

National Human Rights Commission

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Date: June, 2020

Subject: Advisory for the protection of the rights of the children in light of COVID-19

The current scenario with the spread of the COVID-19 epidemic as well as the restrictions imposed as part of the containment measures being followed across the country, has had different implications for the various vulnerable sections of the society, including and especially children.

2. In light of these extraordinary times, it is important to ensure adequate measures for the care and protection of children, particularly those from marginalized backgrounds. Further, special care needs to be taken to ensure the protection of the rights of the children despite the restrictions enforced due to the pandemic.

3. Following the guidelines (addendum) issued by the Ministry of Home Affairs for containment measures vide Order No. 40-3/2020-DM-I(A) dated 24th March, 2020, different ministries, authorities and non-governmental bodies have brought out advisories to be observed with respect to children. Particularly, the advisory (including addendum) brought out by the National Commission for Protection of Child Rights (NCPCR) dated 29th March 2020 should be undertaken by all State and Union Territory governments (**Annexure-I**). Further, 'Coping Strategy for Children and Caregivers' brought out by the Ministry of Women and Child Development numbered '480884/2020/JS WCD' is also an important document in addressing the psycho-social difficulties children and caregivers may face during this time (**Annexure-II**). Additionally, the guidelines for CCIs brought out by the Enfold Proactive Health Trust in collaboration with UNICEF, dated 8th April 2020, is also a detailed and informative document and can be found on CHILDLINE India Foundation's website.

4. In addition to all of these, as the country continues to be gripped by the pandemic, the Commission would like to invite your attention to the other issues concerning children and advise the following steps to be taken by the State and UT governments:

- i. Child Trafficking: Various experts and organizations have estimated an increased incidence of child trafficking following the pandemic primarily for the purposes of child labour and child sexual abuse. There needs to increased vigilance to prevent children from going missing and falling in these traps; immediate action to be taken in case a child is reported to be missing.
 - (a) The CHILDLINE along with the District Child Protection Unit (DCPU) shall regularly monitor all labour units with a special focus on agricultural and small scale industry units in the district in order to identify child labourers and follow the required process of rescue and restoration as prescribed in the aforementioned guidelines/advisories through the concerned Child Welfare

Committee (CWC). In urban areas, households to be also monitored to identify children working as domestic helps.

(b) Vigilant monitoring of previous offenders of child trafficking for sexual exploitation.

ii. Children with Disability: Concerning their health and education:

(a) Due to increased number of cases, quick and easy access to health care facilities has been proven difficult for everyone. However, keeping in mind the need for regular treatment and therapy by children with disability, they should be given priority and immediate assistance, including for Corona virus testing.

(b) With schools and other educational institutions being shut down, educational classes are shifting online. In such a scenario, it needs to be ensured that these classes are made accessible to children with disability as well.

iii. Children in Families with Domestic Violence: The State Commission for Protection of Child Rights (SCPCR) shall monitor the cases received from their State by the National/State Commission for Women and the police to monitor incidents of child abuse in families where domestic violence against women have been reported. Necessary action as required shall be taken in case of physical, mental, and sexual abuse and neglect of children.

iv. Children in the Virtual Space: As going to school, outdoor games, socializing with friends, and various other aspects of a child's life has come to a standstill, we have heavily relied on the internet to fill in those gaps during this pandemic. Children are, subsequently, spending increased time online for studies, talking to their friends, on social media and so on. These pave way for two major concerns: online safety of children and growing digital divide faced by children from marginalized backgrounds.

(a) Parents and school authorities must take adequate care and precautions to address the safety of children as they spend their time on the virtual space. Do's and Don'ts for children, parents, schools and other stakeholders to ensure cyber safety have been released by the MHA, NCPCR, UNICEF, CBSE, etc. These may be circulated widely and also discussed with children.

(b) As children from marginalized background do not have access to the resources required to attend classes virtually, steps must be taken by the concerned departments to ensure a level playing ground before implementing online classes. It is advised that classes should not be held until all children are in a position to participate in order to prevent a digital divide among children and further pushing the marginalized children to the peripheries.