

THE ISLAMIC PERSPECTIVE OF CHILDREN'S RIGHTS AGAINST DRUG AND SUBSTANCE ABUSE



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Who



Children- below the age of 18

Physically and mentally immature- special safeguards and care.

Similar and different reasons for drug and substance abuse.

Who



school drop outs

living on the streets

lack or no parental control or care

lack or no family support

parent's drug problem

mental health issues

Who



Children killed in wars against drug

Children become drug dealers and consume drugs.

Subjected to violent and invasive drug control measures, search, testing and rehabilitation.

How



Universal Declaration of Human Rights (UDHR)

International Covenant of Civil and Political Rights (ICCPR)

International Covenant on Economic, Social and Cultural Rights (ICESCR)

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

How



Extensive but limited safeguard in international law

After birth and not for unborn child

Reciprocal nature of children's rights within family in islam

How



The need to protect children as vulnerable group of the society

Aim- objective of Syariah - to protect the religion, life, intellect, family (progeny), wealth and honour.

Guiding principle- best interests of the child

How



Explain the rights of children from Islamic point of view

Rights to life, right to health and healthcare, protection against drug abuse, right to family life and right to education

Reference to the UNCRC and the Cairo Declaration

What



“take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances”

What



A right to life and health

Protection Against Discrimination

Right to Nutrition and Healthcare/ Adequate Standard of Living

Right to Education

Right to Family Life

Protection Against Abuse

Juvenile Justice

A right to life and health

Right to life- unborn, preservation of life, abortion prohibited, delay punishment.

Right to preserve own health and those who might be affected by the conduct of others.

Healthy environment and against risk of health hazards.

Dignified and secure life - enough care, provision, safety, food, clothing, shelter, medication and education.

Protecting life and health- drugs are hazardous- harmful to the mind, body and soul.

Life of every child is valuable and every child count.

No justification to harm any child for the purpose of destroying drugs.

Protection Against Discrimination



Equal and just treatment- similarly valuable

Including children who use drug or affected by drug abuse of family members.

Treatment and rehabilitation of children victims of drug abuse.

Willingly take drugs and forced to take drug- entitled to humane treatment and quality medication

Right to Nutrition and Healthcare

Right to healthcare and given proper nutrition to grow up healthily.

Only consume food and drink appropriate for their development and health needs.

Father to ensure that his family get sufficient nutrition

Refrain - anything that would harm children, physically, mentally and emotionally.

Parents not to neglect children involved with drugs.

Duty of state to provide healthcare services including rehabilitation.
Access to healthcare services even when they are using drug.

Treated as victims and patient - Arrangement to treat addicted child

The principle of the best interests of the child

Any decision and action that affect a child must first consider the best interests of the child.

Treatment to overcome addiction or any medication associated to his condition.

AIDS and HIV- not expose risk to others and same time should not neglect them.

Privacy and dignified treatment- children's privacy and dignity- respected and protected during treatment

Being a drug addict does not lift the right to privacy and dignity.

Treatment should not include- torturous, inhumane, embarrassing or degrading methods

Right to Education



Parents- educate or to arrange for education of children, in the right path

Appropriate education for survival

Education- make children understand the danger of drug and substance abuse.

Quality education and teachers.

Education- tool to monitor children's welfare and safety.

Children- exercise right to education even when in conflict with the law.

Education is seen as part of the rehabilitation process

Right to Family Life

Protection depends on the family.

Family gives effect to rights.

Children's rights enjoyed within a family environment.

Right to grow and raised by natural parents

Live within a family environment- full and harmonious development of his or her personality, and in an atmosphere of happiness, love and understanding.

Kafalah- a contract that commit himself to maintain, educate and protect a child of another person the way that a father would do for his own child- alternative care

Separation should be avoided- connection and contact with natural family should be maintained and respected.

Islam prohibits the act of disowning one's child unless with lawful reasons.

Every child is born in its *fitrah* form, clean and pure

Parents- role in personality, behavior, thinking, conscience and attitude of children including in safeguarding from drug and substance abuse.

Critical factor in the treatment and rehabilitation of drug addict.

CONCLUSION



Rights of a child can be affected in any phase of drug control measures.

Syariah protection- law, non legal, moral, family.

Protection without discrimination.

Education and religious teaching are critical element

The need for concerted effort of various government organs and agencies, parents , enforcement task.