



OVERVIEW OF THE UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD ARTICLE 17 CHILDREN'S RIGHT TO INFORMATION

The Convention – an overview

[The United Nations Convention on the Rights of the Child](#) (UNCRC) is the most widely ratified international treaty in the world. Adopted by the United Nations in 1989, Australian ratified the Convention in 1990. The UNCRC specifically confers on children the human rights we are all entitled to, while recognising children's particular needs and, in many cases, their dependency on adults for their rights to be recognised and enacted. In ratifying the Convention, Australia agreed to implement it, to "take action to ensure the realization of all rights in the Convention for all children" in its jurisdiction.¹

The Convention comprises 54 Articles and three optional protocols. The rights enshrined in the 54 articles of the Convention can be categorised into three areas: rights related to provision; rights related to protection; and rights related to participation. These groupings can be described in the following way:

Provision rights include the ***right*** to an adequate standard of living, the ***right*** to adequate health care, the ***right*** to free education, and the ***right*** to legal and social services.

Protection rights include protection from discrimination, protection from abuse and neglect, protection from bullying, protection from being kidnapped, and safety within the justice system.

Participation rights include the ***right*** to freedom of expression, the ***right*** to have your opinion taken into account when decisions are being made about you, the ***right*** to information and the ***right*** to participate in public life". (The [Children and Young People's Assembly for Wales](#))

The three optional protocols attached to the Convention concern: protecting children in armed conflict; protecting children from commercial sexual exploitation; and allowing children to submit complaints, appeals and petitions concerning rights violations to the Committee on the Rights of the Child.

Alongside these rights sit [General Comments](#) developed by the Committee on the Rights of the Child. General Comments provide a detailed account of how specific children's rights might be enacted, both by government, and also by organisations that work with children. The UNCRC is accompanied by seventeen General Comments that cover areas such as: children's best interests being the primary consideration for decisions that concern them (Article 3 (1), General Comment No. 14); children's right to rest, leisure and play (Article 31, General Comment No. 17); children's right to be heard (Article 12, General Comment No.

12); the aims of education (Article 29, General Comment No.1), and implementing child rights in early childhood (General Comment No. 5).

Article 17: Children's right to information

Article 17 is often grouped with Article 12 (children's right to be heard) and Article 13 (children's right to seek information and express their views). Taken together, these rights seek to guarantee children's rights to freedom of expression and to access to information.

Article 17 concerns children's right to information and specifically requires that parties to the Convention "recognize the important function performed by the mass media" in ensuring that children have "access to information and material from a diversity of national and international sources, especially those aimed at the promotion of [children's] social, spiritual and moral well-being and physical and mental health". (UNCRC, 1989)

To achieve this end, Article 17 asks governments to encourage the mass media to "disseminate information and material of social and cultural benefit to the child" with particular attention to "the linguistic needs" of Indigenous children and children who belong to a minority cultures within the nation. Further, it urges "international co-operation in the production, exchange and dissemination of ...information and material from a diversity of cultural, national and international sources"; "the production and dissemination of children's books"; and guidelines for the protection of children from potentially harmful information.

At least two General Comments specifically address Article 17. General Comment No. 7: *Implementing child rights in early childhood*, emphasises the potential of the media - in all its forms - to positively contribute to the realization of children's rights. In relation to early childhood it notes that media for this age group is a specialist market, and publishers and other media producers:

...should be encouraged to disseminate material that is appropriate to the capacities and interests of young children, socially and educationally beneficial to their well-being, and which reflects the national and regional diversities of children's circumstances, culture and language.

General Comment No 17, which concerns children's rights to rest, leisure, play, cultural life and the arts, underscores the role that access to socially and culturally relevant information plays in enabling children "to participate fully in cultural and artistic activity" (p.9). It urges that parties to the Convention

...ensure that children are provided with the widest possible access, through different media, to information and materials related to their own culture and to other cultures, in a language that they understand, including sign language and Braille.... In so doing, care must be taken to protect and preserve cultural diversity and to avoid cultural stereotypes.

Kids Talk argues that the interpretation and implementation of Article 17 should be expansive. While it may be easier to motivate action to protect children from harmful

content in the media, Article 17 is essentially about children's right to know. Placing this right in a broad social and political context, *Kids Talk* reminds us that

The rights to freedom of expression and information are increasingly accepted as two of the cornerstones of peace, democracy and development, the exercise of which is essential if individuals are to participate in society and influence decision-making. (p.2)

References

- Child Rights Connect (nd). *General Comments*.
<http://www.childrightsconnect.org/connect-with-the-un-2/committee-on-the-rights-of-the-child/general-comments/>
- Children and Young Peoples Assembly for Wales (nd)
<http://www.funkydragon.org/en/>
- *Kids Talk: Freedom of Expression and the UN Convention on the Rights of the Child*
<https://www.article19.org/data/files/pdfs/publications/children-kid-s-talk.pdf>
- *The United Nations Convention on the Rights of the Child (1989)*.
<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>
- UNICEF (nd). *Advancing the CRC*. http://www.unicef.org/crc/index_protocols.html

Further Information

Children and Young People's Commission Scotland
<http://www.cypcs.org.uk/rights/uncrcarticles/article-17>

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