloads/Publications/Documents/U-DISE-SchoolEducationInIndia-2015-16.pdf>.

⁹ Reddy, A. N., & Sinha, S. (2010). School dropouts or Pushouts? Overcoming barriers for the right to education. Retrieved from <http://www.create-rpc.org>

the syllabus keeping in mind the COVID crisis and associated learning crisis due to school closures.

4. **Adoption of an inclusive and Gender sensitive curriculum in schools.**

Schools need to develop an inclusive curriculum on the principles of equity, constitutional values and gender equality enhancing empathy amongst children & preventing discrimination in the education system on the grounds of caste , sex , religion or race etc. (Focusing on SDG Goal 5: Gender Equality & SDG Goal 10: Reducing Inequalities)

5. **Develop diverse learning materials** using radio, TV, SMS, printed material, peer to peer support and Parent Resources. Encourage Mohalla Classes to be held in small groups and enhance peer to peer support. Also develop robust support mechanisms and provide impetus to create an ecosystem to provide access to digital education for all children breaking the digital divide between Bharat (Rural India) and Urban India.

6. **Digital education can be supplementary and cannot be a complementary mode to replace classroom teaching.** E- Learning is an imperfect substitute. Access to free, fair and quality education needs to be ensured through strengthening school infrastructure, developing inclusive learning curriculum through play way method and capacity building of teachers as the schools reopen.

7. **Provide scholarships and targeted cash transfers** to bring children back to school.

8. **Enhance focus of public expenditure towards Education.** Ensure education's share of National and State budgets reaches 6% of GDP as mandated by the National Education Policy.

CHILDREN'S RIGHT TO HEALTH AND NUTRITION

Long-term impact of the pandemic on economic and social systems remains invisible, but experts have begun to caution with worrying forecasts. Drawing from a recent Lancet study, the UNICEF has warned that three lakh children could die in India over the next six months due to disrupted health services and surge in child-wasting¹⁰, a form of malnutrition when the child is too thin for his/her height. India is expected to bear one of the heaviest tolls of this preventable devastation, partly because its malnutrition levels among children was grim even in pre-COVID-19 times. India is home to half of the "wasted children" globally, reckons the recently launched Global Nutrition Report 2020¹¹. More than a third (37.9 per cent) of our children under-five years are stunted, and over a fifth (20.8 per cent) are wasted, the report adds. These rates are significantly higher compared to average prevalence in developing countries, which stand at 25 per cent for stunting and 8.9 per cent for wasting.

One of the most important consequences of the lockdown and subsequent school closures has been the temporary suspension of mid-day meals and supplementary nutrition programs, which has widespread and important implications for the nutrition and food security of children across the nation. The Mid-day Meal (MDM) program in India is the largest school feeding program

¹⁰ [https://www.thelancet.com/journals/langlo/article/PIIS2214-109X\(20\)30229-1/fulltext](https://www.thelancet.com/journals/langlo/article/PIIS2214-109X(20)30229-1/fulltext)

¹¹ <https://globalnutritionreport.org/reports/2020-global-nutrition-report/>

in the world (World Food Programme 2013), catering to about 144 million children, with approximately 80% coverage across primary school students (Chowdhury 2019¹²).

Similarly, disruption in the supplementary nutrition program delivered under the Integrated Child Development Services (ICDS) Scheme is likely to affect over 100 million pregnant and lactating mothers, and children under the age of 6, who rely on Anganwadi centres (rural child care centres) for both cooked meals and take home rations to meet basic nutritional needs. Lack of access to school feeding and supplementary nutrition programs is likely to further endanger already precarious food security for urban and rural poor, which may have long term health and economic impacts.¹³

KEY RECOMMENDATIONS ON CHILDREN'S RIGHT TO HEALTH & NUTRITION

- 1. Universalise health and nutrition services for all children without attaching any conditionality or eligibility requirements.** Nutrition programmes like the Integrated Child Development Services (ICDS), mid-day meals, and Anganwadi centres should continue to work as essential services and provide dry rations & meals to school as well as Anganwadi children.
- 2. Post the pandemic, new strategies will have to be planned out for strengthening community-based management of acute malnutrition.** Structural reforms of the Nutritional Rehabilitation Centres (NRCs) will have to be considered along with a ready workforce that has to be trained to fulfil the needs of the population during and post-pandemic. This will ensure access to nutrition services for women and children, improving their health.
- 3. Monitor Demand & Supply linkages to ensure food security. Restore Efficiency in PDS system and ensure delivery of quality balanced nutritional ration provisions.**
Re-directing locally produced horticultural crops to households under the MDM and ICDS umbrella can help improve nutrient content and diet diversity for children and provide temporary relief to farmers through local procurement
- 4. Realtime monitoring of ICDS services. Make the health services of ICDS, immunisation, PHCs, NRC accessible at all times and declare them as essential services.**
Ensure immediate restoration of routine immunisation and other essential child health services. Ensure health and nutrition requirements of adolescent girls through regular supply of iron supplements, menstrual hygiene products, and supplementary nutrition through ICDS.

¹² Chowdhury, S. R. (2019). The correlation between midday meals and learning outcomes | India Development Review. <https://idronline.org/the-correlation-between-midday-meals-and-learning-outcomes/>.

¹³ Gupta Manvi & Alvi Munza (2020); "Learning in times of lockdown: how Covid-19 is affecting education and food security in India"; Retrieved from <https://link.springer.com/article/10.1007/s12571-020-01065-4>

CHILDREN'S RIGHT TO PARTICIPATION

In India, COVID-19 has disclosed the ever-present fissures of child rights application during a humanitarian emergency. From the rights perspective, the vulnerabilities to any crisis exacerbate when an individual or group is denied agency. Article 12 of the UN Convention on the Rights of the Child establishes the right of every child to give their opinions freely on matters concerning them and obliges state parties to ensure that children's voices are heard and taken seriously. India has an impressive set of legislation and policies which entail children's right to be heard and participation in all processes and decisions affecting their interests. The Juvenile Justice (Care and Protection) Act, 2015 and the National Policy for Children, 2013 strongly affirm this valuable right. Despite these policy commitments, children's right to be heard and participate remained infringed. On Realization of Children's Rights Index (RCRI), showing the level of realisation of children's rights in 196 countries, India stands at the 149th position, indicating a "difficult situation" concerning respect to child rights.

While we envisage a new normal future for us, children are still waiting for a "normal" future to unfold. These little architects of resilience are often "seen but not heard". Our thematic representations of children's issues amid the pandemic are mainly devoted to the portrayal of miseries rather than having a discourse on child rights. While we are responding to the pandemic, it is an act of justice that we pay heed to children's perspectives¹⁴.

It is during these COVID times, that it is of all the more relevance to provide platform to children to speak up & exercise their right to participation when they are facing a pandemic within a pandemic due to their childhood hit as a result of multitude of ramification measures of the disease.

Jean Jacques Rousseau once famously wrote, "Childhood has its own way of seeing, thinking, and feeling, and nothing is more foolish than to try to substitute ours for theirs." Let us use these troubled times as an opportunity to empower our children with a "voice".

KEY RECOMMENDATIONS ON CHILDREN'S RIGHT TO PARTICIPATION

1. Strengthen Community Mechanisms to ensure participation of Children through Gram Sabha, VLCPCs (Village level Child Protection Committees), SMCs (School Management Committees) etc.
2. Document the struggles and voices of Children during COVID. Make their opinions heard and considered for policy making.
3. Media is one of the most powerful tools for accentuating "voices" of resilient childhoods and propagating its translation into actions.

¹⁴ <https://www.thehindu.com/opinion/open-page/covid-19-and-children/article32124061.ece>

ABOUT CARITAS INDIA

Caritas India, since its inception in 1962 strives to create protective and empowering environment for children from marginalized communities, in states like Bihar, Uttar Pradesh, Delhi, Odisha and West Bengal and Assam focusing on local issues of disaster risk reduction, education, malnutrition, child marriage, peace building, trafficking and child labour.

Caritas India partners in West Bengal have facilitated 15 ‘Child Labour Free Zones and Child Labour free Tea Gardens’ and ‘Child Friendly Police Stations in Kalimpong and Darjeeling districts’, apart from instituting Children’s Clubs and Vigilance Committees that report cases on child labour and activating Village and Block Level Child Protection Units. Presently, Caritas India is implementing a programme, ‘Surokhit Shaishnav’ in 6 districts and 164 villages in West Bengal, which aims to work towards abolition of child labour in all forms in the state by establishing effective child protection systems and promoting children’s rights to education, inclusive development and social participation. Further, Caritas is also closely working for the development and empowerment of children from Musahar communities (Mahadalits) in Bihar through their intervention in education and Nutrition. Caritas India also has a growing network of Children’s collectives across India in the form of Children’s Clubs and Parliaments strengthening Children’s Right to Participation and empowering them as Child Leaders.

Caritas India converges with civil society alliances and networks working on child rights for policy strengthening. In West Bengal, it is also the co-convenor of the Campaign Against Child Labour (CACL). Nationally, it has contributed recommendations to the National Plan of Action for Children, 2016 many of which that were accepted; National Education Policy 2016 and Trafficking of Persons (Prevention, Protection & Rehabilitation) Bill 2016.

References

1. https://www.unicef.org/india/press-releases/urgent-action-needed-safeguard-futures-600-million-south-asian-children-threatened#_ftn3
2. <https://indianexpress.com/article/opinion/columns/bihar-children-mid-day-meal-education-system-6499800/>
3. <https://www.thehindubusinessline.com/economy/115-million-children-in-india-on-verge-of-malnourishment-due-to-school-closure-report/article32341824.ece>
4. <https://www.thehindu.com/opinion/open-page/covid-19-and-children/article32124061.ece>
5. <https://indianexpress.com/article/opinion/columns/covid-19-india-children-malnourishment-6465373/>
6. <https://timesofindia.indiatimes.com/india/children-in-62-surveyed-homes-discontinued-education-amid-pandemic-save-the-children-report/articleshow/76909654.cms>
7. <https://www.cry.org/wp-content/uploads/2020/08/COVID-19-Its-Impact-on-Children.pdf>
8. <https://www.haqrcr.org/child-rights-in-india-the-world/rights-of-children-in-the-time-of-covid-19/>
9. <https://www.caritasindia.org/71-of-kids-have-no-access-to-digital-education-in-west-bengal-finds-study/>
10. <https://www.hindustantimes.com/education/child-labour-among-school-going-children-increased-in-lockdown-period-in-west-bengal/story-c6KxomHlk3FOOba1Ehf0yH.html>



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