

CRC, CRC/C/137 (2004)

Annex II

**DAY OF GENERAL DISCUSSION “IMPLEMENTING
CHILD RIGHTS IN EARLY CHILDHOOD”**

Outline

1. The Committee on the Rights of the Child decided at its thirty-third session to devote its 2004 day of general discussion to “Implementing child rights in early childhood”.^a
2. The Convention on the Rights of the Child defines a child as “every human being below the age of 18 years unless, under the law applicable, majority is attained earlier” (art. 1). Early childhood covers different age groups in different countries and regions, ranging from birth to 4 to birth to 8 years. The Committee does not favour one over the other, as the general aim of the 2004 day of general discussion will be to broaden the understanding of and raise awareness about the rights of the youngest children in order to facilitate their full implementation by States parties to the Convention. The Committee will focus its discussions on both protection and participation aspects in early childhood as spelled out in the Convention.
3. In 2002 the General Assembly at its special session on children adopted a Plan of Action that committed Member States to the “development and implementation of national early childhood development policies and programmes to ensure the enhancement of children’s physical, social, emotional, spiritual and cognitive development”.^b

Themes for the day

4. Having reviewed since 1993 the situation of child rights in almost all the countries of the world, the Committee has noted that the rights of babies and young children are too often overlooked. It is still frequently believed that these children can only benefit from the protection rights recognized in the Convention.
5. Nevertheless, it is widely recognized that early childhood is a crucial period for the sound development of young children, and that missed opportunities during these early years cannot be made up at later stages of the child’s life. This applies to all rights recognized in the Convention, including those to survival, development, protection and participation.
6. As the theme of its 2004 day of general discussion is broad in scope, the Committee proposes that participants be divided into two working groups in order to focus discussions.

Working group 1 - Starting sound practices early

7. Broadly, this working group will examine some key features of child survival, protection and development.

Guaranteeing the rights to survival and development of young children, including the rights to health, nutrition and education

8. Article 6, paragraph 2, of the Convention guarantees the right to survival and development to all children. This provision can only be implemented in a holistic way by enforcing all other provisions recognized in the Convention, including the rights to health, adequate nutrition and education (arts. 24, 28 and 29). States parties to the Convention need to ensure that in their first years all children have access to adequate health care and nutrition, as spelled out in article 24, to enable them to start a healthy life. In this context, breastfeeding, access to clean drinking water and adequate nutritious foods are vital.

9. Article 18, paragraphs 2 and 3, of the Convention requires States parties to “render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children” and to “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”. Participants will discuss the benefits of any kind of rights-based programmes, services or institutions for young children, including kindergartens and pre- and primary school education. The working group will further look at how the Convention and other international standards can reinforce the systematic establishment of and access to pre-school or pre-primary education worldwide.

Guaranteeing the rights to rest, leisure, and to engage in play and recreational activities

10. The Committee has noted over the years that in general, insufficient attention is given and measures taken to implement the provisions of article 31 of the Convention, which guarantees “the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts”. This is a concern as these rights have proved to be crucial at an early age for the sound development of each child. The right to rest is essential for children and failure to respect it can generate serious negative physical, psychological, cognitive and social consequences. The rights to leisure, play, and to a cultural and artistic life are also key human rights enabling every single young child to fully develop its potential skills, abilities and personality.

Working group 2 - Young children as full actors in their own development

11. The Convention recognizes children as holders of rights and being capable of exercising them in a manner consistent with their evolving capacity (art. 5). This working group will focus on the ways young children can be actively involved in the exercise of human rights and the related implications for States parties, all those working for or with young children and parents, legal guardians, or any other person who has the care of a child. Participants in this working group will focus their discussions on best practices (and those to be avoided) in involving babies and young children in their own development. They will therefore discuss innovative approaches, techniques and tools used to guarantee child participation during early childhood. Successful experiences to adapt human rights education to this group of children will also be debated.

Participation in the family, in the school setting and in the community

12. The Convention on the Rights of the Child strongly promotes child participation in all matters affecting him or her (arts. 5, 12 and 13-17). This vision of the child as subject of rights needs to be anchored in the child's daily life: at home (including when applicable, the extended family), in school, and in his or her community. Child participation is a continuous learning process for both adults and children and needs to start at the earliest stages of life as it is strongly process-oriented and is based on social interaction skills. It also requires the active involvement of parents (extended families), schools and communities in the creation and promotion of opportunities for children to participate actively in the realization of their rights.

The role of day care, early childhood programmes, pre-school, pre-primary and first years of primary education in promoting the child as a right-holder

13. Under their obligations assumed under the Convention, States parties and all others involved in early childhood need to ensure that babies and young children are offered child sensitive and -centred programmes and services with a view to offering them a sound environment for the development of their participatory rights. The Committee recommends that States parties systematically promote and support the participation of children in school life. Participants will discuss experiences with and possibilities for participation by young children in the context of pre-school, pre-primary and the first years of primary education.

Approaches and objectives of the day of general discussion

14. At the end of the thirty-sixth session of the Committee, at which the discussion will take place, the Committee will adopt a set of recommendations on how to improve implementation of the Convention in the area discussed. In adopting the recommendations, the Committee will be guided by the discussion, the recommendations proposed by the working groups and the written contributions. The recommendations, which are intended to provide pragmatic guidance, are aimed primarily at States parties but also at other relevant actors. In order to maximize the effectiveness of the recommendations, the Committee aims to maintain a specific focus for the discussion day (as specified above).

Involvement of United Nations agencies, NGOs and other competent bodies

15. Implementing child rights in early childhood is of particular relevance to a number of other United Nations mechanisms, specialized agencies and programmes, other international organizations, as well as NGOs and other civil society actors. The objectives of the discussion will be to facilitate the exchange of information and experience accumulated by different stakeholders and thereby explore opportunities and challenges in implementing policies and programmes (including legislative and other measures) at the national and international levels to promote and protect the rights of babies and young children.

16. The discussion will contribute to the content of recommendations to be adopted by the Committee on the matter discussed and further help the Committee in addressing the rights of

babies and young children through its monitoring functions. In allowing the Committee to benefit from the expertise of other agencies and organizations working directly in this field, these same organizations will also enhance their understanding of how to contribute more effectively to the work of the Committee.

Participation in the day of general discussion

17. The discussion day is a public meeting at which government representatives, United Nations bodies and specialized agencies, NGOs, including indigenous organizations and youth groups, and individual experts are welcome.

18. The meeting will be held during the thirty-seventh session of the Committee, at the Office of the United Nations High Commissioner for Human Rights (Palais Wilson, Geneva), on Friday, 17 September 2004.

19. The format of the discussion day is meant to allow participants to exchange views in a frank and open dialogue. The Committee therefore asks participants to avoid presenting formal statements during the discussion day. Written contributions are invited on the issues and topics mentioned, within the framework outlined above. In particular, the Committee is interested in receiving information about best practices and child participation within the four aforementioned subthemes. Contributions should be sent electronically to:

crc@ohchr.org
Secretariat, Committee on the Rights of the Child
Office of the High Commissioner for Human Rights, UNOG-OHCHR
CH-1211 Geneva 10
Switzerland

20. For more information on submission and registrations, please see the guidelines posted on the Committee's web page at: <http://www.unhcr.ch/html/menu2/6/crc/>.

Notes

a/ According to rule 75 of its provisional rules of procedure, the Committee on the Rights of the Child may devote one or more meetings of its regular sessions to a general discussion on one specific article of the Convention or related subject in order to enhance a deeper understanding of the content and implications of the Convention.

b/ "A world fit for children", outcome document of the twenty-seventh special session of the General Assembly, resolution RES/S-27/2, annex, para. 36 (e).