



Implementing Child Rights in Early Childhood

An advocacy brief

In Preparation for the Resolution on the Rights of the Child at the UN General Assembly 65th Session



Prepared by Ziba Vaghri, PH.D



TABLE OF CONTENTS

Executive Summary	3
Significance of the early years	4
Environments matter	5
Convention on the Right of the Child	6
General Comment: 7	7
Indicators of General Comment: 7	8
Right to provision	9
Right to protection	10
Right to participation	11
Misconceptions	12
Examples of good practice	14
Recommendation	16
Glossary of Acronyms	17

The Period of early childhood is defined as the time between 0-8 years.¹

1. Committee on the Rights of the Child. (2005). General Comment 7: Implementing Rights in Early Childhood, para 4.

Executive Summary

The early years of life are marked by accelerated development, especially of the central nervous system. The conditions to which children are exposed to in the earliest years literally shape the developing brain.

Healthy cognitive and emotional development in the early years translates into concrete economic returns, not only due to the savings in health care expenses of young children, but also that of the adults they become, as many disease processes are triggered in the early years. Additionally, early interventions save money as the cost of investing in early child development (ECD) as a preventive measure is much lower than the cost of the remedial measures aimed at crime, social injustice, foster care, and school drop outs. Thus, ECD is a determinant of health, learning skills, and economic and social well-being for individuals, as well as for the collective society.

While ECD is a social determinant of health, it in itself is determined by the quality of the environments around the child, from the intimate sphere of the family to the broader spheres of governments, international agencies, and civil societies, which influence and play a key role in ECD outcomes. For this reason, safeguarding the quality of environments around children is a tangible way of maximizing their ECD outcomes. The realization of the rights of the child articulated in the United Nations Convention on the Rights of the Child (CRC) is one way to achieve this and optimize ECD for all children (0-18 years).

The convention is an international treaty ratified by 193 countries across the globe. It outlines children's rights under the three main umbrellas: the right to provision (such as provision of health and educational services), protection (such as right for protection against violence) and participation (such as participation in decisions affecting the child). In an attempt to strengthen the CRC and assist countries reporting to the Committee on the Rights of the Child, General Comment: 7 (GC:7) customizes the CRC for early years (0-8 years of age). The recently developed Indicators of the GC:7 takes this attempt one step further by operationalizing GC:7 and providing a series of user-friendly indicators to monitor the realization of the CRC in early years. All these guides and tools are developed with one single objective in mind: to facilitate realization of children's rights and to maximize their ECD outcomes.

Investment in ECD is an investment in the life quality and the future labor force and economy of a nation. This investment does not require series of convoluted and sophisticated policies or programs. Children require stimulating, supportive and nurturing

Significance of the Early Years

What happens to child in the early years is critical for their developmental trajectories throughout the life course

Why should societies invest in young children?

First and foremost, ensuring young children are protected, participating and well cared for (with adequate provision of all needed materials and services) is the right of every child. States who have signed the CRC have an obligation to ensure that parents and caregivers are supported to realize these rights for their children. In addition, while it has often been argued that investing in young children is important on the grounds of rights, fairness and social justice, new scientific data merging from biological science, brain research, social science and economics present stronger and more convincing reasons for this investment.

From the individual point of view: The basic architecture of the brain begins before birth and continues into adulthood. Early experiences affect the quality of the billions of new connections and circuits that develop within the brain. The timing of these events is genetic, but their quality (developing strong or weak circuits) is determined by the early experiences¹. The net result of these events lays the foundation for all of the learning, health and behavior that follow, enabling or disabling people to lead a socially, emotionally and physically healthy life.²

From the public health point of view: Many adult health problems—including obesity, depression, heart disease and some forms of diabetes—have their roots in the early years. To improve the health, the prosperity and the quality of life of their populations, it is critical for societies to invest in their children's early development.

Moreover, later literacy and numeracy skills are also impacted by how a child develops in these years. Adversities of early years not only expand themselves into adulthood but also trigger a self-fueling cascade of unfavorable events. For example, lack of proper nutrition leads to an inability to listen and focus in the classroom often followed by poor educational performance. This then results in an unsuccessful launching to the job market, which itself is a negative predictor of health status. The sum of unhealthy individuals becomes an unhealthy population.³ Investment in ECD is one of the most powerful steps a country can take to reduce the occurrence of chronic disease and illiteracy in adults and enable children to grow into healthy, literate, and contributing citizens⁴.

From the economic point of view: Traditionally, most investments in health and education discount the benefits of investing in ECD, and disproportionally focus on investments that target the later lifespan. However, current state of knowledge from the fields of neuroscience, social science and economics confirms an international consensus that the most cost-effective human capital interventions occur among young children.

We must change our way of thinking!

There is an absolute economic efficiency in investing in early years- the gain is large, with no risk of potential loss if investment done properly. The evidence from the research on early years is so convincing that there is an emergent agreement among economists that the most cost-effective human capital interventions occur among young children. James Heckman, the Nobel Laureate of Economics, argues;

“a major refocus of policy is required to capitalize on knowledge about the life cycle of skill and health formation and the importance of the early years in creating inequality in America and in producing skills for the workforce.”⁵

1. The science of ECD, Harvard University publication; http://developingchild.harvard.edu/library/multimedia/inbrief_series/

2. Irwin, Siddiqi and Hertzman, ECD a powerful equalizer, 2007, http://web.help.ubc.ca/wp-uploads/2010/02/WHO_ECD_Final_Report.pdf

3. Hertzman and Boyce, 2010. How experiences get under skin to create gradients in developmental health. *Annu. Rev. Public Health* 2010. 31:329–47

4. Commission on Social Determinants of Health, WHO; http://whqlibdoc.who.int/publications/2008/9789241563703_eng.pdf

5. Heckman, James J. 2008. Schools, Skills, and Synapses. Institute for the Study of Labor (IZA) Discussion Paper Series, <http://ftp.iza.org/dp3515.pdf>.

Environments Matter!

Assuring quality of the environments, where children are born, grow, and learn, would enhance quality of early experiences and is a definite way to maximize developmental outcome of the early years.

Today, politicians and policy makers, along with researchers and academics are aware of the significance of the early years in health and productivity of a society.

While awareness of the early experiences having a key role in the health outcome of later life, as well as the overall health of the society has increased, science has further explained that the quality of the environments around children greatly impacts their early experiences and shapes their health outcomes¹. Raising physically, emotionally, socially and spiritually healthy children means providing them environments which stimulate their physical, language/cognitive and social/emotional development.²

Which environments matter?

All environments from the most proximal environments around a child e.g. her/his family unit to the most distal environment around them such as the international environment have an influence on his/her development. In consideration of this key information, safeguarding measures need to be in place to enhance these environments and assure the quality of the early year experiences.²

The conditions to which children are exposed to sculpt the developing brain and leave lifelong imprints. Today, the existing evidence supports that physical and emotional abuse and other adverse childhood events can be reliably linked to lasting, serious mental and physical health consequences. More importantly, evidence indicates that it is the more common adversities of childhood (that children are exposed to on a regular basis) that become embedded in the brain circuits and produce the vulnerabilities of adult life.³ As mothers increase employment hours, households struggle with less family time. International research reveals that the best strategy to reduce early vulnerability is found in comprehensive government policies which support parents to synchronize caring and earning. Therefore, a new policy thinking is needed, one that focuses on aiding families with young children by provision of time, resources and services which could set parents and society up for success (as far as the ECD outcome of young children is concerned).⁴

Maternal and child health are two Millennium Development Goals and are interrelated. Mothers' physical, emotional and mental health can affect young children's health and ability to learn. Moreover, the seeds of adult gender inequity are sewn in early childhood. Establishing a household environment where mothers are empowered can promote gender equity right from the very early years and enhance ECD outcomes²

At the national level comprehensive and inter-sectoral approaches to policy and decision-making work best for ECD. Although ECD outcomes tend to be more favorable in rich countries, countries such as Cuba with an exemplary ECD success tells different story. **It is clear that a commitment of 1.5–2.0% of GDP can effectively support ECD.**⁵ The UNICEF *Innocenti* Report Card is a testimony to this claim. The report provides a comparative analysis of the status of early childhood education and care in the 25 affluent countries and puts few Scandinavian countries on top of the list.⁶ A closer look at these countries reveals that Denmark spends 1.2% of its GDP on ECD, and Sweden spends 2% of GDP for all preschool and school-aged children.²

1. Closing the gap in a generation. Commission on Social Determinants of Health, WHO
http://whqlibdoc.who.int/publications/2008/9789241563703_eng.pdf

2. Siddiqi, Irwin and Hertzman. Total Environment Assessment Modle for ECD. 2007:
http://www.who.int/social_determinants/resources/ecd_kn_evidence_report_2007.pdf

3. Hertzman and Boyce, 2010. How experiences get under skin to create gradients in developmental health. *Annu. Rev. Public Hth* 2010. 31:329–47

4. Kershaw et al. 15 by 15; A comprehensive Policy Framework for Early Human Capital Investment in BC. 2009.
<http://www.earlylearning.ubc.ca/wpuploads/2010/01/15by15-Full-Report.pdf>

5. Irwin, Siddiqi and Hertzman, Early Child Development; a powerful equalizer, 2007,
http://web.bals.ubc.ca/~fms/uploads/2010/02/WHO_ECD_Final_Report.pdf

Convention on the Rights of the Child

A right-based approach to Early Child Development

What does it mean for children to have rights? It means that every child should enjoy a safe and nurturing childhood in which s/he can develop and grow to their full potential-free from violence, neglect and exploitation. Children have the right to have good health, to learn and to play.¹

The United Nations' Convention on the Rights of the Child (CRC) is a universal safeguarding system that was adopted in 1989. The Convention is the most widely agreed international human rights document in the world, with 193 signatory countries. It provides a comprehensive framework that can protect and fulfill the rights of young children. The Convention's monitoring body is the United Nations Committee on the Rights of the Child (UN-CRC). The Committee oversees a system of regular State reporting and provides guidance in the form of "Concluding Observations" where accomplishments are noted, areas of improvements are outlined and recommendations are made.

The convention defines a child as a person less than 18 years of age and outlines their rights through 54 articles. Articles 1-41 known as the substantive articles contain the rights of children which provide them chance to survive and develop to their full potential. Articles 42-54 relate to how governments implement and monitor CRC². The Substantive Articles are based on the 4 main guiding principles of CRC:

1. **Non-discrimination** (Art 2) - All rights apply to all children without exception.
2. **Best interests of the child** (Art 3) - Everyone must make sure that what they do is best for the child.
3. **The rights to life and development** (Art 6) - All children have the right to life and development.
4. **Participation** (Art 12) - Children have the right to express their opinion and to be heard, based on their evolving capacities, in decisions affecting them.

The substantive Articles are often divided into *3ps*: rights to Provision, Protection and Participation

- I. Provisional rights include the right to an adequate standard of living, health care, educational, legal/social services.
- II. Protection rights, include the right to protection from discrimination, abuse and neglect, safety in the justice system.
- III. Participation rights include the right to freedom of expression, the right to information and participation in public life.

The UN convention places the interests of the child as a priority for parents. In prioritization of the rights of children, the UN does not truncate the rights of parents. The Convention strongly recognizes and supports parents and families and their crucial role and responsibilities for protecting and caring for children and helping them acquire values and standards (Articles 5, 9, and 18). The convention compels states Parties to provide parents with the capacity to fulfill their children's rights.²

1. Article 1-Convention on the Right of the Child: <http://www.unicef-irc.org/portfolios/crc.html#art>

2. Bird D Arkadas A et al (2007). Guide to Child Participation UNICEF Ankara

General Comment: 7

Implementing the Convention on the Rights of the Child during the early years

While older children can express themselves more clearly, articulate their rights and make their voices heard, a young child (under 8 years) may not be able to do so in the same way. This adds to the burden of responsibility for States Parties as duty bearers in realization of the rights of young children. On the other hand, although the CRC provides a framework for the realization of rights for children, it is not always obvious from the CRC alone, how child rights should apply to children younger than 8 years of age. Thus, it was the UN-CRC's observation that young children were often overlooked in States parties' reporting to the committee. One implication of this was that States parties may overlook their obligations towards young children, seeing them more as passive objects of care, than active social participants and right bearers¹.

In 2004, UN-CRC dedicated a day to discuss this issue and produced a document called "General Comment #7; Implementing child rights in early childhood". General Comment 7 (GC: 7) is a comprehensive document that explains how the Convention on the Rights of the Child should be interpreted when it comes to young children.

By and large GC: 7 is one of the most important General Comments² of CRC because:

- Early years are intense period of brain development. Some parts of the brain that are highly plastic at birth may only be so during the early years and for a short window of time³.
- Early experiences and quality of environments around children have significant and determining roles in their brain development.
- The Convention of the right of the child is a right-based approach to early child development. Securing rights articulated in CRC is an effective approach to improving the quality of early experiences. General Comment 7 provides a road map of how to implement CRC during these crucially important years.

General Comment 7 aims to show governments the information on young children which they must legally provide to the UNCRC, while affirming that young children's rights should be monitored and reported within a wide scope as outline in CRC. This scope goes above and beyond the traditional and common indicators of health and survival such as infant mortality, immunization or nutrition¹.

1. Vaghri, Arkadas and Hertzman. 2009. The early childhood rights indicators; A tool to monitor the Convention on the Rights of the Child and raise its profile globally. Early Childhood Matters. Beernard van Leer publication available at: http://www.issa.nl/docs_pdfs/Early%20childhood%20matters_Nov%202009_113.pdf

2. General Comments are developed through consultation with relevant experts or during the UNCRC days of general discussion and represent authoritative guidance to States parties based on the expertise and experience of UN-CRC.

3. McCain, Mustard and Shanker. 2007. Study of early years: http://www3.thestar.com/static/PDF/070326_EYS2.pdf

Indicators of General Comment: 7

A tool to monitor the Convention on the Rights of the Child during the early years

Because it is so important that child rights in early childhood be improved over time, both the UNCRC and the Committee on Economic, Social and Cultural Rights recommend that States Parties develop and use indicators, along with a set of specific goals (benchmarks), to measure the progress in the realisation of rights and compliance with obligations.¹

In an attempt to address the challenges of implementing General Comment 7, a series of 15 Indicators for GC:7 has been developed by the GC:7 Indicators Group. Each indicator set is comprised of a series of questions on the existing capacities of countries as far as the current policies and programs are concerned, while also asking about the outcome of these policies and programs. These indicators are easy to follow and a user friendly guide will help the States Parties to assess whether the rights of their children are being upheld.

In short, GC: 7 Indicators promotes:

- better data collection on child rights
- more careful analysis of data
- more complete monitoring of CRC
- more comprehensive reporting of the realization of the early childhood rights in their States Parties periodical reports to UN-CRC

The indicator set is a tool for governments to fulfil their obligation for periodic reporting to the UNCRC in a very descriptive and thorough manner. It is also an efficient institutional self-assessment tool and an inventory checklist for governments to become aware of what already exists and what does not, in terms of policies and programs, to facilitate the realization of the child right convention. It also helps governments develop solutions to problems that currently compromise the lives of millions of children, especially young children.²

1. United Nations, Office of the High Commissioner for Human Rights, International Covenant on Economic, Social and Cultural Rights, General Comments 12: Right to Food (1999), 13: Right to Education (1999), and 14: Right to Health (2000).

Right to Provision

The right to provision includes a large number of substantive rights of CRC, including the right to an adequate standard of living, the right to adequate health care, free education, and legal and social services.

The Right to birth registration is enshrined in Article 7 of the Convention, and is a core early childhood right because several other rights depend upon it. Article 7 declares:

The child has the right to a name at birth.[The child also has the right to acquire a nationality and, as far as possible, to know his or her parents and be cared for by them.

Although Article 28 of CRC (**right of the child to education**), does not list preschool education as the obligation of the State, General Comment 7 clarifies that the Committee interprets the right to education in early childhood begins at birth and is closely linked to the right of young children to maximum development (art. 6.2). Quality early childcare and educational programs have been shown to have a positive association with developmental outcomes, and are, therefore, governed under the right of the child to education¹.

In recognition of the significant role of that play has in children's cognitive development and social competence, Article 31 of CRC holds duty bearers responsible for the provision of **time and opportunity for play** and the leisure activities for children.

"States Parties recognize 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..."

Article 27:3 articulates the right to an adequate standard of living:

" States Parties... shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programs, particularly with regard to nutrition, clothing and housing.

As malnutrition contributes to approximately 53% of all child deaths¹, the CRC repeatedly articulates the **right to adequate nutrition** (Articles 12, A-24:1c,1d,1e and 27:3). Children are particularly susceptible to micronutrient malnutrition due to a larger need resulting from their accelerated growth and development. Micronutrients, such as iodine, iron, and Vitamin A, are necessary for the proper mental and physical development of the fetus and young child.²

Breastfeeding provides an ideal source of nutrition for newborns under six months of age, and strengthens the immunity of infants, reduces risk of infection and obesity, helps overcome low birth weight and reduces stunting.³ *Innocenti Declaration:*

*"...Nearly two million lives could be saved each year through six months of exclusive breastfeeding and continued breastfeeding with appropriate complementary feeding for up to two years or longer."*⁴

1. General Comment:7: <http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/GeneralComment7Rev1.pdf>
2. Rose Nathan.2008.Realizing Children's Rights to Adequate Nutrition through National Legislative Reform. UNICEF
3. Quantifying the benefits of breastfeeding: A summary of the evidence, PAHO, Washington, D.C., undated; available at www.paho.org/English/ao/fch/bobcontents.pdf (English)/www
4. 1990-2005 Celebrating the Innocenti Declaration on the Protection, Promotion and Support of Breastfeeding: Past achievements, present challenges and priority actions for infant and young child feeding.. UNICEF, New York (2003).

Right to Protection

All children have the right to be safe. The United Nations Convention on the Rights of the Child requires everyone to provide special protection and assistance to children in order to enable them to reach their full potential as adults. While parents are principally responsible for ensuring child rights are upheld, government and community also have an important role to play in protecting children. Duty bearers must be aware of the signs of child abuse and neglect, and intervene when required.

Many articles of CRC talk about child protection. However, it is Article 19 that is often cited as the main one for **child protection**, urging governments to take the appropriate measures to protect children ¹

While every government has an obligation to protect the young children living within their jurisdiction, protection of children in emergency contexts (natural or otherwise) is the responsibility of the entire international community.

What is the definition of child abuse and neglect?

Physical abuse: is the deliberate physical action that results in, or is likely to result in physical harm to a child. **Shaken baby syndrome (SBS)** is a form of child abuse that occurs when a person violently shakes an infant or small child, creating a whiplash-type motion that causes injuries to child's visual and nervous system. It has been estimated that SBS injuries affect between 1,200 and 1,600 children every year in the United States alone.²

Emotional Abuse: possibly the most difficult type of abuse to define and recognize, it ranges from ignoring and habitually humiliating the child, to withholding life-sustaining nurturing.

Emotional harm: prolonged and persistent emotional abuse can result in emotional harm to the child.

Sexual abuse: is defined as using a child for the sexual gratification of another person. It varies from touching, exposing, and threatening sexual acts, to making sexual references to a child's body and all kinds of intercourse.

Sexual exploitation: is defined as engaging children in sexual activities in exchange for money, food and shelter.

Neglect: is a failure to provide for a child's basic needs such as food, shelter, basic health care, or protection from risks to the extent that the child's physical health, development or safety may be harmed.³

Assuring the safety of physical environments for young children is essential to their health and survival. Failure to do so is negligence and a violation of their rights and can result in accidents claiming the lives of children.

Right to protection governs all children including those with disabilities, who are five times more susceptible to violence than the rest of children.⁴

Protection, though necessary, is not sufficient to ensure that children are not abused or neglected. Therefore CRC goes beyond protection to include the rights of provision and participation. The inseparability of these rights is crucially important to the issue of child abuse

1. Child mal-treatment. CDC <http://web.archive.org/web/20060919055338/http://www.cdc.gov/ncipc/factsheets/cmfacts.htm>
2. UNICEF Innocenti Research Center; http://www.unicef-irc.org/cgi-bin/unicef/portfolios/o_cluster.sql
3. Hand book on child abuse and neglect: http://www.mcf.gov.bc.ca/child_protection/pdf/handbook_action_child_abuse.pdf
4. International disability Alliance (IDA), personal communication, July, 21, 2010, NYC

Right to Participation

The main premise of the right to participation is the recognition that children are active agents in the realization of their own rights. This recognition is essential to the promotion of respect and protection of the evolving capacities of children¹. Whilst children's rights to do things for themselves are covered by many articles, it is Article 12 that captures the essence of it:

.....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.....

Similar to all other articles, the principle of non-discrimination and the universal applicability of child rights, without exception, also applies to Article 12. Based on this article, children of all ages and status', including children with disabilities- who are unable to verbally communicate their formed opinions, possess this right.

Child participation is a right that does not put any responsibility upon a child. Similar to other rights, it is up to the holder of the right (the child) to decide if and when to use it.

Child participation can be executed within a wide spectrum. It starts from consultation (which is merely seeking children's views in order to become aware of their lives and experience) to collaboration (where children are actively engaged at any stage of a decision) to the child-led initiatives (where children are provided with the space and opportunity to identify issues of concern, set off activities, and campaign for themselves).¹

What are the benefits of child participation?

1. Children are taught democracy through practice and how to implement it in their lives
2. It serves to protect children as they learn to feel safe in raising concerns and allowing themselves to bring these to the attention of adults, who are the duty bearers in protecting children and their rights
3. It gives them hands on practice with active listening, problem solving and conflict resolution. It also assists in developing many social skills needed for becoming successful and socially competent adults
4. It helps caregivers and duty bearers in getting to know children and understanding their problems/needs³
5. It teaches them how to be a part of a society, to be sensitive and take interest in the ongoing problems and issues
6. It teaches children how to contribute to society and eventually become active citizens²
- 7.

1. Gerison Lansdown. Evolving capacities and participation;
[http://www.acdi-cida.gc.ca/inet/images.nsf/vLUIImages/Childprotection/\\$file/CAPEvolvingcapacities_0%5B1%5D.pdf](http://www.acdi-cida.gc.ca/inet/images.nsf/vLUIImages/Childprotection/$file/CAPEvolvingcapacities_0%5B1%5D.pdf)

2. Gerison Lansdown. What is children and young people's participation? An advocacy brief. 2009.

3. Bird D., Arkadas A et al (2007). Guide to Child Participation. UNICEF Ankara.

Misconceptions

- 1) Children under eight years old are incapable of having an opinion about their own best interest. All we need to do is to provide them with care, we do not need to involve them in the details of care. We, as their parents/caregivers, know their best interest as they lack the competence.**

The realization of the right to be heard and have views helps to promote the evolving capacities of children. Respecting children, and giving them opportunities to participate, aids them to learn and develop the capacity to negotiate decisions through non-violent ways, confront injustice, build civil society, and make a positive difference. It is through these kinds of engagement that children build competencies, broaden aspirations, and become more confident. Young children also have the right to be heard and they do have opinions that need to be considered and weighed by their adult care takers and other stakeholders in decisions that affect their lives. Our responsibility is to find creative ways to facilitate their participation.

- 2) Obedience and acceptance of whatever adults say (without expressing any opinion) is indicative of a good upbringing, and reflects well on the parents.**

Children's lack of freedom to express opinion is not indicative of a healthy respect, but a fear-based respect. Good parenting should be based on healthy respect. A parent-child relationship anchored in respect entails that young children, like adults, are viewed as valuable members of the family with opinions that should be listened to and considered in the decision-making process at home. Participation in the decisions affecting children is an opportunity through which young children learn how to form an opinion, articulate it and then act on a given issue. Through this, children develop social competence. Children, who are not given these opportunities within the safety of their home environments, will have a difficulty voicing their opinions as they grow and difficulty in performing their civic duties in society.

- 3) Baby boys and girls are different. Boys need to play, have activity and get their energy out of their system, in order to grow healthy. Girls do not need this as much.**

Parents must treat their male and female children equally. Equal treatment should be reflected in both boys and girls receiving the same amount of warmth and care, but also opportunities for play and leisure activities. Play is a great way of stimulating the development of young children's brain, and it has the same significance for all young children; boys and girls.

- 4) During the early years, education (such as preschool education) is somewhat irrelevant and not a priority. All we need to take care of is children's nutrition and care.**

Early experiences and interactions with the environment are most critical in a child's brain development. Within the human brain, most of the connections among cells are made during infancy and early childhood. The interactions in children's environment are what prompt the growth and patterns of these connections in the brain. These connections mold the emotions and regulate the temperament, social development and behavior in the adult age. The early years provide us with a valuable window of opportunity to affect this process favorably by providing nurturing environments and assuring the quality of experiences within these environments for children.

- 5) Investment in school and high school will pay off better as it will prepare children to launch**

Misconceptions

successfully to college or work force. Investment in this part of education is a wiser than investing in preschool care and education.

The pillars of educational achievement are laid down during the early years. Children who achieve greater developmental outcomes during the early years are better prepared for school and perform better at school as indicated by their higher grades at grade 4 and higher grade point average at grade 12². The years before age six instigate skills and habits in children that will determine their overall school attainment and launching into the work force. The science of economy has analyzed the potential returns to investment in human capital by the age of the investment recipient. These results document a diminishing return to investment as the life course progresses meaning a much higher return from investments in early years compared to the equal dollars invested during any other stages of life.³

6) Support to early childhood promotes birth rate increases among the poorest segment of the society and adds to the burden of care for governments.

This argument is founded on very shaky rationale! The available data indicate that there is an inverse correlation between the level of woman's education and maternity rate. As early childhood education itself is a predictor of the level of education, investment in early years should, therefore, have an inverse correlation with birth rates and will eventually reduce the birth rate. Additionally, underdeveloped children and early vulnerabilities are not problems specific to the poor. While children of the poor are more statistically likely to be vulnerable, the majority of vulnerable children in many jurisdictions¹ are Middle-class children.

4) Investment in ECD is costly; the infrastructure and training of the personnel are too expensive.

Children do not need costly infrastructure and specific educational tools to develop their brainpower. All that is needed is nurturing, safe, loving and stimulating environments. Simple activities such as talking and listening to, singing, playing and reading can provide the stimulation for their brain to develop and grow.

5) Investment in ECD is not a wise investment for me within my time in the office. There is no political pay-off in it for me. The impact of this investment is long term and will only be felt when I am gone. My successors will get the recognition and credit for what I have done.

Investments in early years bring short, medium and long term benefits. A few medium term benefits are:

- Reduction in the number of low birth-weight infants and remedial and rehabilitative costs associated with it
- Improved parenting capacities and a decline in the number of high-risk parents and costs associated with child welfare programs such as foster care systems
- Reduction in cost of emergency and hospital services costs as a result of improvement in child health
- Productivity gains from reduced absenteeism are the result of improved work/life balance through provision of quality early child care services

1. Kershaw et al. 15 by 15; A comprehensive Policy Framework for Early Human Capital Investment in BC. 2009. <http://www.earlylearning.ubc.ca/wpuploads/2010/01/15by15-Full-Report.pdf>

2. Cunha, Flavio, and Heckman. 2007. The Technology of Skill Formation. American Economic Review 97 (2):31-47.

Examples of Good Practices

Government policies and programs that facilitate implementation of child rights

1. “Educate Your Child” Program and “National Maternal-Child Program” – Cuba

The “Educate Your Child” program is an ECD program run by the ministry of education. Under this program the mother-child pair is enrolled when a woman’s pregnancy is confirmed. The pair is then entered into a system that monitors them closely through the entire pregnancy, birth and onward. This enrolment also registers the mother and child in the “National Maternal-Child Program” run by the Ministry of Health.¹

2. National programs to facilitate right to adequate nutrition and right to play-Chile

JUNAEB is one of the many ECD promoting programs in Chile which provides food and psychosocial stimulation and support in schools for children age 4 and up. Another ECD program in Chile is a program of neighborhood strengthening, which aims to increase local access to quality physical spaces that can create more welcoming places for play and leisure activities of children.²

3. Child Act-Tanzania

On November 4th 2009, the new Child Act was unanimously passed by the Tanzanian Parliament. The bill was tabled by the Minister for Community Development, Gender and Children who declared to the House: "The best interest of the child shall be the primary consideration in all actions whether undertaken by public or private social welfare institutions, courts or administrative bodies." The act includes the right for a name and nationality as well as clauses on parental duties and responsibilities, among others.³

4. Revision of laws for young children’s participation (article 12)- Denmark

Denmark recently revised its legislation to reflect the provisions of Article 12 with regards to child protective proceedings. Denmark has made the implementation of Article 12 a priority, allocating funds to be used to educate professionals involved in social services about methods for interviewing children and the benefits of involving children in decisions.⁴

5. Keeping CRC as the focal point of all laws around children- Sweden

A cross-party parliamentary Committee on the Rights of the Child was instructed to determine to what extent Swedish legislation and practice accorded with the provisions of the Convention. The strategy is based on the foundation that the spirit and the intentions of the Convention must be observed in all decision-making that affects children. Soon after, the Office of the Children's Ombudsman was established in Sweden.⁴

6. Inclusion of immigrant children-UK

On September 22nd 2008, the British government made a decision to grant children seeking asylum, migrant children, and those who have been trafficked into the UK the same rights as British children, including rights to education, health care and social services.⁵

Examples of Good Practices

Programs and initiatives of some non-governmental organizations exemplifying actions that facilitate implementation of CRC during the early years

1. Right to birth registration, Plan International

Every child has the right to a name at birth and the right to obtain citizenship. These are basic aspects of the child's identity. Plan also considers universal birth registration a matter of child protection. Without registration of birth, a child could lose out on its basic rights before the law, as well as to access to education, health and social services. A child who is unregistered can be more vulnerable to abuse and exploitation, and be denied their rights to a family and name. In recognition of the significance of the right to birth registration and also its implications as a pre-requisite right for other core rights, Plan has embarked on a Birth Registration Campaign, working with many partners at different levels of society and government to increase birth registration.⁶

2. Right to Health and Survival, World Vision

Child Health Now is World Vision's first global advocacy campaign focused on a single issue: reducing the preventable deaths of children under five across the globe. Child Health Now aims at reaching this goal through breastfeeding support and promotion, immunization, nutrition, micronutrient supplementation, management of diarrhea, promoting use of bed nets and increased access to reproductive health and maternal health services.⁷

3. Educational provisions for vulnerable and excluded children, Save the Children

All children have the right to quality early education. Essential to the realization of this right is ensuring access and quality for the most vulnerable sections of the population (non-discrimination-Article 2 and equal opportunity-Article 28 of CRC). Save the Children reaches the world's most marginalized children in need of education to survive and thrive in more than 30 countries around the world targeting girls, ethnic minorities, and children affected by HIV/AIDS, wars, and other catastrophes — from early childhood through young adulthood.⁸

4. The Roving Caregiver Program, Bernard van Leer Foundation

The Roving Caregiver Program (RCP) is a home-based intervention program designed specifically for young Caribbean children who are at risk for academic and social delays that may be attributed to poverty and inadequate parenting.⁹

-
1. Manual for Early Childhood Rights Indicators (Draft); <http://www.childrightsimpact.info/ecrim/bibliography.html>
 2. Dr. Helia Molina, Ministry of Health of Chile. Personal Communications
 3. Child Right In Practice (CRIP); <http://www.crin.org/resources/infodetail.asp?id=21251>
 4. Representing Children Worldwide (RCW); http://www.law.yale.edu/rcw/rcw/juris_main.htm
 5. UNICEF; http://www.unicef.org/media/media_45713.html
 6. Plan International Universal birth registration; <http://plan-international.org/birthregistration/universal-birth-registration>
 7. World Vision. Child Health Now; <https://childhealthnow.com/>
 8. Save the Children. Education; <http://www.savethechildren.org/programs/education/>
 9. Bernard van Leer Foundation; http://www.bernardvanleer.org/Strengthening_the_young_childs_care_environment

R

ecommendations

States Parties should;

Adopt a legal ban on all forms of violence, including corporal punishment in all settings and prohibition of harmful customary or traditional practices. The particular situation of young children should be incorporated into all legislation, policy and programs and under no circumstance should young children be included in legal definitions of minimum age of criminal responsibility.

Establish a system to enable children (according to their evolving capacities) or their advocates to seek grievance when their rights are violated. Children must be familiarized with the procedures of complaint and be able to use them safely without fear of blame and allegation.

Promote non-discriminatory treatment of girls and boys in the family and other settings and adopt measure to ensure equal access to food, education and health services. Develop programs and policies that target decision-makers at all levels and include men, boys, women, girls, parents, teachers, religious and traditional leaders and educational and media institutions to address stereotypical attitudes and behaviors in the elimination of discrimination and violence against girls.

Ensure a universal, flexible and well-managed birth-registration system that is non-discriminatory and accessible to all free of charge. Birth registration should be ensured immediately after birth, but also open for late registration of children that remain unregistered.

Initiate a large scale awareness raising on CRC and develop gender-sensitive parent education programs focusing on non-violent discipline in the family, as well as to caregivers, teachers and others who work with young children and families.

Enable families to fulfill their obligation to young children. Aside from their own obligations as the duty bearers, States Parties have a significant enabling role in regards to the other duty bearers of children's rights. They must assist families to fulfill their obligations to their children. In doing so, they have to provide **time** (such as adequate paid maternity leave), **resources** (such as income assistance) **and services** (such as high quality ECD child care and education programs) for families of young children to create a healthy and stress free home environment for children to be born, grow and develop to their full capacity.

Recognize that child survival and child development are indivisible, and are not in conflict with each other. Program financing in the international development community has to reflect this understanding. A proportionate funding scheme has to be adopted to address both child survival and early child development.

GLOSSARY OF ACRYNOMS

CRC: Convention on the Rights of the Child

ECD: Early Child Development

GC: General Comment

GC: 7: General Comment number 7

GDP: Gross Domestic Product

SBS: Shaken Baby Syndrome

UN: United Nations

UN-CRC: United Nations Committee on the Rights of the Child