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# IPA Global Consultations On Children's Right to Play

*Report*

August 2010

International Play Association: Promoting the Child's Right to Play



ipa

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This report is an accurate record of the eight Global Consultations on Children's Right to Play which took place between January and June 2010. The IPA editors have remained true to the regional documents and sources and have avoided qualifying statements or adding notes on recent research. The report is, and remains, their story.

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# **IPA Global Consultations On Children's Right to Play**

*Report*

**August 2010**

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This report was compiled by Harry Shier on behalf of the International Play Association

### Regional Partner Organisations

Bangkok, Thailand: *Foundation for Child Development and the Thai Health Promotion Agency*

Beirut, Lebanon: *YMCA of Lebanon and Beyond Association and The Higher Council for Childhood, Lebanon*

Johannesburg, S.A: *Active Learning and Leisure Libraries, South Africa*

Mexico City, Mexico: *Child Watch International*

Mumbai, India: *Tata Institute of Social Sciences, Department of Human Ecology*

Nairobi, Kenya: *Centre for Research, Communication and Gender in Early Childhood Education*

Sofia, Bulgaria: *Bulgaria branch of the Royal Society for the Prevention of Accidents (RoSPA)*

Tokyo, Japan: *Japan Adventure Playground Association and National Children's Castle*

# IPA Global Consultations on Children's Right to Play

## Report

August 2010

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## Introduction

Early in 2008 the International Play Association: Promoting the Child's Right to Play (IPA) entered a partnership with seven other international organisations to propose that the United Nations Committee on the Rights of the Child organise a *Day of Discussion* and/or develop a *General Comment* on article 31 of the United Nations Convention on the Rights of the Child (UNCRC). The purpose would be to elaborate on the meaning of article 31 and increase state accountability with regard to compliance. The supporting organisations (now eight) are:

- *Child Watch International*
- *European Child Friendly Cities Network*
- *International Council on Children's Play*
- *International Paediatrics Association*
- *International Toy Library Association*
- *Right to Play International*
- *World Leisure Association*
- *World Organisation for Early Childhood Education (OMEP)*.

To maintain the momentum created by the strong support of these key organisations, IPA developed a project to explore the implementation status of article 31 worldwide. With the continued support of international organisations and additional input of regional partners, eight Global Consultations were organised to raise awareness of the importance of article 31 within the UN Convention on the Rights of the Child.

Three specific objectives were set:

1. To mobilise a worldwide network of article 31 advocates and to harness expertise to raise awareness of the importance of play in the lives of children.
2. To gather specific material demonstrating the infringement of the child's right to play.
3. To formulate practical recommendations for governments with regard to compliance with article 31.

Prior to the consultations, IPA commissioned an authoritative paper on children's play based on an exhaustive review of the existing literature. The paper, *Children's Right to Play: an examination of the importance of play in the lives of children worldwide* (Russell and Lester 2010) was used as a reference point in the development of the project.

Working collaboratively with regional groups, IPA identified eight consultation sites worldwide: Bangkok, Beirut, Johannesburg, Mexico City, Mumbai, Nairobi, Sofia and Tokyo. Following a careful planning and preparation process, consultations were held in these cities between January and June 2010. The Global Consultations programme is described in the first section of this report, which also has background information about the eight countries which participated.

The second section presents the infringements of the child's right to play that were identified through this process. The infringements are organised under fourteen main headings or themes, bringing together evidence and examples from different countries under each heading.

The brief final section contains a call for action. It suggests that the information presented in this report cannot be ignored and we have a duty to do something about it.

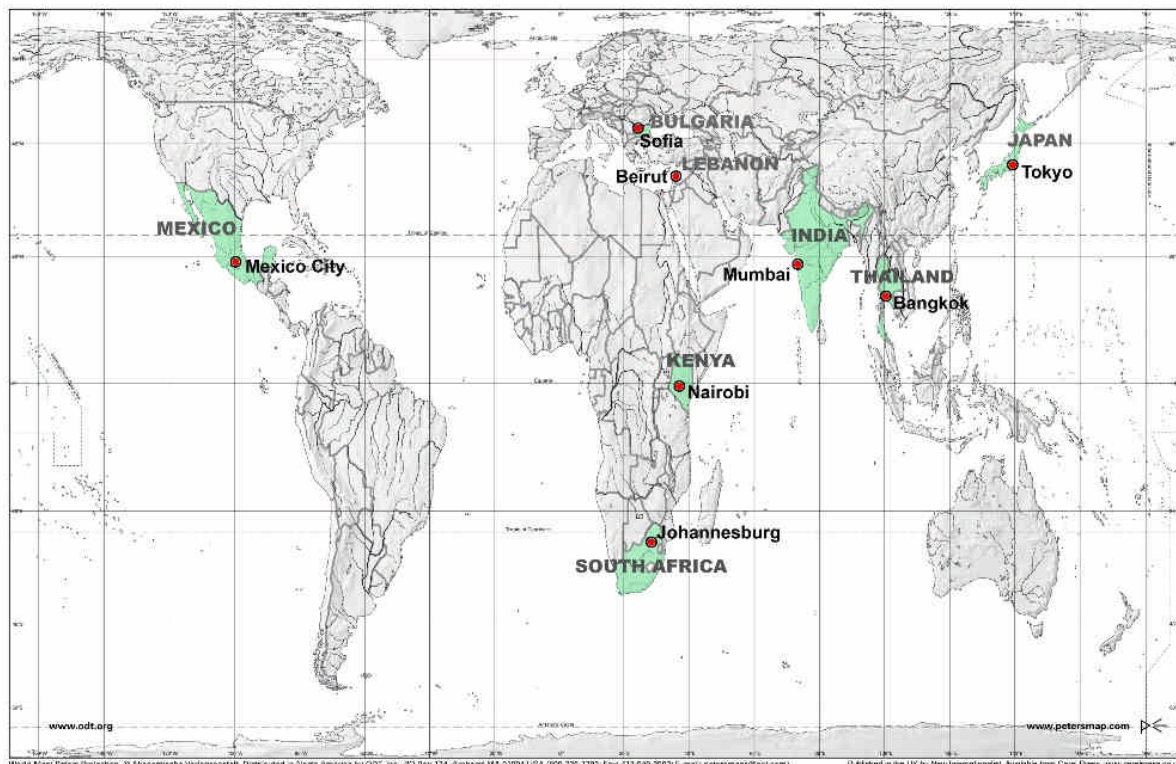
Who should take action?

- IPA, both as an international organisation, and as a network of interested individuals and groups in over fifty countries.
- The call to action needs to be wider than just IPA, however, and reach civil society organisations and human rights defenders in every country and sector.
- The world's governments are the States Parties to the Convention on the Rights of the Child, and so ultimately the guarantors of the rights enshrined in article 31. The duty to act as such finally rests with them.



- International human rights agencies, including UNICEF which can offer both moral and material support.
- Above all the United Nations Committee on the Rights of the Child is well placed to take a leadership role.

IPA is serious about focusing attention on this most important right of children. The relationship between play and resilience and play and children's well-being have been clearly demonstrated. This report makes it clear that there are growing barriers to children's play all over the world. IPA intends to harness its own resources and welcomes other like-minded organisations so that together we can mount a concerted effort to gain the attention of States Parties worldwide.



*The eight consultation sites*

# Part I: The IPA Global Consultation Programme

## 1. The Child's Right to Play

### UN Convention on the Rights of the Child, Article 31

1. States Parties recognise 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 art.
2. States Parties shall respect and promote the right 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.

The UN Convention on the Rights of the Child, the most widely and rapidly ratified international treaty in the history of the world, is a standard against which a nation's treatment of its children can be measured. It has led to great improvements in policies, programmes and services contributing to children's protection and promoting greater respect for their rights. It is also a visionary document that not only seeks to protect children from discrimination, neglect and abuse, but also recognises them as competent social actors, pro-active in their own development, and so emphasises participation rights alongside protection and provision. It has thus had a powerful influence on the way we think about children.

That the child's right to play is included in this treaty alongside the rights to rest and leisure and other recreational activities is itself an achievement, marking a positive shift in thinking about children and their rights; an achievement due in part to IPA's advocacy for the right to play during the drafting of the Convention.

However, in spite of the widespread recognition of the Convention, the growing acceptance and application of human-rights-based approaches in development, and a now extensive body of research demonstrating the vital role of play in human development (for a detailed review see Russell and Lester, 2010) children's advocates throughout the world are concerned that the right to play is not receiving the attention it deserves. Article 31 is gaining an unhappy reputation as "the forgotten article of the UN Convention" (Fronczek 2010).

Article 31 includes a number of related but distinct rights: rest, recreation, leisure, play, participation in cultural life and the arts. Although these areas often overlap, IPA's Global Consultation puts special emphasis on the right to play as it is the element of the article least understood and most consistently ignored.

For this project, we are using the definitions of play, recreation and leisure from the UNCRC Implementation Handbook (Hodgkin and Newell, 2007: 469).

For this project, we are using the definitions of play, recreation and leisure from the UNCRC Implementation Handbook (Hodgkin and Newell, 2007: 469).

- **'Leisure'** is a term implying having the time and freedom to do as one pleases.
- **'Recreational activities'** embraces the whole range of activities undertaken by choice for the purposes of pleasure.
- **'Play'** includes activities of children that are not controlled by adults and that do not necessarily conform to any rules<sup>1</sup>.

To elaborate on the definition of play, this could mean play that takes place away from the oversight of adults; near adults who are not involved; or near adults who with sensitive support can enrich children's opportunities to play in their own way.

The Consultation project uses the term **infringement** to signify either:

- an action that denies or violates a human right, or
- a failure to act, where there is a duty to do so, with the consequence that a human right is denied or violated.

In relation to the child's right to play, recreation and leisure, this means infringements can be either actions that directly or indirectly prevent children from playing, or the failure to act by the guarantors of the right to play (principally local and national authorities) with the consequence that children live in conditions where they are unable to enjoy their right to play. Whilst this report collates extensive evidence of both types of infringements, many are of this second type: authorities which have duties as guarantors of children's rights under the UN Convention ignoring, dismissing or failing to carry out these duties in respect of the child's right to play.



<sup>1</sup>Many children's games have rules, and playing by the rules is often an important aspect of the game. What makes these rule-based activities playful is that the rules are agreed by, and can be changed by, the players.

<sup>2</sup>article31.ipaworld.org

## 2. The consultation process

This is a brief summary of the process. For a more detailed description, the complete Consultation Toolkit is available via the IPA website<sup>2</sup>.

### 2.1 Advance preparation

The first step was to establish partnerships with the national organisations which would organise and manage the national consultation process in each of the eight selected countries. As well as identifying, informing and inviting participants, and organising, facilitating and documenting the consultation, these partners will go on to play a key role in building national and regional networks advocating for article 31.

Following this, the IPA Global Consultation Steering Group produced a Consultation Toolkit, which contained, in both paper and digital formats, detailed guidance on the organisation and facilitation of the consultation process, and the necessary resources.

### 2.2 Orientation and pilot event

The South African partner, Active Learning Libraries South Africa, offered to host an initial orientation event for the project partners from the eight sites, and the Johannesburg consultation was therefore held in January 2010 to serve as a pilot and validation of the global consultation process. A three-day programme was prepared:

Day one: orientation, practice and preparation day, facilitated by the IPA Steering Group.

Day two: the other seven partners observed the pilot consultation in Johannesburg.

Day three: feedback and reflection on the pilot consultation enabled the fine-tuning of the process to the context of each partner site.

### 2.3 The national consultations

The remaining seven consultations took place as follows (see the following chapter for more details on each one):

City	Date (2010)	Participants	Local organising partner
Johannesburg	29 January (pilot)	20	Active Learning and Leisure Libraries South Africa
Mexico City <sup>3</sup>	22 March	24	Child Watch International
Mumbai	3-4 April	38	Tata Institute of Social Sciences Department of Human Ecology
Beirut	13 April	22	YMCA of Lebanon and Beyond Association
Sofia	27 April	16	Bulgaria branch of the Royal Society for the Prevention of Accidents
Nairobi	12 May	56	Centre for Research, Communication and Gender in Early Childhood Education
Tokyo	29 May	21	Japan Adventure Playground Association
Bangkok <sup>4</sup>	23 June	35	Foundation for Child Development and the Thai Health Promotion Agency
<b>Total</b>		<b>232</b>	

<sup>2</sup>article31.ipaworld.org

<sup>3</sup>As well as Mexico City, consultations were organised in Acapulco, Mérida, Tijuana, Torreón and Cuernavaca with a total participation of 145. See section 3.4.

<sup>4</sup>Due to serious civil and political unrest in Thailand in early 2010, the Bangkok consultation was delayed until June, and a number of local consultations were arranged in different parts of the country to collect additional data. See section 3.1.

The participants were for the most part adult professionals, invited because of their significant experience and expertise in the area of children's rights, children's play and related fields in their respective countries. Efforts were made to ensure that the list of invitees reflected the diversity of the respective countries and that there was a suitable balance of people who could advocate for children of different ages and with different backgrounds (indigenous and migrant children, those with different levels of status or advantage/disadvantage etc.) They were selected using the following criteria:

They should:

- Be knowledgeable about play (at least the majority).
- Listen to children; i.e. their professional practice involves finding out and responding to children's views.
- Ensure a range of expertise and professional backgrounds were represented, including people working directly with children, and people working at a policy level or researchers.

Central to each consultation was the compilation of an "Infringement Chart". This was a tool which enabled all the infringements of the child's right to play identified in each country to be defined, quantified and their impact assessed in a single matrix. Much of the analysis in Section II of this report is based on the eight Infringement Charts which were the principal products of the consultations.

## 2.4 Children's perceptions

IPA determined that, within the scope of this project, the best way to gather the kind of information required was to invite participation from adult professionals with considerable experience in work related to children and play. We did not want to involve children in a way that would have little meaning or benefit for them. However, it was considered important to incorporate children's perceptions into the consultation, and this was done in two ways. First, as already mentioned, one of the criteria for selection of adult participants was that they should be people who habitually listen to and take on board the opinions of children. The consultation kit also provided sample letters to participants which described ways in which they could gather firsthand accounts of infringements of children's right to play to bring to the consultation. Some of the consultation organisers also chose to involve children more directly, for example:

- In South Africa, the Active Schools initiative from Cape Town worked with four groups of children (Grades 5-7) to find out their views of the importance of play and the play opportunities available to them.
- In Lebanon, the Association du Foyer de l'Enfant Libanais worked with two groups of children, one group 9-11 year olds, and another group 12 and over, on the theme of "How or what to play?" and "Where to play: At school, at home or outside?"
- In Mumbai, the The Magicbus team took up the suggestion of a "Children's Parliament" for the second day of the consultation, and made this into a playful occasion with thirty children aged 8 and over.
- In Mexico there was an extensive programme of children's focus groups and consultations in different parts of the country in parallel to the adult groups, producing a vast amount of information that merits a separate analysis in its own right, and so may lead to an additional more detailed report in due course.
- In Nairobi a children's consultation event, "Voices of Children", was held with 120 children from different schools and centres, including deaf children and others with special needs.

The resulting information has been incorporated into the analysis in Part II of this report.

## 2.5 Reporting

Each partner undertook to compile a report of the consultation, and in particular to type up the Infringement Chart generated during the event. They also undertook to translate the information into English, where this was not the original language used for the consultation. IPA contracted a report writer to compile the information into a single final report – this document.

The heart of the data analysis was a detailed comparison and consolidation of the eight infringement charts, which identified 115 infringements of the Child's Right to Play considered significant at national level, ranging from the universal and generalised, like adults' lack of awareness of the importance of play, which was found in every country at every level, to the more localised, but nonetheless deadly, such as the cluster-bombs scattered over what were once children's favourite play areas in southern Lebanon. This analysis identified the 14 main themes that form chapters 4-17 in Part II of this report. The logic linking these themes is not linear, i.e. each one leading to the next, but rather a set of multiple interconnections, which are identified in each chapter. These themes in turn provide the logical structure for the further description of the various infringements in different countries related to each one. The discussion of the infringements in Part II includes extensive quotes from the eight country reports and infringement charts. As these cannot be attributed to individual participants, they are identified simply by the name of the city where the consultation they are taken from was held.

### The IPA Global Consultation Team



▼ (Clockwise from top left) Consultations in Nairobi, Mumbai, Johannesburg, Bangkok and Beirut



## 3. The National Consultations

### 3.1 Bangkok, Thailand

#### Thailand

**Population:** 63.5 million (22% under 15)  
Urban: 36%, Rural; 64%

**Area:** 513,120 km<sup>2</sup>

**Population Density:** 132 humans per km<sup>2</sup>.

**GDP per capita:** US\$ 8,060.

**UN Human Development Index:** 0.783 (Medium), 87th out of 181.

**Equality index** (Gini coefficient): 42.0, 76th, out of 126.

**Ethnic make-up:** Thai: 75%, Chinese: 14%, Malay: 3%. Minority groups include Mons, Khmers, Shan, Karen, Lisu, Akha



In early 2010, serious civil and political unrest broke out in Thailand, centred in the capital, Bangkok, leading to several postponements of the national consultation. At one point, as violence escalated in the city streets, it was thought it would not be possible to hold it at all. Children and young people participated in the demonstrations, and the impact of this was one of the issues discussed when the consultation took place.

The event was finally held on 23rd June 2010 at the Fourteenth of October '73 Memorial Centre on Rachadhamnen Road, Bangkok, with 35 participants. This was fewer than the organisers anticipated, due to the repeated postponements and the continuing political situation.

Because of the uncertainty about holding the event, in the preceding months the consultation facilitator visited local organisations in different parts of the country and gathered additional information using the Infringement Chart model. The resulting nine completed charts provide a fuller picture of the infringement of children's right to play in specific locations or situations throughout Thailand, which has been integrated with the data from the main consultation in Part II of this report.

From the conclusion of the Bangkok Consultation Report:

"Most Thai parents tend not to see the importance of play for children. They want children to have a tutorial class and compete with their counterparts to get a seat in the famous universities to get well paid jobs. ...In the parents' view, playing is a waste of time and is not the right way to optimise time. They think that the right way to manage time is to study in order to enhance academic knowledge. Children are required to help their family; for example, they need to work to support their family so a good education is important to get a well-paid job or with good welfare benefits."

Amongst their many recommendations the Thai consultation group suggested:

"Looking back at the old days to find out how our forefathers arranged play for children, adjusting existing toys from the local wisdom of forefathers, and using self-sufficiency theory to make toys for children."

<sup>5</sup>Sources of statistics mentioned in the country information boxes: Human Development Report 2009 (UN Development Programme), The State of the World's Children 2010 (UNICEF), 2009 World Population Datasheet (Population Reference Bureau). City population statistics are from *City Population* website (<http://www.citypopulation.de/index.html>)



### 3.2 Beirut, Lebanon

#### Lebanon

**Population:** 4.2 million (26% under 15)  
Urban: 87%, Rural: 13%

**Area:** 10,452 km<sup>2</sup>

**Population Density:** 404 humans per km<sup>2</sup>.

**GDP per capita:** US\$ 14,988.

**UN Human Development Index:** 0.803 (High), 83rd out of 181.

**Equality index** (Gini coefficient): 45, 89th out of 126.

**Ethnic make-up:** 95% Arab, 4% Armenian, 1% other



22 people participated in the Consultation held at the Padova Hotel, Sin el Fil, Beirut on 13th April 2010.

From the conclusion of the Beirut Consultation Report:

"The violations that were considered most important were the absence of facilities to play in public places, ...the absence of facilities for playing at home and the difficulties imposed by the parents in this area, the non-existence of playgrounds and necessary equipment [in schools], the lack of a specialised team and the difficulty in finding time for play in the educational curricula, ...and child labour which deprives children of play at large.

"Violations encountered more than others: small spaces [in the home] and lack of motivation for parents toward their children to play, lack of playing in public places, parks, clubs, which negatively affects the children, and infringements taking place in schools due to the lack of playground areas."

"The most important point is the absence of public policies and strategies affecting the right of the child to play. The participants focused on the importance of developing these policies and their application in all fields especially that policies apply nationally compared to local initiatives or small-scale initiatives by associations".

There was also a children's consultation, carried out by the Association du Foyer de l'Enfant Libanais with two groups of children, one group aged 9-11, and the other 12 and over. Annexed to this report was a moving interview with Yasmina Abbas Jaber, aged 7, who no longer goes to her local playground, because her father, a demining technician with international NGO the Mines Advisory Group, died there while attempting to defuse a cluster-bomb.

### 3.3 Johannesburg, South Africa

#### South Africa

**Population:** 49.3 million (32% under 15)  
Urban: 59%, Rural: 41%

**Area:** 1,221,037 km<sup>2</sup>

**Population Density:** 41.0 humans per km<sup>2</sup>.

**GDP per capita:** US\$ 10,243.

**UN Human Development Index:** 0.683 (Medium), 129th out of 181.

**Equality index** (Gini coefficient): 57.8, 117th, out of 126.

**Ethnic make-up:** 79.3% African including Zulu, Xhosa, Basotho, Bapedi, Venda, Tswana, Tsonga, Swazi and Ndebele. 9.1% White, 9.0% Mixed heritage (referred to in S. Africa as "Coloured"), 2.6% Asian



20 people participated in the Consultation held at the Children's Memorial Institute in Johannesburg on 29th January 2010. As this was the pilot event, representatives of the seven other partner organisations and the IPA Steering Group were also present as observers.

From the conclusion of the Johannesburg Consultation Report:

"Key infringements: lack of play spaces, unsafe environments for play, parents and government departments not prioritising play for children, and excluding children from play due to disability or race."

"Message to Government: play is integral to ALL government children's services."

"It would be a tragedy for the children of South Africa if the enthusiasm and commitment generated by the consultation meeting were allowed to dissipate without any positive action being taken."

There was also a children's consultation, carried out by the Active Schools initiative from Cape Town, working with 4 groups of children (Grades 5-7) to find out their views of the importance of play and the play opportunities available to them.

From the children's report:

"What is the reason that children can't play in their community as they want?"

- Gangsters, fights and troublemakers outside on open fields.
- Too much traffic in the streets.
- No proper places to play.
- They have to play inside so that their parents can keep an eye on them which makes them sometimes feeling lonely."

### 3.4 Mexico City, Mexico

#### Mexico

**Population:** 111.2 million (32% under 15)  
Urban: 77%, Rural: 23%

**Area:** 1,972,550 km<sup>2</sup>

**Population Density:** 55.0 humans per km<sup>2</sup>.

**GDP per capita:** US\$ 14,495.

**UN Human Development Index:** 0.854 (High) 53rd out of 181.

**Equality index** (Gini coefficient): 46.1, 91st, out of 126.

**Ethnic make-up:** Mestizo (mixed European and Indigenous heritage) about 75%. Indigenous (62 recognised tribes including Nahua, Maya, Zapotec, Mixtec, Otomí, Totonac): 17%. White European heritage: 6%. Others (African, Asian heritage) 1.5%



24 people participated in the national Consultation held in Mexico City on 22nd March 2010. Additional consultations were held in Tijuana (19th April, 34 participants), Cuernavaca (21st April, 15 participants), Torreón (24th April, 22 participants), Acapulco (12th May, 38 participants) and Mérida (20th May, 12 participants).

From the conclusion of the Mexico Consultation Report:

"In all the consultations, although there were some nuances, very similar transgressions were identified:

- The socio-cultural aspects and the predominant ideology about play.
- The lack of family conviviality, mainly but not exclusively as the result of economic conditions.
- The abuse of technology and the media.
- Insecurity and violence in the streets, especially problems of drug trafficking, kidnapping, vandalism and risks of traffic accidents .... The inclusion of children in the organised crime's activities, linked with drug trafficking and child prostitution.
- The lack of social policies and budget exclusively dedicated to the child's right to play.
- The absence of respect of the right to play in the school.
- The excess of extra-curricular activities that adults impose on children.
- Child labour ... that severely limits the time children have to play.
- A lack of consideration of spaces for children's play in urban planning, and especially the lack of space at home.
- The lack of green spaces, parks and gardens where children can play, and the lack of maintenance of the existent ones.
- The difficulty of access of children with disability to public spaces to play.
- Absence of possibilities to play for children in institutions."

Like the adult consultation, the children's consultation in Mexico was extensive, with focus groups and consultations in several cities besides the capital, generating enough data for its own national report.

From the summary report of the children's consultation:

"The main things that prevent us from playing are:

- Our parents don't let us go out because we may be robbed, we may come to harm or be hit by a car.
- We have to do homework or domestic chores.
- The older ones won't let us play around where they are hanging out (courting couples, teenagers drinking, drug-users etc).
- Adults take over the swings.
- Parks and playgrounds are full of homeless people.
- Playgrounds are full of garbage, broken glass and broken play equipment."

### 3.5 Mumbai, India

#### India

**Population:** 1,182 million  
(32% under 15: World's largest child population)  
Urban: 29%, Rural: 71%

**Area:** 3,287,240 km<sup>2</sup>

**Population Density:** 359 humans per km<sup>2</sup>.

**GDP per capita:** US\$ 1,124.

**UN Human Development Index:** 0.612 (Medium), 134th out of 181.

**Equality index** (Gini coefficient): 36.8, 53rd out of 126.

**Ethnic make-up:** Several hundred ethnic groups. Main religious groups are: Hindu (80.5%), Muslims (13.4%), Christians (2.3%), Sikhs (1.9%), Buddhists (0.8%) and Jains (0.4%). About 8.1% of the population are identified as tribal peoples.



38 people participated in the Consultation held at the Tata Institute of Social Sciences, Mumbai, on 3-4 April 2010.

From the conclusion of the Mumbai Consultation Report:

“The main infringements:

- Emphasis on academic performance: all school-going children seem to be affected by the pressure to perform leaving less or no time for play, recreation and leisure.
- Lack of political will: play is not on the agenda in any political discussions related to children.
- Only structured and competitive forms of play are ever considered.
- Adult attitudes towards child's play. Children's lives are being highly directed, overscheduled, with tuitions, study or directed extra curricular effort leaving no time for play. This is affecting children from early ages.
- Discrimination and marginalisation of the girl child exists in all strata of society. A stereotyping of play, and less time and freedom to play, a greater responsibility for home chores, including child-minding, restrictions on adolescent girls and early marriages all contribute to this gender discrimination.
- Lack of space.
- Unsafe play environments.
- Commercialisation of children's play.
- Discrimination and marginalisation of children with disabilities.
- Child labour.
- Children as objects of abuse and exploitation.
- Discrimination and marginalisation of children living on the streets.

Discrimination and marginalisation of children living in institutional care.”

The second day of the Mumbai consultation included a “Children's Parliament” event run by The Magic Bus team with 30 children aged 8 and over. To sum up their conclusions:

“Yes there is school, and there is play. Play happens in different circumstances, some outside, some at home. The big boys who are into cricket and football have their own equipment and play as much as they can. The younger lot many emulate the older ones, and some are into interesting off-shoots like dancing (this is due to the “Dance India Dance” TV programme based on American Idol; a way to achieve fame and fortune). The girls have a more home-based attitude to play. Some responsibilities like chores do limit them but there are no complaints. There was also a small group that did not go to school but worked minding their family shop from 8 am to 8 pm.”

### 3.6 Nairobi, Kenya

#### India

**Population:** 1,182 million  
(32% under 15: World's largest child population)  
Urban: 29%, Rural: 71%

**Area:** 3,287,240 km<sup>2</sup>

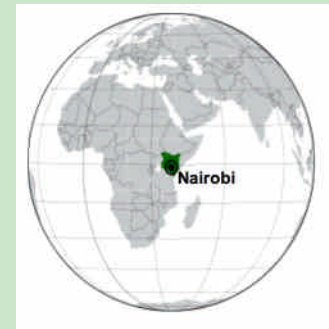
**Population Density:** 359 humans per km<sup>2</sup>.

**GDP per capita:** US\$ 1,124.

**UN Human Development Index:** 0.612 (Medium), 134th out of 181.

**Equality index** (Gini coefficient): 36.8, 53rd out of 126.

**Ethnic make-up:** Several hundred ethnic groups. Main religious groups are: Hindu (80.5%), Muslims (13.4%), Christians (2.3%), Sikhs (1.9%), Buddhists (0.8%) and Jains (0.4%). About 8.1% of the population are identified as tribal peoples.



56 people participated in the Consultation held at the Silver Springs Hotel, Nairobi on 12th May 2010.

From the conclusion of the Nairobi Consultation Report:

"From their responses, the participants proposed that the government should help parents nationwide to understand the importance of play for their children both at school and at home ...

- Play improves a child's development: when they allow children to play, they will have happier children.
- And play is a therapy to emotionally disturbed children, minimising their level of stress and frustration ....
- Overworked children will burn out and fail to perform.
- Leisure and play times are good for children's mental health, growth and development."

In addition a children's consultation event, "Voices of Children", was held at the Leonard Cheshire Grounds, Nairobi on 15th May with 120 children from different schools and centres, including deaf children and others with special needs.

When asked if their parents allowed them time to play, the children's responses included:

- "Yes, because there is a place at home for playing".
- "Yes, they would want me to play but there is no space to play".
- "Sometimes they send me out to play but not all the time because I have work".
- "They allow me to play when there is no homework because I am in class 8".
- "I am given time to play after my duties".
- "Most of the time when I am free but I am hardly free".
- "They want me to play but they say outside is not safe".
- "They can give me time but school homework is too much."

The children also wrote their personal reflections on the event, which included the following:

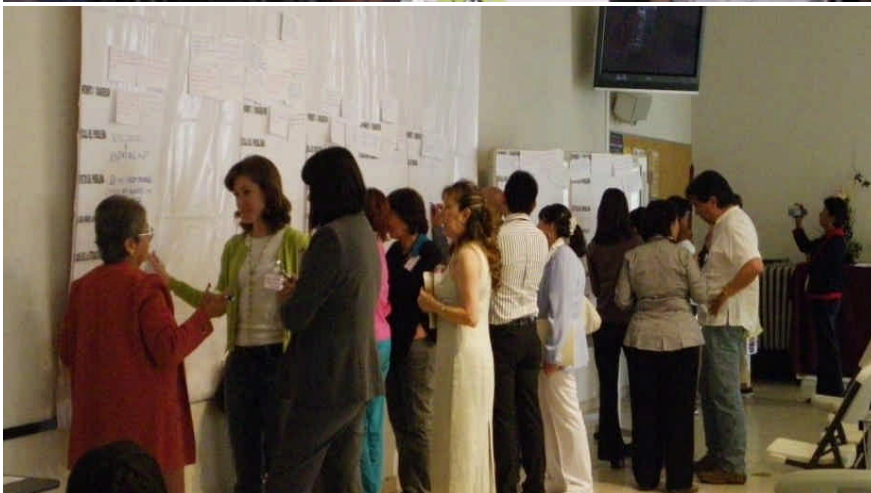
"A child has a right to play. Parents have a responsibility to make sure that children are given freedom to play. Parents are supposed to encourage the children to play because it helps their growth. Children are not supposed to be overworked with homework or work at home. Children should be left to play." *Jane Nyambura*

"I like playing so much but sometimes we are given too much work both at school and at home. Teachers and parents should be told to give us time to play. WE MUST BE ALLOWED TO PLAY". *Michael Ogutu*.



### Consultations in progress

◀ Sofia, Bulgaria



◀ Mexico City, Mexico



◀ Tokyo, Japan



### 3.7 Sofia, Bulgaria

#### Bulgaria

**Population:** 7.6 million (13% under 15)  
Urban: 71%, Rural: 29%

**Area:** 110,993.6 km<sup>2</sup>

**Population Density:** 68.5 humans per km<sup>2</sup>.

**GDP per capita:** US\$ 11,900

**UN Human Development Index:** 0.840 (High), 61st out of 181.

**Equality index** (Gini coefficient): 29.2, 15th out of 126.

**Ethnic make-up:** 85% Bulgarians, 9.4% Turkish, 4.7% Roma, 0.9% other groups.



16 people participated in the Consultation held at Sofia Children's Art Centre on 27th April 2010.

From the conclusion of the Sofia Consultation Report:

"The first infringement that was identified concerned the school program and the program in the kindergartens. The children in the schools and in the kindergartens are under pressure, because of the overly academic nature of these programmes.

"The next identified infringement was the lack of challenging and attractive playgrounds. In Bulgaria there are a lot of dangerous playgrounds, badly maintained playgrounds, very old playgrounds and inaccessible playgrounds for children with physical disabilities. There are no appropriate playgrounds in the kindergartens and in the schools, where equipment is installed on concrete surfaces with no greenery.

"Another issue was the reduced time for other types of play. In general the children occupy their time playing computer games or watching TV, which reduces the time to play.

"Children at risk (in hospitals, orphanages, sanatoriums or day centres for children with disabilities) are another group of children that do not have a lot of opportunities to play. They spend most of their time in the institutions; they can communicate only with children in the same institutions and with the people who work with them. A significant problem ... is the lack of good professionals to work with these children."

### 3.8 Tokyo, Japan

#### Japan

**Population:** 127.4 million (13% under 15)  
Urban: 86%, Rural: 14%

**Area:** 377,944 km<sup>2</sup>

**Population Density:** 337 humans per km<sup>2</sup>.

**GDP per capita:** US\$ 32,608.

**UN Human Development Index:** 0.960 (Very high), 10th out of 181.

**Equality index** (Gini coefficient): 24.9, 2nd out of 126.

**Ethnic make-up:** 98.5% Japanese, 0.5% Korean, 0.4% Chinese, 0.6% other



21 people participated in the Consultation held at the National Children's Castle on 29th May 2010.

In the Tokyo consultation participants drew "Manga" cartoons to share real-life case studies of infringement of the right to play, then went on to analyse the situations depicted in the cartoons, their causes and effects.

From the conclusion of the Tokyo Consultation Report:

"Most of the infringements in Japan are not immediately life-threatening: no land mines, no hunger. Traffic should be the biggest life-threatening factor, but children are banned before they start playing."

"The serious and frequent infringement of play in the Tokyo Round turns out to be 'the structured life' of children, in which adults pursue efficiency and effectiveness of activities from an adult point of view. Such infringement does not give an immediate physical danger, but it deprives a child of play softly, slowly and persistently, and affects the child's life and development for the long-term in social (communication skills), physical and emotional terms. It is well known that the child's self esteem is quite low in Japan in the international research."<sup>6</sup>

"The infringement of play in our society is not the question of the number of parks to play in. It is a question of our attitude, which is not based on sufficient information and understanding about play. Quite a few people (including the general public, practitioners, researchers, local authority officers, etc.) think that play is important, and they have acknowledged for years that play environments for children are getting worse."

<sup>6</sup>Japan's latest report to the UN Committee on the Rights of the Child had a parallel report (by IPA Japan and partners) that resulted in a critical response from the Committee to the Government of Japan focusing specifically on the issue of Japanese children's over-programmed lifestyle discussed in Chapter 12.



## Part II: Infringement of the Right to Play Around the World

### 4. Adults unaware of the importance of play

**Infringements identified in:** All countries

**Identified as serious infringements in:** Bangkok, Beirut, Johannesburg, Mexico, Mumbai, Tokyo

**Whose rights are infringed?** All children, everywhere

#### 4.1 Professionals, officials and policy-makers unaware of the importance of play

The most widespread and generalised violations of the child's right to play, highlighted in every country, were those arising from adults' lack of awareness of the importance of play in children's development, their failure to recognise it as a human right, and the resulting denial or restriction of play opportunities to children.

*"Adults with poor understanding of the needs of children and the value of play".* Johannesburg

*"Play is not thought to be valuable compared with study, sports, art etc."* Tokyo

*"Children are seen as objects for exploitation; play is not valued".* Mumbai

The generalised concern about adult attitudes in the eight consultations extends to every level, and has its most profound and damaging impact when it is public officials and policy-makers who are oblivious to the importance of children's play, unaware of its status as a human right and negligent of their duties as guarantors of this right.

*"Government and public officers don't understand child development through play."* Bangkok

*"Lack of conviction of the officials of the importance of play".* Beirut

This problem in turn was seen as due to a lack of programmes to raise awareness of the importance of play amongst parents, professionals, officials and policy-makers. The effects of this lack of awareness firstly on public policy and secondly on provision for children's play are the themes of Chapters 7 and 8 respectively.

#### 4.2 Play is a poorly conceptualised social construct

*"Play is not conceptualised. Conceptualisation of play is not seen as essential."* Mumbai

*"The socio-cultural aspect and the predominant ideology about play were identified as the most important infringement of the right of children to play in Mexico City".* Mexico.

In several of the consultations, such as the two quoted above, participants recognised that damaging "adult attitudes" have deep roots in the socio-cultural construction of a concept of play in each soci-

ety. Whilst the concept of “play” has nuances specific to different cultures and different languages, it is relatively consistent around the world, and in nearly every case it is defined in terms of what is “not work”, and by implication, what is not obligatory, not necessary and therefore not important.

*“Lack of understanding and valuing of play at a socio-cultural level. A distinction is made between play and work: Work = productivity; Play = waste of time. Play is thus considered trivial or a waste of time, and is not considered as necessary for child development.” Mexico*

This construct is embedded in the social constructs of “child” or “childhood”, which in most cultures include the idea that in order to develop, children need to be directed by adults into purposeful activity – undermining the value of children’s self-directed activity. Where “play” is given any positive value, it is generally as a source of relaxation rather than as an essential for wellbeing and development.

It is because of the deep-rootedness of this construction of the concept of play that changing the prevailing “adult attitudes” presents such a tough challenge.<sup>7</sup>

### 4.3 Communities hostile to children at play

This infringement was found to be more common in more developed countries like Japan, where playing children are often considered undesirable and unwelcome in the public spaces of their community.<sup>8</sup>

*“Children are not welcome to play in the community.” Tokyo*

This in turn affects the parents, who face peer pressure and do not want their children to be considered a nuisance by the neighbours, and so prefer to keep them indoors:

*“Parents are worried about their children making troubles to other children and about being accused of their ‘bad’ child-rearing by other parents.” Tokyo*

*“Disturbing the people of neighbourhoods with the cries of children, which prevents them from playing in the streets (with no alternative)”. Beirut*

### 4.4 Parents’ attitudes restrict play opportunities

*“Parents aren’t aware that play is necessary for child development.” Bangkok*

*“Lack of parents’ awareness of the importance of play and its impact on physical and mental health for children”. Beirut*

The attitudes of their parents impact on children’s play opportunities in many ways, and vary from country to country, for example:

- In poorer communities, parents want their children to be working instead of playing. This is discussed in detail in Chapter 17.
- In both rich and poor communities, parents want their children to be studying instead of playing. This is discussed in Chapter 10.
- Parents do not want children to get dirty or make a mess. They want a clean, tidy home, to the extent that this is sometimes seen as more important than their children’s wellbeing:

<sup>7</sup>Whilst human rights can always be claimed without the need for any other justification, and thus the right to play can be demanded without the need to justify its importance, in reality it makes sense that the two go together: raising awareness of the importance of play in human development and at the same time demanding it as a right.

<sup>8</sup>There is extensive evidence of and concern about this problem in the UK, though not included in this consultation; e.g. Percy-Smith (2002).

*"The world of objects is considered more important than the word of people: 'The house was fine until you made a mess!' ". Mexico*

*"Parents want to keep their kids clean: No water or mud, keep the house tidy, kids work to clean up. Parents keep their status". Johannesburg*

*"Parents are afraid that children will get dirty and get diseases." Bangkok*

- Adults want children to be quiet and not disturb family or neighbours:

*"Parents think that good children are children who are polite, courteous and shy." Bangkok*

- Parents do not play with their children.

*"The fact that adults don't play impedes their understanding of the importance of play." Mexico*

- Parents set rules that limit children's opportunities to play, and demand obedience and respect even when wrong.

- In some cultures, parents' cultural or religious beliefs may affect their attitude to children's free play, leading them to discourage participation in certain play activities.

*"Parents hesitate to participate in the games organised by associations belonging to the non-religious community in their area". Beirut*

*"Religious belief makes children lack chances to learn through various kinds of play." Bangkok*

#### **4.5 Parents control children's play to fit their own agendas**

Even where parents actively encourage their children's play, this is often driven by an adult agenda which further restricts the children's freedom (more on this in Chapter 12):

*"Adults pursue efficiency, good performance and results when children play. Children are expected to play to learn something, resulting in a performance-oriented approach and lack of the child's initiatives in life." Tokyo*

*"Children are taken to organised events and classes to learn how to play 'properly'." Tokyo*

*"Parents think that civilised children should not play with soil or sand." Bangkok*

## 5. Unsafe environments

**Infringements identified in:** Bangkok, Beirut, Johannesburg, Mexico, Mumbai, Nairobi, Tokyo

**Identified as serious infringements in:** Bangkok, Johannesburg, Mexico, Mumbai, Nairobi

**Whose rights are infringed?** Mainly urban children, 6 years and over (Beirut: all children, taking account of landmines in rural areas)

The consultation suggests that most of the world's children live in environments that are not fit to play in. This theme came through strongly in seven of the national consultations, the exception being Sofia. However the emphasis in the Sofia report on the need for improved parks and playgrounds suggests that, here too, it is taken for granted that it is not safe to play anywhere else (see 5.3 below). The perceived need for parks and playgrounds to enable play to take place is itself an indication of the unsuitability of the general environment for play (or of adult hostility to children's use of it for play: see 4.3 above).

Some of the dangers mentioned were common to many countries, while others were specific to certain locations. For convenience they are grouped here as physical dangers and human dangers, although this is a fairly arbitrary distinction, as the physical dangers are also due to human actions.

### 5.1 Physical dangers

The danger of road traffic accidents was the most mentioned. Uncontrolled traffic is an infringement of the right to play not only when it passes through children's habitual play areas, but also when it denies them a safe route to travel alone from home to their preferred play area. In this context it was also mentioned that town planning policies tend to prioritise the needs of road traffic over the needs of children:

*"City environments do not accommodate child needs. ... Macro designing of urban spaces doesn't consider children's needs."* Johannesburg

Besides road traffic, several consultations made reference to the more general risk of accidents, including for example unfenced railway lines and water hazards (Johannesburg).

Next to risk of accidents comes the danger from contaminated or polluted environments. In many countries children play in areas contaminated by industrial waste.

*"Migrant children live in temporary houses which have only space for living, so they don't have space to play. Some of them play on dump sites."* Bangkok



There is also widespread illegal dumping of dangerous waste including medical waste such as used hypodermic needles (linked also to the drug-related problems mentioned in the following section).

In both Johannesburg and Nairobi it was mentioned that in many communities sewage treatment is inadequate, which can result in untreated sewage contaminating the places where children play. This risk to children's health from poor sanitation is one of the world's major public health problems, affecting slum communities and informal settlements in most parts of the world, with the resulting intestinal infections (diarrhoea) killing over 1.5 million children per year.

However, perhaps the most atrocious violation of the right to play under this heading was the laying of anti-personnel mines and cluster-bombs in areas where children have traditionally played in south Lebanon.

*"The spread of cluster bombs and mines in various regions of Lebanon from the Lebanese civil war and Israeli wars.... Children do not play in villages but between cluster bombs". Beirut*

In this respect, the personal testimony of seven-year-old Yasmina Abbas Jaber, as reported in an appendix to the Beirut report, is telling. The following is an extract from the interview:

*"Yasmina: Dad used to work with MAG (Mines Advisory Group). He cleared the fields from cluster bombs. ... He used to play with my sister and me. He used to take us out and he told us that in a couple of days the playground would be cleaned and we would be able to play and run outside."*

*"Interviewer: Do you like to go to the playground to play?"*

*"Yasmina: No, no, no, I do not want to, because my dad went to the garden and died there. Which means there are still cluster bombs and mines in the playground and I don't like it any more because it took my father away."*

## 5.2 Loss of play space

*"Because of the risks perceived, streets have been lost as play areas. Children are enclosed at home; cannot move about the neighbourhood, or restricted to enclosed areas". Mexico*

*"Less sense of community. Decline in mutual care and respect". Tokyo*

In some parts of the world children live in social and physical environments that offer them the play space and opportunities they need for healthy development without specific adult interventions. Ironically, these may be poor and disadvantaged communities in conventional economic terms. However, in most of the world the vision of children happily "going out to play" in their home neighbourhood and the natural environment surrounding it is a fading memory, or an imagined golden age found only in story-books.

When faced with these grave infringements of the child's right to play, it is always easier for the responsible adults – both parents and public authorities – to respond by restricting the movements of the children, rather than facing up to the cause of the problem. For example if there are drug-dealers in the local park, it is easier and cheaper to stop the children going to the park than to take the necessary action to remove the drug dealers. If there is a busy main road between the children's homes and their preferred play space, it is easier to keep the children at home than to design and implement a child-friendly solution to the traffic problem.

The result is that for almost all of those covered by this consultation (suggesting a global pattern affecting a majority of the world's children) the place where they live is not a fit place to play, and there is little political will to make it so. For an ever-increasing proportion of the world's children this means that, if they want to avoid the hazards of the street, their options are limited to the home or to specially created and designated "play areas" or "play facilities". As we face this reality, we open up a whole new chapter, in fact several new chapters, of infringements of the child's right to play (Chapters 7 to 9).

Before this, however, we need to address the complex issue of parental fears, and ask to what extent the real risks are exaggerated.



## 6. Parents' fears

**Infringements identified in:** Bangkok, Beirut, Mexico, Nairobi, Tokyo

**Identified as serious infringements in:** Tokyo

**Whose rights are infringed?** All children, but particularly in urban areas

### 6.1 The culture of fear

As we have seen in the previous chapter, children who go out to play, almost everywhere in the world, face very real dangers. However, in several of the consultations parental fear was identified as a separate issue, not always related to the real risks.

*"Parents fear that their children will be exposed to risks when they go out."* Mexico

*"Excessive anxiety over children's health and safety prevents children from expressing their interests and curiosity in play."* Tokyo

*"The problem is throughout the country. Parents are not willing to let children play alone in the outdoors."* Tokyo

In Mexico, the "erroneous conception of the street" was explored in more detail:

*"Insecurity and its correlative, the fact that the street is not conceived as a space where children can play, were identified as phenomena that prevent the exercise of the right to play. In Mérida participants recognised the 'disappearance of the street' and analysed the social perception of insecurity and the parents' fear that something might happen to their children in public spaces."* Mexico

Other parental fears that restrict children's play opportunities were specific to rural communities and cultures. For example, in some parts of Thailand:

*"Children are not allowed to play in woods or near waterfalls because spirits will make them sick."* Bangkok

In Tokyo a generalised social climate of fear and anxiety was seen to underlie this problem, linked to a perceived breakdown in traditional patterns of community life and community solidarity:

*"More adults live in anxiety .... Lack of communication among neighbours. Less people in the streets or parks."* Tokyo

*"The society considers that there is more security in playing in closed spaces than in open spaces".* Tokyo

Though highlighted in only two countries in this consultation, this issue is widespread and a major cause for concern in Europe and North America, where there is a detailed literature on the prevalent "Culture of Fear" (Furedi 1997). The culture of fear is particularly problematic in relation to children's play, since current research identifies a fundamental role for play in helping develop the capacity to deal with and respond to the uncertain and unknown, and manage the stress that this may involve (Russell and Lester 2010). In order to fulfill this role, play needs to involve a certain amount of risk-taking, implying do-it-yourself risk assessment and risk management. If the "culture of fear" means that all risks are managed out of children's everyday lives, not only will their play experiences be unduly limited, but it is impossible for their play to fulfill this vital function.

## 6.2 Over-protection of children

As the Beirut consultation pointed out, “*excessive protection of children*” is itself a serious infringement of the right to play. And yet, as we have seen, the risks are very real and often very deadly. The issue, therefore, is how to help parents and other responsible adults determine and implement appropriate responses to real dangers, without unduly infringing the right to play and closing off developmentally important play opportunities.

As discussed in the previous chapter, the easiest response for the fearful parent is to restrict their children's movement. Whilst this may be necessary in the short term, an appropriate response is more demanding and more complex. It requires analysis to separate real risks from unfounded anxieties, opportunities for children to learn about self-protection and risk-awareness, and organised, concerted action to address the causes of the perceived dangers.

## 6.3 “Stranger-danger”

A particular type of parental anxiety is that commonly known as “stranger-danger”; that is, that an unknown person may kidnap the child, or somehow gain access to them in order to sexually abuse or otherwise harm them. The truth, however, is that the risk of abduction or sexual abuse by a stranger is very small compared to the risk from people already known to the child, particularly family members. (Finkelhor and others 1992.)

## 7. National and local authorities' play policies inadequate or non-existent

**Infringements identified in:** Bangkok, Beirut, Johannesburg, Mexico, Mumbai, Nairobi

**Identified as serious infringements in:** Beirut, Johannesburg, Mexico, Mumbai, Nairobi

**Whose rights are infringed?** All children, everywhere

### 7.1 Failure from national policy to local planning

Five of the eight consultations highlighted this area as a cause of major infringements of the right to play, considering that neither national nor local governments have adequate policies, plans or strategies for children's play.

*“The most important point is the absence of public policies and strategies affecting the right of the child to play.” Beirut*

*“Play is not on the agenda in political discussions. There is more emphasis on structured and competitive forms of play (sports)”.* Mumbai

This is a direct contravention of the UNCRC, ratified by all of the countries participating in the consultation, which obliges national governments to use it as a guide in reviewing national policies and in informing and supporting local governments in addressing these rights.

The lack of specific plans and policies for play was in many cases seen as just another example of a general disregard for children in public policy-making:

Failures were identified at both national policy level and local planning level. Beirut, Johannesburg, Mexico and Mumbai identified infringements due to urban planning that consistently ignored children's play needs. South Africa's political history gave an extra dimension to the problem:

*“Apartheid resulted in planning which militated against the creation of public spaces where children could play”.* Johannesburg

## 7.2 The economics of play

*"The lack of social policies and budget exclusively dedicated to the child's right to play" was identified as cause for concern in Mexico.*

Misuse of public funds destined for play and recreation, due to corruption or merely inefficiency, was identified as a problem in Mumbai, Nairobi and Mexico. In some cases the problem is seen as corruption embedded in the system, but lack of effective regulation of public spending was recognised as a contributing factor. Land-grabbing for personal gain by corrupt officials and their allies was also identified as an issue in Nairobi.

In the few instances where public funds are available for recreation, there is generally no specific budget for children's play, with the majority of investment going on sports and recreation facilities for adults. (Bangkok, Mumbai, Mexico)

## 7.3 The underlying problem: politicians do not understand play

The failure of public authorities to develop and implement policies for children's play is perhaps an inevitable consequence of the underlying problem identified in 4.3 above, namely that politicians and policy-makers generally have little understanding of what play is, why children play, and its importance in human development. Rarely do they recognise play as a human right, or if they are aware of this, they give it the lowest priority. In these circumstances it is hardly surprising that politicians, both local and national, have not dedicated much effort to the development and implementation of policies for children's play. Addressing the global problem of lack of policies and plans for children's play will therefore also require serious attention to the underlying problem of lack of understanding of play and its importance.



## 8. Inadequate spaces or facilities for play

**Infringements identified in:** All countries

**Identified as serious infringements in:** All countries

**Whose rights are infringed?** Mainly urban children. Poor children with no alternatives.

### 8.1 Play in the local neighbourhood is no longer an option

Taking all the consultations together, the second most frequently-mentioned theme on the infringement charts (after negative adult attitudes) was the lack of suitable spaces or facilities for children to play.

It might be suggested that, in an ideal world, children would play freely in and around their home neighbourhood, taking temporary control of whatever spaces and resources were there to be used. Indeed, as has been pointed out in 5.2 above, this ideal world can still be found, but in increasingly fewer places. As we have seen in previous chapters, the reality for the rest of the world's children, the vast majority, is that they cannot go out to play freely and safely in the neighbourhoods where they live. The lack of space to play at home or close to home was identified as an infringement of the right to play in five consultations.

In Mumbai the severe overcrowding of urban communities due to large-scale migration from rural areas to the cities was identified as an additional contributing factor. The Bangkok consultation also highlighted the problem of overcrowded slum areas and the resulting lack of space.

The Tokyo consultation also considered the lack in opportunities for children to play in natural settings due to accelerating urbanisation and industrialised agriculture:

*"Change of the industrial structure and declining agriculture deprives children of opportunities to play in and with nature." Tokyo*

Another issue raised in Tokyo, but shared with other highly-developed countries, is the effect of a decreasing birth-rate, which means there are fewer children. In Kenya, for example, 42% of the population is aged under 15; in Japan only 13% (see population statistics in Chapter 3). This means that in Japan and similar countries many children grow up with no neighbour children to play with. They also have fewer or no siblings as playmates.

### 8.2 Designated play spaces are failing children

The result is that societies all over the world have over the years defined and designated those specific places where children are supposed to play. In certain wealthier countries private gardens and back yards became children's main play areas, at least for the middle classes. For the rest of the world, play areas are public, shared spaces. The commonest types are public parks and "equipped" playgrounds, which may be incorporated within a park or stand as separate entities (school playgrounds are also significant play spaces in many communities and these are discussed in Chapter 10).

Recognising that many millions of children are dependent on these designated play areas as their only access to outdoor play, the consultations identified many grave infringements of the right to play resulting from the lack of adequate spaces, and the poor condition of those that exist.

*"Lack of challenging and attractive playgrounds, dangerous playgrounds, badly-maintained playgrounds, very old playgrounds, uneven allocation of playgrounds, inaccessible playgrounds for children with disabilities." Sofia*

## Specific infringements included:

- Lack of sufficient parks and play spaces. (All countries)
- *"Preference for the construction of buildings instead of public places, parks and gardens ... Children don't play because there are no public parks". Beirut*
- Inadequate maintenance of play areas, leading to broken, faulty or dangerous equipment. (Bangkok, Beirut, Johannesburg, Mexico, Sofia)
- *"The equipment is old and out of date. It needs regular repairs which may cause dangers to children." Bangkok*
- Playgrounds poorly designed with unsuitable equipment. (Bangkok, Sofia)
- *"Adults think that play means building expensive playground equipment, which cannot be played on in the rainy season because it gets dirty and children may get sick, and cannot be played on in the dry season because it is too hot and children may get sick as well." Bangkok*
- Playgrounds not accessible for disabled children. (Bangkok, Beirut, Sofia, Mexico, Johannesburg)
- Restricted access to parks and playgrounds. (Mumbai)
- No regulation of public spaces, parks etc. (Mexico)
- No specialist staff to plan, design, install and maintain playgrounds. (Mexico)



## 9. Fear of litigation

**Infringements identified in:** Tokyo

**Whose rights are infringed?** All children (applies mainly to countries like Japan with a “compensation culture” embedded or developing)

### 9.1 The “compensation culture”

Infringement of the right to play due to public authorities' and institutions' fear of litigation was highlighted as an infringement in Tokyo. However the problem is a major concern to play specialists in industrialised countries where a “compensation culture” has developed, in which local authorities and other service providers can be sued for compensation if any mishap occurs to a child.

The “compensation culture” has also been linked to the “culture of fear” mentioned in Chapter 6, where people seek someone else to blame for any misfortune that befalls them, thus avoiding responsibility for resolving their own problems (Furedi 1997). The courts, particularly in the United States, have fuelled this culture, setting precedents that lead people to expect large compensation payments for minor accidents, and allowing lawyers to claim a percentage of the takings.

### 9.2 The effect on children's play opportunities

In those countries where the compensation culture has taken root, public authorities, state and non-state service-providers and professionals have become conscious of this, and thus it has become a determining factor, perhaps the determining factor, in deciding what play opportunities may and may not be offered to children. This results in:

- **Uninteresting, unattractive play opportunities:**

Many of the features that make play facilities attractive to children are those that involve elements of risk and uncertainty (see 6.1). To avoid liability for mishaps, providers seek to eliminate these “risky” elements resulting in standardised, repetitious play-grounds.

- **Fewer play opportunities:**

Not only are the “risk-free” alternatives often more expensive, but there is an increasingly onerous burden of insurance premiums to safeguard the provider from compensation payouts. Faced with this harsh reality, it has been the frequent response of providers to remove play equipment or close down facilities that are now seen as too risky to maintain.

*“Landowners fear children's injuries in playing on their land; they fear the parents will sue them for not showing signboards saying 'Don't play here'.” Tokyo*

## 10. Excessive pressure for educational achievement

**Infringements identified in:** All countries

**Identified as serious infringements in:** Bangkok, Mexico, Mumbai, Tokyo

**Whose rights are infringed?** Mainly urban middle class (Mumbai: "Widely prevalent except in tribal areas")

### 10.1 Unhealthy competition

Infringement of the right to play brought about by excessive pressure for educational achievement was identified as a concern in every country, albeit with differences of emphasis reflecting the different cultures and educational systems.

In most countries the root of the problem was seen as an overly competitive society, with parents internalising and promoting these values:

*"Over-ambitious parents demanding better school performance." Johannesburg*

*"To want children to have a determinate level of excellence and competitiveness." Mexico*

*"Adults think that their role is to give the maximum opportunities for a child to learn. ...The concept of parents' duty to give the best education they could. ...Parents are worried about children who might become losers in the competition in society." Tokyo*

A specific issue arising in several countries was that success is judged in terms of the job one eventually gets, and to get a good job requires long hours of study from an early age:

*"Stressful economic situation, high competition, concern on academic progress, focus on making children successful ...Highly competitive environment with emphasis on job success". Mumbai*

*"Most Thai parents do not see the importance of play for children. They want children to have a tutorial class and compete with their counterparts to get a place in a famous university to get a well-paid job." Bangkok*

### 10.2 Excessive hours of study

This academic pressure infringes the child's right to play because it always requires long hours of study, over and above the normal school day. This may be in the form of extra homework, or in the case of middle-class families, additional private tuition or "cramming" to help children improve their school results.

*"One of the frightening things for many parents is to lose out in the academic competition in society, so the cramming school industry has grown big in our society.*

*Many parents almost force their children to attend cramming schools. ... Cramming schools finish late at night with a load of homework to take back home." Tokyo*

*"Parents want children to be good at their studies and have a high level of education. This causes competition in society such as tutorial schools, which mean children don't have time to relax or play with friends." Bangkok*

These parental attitudes present a difficult obstacle to the promotion of a more balanced childhood with emphasis on the right to play. Schooling, particularly academically-orientated schooling, produces clear and measurable results and these are seen to have a material value in that they open up employment opportunities. Play, on the other hand, although considered by experts to be of equal or

greater value than formal schooling in terms of its contribution to human development, provides intangible, unquantifiable benefits (Russell and Lester 2010) that are harder to “sell”.

In Sofia and Bangkok one of the consequences of this infringement was identified as children under psychological stress with no healthy outlet.





## 11. No recognition of or provision for play in schools

**Infringements identified in:** Bangkok, Beirut, Johannesburg, Mexico, Sofia

**Identified as serious infringements in:** Beirut, Sofia, Tokyo

**Whose rights are infringed?** All children who go to school, all ages.

### 11.1 The threat to school play-time

For many children the school playground has traditionally been an important part of their play culture. Even if not all children go to school, a good proportion of the children of the community will often come together in the school playground, and break times (recess) offer an opportunity for self-organised games, and the passing on of children's own play culture to new generations. For children whose after-school hours are filled with work till nightfall, playtime in the school playground may be their only significant play opportunity.

However, the consultation revealed that here too the right to play is under severe threat in many parts of the world.

*"Educational policy doesn't respect children's right to play; this appears in the lack of spaces and time allowed for play in school and educational settings". Mexico*

When asked what evidence could be provided to back up this claim, the Mexican group concluded:

*"One should visit any classroom in the country". Mexico*

Specific infringements identified were:

- No playgrounds or limited play space in schools and pre-schools. (Beirut, Mexico, Sofia)
- Where playgrounds exist they are unsuitable and/or in poor condition. (Bangkok, Beirut, Sofia, Mexico)
- Little or no play time at school (recess). (Johannesburg, Mexico)<sup>9</sup>
- Prohibitions and limitations imposed by adults: "No running", "Don't make a noise" etc. (Bangkok, Beirut, Mexico)
- *"Schools emphasise studies. For example, children are punished because they take marbles to play at school. They are pushed to go to the library during lunch break time."* Bangkok

### 11.2 No more "learning through play"

A related issue, highlighted in several consultations, is the increasing use of formal or traditional educational methods in the classroom that leave no room for a playful approach, and do not take advantage of opportunities for "learning through play". Whilst IPA defines play as children's freely chosen activity, many of the consultation participants valued the use of playful activities in educational settings and expressed their concern about their disappearance.

<sup>9</sup>This has also been identified as a major concern in the United States, where some educators believe it is more efficient to use the time for extra classes than to permit children to play, and so recess has been eliminated from the school timetable in many areas (see Jambor 1992, Skrupskelis 2000).

*"Most of the professionals who work with children have outdated views on children, education and work with children. They use outdated education methods and to a great extent they neglect the role of play in education ... Education through play is not presented in the school programs". Sofia*

*"The new preschool curriculum limits the possibility of a ludic (playful) approach in formal education". Mexico*

*"Thai education doesn't emphasise active learning, but rote-learning, competition and academic success." Bangkok*

The problems were further specified as:

- Imposition of over-formalised or standardised curricula, leaving no room for play. (Nairobi and Sofia)
- Intensive, high-pressure education. (Beirut, Tokyo: see also previous chapter)
- Neglect of role of play in education / teachers not trained to use play in education. (Bangkok, Beirut, Sofia)
- "Teachers don't play!" (Mexico)



## 12. Structured, programmed leisure time

**Infringements identified in:** Bangkok, Johannesburg, Mexico, Mumbai, Tokyo

**Identified as serious infringements in:** Mexico, Tokyo

**Whose rights are infringed?** Mainly urban middle class, but a growing problem

### 12.1 Too many structured activities too young

For many of the world's children structuring their leisure time is not a problem, as they are burdened with work of one kind or another (see Chapter 17). For many more, although they may not have to work, the pressure on them to compete academically (Chapter 10) keeps them busy from dawn till dusk.

However this still leaves many millions of the world's children who do have leisure time to fill. As we have seen in Chapters 5-7, the traditional option of "going out to play" is increasingly denied to these children, either by parental prohibition or by the unhappy reality of the environment in which they live.

As a response to this situation, many parents around the world are arranging to fill their children's leisure time with organised activities to keep them occupied, and so fill the hole left by the denial of their right to play. The chosen activities vary according to the economic status of the family, but typically include arts and crafts, musical instrument tuition, organised sports, computer skills, and English as a second language.

In the consultation this infringement, referred to as a "*programme-oriented lifestyle*" (Tokyo), was highlighted in Tokyo, Mexico, Mumbai and Johannesburg:

*"The excess of extracurricular activities limits the time available for free and spontaneous play". Mexico*

*"Children are in education learning piano, violin, English, craft and cramming for entering private schools.... Children are too busy after school to play together. They need an appointment to play together". Tokyo*

*"Children's lives are being highly directed, overscheduled with tuitions, study or directed extra-curricular effort leaving no time for play. This is affecting children from an early age." Mumbai*

*"Too many structured activities too young". Johannesburg*

### 12.2 Programmed recreation is no substitute for play

To many people, there is no infringement of a human right here. Indeed children are being provided with educational, often enjoyable (and often very costly to their parents) things to do to fill the free time they might otherwise spend in front of the television. What then is the problem?

To answer this we need to return to the definition of play, and its importance in human development. Children need to undertake freely-chosen, self-directed activity (play) because this supports healthy development in specific ways that complement other types of recreational activity (Russell and Lester 2010). The "extra-curricular" activities described above are often beneficial to children, but where they are used to replace the free play that all children need, and are increasingly being denied, this also constitutes an infringement of the right to play.

## 13. Technology and the commercialisation of children's play

**Infringements identified in:** Bangkok, Beirut, Johannesburg, Mexico, Mumbai, Sofia, Tokyo

**Identified as serious infringements in:** Bangkok, Mexico, Mumbai, Sofia, Tokyo

**Whose rights are infringed?** All children ("...except in areas without electricity", Mexico). ("Slow infiltration into urban areas", Mumbai)

### 13.1 Computer games replace active social play

The replacement of physical and social play activities by television and computer games was identified as an infringement in every consultation except Nairobi. In the case of Kenya, however, it seems reasonable to speculate that "it's only a matter of time".

*"The increasing time children spend watching television and playing videogames doesn't permit free and collective play." Mexico*

*"The children occupy their time playing computer games or watching TV, which reduces the time to play". Sofia*

*"They spend most of their time playing computer games and surfing the internet or imitating Superstar." Bangkok*

*"The problem is throughout the country: children do not access varied play opportunities, particularly outdoors." Tokyo*

*"Electronic games are cheaply provided and their misuse limits the physical, intellectual and psychological movement of the child". Beirut*

*"TV is used to 'baby sit'". Johannesburg*

It can be argued that computer games are a legitimate form of play, as it might be said that their use generally conforms to our definition as freely-chosen and controlled by the playing child. Many children use the internet, mobile phones etc. to engage in playful, creative and social activities. We therefore need to be clear about why the consultation participants consistently identified them as a serious infringement of the child's right to play.

### 13.2 What is being lost?

The first argument is already highlighted in the comments quoted above: one specific type of play, with limited developmental benefits, is becoming a substitute for the wide variety of play experiences that children require for healthy development:

- There is a reduction in physical play, and here we should also note that childhood obesity was identified as a related problem in several consultations, notably in Mexico.

*"A problem intrinsically linked with the time children spend in front of the television and video-games is obesity, Mexico being the second country in the world with the highest percentage of children with obesity problems." Mexico*

- There is a reduction in social play. Whilst some computer games are played in a social way, the majority are solitary activities.

*"In Acapulco and in Tijuana the participants also mentioned the bad use of technology as a limitation to free play and socialisation between children." Mexico*

- Linked to this is the gradual loss of traditional cultures of play, and the games handed down through generations of playing children.

*"Free play is distorted as traditional games and toys are devaluated and/or forgotten". Mexico*

- There is also a loss of playful times shared with parents:

*"Children spend less time with their parents ... Parents are too busy and are unaccustomed to spend time with their children without the help of media. ... Children spend more time watching DVD or TV programmes than with parents." Tokyo*

### 13.3 Violence, addiction and mass-marketing

Another set of arguments related to the commercialisation of children's play, and particularly of violence in play.

*"The mass media are converting children into consumers ... as children are a privileged target of publicity and the game industry... The private firms that make a profit with these products have economical and political weight: two transnational firms make up 40% of the toys and games industry." Mexico City*

*"Children don't share collective games and they only want electronic games which increase their violent reactions". Beirut*

*"It generates conflicts and family tension because of the child's request for a toy too expensive for the economic situation of the family." Mexico City*

*"The toy companies have not tried enough to grasp the situation of children using computer games." Tokyo*

Lack of adequate government control over the marketing of computer games to children was another cause for concern.

A related issue is the addictiveness of computer games, now backed by considerable research from various countries (e.g. Fisher 1994, Grüsser and others 2007).

*"It is common to play [computer games] more than three hours a day and do no other activities. ... Adults overlook the addictiveness of computer games." Tokyo*

In Bangkok, poor children do not have home computers, and yet:

*"In slum communities, children spend a lot of time playing in the computer game shops." Bangkok*

This was the subject of debate at the Tokyo consultation. Whilst the research evidence on computer-game addiction was acknowledged, it was suggested that the long hours Japanese children spend playing these games were due less to addiction and more often simply to the lack of alternative play choices (see Chapters 4-12).

Also discussed at the Tokyo consultation was the positive use of technology in play and education. It was recognised that children can access and make use of information technology to support development and learning through creative play. The problem identified here was that while violent games are heavily marketed and promoted, parents are generally unaware of the good-quality hi-tech games and play activities available.

## 14. Children in institutions

**Infringements identified in:** Bangkok, Beirut, Mumbai, Sofia, Tokyo

**Identified as serious infringements in:** Mumbai, Sofia

**Whose rights are infringed?** Orphaned and abandoned children, disabled children living in institutions, children in detention centres (young offenders)

Whilst the generalised infringements of the right to play discussed in previous chapters apply unequivocally to children living in institutions, the specific additional challenges faced by these children in enjoying their right to play were identified as separate infringements in at least five of the consultations and highlighted as serious in Mumbai and Sofia. The institutions in question include hospitals, orphanages, sanatoriums, residential centres for children with mental and physical disabilities, and centres for children in conflict with the law (young offenders).

*"The children at risk [in institutions] are another group that do not have a lot of opportunities to play. They spend most of the time in the institutions; they can communicate only with children who are in the same institutions and with the people who work with them. One significant problem that was discussed is the lack of good professionals who work with these children." Sofia*

The infringements of the right to play experienced by disabled children around the world are discussed more fully in Chapter 15. However many disabled children also live in institutions and are thus doubly disadvantaged.

Additional problems identified were:

- Staff not aware of importance of play (often unqualified and untrained).
- Staff lacking personal motivation.
- No play space or unsuitable play equipment in the institutions.

*"In residential centres for children at risk, the playgrounds and play equipment are really for younger children, and are not suitable for the children who are staying there." Bangkok*

- Inadequate funding; lack of resources.

Similarly the Mumbai consultation highlighted: *"Discrimination and marginalisation of children in institutional care"*, leading to, *"Long-term irreversible damage to children's development"*.

This problem was further analysed in Mexico:

*"In Torreón a special emphasis was made on the absence of possibilities to play for children in institutions, especially in hospitals. One of the reasons given for this transgression is that all the activities of these children are thought to comply with the purpose of their institutionalisation (therapies, medical treatments, etc.). In residential institutions time is administrated and distributed according to the program of the institution, with the objective to keep children occupied, and there is no opportunity for free play." Mexico*



## 15. Exclusion, discrimination, segregation and marginalisation

**Infringements identified in:** Bangkok, Beirut, Johannesburg, Mexico, Mumbai, Nairobi

**Identified as serious infringements in:** Bangkok, Beirut, Johannesburg, Mexico, Mumbai, Nairobi

**Whose rights are infringed?** Girl children. Children with disabilities, indigenous children, migrant children, low-income children, children in institutions, children living with HIV-AIDS etc. (Mexico), Children living on the streets (Mumbai). All children, taking account of South Africa's entrenched racial divisions (Johannesburg)

### 15.1 No discrimination: a principle ignored

The theme of this chapter, exclusion, discrimination, marginalisation and segregation, requires us to face up to a global problem much bigger than the infringement of the right to play. Here we are concerned not only with article 31, but with one of the underlying principles of the UNCRC, that of non-discrimination, found in article 2:

"States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status."

Article 31, like every other article of the Convention, must be consistently applied in accordance with this principle. The right to play belongs equally to all girls and boys of all ages and all races and ethnicities in all countries. The provision of opportunities, facilities or spaces for play in a way that discriminates against certain children on any of these and other grounds, is thus a violation of both article 2 and article 31 of the Convention.

Whilst the UN Convention prohibits discrimination "of any kind", in the consultation certain forms of discrimination were identified as giving rise to particularly grave infringements of the right to play, and these are discussed in the following sections.

### 15.2 Discrimination and marginalisation of girls

In Mumbai, "*Discrimination and marginalisation of the girl child*" was identified as one of the most serious infringements, considered universal throughout Indian society:

*"Discrimination and marginalisation of the girl child exists in all strata of society. Stereotyping of play, less time and freedom to play (for girls), a greater responsibility for home chores including child-minding, restrictions on adolescent girls and early marriage all contribute to this gender discrimination. Religion and cultural values all contribute to a lesser or greater degree."*

Mumbai

In Nairobi, the restriction of play opportunities for girls was also noted, and whilst this was seen as linked to culture and religion, the true cause was considered to be "*ignorance and misconception*". Other factors were that girls are more burdened with domestic work, and may be more restricted due to fears of kidnapping, trafficking or exploitation. Some of the children who provided their personal reflections during the Nairobi children's consultation also commented on this theme:

"Through play we exercise our body and mind. We are denied our right to play by being given too much work like taking care of children, washing clothes and plates and cleaning the house, while boys are left to play. We have a big playing ground but no time for play. I like play." Mildred Mbaya

"Girls don't play and are given more work at home like washing clothes and duties that hinder them from playing." Selifa Munde

The inequitable burden of domestic work for girls, and greater restrictions on their movement outside the home were also mentioned in Beirut, where it was noted that sometimes only boys are permitted to participate in organised holiday activities. Girls also bear the greater part of the burden of care of younger siblings, another factor which greatly limits their play opportunities.

An issue that came up mainly in Mexico and Mumbai, though it is found almost everywhere, was the gender stereotyping of children's play: boys are only permitted to play what are considered to be boys' activities and girls only play girls' activities. This was explained by a participant in the Mexico children's consultation:

*"Boys should be able to play girls' games because although you play with dolls you're not going to turn into a girl. At school they don't let the girls play football because it's for boys, but we all have the right to play whatever we want." Child participant, Mexico*

A related problem highlighted in Bangkok was gender discrimination in the provision of recreation facilities:

*"Some play areas are turned into football fields which only specific groups of children can or want to use, not children in general. Football is considered a good alternative to avoid using drugs, so there are many football fields, but they don't think about girls and younger children." Bangkok*

### 15.3 Exclusion, marginalisation and segregation of children with disabilities

Infringement of the right to play of children with disabilities takes many forms.

The fact that many playgrounds and other play spaces are not accessible to wheelchair users and others with mobility needs has been mentioned in Chapter 7.

The fact that many disabled children live in institutions where their right to play is ignored is discussed in Chapter 14.

*"Excluding children from play due to disability or race" was named a key infringement in Johannesburg, where the extent of the problem was considered, "National and huge – much worse than for able children".*

Other infringements included:

*"Not taking into consideration the situation of children with disabilities in places allocated to play ...Not giving children with special needs the right to play". Beirut*

*"Some groups of children aren't encouraged to develop themselves through play, especially children with special needs or physically disabled children. There are not enough toys and play equipment which respond to their needs. Children with intellectual disabilities are considered unlikely to be able to gain any benefit from play, and so it is only expected that their basic needs should be met." Bangkok*

*"The difficulty of access of children with disability to public spaces to play was identified in Mexico City, Tijuana and Acapulco, as in the few public spaces where children in general can play there is no consideration for them or for their special needs." Mexico*

*"Lack of physical accessibility and inclusion deny the right [to play] to children with disabilities. There is a lack of awareness, ignorance and societal and state apathy towards children with disabilities. ... Children with disability are not in the radar of state and society, and the situation is aggravated for children from poor families". Mumbai*



## 15.4 Exclusion through racism and other forms of discrimination

Many other groups of children were identified as suffering infringement of their right to play due to discrimination in different forms:

- Discrimination and exclusion due to racism. (Johannesburg)
- Discrimination and marginalisation of children living on the streets. (Mumbai)
- Discrimination against children of migrant workers. (Bangkok, Mexico)

*"They are afraid to go to play at the playground, school or temple because they may get arrested for being illegal migrants." Bangkok*

- Children excluded due to social stereotyping, for example albinos. (Nairobi)
- Discrimination and marginalisation of children living in institutional care. (Mumbai, Mexico: see also Chapter 14)
- Discrimination due to social class or religion. (Nairobi)
- Discrimination against indigenous children. (Mexico)
- Discrimination against children living with HIV-AIDS or cancer. (Mexico)
- Segregation and marginalisation of children living in refugee camps. (Bangkok, Beirut)

The Thailand consultation data included an infringement chart drawn up by workers at the Catholic Office for Emergency Relief and Refugees working in refugee communities along the Thai-Burma border, where the infringements of the right to play for Burmese refugee children included no safe place to play, no play equipment or inadequate, unsuitable play equipment, and no trained or experienced personnel.

The Beirut consultation report included as an appendix a report on children's play in Palestinian refugee camps in Lebanon by the organisation *Right to Play*. This concluded that whilst refugee children who attend school in the camps have brief play-times before and during school, there are limited or no play opportunities apart from this due to overcrowding and lack of facilities in the camps. Boys are sometimes permitted to play in the alleyways and common areas of the camp but girls are forbidden.<sup>10</sup>



<sup>10</sup>An important issue that did not come up in any of the consultations, but which is well documented (e.g. UNICEF 2009), is the marginalisation of children involved as participants or otherwise caught up in armed conflicts around the world: child soldiers, child sex slaves etc. The right to play is just one of many rights commonly denied to these children. Their problems often continue post-conflict when, as well as being traumatised, they continue to be marginalised and excluded.

## 16. Poverty and the struggle to survive

**Infringements identified in:** Bangkok, Beirut, Johannesburg, Mexico, Nairobi

**Identified as serious infringements in:** Nairobi

**Whose rights are infringed?** Poor children everywhere

This chapter, like the previous one, deals with an over-riding global issue where we are dealing not only with violation of article 31, but with another of the fundamental principles of the UN Convention, namely the right to survival and development set out in Article 6:

"States Parties recognise that every child has the inherent right to life. States Parties shall ensure to the maximum extent possible the survival and development of the child."

Participants in several consultations pointed out that parents violate their children's right to play because they are concerned with the struggle for day-to-day survival in the face of extreme poverty. These parents have no time or energy for "family conviviality" or to play with their children, leading to:

*"The lack of company and supervision that parents offer to their children because they are occupied trying to resolve the economic situation." Mexico*

*"Parents need to go to work early so they leave children to play by themselves or take care of themselves. In rural areas children are left with the elderly, and with babysitters in the cities. In migrant worker communities or communities of displaced people both in the cities and along the border children are left to play on their own." Bangkok*

One of the main ways that family poverty leads to infringement of the child's right to play is its role as a causal factor in the phenomenon of child labour:

*"Poverty obliges children to work". Mexico*

This is the theme of the following chapter.

However, poverty was cited not only in relation to the problem of child labour, but as a contributing or exacerbating factor in infringements of the right to play time and time gain in Mumbai, Nairobi and Johannesburg, affecting issues such as lack of play space, lack of resources, lack of opportunities, dangerous environments, discrimination, parents' lack of time for their children, children being neglected, etc.

Another issue related to the struggle to survive and its effects on the child's right to play is the displacement or disruption of families due to civil strife, referred to in Nairobi and Bangkok. Families who are just about surviving in the face of extreme poverty find their situation much more difficult if they are forced to flee their homes, whether due to natural disasters or human conflicts. The fragile play spaces and opportunities available to poor children often disappear completely in these circumstances.

Whilst it is not IPA's role to propose solutions to the problem of world poverty, and nor is it the primary responsibility of the UN Committee on the Rights of the Child, the message from the Global Consultations is that the child's right to play must be promoted and defended in the context of a wider framework such as the Millennium Development Goals, that can help to address the extreme poverty that intensifies the violation of the right to play in so many countries.

## 17. Child labour and exploitation

**Infringements identified in:** Bangkok, Beirut, Johannesburg, Mexico, Mumbai, Nairobi

**Identified as serious infringements in:** Beirut, Mexico, Mumbai, Nairobi

**Whose rights are infringed?** Working children everywhere. Poor children. All children are at risk of abuse or exploitation.

### 17.1 Working children have no time to play

Taking all the consultation reports together, child labour was the third most often mentioned cause of violation of the child's right to play.

*"Working children have too many responsibilities for their age and are not considered as children." Mexico*

*"The use of children working arduous long hours prohibits them from playing". Beirut*

*"Child migrant labourers start working when they should still be at school. They don't have a chance to develop and study because they have to work to earn their living." Bangkok*

*"Thirty million suffer from stunted development, poor health, poor psycho-socio-emotional development and lack of joy in being a child." Mumbai*

Child labour takes many forms around the world and almost all of them, as the consultation reports show, infringe the child's right to play. There were many references to the long hours many children have to work, and how this leaves little or no time for play. Children themselves spoke of this problem in the children's consultations in Nairobi and Mumbai.

Here it must be recognised that many working children around the world also go to school, in some cases completing half a day of classes then a day's work. In order to find time to play therefore, they have to juggle their school hours, their working hours, their domestic duties and their homework. Not surprisingly they are often too fatigued to make the most of the little time remaining to them for play.

### 17.2 Children's work and exploitation take many forms

As well as formal working situations outside the home, in several consultations it was pointed out that responsibilities within the home also infringe the right to play of millions of children. The way girls in particular are overburdened with domestic chores and required to look after younger siblings has been discussed in Chapter 15. The fact that in some countries it is increasingly common for children to take on the full responsibility of a head of household was discussed in Johannesburg and Nairobi. This problem is linked to the worldwide AIDS epidemic, though this is not the only cause of child-headed households. Adult members of the household may have died or be too ill to undertake their expected responsibilities. Children in this situation are rarely able to exercise their right to play.

Other aspects of child exploitation that infringe the right to play were identified as:

- Children seen as source of income, objects to be exploited. (Mumbai)
- Children as objects of sexual abuse and exploitation. (Mumbai, Nairobi)
- Children expected to work in family businesses. (Bangkok, Beirut, Mumbai)
- Children forced to beg on the streets. (Johannesburg)
- 

Where working children's views are genuinely listened to, they rarely call for the complete eradication of child labour, as they often feel that through their work they play a productive role and help their families in times of need. They do, however, often call for an end to exploitation, and for control over their working hours. In some cases they demand the right to attend school, sometimes seeking ways to combine this with their work, but they are just as likely to demand the right to play and recreation.

## Part III: A Global Call for Action

### 18. Why is article 31 forgotten?

#### 18.1 Play is not understood or recognised as a human right

Each of the components of article 31 is important in children's lives but recreation (particularly sport), arts and cultural activities are more likely than play to gain the attention and support of adults and of organisations. This is not to say that such activities are not subject to many of the infringements identified in relation to play and often need strong advocacy to ensure all children's access to them.

A key message of this project is that free play holds unique developmental value for children. Child-controlled play is necessary for optimal physical and emotional functioning and develops in them flexibility, creativity and the capacity to deal with and respond to uncertainty.

For many consultation participants the fundamental underlying problem is one that brings us back full circle to our starting point: the child's right to play is infringed in so many ways in so many places for so many children, because its importance is not understood, acknowledged or recognised, either by the population in general, or by those in authority who carry the public duty as guarantors of children's rights under the UN Convention.

*"Children's right to play is not spelt out clearly". Nairobi*

*"There is lack of understanding of the concept of rights in general and of the right to play in particular ... and confusion of play with other activities". Mexico City*

*"Specialists (researchers, local authorities and practitioners) from different backgrounds cannot create the common platform to make a step forward for change." Tokyo*

This confusion of play with other things such as recreation, creative activities and informal education (valuable in themselves and often incorporating elements of playfulness) frequently leads to play in its own right being ignored at policy level, or else given a minor role in policies and programmes directed towards sport, recreation, leisure or education.

Because of this, in most countries there is no legislation to recognise, guarantee or enforce the right to play:

*"The right to play is not recognised in the Mexican Constitution, and only four of the 32 states of the republic recognise it in their legislation." Mexico*

As a result, as we have seen in Chapter 7, there are no policies, plans or programmes either.

## 18.2 Children's voices are not heard

*"With no votes, children have no political representation... Children's voices are unheard". Mumbai*

*"Non-involvement of young people and not giving them a role in development projects". Beirut*

*"Lack of mechanisms for children to demand their right to play". Mexico*

This final point is perhaps one of the most important of all. If the right to play is discussed at all by adults it is often as an afterthought, or a long way down a list of other rights that are considered priorities. Even adults working professionally in education, children's rights or international development are often poorly informed about the true meaning and significance of the right to play.

Children themselves have the potential to be advocates, activists and campaigners for the right to play, provided their voices are heard and they are given the necessary platforms and support to put forward their case.

## 18.3 Indivisibility and hierarchy of Convention articles

It is continually emphasised that the articles of the UN Convention are interdependent and complementary. There is little evidence of this in the implementation of article 31 in spite of its clear relationship to major areas such as health and education.

A wholistic approach is undeniably important with regard to the implementation of article 31. The general point here is that play and the other components of article 31 permeate the lives of children at all times and in all places, from pre-schools to grade schools and out-of-school care, and from city streets to refugee camps and institutions of every kind. Both implementation and reporting on progress of article 31 need wholistic approaches and the involvement of many levels of government and civil society.

Another related factor in the implementation of article 31 is a perceived hierarchy between, for example, protection articles and those addressing child development. While the primacy of children's survival is understood, their development and well-being must be considered concurrently. There is much evidence that children in difficult circumstances and traumatic situations, such as war zones and regions of natural disaster, benefit from opportunities to play.

## 19. Messages from the Global Consultation

### 19.1 Messages to Governments

Towards the end of each Consultation event, participants listed the actions most urgently required by the governments of their respective countries to address the infringements of the right to play they had identified. The main recommendations were:

- Develop a national policy on children's play.
- Raise public awareness through media and communication programmes.
- Provide training for officials and professionals.
- Promote play in schools.
- Invest in provision of play spaces and facilities for all.
- Protect the right to play of children with disabilities.
- Eliminate the worst forms of child labour.
- Promote children's participation as activists and advocates for the right to play.
- Complete the clearing of landmines and cluster-bombs from affected areas.
- Set and enforce standards for toys and play equipment.

### 19.2 United action for children's right to play

In each Consultation, participants considered the steps they could take towards coordinated action on the right to play in their respective countries. The key recommendations included:

#### Networking and inter-organisational coordination

- Build a network on the child's right to play. Establish joint ventures and sharing of experiences. (Bangkok, Beirut, Nairobi, Sofia)
- Raise the profile of play on the agenda of the National Council for Children and Youth. (Bangkok)
- Continue networking after the Consultation through e-mail and meetings. Establish a committee to formulate a common agenda for action. (Beirut)
- Establish a National Play Forum. The Forum should join IPA. (Johannesburg).
- Establish a supportive group of specialists, experts, academics and jurists. (Beirut)
- Use the forum offered by IPA to enable specialists to get together regardless of their different backgrounds, organisations or professions. (Tokyo)
- Organise training on the child's right to play. (Beirut)

#### Monitoring infringement of the right to play

- Work to secure information on the exercise of the right to play in Lebanon: documents, data, research evidence. (Beirut)
- Create an accessible database of best practice from Bulgaria and abroad. (Sofia)

- Monitoring and intervention. (Beirut)
- Find out about violations of the right to play in other countries and the policies used to reduce them. (Beirut)
- Encourage community support for a park watch. (Johannesburg)

### Advocacy with Government

- Establish a national committee to advocate for the right to play. (Beirut)
- Put pressure on the government to implement the right to play. Be pro-active in advocating for the government to establish a policy for play ... and that play is promoted in all institutions, departments and organisations. (Nairobi).
- Relay the message to the government ministries concerned: Labor, Education, Youth and Sport, Social Affairs and Media. (Beirut)
- Advocate and lobby for funds to support schools nationally to promote play. (Nairobi)

### Awareness-raising

- Work with the government to raise awareness of the right to play. (Nairobi)
- Raise awareness through media publicity. (Bangkok)
- Raise awareness about the child's right to play in schools, community groups, associations, and with parents. (Beirut, Mumbai)
- Create awareness on the importance of play through seminars. (Nairobi)

### Support and strengthen children's own organisations

- Strengthen the child's right to participation by promoting children's own organisations such as Bal Panchayats, mandals and clubs. These should be recognised and used as models for promoting the right to play. (Mumbai)



## 20. Conclusion

Over 230 adult experts in children's play from eight countries, and over 400 children, participated in the Global Consultation on Children's Right to Play. Between them they identified 115 infringements of the right to play across four continents covered by fourteen chapters of this report.

Play is not a public service, much less a commodity. Play is a natural and universal human impulse. Children only stop playing if they are traumatised, abused or have a severe impairment which prevents them. Adults never have to *make* children play, and only rarely do we have to *help* children play. Adults have to *let* children play. In other words, we have to put a stop to the worldwide violation of the child's right to play.

Restitution of the right to play to the world's children is a major global challenge, and will require a truly global awareness-raising campaign. In order to have a good chance of success, such a campaign will need:

- Orientation to governments at the highest level coming from the UN Committee on the Rights of the Child.
- Governments and civil society working in partnership, and not in contention.
- Solid accurate information, which means making existing research evidence more accessible and undertaking new research where necessary.
- Children's voices to be heard, and children to be active and proactive participants in the campaign.
- Respect for the diversity of the world's cultures and the different realities in which children live, and at the same time recognition and celebration of the fact that children play everywhere, in every society, in every culture and in every social stratum.

It has been argued in the past, and will probably continue to be argued despite the overwhelming evidence assembled in this report, that many infringements of the right to play are due to underlying, more fundamental social problems: poverty, violence, discrimination, environmental degradation and so on, and it is these problems that need to be addressed first. IPA believes this argument is fundamentally misconceived and asks:

- Can we say to children living in extreme poverty, "Because you are so poor, your right to play is less important than other rights and will have to wait"? On the contrary, we believe that defending the right to play of the world's poorest children is all the more important.
- Can we say to disabled children, "Because you are disabled, your right to play is less important and will have to wait"? We believe that defending the right to play of disabled children is all the more important.
- Can we say to children whose lives are blighted by war or violence, "Because of the sorry conditions you live in, your right to play is less important and will have to wait"? We believe that defending the right to play of children whose lives are affected by violence is all the more important.
- Can we say to child workers, "Because you are a working child, your right to play is less important and will have to wait"? We believe that defending the right to play of the world's child workers is all the more important.
- Can we say to girl children, "Because of the discrimination you face in your culture, your right to play is less important and will have to wait"? We believe that defending the equal right to play of all the world's girl children is all the more important.

We say the same for all those children whose right to play has been taken away from them because of the conditions in which they live, whatever the underlying circumstances. They must not be made to wait until their circumstances improve before they can reclaim their childhood and enjoy the right to play. The right to play belongs to them now.



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