

Child Development in Human Rights Charters: Challenges and Obstacles

تنمية الطفل في موثيق حقوق الإنسان: التحديات والعقبات.

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Abstract (English):

Since the Declaration of the Charter of Human Rights and Children is considered a fundamental focus, several conventions have been adopted after the statement, which guarantees the rights of the child and recommend the importance of its mental and physical development, harnessing state institutions to serve it, protecting it and providing all means of health, educational and recreational care to it, teaching it the principles of citizenship such as freedom, equality, tolerance, and democracy to be a good citizen in his society, because the child is a future citizen and contributor to the development and protection of his community, and this will not be achieved if his rights and means of proper education and security are neglected and protected. Society only by preserving the child's rights is considered the future of the state and society.

Keywords: Development; child; Human rights; Education; Freedom; Equality.

ملخص باللغة العربية

منذ إعلان ميثاق حقوق الإنسان والطفل يعتبر فيها محورا أساسيا، حيث توالت بعد الإعلان عدة اتفاقيات تكفل حقوق الطفل وتوصي بأهمية تنميته العقلية والبدنية وتسخير مؤسسات الدولة لخدمته، وحمايته وتوفير كل سبل الرعاية الصحية والتعليمية والترفيهية له، وتلقيه مبادئ المواطنة مثل الحرية والمساواة والتسامح والديمقراطية حتى يكون مواطنا صالحا في مجتمعه، لان الطفل هو مواطن المستقبل والمساهم في تنمية مجتمعه وحمايته، ولن يتحقق ذلك إذا ما تم إهمال حقوقه وسبل التعليم السليم له وحماية كافة حقوقه، ولهذا فلا سبيل للمهوض بالمجتمع إلا من خلال حماية حقوق الطفل الذي يعتبر بمثابة المستقبل للدولة والمجتمع. كلمات مفتاحية: التنمية؛ الطفل؛ حقوق الإنسان؛ التربية؛ الحرية؛ المساواة.

1- Introduction

The child is born (Lillehammer, 1989)with his natural rights(Hart, 1955), such as the right to life(Ramcharan, 1985), freedom(House, 2014), and human dignity(McCrudden, 2008), but human intervention(Freckman & Ettema, 1993) by abuse or violation of the rights of others, whether due to poverty of societies or states, or because of civil and international wars or because of morbidity, epidemics, neglect or arbitrariness, all of this may cause the child to lose all his rights even naturally,

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and for that is why international conventions and conventions on the rights of the child stipulate that the rights of the child must be protected and not violated for any reason and under any circumstances, and to prove and defend all his rights until development is achieved. He is adequately guaranteed all his natural rights as a human being and acquired as a legal person.

Therefore, we raise the following problem: what are the most fundamental elements affirmed by human rights charters to achieve the child's development by preserving his rights?.

1-One_ Concept of Development:

After the United Nations' founding(Gladwyn, 1990), the concept of development emerged at the end of the last century(Sen, 1988), whose aim was to spread world peace and security after World War II. It, therefore, included several issues and programs concerning human rights, how to achieve real development, the provision of the requirements of a decent life, and the protection of all its civil, political, social, economic, and cultural rights to achieve the right to life, freedom, and human dignity.

"The United Nations Human Development Report 1990(People, 1990) stated that development means: "The process of expanding the choices available to people, the most important of which is income, achieving a long life free of boredom, gaining knowledge and enjoying a decent life, political freedom, ensuring human rights for itself and focusing on the development of human capacities and their use of productive capacities, (2012، الكريم،)"and regardless of the outcome, its three essential elements include the ability to live long and healthy lives, gain knowledge and enjoy access to resources and access to resources. It is necessary to live a decent life, and development does not stop there; people too "... They value political, economic, and social freedom and opportunities for creativity and production. (2012، الكريم،)"

2-The concept of human rights:

The outstanding violations and killings of humanity resulting from the First and Second World War have made the participating and affected states seek a solution to this destruction to save the world from annihilation and human rights from violation. The United Nations was formed, and the Universal Human Rights Charter was proclaimed, which guarantees human beings their natural and acquired rights and protects them from slavery and the violation of their freedom and dignity so that they are not victims of similar wars, whether international or civil and therefore they commit states to have rights to be observed and protected because they are the focus of human existence and violation. His rights are the destruction of all humanity.

"The term human rights(Griffin, 2008), in general, is a set of needs and demands, which must be met by all individuals, without any discrimination between them for considerations of sex, colour, gender, religion, political sect, occupational origin, nationality, or any other consideration, and we tend to deal with the definition.

Therefore, human rights in developed countries (Cingranelli and Pasquarello, 1985) are the set of needs or demands that must be met for the general public and any society, without discrimination for gender, colour, political belief, national origin, or any other consideration.

3-The status of the child in Islam:

Islam, with its great teachings (Ahmad, 1996), came to organize the lives of all human beings and did not neglect the finer details of life and the right of all, including God has recommended the child well and granted him an excellent status as a man and woman of the future and to reform and care for them. Their good upbringing at a young age makes them the right individuals for their parents, families, and society. It makes them victims of ill-education, treatment, violence, etc., which violates their rights and human rights as a vulnerable child whose life depends on those who are in their care within the family or society.

Islam has given the child many rights, and it includes much care and attention from the moment of his birth until his natural puberty because childhood is one of the most dangerous stages of life in the formation of his personality. The Noble Quran stipulated the child's rights and the responsibilities of caring for and preserving him(قصير).

4-The status of the child in human rights charters:

Human rights charters have given great importance to children and the defence of their rights, starting with the stage of Motherhood, in which the mother needs health care to ensure the safety of the child, and after his mandate enjoys all his natural rights such as the right to life, liberty, and dignity, and to criminalize the violation of the rights of children in all its forms, especially in countries suffering from international or civil wars or governed by authoritarian or backward regimes that do not respect international conventions and violate human rights in general or the rights of the child in particular, which should be seen internationally and protected. The vulnerable group ensures that they have access to their rights and life requirements to live a normal and healthy childhood.

"After the adoption of the Universal Declaration of Human Rights in 1948, (Rights, 1948) where this declaration referred to the rights of the child in Articles 25 and 26, Article 25 of the Universal Declaration of Human Rights stated: "Motherhood and childhood have the right to special assistance

and care, and all children enjoy the same social protection, Whether their guardianship is a result of a legal bond, or in an illegal manner." Article 26 states: "Everyone has the right to education, and education must be at least in its early and basic stages - free of charge - and that early education is compulsory ...", After the adoption of the International Convention on the Rights of the Child in 1989 and the ratification by many countries, the issue of childcare began to take a precise curve in response and in line with international influences and changes aimed at focusing attention on children's affairs and their concerns, and these efforts culminated in the holding of an international conference on children in September In 1990, and then the international community's view of child rights began to change, and it became seen on the basis that they are human and universal rights that cannot be overlooked or neglected."

As such, "The Convention on the Rights of the Child stipulates in its preamble the necessity of recognizing the human dignity inherent in all members of the international community, men, women, and children, considering that under the principles proclaimed in the United Nations Charter, recognition of the inherent dignity of all members of the human family and their equal and inalienable rights constitutes the basis of freedom and justice. And peace in the world ", " and the preamble singled out children for mention. It warned of the need to respect their dignity because of their weakness and need for special care, as it stipulated the following: "Considering that the child should be fully prepared to lead an individual life in society and raise him in a spirit of ideals. Supreme Council declared in the United Nations Charter, especially in the heart of peace, dignity, tolerance, freedom, equality, and brotherhood"(2016، مساعيد) .

5-Child development in international conventions:

1-For preserving the right to education:

Societies that do not care about the upbringing and education of their children are not different from primitive societies because education makes the child keep pace with his age and acquires the scientific, intellectual and ethical knowledge that he will need in his future life, so this considers education as an internationally guaranteed right of the rights of the child and breaching them is a violation of his righteousness that will make him suffer Ignorance and illiteracy are all his life..

Article 28 of the Convention on the Rights of the Child, paragraph 01, (Assembly, 1989) states the following: "States Parties recognize the right of the child to education, and to achieve this right progressively and based on an equal opportunity, they shall in particular:

A) Make primary education compulsory and freely available to all.

B- Encouraging the development of various forms of secondary education.

C- Making higher education, by various appropriate means, is available to all based on capabilities.

D. Make educational and professional information and guidelines available and accessible to all children.

E - Take measures to encourage regular attendance in schools and reduce dropout rates(المتحدة، 1989).

Article 29, paragraph 01, states the following: States Parties agree that a child's education is directed towards:

A_ develops the child's personality, talents, and mental and physical abilities to their fullest potential.

B- Development of respect for human rights and fundamental freedoms and the principles enshrined in the United Nations Charter.

C_ Development of respect for the child's parents, cultural identity, language, unique value, and the country's national values in which the child lives and the state in which he was initially raised and civilizations different from his own.

D. Preparing the child for responsible life in a free society, in a spirit of understanding, peace, tolerance, gender equality, and friendship among all ethnic, national, and religious peoples and groups and persons belonging to the indigenous population.

E - the development of respect for the natural environment.

2-Child development through preserving his identity and family care:

The child's family's value with the example of the first homeland and its original incubator, without which the child's life or one of the essential pillars of his life, life, and development is lost. The child needs to develop a caring family and improve him and belong to a family of a right guaranteed to him naturally and legally. Therefore States strive to improve the living conditions of the family for the family to receive excellent and healthy care for its children, and through the family proves to him the proportions and identity of the child, which is known and known as his family and social affiliation, which are necessary for his life and future.

The Convention on the Rights of the Child states the following: "Convinced that the family, being the basic unit of society and the natural environment for the growth and well-being of all its members, especially children, should be afforded the necessary protection and assistance to be able to carry out its responsibilities within society fully, and recognizing that the child, that is, his personality develops A hopeful and harmonious growth, which should be raised in a family environment in an

atmosphere of happiness, love, and understanding, "according to articles 08, paragraph 01 and 02, as follows:

_01States parties undertake to respect the child's right to preserve his identity, including his nationality, name, and family birth, in the manner established by law, without unlawful interference.

_02If any unlawful child is deprived of some or all of his identity elements, States Parties shall provide appropriate assistance and protection to expedite his identity re-confirmation.

"Article 06 of the Universal Declaration of Human Rights stipulates that every human being, wherever he is found, has to recognize his legal personality, if this text means human beings in general, then it means the child by describing him as a picture of the first stage of life for a person where the recognition of legal personality begins, or when it starts. The right to recognize the recurring character is embodied in concrete facts formed from this personality and is based on recognition of his birth, name, lineage, and nationality(شہیرة). They are the pillars on which his legal existence is established, distinguished by them, from his birth, and even before his birth, while he is a fetus in his mother's womb. There is no doubt that the importance of recognizing the legal personality enables him to consider the root of all rights and their primary source. Based on the child's legal existence, he has the right to life, survival and freedom, or in other words, protection from any threat that threatens His life, his survival, and his freedom".

3-Healthy development:

The child's development cannot be achieved unless covered by health care for him and his mother, who breastfeeds, nurtures, and educates him. Providing health care and protecting Motherhood and childhood is one of the most important reasons for the child's upbringing in a healthy and sound upbringing. International conventions affirm the right to health care for the child due to the sensitivity of his age stage, as well as due to the massive number of Deaths, diseases, and disabilities resulting from neglect of the health aspect of the mother from the time of her pregnancy to the fetus and after his death until his adulthood. For this, it was necessary to follow the child's health so that the percentage of fatalities witnessing a significant increase, especially in developing countries, is reduced.

Article 12, paragraph 01 of the Convention on the Rights of the Child also indicated the following: "States Parties recognize the right of the child to enjoy the highest attainable standard of health and his right to disease treatment and health rehabilitation facilities, and State Parties shall make every effort to ensure that no child is deprived of his Get these health care services".

4-Freedom, expression, and thought:

Freedom of expression (Cohen, 1993) and thought are among the most reliable pillars that a child needs to develop his skills and translate his knowledge through education. As long as he possesses a language, he needs to express his opinion. As long as he has a mind, he needs to express his ideas, and this develops his mental and intellectual abilities and makes him able to solve His problems that suit his age and find an answer to all his philosophical issues and questions that are contemporary with him, in a way that makes him integrated into his family and society and has a respectable position among them because it is an integral part of the family and community .

"Therefore, freedom of expression is one of the most important moral rights that contributes to the future formation of the child and the development of his mental and mental abilities, where it is based on understanding, analysis, and inference of all the events and events surrounding him, and for that reason, after the Convention on the Rights of the Child States parties to open channels of dialogue with the children to express their opinions, " "article 12 paragraph 01 and 02 stipulate shaping the following:

1. States Parties to this Convention ensure that children who can form their own opinions have the right to express those views in all matters affecting the child freely.
2. For this purpose, the child, in particular, has the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly or through an appropriate representative or body, in a manner consistent with the procedural rules of national law."

As for Article 13, Paragraph 01 stipulating, "The child shall have the right to freedom of expression, and this right includes the freedom to request, receive and impart all kinds of information and ideas, without any regard for borders, whether by speech, writing, printing, art, or any other medium the child chooses."

5-Protection from exploitation:

The exploitation of children is widespread in many developing countries. Children are exploited by business owners, mines, trade, or orphaned children who belong to low-income families and are driven by their families to work even by homelessness and collecting bombs for sale. This makes the child a victim of exploitation and loses the rights of childhood living in the best of circumstances. Worse, groups exploit children sexually to satisfy their animal homosexuality, contrary to national and international values, morals, and laws.

Article 19 of the Human Rights Convention, paragraphs 01 and 02, states:

1- States Parties shall take all appropriate legislative, administrative, social, and educational measures to protect the child from all forms of violence, harm, physical or mental abuse, neglect or negligent treatment, abuse, or exploitation, including sexual abuse. At the same time, he is in the care of the parent (parents) Or the legal guardian (legal guardians) of him or any other person who undertakes to take care of the child" .

2_These preventive measures should include adequate measures to set up social programs to provide the necessary support for the child and for those whom the child undertakes to take care of, as well as for other forms of prevention, and for identifying, reporting, referring, investigating, treating and following up on cases of child abuse mentioned so far as well as for judicial intervention according to Appropriate'

Therefore, these international conventions oblige States to protect children from all forms of violence and exploitation and the need to provide the right conditions for their age for a safe, healthy and healthy childhood, as well as the importance of parents in caring for their children and to be victims of society or exploitation, as well as to encourage a culture of reporting to the competent security and judicial authorities in the event of cases in which children are subjected to harassment or sexual or physical exploitation of hard labor, which ensures that they are legally protected, rehabilitated and guaranteed and guaranteed their rights to achieve the actual development of the child.

6-Disabled child development:

The conventions on the rights of the child did not ignore this vulnerable group of children with disabilities. They called for the allocation of special care for them to ensure their rights, develop their mental and physical capabilities, open up opportunities for education and entertainment for them, and build special centers for them to facilitate that task, as well as medical rehabilitation and health care for them, in a way that enhances their feelings With the strength of soul and mind, and their actual and natural integration into the family and society, this is what is meant by the recommendations of the conventions on the rights of the child.

6- Conclusion

Despite all the international efforts made to achieve the development of the child and the preservation of his rights by providing education, health care, and recreation places and recreation places and allowing him to express his ideas and opinions, protect him from exploitation and the right to have an identity and a family in which he grows up and is nurtured and educated values,

morals and good spending on it to preserve his health and childhood, and ensures that he or she receives his rights with other children fairly and equally without discrimination or racism, whether healthy or disabled. Still, many developing countries remain neglected, marginalized, and exploited, but many developing countries remain neglected, marginalized, and used. Sexuality, violence and hard work to earn a living today despite the young, which requires more concerted efforts and protection of this fragile group and the pursuit of real development for them by guiding States to their rights and the need to care for them not to be victims of the poverty of their states or international wars and civil society, in which the child has no camels and no camels except his displacement and the loss of his life or all his rights.

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