

NATIONAL HUMAN RIGHTS COMMISSION

MINUTES

Meeting on the occasion of Universal Children's Day celebrated on 20th November 2018

The National Human Rights Commission organized "Universal Children's Day" Celebrations on 20th November, 2018 in the Commission. The main theme of the function was a discussion on Child Rights and Sustainable Development Goals. The meeting held under the Chairmanship of Smt. Jyotika Kalra, Hon'ble Member, NHRC and, was attended by Senior Officers of the Commission, Shri Ambuj Sharma, Secretary General, Shri Gurbachan Singh, Director General (Investigation), Shri Surajit Dey, Registrar (Law), Shri. Dilip Kumar, Joint Secretary (T&R), Dr. Ranjit Singh, Joint Secretary (P & A), Ms. Chhaya Sharma, DIG (Investigation), Mr. Sudhir Kumar, Special Rapporteur and Dr. M.D.S Tyagi, Jt. Director (Research). The meeting was also attended by subjects experts namely Ms. Razia Ismail, (Convener, CSO Coalition), Ms. Bharti Ali, (Co- Director, HAQ), Prof. Anita Julka, (NCERT) and Mr. Amitabh Behar, (CEO, OXFAM India) and other members of the NHRC Core Group on Children.

Theme-Child Rights and Sustainable Development Goals

At the outset, **Shri Ambuj Sharma, Secretary General, NHRC** after welcoming all the members/participants emphasised the importance of implementation of the SDGs. The discussion began with the focus on Sustainable Development Goals and questions pertaining to how the policy addresses the issues that affect the children. As half of the SDGs are largely connected to children's welfare through perspectives of gender, poverty and labour and, this was also brought out aptly in the UPR session, wherein a speaker reportedly mentioned that 72-76 recommendations are directly related to the children like the population of Children, protection of child rights, etc.,

He elucidated 'Children being the future of the country, we need to bring the focus on Children at the policy making level and its implementation; otherwise we won't be able to see any remarkable change.' He opined, 'since children, elderly and women are the most vulnerable and disadvantageous groups of the society, from the very inception of the Cabinet Note itself, the mandatory declarations of *Equity, Transparency and Accountability*' should pay attention on policy impact, successful execution and measures to address the adverse effect as and when it arises. On the implementations of Child Development Action Plan, he said the District Collectors can work along with the Department of Women and Child Development at the village level so as to conduct workshops, spread adult literacy about child rights and see how synergies from cross-sectional ministries can be brought into the action.

Hon'ble Member Jyotika Kalra, NHRC while speaking from the perspective of the child rights, reflected upon the very first goal of SDG as '*No poverty: End poverty in all its forms everywhere*' as explicitly important in developmental agenda and in current scenario, poverty still plays a pivotal role.

She reflected upon the priority on SDG-2 '*Zero Hunger*' and, when we have schemes like Anganwadi, Midday meal, etc under National Food Security Act, 2013, we should ensure that wastage of food is avoided and see that Mid-day meal be provided on all days. As recently, due to shortage of food few girls died of hunger in Delhi and also, due to lack of storage houses much of the food is wasted, so there is a requirement of warehouses with advanced storage facilities.

While envisioning the mechanism of SDG-3 '*Good Health and Well-being*', National Health Protection Scheme or Ayushman Bharat Yojana, as the world's largest funded healthcare programme, it is expected that these schemes can take care of the children too. We need to reduce the preventable deaths by providing access to the affordable *essential medicines and vaccines* and, should also promote its awareness through the workshops, campaigns, etc, at the district level.

She emphasised upon the importance of *Quality Education* at SDG-4, Right to Education was emphasised that this goal in itself ensures the commitment of providing an equal access to quality education and promote life-long learning, regardless of the gender disparities. She referred to the recent Times of India report about 3700 PhDs and more than 50,000 graduates having applied for "messenger jobs" in UP, the post where the eligibility criteria were only class V pass and a self declaration of capability of driving the bicycle. She concluded by hoping that the dialogue leaves everybody enriched about the present status, challenges and goals to be achieved for protection and promotion of the Child rights.

Amitabh Behar, CEO OXFAM: On elaborating upon the Millennium Development Goals, explained how it will be worthwhile to look at MDGs as the Minimum Development Goals and not just Millennium because of their 'ambitions' at the global level. We should be looking at how the MDGs and SDGs emerged separately; the process acknowledges the broader consensus of inputs from multiple civil societies, think tanks, and governments. He exclaimed that it is for first time, environment, economic and social dimensions of development are discussed at a global level.

It is important to see how MDGs were a problem for the developed countries and how SDGs changed it dramatically, if we see 17 goal targets. In SDGs we have financial targets too, the micro reports make us question of real picture from BIMARU States while attempting to address the SDGs. At the first, MDGs said we need to bring 50% of population out of the hunger, but we, as an NGO had to question for which 50% of population is it addressed to

and how do we choose it? There exists a limitation when we see the goal from sense of justice.

Also, he mentioned about developing effective, accountable institutions as the priority of SDG-16 - *Peace and justice strong institutions* explains about robust institutions where we are no longer just talking about patterns of production, but also of consumption. There should be a complete shift in seeing how societies organize itself for sustainable development.

Thirdly, he suggested that in terms of collaboration, we need to put the responsibility on public and the government together so as to strengthen domestic resource mobilization, promote environmentally friendly technologies as explained under the priority of SDG-17 as *Partnership to achieve the Goal*. In *Lead India*, the children should be the first priority. He mentioned that after signing the memorandum of SDGs, the responsibility was directed upon Niti Ayog and in this exercise of cherry picking of the important goals; we all can see how the momentum is lost. The whole idea of SDGs shows that a resonance exercise needs to show specifically on how the SDGs are being implemented with the other inline ministries.

Furthermore, he reflected on *Clean Water and Sanitation* as the priority of SDG-6, which is interlinking with water there we look at rivers, inter river water transfer, and may be a dissonance with the environment. We need a proper mass public campaigning so as to spread awareness about our developmental goals.

Lastly, he reflected upon the absence of accountability in the system and it's just the voluntarily reporting rather than the report based on set of SDG indicators. For Children's perspective we need to have an accountability in the system whether it's through social audit, public expenditure tracking, jan-sunwai in government's programme. He suggested that we can have accountability in urban and rural spaces for children where census need to be reviewed and lastly, we need to assure our commitment towards the tag line of *leaving no one behind' and 'life of dignity'*, without ensuring the protection of children , it's unlikely that we have a life of dignity.

Shri Ambuj Sharma intervened on the accountability issue and said 'usually, the World Bank, other International agencies, etc., at Individual Level Parameter, have been doing not just the monitoring, ranking, grading but reporting also each year that shows our progress and analysis to showcase our true picture.

Shri Dilip Kumar, Joint Secretary (Training & Research), added to this discussion by explaining that SDGs and its issue needs to be looked at more focussed by NITI Ayog, it may not be correct to say that no work is being done, some more tweaking is required where some workshops and others activities will do bring the reporting in the form of SDGs where targeted emphasis can be found on the goals.

Prof. Anita Julka, NCERT also shared from her experience that when the report is prepared at the last minute to meet the target, the report is sent with whatever material was available at the end, so if we proceed with the goals, the systematic reporting can be done.

Ms. Razia Ismail, Convenor, IACR explained her views on SDG and we need to have reality check with those that are affected and we need to work priority in terms of the SDG goals and move beyond the economic targets. The rational viewpoint on the role of commissions, the common access to justice, Right to quality of life, skill development is very important. A strong intervention in the laws that affect the individuals is required. The lack of fairness and access to justice is still largely prevalent in the system. We have Action Plan for Children formulated by agencies, think tank and ministries; one key element of the inter-sectoral mechanism for this plan was not set-up, which paralyzed the policy and also the Action plan. National Action Plan for Children is of 164 pages, which needs to be shortened so as to circulate easily in the districts and Zila –Parishads.

Shri Ambuj Sharma stated that the Decentralization is the key element line and **Ms. Razia Ismail** stated that with decentralization only, the district development plan for every district will be followed at the ground level and these plans should be cross-checked, with questions pertaining to the social justice, socio-economic component. Further, she explained we should be more focussed at the policy making level and should ensure an overall and inclusive development plan for children from infant to mature individuals. Lastly, she suggested the practise of introducing Score-card exercise where children are provided with set of situations and their rights are provided on paper and children have a chance to look at score card to provide the outcome of the policies.

Shri. Sudhir Kumar, Special Rapporteur, NHRC explained the problem of compartmentalization and it is so extensive that the very department that has to be monitored becomes the monitoring department itself and no accountability can be found.

Ms. Bharti Ali, Co-Director, HAQ explicated the need of mapping of the children, the exact percentage in age- groups can help us in deciding the budget/resource allocation of children. As already the funds available for a child at the yearly budget allocation has shrunk and we need to critically look at mobilizing, utilizing the available resources. Secondly, Monitoring has to be revealed in public domain, we need to know how many complaints do we allow children's to make against the system, we need to look at the possible ways in which we allow children to complain or how do children directly complain? More children are denied to liberty and are being criminalised daily, we can see in reports too. What affects the children is that we never ensured our proper working on the existing mechanisms. The critical aspects like value addition, the accountability for the social audience has to be looked at carefully and only then we can possibly protect the child rights.

Prof. Anita Julka, NCERT pointed out of the Statistics that at least 70-80% of disabled children are from the poor background, the early interventions for meeting the special needs in terms of health and development can be met through Anganwadi Scheme. The disability as a subject figures in the Goal-4 of the SDG as *Quality Education*, Goal-8 as *Decent Work and Economic Growth*, and so forth in Goals 10, 11, and 17. Equity can be achieved only if the equality of opportunities is provided at the ground level. She also mentioned that there is no exclusive survey of the disabled conducted and the actual cases are either unreported or under reported.

Secondly, 'Zero-Hunger' as goal itself is contradictory, when we have children with high requirement of the food but parents/caretakers provide one time food as they are to be carried to the toilets, the schools should be having a facility of inclusive washrooms. Thirdly, there is a lack of transport facility in villages for the disabled children to reach the hospitals. Adding to it, the people who deal with the children are not educated; workers in the child care centres should be trained and sensitized towards the needs of these children. The human right paradigm has to be advocated, through workshops, mass campaigning, etc, for their development.

Lastly, we need to develop a child tracking system at District level and, once a child is admitted to the school; we need to identify the disabled children, and provide resources and facilities wherever required. She highlighted that all the SDGs needs to be integrated with the disability issues as we are dealing with most vulnerable, disadvantaged and marginalised groups that are mostly deprived off the benefits of the social schemes.

Discussion on the way forward and Conclusion

At the end of this celebration, **Shri Ambuj Sharma** raised a question on the percentage of Children with disabilities in India.

Professor Asha Bajpai, TISS mentioned about the lack of research data on the disabled and disagreed on the prevailing data available. She suggested synchronisation of provisions of various laws, strategic plan to get the views of the children, re-institutionalization of orphans, disabled is necessary and financial provisions can encourage their protection and welfare as envisaged in article 24 of the Constitution.

Shri Shashank Shekhar, Advocate, Supreme Court emphasised on the necessity of analysis and classification of the disabled children that should be based on authentic data collection. It was figured out that census figures of the disabled children are incorrect and we require the realistic figures and need to work more scientifically and rationally.

In summarizing of the meeting, **Shri Ambuj Sharma** emphasised that a more realistic approach on social budgeting, scientific plan of action and a preferential treatment to social sectors is necessary. A committed and dedicated stand on implementations as well as on

policy formulations should be our priority to match the Sustainable Development Goals and accomplishment of visions. The meeting was concluded with his vote of thanks to the participant members.

List of Participants (Universal Children's Day Celebration)

NHRC

1. Smt Jyotika Kalra, Member
2. Shri Ambuj Sharma, Secretary General
3. Shri Gurbachan Singh, Director General (Investigation)
4. Shri Surajit Dey, Registrar (Law)
5. Shri Dilip Kumar, Joint Secretary (T & R)
6. Dr. Ranjit Singh, Joint Secretary (P&A)
7. Ms. Chhaya Sharma, DIG (Investigation)
8. Shri Sudhir Kumar, Special Rapporteur
9. Dr. M. D. S Tyagi, Joint Director (Research)

Core Group Members and Special Invitees

1. Ms. Razia Ismail, Convenor, Indian Alliance for Child Rights (IACR)
2. Ms. Bharti Ali, Co- Director, HAQ- Centre for Child Rights
3. Prof. Asha Bajpai, School of Law, Rights and Constitutional Governance, TISS, Mumbai
4. Prof. Anita Julka, Department of Education of Group with Special Needs, NCERT
5. Shri Shashank Shekhar, Advocate, Supreme Court, and Former Member, Delhi SCPCR.
6. Shri Subhash Gautam, Superintendent, WCD, Phulwari.
7. Mr. Amitabh Behar, CEO, OXFAM India.
8. Shri Deepak Bose, India Alliance for Child Rights.
9. Ms. Tanya D'Souza, YWCA, New Delhi.
10. Ms. Rita S. Aggarwal, YWCA, New Delhi.
11. Ms. Abha Ekka, YWCA, New Delhi.
12. MS. Nilakshi Rajkhowa, Director, BAHA'I Office of Public Affairs.

