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# Refugee Children: Hurdles, Challenges and Rights

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SUJATHA B.<sup>1</sup>

## ABSTRACT

*The refugee itself is in the original sense a sad condition, which suffers from many difficulties every day. It is a pathetic reputation where people are constrained by pain of their past and present, by some form of oppression, who are seeking a safe place after being forced to flee from violence, war and by all forms of persecutions. Half of the world's refugees are children. Many refugee children are separated from their families to which they belong, and their entire childhood is away from their home and their parents. Refugee children are on the verge of many risks of violence, sexual abuse, prostitution, child labour, child marriage, exploitation, discrimination, trafficking and coercively military recruitment. They have been part of regressive aggression of war and witnessed many battles. It is very depressing that they saw such deep traumas at this very early stage of life. All such sudden emergencies and family disruption leave a profound psychological and physical imprint on children's health. Under the 1951 refugee convention, European Union Asylum Legislation and the European Convention, on Human Rights, refugees are entitled to rights and protection from many ill-treatment and barbaric practices. Refugee children are more prone to PTSD, malnutrition, physical injury, and this population who had faced such agony. These disruptions in the family lead to many acute shortages of funds, and financial things have been confronted. This article studies the hurdles and challenges refugee children and reviews the international declarations, treaties, and agreements to assess the efficacy of such principles in protecting the interests of refugee children.*

**Keywords:** *Exploitation, Harassment, Child Abuse, Sexual Abuse, Child Marriage, Discrimination, non-refoulment and Trafficking.*

## I. INTRODUCTION

***“The world must act to save a generation of generation of refugee children...Humanitarian organization and government are desperately trying to address the neds of these vulnerable children but much more needs to be done if we are to avert a tragedy.”***

— Antonio Guterres (UN High Commissioner for Refugee)

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'Refugee' as the word itself sounds like a curse. Its plight is most vehemently considered the synonym of an insult which is an indirect effect of persecution, displacement, statelessness, migration due to poverty, ethnic clashes, failure of government machinery, Human Trafficking, and primarily giving them the cold shoulder by their state. They are the most vulnerable and not the terrorist but the paralysed and helpless victims of the terrorism and civil war in most parts of the world. It would not be easy to assume and picturise the agony of the people to such an extent who had been faced for years and still facing the ongoing trauma not only outside but deep inside in their hearts too. It needs a solid core to listen and narrate the repercussions that are voluntarily in nature and very heart wrenching and involuntarily climax. Although it has ruined and shattered many lives, families, friends, memories, people's dreams and aspirations and finally, their future. Most hitting remainder due to the emotional quotient is people without nation and recognition.

The most vital fact is refugee children, and their suffering is painful and grave. In a broader sense, the refugee children are on the verge of the most critical line in the world. *Half of the world's refugees*; fall under the age bracket of 18 years. Most of the reliable sources and data demarcated the children living outside their origin birthplace considered to be refugees. This ratio shows one in three clear parameters at the world level.<sup>2</sup>

Children with refugee-like status encompass major attacks over health outbreaks in a peculiar disease symptom. Children are taken into drug trafficking, sexual abuse, child marriage, prostitution, and forced labour due to the undue advantage of people. They are more prone to psychological trauma and related disorders at their tender age. Poverty leads to high risks of health hazards and escalates them into the world of crime. They Transform themselves into the drugs, smuggling, & sexual workers just for survival in the awkward situation—no proper access to health and sanitisation, adequate food, and vaccines. Majorly faces exploitation and higher order of humiliation.

As per the "*United Nations Convention on the Rights of Child (UNRC)*"<sup>3</sup> although an international legal organisation initiative that has been almost supported and ratified by most the countries. Every nation is being alert through all these international institutions. Children of the world are a significant lookout because all it depends upon them. They are the world's future; what we sow today will reap tomorrow. If they have been poorly nourished, given psychological attacks and brutally ruptured their emotional well-being, it will undoubtedly lead to significant

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<sup>2</sup> UNHCR - Children (no date). Available at: <https://www.unhcr.org/children.html> (Accessed: March 22, 2023).

<sup>3</sup> United Nations High Commissioner for Refugees (no date) *Children, UNHCR*. UNHCR, The UN Refugee Agency. Available at: <https://www.unhcr.org/children-49c3646c1e8.html> (Accessed: March 25, 2023).

human disaster in the future. Children are considered the angels and messengers of heaven, but on the Earth, it is ironic that they do not get their land from it. A land where he does not have fetters but a chance to bloom like in a happy spring season. We cannot even think and imagine many things beyond our imagination, but we know only when things are told or narrated by people or being enquired by people. In some instances, and the initiatives of electronic media, journals, social activists, researchers, and international NGOs put the exact scene to the world.

## II. REFUGEES AND ASYLUM SEEKERS

The word 'Refugee' is of French origin. It came into practice due to the *revocation of the Edict of Nantes in 1685, which sent the protestant Huguenots to flee the religious persecution by French King Louis XIV*<sup>4</sup>. People started fleeing due to religious persecution, and with that, the word began its journey and later came into progress in the English language.

Refugees are not the people from Mars but the native of this Earth and belong to the human species, i.e., homo sapiens. Refugees are the person who had been delinked from the mainstream and streamlined into a term called Refugees. Refugee people are the safe heaven seekers with food, shelter, clothing, and social, political, and economic rights by a particular nation. Then the question always arises in the first instance, what happened to them? Why do they become a refugee? They have been some other way, being *forced to flee violence, persecution or war*<sup>5</sup>.

Refugees are being defined and somehow protected by international organisations or Institutions by International Law. Most of the refugees are asylum Seekers. Asylum seekers worldwide are considered immigrants who had left their nation due to violent persecution and persistent harassment. Under a certain compulsion, people had been displaced and fled out of their home nation. Another significant issue is such as war and other political drawbacks. Asylum seekers have international protection and claims for refugee status. In the initial stage, refugees are considered asylum seekers. Later they can be recognised as refugees, but all the asylum seekers cannot be identified and given recognition as refugees. The condition of refugees in the world is very vulnerable to their families. The gravest situation occurred during Covid-19. However, it became a very herculean act to stop the spread of this disaster among them and almost impossible to maintain social distances. It has a very tedious situation ultimately to maintain basic hygiene and sanitation. Refugee children pay the highest price

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<sup>4</sup> Explainer: The first 'refugees' were white protestants (2015) The World from PRX. Available at: <https://www.pri.org/stories/2015-09-10/migrants-and-refugees-brief-history-two-words> (Accessed: March 22, 2023).

<sup>5</sup> Emergency response (no date) Save the Children. Available at: <https://www.savethechildren.org/us/what-we-do/emergency-response> (Accessed: March 1, 2023).

during pandemic situations who lost their parents. According to data from 2019, it is an approximately calculated *26 million population* of refugees globally. Although on the other hand Refugee children population assumed more than 13 million in this global world.<sup>6</sup>

### III. REFUGEE CHILDREN -FOOTRACES

Many children are under trial for drug trafficking. The *school dropout* refugees' children are *3.7 million* globally due to Covid hit. Under drug cartels, many refugee children are taken to very purpose in illegal drug supply mostly in Mexico, South America, Syria, Lebanon, Jordan and beyond. In the historical context, it has been seen during Hitler in Germany how Jews were displaced, and Holocaust happened. After British assurance how these Jews started settling in Israel, another dispute of claims erupted between the Jews and Islamic people over Israel and Palestine issues. The ongoing Syrian war has been seen as the most detrimental and devastating consequence in recent decades. “*70% of Syrian refugees live below the poverty line.*”<sup>7</sup> The world's largest refugee camps are Ethiopia, Kenya, Jordan, Bangladesh, Uganda and Tanzania. Approximately one *million* refugees of Syrian origin are living in Lebanon.<sup>8</sup>

In the refugee camps of *Cox's Bazaar*, 75000 children had taken birth in the last three months. Almost *thirty per cent* of refugee children enter through Balkan regions, and out of that, *25 per cent* are considered unoccupied. The ongoing agitation and escalation of disputes in Afghanistan and religious persecution moved them into European countries' helplessness.

In Myanmar's Rakhine state, there having another major conflict between the Rohingyas Muslim and Buddhists community of Myanmar since the 16<sup>th</sup> century. It is a long-aged fight between these communities due to their religious belief and disputes. *The Rohingya* people considered the *Indo-Aryan ethnic groups*, settled in Rakhine, Myanmar.

It has been estimated that almost one million population lived between 2016 & 2017; out of that, nearly 625000 crossed to Bangladesh in the mid of 2017 and as per UNHCR, they are highly persecuted minorities of the world. According to their Historical traces of Rohingya's presence since the 8<sup>th</sup> century in the region, the issue associated with them is that the law of Myanmar does not identify them under their Eight indigenous races and completely neglects their ethnic minority and treats them as stateless. These Rohingya people have been entered and noticed in 2017 as they flooded the region of *Cox's Bazaar* in Bangladesh. The Bangladeshi

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<sup>6</sup> id.

<sup>7</sup> Emergency response (no date) Save the Children. Available at: <https://www.savethechildren.org/us/what-we-do/emergency-response> (Accessed: March 1, 2023).

<sup>8</sup> United Nations High Commissioner for Refugees (no date) *Children*, UNHCR. UNHCR, The UN Refugee Agency. Available at: <https://www.unhcr.org/children-49c3646c1e8.html> (Accessed: March 25, 2023).

government now takes the major affirmative initiative for their resettlement at *Bhasan Char Island* under their *Ashraya project*. Bhasan Char Island is a floating island; it is also known as the Charpiya or *Thenga char island*, located in *Hadiya, Bangladesh*. Bhasan char island is away from the mainland, nearly 34 kilometres away; there is only a 20-year-old island formed due to *Himalayan Silt* near the confluence of the Meghna River. *United Nations and Human Rights Commission* are entirely against these refugee relocations because Bhasan Char Island falls under fragile ecology and is much prone to cyclones and other natural calamities and is not suitable for human settlement as per the experts. All these distractions to families and their children are the primary concern issues. They are more susceptible to diseases and malnutrition.<sup>9</sup>

According to the *Universal Declaration of Human Rights (UDHR)* Article 25 (para 2), children need special care. The sudden outbreak and disturbance in their family by any such persecution imprints a profound impact on their psychological well-being. Many girl children are being brutally raped and killed in the refugee camps, and children are exploited much and prove to have severe diseases. Long queue avenues for food and other resources. Inside the European refugees' camp, pathetic situations and constant horrifying violence have been reported, i.e., *Moria camp* on the *Greek island of Lesbos*.<sup>10</sup> It has been considered one of the worst and most devastating camps. Children under ten committed suicides in these camps.

Every day people migrate through the Aegean Sea to the Greek island of Europe, Ethiopia to Saudi Arabia. Many sectarian and racial conflicts seldom occurred in the refugee camps also. Exposure to such rivalries, insecurities, and violence remains a lifelong imprint on the children's mental health. Kids are more suffering from political disbalances and the armed rebellion violence. In the present scenario, the ongoing Gaza and Israel issues. In these instances, children become the primary victims. In March 2021 in Yemen, almost five attacks happened and estimated that 32000 children did not have school to get an education. Such instances are very fluent and usual in Afghanistan and Syria, which are under continuous war.

A significant concern in the present *Covid-19* situation, there is a growing number of children in such scenarios who have lost their parents during migration and in the refugee camps. In India, it has been seen that many children have become orphaned during this pandemic era. Helpline numbers are being given and administered not to provide such details of these children

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<sup>9</sup> Drishti IAS (2020) *Rohingyas at isolated Bangladesh Island*, Drishti IAS. Available at: <https://www.drishtiias.com/daily-updates/daily-news-analysis/rohingyas-at-isolated-bangladesh-island> (Accessed: March 25, 2023).

<sup>10</sup> *Lesbos: Who started the fire at Europe's largest refugee camp?* - BBC newnight (2020) YouTube. YouTube. Available at: <https://www.youtube.com/watch?v=1-cjHUAxxNg> (Accessed: March 26, 2023).

online. Such an act is to protect them from the traffickers and save them. Many international agencies are working and taking the initiative to protect them. According to *Amnesty International*, approximately 6 lac children, women, and men are being jailed every year in Europe to control the migration.<sup>11</sup>

The EU Asylum legislation, EU Convention on Human Rights (HR) and *the refugee convention of 1951, also known as the Convention relating to the status of Refugee or Geneva Convention of July 28 1951* are given a more expansive shadow of protection to refugees from Inhuman practices or treatment and persecution.<sup>12</sup> Children are also under the same umbrella of protection below 18 years. They are entitled to protection, food, cloth, shelter and education and, more significantly, to their families. Although in grassroots practices, such rights are yet to be fulfilled in many nations. International Non-Governmental Organisations (NGOs) such as *SOS children's village international*.<sup>13</sup>

It is an active supporter and global federation that provides dignified aid and assistance to refugee families and children. This organisation has offered secure reception and care platform to almost seven hundred unattended and displaced children. In 2015, from the countries like Finland, Austria, Lebanon, Germany, Syria and Italy. Moreover, in South Sudan, refugee children are recruited by more than 12000 armed or rebellion groups, under deterrence and through coercion or persecution. Every one or two seconds, someone is forced to flee anywhere on this globe.

#### **IV. REFUGEE CHILDREN: THE INTERNATIONAL TREATIES, CONVENTIONS AND DECLARATIONS**

They are about the standards of the International Treaties, which sets the compelling platform for refugee children in the world. According to this, when any nation ratifies this treaty, then the nation's government vows to the international community to perform according to the treaty's standards. The refugee instrument, such as *the Refugee Convention of 1951 and 1967 protocol*<sup>14</sup> put up the principles for refugee children on the same line. Firstly, when children have well-founded apprehension of persecution is one of the reasons for refugees. Secondly,

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<sup>11</sup> SOS Children's Villages (2015) *Caring for refugee children and restoring their rights*, SOS Children's Villages. SOS Children's Villages. Available at: <https://www.sos-childrensvillages.org/news/refugee-child-rights> (Accessed: March 26, 2023).

<sup>12</sup> Convention relating to the status of refugees (2023) Wikipedia. Wikimedia Foundation. Available at: [https://en.wikipedia.org/wiki/Convention\\_Relating\\_to\\_the\\_Status\\_of\\_Refugees](https://en.wikipedia.org/wiki/Convention_Relating_to_the_Status_of_Refugees) (Accessed: March 26, 2023).

<sup>13</sup> Supra, note 13

<sup>14</sup> Refugee children (2023) Wikipedia. Wikimedia Foundation. Available at: [https://en.wikipedia.org/wiki/Refugee\\_children#:~:text=Nearly%20half%20of%20all%20refugees,of%20birth%20is%20a%20refugee.&text=Refugee](https://en.wikipedia.org/wiki/Refugee_children#:~:text=Nearly%20half%20of%20all%20refugees,of%20birth%20is%20a%20refugee.&text=Refugee) (Accessed: March 29, 2023).

children having refugee status cannot be sent forcefully back to their origin country. It is based on the non-refoulement principle according to the International Law. Thirdly, according to social welfare and legal rights, it gives a level playing field to both the children and adults. There is a provision under *Article 22 of 1951, Refugee convention* which sets out standards of special care for these children and the same treatment of Nationals in education and therapy.

The African unity convention of 1969 governs the Specific Aspects of Refugee Problems in Africa in African nations.<sup>15</sup>

*The Organization of African Unity (OAU)* came into existence in *Addis Ababa*, the capital city of *Ethiopia*, on 6-10 September 1969. Given the constant spreading number of refugees and to protect and find the proper channel to control and handle the things and miseries. Most probably an initiative to recognise and make aware of the problems. According to the OAU convention, there is no such discrimination between adults and children.<sup>16</sup>

In 1984, there adopted a new Instrument for the refugee called. *Cartagena Declaration* for protection of refugees under the 10 *Latin American Countries* such as *Panama, Venezuela, Mexico, Colombia, Salvador, Guatemala, Honduras, Belize, Nicaragua and Costa Rica* by their delegates which focuses on the principle of *Non-reinforcement and Right to Asylum*. However, the standards of Cartagena are not legally binding. Cartagena declaration is based on the 1967 protocol and refugee convention of 1951. However, the Cartagena declaration has a broader spectrum and detailed refugee definition. The treaty sets out the propositions concerned the children and their related rights under the conventions of 1989 that provide the *Rights of the Child (CRC)*, which covers Articles 1 and 2.

CRC is not the treaty of refugees, but children are being encompassed and protected under the provisions of CRC. It is obligatory for all children, and their rights and protection are granted (below 18 years) to minors. The International Community has widely accepted the practices, including the refugee-hosting nations and donors. UNHCR also recognised those descendants under the term of refugees globally. The universal ratification provides the treaty with a robust platform by 155 nations as the party to them, further extending the application as significant to the refugee children. When any country is not the party to the treaty but has ratification or party

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<sup>15</sup> Refugee children (2023) Wikipedia. Wikimedia Foundation. Available at: [https://en.wikipedia.org/wiki/Refugee\\_children](https://en.wikipedia.org/wiki/Refugee_children) (Accessed: March 29, 2023).

<sup>16</sup> United Nations High Commissioner for Refugees (no date) *OAU convention governing the specific aspects of refugee problems in Africa, adopted by the Assembly of Heads of State and government at its sixth ordinary session, Addis-Ababa, 10 September 1969, UNHCR*. UNHCR, The UN Refugee Agency. Available at: <https://www.unhcr.org/about-us/background/45dc1a682/oau-convention-governing-specific-aspects-refugee-problems-africa-adopted.html> (Accessed: March 29, 2023).



to the Convention on the Rights of the Child (CRC) 1989, then based on this CRC, it could be used to protect refugee children, considering it as the principal base. Therefore, UNHCR considers CRC as the guiding rules and propositions and takes major initiative for welfare. UNHCR champions compliance with CRC standards.<sup>17</sup>

## V. REFUGEE CHILDREN: CHALLENGES AND HURDLES

In the mid of 2015, there were an estimated nearly 20.2 million refugees globally. Out of that, 10.1 million were children.<sup>18</sup>

These are the highest records in the past 20 years of refugees crossing over the borders in the world. On the contrary, it has harsh repercussions on the children. Not only the physical but emotions also. They travel for days and nights with strangers, especially when they lose their family or when their parents die. It becomes very vulnerable when they live starved for many days in countries like Burundi, South Sudan and Syria; refugee children face much violence and persecution. The challenges faced by the refugee children have devastating impacts currently, children living an unroofed life. There is minimal access to education, with around 263 million children not having school access. Forced migration and compromised life some or other disbalancing the mental health and childhood. The more significant cause of the vulnerability is related to the separation of children from their families. According to UNICEF's estimated data figures, almost three lakhs separated children from 80 countries within two years. Girl child has mainly been targeted and becomes most at risk based on gender violence.<sup>19</sup>

### (A) Mental Health

The children in these circumstantial situations of persecution which had witnessed those war crimes or seen killing during civil war-like conditions are more traumatised. The first-hand experience of wars, persecution, attacks, rapes, and forced migration has profoundly impacted their mental health. These psychological stresses have much been addressed during the Syrian crisis, and children are battling severe psychological distress. It is more likely seen as *post-traumatic stress syndrome* in most refugee camps. Mental health hazards are more seen as a critical problem faced by traumatic experiences and fractional problems that emerged during their immigrations. Children in that scenario face hunger and thirst along with lousy hygiene.

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<sup>17</sup> *Cartagena Declaration on Refugees* (2022) *Wikipedia*. Wikimedia Foundation. Available at: [https://en.wikipedia.org/wiki/Cartagena\\_Declaration\\_on\\_Refugees#:~:text=The%20Cartagena%20Declaration%20on%20Refugees,Honduras%2C%20Mexico%2C%20Nicaragua%2C%20Panama](https://en.wikipedia.org/wiki/Cartagena_Declaration_on_Refugees#:~:text=The%20Cartagena%20Declaration%20on%20Refugees,Honduras%2C%20Mexico%2C%20Nicaragua%2C%20Panama) (Accessed: March 29, 2023).

<sup>18</sup> Refugee children: Guidelines on protection and care - unhcr.org (no date). Available at: <https://www.unhcr.org/3b84c6c67.pdf> (Accessed: March 30, 2023).

<sup>19</sup> 5 unique challenges facing refugee children (2021) Concern Worldwide. Available at: <https://www.concernusa.org/story/refugee-children-unique-challenges/> (Accessed: March 30, 2023).

According to the review of studies, it has been drawn attention and noticed that the proliferation of post-traumatic stress disorder (PTSD) in European nations is more likely with the alone children or unaccompanied ones more affected with such psychological disorders. In the Syrian refugee camps of Turkey, it has been traced data, i.e., almost 45% of refugee children are suffering and are caught in the grip of such dangerous mental disease.

Many child welfare institutions and Non-Governmental Organisations (NGOs) work together to handle a stretch. In the U.K, such organisations put extra efforts to overcome the burden through Foster and Kinship care by they try to solve and support their issues. On the other hand, many affirmative initiatives came forward with the line of establishing a *Socio-Ecological Model*<sup>20</sup>, which, in a true sense, eradicates physical and mental illness. Psychological health services take a hand in hand objective with social care services to achieve a win-win situation through these pathways, active participation and collaboration support to meet the best results. In many instances, they are being found that refugee parent's factors are more likely a deep-rooted cause that is closely associated with the children's mental faculty. PTSD, symptoms are more dependent upon the circumstance that they have been consistently facing and become victims to such an extent. Natural calamities could be other reasons the refugee children might have encountered in Bangladesh on Bhasan char island, which is on the verge of disaster. The fear and apprehension among the people and deterrence, on the other hand, the violence facing for years. In recent past years, many Syrian children were being marked under threat and repression, many girl children being raped, and child marriage came into notice. Many refugee children of all ages have been in the overpopulated areas nearby harbours, ports, islands and airports. Most of them are in some or other way being used in the sex racket or sex trade. Forcefully they have been separated from their parents and indulged in a vulnerable accommodation where they have to stay with a stranger—in that awkward and unpredictable hell, brutally being exploited and abused in the highest order of succumbed life.

### **(B) Settlement Challenges**

They are leaving behind the previous soil of origin and life to begin another in a different nation, Laws, education, language and culture with more hope of adjustment in those countries. People face many settlement issues and become more complicated and problematic when seeking Asylum and refugees, and they face difficulty in affordable housing. Sometimes intermediaries get the benefits due to undue advantages. Racism and sectarian discrimination are major critical

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<sup>20</sup> Ethical issues of monitoring children's weight status in school ... (no date). Available at: <https://www.shbonweb.com/article.asp?issn=2589-9767;year=2019;volume=2;issue=1;spage=1;epage=6;aulast=Lin> (Accessed: March 30, 2023).

issues these people face, and their children most often become the target of sexual abuse and exploitation. The language barrier becomes a higher hurdle for finding employment and facing significant financial difficulties due to the language barrier. These children are more used as drug traffickers and become the sole earner. Many under crime are being caught and jailed.

### **(C) Child Labour**

Unfortunately, it is the more alarming situation of child labour to refugee children and increasing vulnerability. Most often seen in the refugee families who are not having good financial status and physical health. Those refugee family somehow force their children to work. Children in this way support partially or majorly add funding for their families. The research on these issues found that children of seven years and below are sent away to work. They work in unsafe and poor conditions and never get fair pay. Refugee children are engaged in long work hours without food and proper wages. This results in their dropout ratios in the school, and they become again deprived of education in their life—the tragic and unbearable picture of those refugee children below five years of age going for work. Half of the Syrian refugee children go to work in Lebanon and Jordan. Usually, the boy child goes to work while the girl child is supposed to work at home.<sup>21</sup>

*Every five seconds, a child is forced to flee.* Approx. 50,000 <sup>22</sup>children have been killed during the outbreak of the Syrian war, and ten times children have been injured. Due to this hostility, life expectancy has been much reduced in Syria. Eight out of ten children have faced war consequences.

### **(D) Education: A Major Challenge for Refugee Children**

Refugee children of Syria, Ethiopia, Uganda, Lesbos, Burundi, Bangladesh, Lebanon, Afghanistan, and European and Asian countries face a detrimental impact on children's education. Education is a versatile talisman that opens the way to future change. Children are standing at such a point in those situations from where the path begins for lucky ones. When we find something, there are many memories behind it, in which the parents' place is empty and full of numbness.

There is a strange silence somewhere deep inside. The situation is worse than wrong for young girls because they are married or bargained for money when girls start their menstrual period. Many girls either hide this fact or are not aware of these things; they agree to marriage by

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<sup>21</sup> Roald Høvring Published 18. Nov 2016 (no date) *Refugee children: 10 dangers*, NRC. Available at: <https://www.nrc.no/perspectives/2016/refugee-children-10-dangers/> (Accessed: March 30, 2023).

<sup>22</sup> Id.

compromising the situation. This results in death during pregnancy due to tender age. *More than 3 million Syrian children did not receive an education.*<sup>23</sup>

## VI. INTERNATIONAL INSTRUMENT FOR REFUGEE CHILDREN RIGHTS

About the *Universal Declaration of Human Rights (UDHR)*, Article 14 provides the rights and protection to seek Asylum from any type of persecution from any class. It indirectly in promulgation and promotion of UDHR as follows

1. Essential fundamental freedom and rights to all human beings of every country.
2. These rights are Inalienable and applicable equally to everyone.
3. A human being is born free and entitled to civil liabilities.

*Convention on the Rights of the Child (CRC)*<sup>24</sup>

Alone mentioned rights are applicable and available to the refugee children also. They are parallel and equally entitled too. The treaty majorly sets out the essential principles and the standards related to refugee children. The Convention on the child's rights (1989) provided the global platform and recognition to all below the 18 years of age. Almost every sphere shade and sets inclusive standards from health to political rights and social to educational rights. In a broader view, the CRC framework provides better welfare provisions. The most acceptable way to help children is to support their families under the parental rights and duties prescribed under the *Articles 5,14,18 of CRC.*<sup>25</sup>

*Article 22* special protection for refugee children,

*Article 28* Right to Education and primary education is free and compulsory.

*Article 32* Right to be secluded from work, the state will set standards and the minimum age for employment and working condition.

*Article 34*-protection from sexual abuse and exploitation, especially from prostitution and pornography.<sup>26</sup>

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<sup>23</sup> supra. note 23

<sup>24</sup> SOS Children's Villages (2015) *Caring for refugee children and restoring their rights*, SOS Children's Villages. SOS Children's Villages. Available at: <https://www.sos-childrensvillages.org/news/refugee-child-rights> (Accessed: March 26, 2023).

<sup>25</sup> Summary of the convention on the rights of the child: Children's rights and business principles (no date) Children's Rights and Business Principles. Available at: <http://childrenandbusiness.org/the-principles/summary-of-the-convention-on-the-rights-of-the-child/> (Accessed: March 30, 2023).

<sup>26</sup> Id.

## VII. CONCLUSION

Children, adolescents and their families had left their soil due to persecution and other traumatic experience in search of shelters. To save their lives, they had asked for the help of people and other countries. There is no other option when there is harassment and persecution in a country; turn away from identifying yourself, or feel helpless to find your choice. In such a situation, people are extended to the highest order of traumatic climax, where they are forced to flee under compulsion. It seems that how cheap life becomes for such countries. How many houses are shattered; how many people are left suddenly; how many hearts are filled with pain, which can never be imagined. Only the memories are left behind, which are not worth remembering because the problem comes every day, like knocking home. A deep silence exists in each heart. Talking about children, this is a serious problem, where life itself climbs the stairs of age in the face of a strange fear in the beginning. It grips children's brains, which is hardly easy to recover from. Children are the mirror of the future, the mind of tomorrow, which is being eradicated today. The future needs to be saved, and they are like plants that need to be nourished frequently with soil, sun, shade and water. Countries and international institutions participate in this campaign as social workers, researchers and voluntary organisations. Children should be ensured of proper treatment, whether physical or mental. Their upliftment is more of a significant concern. They should always be treated as children, not with the migration status. Need to be granted a safely accepted passage. In these water-tight circumstances, the most affirmative initiative could be cooperation among countries, governments and non-government players to prevent any such violence that gives the most hazardous and detrimental consequences. Human rights and basic needs provisions should go hand in hand to create more win-win situations. Guardianship should be granted to unoccupied children or lone children, keeping his safety in mind. It should not be like when the guardian has got the responsibility and that on the other side, he started making a source of money from it, or else started physical exploitation. We need to develop return policies that arrange the best interest of the refugee children. The use of particular tools will help establish and maintain contacts with their families, and it might be helpful to reunite such families.

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