

# Child Rights in Islam, the International Convention on the Rights of the Child, and their Applications in the Kingdom of Saudi Arabia

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## Abstract

This study explores children's rights in Saudi Arabia, emphasizing their importance in both global and Islamic contexts. Rooted in Islamic teachings that advocate for child protection, Saudi Arabia has sought to align its legal framework with international standards, especially after joining the Convention on the Rights of the Child in 1996. The research analyzes how well the Kingdom's legal system supports children's rights in light of Islamic principles and international obligations. It identifies key challenges—legal, social, and cultural—that hinder effective implementation. Using a qualitative literature review method, the study examines religious texts, academic literature, legal documents, and data from credible sources such as government entities and UNICEF. Findings show that Saudi legislation reflects broad compatibility with international norms, particularly in guaranteeing children's rights to life, education, and healthcare. The study also highlights legislative progress, notably the enactment of the Child Protection Law in 2014. However, gaps remain in enforcement, influenced by cultural factors and local practices, especially regarding family roles and the protection of vulnerable groups like refugee children. This research contributes to academic discussions on children's rights from both Islamic and international viewpoints and offers a foundation for future studies aimed at enhancing Saudi child protection laws and policies.

**Keywords:** Child Rights, Kingdom of Saudi Arabia, Child Rights System, United Nations Convention on the Rights of the Child

## Introduction

The rights of the child are among the most important issues of global and Islamic concern, as Islam has emphasized the protection of the rights of the child for centuries, while Saudi Arabia seeks to strengthen those rights by adopting modern regulations and laws in line with international standards.

The significance of this study lies in the need for a comprehensive analysis of children's rights within the Islamic context, with a particular focus on the Kingdom of Saudi Arabia as a case study. As a state with a clearly defined Islamic legal framework, Saudi Arabia seeks to harmonize its national legislation with both Islamic teachings and international human rights conventions. This raises a critical question: how can Islamic principles be reconciled with international standards in the field of child protection? Furthermore, to what extent is the Saudi legal system effective in ensuring the fundamental rights of the child?

This research aims to study children's rights in Islam and their applications in the Kingdom of Saudi Arabia, with a focus on the legal system and the efforts made to protect children's rights, in addition to reviewing the challenges and comparing them with international standards. The research aims first to clarify children's rights in Islam and highlight their importance in building an integrated society that respects the rights of individuals from childhood. It also focuses on analyzing the legal system related to children's rights in the Kingdom of Saudi Arabia, while studying the extent of its compatibility with international standards adopted in this field. In addition, the research discusses the challenges facing the implementation of children's rights in the Kingdom, whether legal, social or cultural, which contributes to providing a comprehensive picture of the practical reality of implementing those rights.

The Kingdom of Saudi Arabia faces several challenges in protecting children's rights, as a major question arises about the extent to which the legal system adopted in child protection is compatible with Islamic principles that call for child care from an early age, and with international standards concerned with guaranteeing their basic rights such as life, health care, education, and protection. From torture and violence (Al Hamdan, 2023). It shows the importance of studying this comparison to determine the strengths and weaknesses of the current system, which helps lay solid foundations in line with the values of justice and mercy in Islam and with the international obligations agreed upon by the Kingdom.

This study adopts a literature review approach to examine the concept of children's rights in Islam and its applications within the legal framework in the Kingdom of Saudi Arabia. Literature review is an approved research approach that allows for in-depth exploration of current academic works, legal documents, political reports, and religious texts relevant to the topic. By analyzing and inferring findings from multiple sources, this methodology enables a comprehensive understanding of how Islamic principles influence children's rights and their application in Saudi Arabia. The review process is guided by a structured framework, focusing on primary sources such as Islamic texts (the Holy Quran and the Prophet's Hadith), Saudi legal systems, and international conventions on children's rights (Mahmoud, 2024).

The study relies primarily on secondary sources, including articles published in peer-reviewed scientific journals, books, and official legal documents. The texts of Islamic jurisprudence and jurisprudential interpretations are also analyzed to understand the principles governing child protection in Islamic law. In addition, national legal instruments such as the child protection system in Saudi Arabia and relevant government policies are examined to assess their compatibility with Islamic teachings and international standards. To ensure credibility, only reliable sources published by recognized academic bodies, government institutions, or

international organizations such as UNICEF and the Convention on the Rights of the Child (UNCRC) are relied upon.

An objective analysis is applied to classify and synthesize the results within main axes, including:

1. Basic rights of children in Islam.
2. The legal framework regulating children's rights in the Kingdom of Saudi Arabia.
3. The extent to which these laws are compatible with or differ from international child protection standards.

This structured approach helps identify recurring patterns, gaps, and areas that may require further reforms. In addition, comparative insights from studies conducted in other Muslim countries are included to provide a broader perspective on how Islamic legal traditions affect the protection of children's rights in different social and cultural contexts (Tarawneh, 2003, Basahib, 2023).

This methodology is qualitative in nature as it does not rely on statistical or empirical data, but rather is based on critical analysis and synthesis of existing literature (Mahmoud, 2024). By reviewing various academic and legal sources, this study aims to contribute to the academic debate on children's rights in Islam while providing insights into the practical applications of these principles in the Kingdom of Saudi Arabia. The results of this research may form the basis for future studies that evaluate the effectiveness of child protection laws and policies in the Kingdom.

#### *Children's Rights in Islam*

Islam pays special attention to the rights of the child, and considers them part of the basic humanitarian principles that regulate relations in society. Islamic law includes provisions aimed at protecting the child and ensuring his healthy development by providing a safe and supportive environment that provides him with full care.

The rights of the child in Islam include a set of aspects that cover his life from birth, such as his right to life, his right to have a noble name, his right to education and good upbringing, and his right to health and psychological care. Islam also exalts the dignity of the child and prohibits any form of abuse or abuse, whether physical or psychological. The rights of the child in Islam represented part of general human rights and were in conformity with universal humanitarian principles, taking into account the cultural and religious specificities of the Muslim community. Therefore, these rights can be considered an integrated system that promotes justice and compassion towards emerging generations, and reflects the values of Islam in ensuring the upbringing of a good generation that contributes to building a balanced and prosperous society.

The Holy Qur'an and the Sunnah of the Prophet have emphasized these rights, and among the most prominent verses and hadiths that clarify this are: In the right to life; God Almighty says: "And do not kill your children out of poverty. We provide for you and for them" [Al-An'am: 151], which shows the prohibition of killing children for fear of poverty. Likewise, God Almighty says regarding breastfeeding: "And mothers shall breastfeed their children for two full years" [Al-Baqarah: 233], which indicates the importance of breastfeeding the child. Regarding the right to education: God Almighty said: "O you who have believed, protect

yourselves and your families from the Fire" [Al-Tahrim: 6], which indicates the responsibility of parents in raising their children in religion and morals. Moreover, regarding the right of lineage; God Almighty said: "Call them to their fathers. It is more just in the sight of God" [Al-Ahzab: 5], which emphasizes the importance of preserving the child's lineage. Regarding the right to choose a good name, on the authority of Abu Hurairah, may God be pleased with him, that the Prophet, may God bless him and grant him peace, said: "The father has the right of the child to improve his name..." (narrated by Al-Albani). These texts emphasize that Islam devotes great attention to the rights of the child and urges the provision of a healthy and safe environment that ensures his sound development physically, psychologically and spiritually. The concept of children's rights in Islam refers to the rights stipulated by Islamic law for children. Childhood was a sensitive and important period in human life, and society and the family must guarantee the rights and proper care of the child. The rights of the child in Islam include the right to life and a decent existence, health care and proper nutrition, education and personal development, and protection from violence, exploitation and discrimination, and Islamic law emphasizes that children are a trust from God and society must fully guarantee and protect their rights (Abdali, 2003; Al-Shanqeeti, 2005; Al-Luwaihaq, 1432 AH, Ahmad, 2024).

Children's rights in Islam are considered one of the most prominent concepts enjoyed by children within Islamic society, as these rights are based on Islamic teachings and noble human values that urge respect and protection of children. Children's rights in Islam include the right to life, provision of health care, education, and personal development. In addition to protection from torture, exploitation, violence, and ill-treatment (Abdul Rahman, 2008).

Islam devotes great attention to the rights of the child, honoring and promoting him from the moment of his formation in his mother's womb, through the various stages of his childhood, until he reaches the age of majority. These rights encompass all aspects of a child's life, from fundamental rights such as life and health care, to educational, religious and moral rights (Zahran, 1997; Al-Yahya, 1431 AH; Al-Tariqi, 1430 AH, Ahmad, 2024).

#### *The First Requirement: the Child's Right to Life and Health Care*

This right is one of the most important rights of the child in Islam, and this right includes protecting the child's life and providing him with the necessary health care (Abdul Rahman, 2008 AD). The Muslim community, the family and the government must secure health care for children by providing basic medical care, disease prevention and necessary vaccinations (Elbaz, 2012). Children must also be provided with a clean, healthy environment, safe food and clean water (Saeed, 2015). It is important to provide this right to ensure their healthy growth and development (Al-Farfour, 2008).

Parents also have the duty to care for their child in all physical, psychological and mental aspects, and to provide him with a decent life worthy of him. The Prophet, may God's prayers and peace be upon him, clearly stated this principle in the noble hadith narrated by Abdullah bin Omar, may God be pleased with them both: "All of you are shepherds and each of you is responsible for his flock. The prince who is in charge of the people is a shepherd, and he is responsible for his flock, and the man is a shepherd of his family, and he is responsible for them." The woman is a shepherd of the house of her husband and his child, and she is

responsible for them, and the slave is a shepherd of his master's money and is responsible for it. Indeed, all of you are shepherds. You are each responsible for your flock' (Agreed).

This hadith confirms that every human being is responsible for the affairs entrusted to him, which he takes care of and does good to. If the shepherd fulfills his duty towards those against whom he was summoned, the benefit will return to the nation with goodness and righteousness, and his reckoning with God will be easy and his reward will be great. But if he neglects care or betrays trust, he harms the nation and burdens himself with reckoning, which will cause him discontent and torment. Through this noble hadith, the Prophet, may God bless him and grant him peace, calls us to adhere to our responsibilities towards those under our care, by directing them to what will benefit them in matters of their religion and world, and preventing them from what may harm them in their religious and worldly lives.

Islam obliges parents to care for their children and meet their basic needs of food, drink, clothing and shelter. God Almighty says: "Mothers breastfeed their children for two full years for whoever wants to complete breastfeeding. The newborn must provide for them and clothe them with kindness. No soul is burdened with more than it can bear. A mother shall not be harmed by her child, nor shall a child be harmed. He has his son, and there is no blame on the heir like that. If they want to separate from their consent and consult, then there is no blame on them. And if you want to breastfeed your children, then there is no blame on you when you deliver what you have brought with kindness. And fear God and know that God is what you do. Beholder" (Al-Baqarah: 233).

This noble verse explains the divine guidance for mothers to complete breastfeeding for a period of two full years for those who want to achieve complete breastfeeding. Most scholars have argued that breastfeeding, which creates sanctity, only occurs during the first two years of a child's life. In addition, Islam requires parents to raise their children in a good manner based on Islamic values and noble morals, and to teach them good behaviors that enhance their personality and make them useful members of society.

The child's right to life and health care is considered one of the most important basic rights that Islam guarantees to the child, based on his distinguished position in Islam, as it is the fruit of legal marriage, building a stable family, and the bearer of the nation's flag in the future.

Islam prohibits the killing of children, whether they are fetuses in their mothers' wombs, or after birth. God Almighty said: "And do not kill your children out of fear of poverty. We provide for them and for you. Indeed, killing them was a great mistake" (Al-Isra: 31): This noble verse prohibits the killing of children, and emphasizes that sustenance is in the hands of God Almighty, and He is able to provide for His servants, including Children. Islam also urges attention to the health of the pregnant mother and providing the necessary care for her and her fetus.

After God Almighty commanded kindness to parents and grandparents, He pointed out the necessity of taking care of your children and grandchildren, and He, Glory be to Him, said: And do not kill your children out of greed. In pre-Islamic times, some people used to kill their sons with the adornment of devils, as they used to kill girls for fear of shame, and they may have killed some males for fear of poverty. In "Al-Sahihain" on the authority of Abdullah bin

Masoud, he asked the Messenger of God, may God bless him and grant him peace: "Which sin is greater?" He said: To make God an equal while He created you. He said: "Then what?" He said: To kill your son for fear that he will feed with you. He said: "Then what?" He said: To commit adultery with your neighbor's concubine. Then the Prophet, may God bless him and grant him peace, recited the Almighty's saying: And those who do not call upon another god with God, and do not kill the soul that God has forbidden, except with the truth, and do not commit adultery [Al-Furqan: 68].

The child's right to life and health care is one of the most important basic rights guaranteed to the child by Islam, based on his distinctive status, and society as a whole, including individuals, families and institutions, must work to provide a safe and healthy environment for the child that allows him to grow and develop properly.

#### *The Second Requirement: the Child's Right to Education and Personal Development*

A child's right to education and personal development is a fundamental right in Islam. Every child should have the opportunity to receive a quality education and fully develop his personality. Islam stipulates the importance of teaching, learning and developing the intellectual and cognitive abilities of children (Al-Bilbisi, 2005). Education and personal development are among the most important basic rights that every child should enjoy. They are the key to his bright future, his means of building his integrated personality, and his positive contribution to society.

God Almighty has urged the pursuit of knowledge. God Almighty said: "Read in the name of your Lord who created" (Al-Alaq: 1) (the Qur'an). Islam encourages the education of girls as it teaches boys. As God Almighty said: "And say, 'My Lord, increase me in knowledge'" (Taha: 114) (the Qur'an). He also made knowledge obligatory for every Muslim: The Messenger of God, may God bless him and grant him peace, said: "Seeking knowledge is obligatory for every Muslim man and woman" (Al-Tirmidhi, 1998). The Prophet, may God bless him and grant him peace, paid great attention to the education of children, teaching them the Holy Qur'an and the Sunnah of the Prophet, and urging them to seek knowledge (Zahran, 1997). He also called for raising children properly, saying: "Every child is born according to nature, and his parents convert him to Judaism, support him, and feel good about him" (Al-Bukhari, 1990).

The child has the right to education, to learn to read, write and memorize the Holy Koran, and to receive legal and scientific sciences. The Muslim community, the family and the Government are required to provide an appropriate and quality educational environment for children. This includes providing schools, qualified teachers and necessary educational resources. Every child must also have access to free education, quality and sufficient knowledge to achieve their development and create a bright future.

The child's right to education and personal development is a fundamental right that we must all work to protect and realize. By providing quality education to children and developing their abilities and potential, we contribute to building an educated, creative generation capable of contributing to the renaissance of their country and society.



*The Third Requirement: the Child's Right to Protection from Torture and Exploitation*

This right is considered one of the basic rights guaranteed by Islam, and the child has the right to be protected from all forms of violence and abuse, whether physical, psychological or sexual. Islam strictly prohibits any torture or exploitation of children, and protecting the child from torture and exploitation is a basic human right, guaranteed to the child. Under international laws, such as the Convention on the Rights of the Child, and relevant international treaties, but this protection takes on a deeper and more sacred dimension in Islam. The Holy Qur'an and the Noble Prophet's Sunnah emphasized protecting the child from all forms of harm, and guaranteed him a safe environment in which he could grow in health and happiness.

And God Almighty said: "Say, 'Come, recite what your Lord has forbidden to you. Do not associate anything with Him. And be kind to your parents. And do not kill your children out of desire. We provide for you and for them, and do not approach immoral acts, whether apparent or hidden. And do not kill the soul that God has forbidden except with the truth. That He has enjoined upon you that you may understand.'" (Al-An'am: 151). There comes a clear warning against killing children out of poverty or fear of lack of livelihood, which was common in pre-Islamic times. If the prohibition here is directed to preventing the killing of children for fear of poverty, then the prohibition on killing them for no reason or killing other children becomes more emphatic, and it has guaranteed God Almighty provides sustenance for all of His creation, stressing that sustenance is not in the hands of man himself, but rather in the hands of God, who takes care of everyone's livelihood. Which removes the embarrassment of parents towards supporting their children (Ibn Kathir, 2000).

Among the evidence contained in the Sunnah of the Prophet is what Al-Bukhari narrated on the authority of Abu Hurairah, may God be pleased with him, where he said: "The Messenger of God, may God bless him and grant him peace, said: Every child is born according to his natural disposition, and his parents make him Jewish, Christian, or Christian." (Al-Bukhari, 1990). This hadith shows that every child is born equipped with common sense, and that the responsibility of raising him and teaching him good values lies with his parents. As narrated by Al-Tirmidhi on the authority of Abdullah bin Amr, may God be pleased with them both: "The Messenger of God, may God bless him and grant him peace, said: Whoever takes care of an orphan and does not do good to him, the angels will curse him" (Al-Tirmidhi, 1998), which reflects the importance of taking care of orphans and treating them well, and warns against neglect or exploitation. As narrated by Ibn Majah on the authority of Abu Hurairah, may God be pleased with him: "The Messenger of God, may God bless him and grant him peace, said: Do not harm yourself and do not harm others" (Ibn Majah, 1999), which indicates his prohibition of harming oneself or harming others, which of course includes harming children.

Islam embodies great principles in protecting children's rights, and warns against any behavior or behavior that threatens their safety or exposes them to torture or exploitation. Therefore, the responsibility to protect and care for children falls on everyone, from the family and society, to governments and international organizations. Through combined efforts, we can ensure a safe and clean environment for children, allowing them to grow and develop properly, and reach their full potential.

*Fourth Requirement: The Child's Right to Protection from Violence and Abuse*

This right is considered one of the important rights of the child in Islam, and the Islamic community, family, and government must work together to protect children from any forms of violence and abuse. Violence and abuse of children are considered minor crimes that require deterrent measures to be taken against them. The family, school, and community should also provide support and guidance. For children to detect any signs of violence or abuse and help them obtain the necessary assistance and protection (Al-Anazi, 2022), Children must live in a safe environment free of violence and abuse so that they can develop and thrive healthily.

Islam devotes great attention to protecting the child from all forms of violence and abuse, based on his high position in Islam, as a great trust from God Almighty that must be nurtured and cared for (Al-Bilbisi, 2005; Zahran, 1997; Abdul Rahman, 2008).

In this context, the Holy Qur'an urged the importance of raising children, as appears in the story of Moses, peace be upon him, when he quoted Pharaoh's saying: ﴿Did we not confuse a child among us and you remained among us...﴾ {Poets:18}. It was mentioned in Tafsir Ibn Kathir that what he meant by that was that Pharaoh mentioned the blessing of his upbringing of Moses in his home and among his family, where he said: "You are not the one whom we raised in us, in our house, and on our bed, and upon whom we bestowed blessings for a period of years" (Tafsir Ibn Kathir, 3/443).

The word "purification" is also mentioned in the Holy Qur'an in the sense of education, as in the Almighty's saying: ﴿Just as We sent among you a messenger from among you who recites to you Our verses and purifies you and teaches you the Book and wisdom and teaches you what you did not know﴾ {Al-Baqarah: 151}. Ibn Kathir explained in his interpretation that his saying "and purify them" means purifying them from the vices and defects that pollute souls, and raising them from ignorance to knowledge and light (Tafsir Ibn Kathir, 1/464).

One of the greatest things that God has imposed on us regarding the blessing of offspring is to take care of their upbringing and care for them in a way that achieves the good of their world and the hereafter. The Holy Qur'an described children as the adornment of this worldly life, as God Almighty said: ﴿Money and children are the adornment of this worldly life﴾ {Al-Kahf: 46}. Children are also a trust and a duty, and the Prophet, may God bless him and grant him peace, made this clear in his hadith: "Each of you is a shepherd and each of you is responsible for his flock. The imam is a shepherd and responsible for his flock, the man is a shepherd in his family and is responsible for his flock, and the woman is a shepherd in her husband's house and responsible for her flock, and the servant is a shepherd." In his master's money and responsible for his flock" [Sahih Al-Bukhari]. God Almighty has emphasized this in His saying: ﴿And those who believe and their descendants follow them in faith, We will join them with their descendants and whatever deeds We have bestowed upon them. Every person is subject to what he has earned﴾ {Al-Tur: 21}, explaining that the children who were lower in rank than the fathers in Paradise will join them. To meet them at the highest levels as they met in this world.

Imam Al-Ghazali - may God have mercy on him - said: "The boy is a trust with his parents, and his pure heart is a precious jewel devoid of every inscription, and he is receptive to every



inscription, and inclined to everything he is inclined to. If he is accustomed to goodness, he will grow up with it and be happy in this world and the hereafter, and if he is accustomed to evil, he will be neglected and miserable." And he perished, and the burden was on those who were responsible for him, just as the body in the beginning was not created perfect, but rather was completed with food, so the soul is incomplete and capable of completion. It will be supplemented by education, refinement and knowledge' (Ihya Ulum al-Din, 3/72).

Therefore, neglecting the child and not raising him in a good manner derived from the Qur'an and Sunnah from a young age has a negative impact on his behavior, as a child who was not raised in a good manner often falls into taboos and evils when he grows up, disobeying his parents, severing family ties, and harming society, and everyone complains about him. It is said about him: "He was not raised well, as his parents neglected him and neglected his upbringing." This neglect may be due to the parents' ignorance or preoccupation with other matters, which leads to them neglecting the responsibility of education and understanding the purposes of marriage.

Ibn al-Qayyim, may God have mercy on him, said: "How many parents harm their child in this world and the hereafter because of his negligence and neglect of disciplining him, believing that by doing so he honors him, while in reality he oppresses and insults him. Thus, he wastes his opportunity to benefit from his child, and wastes his child's share in this world and the hereafter, and if you consider corruption in Children, you find that its causes are often from the parents" (Tuhfat al-Mawdud bi Ahkam al-Mawlid, 1/242).

Neglect in education is not only limited to its negative impact on the individual and society, but may lead to serious consequences that may lead to Hell, may God protect us from it. God Almighty has warned us in His Noble Book of this danger, where He said: ﴿O you who have believed, protect yourselves and your families from a fire whose fuel is people, and the stones are upon it harsh and severe angels who do not disobey God. What He commanded them and they do what they are commanded﴾ {Al-Tahrim: 6}. This is a great call for the importance of responsibility in education and the keenness to discipline oneself and one's children, because of its effect in preventing torment and salvation.

The purpose and purpose of Islam in raising a child is to bring him to the ideal image in his body, mind, soul, and religion and to preserve his money and dignity. To be a normal human being and able to bear the burden of succession from a previous generation. To achieve these goals, Islamic law has established a set of provisions based on rejecting violence against children, enjoining kindness to them, not oppressing them, and not burdening them beyond their capacity. On the authority of Abu Hurairah, may God be pleased with him, that he said: The Messenger of God, may God's prayers and peace be upon him, said: Al-Hasan bin Ali, and Al-Aqra' bin Habis Al-Tamimi was sitting with him. Al-Aqra' said: I have ten children, and I have not kissed any of them. So the Messenger of God, may God's prayers and peace be upon him, looked at him and then said: "Whoever does not have mercy will not have mercy" (Muslim, No. 2312).

Islam also stressed not to attack a child's life by torturing or killing him in many Qur'anic verses, including the Almighty's saying: ﴿And when the woman is treated with a sin, she will be killed﴾ (Al-Takwir: 8-9). And God Almighty said: ﴿And do not kill your children out of fear

- hope. We provide for them and for you. Indeed, killing them was a great mistake ﴿(Al-Isra: 31). Rather, it forbade trespassing on the life of a child while he was a fetus in his mother's womb, and to protect him from any assault, Islam legislated a set of rights for the child, and made children inviolable like adults. Just because they are children does not mean that they have no rights or significant entity. Islamic law states that whoever takes care of the child must keep harm and harm away from him, otherwise he will be held accountable to ensure that he does not commit an act that leads to harm to the child.

#### *The Second Section: The Child Rights System in the Kingdom of Saudi Arabia*

The Kingdom of Saudi Arabia has taken major steps to protect and promote the rights of children, recognizing that childhood is a crucial period in human development. Child rights law in Saudi Arabia is based on both Islamic law and international frameworks, with particular attention to the United Nations Convention on the Rights of the Child, which the Kingdom ratified in 1996. This legal framework highlights the importance of ensuring children's well-being in all areas, including health, education, protection from abuse and social inclusion.

The Saudi government has established laws and policies that address children's rights, such as the Child Protection Law passed in 2014, which defines child abuse, neglect, and exploitation and requires measures to protect children's rights. In addition to national regulations, Saudi Arabia's child rights law is also derived from Islamic principles that emphasize the dignity and integrity of the child and proper upbringing (Al-Anazi, 2022).

On the other hand, the Basic Law of Governance promotes children's rights as part of comprehensive human rights, as it affirms that authority in the Kingdom is derived from the Book of God and the Sunnah of His Messenger, may God bless him and grant him peace, and that justice is the basis of governance in the state. The Saudi judiciary is also based on the provisions of Islamic Sharia, which reflects the Kingdom's full commitment to protecting the rights of children in accordance with what Islam stipulates (Al-Luwaihaq, 1432 AH).

Based on these foundations, the Kingdom of Saudi Arabia affirms the rights of children recognized by Islam and works to consolidate them in its laws, based on the legal principles that guarantee the child his right to care and justice. These rights are also supported by organizational and procedural regulations that ensure the protection of children and the promotion of their rights in various aspects.

#### *The First Requirement: the Historical Development of Child Protection Laws in the Kingdom of Saudi Arabia*

The issue of children's rights is one of the most important issues that has received the attention of the Kingdom of Saudi Arabia since its founding, out of its belief in the importance of raising a conscious and educated generation that contributes to building and advancing the nation. The emergence of the child rights system in the Kingdom of Saudi Arabia went through several stages, including:

##### *Foundation stage (before 1995)*

The Kingdom has focused on providing social care for all members of society, including children, by establishing institutions concerned with their care and meeting their needs. The

Basic Law of Governance issued in 1992 included in Article (26) a text emphasizing the state's protection of human rights, in accordance with Islamic law.

While Article (27) stipulates: "The state guarantees the rights of the citizen and his family in cases of emergency, illness, disability, and old age, supports the social security system, and encourages institutions and individuals to contribute to charitable work.". And other texts through which the state guarantees citizens the right to education, health, care, nationality, security, and other rights that take into account human dignity and rights in the Kingdom of Saudi Arabia.

The Kingdom of Saudi Arabia's accession to the Convention on the Rights of the Child (1996): The Kingdom joined the Convention on the Rights of the Child in 1996, out of its belief in the importance of the principles and values stipulated in the Convention. The royal decree was issued approving the agreement, followed by Cabinet Resolution No.62 implementing the agreement, but it made a general reservation regarding articles that conflict with the provisions of Islamic Sharia (Al-Yazidi, 2019).

The stage of issuing the Child Protection Law (2014) and its most important provisions.

The child protection system was promulgated pursuant to Royal Decree No.14 (M/3) of 1436 A.H.This system is a comprehensive legal framework for the protection of the rights of the child in the Kingdom and emphasizes such basic principles as: the best interest of the child, non-discrimination, child participation and protection of the child from all forms of abuse and neglect.

#### *The Second Requirement: Overview of the Child Rights Law: Objectives, Main Provisions and Legal Framework*

The Rights of the Child Act constitutes an integrated legal framework aimed at protecting the rights of children and ensuring their well-being in all aspects of their lives. Protecting children is considered one of the basic priorities in any society, as childhood represents the basic stage for forming a person's personality and shaping his future. Therefore, this law seeks to achieve a balance between the rights of children and the duties of society to provide them with a safe and healthy environment. In this context, the law addresses the main objectives that seek to ensure a decent life for children, and includes binding provisions that protect them from any form of neglect or exploitation. This law also reflects the state's commitment to universal human rights principles, especially the United Nations Convention on the Rights of the Child, and promotes their application. Within the local legal framework in line with Islamic Sharia.

The first chapter of the system included definitions, objectives, and cases of abuse and neglect. The child is defined in Article One as every individual under the age of eighteen. As for abuse, it is defined as any form of abuse, exploitation, or threat thereof towards the child, and includes physical abuse that causes physical harm or harm to the child, and psychological abuse that includes Treatment that harms the child's psychological or general health, and sexual abuse, which means that the child is exposed to any type of sexual assault or exploitation.

As for neglect, it has been defined as failure to provide the child's basic needs or failure to meet them. These needs include physical, health, emotional, psychological, pedagogical, educational, intellectual, social, cultural, and security needs.

The system aims to enhance the protection of children's rights by emphasizing what is included in Islamic law and the international regulations and agreements in which the Kingdom participates, ensuring the protection of the child from all forms of abuse and neglect in the environment surrounding him, whether at home, school, neighborhood, public places, Care homes, or governmental and private institutions. The system also ensures the provision of the necessary care for the abused and neglected child, in addition to spreading awareness of the rights of the child, especially with regard to protecting them from those forms of abuse and neglect.

Article Three classifies abuse or neglect as exposing a child, keeping him without family support, not obtaining or withholding his identification documents, or neglecting to preserve them. It also includes not completing his health vaccinations, causing him to drop out of education, or being in an environment that threatens his safety. In addition, Abuse includes mistreatment, sexual harassment, exposure to sexual exploitation, financial exploitation, crime, or begging. It also includes using offensive words that degrade his dignity, exposing him to inappropriate, criminal, or inappropriate scenes for his age, and discriminating against him for any reason. It also includes continued negligence in his upbringing and care, allowing him to drive a vehicle before the legal age, and any act that threatens his safety or physical or mental health.

Article 4 provides for the identification of cases in which a child is at risk of delinquency, covering several negative practices that affect his behaviour and attitudes. The most prominent of these cases are: The child begs or engages in any illegal activity, and is outside the authority of his parents or those who care for him. Repeated running away from home or from educational and shelter institutions is considered a clear indicator of danger, in addition to his habit of sleeping in places not designated for residence. Likewise, his frequenting places is considered Morally or socially suspicious, or places inappropriate for his age, or his mingling with homeless or deviant people are manifestations of deviance. Finally, the article covers cases in which a child performs work connected with prostitution, debauchery, gambling or drugs, or provides a service to persons involved in such activities.

In terms of objectives, it is noted that the system was designed to be compatible with Islamic law on the one hand, and with international standards for children's rights on the other hand, especially the United Nations Convention on the Rights of the Child. In its periodic reports, UNICEF praised the legislative steps taken by the Kingdom, especially after the issuance of the child protection system in 2014. But on the other hand, some studies, such as the "Al-Anazi (2020)" study, indicate that practical application still faces challenges related to community awareness and the effectiveness of implementing agencies.

As for the second chapter; It dealt with the child's right to protection, as Article Five stipulates that the child has priority in enjoying protection, care and relief in all circumstances, and Article Six affirms the child's right to protection from all forms of abuse and neglect. As for Article Seven, it clarifies that a child who does not have an appropriate family environment

may be exposed to abuse or neglect, has the right to obtain alternative care through several options, including the foster family that sponsors and cares for him, or social care institutions, whether governmental, private, or Charitable if the foster family is not available.

As for the definitions contained in the first chapter, they are relatively precise and comprehensive for different types of abuse and neglect, which is consistent with the classifications adopted in the World Health Organization's guideline on the protection of children (World Health Organization, 2019). However, some experts point out that it is difficult to distinguish in reality between some forms of neglect and abuse, especially psychological ones, which may hinder the speed of legal intervention in some cases.

Regarding articles (3 and 4) that define forms of abuse and deviance, they show a broad understanding of the social and behavioral risks that surround children. However, the researchers (Al-Qurashi, Al-Hakami, 2024) believe that "these texts need to be supported by more effective preventive measures and awareness programs in schools and communities." Where reporting indicators remain low compared to global averages, according to data from the Domestic Violence Reporting Center (Domestic Violence Reporting Center, 2021).

As for the third chapter, it dealt with prohibitions related to child protection, as Article Eight stipulated several prohibitions, including: "It is prohibited to employ a child before the age of fifteen, and it is also prohibited to assign him to work that may harm his physical or psychological health, or to use him in military actions or armed conflicts." It also prohibits "exploiting a child sexually, subjecting him to forms of sexual exploitation, trafficking him in crime, or begging." In addition to "prohibiting the use of a child in places where drugs or psychotropic substances are produced or in their circulation in any way." As for Articles (11-14), they include texts prohibiting the sale of tobacco and its derivatives to children or using them to purchase them or in places of production, sale, or advertising for them. It is also prohibited to import or sell toys or candy that take the form of cigarettes or smoking tools, and it is prohibited to display scenes that encourage children. To smoke or allow him to smoke in certain places All kinds of publications or programmes aimed at children that may stimulate their instinct or promote behaviour contrary to Islamic law, public order or public morality, or that encourage delinquency, are also prohibited, and, lastly, the participation of a child in racing, sporting and recreational activities that may endanger his or her health or safety, as well as any medical intervention of the foetus, unless it is for a medical interest or necessity. Chapter Three of the law specifies clear prohibitions that reflect the Kingdom's commitment to protecting children from exploitation, whether at work, criminal activities, or the media. However, legal scholar "Al Hamdan, 2023" points out the weak censorship of digital media as some online platforms promote content unsuitable for children without adequate censorship, which calls for a stricter legislative review on digital content directed at children.

While chapter IV deals with the right of the child to care and responsibility for the child, stipulating that the child's parents or caretakers are responsible for his or her upbringing and for guaranteeing his or her rights in accordance with their financial means and abilities, while working to provide him or her with the necessary care and protect him or her from abuse and neglect. The competent authorities shall endeavour to take the necessary measures to ensure that the parents or persons caring for the child abide by those responsibilities, and that his or

her rights are protected. If the parents separate, the child is guaranteed the right to visit and contact either of them unless his interests require otherwise.

Article 16 also affirms the need for all authorities to take into account the interests of the child in any measures taken with regard to him, while expediting their completion, taking into account his mental, psychological, physical, pedagogical and educational needs in accordance with his age and state of health.

Articles 17-18 stipulate that the concerned authorities must take appropriate immediate measures to care for and reform children who are at risk of affecting their mental, psychological, physical or educational well-being. These measures include playing an effective role in the field of health prevention and raising awareness of children's rights through various media, such as guidance on children's health and nutrition, the importance of breastfeeding, the safety of their thoughts, and protection from accidents and smoking, in addition to supporting and strengthening the school health system to ensure it performs its role in prevention and health guidance. The child's right to education appropriate to his age, prevention of infectious and dangerous diseases, and insurance against injuries resulting from vehicle accidents and environmental pollution are also guaranteed. It is also concerned with alleviating the suffering of children living in harsh conditions, such as disputed children, street children, the homeless, and victims of disasters and wars, by providing them with the necessary support and care.

Article 23 also stipulates that the Bureau of Investigation and Public Prosecution is responsible for investigating violations of this law and filing a lawsuit before the competent court. Article 23 bis was added by Royal Decree No.72, which prescribes a penalty of up to two years' imprisonment and a fine of up to 100,000 rials, or either of these penalties, for anyone who commits an offence of abuse. If the crime is accompanied by aggravating circumstances, such as abuse against people with disabilities or in places of work or worship, or the use of weapons, the penalty ranges from two to five years in prison and a fine of one hundred to five hundred thousand riyals. The penalty shall be doubled in the event of recidivism, and anyone who incites or assists in the commission of the crime shall also be punished.

The child protection system is a comprehensive system that addresses all aspects of a child's life, including: education and health. Social care. Protection from abuse and neglect. And criminal justice. The system emphasizes the role of the family and society in protecting children's rights.

Saudi Arabia continues its efforts to promote the rights of the child through; the development of legislation and regulations on the rights of the child. Spreading awareness about children's rights among community members. Supporting the establishment of programs and projects concerned with child care. Cooperation with international organizations concerned with children's rights.

As for the penalties provided for in article 23 and the article added later (23 bis), they show seriousness in dealing with offences against children, especially in aggravating circumstances. However, the report of the "Ru'ya" Center for Legal Studies confirms that the application of penalties remains dependent on the effectiveness of reporting, investigation and judicial



follow-up mechanisms, and they need more institutional coordination and training of competent cadres.

Chapter Four clearly shows the pivotal role of the family, which is consistent with the cultural specificity of Saudi society. However, the reality reveals, according to a study (Mousa, 2011), that there is a gap between the responsibilities of parents on the one hand, and their ability to provide effective protection on the other hand, especially in families. With low income or in cases witnessing family separation or conflict.

In conclusion, it can be said that the system represents an advanced step in protecting children's rights in Saudi Arabia, but its real effectiveness depends on the integration of efforts between legislation, community awareness, and executive authorities. Therefore, most studies recommend the need to strengthen education and training programs, improve monitoring and reporting mechanisms, and develop effective indicators to measure executive performance to ensure the achievement of the goals sought by this system.

#### *Challenges Facing the Implementation of the Child Rights System*

Saudi Arabia faces challenges in implementing the child rights protection system, including a lack of community awareness and limited resources allocated (Al-Anazi, 2022). While there is a legal framework that guarantees the right to education for children without discrimination, there are difficulties in the effective implementation of these policies (Badran & Abdul Elhady, 2024). There is a need for effective oversight mechanisms and the allocation of a special budget for children within the general budget. The Kingdom also faces challenges in achieving a balance between protecting national sovereignty and meeting international requirements in the areas of human rights (Al-Ahmari, 2024).

#### *The Third Section: Comparison with International Standards for Children's Rights, Such as the United Nations Convention on the Rights of the Child*

This comparison represents a starting point for understanding how the system in Saudi Arabia deals with children's rights compared to the UN's universal Convention on the Rights of the Child.

Table No. (2) shows a comparison between the child rights system in the Kingdom of Saudi Arabia and the United Nations Convention on the Rights of the Child.

**Standard Saudi Child Protection System: UN Convention on the Rights of the Child Definition of the Child** A child is any person who has not reached the age of majority (18 years). A child is any person under the age of 18.

**Non-Discrimination:** Discrimination against children based on gender, nationality, race, or religion is prohibited. All children have rights regardless of their background, location, religion, gender, or disabilities.

**Best Interests of the Child:** The best interests of the child are the foundation of all procedures involving the child. Adults' decisions must prioritize the child's best interests.

**Parental Guidance During Growth:** The system supports the family unit and includes comprehensive care for children. Governments must support families in guiding children in

line with their rights. Right to Life, Survival, and Development Ensures the child's life and care in ways that promote continued development. Every child has the right to life, and governments must ensure survival and development.

Right to Education: The right to education is guaranteed as defined by the state; primary education must be free. Every child has the right to education, and primary education must be free. Right to Health and Care Health services are provided to children as part of the national health care plan. Every child has the right to the best possible healthcare.

Protection from Violence and Abuse Provides protection from violence and abuse, including preventive and therapeutic measures. Governments must protect children from all forms of violence and abuse.

Right to Play and Rest Recognizes the child's right to play and recreational activities. Children have the right to rest and play.

Protection of Children with Disabilities Provides care programs to ensure the effective participation of children with disabilities in society. Children with disabilities have the right to support and assistance to ensure full participation in society.

Protection from Harmful Work Prohibits child labor that affects their health or education. Children have the right to protection from harmful work that affects their health or education.  
Right to Identity

Children are guaranteed an officially registered personal identity. Every child has the right to an official identity, including name and nationality.

Family Protection Protects family rights and includes measures to prevent unnecessary family separation. Children should not be separated from their families except in extreme emergencies.

Protection of Refugee Children Recognizes refugee children's rights primarily through the provision of assistance and protection. Governments must assist refugee children and guarantee their rights.

Child Participation in Matters Affecting Them Recognizes the child's right to participate in matters that concern them. Children have the right to express their opinions on matters that affect them.

**Source:** Convention on the Rights of the Child, (1989), United Nations. Saudi Arabia, (1436), Legal System of the Rights of the Child, Royal Decree No.

The table shows significant convergence between the child rights system in Saudi Arabia and the International Convention on the Rights of the Child in terms of basic principles. For example, the Saudi system agrees with the international convention on most of children's basic rights, such as the right to life and development, education, and health, as the Saudi system guarantees these rights and provides them with integrated care. Both systems also

recognize the best interest of the child as the basis for all actions affecting children. In addition, children in Saudi Arabia enjoy the same rights in terms of protection from violence and abuse, protection from harmful work, and obtaining an official identity.

However, some disparity appears in the practical applications of these rights. For example, although both systems recognize the child's right to education and health care, the Saudi system sets some rules that may be less clear or strict in their application compared to the international agreement. There is also a clear interest in the Kingdom of Saudi Arabia in preserving and protecting the family, as the system is given great importance to protecting the family and providing comprehensive care, which is in line with international principle but with local trends that may vary in implementation.

Finally, it is noted that the international agreement places great emphasis on the rights of refugee children and their participation in issues that affect them. While the Saudi system provides protection for refugee children and recognizes their right to participate, the details may differ in implementation and mechanisms followed. In general, there is agreement between the two sides in the basic principles, but the application of these principles varies in terms of the local context and social and political conditions in the Kingdom.

### **Conclusion**

In conclusion, the child rights system in the Kingdom of Saudi Arabia is an example of the national and religious commitment to providing comprehensive protection for children, as it is based on both Islamic principles and international frameworks, especially the United Nations Convention on the Rights of the Child. The system has witnessed an important historical development, starting from the founding stage, through accession to the international convention, until the issuance of the child protection system in 2014, which reflects the state's keenness to consolidate the values of justice and compassion in treating children and ensuring their well-being in all aspects of their lives.

Through the integrated legal framework, the Kingdom highlights the need to protect children's rights to education, health and social care, in addition to ensuring a safe environment that protects them from abuse, neglect and exploitation. Despite the great achievements achieved, the challenge continues to strengthen implementation and oversight mechanisms to ensure the effective implementation of these rights, which requires continuous cooperation with local and international bodies and the development of legislation so that the Kingdom remains at the forefront of countries concerned with children's well-being and developing their capabilities to achieve a bright future.

The comparison contained in the research also indicates that there is clear compatibility between the child rights system in the Kingdom of Saudi Arabia and the International Convention on the Rights of the Child in terms of the basic principles that protect the life and care of the child and promote his growth and development. Both systems emphasized the necessity of non-discrimination and the principle of the best interest of the child, in addition to guaranteeing his basic rights such as education, health, and protection from violence and harmful work, which reflects the keenness of both parties to secure a safe and stable environment for the healthy development of children.

On the other hand, differences in applied and procedural details emerge between the Saudi system and the international agreement, as the Saudi system imposes local rules that focus specifically on family protection and comprehensive care, while the agreement sets more specific standards to support the rights of refugee children and encourage their participation in issues that affect their lives. Thus, the research shows that the theoretical foundations are compatible between the two sides, but the differences in application are linked to the local context and social and political conditions in the Kingdom, which requires strengthening some mechanisms to ensure the optimal implementation of these rights.

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