

THE LEGAL FRAMEWORK FOR ECCE

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GLOBAL LEGAL INSTRUMENTS

International legal foundation for Early Childhood Care and Education

1924 Declaration of the Rights of the Child (Geneva Declaration)

- The child must be given the means requisite for its normal development, both materially and spiritually.
- The child that is hungry must be fed, the child that is sick must be nursed, the child that is backward must be helped, the delinquent child must be reclaimed, and the orphan and the waif must be sheltered and succoured.
- The child must be the first to receive relief in times of distress.
- The child must be put in a position to earn a livelihood, and must be protected against every form of exploitation.
- The child must be brought up in the consciousness that its talents must be devoted to the service of its fellow men.

1948 UNIVERSAL DECLARATION OF HUMAN RIGHTS

- Article 1: All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of ``brotherhood``
- Article 25 (2): Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

1956 International Covenant on Economic, Social and Cultural Rights

- Article 13 (1): Education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms.

1959 DECLARATION OF THE RIGHTS OF THE CHILD (Principles 5, 7 &9)

- ‘Mankind owes to the child the best it has to give’, including education.

1973 ILO Convention No. 138 of the Minimum Age of Employment

- The minimum working age was set at 15 years (13 years for light work). For dangerous work, the Convention set the bar for admission to employment at 18 years (16 years under certain conditions).
- The Convention allows developing countries, whose economy and educational facilities are insufficiently developed, to temporarily set the minimum age for admission to employment at 14 years. This decision must be thoroughly justified.

1989 The United Nations Convention on the Rights of the Child (CRC)

- Committed to respect and ensure the civil, political, economic, social and cultural rights of children.

1999 ILO convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour

- Defines the worst forms of child labour as:
- All types of slavery, including the sale and trafficking of children; forced labour to pay off a debt; any other type of forced labour, including using children in war and armed conflict;
- All activities which sexually exploit children, such as prostitution, pornography or pornographic performances;
- Any involvement in illegal activities, especially the production or trafficking of drugs;
- Any work which could damage the health, safety or well-being of children (so called “hazardous work”).

COMPLIANCE, STRUCTURE & PROCESSES

UNESCO Committee on Conventions and Recommendations (CR)

- Frequency of reporting: Every four years unless the General Conference, in the case of specific conventions or recommendations, decides otherwise.
- The CR meets, in principle twice a year on the occasion of the sessions of the Executive Board. Extraordinary sessions may also be convened when the Executive Board considers it necessary.

INTERNATIONALLY AGREED GOALS

Education for All (EFA)

1990 Jomtien_The World Declaration on Education for All adopted

- Established Education for All with goals of:
- Expansion of early childhood care and development, especially for the poor.
- Universalizing access and promoting quality.
- Focusing on learning.
- Broadening the means and scope of basic education.
- Enhancing the environment for learning.
- Strengthening partnerships.

2000 DAKAR Framework for Action on EFA (Six goals)

- Expanding and improving comprehensive early childhood care and education, especially for the most vulnerable
- Ensuring that by 2015 all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities, have access to and complete free and compulsory primary education of good quality.
- Improving all aspects of the quality of education and ensuring excellence of all so that recognized and measurable learning outcomes are achieved by all, especially in literacy, numeracy and essential life skills.

MDGs #2: Achieve universal primary education, #4, #5, #6

2010 MOSCOW FRAMEWORK FOR ACTION AND COOPERATION: HARNESSING THE WEALTH OF NATIONS

- Moscow reaffirmed the right of all children to ECCE, and underscored it as the basis for “building the wealth of nations”.
- UNESCO conceptualized ECCE as a holistic, integrated and multi-sectorial service focusing on health, nutrition, early stimulation, education, social protection and a supportive environment as means of fostering children’s holistic development.

2015 INCHEON_The World Education Forum

- The forum recognized ECCE as one of the inescapable enablers for realizing “equity of education quality and lifelong learning for all”.
- SDG 4.2 by 2030 ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education

SUSTAINABLE DEVELOPMENT GOALS (SDGS)

GOAL 1: No Poverty

1.3.1 Proportion of population covered by social protection floors/systems

GOAL 2: Zero Hunger

2.2.2 Prevalence of malnutrition

GOAL 3: Good Health and Well-being

3.1.1 Maternal mortality ratio

3.1.2 Proportion of births attended by skilled health personnel

3.2.1 Under-5 mortality rate

3.2.2 Neonatal mortality rate

3.8.1 Coverage of essential health services

3.9.1 Mortality rate attributed to household and ambient air pollution

3.9.2 Mortality rate attributed to unsafe water, unsafe sanitation and lack of hygiene

GOAL 4: Quality Education

4.1.1 Proportion of children in grades 2/3 achieving at least a minimum proficiency level in reading and mathematics

4.2.1 Proportion of children under-5 who are developmentally on track in health, learning and psychosocial well-being

4.2.2 Participation rate in pre-primary stage

GOAL 6: Clean Water and Sanitation

6.2.1 Proportion of the population using safely managed sanitation services and a hand-washing facility with soap and water

GOAL 8: Decent Work and Economic Growth

8.7.1 Proportion and number of children aged 5–17 years engaged in child labour

Health & Nutrition

- Armenia, Chile, Croatia, Cuba and Turkmenistan provide programmes and support such as health care, nutrition (such as free meals), educational material or social care for pre-school age children.

Only 15 countries worldwide have three basic national policies that help guarantee the time and resources parents need to support their young children's healthy brain development. (UNICEF)

- The three basic national policies are nutrition, protection and stimulation.
- Countries: Belarus, Bulgaria, Cuba, France, Hungary, Italy, Latvia, Luxembourg, Portugal, Romania, the Russian Federation, San Marino, Sweden, Turkmenistan, and Ukraine.

NATIONAL LEGAL INSTRUMENTS

- Constitution
- Sector level Acts
- ECCE-specific legal instruments (Licensing,

NATIONAL INSTRUMENTS

Access and Equity in Financing

- New Zealand provided distance education for children in remote or rural areas
- Turkey reported that mobile pre-schools are examples of on-going efforts to reach disadvantaged children.

Human Rights Education

- In Bulgaria, among the main objectives of pre-school and school education is the formation of national and civil consciousness and tolerance and respect to ethnic, national, cultural, linguistic and religious identity of every citizen.

One year of compulsory and free quality pre-school education;

- Example: Early childhood education is free and mandatory in Brazil, Bulgaria, Chile, Hungary and Latvia. While it is free for one or more years in the Cook Islands, Malta, Costa Rica, Turkey, Ukraine and Zambia.

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ECCE is multi-sectoral

- ECE services available in New Zealand include culturally oriented services such as Te Kōhanga Reo (Māori language nests) or A'oga Amata (Pacific Island language nests).
- Chile implemented a program for the improvement of childcare (PMI) intended for children in vulnerable situations. It operates in community areas with the participation of families and cultural workers and, with the support of professionals, provides them with both education and care.

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