

DRAFT NOTE for Civil Society: CRC and Sport*

What is CRC?

The Convention on the Rights of the Child (CRC) was adopted by the UN General Assembly in 1989. It lays out the human rights of children and measures states need to take to ensure the rights of the child are protected. It is guided by four core principles: non-discrimination; the best interests of the child; the right to survival and development; and respect for the views of the child. The Committee on the Rights of the Child is composed of 18 independent experts from around the world. They monitor the implementation of the Convention, in particular through receiving and considering the reports of states who have ratified the treaty.

What is the relationship between human rights, children and sport?

In July 2017 the Kazan Action Plan (KAP) was adopted "to facilitate international and multi-stakeholder policy convergence, ease international cooperation and foster capacity-building efforts of governmental authorities and sports". The sports sector globally is unifying and advancing its human rights activities considerably. Participation in sport has been shown to have numerous benefits for children. Participating in sports promotes health and mental well-being. Being physically active helps to prevent serious conditions, such as type-2 diabetes and obesity. Participation in sports also increases confidence, self-esteem and helps children to develop social skills such as teamwork, leadership and discipline.

*"Sport" is being used to reflect physical education, physical activity and sport in this note.

Relevant articles of CRC

Article 31 (Play)

Children have the right to rest and leisure, to engage in play and recreational activities appropriate to their age and to take part in cultural life and the arts.



There are also other articles which, while not directly relating to sports, are relevant:

Article 19 (Freedom from violence, injury, abuse, neglect and exploitation)

States must take legislative, administrative, social and educational measures to protect children



Article 23 (Children with disabilities)

Children with disabilities have the right to special care and the right to access to education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities

Article 24 (Health)

Children have the right to the enjoyment of the highest attainable standard of health



Article 28 and 29 (Education)

All children have the right to a quality education. Primary education should be free and secondary education should be accessible to everyone. Higher education should be available to everyone on the basis of capacity. School discipline should respect the child's dignity. Education should develop the personality, talents, mental and physical abilities of the child and prepare them to actively participate in society.

KAP specific action areas

I.5 Enforce gender equality / Empower girls and women

I.7 Foster empowerment and inclusive participation

II.4 Build peaceful, inclusive and equitable societies

II.6 Advance gender equality and empower all women and girls

III.2 Protect children, youth and other vulnerable groups

CRC AND THE SUSTAINABLE DEVELOPMENT GOALS

"Sport is also an important enabler of sustainable development. We recognize the growing contribution of sport to the realization of development and peace in its promotion of tolerance and respect and the contributions it makes to the empowerment of women and of young people, individuals and communities as well as to health, education and social inclusion objectives."

Transforming our world: the 2030 Agenda for Sustainable Development

The declaration of Agenda 2030 envisages a world which invests in its children and in which every child grows up free from violence and exploitation. Throughout the Agenda, references to children and their empowerment are found. Many of the sustainable development goals link to articles of the CRC which relate to sports.



- Article 24 -health
- Article 23 - rights of children with disabilities to special care, and to education, health care, training and recreation



Article 31 - play and recreational activities



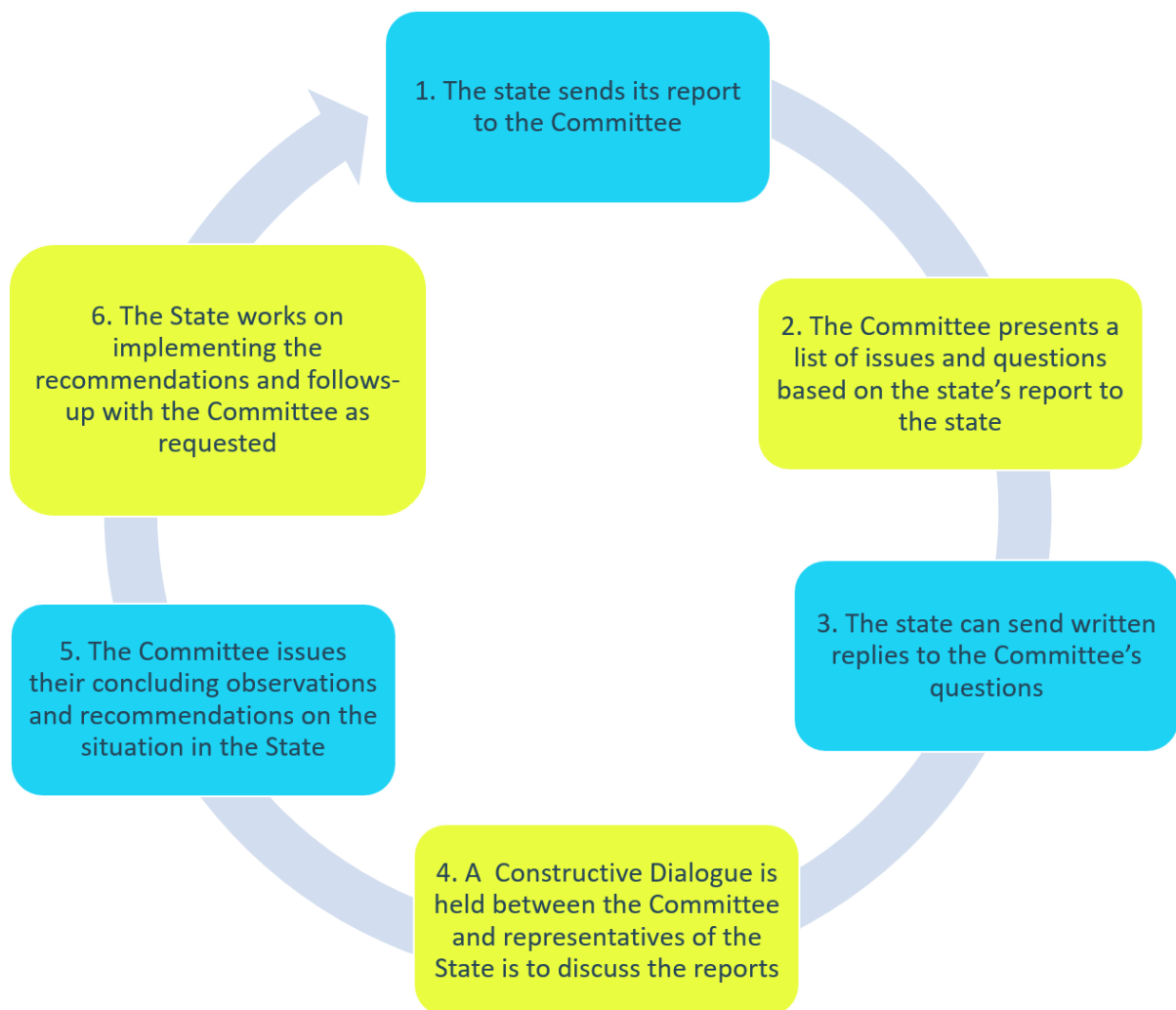
- Article 28 and 29 – education
- Article 19 - freedom from violence, injury, abuse, neglect and exploitation
- Article 23 - rights of children with disabilities to special care, and to education, health care, training and recreation
- Article 31 - play and recreational activities



Article 19 - freedom from violence, injury, abuse, neglect and exploitation

**SUSTAINABLE
DEVELOPMENT
GOALS**

After a State ratifies the Convention they are referred to as a State Party to CRC. Within two years of ratifying CRC, State Parties are required to submit a report on their progress in implementing CRC, including information on the State's constitutional and legal framework and legal and practical measures taken to implement the treaty, to the Committee on the Rights of the Child. The State Party and the Committee will then engage in a dialogue on the report through a number of stages illustrated below:



After the initial report States are required to submit reports to the Committee every five years. After the first cycle, reports include developments on the realisation of the rights in the treaty and progress towards follow-up and implementation of the recommendations issued by the Committee during the previous cycle.

A simplified reporting procedure may be offered to States after their first report. In this case the first step is a preparation of a List of Issues Prior to Reporting (LoIPR) by the Committee. The LoIPR is based on the previous concluding observations and information provided by other sources such as the UN system and civil society. The State's national report then addresses the issues raised in the LoIPR. Stages 4-6 remain the same.

HOW CAN MY ORGANISATION BE INVOLVED?

NGOs and civil society can submit their own reports, known as alternative or parallel reports, to the Committee outlining their own views on how well their State is implementing their treaty obligations.

What are the benefits of engagement?

The reports help the Committee to get a more balanced, complete picture of what is happening on the ground

It is a valuable opportunity to engage with your State on the situation in your country

Having issues which concern your organisation raised in a UN Committee's recommendations to your State is a very useful advocacy tool

Engagement with a UN body can increase the reputation and by extension the effectiveness of an organisation

How to engage:

First, check if your state has ratified the CRC. A table of ratification and deadlines for country reviews can be found on the OHCHR website (<http://indicators.ohchr.org/>).

There are three opportunities to submit written reports; for the pre-session, the country review and the follow-up procedures.

Civil society can submit reports to the pre-sessional working group which is when the Committee adopts the List of Issues or the List of Issues prior to reporting. This is a good opportunity to influence the focus of the review. Parallel reports can be submitted up to three months before the pre-session.

Civil society can also submit parallel country reports prior to the constructive dialogue. The exact deadlines can be found on the CRC OHCHR website (<https://www.ohchr.org/EN/HRBodies/CRC/Pages/InfoPartners.aspx>).

REPORTING TEMPLATE

Your parallel report should include:

1. Title page including; the name of the State under review, the treaty covered, marked as NGO report, name of the coalition/ organisation(s) submitting the report, contact information, if the report is available in more than one language or in a longer version, and the date of publication. If the report is confidential this should be clearly indicated.
2. Table of contents
3. An introduction which gives more information about the production of the report, especially if it is a joint report, and some background information about the country.
4. The main body of the report:
 - Organise the information according to articles of the Convention, not by issue. If an issue concerns more than one article, choose the most relevant article and indicate briefly that other articles may cover the issue.
 - Describe the situation with evidence including statistics, legal cases, testimonies, case studies, academic research, national and local laws and regulations. Statistics should be disaggregated.
 - Identify major issues and recommend approaches to solving them. Recommendations for State action should be concrete and suggest specific action.
 - Prioritise issues. The Committee will not be able to focus adequate attention on more than a few issues. It is important to decide what are the most important issues.
5. Appendix (if necessary) can include text of important laws, lists of references or participants in report preparation, media clips, etc.)

Some practicalities:

The written information must not exceed 20,000 words (approximately 30 pages), excluding annexes and should be in Word format.

An electronic copy of the report must be submitted through the Child Rights Connect website at <https://www.childrightsconnect.org/upload-session-reports/>

Five physical copies of the are to be sent to Committee on the Rights of the Child, OHCHR, Palais Wilson, 52, rue des Pâquis, CH-1201 Geneva 10, Switzerland.

It can be a good idea to submit a joint report with other organisations working on a similar topic to lessen the possibility of duplication or contradictions in the information the Committee receives. If a joint report is submitted the word limit is increased to 6,600.

Reports should be submitted in one of the working languages of the Committee - English, French or Spanish. If possible, it is advised to submit in English as it will reach the highest number of Committee members. If it is not possible to translate the entire report, a translated summary of the key issues of concern and recommendations should be submitted.

SUGGESTED REPORTING INDICATORS

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- 1) Are sports coaches/ practitioners given sensitivity training on the multiple intersecting barriers that children may face in accessing sports?
- 2) What percentage of children are physically active in line with WHO standards (60 minutes moderate to intense activity per day)? Disaggregated by age, gender, persons with disabilities.
- 3) What is the average share of the built up area of cities that is open space for public use for all by age, gender and persons with disabilities? Have there been qualitative studies on access, the use of and quality of public spaces for children?
- 4) Number of hours spent in unstructured leisure activities per week disaggregated by age, gender, disability

19

- 1) What percentage of national sport bodies have policies to protect children, youth and other vulnerable groups which explicitly recognises multiple and intersecting forms of discrimination including disability, gender and age?
- 2) Are sports coaches/ practitioners working with children or other vulnerable groups required to undertake a criminal background check?
- 3) What percentage of sports bodies have a nominated child protection officer?

23

- 1) Is an intersectional approach which recognises the discrimination that children with disabilities, and especially girls with disabilities face, taken towards policy development/ legislative development/ programme design?
- 2) What proportion of legislation, national action plans and strategies targeting children and/or persons with disabilities in sports make explicit references to children with disabilities?
- 3) Is a disability lens applied to national and regional budgets to include specific allocations to ensure that children with disabilities have access to education, training, health care services, rehabilitation services, preparation for employment, recreation opportunities, sport and physical activity?
- 4) Is there data available on the participation of children with disabilities in education, training, preparation for employment and recreation as compared with the general population of children?

24

- 1) What percentage of children are sufficiently active as defined by WHO (60 minutes moderate to intense activity per day)? Disaggregated by age, gender, disability, membership of a minority group.
- 2) Are there specific programmes to encourage and facilitate the participation of children in sport and physical activity in order to meet the WHO guidelines on a sufficiently active lifestyle?
- 3) What percentage of national sports bodies are investing in mental health and well-being?
- 4) What percentage of national sports bodies use sporting events/ programmes to communicate health messaging (e.g. benefits of physical activity; HIV prevention: substance abuse etc.). Do such programmes take a child friendly and age appropriate approach?

28 and 29

- 1) What percentage of children are enrolled in school? Disaggregated by gender, disability, migration status
- 2) Are reasonable accommodation measures available for children with disabilities in mainstream schools?
- 3) What percentage of schools offer physical education? Is it a mandatory component of the national curriculum?
- 4) Is the physical education curriculum designed to take a variety of abilities into account? Is it the same for boys and girls?
- 5) What percentage of the total education budget is allocated to sport and physical education? Is investment in physical education equal across girls/ boys/ co-educational schools/ specific schools for persons with disabilities?
- 6) What percentage of physical education teachers have received in-service training to teach students with disabilities? Has any follow up been done with teachers who have received training on the impact it has had on their teaching of physical education to students with disabilities?
- 7) Is there a national certificate for adapted physical education? What percentage of teachers are certified?
- 8) How many higher level institutions offer degrees or diplomas related to adapted physical education, sport and physical activity? Disaggregated data on who takes these courses
- 9) What percentage of schools (primary, lower and upper secondary) have adapted infrastructure and materials for students with disabilities?

This document has been prepared by the UNESCO Chair in the Institute of Technology Tralee as part of a global collaboration to implement the Kazan Action Plan.

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United Nations
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UNESCO Chair "Transforming the Lives
of People with Disabilities, their Families
and Communities, Through Physical Education,
Sport, Recreation and Fitness"