



# Landscape of our practice: provisions of international conventions for ECD for children with disabilities

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# The three sisters

- UN Convention on the Rights of the Child
- African Charter on the Rights and Welfare of the Child
- UN Convention on the Rights of Persons with Disabilities

# Sources

- Discussions of working group
- General Comments
  - 7 (2005) Implementing rights in early childhood
  - 9 (2007) Rights of children with disabilities
- Concluding observations

# Key themes

- 1) The right to development and link to other rights
- 2) The rights of children with disabilities (non-discrimination and participation)
- 3) Duty-bearers: parents and the state

# The right to development

- Survival and development

UN Declaration on the Right to Development defines development as

“A comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation... and in the fair distribution of benefits resulting therefrom.”

# Development in relation to other rights

- Right to an adequate standard of living
  - Child's development cannot be divorced from their conditions of living
  - Impact of poverty and link to disability
- Right to health
  - Provision of health care
  - Addressing underlying determinants of health
  - Early identification and intervention
  - Habilitation and rehabilitation



# Development in relation to other rights...

- Education

- To be directed towards “the development of the child’s personality, talents and mental and physical abilities to their fullest potential”
- Without discrimination and on the basis of equal opportunity; inclusive education
- Reference to basic, secondary and higher education
- MDG and EFA: expand and improve comprehensive early childhood care and education... especially for the most vulnerable and disadvantaged children

# The rights of children with disabilities

## People with disabilities

- “are those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others” (CRPD)
- Response is to *remove the barriers*

# Non-discrimination

- “Multiple inequities” may impact on children’s rights in early childhood
  - Family situation
  - Powerlessness of young children

Does not imply that everyone must be treated the same: *“There is nothing more unequal than the equal treatment of unequals”* (Ken Alston)

# Participation

- Every child, even the very youngest, to be respected in their own right
- Importance of communication

## Requires:

- Space – opportunity express a view
- Voice – facilitation to express a view
- Audience – view must be listened to
- Influence – view must be acted upon as appropriate

(Lundy 2007)

# Duty bearers: parents

Parents have primary responsibility for bringing up children and promoting their development and well-being, with child's best interests as their basic concern

- includes securing an adequate standard of living
- Intended to protect parents against excessive intervention of the state

# Duty bearers: the State

- Provide “appropriate assistance” to parents in their child-rearing responsibilities
  - Adequate living conditions
  - Child protection and care
  - Advise and educate parents about their responsibilities
  - Information, services and support
- Ensure “development of institutions, facilities and services for the care of children”
  - Ensure adequate standards

# A framework for advocacy

- Early childhood development a right for children with disabilities
- What reasonable measures must be taken by the state to develop comprehensive and inclusive ECD services for children with disabilities?

