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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provided dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

PROTECTIVE RIGHTS OF THE CHILD: A GLOBAL AND LEGAL PERSPECTIVE

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Abstract:

This paper explores the protective rights of the child through both global and national legal frameworks, emphasizing the evolving recognition and enforcement of children's rights in diverse socio-political contexts. It begins by analyzing international instruments such as the United Nations Convention on the Rights of the Child (UNCRC), which sets the foundational standards for child protection globally. This research paper aims to analyze the protective rights of the child through a multi-dimensional lens. It explores international and national legal frameworks, common violations of children's rights, challenges in implementing protective measures, and examples of best practices. The paper emphasizes the collective responsibility of governments, international organizations, civil society, and communities in upholding the safety and dignity of every child.

Keywords: child protection, Laws, international, national

1. Introduction

Children represent not only the future of any nation but also the most vulnerable segment of the population. Their physical, emotional, social, and psychological development requires nurturing and safeguarding from the various forms of harm and exploitation they may face. The notion of child protection encompasses measures and structures designed to prevent and respond to abuse, neglect, exploitation, and violence against children.

Over the past century, societies have increasingly recognized the need to treat children not merely as passive recipients of adult protection but as individuals with their own set of rights. This shift has been driven by a combination of humanitarian, ethical, legal, and developmental

considerations. The emergence of international instruments, particularly the **United Nations Convention on the Rights of the Child (UNCRC)** in 1989, marks a watershed moment in how the global community approaches childhood protection.

Despite the legal advancements and growing awareness, children across the world continue to face serious threats to their safety and well-being. According to the **World Health Organization (WHO)** and **UNICEF**, millions of children suffer from forms of maltreatment that severely hinder their development. In many contexts, factors such as poverty, armed conflict, gender discrimination, lack of access to education, and weak legal enforcement exacerbate the risk of harm.

This research paper aims to analyze the protective rights of the child through a multi-dimensional lens. It explores international and national legal frameworks, common violations of children's rights, challenges in implementing protective measures, and examples of best practices. The paper emphasizes the collective responsibility of governments, international organizations, civil society, and communities in upholding the safety and dignity of every child.

1.1 Objective of the Study

The primary objective of this research paper is to examine the legal, institutional, and social frameworks established to protect the rights of children, with a special focus on the Indian legal system in the context of international standards. Specifically, the study aims to:

1. Identify and analyze the protective rights accorded to children under international and Indian law.
2. Examine the various forms of violations of child rights, including abuse, exploitation, neglect, and harmful traditional practices.
3. To study the legal mechanisms, policies, and child protection systems.
4. To study the landmark judgments and case laws from Indian courts that have contributed to the protection of child rights.

1.2 Research Methodology

This research adopts a doctrinal and analytical approach, focusing on both primary and secondary sources to study the protective rights of the child. The methodology includes:

Qualitative and legal-descriptive research focusing on legal texts, case laws, treaties, and statutory provisions. Exploratory analysis of the social, institutional, and legal mechanisms for

child protection. Both primary and secondary sources are included.

1.3 Analysis Method:

Doctrinal legal research techniques has been used to interpret laws and judicial decisions .Case study analysis has been done to understand the implementation of protective rights.Moreover Comparative analysis between international frameworks and Indian laws has been done.

1.4 Limitations of the Study

The study is limited primarily to India with reference to international conventions.It relies on publicly available data and judgments up to June 2025.Practical field-based observations or interviews are not included due to scope constraints.

2. Legal Framework for Child Protection

A robust legal framework is the cornerstone of effective child protection. It provides the basis for safeguarding children's rights, defines the responsibilities of institutions, and offers mechanisms for accountability and redress. The legal protection of children operates at two levels: **international law** and **domestic (national) legislation**.

2.1 International Instruments

2.1.1 United Nations Convention on the Rights of the Child (UNCRC)

The UNCRC is the most widely ratified human rights treaty in the world, adopted by the UN General Assembly in 1989. It sets out the civil, political, economic, social, and cultural rights of children. The Convention is built on four core principles:

- **Non-discrimination (Article 2)**
- **Best interests of the child (Article 3)**
- **Right to life, survival, and development (Article 6)**
- **Respect for the views of the child (Article 12)**

The UNCRC includes specific provisions directly aimed at protecting children from harm:

- **Article 19:** Governments must take legislative, administrative, social, and educational measures to protect children from all forms of violence, injury, abuse, neglect, or exploitation.
- **Article 34:** Calls on states to protect children from all forms of sexual exploitation and abuse.
- **Article 36:** Ensures protection from all other forms of exploitation that could harm the child's welfare.

- **Article 37:** Prohibits torture or other cruel, inhuman or degrading treatment, and mandates the separation of child offenders from adults.

2.1.2 Optional Protocols

Three Optional Protocols to the UNCRC further strengthen child protection. These are as follows:

- **Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (2000)**
- **Optional Protocol on the Involvement of Children in Armed Conflict (2000)**
- **Optional Protocol on a Communications Procedure (2011)**, which allows individual children to bring complaints about violations directly to the UN Committee on the Rights of the Child.

2.1.3 Other Key International Instruments

Several other international treaties and conventions play significant roles in child protection:

- **ILO Convention No. 138** (Minimum Age for Admission to Employment, 1973)
- **ILO Convention No. 182** (Worst Forms of Child Labour, 1999)
- **The Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption (1993)**
- **The African Charter on the Rights and Welfare of the Child (1990)**, which addresses issues particularly relevant to the African continent, such as child marriage and the role of the extended family.

2.2 National Legal Frameworks

While international law provides a guiding structure, the effectiveness of child protection depends heavily on the incorporation of these principles into national legal systems. Countries have enacted varying degrees of protection based on their legal traditions, cultural norms, and institutional capacities.

2.2.1 Examples of National Laws of India and other countries

- **India:** The *Juvenile Justice (Care and Protection of Children) Act, 2015* governs the care, protection, and rehabilitation of children in conflict with the law or in need of care. Its Purpose is to provide care, protection, development, and rehabilitation for children in conflict with the law and children in need of care and protection. Children under 18 years who commit offenses are not treated as adult criminals. However, those aged 16–18 involved in heinous offenses (punishable with 7+ years imprisonment) may be tried as adults after assessment by the Juvenile Justice Board. Moreover it also covers Children in Need of Care and Protection which Includes orphans, abused children, child

labourers, and trafficked children. They are provided shelter, education, and rehabilitation. The Act lays down a simplified adoption process, ensuring the child's welfare.

- Another one is . *Protection of Children from Sexual Offences (POCSO) Act, 2012*: It's Purpose to protect children (<18 years) from sexual abuse, sexual harassment, and pornography. It defines various sexual offenses: Including penetrative and non-penetrative assault, sexual harassment, and using a child for pornographic purposes. The Act also established special courts to ensure speedy trials in a child-friendly atmosphere. After Amendments in 2019, it Introduced stricter punishments, including the death penalty for aggravated sexual assault as well as addressed child pornography more stringently.
- **United States**: The *Child Abuse Prevention and Treatment Act (CAPTA)*, first passed in 1974 and revised over time, sets federal standards and funding for states to prevent and respond to child abuse and neglect.
- **South Africa**: The *Children's Act 38 of 2005* aims to give effect to the rights of children as contained in the constitution, promoting their well-being and protection from maltreatment, abuse, neglect, or degradation.
- **Nigeria**: The *Child Rights Act (2003)* domesticated the UNCRC into Nigerian law, although implementation varies across states due to the federal structure.

2.2.2 Enforcement Mechanisms

Many countries have set up:

- *Child Protection Units or Agencies*: Child protection units are specialized government or NGO-run bodies tasked with preventing, responding to, and investigating cases of child abuse, neglect, and exploitation. They coordinate services like rescue, rehabilitation, and legal support for at-risk children.
- *Ombudspersons or Child Rights Commissions*: These are independent institutions established to monitor and advocate for children's rights. They investigate complaints, review laws and policies, and ensure that public institutions are held accountable for child rights violations.
- *Special Juvenile Courts*: Special juvenile courts are designated to handle cases involving children in conflict with the law or needing care and protection. These courts prioritize rehabilitation and child-friendly procedures over punitive actions.
- *Mandatory Reporting Laws for Professionals like Teachers and Doctors*: Mandatory reporting laws require professionals who work with children—such as teachers, doctors,

and social workers—to report suspected cases of child abuse or neglect to authorities. These laws help ensure early intervention and protection.

However, even in countries with strong legislation, enforcement is often uneven, and children remain at risk, especially in marginalized communities.

3. Forms of Child Protection Violations

Children around the world face a variety of violations that threaten their safety and development. These abuses are often interlinked and may occur in homes, schools, communities, workplaces, and online environments. Understanding the different forms of child protection violations is essential for developing targeted legal, social, and policy responses.

3.1 Physical and Emotional Abuse

Physical abuse includes acts of violence that result in bodily injury to a child, such as hitting, burning, shaking, or choking. Emotional or psychological abuse may involve verbal assault, humiliation, isolation, intimidation, or rejection. Both types of abuse can have long-term impacts on a child's mental health, leading to anxiety, depression, and behavioural disorders. According to the World Health Organization, nearly 1 billion children aged 2–17 experienced physical, sexual, or emotional violence or neglect in the past year. Emotional abuse is particularly insidious because it often goes unnoticed but can be just as damaging as physical harm.

3.2 Neglect

Neglect occurs when a caregiver fails to provide adequate food, shelter, supervision, medical care, or emotional nurturing. It is one of the most common and underreported forms of abuse. Chronic neglect can impair brain development, hinder educational performance, and increase the risk of risky behavior and mental health issues in adolescence and adulthood. Neglect is often linked to broader social issues such as poverty, substance abuse, and lack of access to social services.

3.3 Child Labour

Child labour is defined by the ILO as work that deprives children of their childhood, their potential, and their dignity. While not all work done by children is harmful, exploitative child

labour—especially in agriculture, mining, domestic work, and factories—can cause physical harm, deny education, and trap children in cycles of poverty.

Globally, over 160 million children are engaged in child labour, with Sub-Saharan Africa accounting for the highest proportion. Children are often exposed to dangerous tools, toxic substances, and excessive workloads that can lead to injury, illness, or death.

3.4 Sexual Abuse and Exploitation

Children are at risk of sexual violence from adults, peers, and online predators. Sexual abuse includes inappropriate touching, rape, sexual exploitation for profit, and coercion into pornographic content. Sexual violence has lifelong consequences for survivors, including trauma, stigma, unwanted pregnancies, and sexually transmitted infections.

With the rise of digital media, online sexual exploitation has emerged as a serious concern. Children may be groomed through social media, manipulated into sharing explicit content, or trafficked via digital platforms.

3.5 Child Trafficking:

Child trafficking involves the recruitment, transportation, or harboring of children for purposes such as forced labour, sexual exploitation, adoption for profit, or use in armed conflict. Traffickers often target children from poor or marginalized communities by offering false promises of education or employment.

UNICEF estimates that children account for nearly 30% of global trafficking victims, with girls particularly vulnerable to sex trafficking. In conflict zones, trafficked children are used as child soldiers, forced brides, or labourer's.

3.6 Harmful Traditional Practices:

Some cultural or religious practices, though deeply ingrained in communities, violate children's rights. These include:

- Child marriage, affecting around 12 million girls each year
- Female genital mutilation (FGM), affecting millions in parts of Africa, the Middle East, and Asia
- Accusations of witchcraft or ritual killings in some regions

These practices often stem from gender inequality, poverty, and social norms, and require sensitive but firm legal and educational interventions.

3.7 Children in Armed Conflict and Displacement:

Children in conflict zones face severe violations, including:

- Recruitment and use as soldiers
- Exposure to explosive weapons
- Detention and torture
- Sexual violence

Displacement due to war or climate change increases the vulnerability of children to abuse, neglect, and exploitation. Refugee and internally displaced children often lack access to education, healthcare, and protective services.

4. Challenges in Protecting Children's Rights:

Despite the existence of strong legal and institutional frameworks, numerous obstacles hinder the effective protection of children's rights worldwide.

4.1 Inadequate Law Enforcement

While many countries have enacted child protection laws, enforcement is often weak. Corruption, lack of resources, and limited judicial capacity contribute to impunity for perpetrators. Law enforcement agencies may lack the training to handle child-sensitive cases, and courts may take years to process cases involving child abuse. In rural or conflict-affected areas, legal infrastructure may be absent, making it difficult for victims to access justice.

4.2 Cultural Norms and Resistance to Change

Deep-rooted traditions can undermine legal protections. In many societies, physical punishment is still viewed as a form of discipline rather than abuse. Practices like child marriage and FGM are often seen as rites of passage or religious obligations. Community resistance, coupled with the silence of victims due to stigma and fear, hampers reform efforts. Changing social attitudes requires culturally sensitive advocacy and grassroots engagement.

4.3 Lack of Awareness and Education

Many children and families are unaware of their rights or the services available to them. Lack of awareness leads to underreporting of abuse and continued cycles of violence. Teachers, healthcare workers, and even law enforcement officers may not be trained to identify signs of

abuse or handle disclosures properly. Educational campaigns, school-based programs, and community outreach are essential tools in building awareness.

4.4 Poverty and Inequality

Poverty is both a cause and consequence of child rights violations. Children from low-income families are more likely to experience neglect, drop out of school, and engage in hazardous work. Economic desperation may drive families to send their children to work or into marriage at an early age.

Social protection systems such as cash transfers, food security programs, and free education are vital in reducing the economic pressures that lead to child rights violations.

4.5 Institutional Weakness and Corruption

Weak governance undermines child protection efforts. In many developing countries, child welfare agencies are underfunded, understaffed, and poorly coordinated. Corruption within institutions—such as police accepting bribes to ignore abuse—can deter reporting and embolden perpetrators.

Accountability mechanisms and oversight bodies are essential to address corruption and ensure institutions function effectively.

4.6 Political Instability and Conflict

Armed conflict, displacement, and political instability disrupt child protection systems. In such environments, children become easy targets for trafficking, recruitment by armed groups, and exploitation. Schools and health centres may be destroyed or inaccessible, leaving children without safe spaces. Emergency child protection interventions, supported by international humanitarian agencies, are often the only line of defence in conflict zones.

4.7 Technological Exploitation

While digital technologies offer education and communication benefits, they also expose children to online predators, cyberbullying, and inappropriate content. Many governments lack comprehensive cyber laws to protect children online, and international cooperation is still evolving in this domain. Parental supervision, digital literacy, and tech industry accountability are crucial in mitigating these risks.

5. Best Practices and Case Studies

Efforts to protect children from harm and uphold their rights have seen significant innovations and success stories around the world. While challenges remain, many governments, international organizations, and civil society actors have developed effective strategies and interventions that demonstrate how child protection systems can function at various levels. These case studies and best practices serve as models for replication and adaptation in other contexts.

5.1 UNICEF's Global Child Protection Programs

The United Nations Children's Fund (UNICEF) plays a central role in supporting child protection systems across more than 190 countries. UNICEF's approach is based on systems-strengthening, focusing on creating and supporting child welfare services, legal frameworks, and child-friendly justice mechanisms.

Key best practices include:

Birth registration campaigns: Legal identity is the foundation for accessing services and protection. In countries like Bangladesh, UNICEF-supported programs helped increase birth registration rates from under 40% to over 80%.

Child protection in emergencies: During natural disasters and armed conflicts, UNICEF deploys Child Protection in Emergencies (CPiE) teams to provide psychosocial support, family tracing, and safe spaces for displaced or traumatized children.

Social service workforce development: UNICEF trains and deploys social workers to identify and respond to abuse cases at the community level.

5.2 Scandinavian Model: Norway and Sweden

The Nordic countries, particularly Norway and Sweden, are often cited as examples of effective child protection systems rooted in strong welfare states, rights-based policies, and universal services.

Key features of the Scandinavian approach include:

Mandatory reporting laws: Professionals such as teachers, doctors, and social workers are legally obligated to report suspected child abuse.

Integrated child welfare services: Child protection is coordinated among schools, healthcare providers, police, and social services, allowing for rapid, holistic responses.

Early intervention: Scandinavian countries prioritize prevention, with family support programs, mental health counselling, and parenting education readily available.

Child ombudspersons: These independent institutions monitor child rights, raise public awareness, and advocate for policy changes.

These countries consistently score high on child well-being indices and have low rates of institutionalized abuse due to community-based alternatives like foster care and in-home support.

5.3 India's Child line 1098: A National Helpline for Children

India's Childline 1098, launched in 1996 and operated under the Ministry of Women and Child Development, is the first and only 24-hour, free, emergency phone service for children in distress.

Key achievements:

Responds to over 10 million calls per year, addressing issues like child labor, abuse, trafficking, and homelessness. Operates through a network of over 1,000 NGOs, police, hospitals, and district child protection units. Trained Childline workers conduct interventions, rescue operations, and follow-ups to ensure rehabilitation.

Case impact: In 2021 alone, Childline intervened in more than 400,000 serious cases, including the rescue of trafficked children and reunification of missing children with families.

5.4 Colombia's Reintegration Program for Former Child Soldiers

Colombia has been one of the most prominent conflict zones involving child soldiers, particularly due to the decades-long civil conflict with armed groups such as FARC. In response, the Colombian government, supported by international organizations like the International Organization for Migration (IOM) and UNICEF, has implemented a reintegration program involving:

Safe demobilization and shelter: Children exiting armed groups are placed in protective care with psychological support.

Education and vocational training: Former child combatants are offered catch-up education and job skills programs.

Community reintegration: Programs work with local communities to reduce stigma and facilitate acceptance.

Outcome: Thousands of children have been successfully reintegrated into civilian life, reducing the risk of re-recruitment or long-term marginalization.

5.5 Kenya's Efforts Against Female Genital Mutilation (FGM)

In parts of Africa, particularly Kenya, female genital mutilation (FGM) remains a significant threat to girls' rights and health. Kenya has implemented a multi-pronged approach to combat the practice, combining legal, educational, and community-based strategies.

Key strategies include:

The Prohibition of Female Genital Mutilation Act (2011), which criminalizes FGM and provides for community education. Establishment of the Anti-FGM Board, a national agency tasked with coordinating efforts and monitoring compliance. Community dialogues and alternative rites of passage, developed in partnership with local leaders and NGOs, offering culturally acceptable ceremonies without cutting.

Impact: Kenya has seen significant reductions in FGM prevalence in regions where intensive programming has taken place. The success is particularly notable among younger girls (ages 15–19), indicating a generational shift in attitudes.

5.6 Australia's National Framework for Protecting Australia's Children

Australia's approach focuses on early intervention, interagency collaboration, and support for vulnerable families through its national framework (2009–2020) and the new successor strategy, *Safe and Supported: The National Framework for Protecting Australia's Children 2021–2031*.

Key highlights:

Comprehensive child protection legislation are there across states and territories. Data and evidence-based policy is made to improve service delivery. Support programs for Aboriginal and Torres Strait Islander children, who are disproportionately represented in the child protection system

Australia's experience demonstrates the importance of evidence-informed planning, targeted support for marginalized groups, and community partnerships in achieving sustainable child protection outcomes

6. Role of Stakeholders in Child Protection

The protection of children's rights is a shared responsibility that requires a multisectoral, collaborative approach. Governments alone cannot safeguard children from all forms of violence and neglect. Families, communities, civil society organizations, and international

bodies must play active roles in preventing harm and creating supportive environments for children to thrive.

6.1 Governments and State Institutions

Governments bear the primary duty under both international law and domestic obligations to uphold and implement child protection measures.

Key responsibilities include:

Legislation and Policy: Enacting comprehensive child protection laws aligned with international standards.

Law Enforcement and Justice: Training police, prosecutors, and judges to handle child abuse cases sensitively and efficiently.

Child Protection Systems: Establishing child welfare agencies, foster care, adoption services, and rehabilitation centres.

Education and Awareness: Integrating child rights education into school curricula and public campaigns.

Budget Allocation: Ensuring adequate funding for child protection programs and infrastructure. Example: The establishment of the National Child Protection Authority (NCPA) in Sri Lanka serves as a model for centralized government coordination of child safety initiatives.

6.2 Families and Communities

Families are children's first line of protection. Supportive, informed, and nurturing family environments can prevent many forms of abuse.

Best practices include:

Positive Parenting Programs: Teaching caregivers non-violent discipline, child development knowledge, and emotional support techniques.

Community Watchdog Committees: Local groups that monitor child safety, report violations, and support at-risk families.

Traditional and Religious Leaders: Engaging respected local figures to challenge harmful practices like child marriage or corporal punishment.

Involving communities in child protection fosters cultural legitimacy, improves local accountability, and builds long-term social change.

6.3 Civil Society and Non-Governmental Organizations (NGOs)

NGOs play a vital role in filling service gaps, especially in contexts where state capacity is limited. Their activities often include:

- Direct service delivery (shelters, legal aid, counseling)
- Monitoring and documenting violations
- Advocacy and policy reform
- Training and capacity building for professionals and volunteers

Organizations such as Save the Children, Plan International, and World Vision operate child protection programs globally, partnering with governments and local actors.

6.4 International and Regional Organizations

UN agencies and multilateral bodies provide technical expertise, funding, and global standards for child protection. UNICEF supports national systems with resources, tools, and emergency interventions. The International Labour Organization (ILO) promotes elimination of child labour and decent work standards. The United Nations Office on Drugs and Crime (UNODC) assists countries in addressing child trafficking and online exploitation. Regional bodies, such as the African Union and the European Union, facilitate regional cooperation and human rights enforcement.

6.5 Children and Youth:

Children are not just passive recipients of protection—they are agents of change and must be empowered to participate in decisions affecting their lives.

Child participation initiatives include:

- Children’s councils and parliaments at school or community level
- Youth advocacy programs that engage children in public policy discussions
- Child-led organizations focused on peer education, digital safety, and social justice

The principle of “nothing about us without us” must be central to child protection planning and execution.

7. Landmark Indian Case Laws That Have Significantly Influenced The Protection Of Children’s Rights:

1. Vishal Jeet v. Union of India (1990)

In this case, the Supreme Court addressed the issue of child prostitution and trafficking.

The Court directed the central and state governments to take effective action to

eradicate child prostitution and to provide appropriate rehabilitation for children rescued from such circumstances. The Court emphasized the need for statutory legislation and the establishment of special advisory committees to make recommendations on the eradication of children's prostitution.

2. Unni Krishnan, J.P. & Ors. V. State of Andhra Pradesh & Ors. (1993)

This landmark judgment by the Supreme Court dealt with the right to education. The Court held that the right to education is a fundamental right under Article 21 of the Constitution of India. It directed the state governments to provide free and compulsory education to children up to the age of 14 years, recognizing education as an essential component of a child's development and well-being.

3. Miss. Mohini Jain v. State of Karnataka and others (1992)

In this case, the Supreme Court ruled that the right to education is a fundamental right under Article 21 of the Constitution. The Court held that the state has an obligation to provide free and compulsory education to children and that no child should be denied admission to a school on the grounds of financial constraints. This judgment laid the foundation for the Right to Education Act, 2009.

4. Sampurna Behrua v. Union of India (2018)

This case highlighted the deplorable conditions in child care institutions across the country. The Supreme Court issued directions to the central and state governments to ensure the implementation of the Juvenile Justice (Care and Protection of Children) Act, 2015. The Court emphasized the need for proper infrastructure, trained staff, and regular monitoring of child care institutions to ensure the well-being and rehabilitation of children in such institutions.

5. Independent Thought v. Union of India (2017)

In this case, the Supreme Court examined the Prohibition of Child Marriage Act, 2006, in conjunction with Section 375 of the Indian Penal Code, 1860. The Court ruled that sexual intercourse with a wife below the age of 18 years constitutes rape, thereby aligning the legal age of consent with the minimum age of marriage. This judgment recognized the importance of protecting minor girls from sexual exploitation within marriage.

6. Lajja Devi v. State (2009)

This case dealt with the issue of child marriage. The Delhi High Court held that child marriages are voidable under the Prohibition of Child Marriage Act, 2006. The Court emphasized that the Act takes precedence over personal laws and that child marriages

involving minors are not legally valid. This judgment reinforced the legal framework against child marriage in India.

7. *Jay Mala v. Home Secretary, Government of Jammu and Kashmir (1982)*

In this case, the Supreme Court addressed the issue of determining the age of a minor detainee. The Court established that a two-year margin of error should be applied in judicial proceedings to radiological and orthopaedic test results used to determine age in favour of the accused. This judgment set a precedent in India for determining the age of minors in legal proceedings and influenced the legislation of the Juvenile Justice Act, 2000.

8. *Hemant Goswami v. Union of India (2013)*

In this case, the Punjab and Haryana High Court issued a landmark order directing a total ban on the employment of children up to the age of 14 years, both in hazardous and non-hazardous industries. The Court emphasized the need for rehabilitation of children involved in child labour and directed the establishment of Child Welfare Committees to monitor and take action against violations. This judgment played a significant role in strengthening child labour laws in India.

These cases collectively contribute to the evolving legal landscape for child protection in India, addressing issues ranging from child labour and education to child marriage and sexual exploitation.

8. Conclusion

Protecting children from violence, exploitation, and neglect is not merely a moral imperative—it is a legal and developmental necessity. While significant progress has been made through international treaties, national laws, and community-based initiatives, millions of children remain vulnerable due to systemic gaps, socio-economic inequalities, and cultural barriers.

This research paper has explored the foundations of protective rights for children, highlighting global legal frameworks such as the UNCRC, and specific national laws that seek to translate these rights into reality. It has examined the diverse forms of child rights violations—from child labour and abuse to trafficking and harmful traditional practices—and the multi-layered challenges in addressing them.

The best practices and case studies demonstrate that progress is possible with coordinated action, sufficient resources, and genuine political will. Effective child protection systems are built on prevention, early intervention, community engagement, and strong legal accountability. The involvement of all stakeholders—governments, families, civil society, international organizations, and children themselves—is crucial.

To create a world where every child grows up safe, healthy, and free from harm, we must move from declarations to implementation, from intention to investment, and from silence to sustained advocacy. Only then can the full promise of the protective rights of the child be fulfilled.

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