

Girl Child – Human Rights

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Abstract

Human rights are essential for the adequate development of human personality, progress and happiness. Human rights are possible only when there is sustainable development and non-exploitative environment. Human rights means 'the rights related to life, liberty, equality and dignity of individual guaranteed by the constitution or embodied in the international Covenants and enforced by court in India. The most important dimension of human rights is the spread of awareness among people about these rights. Majority of the people does not know as to what constitute human rights, how these rights are violated, who abuses these rights and what instrument and mechanism do exist for the enforcement of such rights. We have excellent human rights charter in the form of preamble, fundamental rights. But the basic rights of religious, social, women, children, especially girl child are violated frequently in the country. Under these circumstances there is a greater need to educate and create awareness regarding human rights. There are many challenges regarding 'human rights of girl child'. Hence this paper deals at length with the issues and various dimensions of 'Girl child-Human rights' and create awareness of girl child human rights. It also put forward strategies for meeting the challenges and violation of girl child rights in India.

Introduction

Human rights are those minimal rights which every individual should have by virtue of his being a member of human family. Human right are universal, civil, political and social. It is the birth right of all human beings. Children and youth enjoy certain human rights to their needs for special care and protection. Their protection is the first responsibility of government. Girl child is vulnerable to certain human rights violation. Hence they require additional protection. Girl child is a neglected section of society. If at all the girl child is allowed to be born she is neglected consciously or subconsciously and systematically discriminated against right from her birth. This neglect is seen in all fields such as health, education, employment, politics etc. But the girl child is not only responsible for family well-being but also make a major contribution to the development of society. But they are deprived of every right. High rate of female mortality is reported in Uttar Pradesh. This mortality rate is high in urban areas than in rural areas. It has been estimated that every sixth female death in India is specifically due to gender discrimination. Non-Governmental estimates indicate that roughly 12.15% of the prostitutes are child prostitutes. This

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is because of lack of equal access to educational opportunities, general gender bias etc. Dr.Sithalakshmi and co-workers reported that in Sivakasi 68% of the girls work in match industry about 8-12 hours at their tender age.

Status of children

UNICEF (2005) report on the state of the world's children states that millions of Indian children are equally deprived of their rights to survival, health, nutrition, education and safe drinking water. It is unfortunate to note that 50-60% of children suffer from malnutrition. A girl child is the worst victim as she is often neglected and discriminated because of the preference for a boy child.

Status of human rights of children in India:

The human rights of children and the girl-child include the following indivisible, interdependent and interrelated human rights:

- The human right to freedom from discrimination based on gender, age, race, colour, language, religion, ethnicity, any other status.
- The human right to a standard of living for a child's intellectual, physical, moral and spiritual development.
- The human right to a healthy and safe environment.
- The human right to highest possible standards of health.
- The human right to equal access to food and nutrition.
- The human right to life and freedom of prenatal sex selection.
- The human right to cultural practices, customs and traditions.
- The human right to education.
- The human right to protection from all physical or mental abuse.
- The human right to Name and Nationality.
- The human right to protection from sexual exploitation, prostitution and trafficking.
- The human right to freedom from forced or early marriage.
- The human right to equal rights to inheritance.
- The human right to expression.
- The human right to protection from neglect.
- The human right to recreation.

Governments' obligations to ensuring the girl child:

- State parties shall respect and ensure rights to each child without discrimination of sex, colour, race, language, religion, political, other opinion, national, ethnic, social origin, property, disability, birth or other status.

- State Parties shall ensure the survival and development of the girl child.
- State Parties shall recognize the right of the girl child to the highest attainable standards of health. They shall ensure that no child is deprived of her right of access to health care services.
- State Parties shall diminish infant and child mortality.
- State Parties shall recognize the right of every girl child to a standard of living adequate for the child's physical, mental spiritual, moral and social development.
- State Parties shall in case of need provide material assistance and support to girl child particularly with regard to nutrition, clothing and housing.
- State Parties shall recognise the right of education to girl child.
- State Parties shall protect the girl child from all forms of sexual exploitation and sexual abuse.

Human rights of the girl child

The rights of girls are enshrined in the convention on the rights of the child, the most widely ratified human rights treaty in history. Based on UN declaration on the rights of the child (1959) India adopted a National Policy on children in 1974. This policy reaffirmed the constitutional provisions for adequate services to children, both before and after birth and through the period of growth to ensure their full physical, mental and social development. At the world summit, the department of women and child development under the Ministry of Human resource Development has formulated a National plan of action for children. This plan mainly focus on basic issues like health, nutrition, education, water, sanitation, and environment.

The rights of girls are also enshrined in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and Convention on Rights of the Child (CRC). Both the conventions ensure the protection and fulfilment of the rights of girls and put an end to gender based discrimination.

National Plan of Action for Girls (1991-2002) is an integrated multisector decadal plan which ensures survival, protection and development of children with a special focus on gender specific needs of girl child. Immoral Traffic Prevention act (ITPA) was launched in 1998 to pose greater penalties for the exploiters and sex workers. The Dowry Prohibition Act, 1961 was launched to prohibit the giving and taking of dowry. The Child Marriage Resistant (Amendment) Act, 1978 makes it a cognizable offence for a boy to marry before he completes 21 years and for a girl before 18 years.

Convention on the rights of the child Articles 2,6,24,27,28,32 and 34 says that State parties condemn discrimination against girl child in all its form, agree to

take all appropriate measures including legislation, to modify or abolish existing laws, customs and practices which constitute which discriminate women and girl child. State parties shall take all appropriate measures to modify the social and cultural patterns of men and women, with a view to achieve the elimination of prejudices, customary and other practices which are based on the idea of the inferiority or the superiority of either of the sex.

Convention on the Elimination of All Forms of Discrimination against Women articles 2, 5, 10, and 12 says that 'everyone has the right of adequate living standards for health and well-being mother hood and child hood'. All children shall enjoy the same social protection. Everyone has the right to education. Universal declaration of human rights, articles 25 and 26 says that 'the family is the natural and fundamental group unit of society and is entitled to protection by society and the state. Every child shall have protection, without any discrimination as to race, colour, sex, language, religion, national, social origin and property or birth right. Every child shall be registered immediately after birth and shall have name. Every child has the right to acquire a nationality.

International Covenant on civil and political rights articles 10, 23, and 24 says that, 'the state parties shall protect the children and young persons from economic and social exploitation. Their employment in work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law. The steps to be taken to achieve the full realization of this right shall include those necessary for the reduction of the still birth rate and of infant mortality and for the healthy development of the child.

International Covenant on economic, Social and Cultural Rights articles 10,11,12 and 13 says that 'the State parties undertake to discontinue any practices which involve discrimination in education to formulate, develop and apply a national policy which will promote equality of opportunity and of treatment in education. To make primary education free and compulsory, make secondary education in its different forms available and accessible to all, make higher education equally accessible to all on the basis of individual capacity and assure compliance by all with the obligation to attend school prescribed by law. To encourage and intensify the education of persons who have not received any primary education or who have not completed the entire primary education.

Convention against discrimination in education, articles 3 and 4 says that 'each member undertakes to pursue a national policy to ensure the effective abolition of child labour and to raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons. The minimum age shall not be less than the age of completion of compulsory schooling and in any case, shall not be less than 15 years.

the minimum age for admission to any type of employment or occupation and the nature or the circumstances in which it is carried out is likely to affect the health, safety or morals of young persons shall not be less than 14 years.

suggestions

- Human rights should become a part of curriculum in schools and colleges so that they will become more familiar with human rights language and practice.
- Compulsory education should be given to girls to create awareness about their rights. It helps the students to develop a positive self-image, sensitivity to their environment, skills in resolving and preventing conflicts, harmony, non-violence and mutual cooperation.
- The women elected to local bodies could be oriented to spread the message to their target groups.
- Special research is required on human rights of girl child problems associated with political, economic, social, cultural, legal and medical matters as the priority area.

Conclusion

When the basic requirements are not available in any country, people may become more deprived and aggressive. So there is a necessity to protect the human rights. Accessibility of basic needs to every citizen without any difficulty may be considered as the real index of human rights. Several measures have been taken across the globe to provide, protection and promote human rights for girl child. In India in order to empower the girl child few action plans were initiated by the government. They are

- In 1996 draft National Policy for the Empowerment of Women includes a section of girl child.
- The Prenatal Diagnostic Techniques (Prevention of misuse) act was passed.
- The BalikaSamriddhi Yojana was launched in August 1997. It offers a money intensive of Rs.500 to poor families upon the birth of a daughter.
- The Kasturba Gandhi Shikshayojana was announced in August 1997. It provides state subsidies for the education of daughters.
- The Department of Women and Child Development has health services for girls.

- SukanyaSamriddhi Yojana as a part of 'BetiBachao-BetiPadhao' (BBB) is launched on 22nd January, 2015 by our honourable Prime Minister Narendra Modi. This scheme is specially designed for girl's higher education or marriage needs. The scheme aims at addressing gender discrimination across the nation. 'SukanyaSamriddhi' is a small deposit scheme with an interest rate of 9.1 per cent and can be opened for a girl child up to the age of 10 years.

All human being are born free. They are equal in dignity and rights. Every-one should act toward one another in a friendly manner. To none shall we deny or delay rights or justice.

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