

UN Committee on the Rights of Child

Day of Discussion on

**THE PRIVATE SECTOR AS SERVICE PROVIDER
AND ITS ROLE IN IMPLEMENTING CHILD
RIGHTS**

Friday, 20 September 2002

Office of the High Commissioner for Human Rights

Palais Wilson, Geneva

Submission by

International Association for the Child's Right to Play (IPA)



**International Association for the Child's Right to Play
Association Internationale pour le Droit au Jeu de l'Enfant
Internationale Vereinigung für das Recht des Kindes zu Spielen
Asociación Internacional por el Derecho del Niño a Jugar**

THE PRIVATE SECTOR AS SERVICE PROVIDER AND ITS ROLE IN IMPLEMENTING CHILD RIGHTS, APPLIED TO THE CHILD'S RIGHT TO PLAY BY IPA (INTERNATIONAL ASSOCIATION FOR THE CHILD'S RIGHTS TO PLAY).

CONTRIBUTION TO THE DAY OF GENERAL DISCUSSION
OF THE COMMITTEE ON THE RIGHTS OF THE CHILD.
SEPTEMBER 2002

As we have an overview of the play oriented activities in 40 countries of Asia, America (North and South), Europe and Australia, we want to contribute to the discussion on the role of the private sector in implementing children's rights more especially the child's right to play.

To describe these activities we have to consider three partners and their interaction: the NGO's (mostly with a lot of volunteers - the social profit sector), the authorities (mostly the local authorities) and the profit sector. In many countries the NGO's and the profit sector are considered being private organisations, being the private sector.

1. Role of NGO's

NGO's seem to have a very important role while developing ideas, preparing programmes and implementing these programmes. They are the expression of the creativity and the sensibilities of the civil society: they are the incarnation of active citizenship. They realise their projects by mobilising the public opinion, by looking for and training of playworkers, by collecting the money they need by fund raising activities, by looking for subventions of the authorities and for support by foundations or by private sponsoring. These organisations, created by action groups, neighbourhoods, churches etc. are very often at the origin of new initiatives in relation to children at play.

It depends on the country and the local policy culture whether these NGO's prefer to have more or less autonomy in relation to the authorities. Most of them prefer

to work independently and autonomously but often they have to make some compromise with authorities or with foundations to get the necessary means to realise their objectives. As far as it concerns the organisation of play-activities on a small scale, the NGO's can work rather autonomously. But where play-facilities have to be created or professional playworkers have to be engaged, they need a more powerful and rich partner, mostly the authorities.

So the local NGO's are often the inspirers for play related initiatives and they take care of the start, but for the full implementation of the play needs, they have to find partners.

2. Role of authorities

The authorities have the means to implement actions, but they seldom seem to be able to invent new solutions for several problems. NGO's have to invent incentives, not only for problems, but also to mobilise the authorities. But once initiatives are started, authorities are able to support them, to give them stability and continuity. Another important role is to control and check play-initiatives, to improve criteria and quality norms and to stimulate the quality of play by financial incentives. This role is very important for the NGO's, but will be even more important if we focus on the profit sector.

Problematic with authorities is very often the bureaucracy: in order to check the realisation of the conditions, the authorities have to work out a set of rules, to develop several forms and to organise controlling bodies. This bureaucracy might hinder the dynamics of NGO's. On the other side, there is also a lot of co-operation of NGO's with authorities and sometimes they develop very original formats. It can be very constructive to join the creativity and the enthusiasm of NGO's and their volunteers at the material possibilities of authorities. In some municipalities the mutual confidence of authorities and NGO's facilitates the organisation of play-initiatives of a very high quality.

One of the most important roles of the authorities concerning the implementing of the child's right to play is to realise a playful urban environment. As children have the right to play, they have the right on a playful environment. Playful spaces but also playful parks, playful pedestrian areas, playful cycle-path and other initiatives making public space more attractive to playing children should get more attention. Only the authorities are able to realise these objectives and a good urban planning is the most effective tool. When they are working on it, they have to resist several forces in relation to economic objectives, to traffic problems, to housing needs of adults etc. etc. Several projects even on the international level (e.g. Growing up in the city), have pointed out this problem and made an appeal on all authorities to take responsibility for this domain.

Another contribution of the authorities to the realisation of the child's right to play is the development of safety norms for play-equipment and for toys. Such norms (try to) guarantee the quality as far as it concerns safety. So a lot of play accidents can be prevented. On the other side such norms never guarantee the play value. These norms, imposed by the authorities, had in some countries a very negative influence on the provision of play-opportunities: a lot of playgrounds were demolished because of the lack of safety. The consequence

was that there were no more playgrounds while we are sure children's and a lot of the social profit organisations preferred the 'old' situation. In these particular cases the right to play was prohibited by the safety norms. It's very important to consider if such legislation is really for children's profit. Most of this legislation is realised without considering children's perspectives, which is a big mistake.

3. Profit sector

In the play-branch the profit sector is present by the manufacturers of toys, games and play-equipment, but also by the organisers of (mostly indoor) playgrounds. This sector is very creative in the exploitation of specific play needs. While the NGO's make people aware of some (play)needs, the profit sector will try to develop specific answers on these needs while not forgetting their own (financial) needs.

Most of the reactions of the profit sector on the play-needs of children have a certain degree of substitution. Their answers are artificial while replacing more original and (sometimes more) easily available solutions. The profit sector is producing and promoting toys that - from children's play perspective- are not better than the toys children produce themselves. The play-equipment is a substitution for several landscape elements and the substitute never can come up to the level of the original. So while answering some needs, the profit sector also reduces the variety and the quality of play. This is a mainstream. But there are also firms that, by combining materials and relations, succeed to the creation of surplus play values that are very appreciated both by children and their educators. The difference between both categories of firms can be explained by the dominant attention for the purchaser (the adult approach) or for the children (the children's perspective).

A similar question of dominance can be observed looking at the indoor play centres. These centres offer a lot of fun for children, but the real objective of these centres is to offer children attractive amusement (play opportunities in a confined environment) whilst their carers expect others to care for their children. But would it not be better for children to go to the park, to the playground, to the beach with their carers?

Both of those cases illustrate governments should be prepared to mandate quality of play environments as we described already.

Another reflection on the impact of the profit sector is related to the price of their products and services. If the authorities leave the task to realise play opportunities to the commercial sector, children of poor parents will have less access to it. As play is a right of the children, the realisation of it should not depend of the financial situation of the parents. The authorities are responsible for the realisation of the rights of the child.

Conclusions

The most important actors on the field of the right of the child to play, are the NGO's on the one side and the authorities on the other side: the NGO's for their creativity and their contacts with and feeling for children, the authorities for their

resources and responsibilities. The contribution of the private sector is very limited and in order to canalise their influence to a more positive one, the authorities have to develop qualitative standards. Finally they are responsible for the implementation of the Rights of the Child.

Dr. J. Van Gils

President of IPA.

28/06/02