



**The
Great
Concern**



**CHILD
RIGHTS**




Celebrating
50 Years of
Life, Freedom, Dignity...

A Publication of Indo –
Global Social Service Society



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FORWARD

The Great Concern is a sequence of publication of Indo – Global Social Service Society(IGSSS). Over the years we have focused on several issues including Watershed Management, Youth and Development, Health and Medicine, People and Forest,Panchayati Raj, Women and Law, Land, Human Rights, Water, Governance, HIV Aids etc.

IGSSS looks at Right – Based Approach in all its interventions. This issue focusing on Children is also on Rights Perspective.

The children of today are the torch bearers of tomorrow. It is just not that one has to focus on the physical and cognitive growth of children but also on all round development with an understanding of the core human values. The article in this issue focuses on different areas of work with a judicious mix of field experience, analytical studies and in – depth evaluation of interventions. The case studies mentioned bring to light not only success but also areas of improvements. As always, IGSSS stands for the Rights of the people it serves.

Congratulating the documentation team of IGSSS for bringing out one more of our Great Concern.

Dr.Joseph Sebastian
Executive Director

GLOBALISATION & CHILDREN'S RIGHTS

-a few reflections

The concept of 'globalisation', which has rapidly conquered the world and has dominated the discussions on economic policy, is part of a political project to replace the sovereignty of states by the rule of the neo-liberal market regime. Some have presented it as a sure fix for all possible developments in the world; others who oppose it have concluded all untoward developments as direct or indirect consequences of globalisation.

The critiques argue that globalisation is the continuation of colonialism and imperialism under a different guise, and that its main feature is the sourcing for profit, by the removal of all hindrances imposed by independent states. The argument continues that the globally operating capitalism, mainly of US vintage, is bleeding the world white resulting in dramatic ecological, political and social consequences.

Impact of Globalisation

The liberal paradigm of development adopted by most of the world, including India, has led to a profit and production oriented society, ignoring people and their needs. Lopsided development policies have resulted in migration and displacement of the poor on one hand, and ecological degradation on the other.

The result of rural migration and displacement is urban ghettoisation, expansion of slums and pavement dwelling. Families have been displaced from their roots, traditional sources of livelihood and community bonds and supports (India: Ministry of Welfare, 1994). Poverty and deprivations are aggravated in these communities and family support systems are weakening. Children in these families are vulnerable to destitution and exploitation of various types.

Globalisation has also aggravated emergency situations in rural and urban areas, such as displacement,



environmental disasters and armed conflict, which disrupts the major support systems of children such as family and school, exposing them to several vulnerabilities. Globalisation has also led to expansion of the international organised crime, enlarging the scope for exploitation of children.

The mantra of free markets have led to traditional occupations getting wiped out by large corporations. Petty traders and home based occupations such as sweet making etc. are losing out to big companies, who have started producing traditional savouries by mechanizing the process and marketing it in sleek attractive tin foils. Small vegetable sellers are losing out to super markets selling vegetables at competitive prices.

Unemployment among men, increased migration/ desertion and alcoholism among men, have led to an increase in pauperization of families. Last 15 years has shown an increase in unprotected, unorganised labour force. Women and children form a major chunk of the informal labour force. Casual labour accounted for 34% of the women in the labour force and 41% of casual labourers were women in 1991 (World Bank, 1991). Moreover, this sector does not provide women with social or job security, unionisation, application of anti-discrimination laws and so on.

Women play a significant role in the subsistence economies but development policies and approaches assume men as earners and heads of families. These policies exclude women from development programme that provide a significant portion of development funds and human resources.

This has led to increased poverty among the female-headed families and feminisation of poverty. Studies have indicated children of single-parent families drop out of school because of their poor



economic situation, household responsibilities and early entry into the job market. Many of these children often get institutionalized under welfare programme catering to the destitute and neglected children.

Resultant of Globalization

In 1980, 118 million people were in nine countries where GDP per head was declining. In 1998, there were 60 such countries and 1.3 billion such people. The average overall growth in the period of globalisation has declined, particularly so in the developing countries, and social inequality at the world level has widened dramatically. The richest 50 million people in the world earn as much as the poorest 2.7 billion. Income inequality worsened in 33 of 66 developing countries. The widening gap has also occurred *within* most countries. Although inequality has long been a feature of world politics, the contemporary evidence indicates that it has been increasing, both within and across states: Economic liberalization is exacerbating the gap between rich and poor within virtually all developing nations.

A further scenario, as per capita incomes have stagnated in all regions except East and South Asia. In the developing world, with the exception of China, 100 million more people live in poverty today than a decade ago. Of the 6 billion today, 3 billion live under \$2 a day and 1.3 billion live under \$1 a day. These extraordinary statistics may rise to 4 billion and 1.8 billion respectively.

Source: www.worldbank.org/data

At least 80% of humanity lives on less than \$10 a day. More than 80 percent of the world's population lives in countries where income differentials are widening. The poorest 40 percent of the world's population accounts for 5 percent of global income. The richest 20 percent accounts for three-quarters of world income.

According to UNICEF, 26,500-30,000 children die each day due to poverty. And they “die quietly in some of the poorest villages on earth, far removed from the scrutiny and the conscience of the world. Around 27-28 percent of all children in developing countries are estimated to be underweight or stunted. The two regions that account for the bulk of the deficit are South Asia and sub-Saharan Africa.

<http://www.globalissues.org/issue/2/causes-of-poverty>

For the 1.9 billion children from the developing world, there are:

- 640 million without adequate shelter (1 in 3)
- 400 million with no access to safe water (1 in 5)
- 270 million with no access to health services (1 in 7)

In August 2008, **the World Bank presented a major overhaul to their estimates of global poverty**, incorporating what they described as better and new data.

The World Bank's long-held estimate of the number of people living on the equivalent of \$1 a



day has now been changed to \$1.25 a day.

At a poverty line of \$1.25 a day, the revised estimates find 1.4 billion people live at this poverty line or below

This is more than the previous estimate of 984 million with the older measure of a \$1 a day in 2004

In 1981, the estimated number of poor was also revised upward, from 1.5 billion to 1.9 billion

Almost half the world — over 3 billion people — live on less than \$2.50 a day.

The GDP (Gross Domestic Product) of the 41 Heavily Indebted Poor Countries (567 million people) is less than the wealth of the world's 7 richest people combined

1 billion children live in poverty (1 in 2 children in the world). 640 million live

Alternative factors Challenging Children's Development –

Patriarchy

Families and communities have generally been patriarchal and roles and responsibilities, and control and distribution of resources are determined by age and sex. In traditional adult-centered families development of the child has been given the lowest priority in patriarchal families. Children are, therefore, vulnerable to all forms of abuse, physical, emotional and sexual. This is true not only for families belonging to the lower socio-economic strata but also for the wealthy and economically sound families.

Girl Child

Patriarchy justifies control over women with reference to their labour, sexuality and reproductive roles. Sexism justifies role stereotypes of earner for the man and housewife for the woman, headship for the man and subordination for women .

Since childhood, or to be precise, even before birth, women are being subjected to discriminatory treatment - Considered a liability and a curse, girls in some communities are killed at birth by parents who strangle, suffocate or poison them with traditional herbs. The technology of amniocentesis is increasingly misused to identify female foetus and kill the girls before they are born. The Registrar General of India has admitted to abortion of 3.6 lakhs female foetuses in 1993-94 (Sherwani, 1998). The National Crime Records Bureau data of 1998 also recorded 8.8% increase in incidence of foeticide and 6.5% rise in the incidence of infanticide. Because of the wide prevalence of female foeticide and infanticide, and neglect of the girl child in the areas of food intake and health care, it is not surprising that the sex ratio of female to 1000 male population is steadily declining in India. It was 934 in 1981 and 927 in 1991. In 1991, it increased to 933. However, in the age group of zero to six years, it was 962 in 1981 and 945 in 1991 and gone down to 927 in 2001. This is not limited to poverty groups with reference to female foeticide and infanticide.



Child marriage, domestic violence, dowry deaths, trafficking and prostitution etc. are other social viruses retarding the holistic growth and demeaning the Status of women in the Indian society.

Caste System

Casteism is an integral part of the socio – political life in India, severe prejudices are being meted out to the communities, specially to the marginalized and the under privileged, in the name of one's caste. Dalit children, who go to school, often have to sit, eat and play separately. Dalit girls suffer additional exploitation due to their caste and gender. In fact, attacking women and children of Dalit communities, when they protest against the derogatory caste practices, is used as a tool to punish the community. It is unfortunate that children and adolescents of depressed classes are not given access and support to quality education, marketable skill acquirement, access to credit which has resulted in generational poverty.

Convention on the Rights of the Child (CRC)

In 1989, the United Nations General Assembly unanimously adopted the Convention on the Rights of the Child (UNCRC) that gives legal expression to the notion that children have independent human rights – and that those rights should be at the heart of all political, economic and social decision-making. India ratified the Convention in December 1992.

The CRC enshrines the general principles of non-discrimination - Best interest of the Child, Right to life, Survival and Development and Respect for the views of child. It then elaborates the specific rights - Civil rights and Freedom; Family Environment and Alternative care; Basic Health and Welfare; Education, Leisure and Cultural activities; and Special Protection Measures, Child Rights Principles, Approaches and Strategies.

Child Rights are grouped in the following major categories:

- Child Right to family well being with reference to recognition of family as the natural environment for the child, family right to state assistance and community support;
- Child Right to development with reference to survival, physical, mental, spiritual, moral and social health, education and rest, recreation and cultural rights;
- Child Right to participation with reference to expression of views, communication of information, freedom and decision-making;
- Child Right to protection from neglect, abuse and commercial exploitation.

Child Rights Approaches

Following are the Rights-Based Approaches to Policy and Programme Planning for children:

- Child-Centered Approach;
- Life-Cycle Approach;
- Family and Community Based Approach;
- Gender and Caste Sensitive Approach;
- Advocacy Approach; and
- Multi Sectoral Approach.

Child Rights Strategies

Following are the categories of rights-based strategies needed for children:

- Multi-Pronged Rights-Based Prevention Strategies for Children;
- Multi-Pronged Rights-Based Protection strategies for children; and
- Promoting Knowledge, Training and Advocacy for Child Rights.

Child rights concern all children but there are categories of children who are marginalized and

vulnerable to abuse and exploitation, they are in need of special protection measures and deserve priority attention in terms of protecting their rights. Such children's include the Street children, Child Labourer's, especially those engaged in hazardous work, Children who are Trafficked and are victims of Sexual Exploitation, Children in Institutions and so on.

Responding to Globalisation and protecting Children

In a world where children are becoming more and more vulnerable, the adults and civil society must rise up to their responsibility of protecting the Rights of Children.

- Value the principles of human rights for social equity, local self-governance, democratic pluralism, people's participation and peaceful coexistence;
- Critique the ideologies, policies and programmes that lead to systemic discrimination and marginalisation of children because of their sex, ethnicity, age, health, economic background and other such attributes;
- Identify the roles played by the systems of family, community, state, corporate sector and mass media in society, especially in reinforcing domination and marginalization of children;
- Work towards change/restoration/enrichment of systems for development aiming at empowerment of families and children to meet their basic needs of food, water, livelihood and employment, health, shelter, environmental sustainability, literacy and basic education as human rights.



Specific Strategies for Child Protection

- Following issues need to be considered for child protection as these extremely marginalized groups of children tend to grow when policies are not pro poor:
- National Plan of Action for child protection and Sub-Plans of Action for protection and rehabilitation of child victims, physical abuse, sexual abuse, conflict with law, HIV/ AIDS, and children in institutions; and strengthen the implementation of the Plan of Action to combat trafficking and commercial sexual exploitation of women and children.
- The ideological perspective, of children's rights through adult responsibilities, need to be integrated in all the policies, programme and laws.
- Minimum standards, and resources to meet these standards, need to be developed and monitoring, documentation and evaluation, need to be made integral parts of every programme.
- Think tanks need to be created for periodic review of the problems and programme for child protection.
- Work in partnership with the anti-poverty programme of the Ministries of Urban and Rural Development, focusing on single-parent families and female-headed households in poverty groups, such as families of widows or deserted women and those with migrant, disabled, unemployed, substance addict or imprisoned men, in order to prevent their children from destitution and exploitation.
- Mobilise NGO Networks and make them active partners in designing policies and programme;
- Non-institutional services for children that are family and community based to be preferred to institutional services. Non-institutional services should be directed to strengthen the family as a unit, and preventing family disintegration.
- Training of functionaries of all development departments – Child Rights as a cross cutting and multi-sectoral concern.
- Greater emphasis in professionalising programme development and implementation in the social sector, especially those targeting children.

From Rhetoric, Conventions, National Plans to Action on the ground

- Mechanical Ratification of Convention (CRC) and routine report submission and then business as usual will not bring about change for children – need better political and administrative will;
- National Plans and Commitments will not suffice – they are at most statements of intentions; appropriate budget allocation is likely to ensure action with emphasis on outcomes;

- Announcements and implementation of programme not sufficient – Monitoring and Evaluation is a must;
- Tokenistic partnership with NGOs – a select few Government friendly ones will not represent the issues – involve grass root NGOs;
- NGO Networks are more representatives of Funding agencies and Government – genuine people led NGOs should be identified;
- Professional Social Workers seem to be easily available for the funding agency market, very few to work with the deprived communities at the grassroots levels.
- Bridge the gap between Social Work Training/Curriculum and the social problems on the ground;
- Need to review role of Schools of Social Work in the era of globalization and liberalization.
- Schools of Social Work – from implementing projects to leveraging Government policies, programme, legislations;

Conclusion

It is frequently stated that in the development strategy there is a need to move from welfare to human rights based approach. This implies a change in mindset, reorganizing development priorities with required fund allocations committed to address the needs of a large proportion of deprived and marginalized communities. All our development projects whether funded by Government or other development agencies have to recognise this shift. The challenge becomes urgent and difficult also because of the inevitable negative effects of globalisation and liberalization.

The best indicator of measuring development is the status of children in the country. In Africa, the traditional question asked is how the children are faring, as it is believed that if the children are healthy, well fed and thriving, then the country is supposed to be doing well. Thus, there is this simple indicator to check periodically how we are handling the challenges of globalisation and liberalization.

Gerry Pinto,
Specialist, Child Rights and Child Protection



MISSING CHILDREN



Looking for a domestic help, live-in maid servant/babysitter... and you immediately dial a placement agency for help. Domestic placement agencies have mushroomed across the country, especially in the metros. Do you realize that by becoming customers of such agencies, you are actually abetting trafficking and becoming party to the third illicit industry after arms and drugs?

Surprised! you need not visit a 'brothel' to be a 'customer'; the placement agency is actually a 'transit area', when we speak in terms of human trafficking. Human trafficking involves a series of episodes for the trafficked person. These episodes might start with a desire or need to leave their home / community or migrate, followed by an encounter with a trafficker leading to coercion or deception and to highly harmful and exploitative working situations.

It might as well start with family members handing over the responsibility of their wards, for their safety and well being to others known to them, and then being end up trafficked by a third set of actors. Such children, mostly minor girls, are trafficked for sale as domestic helps through 'agents' or coerced to serve 'madams' in brothels or even sold for marriage to aged men, who might be married and having a family. Sometimes these girls are also deceived into marrying them and then pimped for commercial sex work by their so-called 'husbands'.

Parents and family members are also deceived by false promises; however several studies confirm cases where the victim's family members and relatives collude with traffickers in order to receive payment. Due to acute poverty, some parents are also forced to sell off their children. A sting operation performed by Tehelka recently,

revealed that such children are booked in advance by making a payment to the mother when the child is still in her womb. There have been instances of childless couples 'buying' children on the condition that if a male child is born it will be theirs.

Despite the exploitation and harm suffered, most of the times such persons do not opt to go home, as it may involve further stigmatisation, lack of control over their lives and no opportunities for economic survival. A trafficking episode changes a person's situation for life.

It is especially difficult for women to return as they are usually assumed to have been involved in commercial sexual work and are therefore considered to be "ruined" for marriage. Without marriage such women will continue to burden their families economically and through social stigma. Recruiters and those using the labour (brothel owners' etc.) play on this ground of stigmatisation to ensure that the trafficked person does not try to escape.

Human trafficking involves gross violations of human rights, great human suffering and yet is very difficult to combat, despite increasing investments from Government, Donors and Civil Society Organisations. Human trafficking is on the increase as the demand for this form of exploitable labour persists.

ADB's RETA (Regional Technical Assistance): Trafficking in Women and Children in South Asia employed the following definition - Trafficking of a person means:

- The recruitment, transportation, purchase, sale, transfer, harbouring or receipt of persons: by threat or use of violence, abduction, force, fraud, deception or coercion (including the abuse of authority), or debt bondage,

For the purpose of:



- Placing or holding such person(s), whether for pay or not, in forced labour or slavery-like practices, in a community other than the one in which such person lived at the time of the original act described in 1.

At least 45,000 children go missing in India every year, according to National Human Rights Commission (NHRC). Of these nearly 11,000 children are never traced. Such children are not missing but are systematically trafficked, alluring them with employment or marriage. Most of the times, minor girls of impoverished rural families from Bihar, Jharkhand, Chhattisgarh and West Bengal's tribal areas are sold, kidnapped or tricked into labour, marriage and sexual exploitation by their own family members and acquaintances. Trafficking often passes off as 'migration' as the children initially consent to going away from their families in search of a 'lucrative job and free food'.

Studies reveal that India is both a 'destination' and 'transit' area for trafficking of women and children. It is estimated that cross-border trafficking represents about 10% of the coerced migrants, with approximately 2.17% from Bangladesh and 2.6% from Nepal. Inter-State trafficking, therefore, could make up as much as 89% of trafficked victims.

West Bengal, Uttar Pradesh, Uttaranchal and Bihar are the main transit states in India through which trafficked women and children pass. West Bengal shares the border with Bangladesh, and Uttar Pradesh, Bihar and Uttaranchal share the border with Nepal.

According to the Department of Women and Child Development, of the Human Resources Ministry, of the Government of India, considerable internal trafficking occurs within India as well as cross-border - primarily from Bangladesh and Nepal. These Non-Indian Nationals may remain



in India or be transited to other countries in South Asia or the Middle East. There is no data collected concerning Indian women and children who are trafficked out of India, although it is believed that this occurs.

As at present no laws exist in India regarding repatriation for trafficked persons to Bangladesh or Nepal, the system currently depends on a good understanding and rapport between the various stakeholders involved and requires dealing with cases on an individual basis. NGOs in India have built relationships with several NGOs across the border to liaise with the Nepal Embassy and

Bangladesh High Commission for repatriation of trafficked women and children.

The Immoral Traffic (Prevention) Act, 1956 was passed in pursuance of the International Convention signed at New York on the 9th May 1950, for [the Prevention of immoral traffic]. This Act defines trial and punishment of different parties involved at various levels in the series of activities amounting to human trafficking. However, it is not easy to book the offenders due to the highly complex nature of the full range of human trafficking processes that affect many different actors –trafficked persons, their families, communities, and other third parties recruiting, transporting, harbouring and using trafficked labour. Those profiting from it seek to obscure their activities and encourage complicity from as wide a range of actors as possible, through coercion and offers to share in profits, in order to enhance their impunity from prosecution.

In the international context also the mechanisms, routes and destinations for human trafficking change rapidly, according to economic conditions and risks involved as in response to changes in immigration regulations, traffickers seek new channels to make profit; as labour demands change, coercion methods shift to ensure a suitable supply of victims is available. This makes it difficult to generalise about the modus operandi of traffickers or to ensure that new legislation, while preventing one form does not create new opportunities in other areas. Because of this complexity the causes and characteristics of human trafficking vary greatly from region to region, country to country.

Many rescue operations fail due to leakage of news of such raids to the traffickers. They manage a getaway for the victims, themselves and clients. Even if some of such girls are arrested

(particularly those into commercial sex at brothels) they are bailed out by the agents with fake certificates. Most such agencies work in collusion with the corrupt local police officials who also have a commission in such transactions. Some such girls during and after court trials are placed in the rescue homes, run by Government as well as NGOs. Many of these girls end up becoming mentally unstable due to the harrowing experience they undergo at various stages during trafficking and court trials as well.

A number of NGOs work in India to rescue and rehabilitate victims of trafficking; however, it is a herculean





task. According to Roma Debabrata of STOP, a Delhi based NGO working for the rescue, repatriation and rehabilitation of such victims, most girls come to the rescue home in a totally shattered mental-state, some of these girls are also discovered suffering from Sexually Transmitted Disease's(STD's).

They are rarely literate or have any skills to fall back on. They cannot even go back to their home or are too young to even know their full address or village they hail from. Many of them stay in rescue homes with nowhere to go, even in sections meant for the mentally unstable.

NGOs are focusing on providing medical aid, counselling and vocational skills to such girls so that they can earn a decent living and become self reliant.

Ranapara Gram Bikash Kendra, an NGO from the Amta Block of Howrah District in West Bengal is working on the preventive mode. It spreads awareness on trafficking, STDs and HIV/AIDS in the slums nearby railway stations in transit zones. It also works to reduce the vulnerability of girls by imparting a safe haven to sleep at night, so that they can be prevented from falling prey to the customers when their mothers are engaged in commercial sexual work, on days when no income comes their way from rag picking. During the daytime the shelter home doubles up as a vocational training centre to train these girls in marketable trades/skills.

GENVP another NGO in the Lakhisarai transit zone of Bihar works for spreading awareness amongst children in vulnerable communities and engages youth volunteers to become watchdogs of the community and report about missing children and adolescents.

While government and NGOs play their parts to curb the merciless trade, you and I should not close our eyes towards our responsibility. Even if you approach an agency for a domestic help, insist on taking only well informed adults to your home and do ensure you have all the details of their identity. Resist the temptation to employ cheap labour and curb the demand for this inhuman trade.

Ms.Sasmita Mahapatra,
M&E Officer, IGSSS,New Delhi

NIMBLE FINGERS WITH HEAVY BURDEN

Child Labour and the CHILDLINE experience of reaching out



When National Commission for Self Employed Women and members of the Women in Informal Sector were visiting all the state's of India to meet a cross section of women workers, one of the commission members while talking with the officials of a Hill State famous for its beautiful embroidery and crafts, expressed her concern about the number of children she saw working in home's and small shops/workstations. She also enquired about what the state was doing to ensure that all the children have access to schools. Some of the officials very obviously commented, "But if these children start going to school everyday, how will our crafts survive?" This comment is indicative of our society's attitude towards Child Labour and Child Rights.

It is very difficult to delineate or identify Child Labour, especially in economies like ours dominated by informal sector activities. Therefore, many Child Rights

Table 1.1: Children's Economic Activity by Region, 2004 (5-14 age group)

Region	Child Population (million)	Economically active child (million)
Asia and Pacific	650.0	122.3
Latin America and Caribbean	110.0	5.7
Sub Saharan Africa	186.8	49.3
Other regions	258.8	13.4
World	1206.6	190.7



activists like to define Child Labour in simple terms like any child out of school as Child Labour, encompassing all non-school going children – irrespective of whether the child is involved in wage employment or self employment, whether in hazardous or non-hazardous industry, employed on daily basis or on contract basis.

Across the world, Child Labour is prevalent, but South Asia and India has very large share of Child Labourer's. The following table gives an estimate of number of children involved in work across the globe.

CHILDLINE is the nation's first 24-hour emergency outreach helpline for children in need of care and protection. Twelve years since its inception, currently CHILDLINE is accessible in 83 cities/districts across 28 states and Union Territories and has responded to 13 million calls. CHILDLINE India Foundation (CIF) plays the role of a catalyst for child protection, it is the nodal body facilitating the work of CHILDLINE across the country.

In the 83 CHILDLINE across the country, the maximum numbers of calls received are related to the issue of Child Labour; though the total number of cases do not always get documented as the cases of child labour. For instance, when a child labour calls for medical assistance, sometimes the CHILDLINE team classifies the calls as the call for medical assistance, even though they might have helped them for their basic condition.

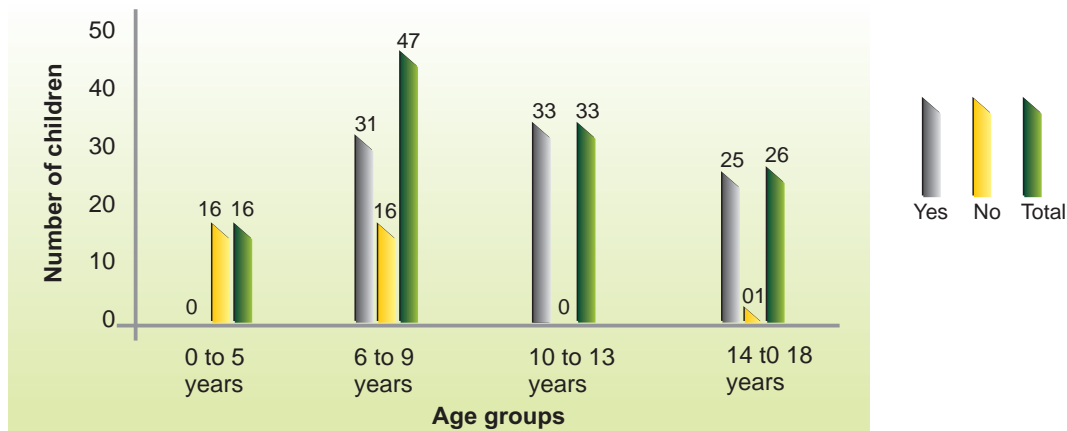
Child Labour and Lack of Access to Basic Rights

CIF conducted a study a in the limestone mines of Gujarat. During the study we found that all the children of the migrants in Junagarh district, who migrated from one rainfed region to the mining areas, were deprived of basic of health and education rights. Also, since the man is employed and paid on basis of productivity, the entire family including the children starts helping the man in the work. Some of the data from this is shared here.

Age wise distribution of children helping their parents in mining

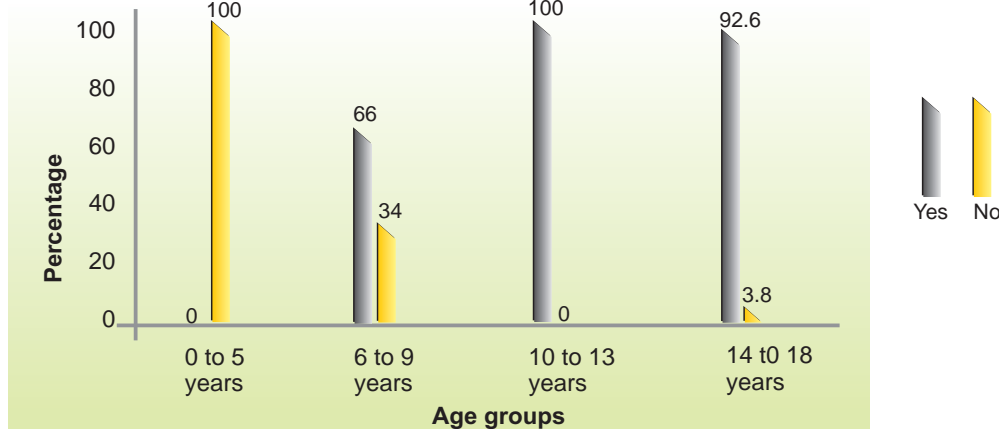
Age Distribution	Help Parents in mining (%)		
	Yes	No	Total
0-6 Years	2.2 (2)	72.7 (24)	21.3 (26)
7 to 13 years	69.7 (62)	24.2 (8)	57.4 (70)
14 to 18 years	28.1 (25)	3.0 (1)	21.3 (26)
Total	100 (89)	100 (33)	100 (122)

Number of working children in given age group



Children in the age group of 6 to 18 were found working in mines, reflecting gross violation of all National and International legislative provisions and Acts (Refer). Almost all the children interviewed, in the age group of 10 to 13 (100%) and 14 to 18 (96%) responded helping their parents in mining activity.

Percent of children by age group



Children In Mining Processes

It was observed that children are involved in several activities relating to mining such as, preparing kilns, arranging material, breaking and crushing stones, collecting broken stones, sand and dust, blasting and loading stones in trucks.

Type of activities undertaken by children in mines

Age group	Type of activities undertaken in mines (%)			
	Breaking stones/ Collecting broken stones etc	Blasting and loading	Preparing kilns/ arranging material	Total
6 to 9 years	31.5 (28)	0 (0)	2.2 (2)	33.7 (30)
10 to 13 years	34.8 (31)	1.1 (1)	1.1 (1)	37.1 (33)
14 to 18 years	19.1 (17)	6.7 (6)	3.4 (3)	29.2 (26)
Total	85.4 (76)	7.9 (7)	6.7 (6)	100.0 (89)

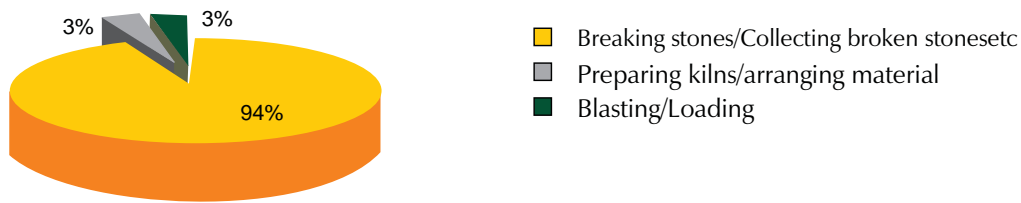
Out of the total working children in the study area, 85% of the children in all the age groups are involved in breaking/crushing stones and collecting broken stones. About 65% of the total-working children involved in these activities are below 14 years. 8% of the children were involved in blasting and loading. Out of the total children involved in blasting and loading, 86% are in the age group of 14 to 18 years and rest 14% were less than 14 years.

In the age group of 6 to 9 and 10 to 13 about 93% of the children are involved in breaking, crushing or collecting stones, whereas in the age group of 14 to 18, percentage reduces to 65%. Children above 13 years are also involved in blasting and loading of the limestone.



In the study we did not find a direct relationship between mining activity and gender

Activities undertaken by children of 10 to 13 years



Activities undertaken by children of 14 to 18 years



Numbers of male and female children are almost same in all the activities performed by the children in the mines.

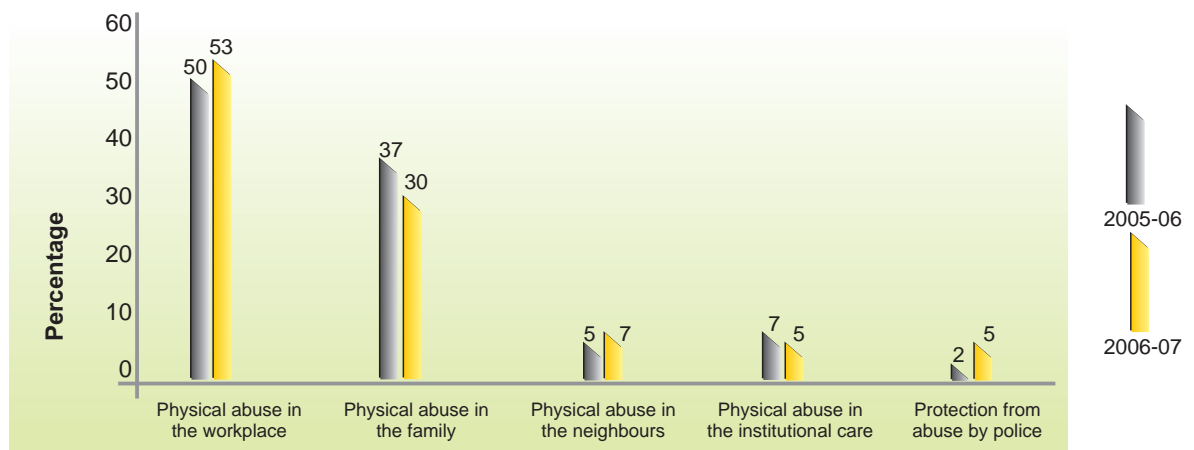
A large segment of child labour that is invisible is that of the girl child. A large number of girls are burdened with household work when both the parents go out to work. This includes work like fetching water, fuelwood, cooking, cleaning the house and looking after the younger siblings. In such cases, no law can be applied to rid the girls of their household responsibilities, and access the education and recreation facilities comparable to their affluent counterparts.

Child Abuse

Primarily the child labour cases are related to the the calls for rescue from abuse. Of the total number of 13 million calls received, about 5% of calls are reported for protection against physical, sexual or financial abuse of children. According to ChildNET (the documentation software for CHILDLINE data) out of the total calls received for abuse approximately 86%, constitute for physical abuse, 6% for sexual abuse and 5% for financial abuse.

For the year 2005-07 there were 4,247 cases for protection against abuse, 85% of these accounted for protection against physical abuse. As the following graph shows, Physical abuse at workplace was highest followed by physical abuse in the family.

Physical Abuse



2005-07	Male	%	Female	%	Total	%
Physical Abuse						
Physical abuse in the workplace	1,432	75	472	25	1,904	100
	59		37		51	
Physical abuse in the family	651	53	582	47	1,233	100
	27		45		33	
Physical abuse by Neighbours	95	43	127	57	222	100
	4		10		6	
Physical abuse in Institutional Care	129	62	79	38	208	100
	5		6		6	
Protection from abuse by Police	119	86	20	14	139	100
	5		2		4	
Total	2,426	65	1,280	35	3,706	100
%	100		100		100	

Sexual Abuse

The CHILDNET data on sexual abuse shows that out of the total cases of sexual abuse cases reported, in 74% of cases the victims are female children, and 72% of females are sexually abused at work place.





The Child Labour Prohibition and Regulation Act, 1986 (CLPRA) is an Act to prohibit the engagement of children in certain employments and to regulate the conditions of work of children in certain other employments. The act uniformly laid down 14th year(age) as the watershed for the definition of a child.

Some of the major Provisions of the Child Labour Prohibition and Regulation Act 1986 (CLPRA)

- No child below 14 years can work in any hazardous occupations and processes that are written down in Part A and Part B of the Schedule to the Act.
- Part A lays down hazardous occupations like transport of passengers, goods or mails by railways, cinder picking, work relating to construction of railway station etc. Employment of children as domestic workers or servants and in dhabas (road side eateries) restaurants, hotels, motels, tea shops, resorts, spas or other recreational centers have been recently (on Oct. 10, 2006) included in Part A.
- Part B of the schedule includes processes like bidi-making, carpet weaving, tanning, building and construction industry, manufacture of matches, explosives and fireworks etc.
- There is a Child Labour Technical Advisory Committee constituted by the Central Government, for the purposes of addition of occupations and processes to the Schedule.
- However, there are some loopholes like a child below 14 can work in hazardous processes if the process is carried on by the occupier of a workshop, with the help of his family and who has the ultimate control over the affairs of the workshop. Another exception wherein a child below 14 can work in a hazardous process in a school established by the Government or receiving assistance from the Government.
- If a child below 14 is employed in hazardous occupations or processes, the employer will be punished with imprisonment for a period between three months to one year or pay a fine



upto twenty thousand rupees. In this case, the court has a discretion of awarding imprisonment or fine or both.

- If the employer after being punished once again employs child labour in hazardous occupations or processes, the imprisonment will be between six months to two years.
- Under the CLPRA , a child below 14 can work in occupations and processes that are not listed in the Part A and Part B of the schedule, but the working conditions of these children are regulated as follows:
 - The child can work continuously for three hours and then he has to be given a break for rest for an hour.
 - The total number of hours in a day should not be above six hours.
 - A child cannot work between 7 p.m. and 8 a.m.
 - No child is allowed to work overtime.
 - A child can work only in one establishment on any one day.
 - A one whole day holiday each week must be give to every working child.
 - Whenever a child worker is employed, a written notice must be sent within thirty

days, to the concerned Inspector. The notice must contain the name, address of the establishment, name of the manager, and the nature of occupation or process.

- Any disputes relating to the age of the child will be referred to the Inspector or the medical authority.
- A register has to be maintained by the employer stating the name, date of birth, hours of work and rest of the child, and the nature of work done by the child.
- A notice has to be displayed in every establishment regarding hazardous occupations and processes in which a child cannot work and the penalties for violating this provision. If this is not done, punishment is imprisonment up to one month or fine up to ten thousand rupees or both

- The rules relating to cleanliness, disposal of wastes, ventilation, dust, lighting, drinking water, protection of eyes, safety of buildings and machinery etc .are provided in the rules to the Act.

CHILDLINE's Experience with tackling Child Labour

The number of cases where CHILDLINE teams have heard about the existence of child labour and gone to rescue the children has been on rise in the last few years. For instance, in Mumbai Western suburbs where CIF directly manages the CHILDLINE intervention unit, from July to December 2008, the CHILDLINE team handled 146 cases of child labour. A large number of cases are related to children working in restaurants and small dhabas. The calls are mostly from concerned adults who call up CHILDLINE.

When the CHILDLINE team receives a call regarding a child worker in abusive condition, the CHILDLINE meets with the caller/child to assess the situation. CIF's primary objective and policy is to withdraw the children from employment. However, the intervention in each case is based on best interest of the child. CHILDLINE is regularly in touch with the labour department and police. At the time of raids, the CHILDLINE team goes with the officers from the labour commissioners, and most of the times also with Police. The FIR is filed by the labour commissioner. The CHILDLINE team is with the children through the process of rescue and then the children are produced before the Child Welfare Committee(CWC). An important goal is also to acquire compensation for the children, which is given in the form of National Savings Certificate. In many cases, the CHILDLINE team on advice of the CWC goes to the source villages to counsel the parents about continuing the child's education.



Children rescued from Bindi factory...

Five young boys in the age group of nine to eleven years, hailing from Bihar, were brought to Delhi to work in a Bindi factory. The children were brought to Delhi by the factory owner's mother. They were forcefully brought against the wishes of their parents. The parents were agricultural workers and earned a meager income.

The children at the factory were severely ill-treated. They were made to work for long hours and often beaten with belts and iron rods. Also they were not provided proper food and were not paid for their work. Three of the children had been working in the factory for *nearly a year and the other two were working for four months. They were not allowed to move outside the factory premises and were also not allowed to meet or visit their family.*

*Unable to take on more of the ill-treatment one of the boys ran away from the factory. At the Delhi railway station he came across the Child Assistant Booth and informed **CHILDLINE Delhi** about the plight of the other children at the factory and requested for help.*

A team consisting of CHILDLINE members and police was formed and the factory was raided. The four boys were rescued. A complaint was registered against the employer. All the children underwent medical examination and were provided with necessary medical aid. Following this they were all referred to a shelter home run by the CHILDLINE support organization.

The children were produced before the Child Welfare Committee (CWC). During the course of the legal proceedings it was found that one of the rescued boy's brother was still at the factory. An order was passed to rescue the boy. The CWC also passed an order to restore the boys to their respective families in Bihar. The parents were contacted and were produced before the CWC along with the six boys. Based on the request of CHILDLINE Delhi, a home investigation was carried out to assess the fitness of the family to look after the children and counselling was provided for the boys. Also as per the Child Labour Prohibition and Regulation Act, 2000 the employers had to pay compensatory amount to the children. Following all the legal procedures the children were finally handed over to their respective parents in front of the CWC.

Five months after the restoration of the children, the CHILDLINE team visited the boys and their family to check on the status of the children. The team interacted with the parents and the Gram Pradhan (Village Head). The boys were staying with their parents and were continuing their education in the nearby village school. The children were happy to be with their family in the *village*.

Selvi goes to school

Thirteen year old Selvi was working in a restaurant. One day while he was serving tea at the near by police station, he was spotted by the lady constable. The constable immediately called up CHILDLINE and informed the matter to the team. The child was immediately brought to the center.

At the center, during the course of interactions, it was found that Selvi's father was a retired army employee. His mother had passed away and his grandfather looked after him. He also had a younger sister. However, the grandmother was not able to look after the boy and discipline him. Also he would never listen and obey his grandmother. His father also didn't take much interest in him. Selvi was not interested in studying and wanted to work and earn money.

Selvi was put to work in a restaurant by his neighbours. The boy worked there for three months and was not paid a single penny for his work. Selvi's grandmother was contacted and asked to visit the center. She expressed her inability to discipline the boy and requested the helpline for assistance.

Selvi underwent a series of counselling sessions where the importance of education, life and future was discussed. The decision was left to the boy and towards the end of the counseling sessions, he expressed his interest to continue his education. With his consent and keeping his interest in mind he was enrolled in a school.

Selvi is happy to be back in school and a regular follow-up is being done by the team.



In the work of CHILDLINE we have felt that unless the society at large becomes sensitive to the issue of employing child labour and takes their right to childhood seriously, there will always be justification - in the name of poverty and lack of educational facilities – for their involvement in the economic activities.

***Ms.Preeti Bhat,
CHILDLINE India Foundation***

TROUBLE CHILD

Children in Conflict Zones: Development of the World-view



A stray bullet...A sudden bomb... A usual cry... A routine drill... A mundane protest... For the reader, the adjectives used might sound bizarre. But for a person who remembers little or nothing that is different, these events are not 'the' events but 'an' of many such.

What happens if you feel death here and there, a bomb now and then and a life helter-skelter is normal? What happens when you see someone being killed, someone beaten up and someone taking up arms and someone being coerced as often as you see the birds flying in the sky? Do you feel scared? Angry? Helpless? Happy? Thrilled? Numb?

The point I want to raise is not based on some in-depth research or study but an observation, a mere observation. We, the people in social science arena with our strong beliefs in statistics, might agree that such vagabond observations merit no attention. But I beg for attention, a pause and a thought, for the sake of a generation.

Emotions are not usually worn on sleeves, but many an expert has sworn by a squeeze called drawing, that gets these bottled up liquids splashed on paper. Nazima, a schoolteacher at a primary school in Pulwama, was not using drawing as an instrument with her grade 3 students but as a regular



extra-curricular activity. But she was surprised to see when Asiya drew a man with a gun and wrote Papa above it. When Nazima asked her student why she had put a gun in her father's hand, the girl replied, "Because Papa does not let me play outside in evening. He is very scared to move out himself. When he has a gun, he will not be scared and I can also play till late with my friends."

For Asiya, gun is a counter fear. She is not scared to move out in the dark but wants to deal with the fear of her close ones in ways that she has seen and understands. After all, all the men with arms move around freely at anytime! Fear, as primary emotion, is grounded in the experienced present and based on the memorized past, processed both consciously and unconsciously, causes freezing and conservatism, and sometimes leads to pre-emptive aggression.

The nascence of understanding at this point can only help us in making assumptions. One such assumption, as I have quoted above, is 'pre-emptive aggression' as a means to fight fear. There are many individuals who can tell from their observations of these children that something is going awry. And then there are organizations that have sought to work in this area based on the understanding of the impact of conflict on children in other troubled regions of the world.

Dr. Arshid Hussain, a psychiatrist, working with Government Hospital for Psychiatric Diseases in Srinagar says, "Children have become withdrawn. They do not want to play group games or outdoor games." This symptom points out to an underlying reluctance to socialize, to make friends, to put trust in people that are not known. Mistrust breeds suspicion. Suspicion breeds hatred. And hatred breeds war.

In a protracted conflict, fear plays continuously against hope. A UN Report by Graca Machel, Expert of the Secretary-General of United Nations titled



Impact of Armed Conflict on Children observes that these children may cease playing and laughing, lose their appetites and withdraw from contact. Younger children may have difficulty concentrating in school. Older children and adolescents may become anxious or depressed, feel hopeless about the future or develop aggressive behaviour.

A far-fetched conclusion some might argue. But the recent protests against the transfer of land to a religious body in Kashmir is an indication towards the changing times and mindsets. "...not even the fear of death seems to hold them back" comments Arundhati Roy in an article titled Azadi (Outlook September 01st, 2008). Is this ferocity good or bad? Let us leave that question for others to ponder upon. But ferocity and numbness cannot go together. One cannot cry if one does not feel anything.

What is it then that is happening? Conflict resolution and return of peace in Kashmir will have these children as one of the cardinal points and major players. What does this generation hold beneath their eyes, inside their brains and in their hearts? The trauma of living a life as second grade citizens, with no dignity for life and no respect and recognition of rights, theirs or of others will definitely have an impact. Can we study that impact and look for something to address the traumas?

Can we spare a thought and some time for the sake of a generation? We definitely need to.

Ms.Zehrunissa Shah,
Freelance Writer

CHILDREN, WARRIORS IN THE BATTLE AGAINST DISCRIMINATION

Remarkably, human relations in India often seem not to be based upon equality, but on power.

When the teacher enters the classroom he expects the children to jump upright and roar: “Good morning, Sir”. He or she him/herself won't greet the children. This almost military discipline is appreciated as respect. But is it?

When I talk about respect, I don't mean to say that student Ramon has the right to call his teacher Ramakant by his first name. I don't want to introduce bad manners. What I mean is that the opinions and questions of Ramon count. He has the right to be listened to and to be answered. He has the right to learn.

Yojana is a small NGO with very interested volunteers so the time we spend to discuss problems and ideas with our Indian partners doesn't cost. And we do like challenges. So, together with our Indian friends we started thinking about solutions for the learning problem. We can't do much





about lack of (decent) schools, learning materials, inadequate infrastructure. What we can do and did is sharing our own experiences.

These are experiences that we shared very intensively with our Indian partner organisations SEDT in Kerwadi and YPS in Jalihal.

Confucius already said: I hear and I forget; I see and I remember; I do and I understand. With these words in mind we contacted NEMO in Amsterdam, a Science Institute for children where they only have to follow one rule and that is touch everything; experience and live through. This was the start of developing, two Curi-O-City Centers in rural Maharashtra. Of course we did so together with our two Indian partners. The centers are running now and they really are eye openers to the visiting kids.

Our partner Padmanabh Kelkar wrote:

CC is proving to be like an oasis in the Sea. CC is developing as a lovely place where the children enjoy the process of learning. In fact we put it like this Learning is enjoyment!

One of the significant point of CC is that everyone is treated as a Learner without any discrimination being made on the basis of age, gender, caste, status etc. Teacher's play with their pupils, they become student and student becomes teacher. Old man becomes child and his grandchild says, "it is not easy I will tell you how to do." and grandfather says, "no let me try out."

In the Kerwadi CC, our partner is experimenting with simple posters, like the father is cooking and the mother helps the child to do her homework. Thereby, helping to inculcate positive values in the children.

It was not the only intervention. Fortunately, we met the Dutch educationalist Prof. Dr. Jaap

Schouten. Jaap showed a lot of interest in the work of our partners, a lot of interactive sessions were held with Indian partners, following which Dr. Jaap and his assistant Dr. Erny Smeets, were requested to organize practical training sessions for teachers in rural Maharashtra.

The results were astonishing. One of the participants wrote:

“The approach of Prof. Jaap is very important, he comes down to the level of teachers and tells them that they are doing a very good job and then tries to give inputs. And most importantly it is not Drama; he feels it! He spends from his pocket gives his important time to them.”

Teachers have shown to be open and almost eager to adopt new ways to approach children. To achieve this they only had to be approached nicely and with respect themselves. The children have shown that they still have a flexible mind and that it does not take that much energy to wake up their interest. That interest is not specifically related to science items. Why not nature? Why not their social environment? That is in line with the thinking of the Indian educationalist Prof. Yash Pal "I am against setting up separate universities of science and technology because one needs to have all departments to understand the impact of science. The sickness of our country is that we are perpetuating a different kind of caste system. A social science department does not interact with a science department."

In the rural schools that participate in the EDU-Key programme it already is quite normal that boys and girls follow a mixed seating arrangement and together form groups to solve educational problems together. In other schools boys and girls are united in Balpanchyats and work together solving school- and village related problems. Their dedication is overwhelming!

I am convinced that it is worth to develop more methods to tackle the equality problems and





especially the gender equality problems through the Indian youth. The samples we experienced could serve as a handle. If more teachers could be trained to practise interactive teaching and give children the opportunity to develop themselves and trust in themselves than these children will mirror the respect that they experience. If we, at the same time, develop attractive ways to make the inequality a subject for their interest, than they definitely will start thinking and acting according to the outcomes of their own reflection and they will follow their own conscience instead of just imitating.

An ortho-pedagogue, who visited the said partners and discussed a lot with them, observed that parents hardly play with their children and even less read aloud to them. Reading aloud is an activity that helps very young children to learn new words, new expressions, they are stimulated to express themselves; they will learn to follow a logical path. And we will learn that our logic is not always more valid than theirs.

Thus, we will have to learn to ask deeper and not immediately correct them. The idea also is to make children experience that they are worth attention. We will have to give quality time to Children and take them seriously. It will help them to shape self-confidence and at the same time they will grasp the "message of the story" because the base of their image of society and norms is formed at a very young age." A trial program shows encouraging results.

These were some positive experiences that we were happy to partner. They show that there is a certain amount of flexibility to accept changes for the better. Can this flexibility be instrumental in the developments towards a more fair and equal society that many of us strive for?

In practical terms I suggest:

To start training for trainers through interactive teaching. These trainers can train teachers who are interested. Since I have experienced myself that it is rather hard to reach lasting changes in one's attitudes, we have to realise that this type of training without follow up is wasted. I am sure that Jaap Schouten will be willing to help his Indian colleagues to develop a trainers training.

To develop material that can be used for reading aloud to children who cannot read themselves and start "Reading aloud to the smallest" programme. The books could be in line with the Meena series that UNICEF produces. Wouldn't it be a good experience when young children hear stories in which the girl can be the hero and the boy does the dishes?

To develop games and materials that will trigger the equality thinking of the older children according to their age. We could test this kind of materials in places like the Curi-O-City centre's before we distribute them amongst the trained teachers.

Electronic Media really could be helpful as our experience in the YPS School for Progressive Education shows. SCOPE is a good example of friendship among students and teachers. In achieving this, electronic media (digital school) played an important role!. In India, personal character, social, economic status is considered deeply by the receivers of the message. I mean to say, when a person tells a group of people not to discriminate among girls and boys, the mob will listen to him/her but might hardly follow because they will first assess the character of personality and will decide. The electronic media have proven to make deep and vast impressions.

I realize that it won't be easy to change beliefs/attitude that are rooted since centuries, opposition is most likely to be created by those who will lose some power. A lot of practical hurdles need to be countered. Authorities need to be convinced that this approach will improve the quality of education because it will contribute to the understanding of the children. It also will contribute to build a society that is more fair and that economically will be better off.

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FAMILY BASED ALTERNATIVE CARE

The Child's Right of a family has been recognized by most countries of the world, our country India too has accepted it whole heartedly. Right to family over powered all the other rights as it takes care of the right to be wanted and cared for by child's biological parents. Thus, every child is entitled to belong to a family where the child grows in an atmosphere of affection, love and material security.

But in India, a large number of children are living below or on the edge of poverty which has been further aggravated by natural calamities and man made disasters such as communal riots. Children are abandoned by their parents due to extreme poverty or out of wedlock birth. Children with disabilities are more likely to be abandoned by the parents due to superstition or due to lack of knowledge to bring up a special child.



Children become orphan due to many reasons and often such children find themselves in a HOME - an Institution that runs purely on charity or by religious group or Government. It takes care of the abandoned children and at least these children are fortunate in the context that they can stay in an institution where their material needs are met.

We are all well aware that a family has the potential for providing the most stable and congenial environment for child's development and hence, family based care is most appropriate, but there are many marginalized families which due to financial crisis wants their child to be adopted, most of the time they look forward to civil society for their child's development. In this situation, it is also unethical to think that they would be able to take care of another child, which would be additional burden for them until and unless they get monetary help for keeping the child.

Besides monetary help, it also needs psychological support for the child, as well as for the whole family where the child is placed, and very especially of the other offspring of the family so the child literally enjoys the congenial environment and gradually a bond is created among the siblings.

Child's right to family is thus linked with child's right to protection. In such situation, all possible efforts must be made to support the family who willingly accepts the child in spite of economic instability.

Parents due to extreme poverty send their children to work or even sell them. Unlike other countries there is any social security system on which such families could depend upon, hence the children even staying with their own parents lose their childhood and some of them are even forced to leave their parents and family.

Child rights to family, does not necessarily mean that the child is placed in a family but a space where the child is secured and enjoys the environment with a sense of belonging that only a family can provide .

There might be publicity and community awareness about family based substitute care for abandoned children by Government and Non – Government organizations, but there has to be a



social security system which can provide psychological support to families and children so that the child can be protected from being abandoned by their own family. Family based alternative care should thus look into safe and happy childhood.



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