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*The Convention on the Rights of the Child
and young children*

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Cover: Venezuela: El Maestro en Casa project

photo: Angela Ernst BVLF

Inside front cover: Venezuela : El Maestro en Casa project

photo: Angela Ernst BVLF

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The Convention on the Rights of the Child (CRC) and young children

Built on varied legal systems and cultural traditions, the Convention on the Rights of the Child is a universally agreed set of non-negotiable standards and obligations. It spells out the basic human rights that children everywhere – without discrimination – have: the right to survival; to develop to the fullest; to protection from harmful influences, abuse and exploitation; and to participate fully in family, cultural and social life. Every right spelled out in the Convention is inherent to the human dignity and harmonious development of every child. The Convention protects children's rights by setting standards in health care, education and legal, civil and social services. These standards are benchmarks against which progress can be assessed. States that are party to the Convention are obliged to develop and undertake all actions and policies in the light of the best interests of the child.

([UNICEF www.unicef.org/crc/crc.htm](http://www.unicef.org/crc/crc.htm))

The CRC does not contain a dedicated section that addresses the rights of children from birth to eight specifically. Rather it encompasses the rights of all children, up to the age of 18, or whatever age a State designates for the entry into adult status. Yet the world's young children (aged zero to eight years) demand special attention: they are the most vulnerable and therefore most in need of the benefits and protection that the States Parties that have ratified the CRC guarantee. In addition, children's earliest experiences have the most potential to influence

them and their families, communities and societies – for good or ill – in later life. If, therefore, they can grow within the kind of secure development environment that the CRC implies for them; and if, as they grow they can come to understand how the CRC has contributed to their safety, well-being and development; their early experiences will travel in and with them, thereby helping the letter and the spirit of the CRC to permeate their societies.

The United Nations Special Session on Children on 19-21 September 2001 in

New York, provides an unmissable opportunity to review the CRC with young children in mind. This meeting will bring together government leaders, heads of state, NGOs, children's advocates and young people. Its general purpose is to review the agenda for implementation set at the World Summit for Children in 1990, to move children's rights up the world agenda and to make a renewed commitment and pledge for specific actions in the coming decade. The Special Session is also expected to produce a global agenda for children and young people

containing goals and action plans to ensure the best possible start in life for children; a good-quality basic education for children; and the opportunities for all children, especially young people, for meaningful participation in their countries. However, given the obvious importance of early childhood to the CRC (and *vice versa*), the Special Session must do more: it must directly address three key areas related to early childhood:

1. it must build up its currently limited focus on the rights of the youngest

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The concluding article is a discussion of work in Australia that helped children to reveal their ideas about their rights through art.

”

- children so as to provide a platform for rights-based early childhood programming;
- 2. it must recognise and promote the work that has been developed to ensure that the CRC does indeed impact significantly on the youngest children; and
- 3. it must map out what still has to be done.

In doing so, it can readily draw on the fact that, throughout its text, the CRC espouses the values and principles which underlie good ECD practice: that children are whole individuals with multiple potentials; that children grow into their rights and responsibilities gradually, through processes of physical, mental, and social development that are their birthrights; and that young children have the right to be active participants in their culture and society.

This edition of *Early Childhood Matters* provides arguments, examples of work at all levels, and analyses to contribute to the discussions that are needed to elevate the CRC to its rightful place in ECD programming – and indeed to justify ECD programming as a key strategy in realising the aspirations of the CRC. In the first part, Feny de los Angeles-Bautista leads an exploration of the inextricably intertwined relationship between the Convention and early childhood development as a field (page 8). This is countered by Robert Myers’ discussion of the shortcomings of the CRC from an early childhood perspective (page 22). To show that even now documents associated with the CRC do not sufficiently deal with early childhood, the Consultative Group on Early Childhood Care and Development (CG) then critically considers ‘A World Fit For Children’. This is the Outcome Document that has been prepared by

the Global Movement for Children, for the UN Special Session on Children. The CG suggests additions to several sections of the document. (page 26).

The first part concludes with a contribution from Dr Sham Sunder Ads (page 30) that explores the complexities of national legislation that attempts to support children’s rights in India. The article is based on painstaking, detailed and diligent work to bring out the strengths and weaknesses of current laws, and to show what more must be done.

The second part of this edition is about practice: what can be done by those engaged in work with young children and their families and communities. It starts with a survey of the principles that underlie good practice in early childhood work that integrates the aims and spirit of the CRC. Caroline Arnold

(page 36) demands that early childhood programming is based on a holistic understanding of early childhood development. Her article introduces a study of good practice derived from these principles: parents supporting their children’s holistic development through encouraging participation in the normalities of day to day family life (page 40).

The edition concludes with three articles that show how the CRC can systematically influence early childhood practice. In Venezuela, CECODAP has a long record of successfully developing processes to enable children to come together, explore and discuss matters that concern them, and go on to develop activities that allow their voices to be heard and their actions to make a difference. The article that starts on page 45 discusses the CECODAP-initiated democratic mechanisms that led to the

establishment of children's organisations and shows how these organisations impacted directly on the drafting of new legislation about child rights in their country.

From Zimbabwe comes a selection of practical exercises for children that introduce them to their rights and help them to promote them. (page 50) The selection is drawn from *We are also human beings: a guide to children's rights in Zimbabwe*, that was produced for UNICEF by the African Community Publishing and Development Trust by working participatively with about 500 children aged from 3 to 18 years. The book generally aims to encourage and motivate them to promote children's rights in Zimbabwe.

The concluding article (page 52) is a discussion of work in Australia that helped children to reveal their ideas

about their rights through art. The work covered both the joyful and the sober sides of children's perceptions – and sometimes more significantly – their realities; and it produced some potent and graphic images. The article concludes with a set of five practical lessons from the work.

Each edition of *Early Childhood Matters* is a collaborative effort in that it depends on authors producing the articles and then on a small team in the Foundation bringing everything together. This edition needed more because of the scope of its theme. Unusually therefore, the work of the authors has been assembled, moderated and complemented by a kind of informal editorial group that included Feny de los Angeles-Bautista and Ellen Ilfeld, as well as the usual in-house team. ○

Jim Smale, Editor



The Convention on the Rights of the Child and the mechanisms for its implementation

The 54 articles of the Convention on the Rights of the Child (CRC) created in 1989 spell out basic human rights for children: the rights to survive, to develop to their fullest potential, to be protected from harmful influences, abuse and exploitation, and to participate fully in family, cultural and social life. In addition, the CRC spells out how these rights are to be enforced by setting standards for implementation, reporting mechanisms for States Parties that are signatories to the treaty, and by articulating the principles upon which National Policies, legal frameworks, and Plans of Action shall be based.



The full text of the CRC is on UNICEF's website (see above) and can be read on the Early Childhood Counts CDROM (document name gn1crcxi.pdf)

created by the Consultative Group on Early Childhood Care (CG) and Development, in collaboration with The World Bank Institute and produced in partnership with the Aga Khan Foundation, the Bernard van Leer Foundation, The Christian Children's Fund, UNICEF and UNESCO. The CDROM can be obtained from The Secretariat, The Consultative Group on Early Childhood Care and Development: infor@ecdgroup.com; or through the CG website: www.ecdgroup.com

Committee on the Rights of the Child

Myers (1995)¹ notes that one mechanism created within the Convention to reinforce promises made by signatories is the Committee on the Rights of the Child (Article 43). As part of their commitment upon signing the document, countries agree to report to this United Nations Committee on their activities related to the Convention within two years after signing the Convention and again every five years thereafter (Article 44).

He reminds us that the Committee has established a format and a process for national reporting. According to the Convention, reports 'shall indicate factors and difficulties, if any, affecting the degree of fulfilment of the

obligations under the present Convention'. The resulting national reports, which are supposed to be in the public domain in each country (Article 44, Section 6), are presented to the Committee which then comments on the reports, raising questions and making suggestions for further improvements. Every two years, the Committee reports to the UN General Assembly. This process has in some cases stimulated additional action and/or led to useful public debate in the respective countries about the rights and welfare of children.

Summary records are prepared for all public and some private meetings of the Committee. The Initial and Periodic Reports of States Parties, Concluding Observations of the Committee and

other records and reports on the Committee's sessions are available through:

Secretariat to the Committee on the Rights of the Child
Office of the High Commissioner for Human Rights
Room D.205, Palais des Nations,
8-14 Avenue de la Paix,
1211 Geneva 10, Switzerland;
www.unhchr.ch

World Summit for Children and National Plans of Action

In September 1990, the first World Summit for Children was hosted by



UNICEF and attended by 71 heads of state and government and 88 senior officials. The purpose of this Summit was to create greater shared understanding of the CRC. At the conclusion of the World Summit for Children, a worldwide Plan of Action was adopted, obligating those who attended to create national plans for the decade of the 1990s. The World Summit Plan of Action sets out 25 specific goals, based on provisions of the Convention. National Plans or Programmes of Action (NPAS) are, in many cases, linked to this worldwide Plan of Action, rather than directly to the broader wording of the CRC itself. Most of the participating nations in the Summit and the signatories to the Convention have now formulated NPAS for children, and, in some cases, the NPAS have been decentralised and Local Programmes of Action (LPAS) have been formulated.

A ten year follow on Summit for Children (The Special Session on Children), is being convened in UN Headquarters in New York, in September 2001, to update the worldwide Plan of Action and examine global progress in implementing the CRC.

NGO Activities

Myers² also reminds us that another development fostered by the Convention has been the appearance of activities explicitly intended to further adherence to the provisions of the Convention, that are being carried out by new national, regional and international groupings of non-governmental organisations (NGOs). Some of these activities are educational, promotional, or service actions by NGOs intended to reinforce particular rights and to directly improve living conditions affecting the welfare of children. Other activities are focused on sharing information and on monitoring the process of complying with the Convention.

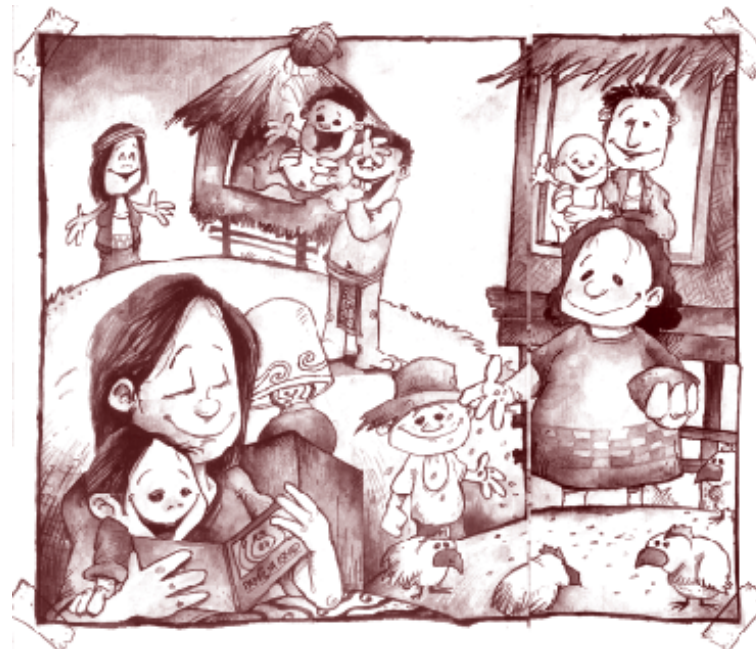
These mechanisms include international networks such as the Children's Rights Information Network, regional networks such as the Latin American Regional Collective to Help Follow Up the Convention, and national groups (such as the 13 national groups of NGOs participating in the Latin American Regional Collective or the Philippine NGO Coalition for

Monitoring the UN CRC). In some cases, these NGO groups also provide information to the UN Committee on the Rights of the Child. Some of the national NGO groups have produced parallel reports (to those of the government) on the status of children in their countries and others have cooperated with the government in producing a joint report. The Committee uses this information when interpreting governmental reports and in formulating questions and suggestions to governments.

In addition, The Global Movement for Children, instituted in 1999, is an international bringing together of UN Agencies, NGOs, donor organisations and youth to promote a more general awareness of the CRC and children's rights (see page 26). ○

notes

1. Myers R (1995) 'The Convention on the Rights of the Child: moving promises to action' *Coordinator's Notebook No. 17; The Consultative Group on Early Childhood Care and Development*
2. Myers R; *op cit*



Every child has the right to a home and a family that love and take care of them.
from: *A child friendly world*;
UNICEF/Philippine Children's Television Foundation

Rights from the start:

ECD and the Convention on the Rights of the Child (CRC)

Feny de los Angeles-Bautista

The ECD community and the Convention on the Rights of the Child

The Convention on the Rights of the Child is the most widely ratified human rights instrument; it is undoubtedly also the most widely accepted framework for action in favour of young children. There is an undeniable commitment on the part of the international community to use the provisions of the Convention as an agenda for action. It guides international efforts to identify the persisting life conditions that put very young children at risk and pre-empt their healthy and optimum growth and development. The Convention can be used to actively promote the quality of care – through policies and practices – that young children need and are entitled to as a part of their basic human rights. It offers child advocates, such as those of us in the ECD community, and States Parties the opportunity to define a truly forward looking and proactive strategy to promote and protect the rights of all children.

The fact is that we have an international treaty that integrates the civil, political, economic and social rights of children – young children included. However, eleven years after the ratification of the Convention and ten years after the World Summit for Children, we in the ECD community continue to face some big challenges. Young children are too often excluded, and their particular conditions and needs are invisible within discussions of this international treaty. The challenge is to make the most of the opportunities offered by the CRC, to inform and mobilise all those who are responsible for young children's care

and for ensuring their development, including policy makers. Whether in rich or poor countries the ECD community must continue to remind governments, as States Parties, about their obligations to young children: *'...The options before leaders who are striving to do what's best for children and best for their country seem obvious: assure that every child, without exception, is registered at birth and starts life safe from violence, with adequate nutrition, clean water, proper sanitation, primary health care and cognitive and psychosocial stimulation, or fail their moral and legal obligations as set forth in the Convention on the Rights of the*

Child' (Carol Bellamy, The State of the World's Children 2001 UNICEF)

We must, therefore, ensure that national and local policies translate into concrete and sustained commitments for young children, and that there are sufficient resources allocated for quality ECD programmes and services.

To meet this challenge, we face the continuing need to educate all stakeholders about the importance of ECD, and the benefits of quality early childhood experiences, not only to the child, the caregiver and the family, but also to the community and society.

Our task is to make a clear link between 'the responsibility of all States Parties to implement the Convention for the full protection and promotion of the rights of all children' and ECD within our local and national settings. The link is this: protecting children's rights can only be accomplished by providing quality holistic attention from the start.

In essence, the Convention on the Rights of the Child can be a very effective advocacy tool for young children and families. It encourages States Parties to introduce or revise domestic legislation in order to ensure affirmative action for those young

Preamble

The United Nations Convention on the Rights of the Child 1989

The States Parties to the present Convention,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Bearing in mind that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

Recognising that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Recognising that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity,

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the General Assembly on 20 November 1959 and recognised in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural Rights (in particular in article 10) and in the statutes and relevant instruments of specialised agencies and international organisations concerned with the welfare of children.

Bearing in mind that, as indicated in the Declaration of the Rights of the Child, 'the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth',

Recalling the provisions of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict,

Recognising that, in all countries in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child,

Recognising the importance of international cooperation for improving the living conditions of children in every country, in particular in the developing countries

children in the greatest need and those who live in vulnerable conditions. The monitoring mechanisms and reporting requirements offer many opportunities to clarify how the goals, objectives and programming strategies in ECD relate to the articles of the Convention. Targets set out in National Plans of Action (NPAS) that are a requirement of the CRC for implementation of the Convention at country level can allow those of us within the early childhood community to advocate for more comprehensive and clearly articulated National goals for ECD. It is imperative that we monitor these National Plans of Action and implementation targets to make sure young children do not disappear.

Linked to that advocacy process, we need to initiate information, education and communication (IEC) activities to generate more awareness and broader political support for ECD programmes at both national and local levels of government. We must keep the message present in the public eye: that harmonising domestic law and establishing enabling policies for improved access to quality ECD programmes are two of the most important requirements for States

Parties in order to effectively fulfil their commitments as signatories to the Convention. Our message to policy makers: legislation and policies related to ECD can – and should – be a priority focus.

Through an ECD lens: understanding the Convention on the Rights of the Child

An international treaty can easily remain at the level of rhetoric and abstractions to which lip service is paid. After the lengthy debates leading to its drafting and the intense lobbying for its ratification, there is indeed a danger that it will simply gather dust and be forgotten, only to be pulled out and drawn upon when an extreme case calls for its use. But an international treaty can also be brought to life by those who care enough to use it and maximise its potential. By translating the principles and articles of the CRC into more concrete terms, we can all help to bring it a step closer to full implementation.

The UN Convention on the Rights of the Child is one of those international treaties that was not only kept alive and as visible as possible, but that continues

to be studied and interpreted by the UN Committee on the Rights of the Child, human rights specialists and the global children's rights movement, with the goal of making it a reality for all the world's children.

An overview of the general principles and the specific Articles of the Convention that are directly related to early childhood care and development may assist us in our work of promoting and protecting the rights of young children and of educating all stakeholders about their rights.

General principles of the Convention on the Rights of the Child

The Committee on the Rights of the Child has repeatedly emphasised that the Convention should be considered as a whole, and interpreted in an integrated manner that builds on the interrelationships among all the Articles, particularly Articles 2, 3, 6 and 12, which it has elevated to the status of general principles.

Non-discrimination: ensuring the rights of each child: Article 2

1. States Parties shall respect and

ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

The fundamental obligations of States Parties in relation to the rights outlined in the Convention – to 'respect and ensure' all the rights of all children without discrimination of any kind, are established in the first paragraph of Article 2, along with Articles 3(2) and 4. Article 2 addresses the topic of discrimination in relation to the enjoyment of rights, and it requires action against 'all forms of discrimination' beyond the issues raised by the Convention.

The non-discrimination principle, however, does not pre-empt affirmative action for children. The Convention specifies that special attention needs to be given to the many (young) children who belong to vulnerable and disadvantaged communities. Poverty is clearly a major cause of discrimination that affects children in both rich and poor countries. The Committee has emphasised that implementing this Article must 'not be made dependent on resource and budgetary constraints'. When governments cut down on public spending, resources for public ECD programmes, which are primarily the more accessible services for children from disadvantaged communities, usually fall victim, unless there is a clear political commitment to ECD.

Other articles of the Convention highlight the need to pay special attention to particular groups of children, in an effort to concretise the non-discrimination principle. These groups are often the ones that the ECD programmes in different countries have been trying to reach: children without families (Art. 20), refugee children

(Art. 22), disabled children (Art. 23), children of indigenous communities (Art. 30), and children in situations of armed conflict (Art. 38).

In their best interests: Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.
2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.
3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, and in the number and suitability of their staff, as well as competent supervision.

One of the changes brought about through the CRC Accord is that it allows us to shift the discourse on young children from NEEDS to RIGHTS. Instead of saying: 'we must meet children's needs', then arguing whether survival, health, or education are more pressing needs, we are now challenged to think of the situation in terms of children's rights to survive and thrive as whole human beings. And because the CRC states clearly that there is no hierarchy of rights (the right to safety is not more important than the right to develop to one's full potential, for example), using the CRC in our work can help support arguments for holistic attention to children.

A Rights Perspective Compared to a Needs Perspective on ECCD

NEEDS PERSPECTIVE	RIGHTS PERSPECTIVE
- Child is a passive recipient	- Child is an active participant
- Needs imply goals – including partial goals (eg, 90 percent of girls should be enrolled)	- Rights imply that all children (100 percent) should be served
- Needs can be met without sustainability	- Rights must be met with sustainability
- Needs can be ranked in a hierarchy	- Rights cannot be hierarchically organised
- Needs do not necessarily imply duties	- Rights involve duties
- Needs are associated with promises	- Rights are associated with obligations
- Needs may vary across cultures and settings	- Rights are universal
- Needs can be met through charity	- Charity is not acceptable in a rights approach
- Meeting needs often depends on political will	- Realising rights depends on political choice

Source: Jonsson U 'A Rights Compared to a Needs Perspective on ECCD' (1998): UNICEF Regional Office for South Asia.

In essence, a Rights approach helps us get beyond the view of work with disadvantaged young children as charity work with needy beneficiaries, and repositions ECD as an essential part of the effort to create strong and healthy societies with citizens who are able to participate.

PROGRAMME STRATEGY	FOCUS OF THE INTERVENTION	OBJECTIVE	MODELS/APPROACHES
1. Deliver a service to children	the child 0-8	<ul style="list-style-type: none"> • ensure survival • promote health/nutrition • support comprehensive development • promote socialisation • develop rehabilitation services • create child care • encourage school achievement 	<ul style="list-style-type: none"> • maternal/child health • home day care • centre-based programme • 'add on' centres • school (formal; non-formal) • distance education • comprehensive child development programme • religious school
2. Support/educate caregivers	<ul style="list-style-type: none"> • Parents/family members • caregivers • teachers/educators • siblings • elders and other community members 	<ul style="list-style-type: none"> • create awareness • increase knowledge • change attitudes • improve/change practices • enhance skills 	<ul style="list-style-type: none"> • home visiting • parent education courses • Child-to-Child • family life education • support networks for parents/caregivers
3. Promote child-centred community development	<ul style="list-style-type: none"> • community members • leaders/elders • community health workers • community organisers 	<ul style="list-style-type: none"> • create awareness • mobilise for action • change conditions • take on ownership of programme 	<ul style="list-style-type: none"> • social marketing • social mobilisation • technical mobilisation • literacy programmes • school curriculum • media
4. Strengthen national resources and capability	<ul style="list-style-type: none"> • programme personnel • supervisors • management staff • professionals • paraprofessionals • researchers 	<ul style="list-style-type: none"> • increase knowledge • enhance skills • change behaviours • strengthen and sustain organisations • enhance local capability • increase local/national resources • develop local materials 	<ul style="list-style-type: none"> • organisational development training • pre-and in- service training of caregivers teachers • experimental/demo projects • collaborative cross-national research projects • action research

PROGRAMME STRATEGY	FOCUS OF THE INTERVENTION	OBJECTIVE	MODELS/APPROACHES
5. Strengthen demand and awareness	<ul style="list-style-type: none"> • policy makers • general public • professionals • media 	<ul style="list-style-type: none"> • create awareness • build political will • increase demand • change attitudes • create an enabling environment 	<ul style="list-style-type: none"> • social marketing • multi-media dissemination of knowledge • advocacy
6. Develop national child and family policies	<ul style="list-style-type: none"> • policy makers • families with young children • society, over time 	<ul style="list-style-type: none"> • create awareness • assess current policy for families with young children • identify gaps • create supportive policy 	<ul style="list-style-type: none"> • relate national to international efforts (EFA, CRC) • participatory policy development
7. Develop supportive legal and regulatory frameworks	<ul style="list-style-type: none"> • policy makers • legislators • families with young children • society, over time 	<ul style="list-style-type: none"> • increase awareness of rights and resources • create supportive workplace • ensure quality child care • implement protective environmental standards • institute maternity/paternity leave 	<ul style="list-style-type: none"> • create alliances (women's group, community groups, etc) • innovative public/private collaboration • tax incentives for private support of ECCD programmes
8. Strengthen international collaboration	<ul style="list-style-type: none"> • governments • donor agencies • bilateral agencies • foundations • international NGOs 	<ul style="list-style-type: none"> • create international standards • share experience • distil and share knowledge • maximise resources • increase awareness • increase resources • maximise impact and effectiveness 	<ul style="list-style-type: none"> • international conventions • Consultative Group on ECCD • international Vitamin A Consultative Group • international Working Group on Safe Motherhood • Association for the Development of Education in Africa (ADEA) • Save the Children Alliance

Source: Evans JL with Myers RG and Ilfeld EM (2000); *Early Childhood Counts: a Programming Guide on Early Childhood Care and Development*; The World Bank

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Article 6 clearly goes beyond the fundamental right to life, as it sets out the responsibility of States Parties to ensure survival and development ‘to the maximum extent possible’

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Governments and civil society need to ensure that the best interests of children are always served and that children are prioritised. This is the emphasis of Article 3. Other major principles must be considered in determining the best interests of individual children, as well as of groups of children: non-discrimination, maximum survival and development and respect for the child’s views.

Article 3 requires States Parties to assess the impact on children of the national political, social and economic conditions and government actions (or inaction). This means that mechanisms must be developed to effectively undertake this assessment. It also means that the results of these assessments can and should be used to develop policies for ECD. It is timely that selected countries have undertaken country case studies on ECD indicators within the context of the Global Thematic Review on ECD for the EFA 2000 Assessment.* These are important starting points for expanding and refining the bases for assessing impact on young children of government policies and programmes, and for assessing whether their best interests are served.

In countries where work on ECD indicators is being undertaken, it would be important to actively and proactively link these efforts to the overall monitoring and reporting systems for the UN Convention. Efforts to promote ECD indicators at a global and regional level will help tremendously for country-level monitoring and reporting on the UN Convention, since ECD indicators will account for a significant part of the required information.

States Parties are encouraged to adopt a comprehensive approach to the implementation of the Convention. A comprehensive approach is considered more effective and consistent with the provisions and general principles of the Convention. Within ECD, a tool which is available to us to promote as a comprehensive approach is the ‘Complementary ECD Programming Strategies’ promoted by the Consultative Group on ECCD, that has been adopted in many countries. These Complementary Programming Strategies help to clarify how such a comprehensive approach to implementing the Convention can be made to work for young children. It is a useful tool for States Parties to adopt.

For example, the ASEAN member nations have organised an ECCD Working Group consisting of inter-agency and multidisciplinary teams from the ASEAN member countries, and in October 2000 have adopted an ASEAN version of this framework for programming in ECCD in the region.

Quality ECD programmes have always been family focused, and in many communities living in especially difficult circumstances, ECD programmes have served as effective safety nets for families. Article 3 of the Convention encourages States Parties to provide families with support systems, especially when they are unable or unwilling to ensure the child’s well-being. This Article provides a powerful argument for family-based ECD programming.

Implementing Article 3 also requires a review of policies and standards applied to child-focused institutions and services that include day care, health facilities and educational institutions working with young children. This provides a good justification for developing standards that are developmentally appropriate and culturally relevant for early childhood care institutions.

The right to survival and development: Article 6

1. States Parties recognise that every child has the inherent right to life.
2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

This concept is considered crucial to the implementation of the whole Convention. Article 6 clearly goes beyond the fundamental right to life, as it sets out the responsibility of States Parties to ensure survival and development ‘to the maximum extent possible’. A holistic concept of development has always been promoted by the Committee on the Rights of the Child, in the same way that the early childhood community has been the most consistent advocate for the total goal of development. In the *Guidelines for Periodic Reports*, the Committee on the Rights of the Child asks States Parties to describe measures taken ‘to create an environment conducive to ensuring to the maximum extent possible the survival and development of the child, including physical, mental, spiritual, moral, psychological and social development in a manner

compatible with human dignity, and to prepare the child for an individual life in free society.’

Article 6 is not just about preparing a young child for later childhood, and older children for adulthood. It calls attention to children’s current and emerging needs from the first year of life. This article should also be viewed in connection with the articles of the Convention (Articles 5 and 18), which emphasise not only the State’s responsibility, but also the important role of parents and the family in promoting child development.

The right to be consulted, to be heard, to express themselves: Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a

representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Children’s right to participation is seldom linked to the early childhood years. Some countries have reported that they set a minimum age on the right of the child to be heard, for example in custody proceedings following parents’ separation or divorce. However, Article 12 does not set a lower age limit on children’s rights to express their perspectives and needs. Furthermore, as the Committee and other children’s rights experts have pointed out, it is clear that children do form their own views on various issues affecting their lives from a very early age. So the Convention offers no justification for the view that there is a lower age limit for considering children’s perspectives.

We must clarify what it means to fulfil the provisions for ensuring young children’s participation within the Convention, specifically in relation to ECD programmes. Too often participation is viewed as ‘children voicing their opinions’, something most often addressed in terms of older, verbal

children. Further, there is sometimes outdated information about child development, particularly in regard to the capacity of young children to express themselves, to make sense of their world and their life experiences, that reinforces this notion that the rights related to participation do not apply to young children. But participation is larger than giving opinions. It has to do with everything a young child does from the beginning to construct an understanding of the world and to learn to act within developmentally appropriate social contexts. Those of us with expertise in understanding the sometimes non-verbal or verbally different expressions of children need to act as interpreters for people who would assert that young children can not and do not communicate their needs and interests.

Children’s participation in decision-making in the family is emphasised within the Convention. The *Guidelines for Periodic Reports* seeks information on efforts to educate families, caregivers and professionals working with children and the public awareness raising efforts about the need to encourage children’s participation and their right to express

their views. The civil rights and freedoms of children within the family was a topic of one of the Committee’s General Discussions (October 1994). One of the conclusions was that the ‘family is the ideal framework for the first stage of the democratic experience for each and all of its individual members, including children’.

The foundation for children’s participation within the family and community, within the groups to which he or she belongs, for example in playgroups, child care settings, and schools, is certainly established in the early childhood years through the quality of adult to child and child to child interaction that takes place in these settings.

The Convention provides a major breakthrough in reinforcing the view of young children as active rather than passive and dependent. This has always been the point of view of those working closely with young children, who can see for themselves how children are active participants in the various social contexts for their growth and development.

Articles about parents and families

The CRC and parents and families: Articles 5 and 18

Moving beyond those four Articles that have assumed the status of general principles, other Articles have enormous significance for the ECD community. For example, Articles 5 and 18 are directly about parents and families – the first foci for ECD programmes in seeking to support children's holistic development.



Mozambique: Conversas em Grande Roda project photos:
Paula Nimpuno-Parente

Article 5 requires that States Parties shall respect the responsibilities, rights and duties of parents or, where

applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate guidance in the exercise by the child of the rights recognised in the present Convention. Article 18 adds specificity:

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents, or, as the case may be, legal guardians have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.
2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their childrearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.
3. States Parties shall take all appropriate

measures to ensure that children of working parents have the right to benefit from childcare services and facilities for which they are eligible.

Together, these two articles of the Convention provide a framework for the relationship between the child, parents, family and the State. In the preamble of the CRC (see page 9) and through these two articles, the Convention reiterates the importance of the family as the primary and 'natural environment for the growth and well-being of its members particularly children'. At the same time, the Convention clarifies that the child must be 'an active subject of rights' and emphasises the child's exercise of his or her human rights. This supports the view of children and childhood as necessarily visible, active and dynamic rather than invisible, passive and dependent.

There are two important concepts in defining this relationship introduced through Article 5 : the concept of 'parental responsibilities' and the 'evolving capacities of the child'. These concepts balance the role of family as caregiver and the child as an active

human being who can exercise his or her rights as a member of the family, as a member of the community and as a citizen.

Article 18 addresses the balance of responsibilities between the child's parents and the State. Specifically, it highlights the need to support parents to enable them to fulfil their responsibilities. While Article 18 establishes the role of parents as primarily responsible for their children's care and development, other articles (5 and 30) define family in a flexible manner and acknowledge the role of community, ethnic group, or culture in the child's growth and development.

The Convention highlights the importance of parent education and the provision of support for parents to enable them to fulfil their responsibilities as caregivers and to respect and promote their children's rights. The *Guidelines for Periodic Reports* seeks information on parent education programmes, on counselling for parents about child development, and on the effectiveness of these interventions. Information is also

sought about ways in which ‘the evolving capacities of the child’ are communicated to parents and caregivers.

Some countries have provided information about parent education within ECD programmes in fulfilment of their responsibilities as States Parties. For example, the Indonesian government, in its Initial Report, highlighted the Bina Keluarga Balita (BKB) project: ‘to empower poor mothers and communities with knowledge and skills allowing them to interact with and provide mental stimulation for the very young child, that is, the zero to 3 year old child ... close to 1.3 million mothers in some 18,500 villages have been trained in the programme ...’. The report also mentioned that this ECD programme has been elevated to the status of a national movement by the government of Indonesia. (Indonesia, *Initial Report*, vol. 2, paragraphs 59 and 60)

The Committee on the Rights of the Child, in its *Concluding Observations* following the submission of, and dialogues on Initial Reports from States Parties, has also stressed the continuing

need for parent education (for example in Namibia, Philippines, Tunisia).

Some countries have reported on the difficulties faced by female headed families, for example Namibia: ‘female headed households confront special problems in the area of childrearing. Women generally have unequal access to the limited opportunities for formal employment in Namibia, particularly because of continuing patterns of gender discrimination and partly because wage employment is concentrated in the urban areas ... The consequences for children are illustrated by the 1990 UNICEF survey, which found that children in households headed by women are more likely to be stunted in growth ... The survey showed that in Namibia, female headed households had particular problems breastfeeding – they often had to introduce solids at an early age, or give up breastfeeding altogether, because of the need to work ... Also, in female headed households, primary responsibility for the care of young children often falls upon older siblings or grandparents. This contributes to the school dropout rate for young girls, putting them at an educational

disadvantage, which tends to help perpetuate women’s unequal access to formal employment. (Namibia *Initial Report*, 140-1, 232-4)

The Committee on the Rights of the Child has also called attention to the need to provide government support for families in need through a variety of interventions, including community-based ECD programmes like child care centres, family day care, play groups, and toy libraries.

Article 18 specifies the need to support working parents. The provisions of Article 3 (3) were originally drafted specifically in reference to child care services to address the growing concerns about provision of child care for very young children that will respond to their developmental needs.

The Committee has encouraged countries to support ECD programmes, as in the case of Honduras and Jamaica, through their *Concluding Observations*: ‘The Committee encourages the State Parties to support further measures to promote early childhood development and the provision of child care services and centres for working mothers’.

(Jamaica, *Initial Report Concluding Observations*, paragraph 24).

Countries have reported on policies related to parental benefits as they relate to care for young children. For example, Italy reported on the recognition by their Constitutional Court of ‘the right to take six months of leave, while keeping their post and receiving allowance equal to 30 percent of their pay, during the first year of the child’s



life; the right to take time off when the child is sick, during the first three years; and the right to daily rest to care for the child during his first year of life (Italy, *Initial Report*, paragraph 94).

Finland reported on government support for parents: 'The State therefore contributes to the general maintenance costs of children, those incurred by the care of small children, disability, illness of a child, as well as to the housing cost of low income families. Finland has accepted that the State's responsibility for the care of small children should not be limited to day care provision for working parents. A new standard was reached in 1990 when parents with small children were given an absolute statutory right, according to their choice, either to municipal day care for their child or to home care allowance ... Under the current legislation, in 1995, a similar right will be extended to all children under the age of four' (Finland, *Initial Report*, paragraphs 423, 411).

Other Articles of special significance to the ECD community

In addition to the major principles and the articles that relate to parents and families, there are other articles of the Convention that are directly related to young children and thus to programming and policies in ECD. These include the following.

The rights of young children in relation to media: Article 17

Article 17 is focused on the role of mass media in relation to children's rights. It includes the obligation of States Parties to ensure that children have access to a diversity of information and material. This includes especially materials that will contribute to children's well-being and mental health and that support the aims of education, as set out in Article 29. Article 17 takes a proactive stance and encourages the production of children's books, promoting storytelling as a foundation for literacy, and promoting the development of media with a particular regard for the local and indigenous languages.

While encouraging access to media, Article 17 also emphasises the State's responsibility to protect children from the negative impact of violence in media and the presence of inappropriate content and visual images. Thus, Article 17 is especially relevant to supporting the development of young children as consumers and users of media, as well as protecting them from potentially harmful effects of media.

Article 17 is also related to children's right to freedom of expression and encourages access of children to various forms of media as a means to promote children's participation. Developmentally appropriate media products have been especially effective for facilitating young children's participation.

Children's media specialists developed the Children's Television Charter which is also anchored on the CRC. The Charter seeks to promote standards of quality for children's television that are consistent with the rights of children to various forms of media that are supportive of their development and their learning. This Charter was first widely endorsed at the First World Summit on Children and Television held in Melbourne, Australia in 1995. In 1996, at the Asian Summit on Children's Rights and the Media, governments, private broadcasters and non-government organisations affirmed their commitment to promoting children's rights to a child friendly media environment through the Asian Declaration on Child Rights and the Media. A follow up regional forum was convened in 2001 to assess progress

made and reaffirm commitment to promoting children's rights in relation to Article 17.

The right to special protection: Article 19

This has been widely known as 'the special protection' clause of the Convention. Article 19 requires children's protection from 'all forms of physical or mental violence' while in the care of parents or others. States are required to initiate a variety of measures – legislative, administrative, social, educational – to protect children from all forms of abuse. These protective measures include the provision of appropriate support to children and families. Article 19 must also be viewed in relation to Articles 5 and 18, which address parental responsibilities and the provision of support for parents and Article 28, in relation to school discipline.

The Committee's *Guidelines for Reports* include a request for information on the 'educational and other measures adopted to promote positive and non-violent forms of discipline, care and treatment of the child; effective procedures for the establishment of

social programmes to provide necessary support for the child and for those who have the care of the child, including rehabilitation measures’.

ECD programmes are well-positioned to be designated as effective prevention programmes, especially because of the interactive and intensive working relationships established with parents. The ‘timing’ of ECD interventions also makes them suitable as a vehicle for prevention. It is a time when parents are generally most receptive to helpful information about child development, discipline, childcare, and so on. In the Philippines, the Comprehensive Programme for the Special Protection of Children includes ECD as the main prevention component for this national programme, jointly developed by the government and NGOs who comprise the Special Committee for the Protection of Children.

The right to be healthy and to health care: Article 24

Article 24 builds upon and develops the theme of ‘right to life, to survival and development’ set out in Article 6. Paragraph 2 of Article 6 provides a

non-exclusive list of appropriate measures that States must take in pursuing full implementation of children’s right to health care with emphasis on the development of primary health care.

The Committee on the Rights of the Child promotes the same broad definition of health that has been promoted by the World Health Organisation and UNICEF: ‘a state of complete mental and social well-being, and not merely the absence of disease or infirmity’. This underscores the holistic nature of the Convention and its links to the broad definition of child development that is promoted by the Convention.

The *Guidelines for Periodic Reports* seeks information that is generally part of national ECD information databases: infant and child mortality, provision of necessary medical assistance and health care to all children with emphasis on primary health care; measures to combat disease and malnutrition; the proportion of children with low birth weight; the proportion of the population affected by malnutrition;

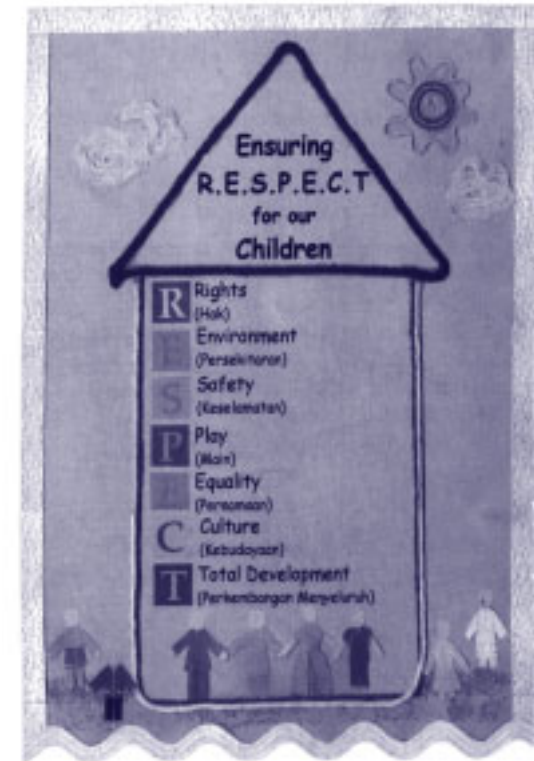
prenatal and postnatal care for mothers; health education for parents and children; HIV/AIDS treatment and prevention.

Also significant for young children is that Article 24 (3) states that appropriate measures should be taken with a view to abolishing traditional practices prejudicial to health. Since many of these traditional practices often take place when the child is very young and unable to consent or resist, this is relevant to ECD programmes.

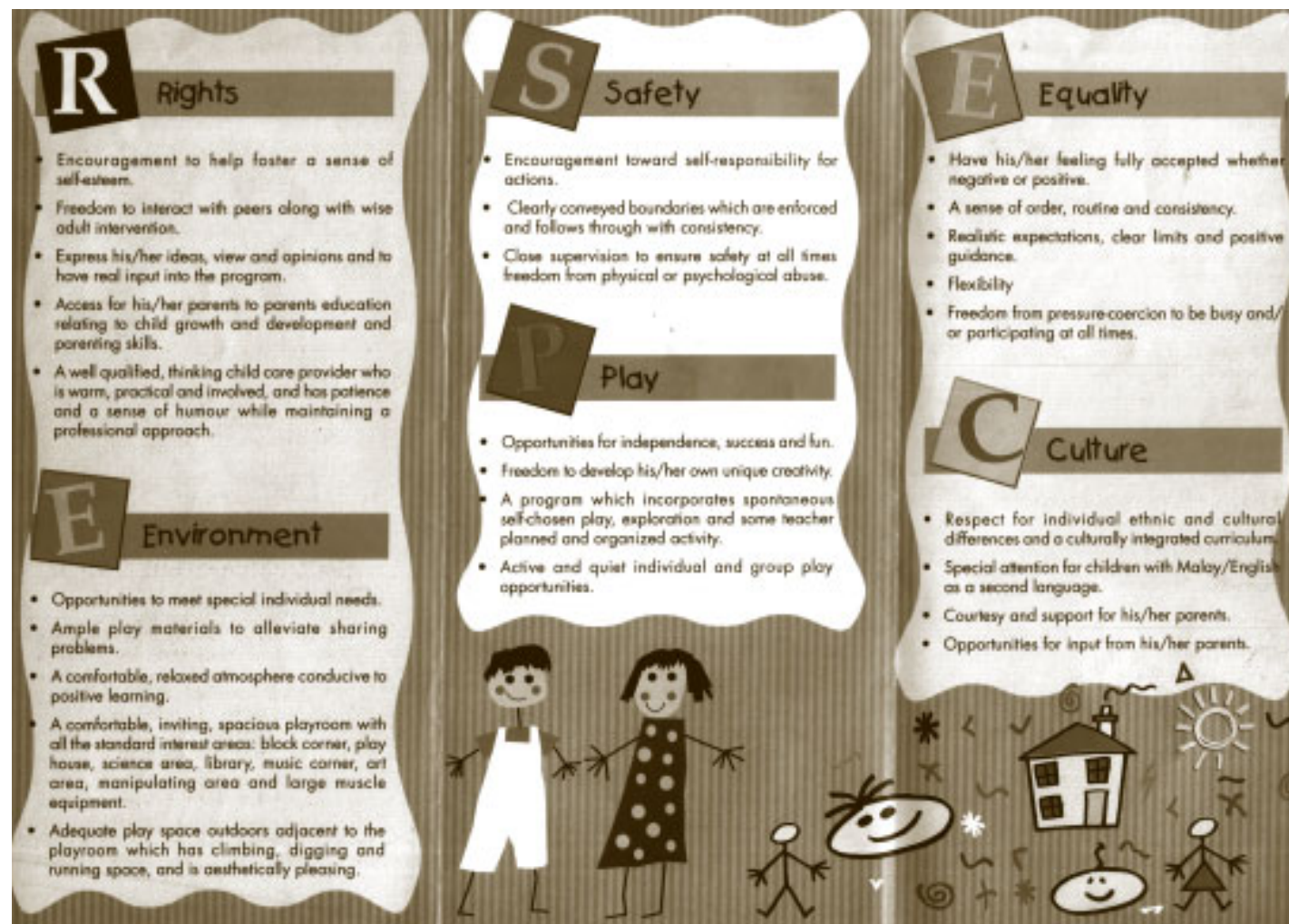
The right to an adequate standard of living: Article 27

Article 27 provides children with a right to an adequate standard of living for their full development. While parents are primarily responsible for ensuring that this right is fulfilled, States are enjoined to assist parents when needed. This article links two essential principles of the Convention: the child’s right ‘to development – to the maximum extent or to their fullest potential’ (Articles 6 and 29); and the primary responsibility of parents in securing this right to development, which is reflected in paragraphs 2 and 4

Philippines: PPBM (Association of Registered
Childcare Providers Malaysia)
from: *Working with young children and families;*
a resource book



of Article 27. What is important is the recognition that the child’s life conditions definitely affect the fulfilment of the child’s right to optimum development. Article 27 identifies the different components of development: physical, mental, spiritual, moral and social. This clarifies the fact that an adequate standard of living does not just refer to meeting the child’s basic physical needs such as food, clothing and housing, but to the



fact that children's cognitive, social and emotional needs must also be addressed.

In regard to Article 27, discussions convened by the Committee on the Rights of the Child have been maximised to highlight the concerns about the impact of structural adjustment policies in countries dependent on international aid. They highlight the impact of recession, and special challenges for so called transition economies, such as post communist Eastern Europe. Since these financial situations significantly affect public expenditures for children's programmes, it is an important issue to discuss in relation to public ECD programmes.

The right to education: Article 28

Article 28 establishes the child's right to education. The definition of 'education' is not limited to schooling, although subparagraph (e) on school dropouts and Article 29 (2) on private 'educational institutions' do suggest that this is generally the goal and the expectation. Article 28 does not explicitly refer to early childhood education, but the *Guidelines for Periodic Reports* asks for information on:

'any system or extensive initiatives by the State to provide early development and education for young children, especially for young children from disadvantaged groups' (paragraph 106).

Some countries have reported on the significance of ECD programmes in relation to the implementation of Article 28: 'Various programmes have been initiated to provide equal opportunity to the girl child by reducing their work burden and providing better access to school and health facilities. These include: ... the Early Childhood Education and Care (ECEC) project within the Education Programme which promotes home-based child care and parenting education, as well as community-based child care centres. Child development activities help reduce the childcare burden of older girls, allowing them to attend school' (Nepal *Initial Report*, paragraph 71).

Article 28 also calls upon States Parties to ensure regular attendance at schools and the reduction of dropout rates. So far, there are no examples of reference to ECD programmes in reports on school attendance, and the guidelines for reports do not ask countries to

specify whether children have participated in ECD programmes. However, this would be valuable data to push for, since there is strong evidence available from research, regarding the benefits of quality ECD programmes, and the impact these can have on reducing dropout and school failure.

The right to play: Article 31

Article 31 sets out the child's right to play, which seems to be the most natural right. Yet there is a tendency to overlook its importance particularly in relation to ECD programming. For young children, play is a major life activity, a primary means for interacting, learning and communicating and thus for development. Play is essential to all children's lives at all ages, but especially for young children. The value of play in a child's life has been most emphasised by the early childhood community, both in its work with parents and in its discussions of the provision of care and education through more organised forms of ECD.

Conclusion

The ratification of the UN Convention on the Rights of the Child has

presented both challenges and new opportunities for the early childhood community. It has pushed us to clarify how the Articles and provisions apply to young children. It has pushed us to speak up in forums where the Convention is being discussed. It has pushed us to recognise the need to raise public awareness about the nature of, and the processes involved in early childhood care and development.

It is our job within the ECD community to keep young children on the international, national, and local agendas. We can maximise the potential of using the CRC as a vehicle for promoting ECD as a priority in both national and global agendas for children by doing the following.

- Interacting with States Parties in preparing, submitting and disseminating the initial and periodic reports and the Concluding Observations of the Committee.
- Actively monitoring the implementation of the Convention in regard to ECD.
- Participating in the creation of periodic national reports as well as independent NGO reports.
- Participating in dialogues with the States Parties and the members of

the Committee on the Rights of the Child. These dialogues must centre on the assessment and implementation of recommendations for States Parties, and on further elucidation of the principles of the CRC in relation to ECD.

- Participating in local, national, and international dialogues about ensuring children's rights under the law (and ensuring young children's inclusion within that dialogue).
- Understanding how the legal frameworks, policies, practices and attitudes within our spheres of influence reflect (or fail to reflect) our countries' ratification of the CRC.

We in the ECD community must do all we can to transform the promises made through the UN Convention on the Rights of the Child into concrete actions for all of the world's children – right from the start of their young lives. ○

** Prepared by Robert G Myers, The Consultative Group on Early Childhood Care and Development, for UNICEF and for the EFA Forum, 26-28 April 2000, as a contribution to the EFA 2000 Assessment, February 2001*

Moving promises to action: a critique of the CRC from an ECD perspective

Robert G Myers

*As the CRC was being reviewed and ratified, those in the early childhood field had high hopes that it would provide them with a legal basis for getting governments to devote more resources to programming for young children and their families. Many people turned to Robert Myers, a known spokesperson for the field as a whole. Thus, he undertook an analysis of the extent to which the CRC did – or did not – provide a strong basis for the creation of holistic ECD programmes. What follows is a critique of the CRC that highlights its lack of clarity in some areas, and suggests ways to remedy its inadequate treatment of early childhood care and development.**

Rights related to healthy child development do not seem to be set out with clarity in the Convention

Developmental rights are much less clear and concrete in the Convention, for instance, than rights to survival or rights related to protection. As an example, in Article 27, where an appropriately integral view of development is established in Section 1, development is then linked in Section 2 directly to providing ‘conditions of living necessary for the child’s development’, and in Section 3 this is reduced more explicitly to providing ‘material assistance and support programmes, particularly with regard to nutrition, clothing and housing’.

The early childhood care and development (ECCD) community, I believe, would insist that development requires much more than nutrition, clothing and housing. No mention is made in this article of the Convention of psychosocial or educational conditions that should be provided to promote healthy development. Rather, these pieces of what might be considered a key dimension in the developmental rights of children are scattered throughout the document and are often handled in a negative way or a way that does not make clear the connection to healthy development.

In general, the Convention assigns primary responsibility for the

‘upbringing and development of the child’ to parents or legal guardians who are to act in ‘the best interests of the child’ (Article 18, Section 1).

However, as indicated above, governments are also assigned responsibilities for assisting parents and legal guardians in the performance of their childrearing responsibilities (Article 18, Section 2) and also for taking ‘all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible’ (Article 18, Section 3). Notwithstanding these provisions, as one looks at National Plans (or Programmes) of Actions (NPAS),

attention by governments to child care institutions, facilities and services is frequently missing. Governments often seem to be content to leave the responsibility for childcare with parents.

Attention to preschool education does seem to be present in many NPAS. This is ironic because the Convention does not include preschooling or early learning in its treatment of a child’s right to education. Although Article 29 states that the education of the child should be directed to ‘the development of the child’s personality, talents and mental and physical abilities to their fullest potential’ (Article 28), that provides the context for this statement

treats education strictly in terms of schooling. Accordingly, the educational rights of children are specified in terms of primary, secondary, higher and vocational education (schooling).

Thus, the development referred to in Article 29 is that which occurs in school, and primary school is defined as the starting point. Learning and education associated with development during the earliest years (whether at home or in preschool settings) are left out of the educational rights of children. Instead, we are left to assume that this early learning is covered in other parts of the Convention, in relation to, for instance, childcare and childrearing (Article 18), various measures of protection (eg, freedom from abuse, Article 19), or in relation to children in special circumstances, including children with mental or physical disabilities (Article 23).

One reason this lack of clarity with respect to the right to education is disturbing is that most monitoring of the ECCD component of the Convention is being carried out in relation to the education sector, based on the interpretation given to the Convention at the Summit for Children.

A low priority was assigned to ECCD at the World Summit for Children

Another reason why ECCD may not be receiving its due as part of the follow up of the Convention is that a relatively low priority was assigned to ECCD as the provisions of the Convention were interpreted and translated into goals at the Summit for Children and in the resulting Plan of Action. The emphases given to particular areas in the worldwide Plan of Action are reflected in National Plans and in monitoring. More specifically, the Plan, set out at the Summit in September 1990, listed 26 objectives to be pursued, each related to an area of sectorial actions favouring the child. The grouping of these objectives by sector was as follows:

Health and education of women	4 objectives
Nutrition	8 objectives
Child health	6 objectives
Water and sanitation	3 objectives
Basic education	4 objectives
Children in difficult circumstances	1 objective

It is clear that actions related to all of these objectives have a bearing on the development of young children, but particularly on their physical development as problems are overcome

related to protein-energy malnutrition, lack of micronutrients, diseases, etc. What is again weak, however, is recognition of the mental, social, moral and spiritual dimensions of development referred to in the Convention. The one (number 5) goal of the 25 listed that deals directly with child development is the first goal listed under education which states: 'Increase early childhood development activities, including appropriate low-cost interventions based in the family and in the community'. However, it is very general.

This goal goes beyond the Convention's treatment of *basic education* and does provide a basis for attention to early childhood development. The reader will note, however, that the goal is extremely general (as contrasted, for instance, with other goals such as 'elimination of illness caused by guinea worm by the year 2000', or 'reduction of 50 percent in deaths caused by diarrhoea in children under age 5'). The reader will also note the reference to low-cost interventions, a stipulation that is not deemed necessary when setting out other goals or proposed actions.

A further interpretation of the Convention and consolidation of priorities was made at the Summit by defining in the worldwide Plan of

Action seven 'Principal Goals of Survival, Development and Protection'. The seven refer specifically to: 1) infant and child mortality; 2) maternal mortality; 3) malnutrition; 4) water and sanitation; 5) universal access to basic education; 6) illiteracy; and 7) protection of children in especially difficult circumstances. In this delimitation, basic education is made synonymous with primary schooling, thereby setting aside early childhood development from the *principal* goals. Here we see even more clearly how the Summit interpreted and gave priority to certain parts of the Convention on the Rights of the Child. This is important to note because National Programmes of Action have been formulated, in the main, with respect to the goals set out by the Summit rather than with respect to the broader conditions of the Convention on the Rights of the Child. As a result, many provisions of the Convention are not considered in National Plans, including such basic rights as the simple right of a child to a name (something that is not part of the legal fabric of many societies), the right not to be abused, or civic rights and the right to participation. And, in the process of following the seven general goals of the Summit, child development and care during the early years are virtually missing from some NPAS and the related monitoring process.



Brasil: 'A criança tem direitos assegurados antes mesmo de nascer'
from: *A turma da Mônica*;
Prefeitura do Município de São Paulo

An emphasis on what can be measured

That ECCD is weak in the follow-up activities related to the Convention and in many NPAS may be due to the fact that an emphasis has been placed on quantitative indicators in planning and monitoring the Convention, for which there are agreed-upon measures that can be compared internationally. Whereas there is general agreement on certain indicators such as infant mortality, weight for age, or low birth weight, similar agreement does not now exist on how to measure the mental, social and emotional development of young children. And, given the cultural and social differences in the way in which child development is defined, it is difficult to insist on an internationally comparable measure for child

development. There is a tendency to think that if something cannot be measured easily and compared internationally, it is not important, or even worse, that it does not exist. As one looks at NPAS and at reports of

progress, the measurable indicator that seems to be used for early childhood care and development is a measure of the coverage of preschool programmes. If preschool coverage increases, the assumption is that there is progress toward improving child development. However, this institutional view, concentrating on coverage, does not tell us what is actually happening with respect to various dimensions of children's development. Also, even this apparently simple indicator is often distorted because only formal programmes of preschooling are included in the coverage figure, leaving out non-formal programmes and leaving out such initiatives as parental education. Similarly, because this monitoring occurs in relation to educational programmes, childcare institutions and services may be left out. Finally, the indicator is not comparable internationally because of the wide variation in the type and quality of the preschool programmes being offered in different settings. In brief, the quantitative measures being applied to monitor early childhood care and development within the framework of the Convention are, at best, very limited.

Some questions that must be asked

What I have presented above are thoughts and impressions that must be treated as hypotheses rather than facts when looking at a particular situation or National Programme of Action. As readers seek to verify these hypotheses and as they go about examining relationships between the Convention, the Summit, NPAS and specific actions in their respective countries, the following questions might be kept in mind.

1. How have the provisions of the Convention on the Rights of the Child been translated into the National Plan or Programme of Action in your country? Has the attachment of NPAS to the outcome of the Summit led to reinterpreting the Convention, or to leaving out attention to some important rights? If so, what provisions of the Convention have been set aside in the process?
2. Has your country written reports to be presented to the UN Committee on the Rights of the Child? If not, why not? If so:

- a. To what extent do the reports reflect a critical view of the situation of children and of progress toward fulfilment of the obligations under the Convention and to what extent do the reports simply present positive outcomes and plans?
 - b. Who has participated in the process of writing the reports and how has that affected them?
 - c. Is the information provided reliable?
 - d. Are national reports in the public domain? Have they been debated?
3. How has early childhood care and development been treated in your NPA, in monitoring and in reports? Are specific ECCD goals and objectives included? What are the indicators proposed for monitoring progress toward the goals? Are these adequate? Does monitoring concentrate on formal preschool education or are non-formal programmes and child care programmes also included?
 4. Does the inability to quantify early childhood progress distort planning and prejudice important areas?

A challenge

Despite ratification of the Convention on the Rights of the Child by most of the countries in the world, and despite the fact that *human development* and *quality of life* have been placed, in recent years, much more at the centre of the international development debate, child development has not yet become a natural and important part of that debate or of monitoring the developmental progress of nations. As suggested above, this failure is related at least in part to the failure to agree upon appropriate measures of what constitutes early childhood care and development.

This presents the ECCD community with a major challenge: to agree upon measures of early childhood development that can be used for monitoring the developmental progress of children at a national level. This means moving beyond measures of programme coverage. In facing this challenge, it will be important to accept and preserve differences in cultural definitions of early childhood development. This means that the indicators used will not be comparable

internationally (or even, necessarily, applicable at national levels in such heterogeneous places as India). But such agreed-upon indicators can be useful for planning, programming, monitoring and evaluation at either national or local levels which, after all, are where initiatives are taking place and where effects are expected.

In facing this challenge it will also be important to respect the integrated nature of development. It would be unfortunate, for instance, to define development exclusively in terms of physical development or of mental development, leaving aside social and emotional development. This suggests the need for developmental profiles of children and the need for periodic measurement of the several dimensions to see how they are moving over time. Creating a profile of child development or of the status of children may be more a political than a technical question, requiring ways to get different parts of government and society to bring together in one place the various measures presently being applied to create the profile. It may also involve an even more difficult task of overcoming feuds within academic communities

where various schools of thought defend at all cost their particular measures of child development. These potential obstacles notwithstanding, the goal is within our reach, as is being shown, for instance, in Jamaica where a process of monitoring the status of children has been agreed upon and is being tried out.

Let us accept the challenge of defining early childhood indicators that can be used to monitor children's development as our contribution to making the Convention on the Rights of the Child a living document. Let us promote solid planning and monitoring at national and local levels of child development programmes in the best interests of the child and of our respective societies. ○

* This article has been taken from 'The Convention on the Rights of the Child: moving promises to action' *Coordinator's Notebook No. 17*; The Consultative Group on Early Childhood Care and Development

A response to the Global Movement for Children's
Rallying Call and Outcome Document 'A World Fit for Children'

Early childhood counts:

The Consultative Group on Early Childhood Care and Development (CG)*

In preparation for the UN Special Session on Children, a statement was created by UN Agencies, NGOs, donor organisations and youth to reaffirm commitments made in the CRC. This is presented in 'A World Fit for Children'. The document can be found at www.gmfc.org. As the statement was being developed, many in the ECD community did not feel that the official text adequately reflected the issues and concerns of those working with young children and their families. Thus, under the leadership of the CG, a set of additional proposals was produced. These are introduced in this article, and presented as additions to the relevant points in 'A World Fit for Children'.

Early Childhood Care and Development (ECCD) is all that the name implies and more: it comprises all the essential supports a young child needs to survive and thrive in life, as well as the supports a family and community need to promote children's healthy development. This includes integrating health, nutrition, and intellectual stimulation, providing the opportunities for exploration and active learning, as well as providing the social and emotional care and nurturing children need in order to realise their human potential and to play an active

role in their families and later in their communities. This holistic view of children's well-being, while by no means new, has been validated and encouraged by the Convention on the Rights of the Child. It has only recently been understood that the basic need for food, healthcare and protection are not just needs but rights (implying duties and obligations) and that, in addition, the rights to affection, interaction, security, stimulation and opportunities for learning have been accepted as being just as fundamental. Children's rights are about the obligations of all adults to

protect the best interests of children, and to create the conditions under which they can develop and thrive.

Research suggests that significant and critical brain development and development of intelligence occur before the age of seven. Moreover, during the first two years of life, most of the growth of brain cells occurs, accompanied by the structuring of neural connections in the brain. This process is influenced by a child's nutritional and health status and also by the kind of interaction a child develops

with people and objects in the environment. It is highly dependent upon adequate nutrition, stimulation, and care. During these first years, the key brain pathways for lifelong capabilities are established (or not). Therefore, what happens to a child, and the opportunities provided to a child in the first years are crucial in determining lifelong outcomes. While there remains ongoing debate about the degree to which early disadvantages or trauma can be reversed later on, including targeted interventions that aim to ameliorate problems, it is clear that adequate

attention to the first months and years (including prenatally) of a child's life ensures the best possible start in life.

What is a World Fit for Children?

- It is a world where it is understood that development is continuous and that **learning begins at birth** for every child no matter what their circumstances or abilities.
- It is a world that recognises that the best possible start to life depends on the quality of earliest years of life and that this is the foundation on which future child development rests. Attention to early childhood care and the emotional, psycho-social, cognitive, spiritual development as well as to the health, survival and primary education needs of children is critical to providing the foundation for lifelong learning, and active and productive participation in society.
- It is therefore a world in which those involved in the care, development and education of children are supported in their responsibilities.

We are therefore particularly concerned with the lack of reference to ECCD in the

Global Movement for Children's Rallying Call and included as principles in the Outcome Document, 'A World Fit for Children'. As such we have added more prominent references to ECCD in Points 3, 7 and 10 of the Global Movement's Outcome Document. These are shown in bold below.

Point 3: Care for Every Child

All children must enjoy the highest attainable standard of health, especially through immunisation, good nutrition and diet, **holistic care (as critical to survival, growth and development), opportunities for play and stimulating activities**, clean water and adequate sanitation, proper housing and a safe and healthy environment.

The Global Movement Outcome Document, mentions care, but only as it relates exclusively to good health and survival. Care is critical to survival, growth and development. It needs to be understood that child development is not synonymous with child health, that survival and development are simultaneous and that development is not something that occurs after survival. At the same time that children struggle not to die, they



Thailand: A chance for children project; Children from Bangkok slums are looked after by their grandmother photo: Srilada Ketwong, Foundation for Slum Child Care

struggle to develop mentally, socially and emotionally. Child survival is part of ECCD, but it is not the whole picture. Once a child has survived, the question must be asked: what is the quality of life for that child, and how can that child realise her/his potential? Children who are helped to survive, and then are basically ignored by their society until they reach school age, frequently develop serious health and mental deficits that may persist and which will generally impede their

ability to participate productively in their society.

Our understanding of the two-way interactive relationship between psycho-social well-being and nutritional status and health has increased enormously in recent years. This synergism between different aspects of children's development means that holistic approaches are vital and need to address both children's physical and psycho-social well being.

In the absence of a more holistic human development/social justice framework, agencies often overemphasise the physical status of children, because, by its very nature, progress in the areas of children's psycho-social development is more complex to assess, whereas weight or completion of immunisation schedules are easier to measure. However, there is promising work in the development and use of ECCD indicators being undertaken by various groups including the CG (See *Coordinators' Notebook 24*, 2001) which explores the issue of measuring outcomes (or disabilities and delays) in supporting young children's overall development using a broader rights-based framework, giving due attention to all aspects of children's development and to what extent adults are meeting their obligations.

ECCD needs to be given its place – it needs to be stated as a goal in 'A World For Children' and reference should be made to programme activities that are not solely health related.

Point 7: Educate Every Child

All girls and boys must receive a compulsory, free primary education of good quality **and access to lifelong**

learning opportunities, beginning with the pre-primary years including non-formal ECCD activities in homes, communities, etc.

Point 7 of the Global Movement document asks us to educate all children. However, the explanatory statement that follows in the document emphasises obligatory and free education. That statement obviously pertains to formal schooling and to primary schooling. But it does not make sense if applied to 'education' and 'development' during the earliest years, most of which occur in and around a child's home and community. If we believe that learning begins at birth as indicated in the Jomtien and Dakar Declarations related to Education for All, it is important to realise that basic education begins then too. What is more **basic** than a solid foundation for all later learning?

In supporting the **youngest children**, it is especially important to recognise that ECCD programmes play a crucial role in establishing basic education for all. Support for young children does not merely refer to establishing preschools or infant classes. It refers to all the activities and interventions that address

the needs and rights of young children and help to strengthen the contexts in which they are embedded: the family, the community, and the physical, social, and economic environment.

Emphasis needs to be placed on developing and using approaches which recognise, respect and build on families' achievements and the very real constraints they face in supporting their children's overall development/learning and ensuring their rights. This is a very different way of thinking about education and basic educational strategies than is normally understood when discussing the needs of primary and secondary students.

A case in point: the only eccd goal and only two eccd-related strategies in the entire Outcome Document, 'A World Fit for Children' are included in the goal of 'Promoting Healthy Lives'. There is not one eccd-related goal or strategy under the broad goal of 'Providing Quality Education'. While one outcome of eccd programmes is that they can help children to be more successful in school, the early years are a crucial phase of human development and **not** merely preparation for later years.

While a focus on primary education is undoubtedly important, evidence strongly suggests that **eight is too late** to start paying attention to children's learning needs. By the time a child reaches school age, most key wiring, language abilities, physical capabilities and cognitive foundations have been set in place. It is also important for ECCD to be rooted in education because it is the psycho-social aspects of children's development which have the most significance for long-term social change and sustained realisation of children's rights. The psycho-social piece of ECCD is inevitably dealing with the sort of people we want our children to be and the kind of society we work towards – central to all of our work in education as a whole. The great strengths of quality ECCD programmes are their emphasis on developing children's understanding of their world and supporting the confidence, communication skills and flexibility they need to interact effectively with that world – dealing with real life changes, better able to obtain their rights and to be active, contributing members of society.

ECCD as a field has valuable experience to share, including effective strategies

for supporting young children in their development, supporting families, and what is of greatest interest to many primary level educators, helping to make schools readier for learners and learners readier for school. Furthermore, early childhood programmes can also benefit women and older siblings by freeing them from constant child care responsibility so they can learn and seek better employment and earnings.

Point 10: Fight poverty: invest in Children

Because children suffer the most from poverty, the fight against it must begin with them. This includes investing in social services that benefit the poorest children and their families, such as basic health care, **early childhood programmes** and primary education. At the same time, the well-being of children must be a priority objective of debt relief programmes, development assistance and government spending.

Point 10 lists only health care and primary education as solutions in the fight against poverty. By providing a 'fair start' to all children, it is possible to modify distressing socio-economic and gender-related inequities. The

unhealthy conditions and stress associated with poverty are accompanied by inequalities in early development and learning. These inequalities help to maintain or magnify existing economic and social inequalities. In a vicious cycle, children from families with few resources often fall quickly and progressively behind their more advantaged peers in their mental development and their readiness for school and life, and that gap is then increasingly difficult to close.

In summary, it is critical that we pay proper attention to young children's issues as well as those affecting older children. International trends (for example: migration; nuclear families; girls and women's heavy workloads; increasing school enrolments; HIV/AIDS; globalisation and dependence on cash economies that threaten women's decision-making control and insecurity; and so on) affect every aspect of young children's lives.

ECCD as central to a child rights strategy ensures a proactive approach in reducing exploitation (rather than just being reactive) by building families' and communities' sense of engagement with their children's rights from an early age,



Zimbabwe: Kushanda Project
photo: Paula Nimpuno

thus increasing the supportiveness of the environments in which children are growing up and reducing the number of children who need protection or rehabilitation projects. At the same time we are strengthening the abilities of children to have a say in their own futures.

It is essential that all who are involved in influencing the context in which children live, learn and grow – family members to international policy-makers – meet their obligations. This includes supporting the position of Early Childhood Care and

Development in the Global Movement for Children's Rallying Call and the final version of the Outcome Document 'A World Fit for Children' because Early Childhood Counts. ○

note

*The Consultative Group on Early Childhood Care and Development is a consortium of networks, donor agencies, private foundations, NGOs and its Secretariat, all working to improve and promote programming, policy-making and research related to young children and their families in the Majority World. Website: www.ecdgroup.com

In defence of the child in India

Sham Sunder Ads

Dr Sham Sunder Ads is President of the Committee for Legal Aid to the Poor (CLAP). In July 1998 CLAP initiated the Foundation-supported 'In defence of the child' project. The overall aim of the project is to ensure that the legal process and system are responsive to children's needs; and one important goal is to sensitise and educate key players involved in implementing child-related laws and policies. This article discusses a fundamental piece of work carried out by CLAP: a study of how well India's Constitution and child-related laws support children in securing their rights and entitlements, as set out in the Convention of the Rights of the Child (CRC). It also shows how this work identified areas of Indian law that needed attention; and shows how CLAP itself provided legal support to help bring about necessary changes.

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I wish you could realise that the destiny of our beloved land lies not in us, the parents, but in our children

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This message from the Father of the Indian Nation, Mahatma Gandhi, the apostle of non-violence, inspired our project 'In defence of the child'. The project focuses on children's rights, reinforcing their entitlements, and highlighting what is lacking. We organise campaigns to disseminate information about policies and legal

provisions relating to childcare and development, and to raise public awareness on the importance of civil registration. We also conduct grassroots-level surveys of children living under difficult circumstances, using the findings as tools in our advocacy work. Finally, we provide legal aid for cases that are of public interest.

Our goals are:

- to sensitise NGOs, the media, law enforcement instruments and policy makers on children's rights and, particularly, on primary education as a fundamental right;
- to make civil registration less complex;
- to ensure that laws that violate children's rights are amended;
- to prepare a Draft Uniform Child Code for consideration by the government;
- to make local authorities, children,

parents and civil society aware of the local government's role in the administration of childcare services and development;

- to take appropriate steps regarding the situation of children living in the most difficult circumstances; and
- to establish legal precedents through test cases in the courts.

One important element in our work has been to find out about provisions for children in the Constitution of India, and to examine the extent to which they

comply with the United Nations' Convention on the Rights of the Child. A Task Force consisting of jurists and advocates, undertook to collect acts, rules and regulations relevant for infants and children. These were set up in a matrix that related each to the relevant element in the CRC, and notes were added for future study and guidance. This helped greatly in demystifying the legal provisions for non-experts. To add to the body of information included in the matrix, we also conducted surveys in seven communities about the kinds of legal action that can be taken for infants and children. All of the outcomes of our work have been translated into the language of the region that we work in so that it is easily accessible to everyone.

Indian laws and the CRC

We cannot include a discussion of all of our work in this short article. Instead, we have focused on some of the most basic principles of the CRC, including: ensuring that terms such as 'child' and 'children' are properly defined; that each child has citizenship; that laws against exploitation are in place; that education is guaranteed; and so on.

What is a 'child'

CRC: The definition of 'child' is every human being below the age of 18 years, unless under the law applicable to the child, majority is attained earlier.

India: Many different terms and definitions are used in one or other of Indian laws. These include: 'minor and major', 'infant' (0-8), 'children' (up to 14, in most cases), 'juveniles' (all minors: boys up to 16; girls up to 18), 'adolescent' (14-18) and 'youths' (includes adolescent and beyond for certain purposes). One specific mention of child is about those under 14 not being allowed to work in factories, mines or any other hazardous employment. This fulfils the provisions of CRC in respect of 'minimum age or minimum ages for admission to employment'; and it is in line with an attempted uniformity in Indian law that aims to prohibit child labour.

CRC: It is recommended to establish a minimum age below which children shall be presumed not to have the capacity to infringe the Penal Law.

India: The Indian Penal Code has established this minimum age at seven or below. This is known as the age of

innocence. The time between eight and twelve years is known as the age of immaturity of understanding.

'Child' versus 'children'

CRC: There is an emphasis on the child as a member of a group, organisation or community. 'Child' in the singular sense is more appropriate to ensure the right against exploitation. In several Articles, the term child is the focus of concern and is recommended to be so. In recommendations about reducing early deaths, the Convention also recommends using the terms 'infant mortality' (children under one year); and 'child mortality' (children aged two to five). The plural use of the term – children – is used in a few cases. These include the following:

- improving the living conditions of the children.
- Combating illicit transfer and non-return of children abroad.
- Ensuring the development of institutions, facilities and services for the care of the children.
- Exchanging appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children.

- Ensuring that all segments of society, in particular the parents and children are informed and have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breast feeding, hygiene and environmental sanitation and the prevention of accidents.
- Taking all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.
- Preventing use of children in the illicit production and trafficking of drugs and psycho-tropic substances. Similarly, protecting children from the illicit use of narcotic drug and psycho-tropic substances.
- Developing measures to prevent exploitative use of children in prostitution and other unlawful practices.
- Developing measures to prevent exploitative use of children in pornographic performances and materials.
- Preventing the adoption of, sale of or traffic in children for any purpose or in any form.

India: from *Care of children in disadvantaged conditions*;
a research project by Alagappa University



- Developing measures for dealing with children without resorting to judicial proceedings, and so on.

India: In Indian law we found that, in general, the word 'children' implies that they have to be organised in groups, associations or communities or in some other way. The word 'child' appears but it is not clear that any distinctions are drawn between the two terms. In this it differs from the CRC. The principles of State policy towards children, as depicted in the Constitution, include the following.

- Positive discrimination in favour of children.
- Withdrawal/non-engagement of children in factories or mines, including hazardous occupations and processes or any other hazardous employment.
- Every child is a citizen and has the right to adequate means of livelihood without gender discrimination.
- Equal pay for equal work for children above 14 years, irrespective of gender.
- Children must not be forced by economic necessity to enter a vocation unsuited to their age, strength or state of health.
- Children should be able to develop healthily and in conditions of freedom and dignity.

- Free and compulsory education should be available to all children from birth to 14 years inclusive.
- Legal Aid should be available to children.

Birth and death

CRC: In Article Seven, the CRC declares that 'a child shall be registered immediately after birth'.

India: There are four different systems for registration of child birth: for children below 21 days; below one month but older than 21 days; above one month but below one year; and above one year. A large number of children end up not registered at all. The state of the world's children 2000 published by UNICEF, specifically mentions the importance of registration of birth for India, because India was one of those countries with fewer than 50 percent registration. UNICEF also pointed out that non-registration may increase the likelihood of children being denied access to basic services and miss out in health care and education.

Obtaining a name

CRC: Article Seven of the CRC also declares that a child 'shall have the right from birth to a name'.

India: Indian law permits as much as 14 years to register a child's name. In addition, traditions, customs and norms of some peoples – for example, the Bondas – mean that their children are not given a name until a certain time has elapsed after birth. Laws appear to be flexible enough to accommodate this.

Obtaining nationality/citizenship

CRC: In Article Seven, the CRC declares that a child 'shall have the right to acquire a nationality'.

India: The questions that we had to answer were about whether children legally have nationality in India; whether their citizenship can be established easily; and what documents they ought to have as evidence. Indian laws give citizenship to the children of Indian citizens. However, given the difficulties in registering births, the non-registration of births, and the long delays that can occur in registering names, the picture is not very satisfactory. Even when the birth of a child is registered, the Birth Registration form does not clearly state the child's nationality – and does not therefore provide evidence to show that the child is empowered as a citizen of India. CLAP is insisting that there must be some

kind of document to testify that, after a live birth, a child is a national of India, and is accepted as a citizen. While this is a matter of right, it is also of great practical importance in childhood and throughout life: some aspects of Indian laws apply only to citizens and only proper documentation will ensure that children can enjoy all their rights and privileges.

Education

CRC: Article 28 says that, 'States Parties recognise the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular, make primary education compulsory and available free to all'.

India: In Article 45 of the Constitution, there is provision for free and compulsory education for all children until they reach the age of 14. Birth Registration forms show the education of mother and father. When a mother and father are illiterate, their children are identified as 'First Generation Learners' – that is, the first generation in their families to receive education. More than 50 percent of Indian citizens have not attended the basic level of education promised by the State; and

we have found that, using the UNESCO definition, more than 90 percent of parents are functional illiterates. The children of such parents will not be able to get appropriate support for their education from their parents. In addition, a close analysis of early education shows that there are at least two streams. Those who are affluent and powerful are now opting for English-medium pre-primary education, nursery schools or Montessori schools for their children; poor people are resorting to the government-promoted lower primary school, where the medium used is Oriya. The division is very clear, as are its consequences.

Institutions, services and facilities

CRC: Articles 3 and 18, indicate that necessary institutions, services and facilities have to be ensured for children.

India: CLAP prepared a monograph showing the role of institutions in providing services and facilities, as set out in various Indian laws. This defined areas for action to ensure effective implementation of child related plans and programmes. Following on from this, CLAP provided legal support to

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Nalini, a girl and Goutam, a boy obtained their registration certificates with CLAP's intervention – but only after 67 days and 65 days respectively. Does this constitute 'registration immediately after birth?' This is apparently legal but CLAP is pursuing this matter to ensure that the provisions of CRC are reasonably honoured.

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bring about change in the following:

- a) Ensuring the registration of live births.
- b) Ensuring provision for the maintenance and custody of children.
- c) Bringing public interest group actions on behalf of children in similar situations. For instance, children approached CLAP to help their families resist eviction from government land, because this would greatly harm their education. CLAP was successful in having the evictions reviewed, thereby taking effective action in an area that is not normally linked directly to child rights.
- d) Banning illegal advertisements for baby foods.
- e) Establishing coordinated campaigning networks. For example, the Orissa Forum for Crèche, and Child Care Services (FORCES) was formed in collaboration with National FORCES. Together, we are conducting the 'Child First' campaign on education and awareness building.
- f) Coordinating action to ensure that disasters are responded to in line

with legal requirements. For example, the Disaster Response Services and Advocacy Cell was formed in the wake of the Super Cyclone in Orissa, to ensure that the Orissa Relief Code was adhered to and functioned as it should.

For the future

Following the adoption of the CRC in 1989, the World Summit for Children, held in New York, established 27 Survival and Development goals for children to be realised by the year 2000. India is a signatory to these goals and – as required – approved a National Plan of Action for Children in line with them. The 27 Goals are as follows.

1. Reduction of infant and under-five child mortality rates by one third, or to 50 and 70 per 1,000 live births, respectively, whichever is less.
2. Reduction of maternal mortality by half.
3. Reduction of severe and moderate malnutrition among under five children by half or 1990 levels.

4. Universal access to safe drinking water.
5. Universal access to sanitary means of the disposal of excreta.
6. Universal access to basic education and achievement of primary education by at least 80 percent of primary school age children through formal schooling or non – formal education of comparable learning standard, with the emphasis on reducing the current disparities between boys and girls.
7. Reduction of the adult illiteracy rate (the appropriate age group to be determined by each country) to at least half its 1990 level, with emphasis on female literacy.
8. Provide improvement in the protection of children in especially difficult circumstances, and tackle the root causes leading to such situations.
9. Special attention to the health and nutrition of the female child and to pregnant and lactating women.
10. Access by all couples to information and services to prevent pregnancies that are too early, too closely spaced, too late or too many.

11. Access by all pregnant women to prenatal care, trained attendants during childbirth and referral facilities for high risk pregnancies and obstetric emergencies.
12. Reduction of the rate of low birth weight (less than 2.5 kilograms) to less than 10 percent.
13. Reduction of iron deficiency anaemia in women by one third of 1990 levels.
14. Virtual elimination of iodine deficiency disorders.
15. Virtual elimination of Vitamin A deficiency and its consequences, including blindness.
16. Empowerment of all women to exclusively breast feed their children for four to six months and to continue breast feeding with complementary food for up to two years of age or beyond.
17. Growth promotion and its regular monitoring to be institutionalised in all countries by the end of the nineties.
18. Dissemination of knowledge and supporting services to increase food production and ensure household food security.

19. Global eradication of poliomyelitis by the year 2000.
20. Elimination of neonatal tetanus.
21. Reduction by 95 percent in measles deaths and reduction by 90 percent in measles cases compared to pre-immunisation levels by 1995 as a major step to the global eradication of measles.
22. Maintenance of high level of immunisation coverage (at least 90 percent of children under one year of age) against diphtheria, pertussis, tetanus, measles, poliomyelitis, tuberculosis and against tetanus for women of childbearing age.
23. Reduction by 50 percent in the deaths due to diarrhoea in children under the age of five years, and 25 percent reduction in the diarrhoea incidence rate.
24. Reduction by one third in the deaths due to acute respiratory infections in children under five years.
25. Elimination of guinea worm disease (dracunculiasis).
26. Expansion of early childhood development activities, including appropriate low – cost family and community-based interventions.
27. Increased acquisition by individuals and families of the knowledge, skills and values required for better living, made available through all educational channels, including the mass media, other forms of modern and traditional communications and social action, with effectiveness measured in terms of behavioural change.

Ten years on, these goals, and the Government of India's National Plan of Action for Children, provide a reference against which to measure what has been achieved in terms of policy and its implementation, how well it has been achieved, and what remains to be done. India is far from alone in failing to conform with all of the provisions of CRC. But progress is being made and we have found that there are many ways to influence – and help improve – policies and laws for children because the CRC exists. ○



Early childhood development programmes and children's rights

Caroline Arnold

The author is Regional Child Development Adviser (Asia) for Save the Children (USA and Norway). In this article she asserts the centrality of children's rights – and therefore the Convention on the Rights of the Child (CRC) – to early childhood development (ECD) and its programming. She therefore argues strongly for holistic ECD programming and against focusing solely on basic education, a restriction that would eliminate much of the potential of ECD programmes to directly support the aims and spirit of the CRC. Her article also reflects on what else the ECD community could and should be doing to ensure that the CRC does indeed help to shape programming for young children. To provide a practical example of what rights oriented ECD programming can mean, she surveys a qualitative study that was carried out in four villages in Nepal to discover how parents contribute to ensuring that the rights of their children are met.

ECD – an essential component in any child rights strategy

ECD programmes are about influencing the contexts in which children are growing up, including their families, communities, and local institutions such as schools, health centres, and so on. They are also about influencing the policies that help to create these contexts, and addressing the issues which slow down and damage children's development. Overall, the point is to ensure that contexts are supportive of children's development so that they

grow up healthy, well-nourished, protected from harm, with a sense of self-worth and identity, and enthusiasm and opportunities for learning; and that they learn to think for themselves, communicate effectively, get on with others, and play an active role in their families (and later their communities). Much of this relates directly to their rights. Indeed, it is true to say that ECD programmes are about children's rights and the obligations of the state and of all adults to protect the individual child and create the conditions in which all children can develop their potential.

This is quite different from a widely held perception of ECD as simply a piece of basic education (or which sometimes equates ECD only with preschools). ECD programmes are about opportunities for learning. But they are also about a far broader range of concerns. This holistic view of children's well-being, while by no means new, has been validated and encouraged by the CRC. The basic need for food, healthcare and protection has always been central to child-focused agencies' work and has been long embedded in government policies. It is

only more recently that these have been understood not just as needs but as rights (implying duties and obligations); and also only recently that the rights to affection, interaction, security, stimulation and opportunities for learning have been accepted as being just as fundamental.

Within the child rights framework, ECD programmes are called upon to occupy the very position which the best of them have already assumed as a responsibility for many years. With the impetus of the Convention, this



Nepal: Watering the plants
photo: D. McKenzie

interpretation of the role of ECD is increasingly being taken on board by many agencies and governments. But clearly there are still serious gaps in understanding here, as is evidenced by the endless frustrations many of us have had with the preparations and documents for the United Nations Special Session on Children. At the time of writing (June 2001), there almost seems to have been a relentless watering down of references to supporting young children's overall development in successive documents. Attention to young children's overall development as capable, confident and caring people is minimal, and the only piece that receives appropriate attention is survival and good health.

This treatment of ECD is inconsistent with the priorities of any child rights

agency, making it all the more imperative for the ECD community to think through how we can make our voice heard even more clearly in support for ECD as central to both education and to overall child rights strategies. The justification for this is based on two complementary perspectives:

- young children's rights must receive the same levels of attention as do those effecting older children. Too often agencies simply ignore this age group – which includes over one third of all children – or focus solely on survival. Yet international trends (migration, changes in nuclear families, heavy workloads of girls and women, increasing school enrolments, globalisation and dependence on the cash economy and resulting threats to women's decision-making control,

insecurity, and so on) affect every aspect of young children's lives.

- It can be done: a wide range of initiatives fall under the ECD umbrella - from working with families to changing systems that marginalise or exclude some children.

And there are proactive (rather than just reactive) approaches to helping to ensure young children's rights. Within these approaches, two essential components are:

- building families' and communities' sense of engagement with their children's rights from an early age, thus increasing the supportiveness of the environments in which children are growing up and reducing the number of children who need protection or rehabilitation projects; and
- strengthening children's own internal protection skills – building their confidence and capacity to have a say in their futures, so they are more able to assess situations, question, come up with alternatives, and so on.

Strengthening ECD programming for children's rights

To be effective, the unusually holistic nature of ECD programmes has to be protected from tendencies to play down the very aspects which have the most significance for a long-term shift in social norms for ensuring children's rights. Clearly children's health and nutrition are central concerns but so are the psycho-social aspects and these must not be neglected. This is because it is the psycho-social aspects of children's development that have the most significance for long-term social change and for the sustained realisation of children's rights. That means that ECD is inevitably dealing with the sort of people we want our children to become and the sort of society we work towards – something that is central to all of our work in education as a whole. In practical terms, the great strength of quality ECD programmes is their emphasis on developing children's understanding of their world, and supporting the confidence, communication skills and flexibility they need to interact effectively with that world. These are the capacities that have the greatest significance in

enabling children, as they grow up, to deal with real life challenges; be better able to obtain their rights; and be active, contributing members of society – all of which are essential if we expect children to grow up able to contribute to major change in society.

The statements above obviously apply to the best of what we do to support children's development whatever age they are. But they have a special importance for young children: it is during the earliest years that our basic sense of ourselves and our relationship

to the world is established. Patterns are established at this time that have far-reaching implications.

the other. This synergism between different aspects of children's development means that holistic approaches are vital – even where programmes are not concerned with the 'whole child' but, instead, have specific educational or physical goals. Of great importance here in ECD terms is the fact that the younger the child, the more difficult it is to differentiate between the relative importance of physiological and psychological factors.

Difficulties can arise in agencies where there are strong sectoral divisions rather

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Early education is not expected to be delivered primarily in formal settings, nor is that necessary. Instead the emphasis has to be on approaches which recognise, respect and build on families' achievements.

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to the world is established. Patterns are established at this time that have far-reaching implications.

In addition, we have recently begun to understand the importance of the two-way, interactive relationship between nutritional status and health on the one hand, and psycho-social well-being on

than a more holistic rights-based approach. Experience in almost every agency confirms that educationalists always include a concern for children's health and nutrition when planning interventions for young children. On the other hand, health personnel do not always reciprocate, favouring a medical worldview rather than a human

development/social justice framework. An over-emphasis on physical status can also happen because, by its very nature, progress in the area of children's psycho-social development is more complex to assess, whereas weight or completion of immunisation schedules are easy to measure. This issue of measuring achievements in supporting young children's overall development using a broader rights-based framework and giving due attention to all aspects of both children's development and how adults are meeting their obligations is an area where promising work is being undertaken under the auspices of the Consultative Group on Early Childhood Care and Development.

Other difficulties in holding a holistic approach to ECD programming centre on an over-concern with school. This has two sides. The first is that learning begins at birth and that we learn faster during the earliest years than at any other time, and that most learning during the earliest years occurs in homes and should continue to do so. Early education is not expected to be delivered primarily in formal settings, nor is that necessary. Instead the emphasis has to be on approaches

which recognise, respect and build on families' achievements. The need then is to recognise that families face very real constraints, and to ensure that they get the support that they and their communities need to strengthen their abilities to aid their children's overall development and ensure their rights.

The second side to an over-concern with school in ECD programmes is to do with what is perceived to be the right kind of preparation for achievement in the formal school system. Here there is often a tendency to take a mechanistic approach that relates to future academic success, and this is coupled with the erroneous idea that children are more or less passive recipients of knowledge. At its worst, it can mean that formal school approaches trickle down into and replace developmentally rich ECD approaches. Taking this line is to deny that young children are creative, proactive agents in their own learning who acquire, develop and use new skills readily and use them naturally in ways that enrich their own development. The need is to build on such attributes so that the child can develop fully, rather than crush the children or reduce them to mere tools in the

realisation of inappropriately restricted objectives.

Conclusion

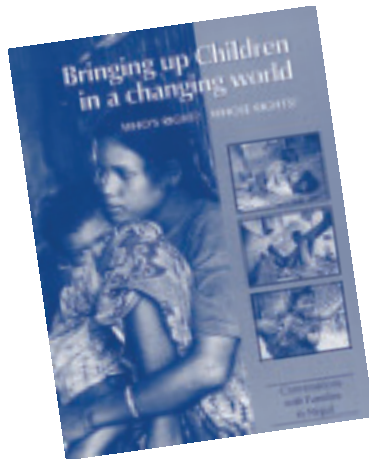
Until relatively recently, much of the discussion around children's rights tended to focus on legal frameworks, policy decisions and so on. This remains centrally important: the CRC is legally binding for States and it has ensured that appropriate attention has been paid to government policies and initiatives. However, we are increasingly aware of the necessity, within a rights perspective, to concern ourselves within all the contexts in which children live. Quite simply, there are moral obligations to children that extend throughout societies that long preceded any treaty: children's rights are about the obligations of all adults to protect the best interests of children, and to create the conditions under which they can develop and thrive.

The best of children's programmes worldwide are essentially an integrated set of actions for making a reality of children's rights. They are concerned with the whole child and support children's physical, intellectual, social

and emotional development whether they are four months or fourteen years old. An interconnecting thread in the best of ECD programmes across different agencies is an emphasis on enhancing children's sense of self-worth and initiative, their opportunities for learning, their compassion, and their communication and problem-solving skills.

The CRC is not a rigid set of universal solutions. One of the great challenges for the ECD community is to enable families, teachers and peers to equip children for a rapidly changing world while retaining a sense of values and cultural identity. But, they also have to simultaneously help children to grow up healthy and able to deal with the challenges of their lives. A second challenge is to ensure that duty bearers at all levels (from family members to international policy-makers) meet their obligations. To do this, it will be vital to give far more attention to developing effective participatory methods for initiating discussion and dialogue on key children's issues, and on the interpretation and negotiation necessary for the internalisation of the Convention's core principles. ○

Bringing up children in a changing world:



Who's Right? Whose Rights? Conversations with families in Nepal

Bringing up children in a changing world: Who's Right? Whose Rights?

Conversations with families in Nepal is a systematic description and analysis of how an indigenous culture raises its children. Perhaps uniquely, the childrearing study from which it is drawn was set in a child rights framework. The study took place in four villages in Nepal and was a joint initiative of the Save the Children Alliance; UNICEF; Seto Gurans National Child Development Services; City University of New York's Children's Environments Research Group; Tribhuvan University's Research Centre for Educational Innovation and Development; BASE; NNSWA; Bal Bika Samaj Sudar Kendra; and SAC.*

The intent of the study was to highlight families' frontline roles in ensuring children's rights and that meant working closely with the families and proceeding with a clear understanding of their concerns. It was a qualitative study that looked at how families seek to ensure that their children grow up healthy, with enough to eat, and protected from harm; how families support their children's developing identities and their opportunities for learning; and how they encourage their capacity to get along with others and to participate in and contribute to their

families and communities. In other words, all the areas of development which concern both early childhood and many broad-based development programmes, and in many of the areas that contribute to the establishing and upholding of children's rights. It was concerned with the beliefs and practices of families, considering their hopes and expectations for their children, as well as their concerns and frustrations and constraints. It also considered the different expectations that families have for their sons and daughters, and the effects that these expectations have on

what they do with and for their children.

The study had three specific goals:

1. to encourage approaches to ECD programming that build on the strengths, traditions, achievements and resourcefulness of families and communities;
2. to develop effective participatory methods for initiating discussion and dialogue with parents and other caregivers on key issues for young children; and
3. to expand the shared knowledge base

for stronger programming which can be responsive to both local values and rapid social change.

And it had a number of specific perspectives:

- it took a comprehensive look at children's lives in four villages;
- it highlighted families' frontline role in defending and managing children's rights;
- it highlighted families' perspectives and their achievements as well as constraints;
- it concerned itself with change and

- how families deal with this;
- it used a highly participatory methodology – and an emphasis on developing methods for getting into genuinely collaborative dialogue with families and communities;
- it used a practical child rights framework for the analysis;
- it emphasised the importance of attention to, and action at, all levels as the broader social and economic realities are so important in shaping how families operate;
- it was concerned with the whole child; and
- it considered implications for overall policy and programme planning.

Given its goals and its areas of interest, the study naturally made use of approaches based on participatory learning and action (PLA), to which were added ethnographic interviews and observation. To make all of that possible, methods were developed to facilitate collaborative dialogue around key issues for children as the basis for joint planning. These methods are being compiled into a toolkit.

In terms of its relation to the CRC, the study was not constantly cross-

referenced to CRC articles. Rather it held close to the spirit of the Convention and the ways in which most parents – all around the world – articulate their concerns for their children. In this, it reflected the CRC's clear support of the family as the 'fundamental group of society and natural environment for the growth and well-being of children' that 'should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community'.

Revelations from the study

The study revealed the vital contributions that ECD programmes make in ensuring that young children's rights are established from an early age, showing that they can be developed and supported by and through many of the everyday practices within the family and community. In this it highlights the fact that many child development programmes around the world fail to recognise and respect families' and communities' achievements and resourcefulness generally in raising their children. It also highlights the fact that many programmes are message driven and ignore or devalue what families are

saying. Overall, the study confirms that family, community and culture are the heart of Nepal. Nepalese of all castes and ethnic groups have accumulated knowledge and developed a conventional wisdom as to what is best for their children. Of course, there are issues that need to be addressed – practices that may actually be harmful, for example. But tapping into the family and cultural stream in which children are nurtured is essential.

What emerged generally was that patterns of early care and the traits that parents continue to describe as ideals for their children are still those that are associated with a conservative agrarian life style: compliance, cooperation and respect. But that these are changing as a range of livelihood strategies are increasingly being drawn on to supplement traditional activities. Even so, many of these long-valued traits continue to be functional, and children gain many of the skills that will help them succeed in life. In addition, specific rights are reinforced – for example, an emphasis on cooperation in the community instils a sense of belonging; while respecting and learning from elders as the chief

repositories of significant knowledge helps children to develop their sense of identity.

Everyday experiences with parents and the right to learn

The study shows that children's learning merges imperceptibly into the life-tasks and everyday events of village life; and that young children in all of the villages spend much of their day engrossed in various forms of play, something that most parents and other caregivers recognise as important for their development. It also makes clear that there is a richness of the environment even in the poorest homes that is often overlooked. Young children in these villages have:

- the experience of a stimulating social environment with multiple caregivers and peers, and the opportunity to interact with and learn from many different people;
- opportunities to interact with a wide variety of natural materials and to engage naturally in activities that formal ECD centres in affluent countries set up in special corners;
- the chance to learn through a wealth of daily activities, such as washing,

dressings, mealtimes, as well as involvement in work activities such as cooking, cleaning up, collecting water and animal food. Although curiosity, initiative, independent thinking and decision-making may not be explicitly valued in these villages in the same way that compliance and respect are, there is in fact much that supports these qualities in the everyday routines that children are part of.

The following examples illustrate some of the learning opportunities that parents developed in these environments.

Learning about different kinds of fish
Manno Chaudury, aged 22, is the mother of four. Her husband works as a labourer and returns home only briefly every few days. She was observed to have exceptional interaction with her children in spite of her very busy schedule, was very patient with her children and took a lot of interest in what they were doing.

One day she returned from fishing and the children ran to her excitedly, crying

‘Mother has come! Mother has come!’ They were all jumping up at her, except baby Suresh who was being carried by his seven-year-old sister Laxmi. Manno smiled at them and asked six-year-old Sunday to bring a large flat dish for the fish that she had just collected. She emptied out the fish and Sunday started sorting them out. He tried to keep the others away at first so he could see all the fish himself. But then Manno sat down next to the dish and all the other children sat around in a circle.

There were many fish of different types and four year old Dinesh looked at them with great interest and asked the names of each one. Manno told them one by one what they were and started to sort them out into piles – there were prawns, flat fish and crabs. The children helped her and discussed the size of the fish, and which ones they liked to eat most.

Two big crabs started moving and Dinesh backed away, frightened. Sunday said ‘No need to be scared. It won’t do anything. See!’ He held up one of the crabs to show that it would not bite. Manno took four small crabs from the

dish and said ‘These are small ones – one each for you to play with’. The small crabs were moving and again Dinesh was scared. Manno said ‘Look you can touch it’, touched it herself and then took Dinesh’s hand and touched it with him. Dinesh seemed quite confident so Sunday put a small crab on the palm of Dinesh’s hand. The crab started moving and Dinesh laughed. The children played crab races and later ate one of the big crabs which Sunday helped Manno roast.

Infant learning: Dankumari’s morning in Koldanda

Early in the morning nine month old Dankumari is being breastfed by her mother out on the porch. There are numerous breaks in the feeding as her mother talks and smiles at her, getting a laugh from the baby and laughing, talking in return. After the feeding she ties the baby to her back while she tends the animals. Dankumari is tied on quite loosely, so that she is able to pull herself over to the side and peer under her mother’s arm, watching as she feeds the goats. Then when her mother squats to scrub a large copper pot, the baby’s legs are able to reach the ground, and she

flexes them up and down as she reaches for stones on the ground, and watches what her mother is doing.

Later, while her mother is away washing clothes, Dankumari sits on the porch on some rags, playing with a set of keys. Nearby in the yard, her father is weaving, with four-year-old Som by his side. When Dankumari is bored with the keys, Som passes her some coloured rags to play with. Various children, her own siblings and neighbours, take turns holding and amusing her. Indra, her 8-year-old brother, back from cutting fodder, and two neighbour children, put her in her hammock and play with her there, bouncing her while she laughs loudly. Her mother, passing by from fetching water, reminds them not to overexcite Dankumari. When the boys go back to work again, a small girl from next door takes over, standing the baby in the doorway where she can hold on to the threshold and move herself around. After a while, her mother picks her up and takes her into the house to clean her up, and then she sits on her father’s lap while he takes a break from weaving.

Through these simple interactions Dankumari has the chance to learn a lot – about human relations and mutual exchange, and about language. In her activities she practises her physical skills, explores with her feet, hands and eyes, and manipulates objects, learning in the process about colour, shape and texture.

The joy of achieving

One day, while his mother was rolling out dough to make bread, three-year-old Suresh, as usual, sat very close to her. She gave him some dough to play with and Suresh made a long 'rope' using both his hands.

His mother asked what it was and he replied that it was a snake. She asked him to make another one and then told him to put it in the fire to cook. He did this very carefully and then asked his mother to make him a frog. She agreed that she would once she had finished making the bread. She took his 'snake' out of the fire and he ate it as soon as it was cool enough. While she made the frog she let Suresh use the board and rolling pin, to his great delight. This is an excellent example of a busy

mother managing her household chores while providing her son with some exciting learning opportunities, encouragement and a sense of achievement.

The chance to experiment

A five-year-old girl in Jahbahi was sitting with her mother, watching her make a basket. The mother went inside to the kitchen, so the little girl picked up the basket, took the needle out and started trying to weave it. Her mother came back and said, laughing 'Eh! You're spoiling my basket'. She then made a small basket base and said, 'First you put the needle like this, then this...', while showing her daughter what to do. Then gave it to her to try herself.

These examples show that some caregivers seem quite consciously to affirm and maximise the potential for active learning and problem solving. For other parents, it is a matter of becoming more aware of the advantages in an expanded repertoire for children, so that opportunities are more systematically supported. Generally, the study revealed that parents' primary



interest in teaching their children revolves around work skills. Girls are taught household tasks and boys outside work. In all communities they are encouraged to learn by doing. There is a recognition that children will make mistakes and that in fact they also learn through these. A small girl is encouraged to sweep by her mother even if she makes a mess of it. Children start helping pluck rice plants for transplanting before they can do it properly – all so that they will learn by doing. Most parents emphasise encouragement and reward as learning tools, although punishment for poor work was also observed.

Missed opportunities and constraints

There is a great deal of variation in the extent to which parents and other caregivers take advantage of everyday opportunities, either consciously or unconsciously

Some parents were clear in their understanding of their role in helping children learn. Others do involve children in everyday chores. Still others may ignore a window of opportunity for teaching entirely, unaware of the value of what they have to offer.

Poverty often forces repetitive, routine behaviour with verbalisation reduced to a minimum. Curiosity, questioning, creativity, experimenting, discovering may well be discouraged.

However, parents respond with enthusiasm to discussion of the issue. They want support and advice and make it clear that they feel bewildered and inadequate in many ways. A good example is their sense that their children's shyness prevents them from making full use of their teachers or of people and opportunities from outside.

Workloads can result in children being left alone for long periods – especially during peak seasons.

Babies and young children may be left for long periods, or left in the care of four or five year olds. There are some opportunities for play and learning, but without the occasional intervention of a guiding adult these may end up being limiting for both the older and younger child.

Safe but frustrated.

Manisha, aged four years, had been left in her cradle (a piece of cloth tied between two poles by ropes). While her parents were out at work, she screamed

continuously, but although the neighbours were nearby, nobody came to see what was happening. Her grandfather was in his workshop about 50 metres away. He was in the middle of his ironwork and could not leave it, although he could hear her screaming. He said 'She will cry and cry and then eventually she will get tired of crying, keep quiet and sleep'. He finally came to see her, when he came to get some food for himself. By that time she had fallen asleep again, so he went back to his work. She was left on her own for about 2 hours, restricted in her movement, unable to see beyond the end of her nose.

The connections between learning and overall health status may be a cause for concern.

Children are active learners, and can be effective in stimulating the interactions they require for learning. But the connections between children's interest in learning and their general health and nutritional status implies a particular responsibility on the part of parents.

Conclusions

The CRC recognises children's right to a standard of living adequate for their full

development – physical, mental, spiritual, moral and social. It gives parents primary responsibility for ensuring this right, with all its implications for children's learning in different areas (Article 27). In addition it specifies children's right to formal education (Article 28), and identifies learning's basic aims: to develop children's full potential, to prepare them for responsible life in a free society, and to ensure respect for others and for the environment. Overall, *Bringing up children in a changing world: Who's Right? Whose Rights? Conversations with families in Nepal*, demonstrates how parents, in very practical and natural ways, can make the first of many of the most significant contributions to making these CRC aspirations real. ○

* Arnold C, Bartlett S, Hill J, Khatiwada and Sapkota P *Bringing up children in a changing world: Who's Right? Whose Rights? Conversations with families in Nepal* (2000); Save the Children/UNICEF
Further details can be obtained from:

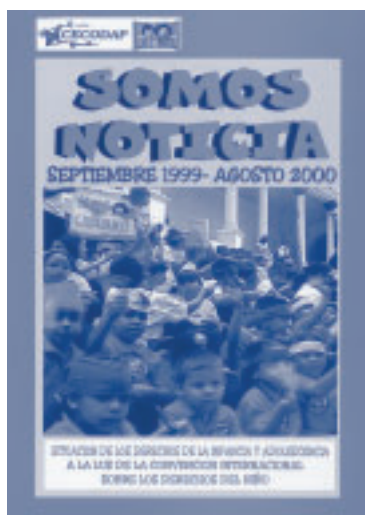
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The participation of children in Venezuela: advances and challenges

Soraya Medina

The author is Coordinator of the 'Participation of children and adolescents' project of Centros Comunitarios de Aprendizaje (CECODAP). CECODAP has a long record of successfully developing processes to enable children to come together, explore and discuss matters that concern them, and go on to develop activities that allow their voices to be heard and their actions to make a difference. In this article, she discusses the CECODAP-initiated democratic processes that led to the establishment of children's organisations and shows how these organisations impacted directly on the drafting of new legislation about child rights in Venezuela.

Venezuela: Somos Noticia
periodical from CECODAP project



The participation of children in our society continues to be a challenge 11 years since the Convention on the Rights of the Child, and its subsequent ratification by the majority of countries in the world. After more than a decade, we still have to ask ourselves how many more years have to pass before children attain their rightful place in society, properly recognised as a group of people who feel, think, act and must be taken into account. Here in Venezuela, even though there have been advances in incorporating the rights of children into law, the culture is still of repression and maltreatment. Marginalisation and exclusion are also obvious in their

everyday lives – within many families, within schools, and within all of those spaces where they are denied opportunities to express their ideas, put together proposals and contribute to determining solutions to the problems that affect them.

The participation of children: an ethical perspective

Venezuela is in the middle of one of the worst crises that our country has suffered in recent years: the increase in poverty; unemployment; the break up of families; the loss of values; and so on. In these circumstances, it may seem

paradoxical to talk about the participation of children. But, in such times, we have to include those who are most affected, otherwise the solutions that we come up with will only address some of the problems. Historically, slaves, women, black people and indigenous peoples have all been involved in the struggle for their rights, so why not children?

Alejandro Cusianovich, citing Crowley, says 'participation is the key right, the right facilitator ... to ensure the fulfilment of all other rights'. He affirms that 'it is not simply a way of reaching an end, nor just a process: it is a basic

Why promote the participation of children?

- to make public the experiences, views, opinions and ideas of children and young people, in defence of their rights;
- to bring children and adolescents directly into contact with those in authority to ensure that the proposals that they make are valued, supported and properly responded to;
- to develop an environment in which the rights of children and adolescents are respected and guaranteed in their totality by all;
- to offer opportunities for children and adolescents – representing in our case: educational institutions; ethnic groups; children in homes; child workers' centres; disabled young people; ecological, musical and sporting groups; children under eight years of age; and so on – to analyse, discuss together the problems that affect them and, especially, to make sure that their support for a society without violence is heard.

civil and political right for all children and, because of this, is an end in itself'. In conclusion, he says 'Participation has to be respected not only as a goal but as a strategy to reach other goals'. In addition, it must be seen as a universal principle of socialisation and democratisation, as something that human beings need to strengthen their personality, their sense of belonging, and their responsibility for themselves and for others.

But the analyses that we have made in CECODAP show that children remain hidden, and that our society is accustomed to look at their problems through adult eyes. It does not put itself in their shoes and understand that they want to express opinions; and it does not recognise that they feel they have interesting ideas to contribute that count for as much as those of adults. So thousands of children remain

muzzled while adults continue to marginalise and exclude them because they are convinced that they are incapable of participation, believing that they, the adults, know what is right and have the solutions to all the problems. This is neither efficient nor ethical, not is it true to the principles and spirit of the CRC.

Participation in national debates and decision-making

Obviously participation has to be progressive, in line with the stage of development that children have reached. From there, we in CECODAP believe that the need is to look in depth at the practical realities of children by working with them in their homes, in their schools, in their communities and in the places where decisions about them are taken. With this in mind, CECODAP, in collaboration with government and non-governmental organisations, has

carried through a number of actions that allow children to show that they can participate as social actors. These actions include appropriate training programmes with and through teachers in the schools. Overall, our aim was to develop a new model of participation.

These actions resulted in the development of Children's and Adolescents' Parliaments (later called Regional and National Assemblies of Children and Juveniles); and the participation of children in the media. Participating children come from the popular sector, from schools, from care homes, from their work places, and from special and initial education centres. In the Parliaments/Assemblies, they express their opinions and experiences – for example, about problems that they are facing – and discuss and agree on proposals to bring about improvements. They also make a

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It occurs to us that the recognition of the child as the subject of rights and also as a social subject, should be given the same historical importance at the beginning of the 21st century as did, at their time and in their way, the movements to overcome slavery, racism and the marginalisation of women. (Jaime Jesus Perez)

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commitment to promote actions in their centres that will lead to planning with adults about matters that affect them there. A Directorate also maintains contacts with local authorities in order to contribute to policies on childhood. However, it is important to understand that these processes are in the initial stages – at least as far as adults are concerned: some respect the ideas that children and adolescents are bringing forward and incorporate them in their planning; some don't recognise that children can make important contributions; some are still learning to listen.

The first Children's and Adolescents' Parliament was held in 1995 and focused on how Venezuela's political realities measured up to the principles of the Convention on the Rights of the Child (CRC). The second was held in 1996 and delegates debated reform of the Tutoring of Minors law. Because of the delegates' abilities, processes were

launched that resulted in the law being brought into line with the principles of the CRC. In 1997, the third Parliament had a date with the Congress of the Republic of Venezuela. Here delegates delivered their final observations on the proposed Law for the Protection of Children and Adolescents (now passed and in force) that was about to be discussed by the Venezuela Parliament. In 1998, the fourth Parliament reflected on 'The democracy we have and the democracy we want'. This was another demonstration that they saw themselves as subjects with rights and citizens who were making their contribution to society.

1999 saw many transformations in our country. Among these was the creation of a special body to reform Venezuela's National Constitution. The children and adolescents of the country needed to be heard so, from January 1999, they began to create Assemblies of Children and Juveniles to prepare opinions to

express in the national debate. Their objective was to ensure that the rights proposed in the Law for the Protection of Children and Adolescents were actually incorporated in Venezuela's new National Constitution. In a national Children's and Juveniles' Constitutional Assembly that was drawn from the existing assemblies, constituents discussed and put together a body of proposals based on the CRC. They then brought this to the body that was drafting a new Constitution for Venezuela. In doing so, they built on the fact that Venezuela is one of the few countries that has changed its legislation in response to what the CRC requires (the Law for the Protection of Children and Adolescents mentioned above). The input from the Constitutional Assembly helped to determine the wording in an article in the new National Constitution that is specifically for children and adolescents. The new article says in part:

Children and adolescents are full citizens as of right and will be protected by legislation, organs of state and specialised tribunals. These will all respect, guarantee and develop the contents of the Constitution, the law, the CRC and other international treaties that have been accepted and ratified by the Republic of Venezuela. The State, families and society will assure, with absolute priority, total protection taking into account the overriding



Venezuela: *Derechos a mi medida*
CECODAP project
Photo: Soraya Medida

Three major challenges to participation

One of the biggest challenges is the vertical nature of educational institutions and the education system generally. These are both based on power games, where adults believe that they hold the truth and the solutions to all situations. The result is one-way education in which students are passive and have few ideas to express their ideas; and where the long-term effect on students is frustration and desertion.

A second major challenge is the culture in which children – especially those under eight – remain objects taught by adults. They are seen as incapable and are therefore given few opportunities to express themselves, and this is especially true in the home where ‘when adults are talking, children have to shut up’.

A third major challenge is to ensure that state institutions continue to open up spaces in which children and adolescents can participate and express their opinions on matters that are of interest to them. The need is to turn law into reality across the whole country – something that is made easier by the kinds of successes that this article has considered.

Venezuela: *Derechos a mi medida*
CECODAP project
Photo: Soraya Medida



interest of children. The State will promote the progressive incorporation of children into citizenship and create a national system for the complete protection of children [...] Every person under eighteen is a subject with full rights that ensure their complete protection, paying due regard to their priorities and interests.

(National Constitution of the Republic of Venezuela, Article 78)

As well as having helped to ensure that they were established in law as

full subjects who enjoy all the many rights of any other citizen, children and adolescents have also opened up public arenas that were reserved for adults just a short time ago.

The contribution of young children to debates and decision-making

Several children under eight were part of a group of children and adolescents that attended a meeting in the National Assembly to put forward their views and thereby influence the drafting of Article 78. One of these was David who, as the session was drawing to a close, insisted on speaking directly to the President of the body that was drafting the new Constitution:

Sir, remember that we are here to defend our rights; you must not forget anything that we have told you; you have to keep your promises.

He, like all the other children who participated in this children's movement, had enjoyed opportunities to express himself. He could also count on the support of adults close to him who had given him the confidence of knowing that his opinions would be heard and would be taken into account.

In some municipalities in Venezuela, preschool children (between five and eight years) have put together proposals about situations and realities that affect them. One major concern is violence of whatever sort, whether it occurs in their homes, in their schools, or in their communities.

Following discussions in small groups between themselves, they presented their ideas. In general, the authorities were surprised at the capacity of the children to express themselves. Just as important, they

also realised that children were part of the solutions to the problems, rather than part of the problems.

But the authorities also felt that the opinions that the children put forward were simply the ideas of the adults who had worked with them. Of course there is a real danger that children can pick up the ideas of adults and repeat them. We are also very aware that young children can easily be manipulated, and can be made to say things in public that adults could not say. The answer is to keep both intention and process right.

Helping young children to participate

In their own ways, and in ways that are appropriate for their stage of development, young children are participating, especially in settings where they don't feel intimidated and where they see that their contributions are respected. The starting point is the places they normally frequent, the

places in which they are becoming citizens with rights. Here, the teachers or leaders lay the foundations by acquiring respect for children and showing it, and by establishing an environment in which values such as solidarity, responsibility and cooperation are basic. At the same time, they provide the space and time necessary. Within that environment, adults can provide opportunities for children to express their opinions – for example, by showing that they agree or disagree with the adults.

From this base, activities can be planned that allow young children to interact with their surrounding realities and to become aware of the situations in which they live. In essence, activities are designed to enable children to reflect and to construct ideas with the maximum possible clarity. To do this, adults take a participative approach, using, for example, games that promote self-expression and creativity.

Two examples show what young children are capable of.

The President must talk with a man I know who has a lot of money so he can give a house to a child who is living on the street. (girl of five)

Why doesn't CECODAP tour the city and collect up all the children who live on the streets and put them in a big house?

But we, the adults, have to remember that these children are expressing themselves from their own understandings of the world, after – in their own ways – acting, understanding, conceptualising and coming up with proposals to counter problems that they feel. We may find their proposals absurd if we try to place them in the logical/social structure that we have already built to deal with the problem. But instead, we have to let them construct their own world. After all, aren't they telling us of a better world

for children? Aren't they allowing us to see that world? Creativity and self-expression in all its forms – drawings, talking, acting, and so on – come naturally to young children and through them they can express to us what they are feeling and thinking, as long as we can ignore the stereotypical concepts that we often apply to what they tell us. What could happen if we allowed them to act as themselves and express themselves a little more, without imposing our prejudices?

The lesson we have learned is that we need to call a halt in the educational process that calls on teachers to simply teach; and we need to change our attitudes too. We actually like children to think, speak and act in ways that we feel are correct – and when they do not, it leaves us weak, unsettled and disordered. ○

We are also human beings: a guide to children's rights in Zimbabwe

Practical ways to introduce young children to their rights

*This article consists of a selection of practical exercises for children that introduce them to their rights and help them to promote these. It is drawn from **We are also human beings: a guide to children's rights in Zimbabwe**, produced for UNICEF by the African Community Publishing and Development Trust (ACPDT) through the community publishing process with about 500 children in Zimbabwe. In the community publishing process, learners develop their confidence, creativity and skills by assisting in the design of their own learning materials. Children/young people aged from 3 to 18 years contributed from all provinces of Zimbabwe.*



The purpose of the book is to inform, persuade and educate children and adults regarding the issue of children's rights, and in so doing encourage and motivate them to promote children's rights in Zimbabwe. It is essentially a practical manual for direct work with children and adults that includes many practical exercises. Although designed for children from 10 to 17 years, many of its approaches and ideas also seem useful for younger

children too, perhaps in cooperation with older children and adults.

A companion publication called *A reference guide to the Convention on the Rights of the Child (CRC) and its implementation in Zimbabwe* is designed to be used in conjunction with *We are also human beings: a guide to children's rights in Zimbabwe*. More information about each is available from UNICEF. ○

1: Activities to introduce children to their rights and responsibilities

Girls, boys, dolls and puppets

1. Children collect materials suitable for making dolls or puppets, e.g. old socks, cloth, wool, string, wire, card, wood, seeds, dried leaves, etc.
2. Each child makes a doll or puppet.
3. Children display their dolls and puppets.
4. They discuss, with the help of an older child or adult, the following questions:
 - What is the difference between a child and a doll or puppet?
 - Why should children be treated differently from things?
 - How do children want to be treated:
 - by adults?
 - by other children?

Purpose of this activity

To help children understand that they are human beings – that is, active, thinking, creative people who should be treated with respect and who should treat others with respect.

Small is beautiful

1. Children hunt for beautiful, small objects, eg a coloured stone, a shell, a bead, a flower.
2. They make a display of what they have collected.
3. Then they make up a poem together, called 'small is beautiful' which should end with some lines about the beauty and value of children as small people.

Purpose of this activity

To help them recognise their own value.

Our pride in ourselves

1. Children divide into pairs (made up of friends)
2. Each pair is given crayons or chalk and a piece of paper or card, as large as a child. If paper is not available, find an old wall or floor where children can draw with chalk.
3. One child lies down on the paper, or against a wall, while the other child draws around him/her. Then they change roles.
4. Each child decorates his/her picture, to make it a self portrait (a picture of themselves), writes his/her name, and inside the drawing writes or draws the talents, abilities and achievements that the child is most proud of. If a child finds it difficult to list his/her talents and abilities, the friend can assist.
5. Then all the children look at a display of the big drawings they did, which show their pride in themselves.

Purpose of this activity

To increase children's confidence, and sense of their own value.

Secret admirer

1. Each child writes down his/her name on a small piece of paper, and then folds it.
2. The names (pieces of paper) are mixed in a hat or bag and each child takes a piece of paper, but does not show or tell anyone what name is on it.

3. Each child is instructed to become a secret admirer of the child named on the piece of paper. That means for a day, week or month (the children can decide for how long), the secret admirer quietly helps and encourages this special friend.
4. There's a discussion (at the end of the agreed period) about:
 - Who did you think your secret admirer was?
 - Did you enjoy being a secret admirer?
 - If we treat a person as a special friend, how will that person treat us?
 - Are there children in our area that we do not play with, who could become our special friends in the future if we treated them with affection and respect?

Purpose of this activity

To encourage children to treat other children well, and to widen their circle of friends.

2: An activity to introduce children's right to development

Changing faces

1. Children are encouraged to collect waste materials suitable for making hats and masks.
2. They are asked to transform their faces by creating home made hats, masks and even beards and wigs so that it becomes impossible to recognise them.
3. Children invite other children and adults to

see their display of 'changing faces', and they line up behind a curtain or wall, with only their decorated faces showing, to see if the audience can recognise who is who.

4. Later, they can make up plays and games using their hats and masks.

Purpose of this activity

To encourage children to be more creative and play more imaginatively.

3: Activities to introduce children to their right to participation

Freeze

1. One lively child is chosen to lead the other children, out of doors.
2. The leader moves as strangely and unpredictably as possible e.g. marching, hopping, skipping, taking huge strides, dancing on tiptoe, and moving hands and arms in imaginative ways.
3. Children in the line try to follow the leader exactly.
4. Every now and again, the leader shouts "Freeze!" and the children have to stop moving immediately, keeping the position they were last in.
5. After about ten minutes, another child can take over as leader.
6. There is a discussion based on the following questions:
 - How did you enjoy the game?

- To what extent do you children have to follow adults in everyday life?
- When is it important to follow adults, and obey them?
- Should adults always be obeyed?
- When is it important for children to think for themselves and make their own decisions?

Purpose of this activity

To encourage children to be creative and play more imaginatively

Chaos into order

Children run around outdoors playing 'catch'. If a child catches another, these two children have to hold hands as they run and try to catch other children. Eventually the lines of children who have caught each other and are holding hands gets bigger and when the last children catch each other and hold hands, a circle is formed. Children can dance in the circle and can make up or be led in songs about their rights.

There is a discussion covering:

- How did you enjoy the game?
- Why can an organised group of children achieve more than scattered individual children?
- How can we organise ourselves better as children to promote our rights?

Purpose of this activity

To encourage children to organise in order to strengthen their position.

Australia:

children explore their rights through art

Barbara Piscitelli & Felicity McArdle

The authors are from the School of Early Childhood, Faculty of Education, Queensland University of Technology. In this article, they discuss work that helped children to reveal their ideas about their rights through art. The work covered both the joyful and the sober sides of children's perceptions and – sometimes more significantly – their realities; and it produced some potent and graphic images. The article concludes with a set of five practical lessons that cover how to make the work possible with materials and resources that are available. But they also reveal what can happen when what children express is at odds with what some people and policy-makers want to hear.

We are at the beginning of a new era in children's rights – one that promises to be exciting with an abundance of significant legal, administrative, bureaucratic and personal challenges. The topic of children's rights seems to challenge people and, in Australia as well as other countries, there has been a great deal of discussion and comment in the media, the government and the public arena. There are widely diverging views, some of which claim that 'children should be seen and not heard', an outdated maxim of a time before children's rights were protected – yet this sentiment is still held within communities around the world. At the

other end of the scale, some people claim they have nothing to offer in the area of children's rights since they consider the human rights arena to be territory for lawyers and judges; they often remark that the area should be left to the experts. Increasingly, though, the children's rights movement has focussed attention on the urgent need to educate children, the community and the professions about children's rights and, in particular, to learn about the United Nations Convention on the Rights of the Child (CRC). If the new era of children's rights is to flourish, then a concentrated campaign of community awareness must take place.

One major part of the community awareness and education campaign should focus on teaching children about their rights.

Inspired by the work of other small scale children's rights educational projects, a group of educators and artists formed a group in Australia in 1997 to learn how best to develop a way of teaching children about their rights.¹ Together, we visited four schools to talk with five to twelve year old children about their rights, and to encourage them to depict their views of their rights in drawings, paintings and murals. We found this a most invigorating and exhausting

project; invigorating because we learned that children already know a great deal about their rights and exhausting because there is so little available in terms of resources and materials to teach about children's rights. Over the course of the project, we developed materials and activities that would encourage and support a rights perspective in classrooms (Piscitelli & McArdle, 1997). In a search to locate information on teaching about children's rights, we found some books and reference materials to assist us but, for the most part, adapted ideas to suit the interests and life experiences of the local children.

From our philosophical standpoint as early childhood educators, we developed a way to introduce children to the topic of human rights. Our strategies included holding meetings with children to read stories and engage in large group conversations. We read the children's book, *For Every Child a Better World*,² and discussed different life situations for children around the world. The book opened the door for discussions and questions about health, education, families, working children, war and poverty. In smaller groups, we had more personal conversations, handled questions, and looked at photographs of children around the world. The photographs proved to be a good catalyst for more detailed dialogue about how their lives were similar or different to the children in the photographs. Following these conversations, we invited children

to think about their rights, and to make a picture that showed one of their most valued rights. The older children also wrote poetry about their human rights as a group activity.

Children's views of their human rights

In our project, children exposed their ideas about their human rights in potent and graphic images. From the joyful and exuberant messages about play to the more sobering images about war and violence, the children's drawings expressed deep emotions and pure desires. In many cases, the children made pictures to convey their sense that no child, anywhere, should have to suffer from any indignity. The exhibition was titled by one of the ten-year-old girls working on a group collaboration of a large mural.

from Helping young children understand their rights by Joan Waters; OMEP, Australia.



She painted the words *Children Have Rights!* across the mural – leaving a strong verbal message about the fact that children already had rights. No-one could deny that. She and the other exhibitors spread their messages about human rights to thousands of people all over the world.

The arts seem to be a good vehicle for children to reveal their thoughts about their rights. In our project, we employed the arts as a vehicle for children's visualisation of their human rights. One of our team, visual artist Raquel Redmond, selected a range of art making experiences for children to convey their ideas: drawing, mural making, painting and collage. We scaled our choices for the relative age and experience of the children. The youngest children drew and painted, while older children used collage and print-making. The murals were painted by all ages. This wide and diverse range of art making provided us with a rich set of images for an exhibition of the children's views of their human rights.

We exhibited the children's ideas at the first Australasian conference on children's rights in Brisbane in 1997 – and received a very warm reception for bringing young children's ideas to the attention of the international conference delegates. The exhibition later toured throughout Queensland and Australia to be viewed by thousands of people in small villages, regional centres and university galleries. From comments in the visitor's books, it is clear that the exhibition provoked interest and controversy because of the views expressed in the children's art. Yes they have rights, as their work reveals in the selection that you can see on our website.³

From the children in this project we learned a great deal about a deep human yearning for a rightful life. In our discussions with these children, we listened, observed and responded as they expressed the desire for all children (not just themselves): to live lives free of war, to live in homes free of domestic violence; to live in a country without

poverty; to have good teachers; to have a good education; and to live in good health. Clearly, these children had an idea of their rights and were able to express them. We were, in many ways, surprised to see how well children understood these ideas. But, we still wonder if they know how to protect their rights when faced with many of the biases and prejudices which children experience due to their age and maturity. Because of their vulnerability, those of us who work with and on behalf of children must keep vigilant and must be pro-active in educating both children and the wider community about the rights of children. The conversation we started in four Australian classrooms needs to be sustained on a regular basis in classrooms everywhere so children can develop human rights consciousness.

Five lessons from our project

There is no one way to begin the process of focusing on the rights of children. Each educational environment

has its own special community needs and faces its own challenges. In our project, we learned some simple lessons about education for children's rights.

First lesson: start with the environment

Establish a philosophy and a setting that can be seen to be aware of and respectful of the rights of all who come through the door. Develop a programme where children can take an active role in making decisions, in caring for their environment and in working collaboratively with others. Infants will learn about their rights in an environment where care providers adapt routines to children's needs, honour their ideas and respond to their actions. Toddlers can take increasing control of their lives, so a rights-based environment should offer choices to children in decision-making, teach children to defend their rights, and protect children's right to play. In preschools, children enjoy learning about their rights by experiencing equal treatment, reading picture books, discussing ideas, exhibiting their

drawings and paintings, and thinking about the concept of fairness. In formal school environments, children should extend their participation in rights-based decision making through collaboration to develop class rules that honour each person's rights and responsibilities. In a rights-based environment, children will feel free to discuss their rights and challenge any unfair practices that may exist.

Second lesson: work with what your children know

Talk with children about their rights and listen to what they tell you. Children's ideas will not develop as the result of a single lesson, and adults should become aware that learning about rights takes time. Provide children with many options for exploring the concept of rights: drawing, writing, reading, listening to stories, dramatic play and, most importantly, in their daily interactions with others. As children's ideas evolve, record changes in children's understanding of complex questions

of what is 'right', or 'fair', or 'just'. Help children to gain awareness of the world at large, and of the lives of children in diverse situations.

Third lesson: rights carry responsibilities

Every right is accompanied by a corresponding responsibility. This lesson is an essential aspect of learning about rights, and should form a framework for a respectful classroom environment. Teachers have many opportunities for teaching about the issue of rights and responsibilities. There is a dynamic link between rights and responsibilities – for every right, each recipient is responsible to handle that right with care. In the case of protection from physical punishment, it is important for children to learn that adults will protect them from harm; it is equally important for children to learn that, in return, you expect them to refrain from causing harm to others as a sign of respect and acknowledgement of their shared

human rights and responsibilities. Such lessons are essential in human rights education.

Fourth lesson: everyone has rights; everyone is responsible

Human rights are for everyone. In the implementation of a rights curriculum, children can learn that the respect and dignity offered to them as individuals also belong to every person. Children can (and should) learn that everyone has the same rights, regardless of where they live or what they look like. In a classroom with rights-consciousness, children will see that they can play a role in safeguarding human rights by always speaking out when unfair practices occur. Both parents and teachers need to become informed about how to act as guardians to children's rights. When unfair practices are foisted upon children, it is the responsibility of every person to protect and safeguard human rights by taking positive action to assure children's dignity. For this reason, it is

How to talk to children about rights

- Must be an on-going part of the classroom conversation
- Conversations and activities should emerge from interests and issues relevant to the children
- Maintain respect for individuals and a sense of community responsibility
- Cultivate an attitude and climate of rights consciousness
- Avoid using outsiders for one-off sessions; instead, weave ideas into your regular programme
- Distinguish between needs, rights and desires; discriminate the difference between wishful ideas and real rights
- Use story books and picture cards as prompts to discussions
- Use rights vocabulary
- It is important to just sit and talk, at times, without any expectations of a particular outcome. If you want to change children's attitudes in one session, you will feel stressed, and so will the children (Petman, 1984)

From *Helping young children understand their rights* by Joan Waters; OMEP, Australia.

important to listen carefully to children's stories about their daily lives and, when warranted, to act on their behalf.

Fifth Lesson: some people and policy makers may not like what you have to say, but you have an ethical responsibility and a human right to speak for children

In the long effort to reform the ways people treat children, there are bound to be areas of conflict arising from a clash between old and new thinking about children and their rights. It is inevitable that there will be differences of opinion about what constitutes children's rights within each classroom, each community and each country. Yet, it is important to remember that the rights of children are not nationalised – they are universal. So every child, everywhere, has rights.

In defending the place of rights in the lives of children, there will be disputes about the status and competence of children. Some will say that rights are for adults, but the United Nations Convention on the Rights of the Child

indicates that rights are present from birth. In our project, children indicated that they already have rights, and that they did not intend to let them be usurped. So, where entrenched injustice to children occurs, each of us has a role to play in upgrading practices, policies and laws to better reflect the rights and dignity of children.

Challenges for the new generation

We recognise that this new generation of children growing up today will be the first in history to have their rights enshrined and protected by the UN Convention on the Rights of the Child. When they pass into adulthood, what personal lessons will they bring with them to our societies across the world? Will they bring with them the messages of a respectful environment for all, with rights and responsibility shared equally? Will they know that they can speak for their rights? Will they be able to protect themselves from violations of their rights? In communities all over the world, important work is being done to bring about the dream of a better world

for every child. From Italy, Belgium, Cambodia, Australia and many more countries all over the world, there are examples of projects to educate children about their rights, ranging from new curricula to Children's Parliaments. While some projects may be undertaken at a large scale, many of the most important initiatives will be implemented at the grass roots level of local communities where people come together to live and learn. Projects should differ widely to suit the needs of local situations, yet all projects should have a similar emphasis on building enduring and rightful partnerships between children and society – starting in the early years when such initiatives really matter. ○

notes

1. The project team comprised: Barbara Piscitelli, Felicity McArdle and Raquel Redmond. This project was supported by the Queensland University of Technology Faculty of Education Community Service Grant Scheme, 1996-1997. For information on the projects which inspired us, see *Reggio Children, 1993*

A Journey into the Rights of Children, Reggio Emilia: Reggio Children (see below).

2. Kermit the Frog is noted as the author of this poignant picture book for children to become exposed to the concept of human rights (see below).

3. *Children Have Rights:*
www.qut.edu.au/edu/sec/casec/childart/children.html

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Selected resources

Partners in Rights



It's all about exploring your rights. And to make it fun, we use puppets, dance, music, drama, painting, model-making and lots, lots more. And it's also about finding out what it's like to be growing up in Latin America and the Caribbean. If you lived in Brazil or Peru or Cuba, what would life be like? What about school? What games would you play? What about your rights?

On this site you'll be able to find out about your rights, and about the Partners project. You'll see pictures from the Children's Rights fiestas that are going on around the country. In the future, we also plan to give you a chance to exchange pictures, stories and questions with children in Brazil, Peru and Cuba. There's also lots here for teachers, so why not ask them to take a look? And don't forget to tell us what you think!

www.savethechildren.org.uk/partners

Children, Law and Justice Savitri Goonesekere

Children, Law and Justice provides a detailed examination of the CRC, outlining the options available for using the Convention to create a legal environment favourable to the rights of the child in South East Asia. Professor Goonesekere comprehensively discusses the concept of child rights as expressed in the CRC, and the problems and prospects of realising these radical international standards in the current realities of the region.

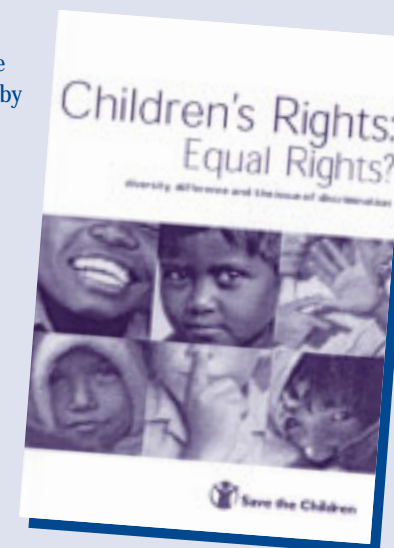


Children, Law and Justice (ISBN 81-7036-625-9) is published by Sage Publications India Pvt Ltd, M-32 Greater Kailish Market Part-I, New Delhi 110 048, India.

Children's Rights: Equal Rights?

Marking the tenth anniversary of the adoption of the CRC, *Children's Rights: Reality or Rhetoric?* published by Save the Children in 1999, explored both the achievements and failings of the Convention and examined how far we have come in realising its vision. A principle finding was that children throughout the world continue to be victims of discrimination and do not enjoy equality of opportunity. A further year on *Children's Rights: Equal Rights?* reviews the achievements of the last year and then explores the issue of discrimination, examining its origins and how it impacts and affects children's lives. In 26 country reports, Members and

Associate organisations of the International Save Alliance explore the issue of discrimination. Its reality in children's lives is revealed and set against the rhetoric of the Convention, identifying practical actions, which can be taken to combat discrimination and improve children's lives.



Children's Rights: Equal Rights? is published by Save the Children Sweden Publishing, 107 88 Stockholm, Sweden. On-line bookshop: www.rb.se/bookshop

Poster competition 2001

Every year the Bernard van Leer Foundation invites readers of Early Childhood Matters to take part in its annual poster competition and this year is no exception!

The poster competition is actually more than a competition to produce a good poster to promote young children: it has become one of many activities that fall under our Visual Documentation Project. In this, the Foundation seeks to:

- encourage the use of film and photography as a valuable tool for communicating early childhood work;
- act as a tool among practitioners for sharing experiences, and so on; and
- assess skills and needs among partners in terms of visual documentation.

For the year 2001 Poster Competition we would like you to think about certain topics when sending in your entries. Here are some examples.

- **Telling a story:** a picture of a child listening to an adult telling a story or vice versa.
- **Play:** children or children and adults playing together.

- **Food:** children or children and adults preparing and/or eating food.
- **Help:** children/siblings helping each other or teaching each other things – for example, getting dressed, doing an activity, just holding hands.
- **Where I live:** pictures that portray your environment – house, village, city, countryside, and so on.
- **Intimacy:** a mother or father cuddling her/his child, a child sitting on its parents lap, and so on.

A good description of your entry is very valuable.

This year your entry can be either a photograph, a child's drawing, a collage or a storyboard of pictures/drawings. All must show aspects of early childhood development. As usual, the winning picture, drawing, collage or storyboard will become the Foundation's Poster for the year 2001 that will be distributed in more than

100 countries worldwide. Many of the other submitted entries will feature in the Foundation's other publications.

Guidelines

- Photographs must show young children engaged in some kind of activity, experience or interaction that illuminates early childhood.
- Photographs must be sharp and clear, with good contrast between the lightest areas and the darkest.
- Photographs can be in black and white or colour, prints or slides.
- Photographs, drawings or collages should measure at least 9 x 13 centimetres.
- Children's drawings should be made by a child within the age range of zero to seven.
- Please bear in mind that we must be able to make a useable print out of a drawing or collage.

Each should have the following details, if these are available and are appropriate for publication.

- The name of the photographer or of the child or children who made the drawing/collage.
- Some details about the child/children who made the drawing/collage (for example, their age, where they are from, where the picture was made – at home, in a centre or within a home visiting programme, and so on).
- Some details about the children and adults featured in the photographs and what they are doing.
- Some details about what the drawing/collage is about.
- The context of the photograph – for example, at home, in centre, within a home visiting programme, and so on.
- The location – country, region, town/village, and so on.

El Estado protegerá al niño contra toda forma de malos tratos o explotación por parte de sus padres o de cualquier otra persona que lo tenga a su cargo (art. 19)



Venezuela: Preschool Mural
photo: Angela Ernst

- Any other useful or interesting information.

Please do not write on the backs of the entries: this may damage them.

Copyright

The copyright of submitted materials that we use will, of course, remain with you, but we may wish to use them in any other Foundation publications without specific permission from you. All will be credited with the name of the photographer (if available) and/or child(ren). Unfortunately, we will

not be able to return materials submitted, whether we use them or not.

Because our publications are free, we are not able to make any payment for submitted materials.

Please send in your contribution to arrive by the end of September 2001. Those chosen will be mentioned in the January 2002 edition of *Espacio para la Infancia* and in the February 2002 edition of *Early Childhood Matters*. ○

Bernard van Leer  Foundation

Investing in the development of young children

The mission of the Bernard van Leer Foundation is to enhance opportunities for children 0-8 years, growing up in circumstances of social and economic disadvantage.

The objective is to develop children's innate potential to the greatest extent possible. We concentrate on children 0-8 years because research findings have demonstrated that interventions in the early years of childhood are most effective in yielding lasting benefits to children and society.

We accomplish our mission through two interconnected strategies:

- a grant-making programme in 40 countries aimed at developing contextually appropriate approaches to early childhood care and development; and
- the sharing of knowledge and know-how in the domain of early childhood development that primarily draws on the experiences generated by the projects that the Foundation supports, with the aim of informing and influencing policy and practice.

The Bernard van Leer Foundation was established in 1949. Its income is derived from the bequest of Bernard van Leer, a Dutch industrialist and philanthropist, who lived from 1883 to 1958. Bernard van Leer was the founder of the Royal Packaging Industries Van Leer.

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