

CRC Discussion Day 2004

"Implementing child rights in early childhood"

Working Group 1: "Starting sound practices early"

a) *guaranteeing the rights to survival and development of young children, including the rights to health, nutrition, and education,*

b) guaranteeing the rights to rest, leisure and to engage in play and recreational activities.

Article 31 of the Convention of the Rights of the Child

1. State Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

2. State Parties shall respect and promote the rights of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

Lothar Krappmann

The right of the young child to rest, leisure, and play

Introduction to topic b) of working group 1

We know, how important it is and how much effort still must be made worldwide in order to lower the rates of child mortality, of preventable diseases in the first years of life, to prevent neglect and violence against young children and to promote children's competencies and skills from early years on -- and the CRC pays much attention to these issues, when it examines the situation of children country by country. Members of the CRC are also well aware that children have not only to be regarded as human beings in need of adults' support, protection, and guidance, but must also be respected in their desire and strong determination to engage in activities that they themselves choose, invent, organize, regulate, and enjoy. Elements of children's peer cultures observed all over the world are play and games, songs and rhymes, traditional performances and modern game and sports competitions, humour and practical jokes, gossip and secrets, group formations and rivalry, rituals of friendship and exclusion of disliked children, conflict and reconciliation, test of courage.

Although the Committee well recognizes this domain of children's lives, we sometimes are afraid that we do not put not enough emphasis on this side of children's well-being and development when we are in dialogue with the State Parties. Survival, health, education are in the focus; issues like children's play, their cultural activities, and the social world of childhood often are just cursorily mentioned. The Committee decided to have this Day of Discussion about "Child rights in early childhood" in order to re-emphasise our responsibility to guarantee the rights of the child, in particular the rights of the young child to play and sing, to form groups and establish friendships, to engage in cultural activities and to explore the world on his or her own.

These rights of all children are clearly enshrined in the Convention. Article 31 says:

"State Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and arts."

Thus, let us reconfirm:

(1) Play, leisure, recreation, cultural activities belong to the essential, indispensable rights of the young child.

With all due respect for the wording of the Convention, I would like to ask to consider whether the formulation of the Convention may generate a misunderstanding. The itemizing of rights starts with "rest" and "leisure". These terms usually imply that a person does challenging and exhausting work and now needs a rest to recover and, therefore, undertakes something distracting, e.g. chats, plays, reads, in order to regain and gather strength required for the continuation of one's work. In the case of children the words "rest" and "leisure" insinuate that children engaged in education and instruction sometimes need a break, and fill this break with play, before they return to more valuable activities. The next two items of the wording in article 31 seem to reinforce this interpretation, because play and recreation are combined. I would like to emphasize that this interpretation is a misunderstanding of the nature of children's playful and joyful activities. Children's play is a value in itself. The misinterpretation disregards the essential contribution of these activities to children's well-being. This playful well-being has many side effects, health, learning, development, as confirmed by research of all kind. But children's joy of play is first.

Thus, let us re-emphasize that

(2) Children have the right to be active, to play, to develop fantasies, to create works of art for their own enjoyment, self-determined goals, and self-evaluated proficiency.

In preparation of this Day of Discussion I have examined about twenty State Party reports reviewed in the last two sessions of the CRC in order to learn how children's right to play, to leisure, and to participate in recreational activities was addressed by the State Parties and in the Concluding Observations of the Committee. I found that Article 31 was taken up in every report, to a differing extent though. Usually, the reports first underline the right of the child to rest, to play, to recreate and then talk about sport events, libraries, art exhibitions, music schools, vacation camps, youth organizations and youth clubs - remarkable and valuable programmes for the benefit of children, predominantly for the benefit of older children and organized *for* these children, sometimes only *with* the children. Hardly ever the spontaneous play, songs, or jokes of young children are mentioned at all in these reports. Sometimes, children's play is mentioned as the best method of learning for young children. Research, in fact, underlines that children learn a lot by their playful activities. But we reduce children's right to play, if we

recognize their play as a means, even a tricky means in the instruction process only. I also reviewed the Concluding Observations of our Committee and found that also our Committee rarely only spends some words on this important aspect of children's lives.

Therefore, I remind us:

(3) When we review the conditions of growing-up, we should not forget to examine time, space, and facilities provided for young children to be active, to play, to make friends according to their own wishes, fantasies, and preferences.

When these aspects of young children's lives are mentioned in State Party reports, it becomes clear that children's spontaneous play and fun activities are no matter of course. Some State Parties describe the impediments and shortcomings that prevent children from developing their natural activities. Also many of the submissions prepared by organizations and experts for this Day of Discussion clearly state that there are many factors endangering children's peer activities, play, and art productions: miserable life circumstance, children's work load, insecurity in the streets, missing playgrounds and poor city planning, and, in general, wrong conceptions of children's development and learning. I am sure that we regularly should include these issues in our dialogue with State Parties. We should demand that State Parties pay attention to children's play, their peer activities and their cultural productions. In their reports, State Parties should more comprehensively describe programmes, projects, and initiative designed to promote this side of young children's lives.

Thus, my expectation is that at the end of this Day of Discussion we will have put together a list of issues that the Committee more insistently will raise, when the implementation of children's rights in early childhood is examined. This list should not only contain the important topics survival, nutrition, health, but also the rather neglected rights of children to play, to leisure, and to participate in cultural activities according to the children's own priorities.