Normative framework for equality in childhood and adolescence
A. Normative framework

The various international instruments that establish generally agreed standards and guarantees for the rights of children and adolescents include the American Declaration of the Rights and Duties of Man (1948), the Universal Declaration of Human Rights (1948), the International Covenant on Economic, Social and Cultural Rights (1966), the Convention on the Rights of the Child (1989), the Convention concerning Minimum Age for Admission to Employment (ILO Convention No. 138, 1973), the World Declaration on the Survival, Protection and Development of Children (1990), the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (ILO Convention No. 182, 1999) and the optional protocols to the Convention on the Rights of the Child (2000, 2000 and 2011). In addition, the 2030 Agenda for Sustainable Development, the Montevideo Consensus on Population and Development and the Regional Agenda for Inclusive Social Development all call for progress towards the full protection of these rights and their ultimate realization.

The Convention on the Rights of the Child defines a “child” as “every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier” (United Nations, 1989, p. 2).

While the above definition gives a precise age range, there is no clear consensus around the age ranges for the different developmental stages included in this portion of the life cycle. Yet the definition of these stages is important because differentiated needs are associated with early childhood, childhood and adolescence.

The laws of most of the countries in the region set the age of 12 as the dividing line between childhood and adolescence. They vary, however, in their definitions of early childhood (which the Committee on the Rights of the Child defines as starting at birth and ending when a child

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2 Article 25 states that children are “entitled to special care and assistance” (United Nations, 1948).
3 The Convention has 54 articles on the promotion and protection of the rights of the child.
4 Many international treaties refer specifically to the rights of children and adolescents, including the International Covenant on Economic, Social and Cultural Rights; the Convention on the Rights of Persons with Disabilities; and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
begins to attend school), but most of them tacitly (but not in writing) set the threshold at 6 years of age. In this chapter, early childhood will be defined as referring to children between 0 and 5 years of age, the term “childhood” will refer to children between ages 6 and 11, and adolescence will be understood as starting at age 12 and ending at age 18.

These international instruments and the available studies on childhood serve as a basis for identifying the most important issues pertaining to this stage of the life cycle. These issues include child development and care during early childhood, the use of technology and child protection. The 2030 Agenda underscores the importance of looking at the situation of children and adolescents in terms of such issues as poverty (Goal 1), malnutrition (Goal 2), the lack of health care (Goal 3), poor-quality education (Goal 4), gender equality (Goal 5), access to water and sanitation services (Goal 6), access to decent work (after a child reaches 14 years of age) and the eradication of child labour (before a child reaches 14 years of age) (Goal 8), a safe environment (associated with the right to protection) (Goal 11), the reduction of inequalities (Goal 10) and the possibility of living a life free of violence (Goal 16) (United Nations, 2015).

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1 The Committee on the Rights of the Child proposes defining early childhood as corresponding to the period between 0 and 8 years of age (United Nations, 2006).
2 See Pautassi and Royo (2012).
3 The term “child protection” refers to the measures involved in preventing violence, exploitation and abuse directed at children and adolescents and the action taken in response to those forms of aggression as provided for in international human rights instruments.
4 The term “child labour” refers to labour performed by children in contravention of the International Labour Organization (ILO) standards set forth in the Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182). It includes all labour performed in any economic activity by children under 12 years of age, heavy labour performed by children between the ages of 12 and 14 and all of the worst forms of child labour (UNICEF, 2020).
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