



**HOPE
AND
HOMES
FOR
CHILDREN**




**Save the
Children**



Terre des Hommes
International Federation

A child rights approach to inclusive social protection

Joint submission by Child Right Connect and its members

January 2023

This joint submission is made on behalf of Hope and Homes for Children, Child Rights Connect, Save the Children, Make Mothers Matter, Terre des Hommes International Federation.

Preamble

An inclusive social protection approach, one that leaves no one behind, is one that ensures adequate income that reflects and takes into account the intersecting situations of vulnerability that children may face, for instance due to the effects of climate change, pandemics. It should also cover age-appropriate care and protection needs, one that also covers individuals, often mothers and female relatives, who undertake their care, mostly unpaid and unrecognized. Inclusive social protection systems are an essential mechanism for realizing children's rights. Social protection is enshrined in the UN Convention on the Rights of the Child. They are essential to break vicious cycles of poverty and socioeconomic vulnerability. Conversely, experiences of childhood poverty can last a lifetime, and the effects of deprivations such as malnutrition and poor education can be intergenerational. In consequence, the need to close gaps in social protection coverage, comprehensiveness, and adequacy and to address child poverty is of overriding urgency.^{1 2}

A child-sensitive social protection system includes the following elements:

1. **Social assistance:** non-contributory cash, vouchers or in-kind transfers (e.g., school feeding, child grants, free education) that can reduce child poverty and vulnerability, as well as help ensure children's access to basic social services.
2. **Social Security:** non-contributory schemes providing compensatory support (e.g. Universal Health Care, unemployment insurance schemes) which support access to health care for children and their families.
3. **Social care services:** family support or alternative care for children, provided to those facing social risks, such as violence, abuse, exploitation and social exclusion.

¹ ILO and UNICEF. 2019. *Towards Universal Social Protection for Children: Achieving SDG 1.3*: ILO-UNICEF Joint Report on Social Protection for Children - https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---soc_sec/documents/publication/wcms_669336.pdf

² https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---soc_sec/documents/publication/wcms_817572.pdf p.84

4. **Labour market policies and regulations:** protecting families' access to resources, promoting employment and supporting childcare roles (e.g., parental leave for childcare) and work life balance.³
5. **Social Accountability:** Communities have the awareness, evidence and confidence to hold public sector service providers accountable for the quality and quantity of services delivered for children.

Current situation

Globally, only 26.4% of all children have an effective social protection coverage.⁴ Effective coverage for children, is particularly low in some regions: 18 per cent in Asia and the Pacific, 15.4 per cent in the Arab States and 12.6 per cent in Africa.⁵ As of 2020, only 46.9 per cent of the global population were effectively covered by at least one social protection benefit (Sustainable Development Goal (SDG) indicator 1.3.1; while the remaining 53.1 per cent – as many as 4.1 billion people – were left wholly unprotected.⁶ Of especially serious concern are fragile States, where social protection coverage is very low and 41.6 per cent of children live in extreme poverty, compared to 14.8 per cent in non-fragile States.

Before the global COVID-19 pandemic, children were more than twice as likely as adults to be living in extreme poverty. The pandemic only worsened the situation, disproportionately affecting children.⁷, compared to just 7.9 per cent of adults aged 18 and above. In real terms, this means that one in six children – 356 million in total – were living in extreme poverty.⁸ Based on demographic and

Case study: EU Child Guarantee

The European Child Guarantee targets children in need, such as: children with disabilities and mental health issues, children living in precarious situations (e.g. those living in a single-earner household; living with a parent with disabilities; living in a household where there are mental health problems or long-term illness); street-connected children, children from minority or ethnic backgrounds and other disadvantaged groups of children.

The purpose of this initiative is to further protect the rights of children in Europe, especially of those in need, and to ensure more equal opportunities for them. To do so, the Council Recommendation calls for EU members to set up national action plans that guarantee 'effective' and 'free' access to certain key services: healthcare, high quality early childhood education and care, education and school-based activities, adequate housing and healthy nutrition.

EU Member States have 9 months to develop and adopt these national action plans. The Commission will monitor their implementation to ensure that it is linked to the European Pillar of Social Rights 2030 target, to reduce by at least 5 million the number of children at risk of poverty or social exclusion, and by at least 15 million the number of people at risk of poverty or social exclusion.

³ Global Coalition to End Child Poverty, "Briefing Paper: Child Sensitive Social Protection", 2017.

<http://www.endchildhoodpoverty.org/publications-feed/2017/11/1/9v61mcxy3mw336oilgamomko1p12it>

⁴ <https://www.social-protection.org/gimi/WSPDB.action?id=40> SDG indicator 1.3.1: Effective social protection coverage, global and regional estimates, by population group, 2020 or latest available year (accessed 25 Jan. 23)

⁵ https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---soc_sec/documents/publication/wcms_817572.pdf World Social Protection Report 2020–22: Social protection at the crossroads – in pursuit of a better future p.22 (accessed 25 Jan. 23)

⁶ https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---soc_sec/documents/publication/wcms_817572.pdf p.2

⁷ ILO and UNICEF, "Towards Universal Social Protection for Children: Achieving SDG 1.3", 2019.

<https://www.unicef.org/reports/towards-universal-social-protection-children-achieving-sdg-13>

⁸ https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---soc_sec/documents/publication/wcms_817572.pdf p. 85

growth projections, it is estimated that, by 2030, nine out of ten children experiencing extreme poverty will live in sub-Saharan Africa.⁹

That children are routinely more likely than adults to be living in poverty is not only a moral concern and human rights violation: given the devastating impacts on their current well-being and long-term development, it also has adverse implications for societies in general. This twin imperative underscores the urgency of extending child-responsive social protection, as a long-term investment to reduce poverty.¹⁰ The experience from countries with long-established universal child benefits shows that they help to achieve greater poverty reduction than means-tested benefits. COVID-19 threatens to imperil years of progress towards achieving the Sustainable Development Goals (SDGs), reversing gains in poverty reduction.¹¹ The levels of investment are entirely out of proportion to both the level of need and the substantial economic and social returns that greater investment in children would achieve.¹²

Recommendations:

1. To ensure children's well-being and achieve the SDGs, fiscal austerity for child and family social services must be avoided. The pandemic's adverse effects on children will be protracted. All the evidence indicates that child income poverty is likely to increase and to remain above pre-COVID levels for up to five years in many countries.^{13,14}

International normative framework

According to the UN Convention on the Rights of the Child "States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law" (Article 26). The right to social security is recognized in numerous human rights instruments including the Universal Declaration of Human Rights (art. 22) and the International Covenant on Economic, Social and Cultural Rights (Article 9 and 10 and General Comment No. 19¹⁵). Article 11 of the Convention on the Elimination of All forms of Discrimination against Women recognizes the right to social security for women, especially in cases of retirement, unemployment, sickness, invalidity, old age or other incapacity. In addition, article 11 recognizes the right to paid leave, in particular paid maternity leave. Article 27 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families sets out the right of all migrant workers to social security on an equal footing with nationals, as well as to reimbursement of contributions if they cannot access benefits. Article 28 of the UN Convention on the Rights of Persons with Disabilities recognizes the right of persons with disabilities to social protection without discrimination on the basis of disability and enumerates steps to be taken by States to safeguard and promote the realization of this right.

⁹ Silwal, Ani Rudra, Solrun Engilbertsdottir, José Cuesta, David Newhouse, and David Stewart. 2020. "Global Estimate of Children in Monetary Poverty: An Update". World Bank.

<http://documents.worldbank.org/curated/en/966791603123453576/Global-Estimate-of-Children-in-Monetary-PovertyAn-Update>.

¹⁰ https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---soc_sec/documents/publication/wcms_817572.pdf p. 85

¹¹ https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---soc_sec/documents/publication/wcms_817572.pdf p.2

¹² ILO, 2021. World Social Protection Report 2020–22: Social protection at the crossroads – in pursuit of a better future. International Labour Office – Geneva.

¹³ Richardson, D., Carraro, A., Cebotari, V., Gromada, A. and Rees, G., 2020. Supporting Families and Children Beyond COVID-19: Social protection in high-income countries.

¹⁴ https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---soc_sec/documents/publication/wcms_817572.pdf p.100

¹⁵ <https://www.ohchr.org/sites/default/files/documents/issues/socialsecurity/2022-10-07/One-pager-social-protection-Socialsecurity.pdf>

International social security standards complement this framework. The 2012 ILO Convention No. 102 on social protection floors¹⁶ (Part VII) sets minimum standards for the provision of family (or child) benefits in the form of a periodic cash benefit, benefits in kind (food, clothing, housing, holidays or domestic help) or a combination of both. ILO Recommendation No. 202 emphasizes the universality of protection, stating that the basic social security guarantee should apply at a minimum to all residents, and all children, as defined in national laws and regulations and subject to existing international obligations (Para. 6), that is, to the respective provisions of the UNCRC, the ICESCR and other relevant instruments. Representing an approach strongly focused on outcomes, Recommendation No. 202 allows for a broad range of policy instruments to achieve income security for children, including child and family benefits as part of a broader portfolio of interventions.¹⁷

Recommendations:

1. Reaffirm that the right to social protection is well established under international human rights law and States have the obligation to ensure this right without discrimination.

Prerequisite of inclusive social protection: universal birth registration

Globally, it is estimated that the births of 166 million children under the age of 5 have never been recorded, with registration falling to 40% in some regions.¹⁸ Universal birth registration, which gives a child an identity, is a first and necessary condition to ensure that every child has access to social protection and realize their other rights. The legal framework should also ensure that every child has a nationality, whether granted by birth or descent. Formal identification of potentially eligible beneficiaries is typically required in order to benefit from social protection, yet an estimated 1.1 billion people around the world lack legal identity, which effectively bars them from benefiting from social protection programmes.¹⁹

The UN Human Rights Council Resolution A/HRC/RES/34/15 “calls upon States to ensure free birth registration, including free or low fee late birth registration, by means of universal, accessible, simple, expeditious and effective registration procedures, without discrimination of any kind”.²⁰ Birth registration is the beginning of a reciprocal arrangement between a citizen and State, one that confirms both obligations and rights. The absence of it strongly correlates with serious human rights violations and human suffering. Target 16.9 of the Sustainable Development Goals explicitly calls on States to provide legal identity for all, including through universal birth registration, by 2030. Complementing this is target 17.9, which calls for support in building the statistical capacity needed for strong national civil registration systems.²¹ Similarly, standards for birth registration are contained in UNCRC General Comment No. 7 on

¹⁶ https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R202

¹⁷ https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---soc_sec/documents/publication/wcms_817572.pdf p.87

¹⁸ <https://data.unicef.org/wp-content/uploads/2019/12/Birth-registration-for-every-child-by-2030-brochure-English.pdf> p. 16

¹⁹ Report of the Special Rapporteur on extreme poverty and human rights, Olivier De Schutter, Non-take-up of rights in the context of social protection, para 32.
<https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2F50%2F38>

²⁰ Birth registration and the right of everyone to recognition everywhere as a person before the law’ (24 March 2017) A/HRC/RES/34/15, available at <https://undocs.org/A/HRC/RES/34/15>.

²¹ <https://data.unicef.org/wp-content/uploads/2019/12/Birth-registration-for-every-child-by-2030-brochure-English.pdf> p. 6

implementing child rights in early childhood calling for a “universal, well-managed registration system that is accessible to all and free of charge”.²²

Recommendations:

1. Reaffirm that the right of the child to birth registration as established under the UN Convention on the Rights of the Child and the related General Comment No. 7, in line with Sustainable Development Goal target 16.9 States have the obligation to ensure this right without discrimination.
2. Urges States to ensure that birth registration is free of charge, by means of universal, accessible, simple, expeditious and effective registration procedures, without discrimination.
3. Noting the particular situations of vulnerability of nomadic and border populations, minorities, refugees, IDPs, and migrants, abandoned, orphaned, unaccompanied or separated children, calls upon States to ensure that no child is born stateless, to remove gender discrimination from nationality laws and issue nationality documentation to those with entitlement to it.²³

Universal child benefits

One of the best evidenced and most immediately effective responses to child poverty is to provide a minimum level of income in the form of cash transfers direct to families - such as in a Universal Child Benefit system (UCBs). Although cash alone is not sufficient to sustainably reduce poverty, it is a necessary foundation. When provided alongside access to basic services (cash plus), including health, education and protection, the impacts are even more profound, and with complementary interventions, cash transfers can be transformational in breaking the intergenerational cycle of poverty. Evidence shows that such support can help improve child health and reduce child mortality, prevent chronic malnutrition, increase access to education, and reduce risks to children’s protection – including family separation, child marriage and child labour²⁴

UCBs have become a key policy tool in many high-income countries, and a growing number of lower income countries have also started out on this path. Currently, UCBs are in place in just 21 countries (mainly in Europe), while a further 87 have varying forms of child or family benefits. 72 countries still have no child or family benefit scheme.²⁵ Yet, such policies, alongside other universal social security instruments and investments in public services, have been central to maintaining economic and social progress.

In Nigeria, the Child Development Grant Programme reduced stunting and improved dietary diversity, use of health and nutrition services, food security, women’s livelihoods and control of resources, while in Cambodia, the NOURISH Programme recorded a 17% reduction in stunting and improvements in maternal nutrition, breastfeeding and household hygiene and sanitation rates.

²² United Nations Committee on the Rights of the Child, General Comment No. 7 (2005): Implementing child rights in early childhood, CRC/C/ GC/7/Rev.1, Office of the High Commissioner for Human Rights, Geneva, 20 September 2006, pp. 11-12.

²³ UNHCR, Global Action Plan to End Statelessness (4 November 2014), at: <http://www.refworld.org/docid/545b47d64.html>

²⁴ Harman, L. (2018). *The Role of Cash Transfers in Improving Child Outcomes: The Importance of Child-Sensitivity and Taking a ‘Cash Plus’ Approach*. London: Save the Children.

²⁵ ILO/UNICEF (2019) Joint Report on Social Protection for Children: Towards universal social protection for children: Achieving SDG 1.3.

Recommendations:²⁶

1. Urges States to take effective action to provide support to children and their parents/caregivers by providing intersectional, including gender-, disability- and child-responsive social protection systems, which are key to ensuring poverty reduction, including, as appropriate, targeted cash transfers for children and their parents/caregivers in vulnerable situations, as can be the case of families headed by a single parent, in particular those headed by women or by children, and which are most effective in reducing poverty when accompanied by other measures, such as providing access to basic services, high-quality education, affordable quality childcare services and health-care services.²⁷
2. Governments should urgently create more fiscal space for child-responsive social protection, aiming towards at least 1% of their country's economic output (GDP). This may require the support of donors in lower income contexts.
3. Encourage States to progressively move towards universal coverage, and implement UCBs without discrimination, and integrate them with complementary services.

The first 1000 days

The first one thousand days of early childhood must be a particular focus of inclusive social protection for children; it is the time when children are most vulnerable and require time-intensive and skilful nurturing care to ensure their development to their full potential. It is a unique period of opportunity, when the foundations of optimum health, growth, and neurodevelopment across the lifespan are established. Yet too frequently, in particular in developing countries, poverty and its attendant condition, malnutrition, weaken this foundation, leading to earlier mortality and significant morbidities such as poor health, and more insidiously, substantial loss of neurodevelopmental potential.²⁸ Conversely, investing in Early Childhood Development can break the intergenerational transmission of poverty and bring significant returns.

Rwanda case study

Look at newborns and early childhood development to fight of poverty and malnutrition and promote good diet : Rwanda has early childhood development agency, early childhood development policy, social assistance ; nutrient porridge froor(nutri toto) and milk for children in poor backgrounds to fight against malnutrition and stunting

Recommendations:

1. Urges States to invest in services that give young children, especially those in the most vulnerable situations, the best start in life,²⁹ through expanded access to effective and essential early childhood care and education services in homes, schools, communities and health clinics. This includes the collection of data on essential indicators of early childhood development to track progress.
2. Urges States to develop family-friendly early childhood development policies, that begin with adequate sexual and reproductive health services and education, pregnancy, access to early childhood education, which include two years of free pre-primary education; paid breastfeeding breaks for new mothers for the first six months; and adequate paid maternity and parental leave³⁰.
3. Calls upon States to raise awareness of the critical period of early childhood development, amongst parents, caregivers, and teachers, including the development of national educational programmes and positive parenting education that inform and

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https://resourcecentre.savethechildren.net/pdf/a_foundation_to_end_child_poverty_full_report_english.pdf/

²⁷ A/RES/74/133 Rights of the child, para. 34(g)

²⁸ <https://www.unicef-irc.org/article/958-the-first-1000-days-of-life-the-brains-window-of-opportunity.html>

²⁹ <https://www.unicef.org/early-moments>

³⁰ <https://www.un.org/sustainabledevelopment/blog/2017/09/unicef-urges-countries-to-prioritize-early-childhood-development/>

educate about the importance of early childhood development, and give the knowledge and skills to provide nurturing care.

Parents/caregivers and children with disabilities

Integrating social protection and child protection programmes can expand the coverage of social services to children, making outcomes more comprehensive.³¹ Social protection is key for children with disabilities to gain the necessary foundation to live independently as adults while progressively gaining independence from parents/caregivers, boosting their social participation and support their ability to live in dignity. An inclusive social protection scheme is one that ensures adequate income support to children with disabilities, reflects the special needs for assistance associated with disability, covering individuals, often women, who undertake their care, promotes the autonomy and full participation in society of persons with disabilities and therefore their inclusion and enjoyment of rights in equality.³² The share of people with severe disabilities worldwide who receive a disability benefit remains low at 33.5 per cent. Importantly, several countries now have universal disability benefit programmes in place.³³ For parents/caregivers of a child with disabilities and parents/caregivers with disabilities, social protection measures are critical for enabling parents to contribute to society and have the support they need to care for their own children.

Recommendations

1. Reaffirms the importance of providing adequate income support to persons with disabilities who, owing to disability or disability-related factors, have temporarily lost, or received a reduction in, their income, have been denied employment opportunities or have a permanent disability. Such support should be provided in a dignified manner and reflect the special needs for assistance and other expenses often associated with disability. The support provided should cover family members and other informal caregivers.³⁴
2. Calls on States to enact policies that include overarching social protection strategies for the population as a whole, including children with disabilities and support for their parents/caregivers.³⁵
3. Urges States to ensure that disability benefits should be set at an adequate level to prevent and mitigate poverty, while ensuring full inclusion into societies.
4. Calls upon States to integrate their social protection schemes with child protection systems and services to drive improved outcomes for children with disabilities.
5. Calls upon States to collect, including through national census collection, analyse, disaggregate and disseminate relevant information, including statistical and research data on the basis of, inter alia, the Washington Group short set of questions on disability, as appropriate, in order to identify and address all types of barriers faced by children with disabilities and formulate and implement evidence-based policies to ensure the realization of their human rights.³⁶

Humanitarian situations

In many countries affected by climate-induced natural disasters, conflicts, pandemics and other covariate shocks, child-sensitive and intersectional gender-responsive social protection instruments, such as cash transfers, can provide much needed and swift relief to protect lives

³¹ Research Report No. 84 Integrating social protection and child protection services for better outcomes for children in the Middle East and North Africa By Karen Codazzi Pereira and Fernando Araújo p. 15

³² <https://www.ohchr.org/sites/default/files/documents/issues/socialsecurity/2022-10-07/One-pager-social-protection-Socialsecurity.pdf>

³³ Ibid.

³⁴ Committee on Economic, Social And Cultural Rights, General Comment No. 19, E/C.12/GC/19, para 20

³⁵ <https://www.unicef.org/eca/media/8421/file/inclusive-social-systems-brief.pdf> p.10

³⁶ UN Human Rights Council 2019 Resolution Rights of the child: empowering children with disabilities for the enjoyment of their human rights, including through inclusive education A/HRC/40/L.20

and livelihoods. Shock-responsive social protection systems should therefore form a critical component of disaster prevention, climate adaptation and justice. It should take into account protection and gender-based violence risks, gender and social norms and women's preferences in determining the target recipients and delivery mechanism³⁷. Cash-based interventions can protect refugees by reducing the risks they face and to maintain their capacity to spend. CBIs can be used in a variety of settings, as long as there is a stable market and a safe way to provide vulnerable people with cash or vouchers. The flexibility that CBIs offer makes them a more dignified form of assistance, giving them the ability to immediately prioritise and choose what they need. Cash transfers make people in need less likely to resort to harmful coping strategies, such as survival sex, child labour, family separation or forced marriage. They also directly benefit the local economy and can contribute to peaceful coexistence with host communities.³⁸

A good shock-responsive system needs to be able to reach a large proportion of households – so that governments can scale up support. Once a social protection system is established and all 0–17-year-olds in a country are registered to receive assistance, the administrative burden associated with increasing coverage and transfer values in the event of shocks, such as climate-related disasters or pandemics such as in the instance of COVID-19, is significantly reduced.

Where social protection systems are not in place, or where governments cannot or will not provide direct assistance to populations living in humanitarian need, the humanitarian system must continue to step in with life-saving interventions, including child protection. However, with unprecedented burdens on the humanitarian system, and likely long-term poverty challenges, investing in longer-term, more systemic and government-led approaches must urgently be considered.

Recommendations

1. Urge Governments to design UCBs to be resilient and shock-responsive and in countries experiencing humanitarian crises, all actors should make greater efforts to invest in government-led social protection.

Alternative care and children in contact with the law

Children living out of family settings, including those living in an institutional setting, children in contact with the law and children deprived of their liberty, are often the most vulnerable. While social protection measures can help support the realization of their rights, child protection measures, including deinstitutionalization and community-based care, are also essential.³⁹ The role of social protection measures are also critical to prevent institutionalisation and build resilient families and communities. It is essential for the achievement of the SDGs, in particular SDG 1 on poverty and SDG 2 on hunger, but also those on health and education (SDGs 3 and 4), SDG 8 (specifically, target 8.7 on child labour) and SDG 10 on inequality, that social protection schemes and programmes reach all families with children, foster care and kinship care families, and care leavers. Most children live in family settings and ultimately rely on their families to guarantee their well-being. Both child sensitive social protection and child protection system reform are seeking to reduce vulnerability and exclusion, and help children achieve their rights and reach their full potential. Care reform and social protection system strengthening share many of the same components, including policy reform, coordination mechanisms, evidence gathering, and the delivery of

³⁷ https://gbvaor.net/sites/default/files/2021-04/EN_%20CVA%20Overview%20Tip%20Sheet_1.pdf

³⁸ <https://www.unhcr.org/uk/cash-based-interventions.html>

³⁹ https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---soc_sec/documents/publication/wcms_817572.pdf p.89

services. Like social protection, care reform often involves poverty reduction strategies as poverty is a driver of abuse and violence in families and of family separation.⁴⁰

Recommendations

1. Call on States to take the necessary measures to support children and their families and prevent unnecessary child-family separation, by addressing the drivers of separation through programs that provide early and comprehensive information, services and support to children and their families in their caregiving role, especially families in vulnerable situations.⁴¹
2. Urges States to phase out institutionalization and adopt a strategy and a concrete plan of action for deinstitutionalization, including the duty to implement structural reforms, to improve accessibility within the community and to raise awareness among all persons in society about inclusion within the community. No new institutions may be built, nor may old institutions be renovated beyond the most urgent measures necessary to safeguard residents' physical safety. Institutions should not be extended and new residents should not enter in place of those that leave.⁴²
3. Calls on States to ensure that data and information is disaggregated systematically across all sectors, including with respect to housing, child or parental disability, living arrangements and social protection schemes as well as access to independent living and support and services. The information should allow for regular analyses of how deinstitutionalization and transition to support services in the community have progressed. It is important that indicators reflect the particular circumstances in every State party.⁴³

Women and Girls

As those who carry out the bulk of care work, including childcare – whether as unpaid caregivers and/or as service providers in day-care and preschool institutions – women and girls have a huge stake in how benefits and services for children are designed and delivered. The objective is to reduce its drudgery, and redistribute this foundational work more equitably first between women and men within families, but also across society. In particular some of the work should shift to affordable and good-quality care services delivered by care workers who are adequately paid with access to social protection.⁴⁴ The private sector is also an important actor and should also take some responsibilities by implementing work and family reconciliation policies and providing support to caregivers, in particular parents. Investing in the triad of childcare services, paid parental leave and child benefits can enhance both child development objectives and women's economic autonomy, while also creating decent jobs in the care sector.

Social protection measures should be gender-responsive, with an intersectional lens, and take into account the disproportionate share of unpaid care work that society places on women and girls. The unpaid care work women and girls perform throughout their life obstructs their ability to access formal employment and therefore contributory social security or decent wages, endangering their right to an adequate standard of living across their life cycle. Childcare, for

⁴⁰ Delap, E. (2021a) Caring systems. Maximising synergies between care reform and child protection system strengthening. Kenya: UNICEF; UNICEF 2019.

⁴¹ For further language see A/RES/64/142; A/RES/74/133.

⁴² CRPD/C/GC/5, paragraphs 49 and 57

⁴³ A/RES/69/194, part one

⁴⁴ World Social Protection Report 2020–22, p. 91,

https://www.ilo.org/wcmsp5/groups/public/@ed_protect/@soc_sec/documents/publication/wcms_817572.pdf

example, should be guaranteed as a social protection measure and the benefits level for social pensions must ensure an adequate standard of living.⁴⁵

Recommendations

1. Urge States to develop protection systems that support unpaid caregivers, in particular parents so that they can assume their care responsibilities without being heavily penalized economically and socially.
2. Encourage States to promoting gender-responsive/transformational social protection systems that respond to gendered risks and needs with an intersectional lens and support women's and girls' economic and social empowerment.
3. Calls upon States to strengthen research, data collection and analysis on the girl child, disaggregated by household structure, gender, age, disability status, indigenous status, economic situation, marital status and geographical location, and improve gender statistics on time use, unpaid care work and water and sanitation in order to provide a better understanding of the situations of women and girls, especially of the multiple forms of discrimination that they face, and to inform the development of necessary policies and programme responses, which should take a holistic age-appropriate approach to addressing the full range of the forms of discrimination that women and girls may face, in order to protect their rights effectively.

Education

Social protection can support children's right to education by addressing the underlying economic and social causes that prevent access to school, and by improving the quality of the services provided to young students and their families. A range of social protection instruments have the objective of improving children's education. School feeding in particular is one of the most frequently adopted interventions since such programmes are able to address multiple objectives at the same time.⁴⁶ Social protection support enables genuine inclusion in education by providing support to break down the unseen barriers to participation. School must be mandatory between 6 and 16 years old – using remote schooling technologies, if necessary, with adequate after-school support (when parents do not have the time or required capability to supervise homework).

In addition, the World Conference on Early Childhood Care and Education, which took place in Tashkent in November 2022 reaffirmed the right of every young child to inclusive quality and equitable early childhood care and education – Social protection should support the realization of this right. The Special Rapporteur on the right to education has also expressed that “compulsory education must be understood to mean that there is an obligation upon the State to ensure access to free early childhood care and education of the highest attainable quality for every child and that the right to education has to be exercised and fulfilled.”⁴⁷

Children with disabilities must be included in mainstream education as much as possible, in particular during primary school. When specific assistance is required, trained personnel have to be devoted to the child, free of charge. Although not directly part of social protection, the development of public infrastructures and services, including clean water and sanitation, electricity/energy, ICT, transportation also impact – directly or indirectly - children rights.

⁴⁵ <https://www.ohchr.org/sites/default/files/documents/issues/socialsecurity/2022-10-07/One-pager-social-protection-Socialsecurity.pdf>

⁴⁶ https://www.unicef-irc.org/publications/pdf/iwp_2012_06.pdf, p.16

⁴⁷ A/77?324,

<https://undocs.org/Home/Mobile?FinalSymbol=A%2F77%2F324&Language=E&DeviceType=Desktop&LangRequested=False>

Recommendations

1. Urge States to make early childhood care and education an integral part of basic/primary education, and to guarantee the right to education for children in all their diversity, in particular the rights of the girl to education, understanding that poverty and financial barriers are critical to participation in education.
2. Urge State to support early childhood care and education development programmes, including home- and community-based preschool programmes, which include the empowerment and education of parents/caregivers. States develop legislative frameworks for the provision of quality, adequately resourced early childhood care and education services, and for ensuring that standards are tailored to the circumstances of particular groups and individuals and to the developmental priorities of particular age groups, from infancy through to transition into school. States are encouraged to construct high-quality, developmentally appropriate and culturally relevant programmes and to achieve this by working with local communities rather by imposing a standardized approach to early childhood care and education.⁴⁸
3. Urge States to put in place a range of social protection instruments to improve children's education and access to it, including school feeding programmes, adequate after-school support, use of remote schooling technologies, free of charge support for children with disabilities where required, the development of public infrastructures and services, including clean water and sanitation, electricity/energy, ICT, transportation to access schools, etc.

Right to health

Medical follow-up should begin during pregnancy: maternity protection, including paid maternity leave of at least 14 weeks and support for breastfeeding, should also be part of inclusive social protection for children and be universal – to support mothers and child development during pregnancy and the first weeks of caring for an infant.

Social protection should ensure access for every child born or living in a country to regular medical follow-up, especially during the early years – adopting a holistic approach, taking into account the development of the child, their age, disability and gender specificities, and include vaccination. Access to such medical follow-up can be compulsory, but must be free for families and universal, i.e., disconnected from the situation of parents (income level, nationality & ethnicity, migratory status, employment....). Parents are the one who know best their children and the family environment is where children spend most time. The role of parents/caregivers is therefore key in protecting the health of their children, and social protection should support and empower them to do so, notably by ensuring that relevant information and parental education be provided. When necessary, home visit should also be provided to support families. In order to ensure the best possible outcomes for children, parents, child and caregivers' mental health should also be addressed, in particular maternal mental health problems such as perinatal depression and anxiety. Parents need time and skills to provide nurturing care⁴⁹ to children, especially during the critical early years. Single parents need specific support.

⁴⁸ Based on Committee on the Rights of the Child, CRC/C/GC/7/Rev.1, para.31
https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FGC%2F7%2FRev.1&Lang=en

⁴⁹ See WHO Nurturing Care Framework - <https://nurturing-care.org>

The promotion and protection of sexual and reproductive health and rights must be an integral part of an inclusive social protection system, including information and access to them, especially by adolescents.

Menstrual health and hygiene (MHH) must also be considered. Many adolescent girls face stigma, harassment and social exclusion during menstruation. Transgender and non-binary persons also face discrimination due to their gender identity, depriving them of access to the materials and facilities they need.

Gender inequality, discriminatory social norms, cultural taboos, poverty and lack of basic services like toilets and sanitary products can all cause MHH needs to go unmet. MHH interventions can help overcome these obstacles. Not only do they fulfil the unmet demand for menstrual hygiene products; they also protect dignity, build confidence, and strengthen sexual and reproductive health, particularly among adolescents.⁵⁰ There is a growing base of evidence that shows that investing in MHH can positively benefit several areas across women and girls' lives, such as economic benefits, participation in education, empowerment, health and mental health; and thus MHH is central to advancing gender equality as a whole.⁵¹

Recommendations

1. Urge states to provide universal maternal and child healthcare services.
2. Urges States to provide social services that help prevent and address all forms of physical, sexual, psychological and economic violence, whether violence against children or violence against women, which also has dire impact on children which can last a lifetime.
3. Urge States to provide high quality, affordable and accessible childcare services, including services free of charge, which support the multiple dimensions of nurturing care (i.e., in addition to health: adequate nutrition, safety and security, responsive caregiving and opportunities for learning), in particular for children under school age. Priority should be given to children and their families in vulnerable situations.
4. Urge States to provide access to health without discrimination, including sexual and reproductive health and rights and universal health insurance or community-based health insurance.
5. Calls on States to increase access to knowledge and information about menstruation and its linkages to sexual and reproductive health and rights, and address harmful socio-cultural and gender norms, as well as stigmas and taboos that affect a person's menstrual health, providing access to safe, private and well-managed water, sanitation and hygiene in schools and communities, and establish national schemes for menstrual product distribution and tax reduction on menstrual products.

Case study: Norway

For children under 3, frequent medical check-ups of physical, cognitive and psychological development are conducted and a vaccination program is implemented. These check-ups can take place in the family's home or in community public health centers. They are done by midwives, public health nurses and doctors with special training on early child development. They all work together in community health centers and solicit help from other professionals if needed - for example physiotherapy or psychologist. For children 4-13 years old, check-ups are conducted every year by school nurses. School nurses also work closely with the police and social services to prevent abuses. All medical services as well as dental care and access to contraceptive are free for children and youths until 22.

⁵⁰ <https://www.unfpa.org/menstruationfaq>

⁵¹ https://menstrualhygieneday.org/wp-content/uploads/2021/01/Making-the-Case-for-Investing-in-MHH-Report_Final.pdf p.6

Right to clean water, food and housing

According to the CESCR, the right to adequate housing should not be perceived narrowly. Instead, it encompasses the right to benefit from freedoms such as arbitrary destruction, arbitrary interference and the freedom to choose where to live. It also includes entitlements such as security of tenure, housing, land and property restitution; equal and non-discriminatory access and participation in decision making. Housing must meet minimum conditions including affordability, habitability, accessibility, location and cultural adequacy. Social protection and the right to housing can be seen as mutually supportive. In General Comment No. 19, the CESCR highlights the requirement for social security schemes to provide minimum essential levels of benefits to all individuals to ensure access, among other things, to basic shelter and housing. Persons unable to earn an income, and who also cannot access adequate social security, are at risk for being denied adequate housing.⁵²

Recommendations

1. Reaffirming Article 27 on the right to an adequate standard of living of the UNCRC, UNCRC General comment No. 21, and Article 11 of the International Covenant on Economic, Social and Cultural Rights, General Comment No. 4 (1991) on the right to adequate housing and General Comment No. 7 (1997) on forced evictions.
2. Calls on States to ensure that every child should have access to clean water, nutritious food and decent housing, through the provision of inclusive Social Protection measures including universal child benefits.
3. Urges State develop public housing policy and/or housing allowances as part of a social protection system to ensure that every family with children benefits from adequate housing.

Right to care/ to be cared for/ to self-care

Every child has the right to be properly cared for – Social protection should therefore support families in all their diversity and ensure that parents and other caregivers have the required resources, time and skills to provide nurturing care to children, especially during the critical early years. Single parents need specific support. Social protection for children cannot be disconnected from social protection for their parents or legal guardians.

Social protection must also recognize the key role of parents/caregivers – mothers in particular, the family environment and the wider community to realize children rights. It is in the best interest of the child to support them in this important role: parents are also unpaid health workers and educators on a daily basis; they need the resources and time to assume their responsibilities. They have the right to care for their children and to be adequately informed and educated in child development and parenting (e.g., nutrition, child development, child psychology, positive discipline, etc.).

Recommendations

1. Calls upon States to develop inclusive social protection systems for children and parents/caregivers, that specifically recognises the needs of parents and caregivers, and children as caregivers (including child-headed households) in their role as unpaid workers.
2. Urges states to offer mental health and counselling information and education/training and other supporting services to parents and caregivers, and children as caregivers (including child-headed households).

⁵² <https://socialprotection-humanrights.org/key-issues/relationship-with-other-human-rights/housing/>

3. Calls upon States to support children, their parents and caregivers, to promote their own health, prevent disease, maintain health, and to cope with illness and disability, with or without the support of a health worker.⁵³

The right of the child to be heard

A rights-based approach must give a voice to children themselves to best answer their needs and concerns. All children, including young children and the most vulnerable, should be heard on issues related to social protection. A fundamental barrier to potential beneficiaries' access to poverty-targeted social assistance is limited awareness, or not having heard of this form of support.⁵⁴

Recommendations

1. Recalling Article 12 of the Convention on the Rights of the Child and General Comment No. 12 (2009) The right of the child to be heard, urges States to ensure the meaningful inclusion of children, young people, and their caregivers in the design of child-sensitive, gender and intersectional- responsive social protection interventions, which can be effective in economically equipping women, reducing gender-based violence, addressing key drivers of child marriage and improving the wellbeing of all children.
2. Calls on States to involve children in collecting and generating data and research to assess progress on the implementation of the UNCRC and the SDGs. A growing body of evidence suggests that child-led research provides promising opportunities to engage children and young people in shaping policies and practices, ultimately creating changes that lead to better lives for them.
3. Urges States to establish participatory monitoring of social protection interventions by beneficiaries, NGOs and CSOs and regularly engage government and key stakeholders to provide feedback and recommendations on improving social protection delivery to the most vulnerable.
4. Call upon States to provide freely available and accessible information and communication such as Easy Read, Child Friendly formats and support services, to children, families and their caregivers, seeking information and guidance on the availability and applying for social protection measures.⁵⁵

Child Labour

Child labour remains unacceptably common in the world today. At the start of 2020, 160 million children – 63 million girls and 97 million boys – were engaged in child labour, or one in ten children worldwide. Recent history provides cause for concern. In the past four years, for the first time since 2000, the world did not make progress in reducing child labour: during that period, the absolute number of children in child labour increased by over 8 million, while the proportion of children in child labour remained unchanged owing to population growth. There were marked regional differences, with child labour continuing to drop in the Americas and in Asia and the Pacific, while in Africa it rose by 20 million and prevalence increased by 2 percentage points. Most child labour is unpaid family work, and 70 per cent of it is in agriculture (ILO and UNICEF 2021). However, child labour is determined by a complex set of factors, including insufficient access to good quality education, limited household awareness of the consequences of hazardous work, displacement, and weakly enforced legislation. Therefore, reducing child labour requires cash support to be integrated within a broader set of interventions, including improved access to good-quality education and child protection services. Moreover, it is important that the impacts of social protection programmes on child

⁵³ WHO guideline on self-care interventions for health and well-being, 2022 revision (accessed 07/02/2023) <https://apps.who.int/iris/rest/bitstreams/1440452/retrieve>

⁵⁴ https://ipcig.org/pub/eng/PIF43_Social_protection_meeting_children_s_rights_and_needs.pdf p.28

⁵⁵ CRPD/C/27/3 paragraph 14

labour are closely monitored, in order to ensure that the programmes' design features, such as transfer amounts and eligibility criteria, are adequate to achieve a reduction in child labour (ODI and UNICEF 2020).⁵⁶ Children most at risk also include victims of child labour, as well as girls being taken out of school to participate in unpaid domestic and care work. Social protection plays a key role in the elimination of child labour⁵⁷

Recommendations

1. Urge States to put the necessary measure to meet SDG Target 8.7, by eliminating the worst forms of child labour, including the recruitment and use of child soldiers, as well as to end all forms of child labour by 2025. Child labour programmes and advocacy should be evidence-based and their impact in the best interest of the child monitored.
2. States should provide and support safe spaces for working children to be heard in decision-making processes and to take their views and suggestions into account which helps understand their needs and root causes of their situation.
3. States should work with the private sector to fulfil their responsibility to eliminate child labour.

Indigenous children and minority rights

Minorities exist in every country of the world, enriching the diversity of their societies. As the Report on the World Social Situation 2018 (United Nations, 2018) notes, there are significant gaps in the social protection coverage of indigenous peoples and ethnic minorities. The historical legacy of colonization, slavery and dispossession of lands, territories and resources is at the root of the disadvantage experienced by indigenous peoples and ethnic minorities. These forces also serve to exclude indigenous peoples and ethnic minorities from social protection. Furthermore, even if indigenous peoples and ethnic minorities benefit equally or more so from social protection schemes than the ethnic majority, the education and health of children will not improve if appropriate and good-quality services are not in place.

Recommendations

1. Calls upon all States to ensure that indigenous children and children belonging to minorities, especially in vulnerable situations, including migrant children, indigenous children, children of African descent, internally displaced children and children with disabilities, enjoy all human rights as well as access to health care, social services, social protection and accessible and inclusive education on an equal basis with others, and to ensure that all such children, in particular unaccompanied migrant children, internally displaced children and those who are victims of violence and exploitation, receive special protection and assistance and that the best interests of the child are a primary consideration in their policies of integration and family reunification.⁵⁸
2. Calls on States to develop universal, tax-financed social protection measures to boost coverage for those groups, as well as addressing other barriers, including spatial disadvantage, the lack of legal identification and discrimination.
3. Mindful of the extent to which social protection programmes benefit indigenous peoples and ethnic minorities, their effectiveness also depends on whether they address the needs of these groups and the challenges they face. States should develop a combination of universal and categorical targeting approaches to social protection to increase effective coverage, in combination with targeted measures for children's education and health.⁵⁹

⁵⁶ https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---soc_sec/documents/publication/wcms_817572.pdf

⁵⁷ ^[2] See joint ILO/UNICEF report *The role of social protection in the elimination of child labour* ; May 2022 - https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---ipec/documents/publication/wcms_845168.pdf

⁵⁸ Rights of the child A/RES/74/133

⁵⁹ https://www.un.org/development/desa/dspd/wp-content/uploads/sites/22/2018/11/SD-Brief_7_Indigenous_and_ethnic_minorities-.pdf