

Summary

United Nations General Comment No. 17

on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts (article 31)



International Play Association
Promoting the Child's Right to Play

This summary was produced by the International Play Association: Promoting the Child's Right to Play (IPA) to assist with the dissemination of the General Comment and to highlight children's article 31 rights. The summary is freely available to download and share for those purposes.

Please contact:
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Article 31 of the Convention on the Rights of the Child (CRC) recognizes the right of every child to rest, leisure, play, recreational activities and free and full participation in cultural and artistic life. However, the Committee on the Rights of the Child is concerned by the poor recognition given by Governments to these rights¹. Rising urban populations, violence in all its forms, the commercialization of play provision, child labour and increasing educational demands are all affecting children's opportunity to enjoy their article 31 rights. In general, where investment is made, it is in the provision of structured and organized activities, but equally important is the need to create time and space for children to engage in spontaneous play, recreation and creativity, and to promote societal attitudes that support and encourage such activity.

To address these concerns, the Committee has produced a 'General Comment' that explains in detail measures governments are urged to take to ensure implementation of the rights in article 31 for all children. The General Comment was adopted by the Committee at its sixty-second session (14 January – 1 February 2013).

The General Comment has three core objectives:

- To enhance understanding of the importance of article 31 for children's well-being and development.
- To ensure respect for and strengthen the application of the rights under article 31, as well as other rights in the Convention.
- To highlight the implications for the determination of obligations of governments, the roles and responsibilities of the private sector, and guidelines for all individuals working with children.

The Committee recommends that it is widely disseminated in accessible forms and made available to all interested members of society, including children. This summary provides a short overview of the full text of the General Comment.

¹ The Committee on the Rights of the Child is the international body responsible for monitoring governments' implementation of the CRC.

Significance of article 31 in children's lives

Play, recreation, rest, leisure, arts and culture are all interlinked and together serve to describe conditions necessary to protect the unique and evolving nature of childhood. Article 31 needs to be understood as a whole.

- **Play and recreation** are essential to children's health and wellbeing. They promote the development of creativity, imagination, self-confidence, self-efficacy and physical, social, cognitive and emotional strength and skills. They contribute to all aspects of learning. They are also a form of participation in everyday life, and are of intrinsic value to the child, purely in terms of the enjoyment and pleasure they afford.
- **Involvement in cultural and artistic life** is important for children's sense of belonging to their family, community and society and to their own sense of identity. Children reproduce, transform, create, and transmit culture in many ways. With their peers, they also create a 'culture of childhood'. Children are at the forefront of using digital platforms, such as social media and virtual worlds, to establish new cultural environments and artistic forms. Children's participation in cultural activities also provides opportunities to learn from other cultural and artistic traditions, contributing towards mutual understanding and appreciation of diversity.
- **Rest and leisure** are vital to children's development. Lack of sufficient rest will have a physical and psychological impact on children's health, wellbeing, and development. Children also need leisure time to fill as actively or as inactively as they choose.

Interpreting article 31

The Committee has interpreted the different terms used in article 31 as follows:

- **'Rest'**: Sufficient respite from work, education or any other exertion to ensure optimum health and wellbeing, as well as the opportunity for adequate sleep.
- **'Leisure'**: Free time, without obligations, in which play or recreation can take place.
- **'Play'**: Children's play is any behaviour, activity or process initiated, controlled and structured by children themselves. Play is non-compulsory, driven by intrinsic motivation and undertaken for its own sake, rather than as a means to an end. It may take infinite forms but the key characteristics of play are fun, uncertainty, challenge, flexibility and non-productivity. While play is often considered non-essential, the Committee reaffirms that it is a fundamental and vital dimension of the pleasure of childhood and is an essential component of children's development.
- **'Recreation'**: A broad umbrella term for voluntary activities or experiences chosen by the child for immediate satisfaction or perceived personal or social value. While many such activities may be organized and managed by adults, recreation should be a voluntary activity.
- **'Appropriate to the age of the child'**: The age of the child must be taken into account in respect of: time afforded; nature of spaces; degree of adult oversight; safety; risk-taking and challenge; and socializing.
- **'Cultural life and the arts'**: The means through which children and their communities express their identity and the meaning they give to their existence, and build their worldview. Culture emerges from within communities, and can be expressed and enjoyed in multiple environments and forms.
- **'To participate freely'**: Governments must respect, abstain from interference in, and prevent others from interference in, children's exercising of article 31 rights.
- **'To participate fully in cultural and artistic life'**: In order to take part in cultural and artistic life, children must have opportunities to access arts and culture, to participate in creative activities, and to contribute to expressions of culture and the arts.
- **'Encourage the provision of appropriate opportunities'**: Governments must provide all the necessary preconditions to facilitate and promote opportunities for the realization of all article 31 rights.

- **‘Equal opportunities’:** Every child must be afforded equal opportunities to enjoy his or her rights under article 31.

It is important to recognize that all rights in the Convention are indivisible and interdependent. Article 31 is central to the realization of many rights. Equally, other rights must be respected in order to guarantee the realization of article 31.

Creating the context for the realization of article 31

Children have a spontaneous urge to play and participate in recreational activities, and will seek out opportunities to do so even in the most unfavourable environments. However, certain conditions need to be assured if they are to realize their article 31 rights fully:

- Freedom from stress, social exclusion, prejudice or discrimination.
- An environment secure from social harm and violence, and sufficiently free from pollution, traffic and other hazards that impede free and safe movement.
- Availability of rest and leisure time, as well as space that is free from adult control and management.
- Space to play outdoors in diverse and challenging physical environments, with access to supportive adults, when necessary.
- Opportunities to experience, interact with and play in natural environments and the animal world.

- Opportunities to invest in their own space and time so as to create and transform their world, using their imagination and languages.
- Opportunities to explore and understand the cultural and artistic heritage of their community, participate in, create and shape it.
- Opportunities to participate with other children in games, sports and other recreational activities, supported, where necessary, by trained facilitators or coaches.
- Recognition by parents, teachers and society as a whole of the value and legitimacy of the rights provided for in article 31.

Challenges to be addressed in the realization of article 31

Children throughout the world face significant barriers in realizing their article 31 rights. The challenges differ across regions, but include:

- Lack of recognition of the importance of play and recreation.
- Unsafe and hazardous environments.
- Resistance to children’s use of public spaces.
- Balancing risk and safety.
- Lack of access to nature.
- Pressure for educational achievement.
- Overly structured and programmed schedules.
- Neglect of article 31 in development programmes.
- Lack of investment in cultural and artistic opportunities for children.
- Growing role of electronic media.
- Marketing and commercialization of play.

Children requiring particular attention to realize their rights under article 31

- **Girls:** Girls often have less time and freedom than boys to enjoy their rights to play, rest, leisure and recreation, especially in adolescence, whether because of domestic responsibilities, child or family care responsibilities, protective concern from parents, lack of facilities, or cultural assumptions on the behaviour of girls. Commercial producers of games and toys, the media, parents and caregivers often reinforce gender differentiation, directing girls towards the domestic sphere, whereas boys’ games prepare them for success in a wide range of work and other settings in modern society.
- **Children living in poverty:** Home environments with little scope for play and recreation, lack of access to facilities, inability to afford the costs of participation, dangerous and neglected neighbourhoods, the necessity to work, and a sense of powerlessness all serve to exclude the poorest children from realizing article 31 rights. Children without parents, or those living or working on the streets are particularly vulnerable.
- **Children with disabilities:** Multiple barriers impede children with disabilities from their article 31 rights, including exclusion from school, informal and social arenas where friendships are formed and where play and recreation take place; isolation at the home; cultural attitudes and negative stereotypes which are hostile to and rejecting of

children with disabilities; and physical inaccessibility of many environments. Lack of assistive technologies can also impede children with disabilities' access to media.

- **Children in institutions:** Children living in residential homes and schools, hospitals, detention centres, remand homes and refugee centres may have limited, or be denied, opportunities for play, recreation and participation in cultural and artistic life.
- **Children from indigenous and minority communities:** Hostility, assimilation policies, rejection, violence and discrimination may result in barriers to enjoyment by children of indigenous communities of their own cultural practice, rituals and celebrations, as well as participation in sports, games, cultural activities, play and recreation alongside other children.
- **Children in situations of conflict, humanitarian and natural disasters:** Play, recreation and cultural activities are often given a lower priority in emergency situations than provision of food, shelter and medicines. However they can perform a significant therapeutic and rehabilitative role in helping children recover a sense of normality and joy after experiencing loss, dislocation and trauma.

For more information on IPA, the General Comment, and article 31 of the UNCRC please visit our website at <http://www.ipaworld.org>.



Government obligations

1 **The obligation to respect article 31 rights**

Governments should adopt specific measures aimed at achieving respect for the right of every child, individually or in association with others, to realize his or her rights under article 31, including:

- Support for caregivers, including guidance, facilitation and support about article 31 which could be in the form of practical guidance.
- Awareness-raising to challenge widespread cultural attitudes which attach low value to the rights provided for in article 31, including public information on the significance of article 31 and measures to challenge pervasive negative attitudes, especially towards adolescents.

2 **The obligation to protect article 31 rights**

Governments need to take action to prevent other people or organizations interfering in or

restricting the rights provided for in article 31. This will include:

- Legislation to guarantee access for every child, without discrimination on any ground, to article 31 opportunities.
- Regulation of non-state actors, to ensure that all members of civil society, including the corporate sector, comply with the provisions of article 31, including in relation to: employment; safety and accessibility of facilities, toys and games; obligations to include provision in urban and rural development proposals; protection from cultural, artistic or recreational material which might be injurious to children's wellbeing; and prohibiting the production of realistic war games and toys for children.
- Introduction of child protection measures and professional codes for all adults working with children in the field of play, recreation, sports, culture and the arts.

- Measures to promote on-line access and accessibility, as well as safety for children including: reducing impunity of abusive adults; limiting access to harmful material and gaming networks; improving information for parents, teachers and policy makers to raise awareness of risks; and developing strategies for promoting safer and attractive options for children.
- Development of measures in post conflict situations to restore and protect article 31 rights such as using play and creative expression to promote healing, creating or restoring safe spaces for play and recreation, and removal of landmines and cluster bombs.
- Review of policies relating to commercialization of toys and games to children, including through children's television programmes and directly related advertisements, in particular those promoting violence, girls or boys in a sexual way, and gender or disability stereotypes.
- Introduction of effective and independent complaints mechanisms for children who feel their article 31 rights have been violated.

3 The obligation to fulfil article 31 rights

Governments must introduce a

wide range of measures to ensure the fulfilment of all article 31 rights, in full consultation with children.

This includes, in particular:

- Legislation and planning for ensuring that every child has sufficient time and space in their life for their article 31 rights, together with a timetable for implementation.
- Disaggregated data collection and research to find out how far children are able to engage in play, recreation and cultural and artistic life, and to use the results to inform planning and measure progress.
- Development of cross-departmental collaboration in national and municipal government to ensure a broad and comprehensive approach to implementing article 31.
- Review of budgets to ensure that allocation for children is inclusive and consistent with their representation as a proportion of the population as a whole, and distributed across the provision for children of all ages, with consideration given to the cost of measures required to ensure access for the most marginalized children.
- Investment in universal design to promote inclusion and protect children with disabilities from discrimination.

- Municipal planning that places a priority on the creation of environments which promote the wellbeing of the child, including: inclusive parks, playgrounds and sports and community centres; zones with priority for pedestrians, players and bikers over motorized traffic; access to landscaped green areas, open spaces and nature, with affordable transport; road safety measures; clubs and facilities for children of all ages; and dedicated and affordable cultural activities for children of all ages.
- School environments that provide a major role in article 31 rights, including: physical environments for play, sports, games and drama; active promotion of equal opportunities to play for boys and girls; safe playgrounds and equipment, accessible for all children; adequate time during the school day for play and rest; a curriculum which includes cultural and artistic activities; and a pedagogy which offers active, playful and participatory activities and learning.
- Training and capacity building on the rights of children including those embodied in article 31 for all professionals working with or for children, or whose work impacts on children.

IPA believes that the rights embodied in article 31 are central to childhood itself: they contribute to the joy, fun and sheer pleasure of growing up. Furthermore, their implementation will contribute to children's development, not only as individuals, but also as competent members of society aware of the perspectives of others, and capable of co-operation and conflict resolution. Article 31 contributes to the social, cultural and economic development of society as a whole. The right to play, recreation, rest, leisure and participation in cultural and artistic life is not only a fundamental right of every child, but its realization will bring significant individual and societal benefits. IPA calls on all Governments to fulfill their obligations elaborated in this General Comment.

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