



The Consultative Group on Early Childhood Care and Development

THE CONVENTION ON THE RIGHTS OF THE CHILD: MOVING PROMISES TO ACTION

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The Convention and Mechanisms for Compliance with its Provisions

The approval of the Convention on the Rights of the Child by the UN Assembly (November 1989) and the subsequent Summit for Children (September 1990) have, without doubt, had an important effect on the way in which the approximately 170 governments that are signatories to the Convention include attention to children within their social planning and programming. This is so in part because national approval of the Convention creates a moral commitment by a country, within an international framework, to seek improvements in the survival, development, protection, and social participation of children. It would be naive, however, to think that moral commitment related to an international document will, alone, serve as a strong incentive for action; governments are too often associated with paper promises and empty rhetoric. With this in mind, one of the most immediate and important features of the Convention and the Summit has been the development of a set of related mechanisms that help to move promises to action, trying to assure that the provisions of the Convention are acted upon.

A Committee on the Rights of the Child. 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). 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 fulfillment 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, which has now been functioning for several years, 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.

NGO activities. 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 organizations (NGOs). Some of these activities are educational, promotional, or service actions by NGOs intended to reinforce particular rights and to improve directly living conditions affecting the welfare of children. Other activities are focussed on sharing information and on monitoring the process of complying with the Convention. These new mechanisms include the growth of international networks such as the Children's Rights Information Network¹, regional networks such as the Latin American Regional Collective to Help Follow up the Convention², and national groups (such as the 13 national groups of NGOs participating in the Latin American regional collective or the Philippine national grouping). In some cases, these NGO groups also provide information to the International Committee on the Rights of the Child. The Committee uses this information when interpreting governmental reports and in formulating suggestions to governments. Some of the national NGO groups produce parallel reports (to those of the government) on the status of children in their countries and others cooperate with the government in producing a joint report³.

¹The facilitating organizations for this international information network are: The Children's Defense Fund International, Save the Children (UK), Radda Barnen (Sweden), The International Alliance of Save the Children (Switzerland), The NGO Group on the Convention on the Rights of the Child (Switzerland), and the International Center for Child Development (UNICEF/Italy). The coordination of this group can be contacted care of: Overseas Information and Research, Save the Children (UK), 17 Grove Lane, London SE5 8HD, the United Kingdom.

²The Latin American network has brought together national non-governmental committees that have been formed in 13 Latin American countries (Argentina, Bolivia, Chile, Colombia, Ecuador, El Salvador, Guatemala, Mexico, Nicaragua, Panama, Paraguay, Peru, and Uruguay). Also participating in the network are regional offices of Radda Barnen, UNICEF, Catholic Children, Children's Defense International, Save the Children (US and Canada), Redd Barna, and the Organization of American States. Information about this initiative can be obtained from: Radda Barnen, Oficina Regional para America del Sur, Calle Uno 932, Urbanizacion Corpac, Lima 27, Peru.

³An example of the first is the Third Report on the Rights of the Child and the Situation of Children in Mexico, 1994, which has been published recently (in Spanish) by the Colectivo Mexicano de Apoyo a la Ninez

The World Summit for Children and National Programmes of Action. Yet another mechanism for moving promises into action (and the one closest to the central theme of this Notebook) has been a process, promoted and monitored closely by UNICEF, of developing National Plans or Programmes of Action (NPAs). NPAs are linked to a worldwide Plan of Action adopted at the conclusion of the World Summit for Children, obligating the 71 heads of State and Government and 88 Senior officials 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. Most of the participating nations in the Summit and the signatories to the Convention have now formulated NPAs for children looking ahead to the year 2000. And, in some cases, the NPAs are being decentralized and Local Programmes of Action (LPA) are being formulated.⁴

Against this background, the purpose of this brief note is not to report in a detailed and systematic way on NPAs and their relation to the World Plan or the Convention on Children's Rights. Rather, my reading of the Convention and perusal of a number of NPAs lead me to share some thoughts on the place of early childhood care and development (ECCD) in the Convention, in the NPAs and in the extensive process of planning and monitoring the rights of children. I will raise several questions to be kept in mind by those involved in the process of promoting, planning, and monitoring Convention promises, and I will end with a challenge to the ECCD community.

Early Childhood Development in the Convention, in NPAs and in Monitoring the Convention

Article 6 of the Convention says that "States Parties shall ensure to the maximum extent possible the survival and development of the child". It is my considered impression that the child development part of this statement is being neglected, particularly with respect to development during the early childhood years. Moreover, my impression is that little is being done within the framework of the Convention to monitor or meet Article 18 (Section 2) stating that "...States Parties shall 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". Similarly, Article 27 (Section 1) seems neglected: "States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development." This impression is based in part on looking at several NPAs where ECCD, if not absent, is given very little attention. Ironically, this is

(COMEXANI). In Chile, the National Group to Assist the Convention on the Rights of the Child (GAN) has critiqued the government's plan of action but has also worked to produce a joint report for presentation to the Committee.

⁴See, C. Castillo and R. Dunbar. 1995. *The Children Here: Current Trends in the Decentralization of National Plans of Action.* Also, W. G. Nuqui. 1994. *The Philippines: A Case Study in Local Planning for Children.* These publications can be obtained from: UNICEF International Child Development Centre, Piazza Santissima Annunziata 12, 50122, Florence, Italy, FAX:(39-55) 24-48-17.

occurring at the same time that ECCD seems to be gaining ground from other points of view, not related to child rights or to the Convention.

There are several reasons why I think ECCD has a minor place in the discussions of children's rights and in the monitoring of the Convention.

1. *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, 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 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 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 child care with parents.

Ironically, 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 which 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 (e.g., 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.

2. A low priority was assigned to ECCD at the 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 World Plan of Action are reflected in National Plans and in monitoring. More specifically, the World Plan, set out at the Summit in September 1990, listed 26 objectives to be pursued, each related to an area of sectorial actions favoring 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 (very general) 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."⁵ 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% in deaths caused by diarrhea 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 "Principle Goals of Survival,

⁵This goal was taken directly from the Framework for Action approved at the World Conference on Education for All in Thailand in March 1990.

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 *principle* 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.

3. *Emphasis on what can be measured.* A third reason why I think ECCD is weak in the follow-up activities related to the Convention and in many NPAs is 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 birthweight, 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 nonformal programmes and leaving out such initiatives as parental education. Similarly, because this monitoring occurs in relation to educational programmes, child care 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 for Readers to Ask

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 you go about examining relationships among the Convention, the Summit, NPAs and specific actions in your 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 fulfillment 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 nonformal 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 center 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. (See review of *Towards a Children's Agenda*) 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.⁶ Efforts are also being made to develop appropriate indicators through a Childwatch project.

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.

The full text of the Convention on the Rights of the Child can be found on the Internet at the UNICEF site.

For a print version, contact:

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⁶For information about this initiative, readers may write to Robert Myers at the Consultative Group, or contact directly: The Caribbean Child Development Centre, University of the West Indies, P.O. Box 141, Mona, Kingston 7, Jamaica.

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