

United Nations Committee on the Rights of the Child
Day of Discussion: Implementing Child Rights in Early Childhood
17 September 2004 – Palais Wilson

RECOMMENDATIONS¹

Introduction

1. The Committee reaffirms that the Convention on the Rights of the Child reflects a holistic perspective on early childhood development based on the principles of indivisibility and interdependence of all human rights. Consequently, all of the rights recognised in the Convention apply to all persons below eighteen, including the youngest children (art.1). Early childhood covers different age groups in different countries and regions, generally covering children aged below four to ones below eight years, and the Committee does not favour the one over the other. The Committee, in organising the Day of Discussion, wishes to underline the importance of early childhood development, since the early childhood years are critical for laying a solid foundation for the sound development of the child's personality, talents, mental and physical abilities.

Birth registration

2. The Committee recommends to States parties to undertake all necessary measures to ensure that all children are registered at birth, inter alia, by using mobile registration units and make birth registration free of charge. The Committee also reminds State parties of the importance of facilitating late registration of birth, and to ensure that children, despite being not yet registered, have equal access to health care, education and other social services.

Comprehensive programme, including vulnerable children

3. In guaranteeing rights to the youngest children, States parties are urged to develop rights-based, multidimensional and multi-sectoral strategies that promote a systematic and integrated approach to law and policy development, and provide comprehensive and continuous programmes in early childhood development, taking into consideration children's evolving capacity in light of article 5 of the Convention. In view of the crucial importance of early childhood programmes for the sound development of children, the Committee calls on States parties to ensure that all children are guaranteed access to these programmes, especially the most vulnerable. Such groups include girls, children living in poverty, children with disabilities, children belonging to indigenous or minority groups, children from migrant families, children without parental care, children living in institutions, children living with mothers in prisons, refugee and asylum-seeking children, children infected with, or

¹ These recommendations are based on the input to and discussions that took place during the Day of General Discussion and do not pretend to be exhaustive. Nevertheless, the Committee will prepare a General Comment on this theme which hopefully will be adopted in the course of 2005.

affected by HIV/AIDS, and children of alcohol- or drug-addicted parents. States parties are further urged to promote and uphold the responsibilities, rights and duties of parents or legal guardians to provide appropriate direction and guidance to young children in the exercise of their rights, as well as provide an environment of reliable and affectionate relationships based on respect and understanding, given their significance for “the development of the child’s personality, talents and mental and physical abilities to their fullest potential” (article 29, 1, a).

Resource allocation for early childhood (article 4)

4. In light of the importance of early childhood development services and programmes for the short- and long-term cognitive and social development of children, States parties are urged to adopt comprehensive and strategic plans on early childhood development within the rights-based framework, and accordingly, increase their human and financial resource allocations for early childhood development services and programmes. In view of the fact that States parties often do not allocate adequate financial and other resources to early childhood policies, services and programmes, it is important that there are sufficient allocations of public investment in services, infrastructure and overall resources allocated to the field of early childhood development. In this connection, State parties are encouraged to develop strong and equitable partnerships between the government, public services, families and the private sector to finance early childhood care and education.
5. In pursuing these actions, it is necessary that States parties and other stakeholders involved commit themselves to respect all the provisions and the principles of the Convention, especially its four general principles: non-discrimination; the best interests of the child; right to life, survival and development; and respect for the views of the child (articles 2, 3, 6 12).
6. **Data collection**
The Committee reiterates the importance of comprehensive and up-to-date quantitative and qualitative data on all aspects of early childhood for the formulation, monitoring and evaluation of progress achieved and impact assessment of policies. In view of the lack, in many States parties, of adequate national data collection systems on early childhood for all areas covered by the Convention, and that specific and disaggregated information on children in early years are not readily available, the Committee urges all States parties to develop a system of data collection and indicators consistent with the Convention and disaggregated by gender, age, family structure, and urban and rural residence, and other relevant categories. This system should cover all children up to the age of 18 years, with specific emphasis on early childhood, particularly children belonging to vulnerable groups.

Best interests of the child (article 3)

7. In light of article 3 of the Convention, States parties must guarantee that in all activities and programmes concerning children, whether undertaken in public or private early childhood institutions, the best interests of the child shall be a primary consideration. States parties must ensure that the institutions, services and facilities

responsible for early childhood development conform to the quality standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

Right to survival and development/Health/Education (article 6, 24, 28 and 29)

8. Article 6.2 of the Convention guarantees the right to survival and development to all children. The Committee reminds States parties and others concerned that this provision can be implemented only in a holistic manner, through the enforcement of all other provisions recognised in the Convention, including the rights to health, adequate nutrition and education (articles 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 stipulated in article 24, to enable them a healthy start in life. In this context, breastfeeding, access to clean drinking-water and adequate nutrition are essential and due attention should be paid to the importance of appropriate prenatal and postnatal health care for mothers to ensure healthy development of children in early years and a healthy mother-child relationship. To underline the importance of education as part of early childhood development, the Committee recommends that States parties consider making early childhood education an integral part of basic/primary education as a tool to nurture the child's evolving capacities in a stress-free environment.

Right to rest, leisure and play (article 31)

9. In view of the insufficient attention given by States parties and others concerned to the implementation of 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", the Committee reiterates that these are key rights that enable every young child to fully develop his/her personality, talents and mental and physical abilities to their fullest potential. Recognising that these rights are often endangered by all manners of external constraints hindering children to meet, play and recreate in stimulating and secure environment that are child-appropriate, the Committee appeals all States parties, non-governmental organisations and private actors to identify and remove potential obstacles to the enjoyment of these rights by the youngest children, including through poverty reduction strategies. In this connection, States parties are encouraged to pay greater attention and allocate adequate resources (human and financial) to the implementation of the right to rest, leisure and play.

Child participation (article 12)

10. The Convention on the Rights of the Child principally enshrines children's participation in all matters affecting children. Therefore, States parties must take all appropriate measures to ensure that the concept of the child as rights-holders is anchored in the child's daily life from the earliest stage: at home (and including, when applicable, the extended family); in school; in day care facilities and in his or her community. States parties should take all appropriate measures to promote the active involvement of parents (and extended families), schools and communities at

large, in the promotion and creation of opportunities for young children to actively and progressively exercise their rights in the everyday activities. In this regard, special attention must be given to the freedom of expression, thought, conscience and religion and the right to privacy of the youngest children, according to their evolving capacity.

Community-based approach

11. The Committee recommends that States parties support early childhood development programmes, including home- and community-based pre-school education programmes, in which parents' empowerment and education are main features. They are urged to construct high-quality, developmentally appropriate and culturally relevant programmes by working with local communities rather than imposing a top-down approach to early childhood development practices. The Committee also recommends that States parties pay greater attention to, and actively support, the rights-based approach to early childhood development, including transition to primary school initiatives that build children's confidence, communication skills and enthusiasm for learning.

Training and research

12. The Committee encourages States parties to invest in systematic training and research in the field of early childhood development from a rights-based perspective. States parties are encouraged to undertake systematic education and training of children and their parents, as well as all professionals working for and with children, in particular parliamentarians, judges, magistrates, lawyers, law enforcement officials, civil servants, personnel in institutions and places of detention for children, teachers, health personnel, social workers and local leaders. Furthermore, the Committee urges States parties to conduct awareness raising campaign for the public at large.

Assistance to parents, families and childcare institutions (article 18)

13. The Convention requires States parties to render appropriate assistance to parents, legal guardians and extended families in the performance of their child-rearing responsibilities, inter alia, by providing parenting education. States parties also should 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 child care services, maternity protection and facilities for which they are eligible. In this regard, the Committee recommends States parties to ratify the ILO Convention No.183 on Maternity Protection. Finally, States parties must ensure that parents are given appropriate support to enable them to fully involve their young children in early childhood programmes, including pre-school education.

Human rights education (article 29)

14. In light of article 29 and the Committee's General Comment No. 1 on the aims of education (CRC/GC/2001/1), the Committee recommends that States parties include human rights education in pre- and primary school programmes. Such education

should be participatory, and adapted to the ages and evolving capacities of young children.

Role of civil society and private actors

15. With reference to its recommendations adopted during its 2002 general discussion day on “The private sector as service provider and its role in implementing child rights” (see CRC/C/121, paras. 630-653), the Committee recommends that States parties support the activities of the non-governmental sector as a channel for programme implementation. It further calls on all non-state service providers to respect the principles and provisions of the Convention and, in this regard, remind States parties of their primary obligation in ensuring its implementation. Early childhood professionals - in both the State and non-state sectors - should be provided with a thorough preparation, ongoing training and adequate compensation. In this context, States parties are reminded of their obligations for service provisions for early childhood development and that the role of civil society should be complementary, not a substitute, to the role of the state.

International assistance

16. The Committee recommends that donor institutions, including the World Bank, other United Nations institutions and bi-lateral donors support early childhood development programmes financially and technically, as one of their main targets to assist sustainable development in countries benefiting from international assistance.

Looking forward

17. The Committee urges all States parties, inter-governmental organisations, NGOs, academics, professional groups and grass-root communities to foster continuous high-level policy dialogues and research on the crucial importance of quality in early childhood development, including at the regional and local levels.