

# DRAFT NOTE for Civil Society: CRPD and Sport\*

## What is CRPD?

The Convention on the Rights of Persons with Disabilities (CRPD) was adopted by the UN General Assembly in 2006. It reaffirms that anybody with any type of disability must enjoy all human rights. It also identifies where specific actions or protections need to be taken to make sure that persons with disabilities can enjoy their human rights and what to do in cases where their rights have been violated. The Committee on the Rights of Persons with Disabilities 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, disability 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 including promoting 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 social skills such as teamwork, leadership and discipline. However, high level figures indicate that persons with disabilities are three times less active than persons without disabilities. Alarmingly children with disabilities are reportedly 4.5 times less active than their peers without disabilities and 93% of women with disabilities are inactive at levels that promote health. CRPD has recognized the right of persons with disabilities to participate in sport through a number of its articles.

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

## Relevant articles of CRPD

## KAP specific action areas

**Article 30.5** To enable persons with disabilities to participate in leisure and sporting activities on an equal basis, States should:

- Encourage and promote the participation of persons with disabilities in mainstream sports.
- Ensure that persons with disabilities have the opportunity to organise, develop and participate in disability-specific sports and encourage the provision of appropriate instruction, training and resources.
- Ensure access to sporting, recreational and tourism venues for persons with disabilities.
- Ensure that children with disabilities have equal access to other children to play, recreation, leisure and sporting activities, including in school.
- Ensure persons with disabilities have access to services in recreation, tourism. Leisure and sporting activities.

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

**Article 6:**  
Women and girls  
with disabilities



**Article 7:**  
Children with  
disabilities

**Article 8:**  
Awareness-  
raising



**Article 9:**  
Accessibility

**Article 16:** Freedom  
from exploitation,  
violence and abuse



**Article 19:** Living  
independently and  
inclusion in the  
community

**Article 20:**  
Personal  
mobility



**Article 24:**  
Education

**Article 25:**  
Health



**Article 26:**  
Habilitation and  
rehabilitation

**Article 27:**  
Work and  
employment



**Article 31:**  
Statistics and  
data collection

**Article 32:**  
International  
cooperation



I.5 Enforce gender  
equality /  
Empower girls and  
women

I.7 Foster  
empowerment and  
inclusive  
participation

II.4 Build  
peaceful,  
inclusive and  
equitable  
societies

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

III.2 Protect  
children, youth  
and other  
vulnerable  
groups

# CRPD 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 commits to empowering persons with disabilities. Throughout the Agenda, references to persons with disabilities and the importance of inclusion are found. Many of the sustainable development goals link to articles of the CRPD which relate to sports.



Article 25 – health  
Article 26 –  
habilitation and  
rehabilitation



Article 8 - awareness  
raising by states



Article 7 - rights of  
children with  
disabilities  
Article 24 - education  
Article 27 – Work and  
employment



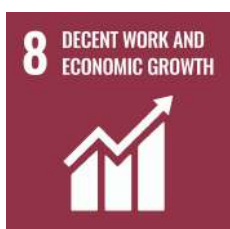
Article 9- accessibility  
Article 19- living independently  
and being included in the  
community  
Article 20- personal mobility  
Article 30.5 - sport and leisure



Article 6 - rights of  
women with  
disabilities



Article 30.5 -sport and leisure  
Article 7 - rights of children with  
disabilities  
Article 16 - freedom from  
exploitation, violence and abuse



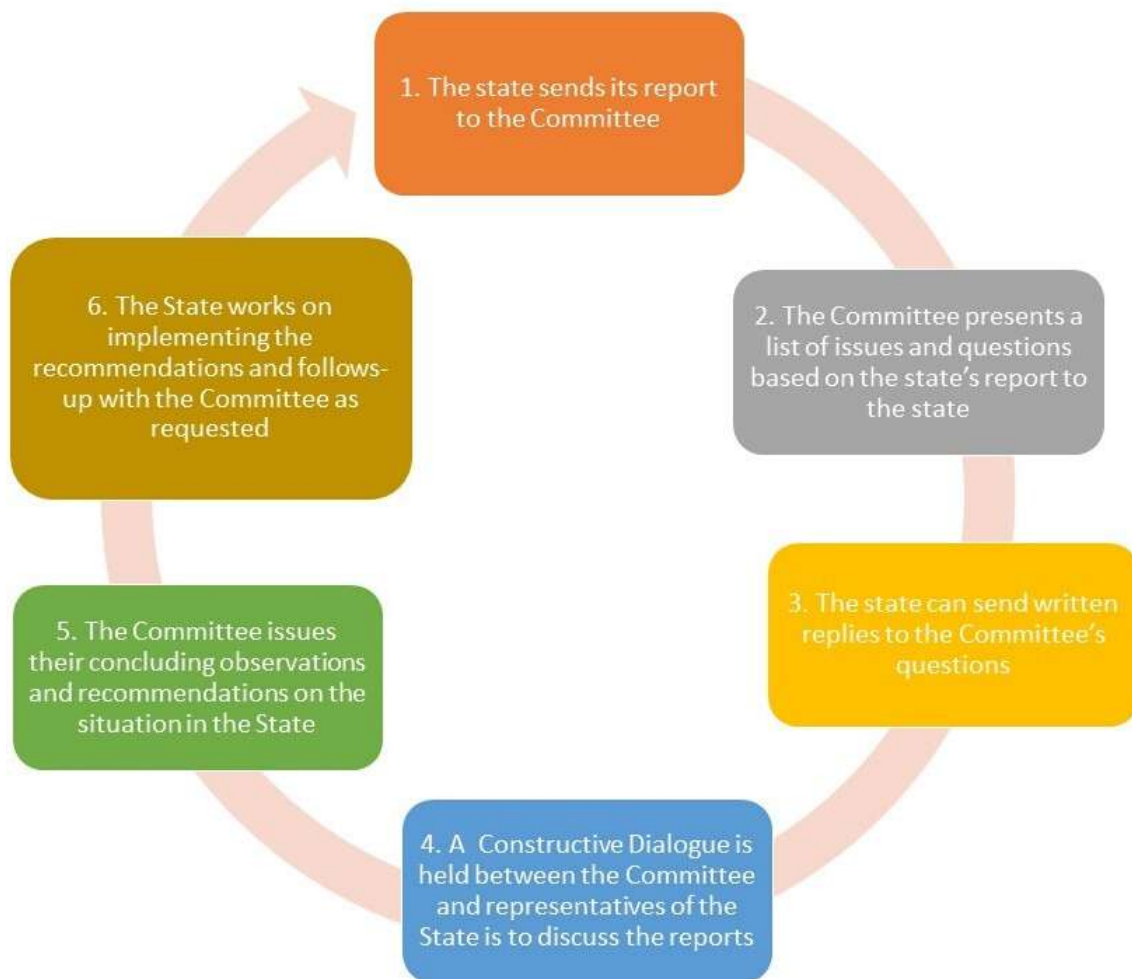
Article 27 – Work  
and employment



Article 8 - awareness  
raising by states

# THE REPORTING CYCLE

After a State ratifies the Convention they are referred to as a State Party to CRPD. Within two years of ratifying CRPD, State Parties are required to submit a report on their progress in implementing CRPD, including information on the State's constitutional and legal framework and legal and practical measures taken to implement the CRPD, to the Committee on the Rights of Persons with Disabilities. 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 four 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 shadow, 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 give the Committee a more balanced, complete picture of what is happening on the ground in a State

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

Having issues which concern your organisation raised by a UN Committee 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 CRPD. A table of ratification and deadlines for country reviews can be found on the OHCHR website.

Written reports can be submitted for the pre-session and the country review. 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 one month before the pre-session.

Civil society can also submit parallel country reports prior to the constructive dialogue. This report should be submitted no later than one month before the State meets the Committee.

Representatives of civil society, academics and others, may attend the Constructive Dialogue between the State party and the Committee. It is not necessary for an observer to be accredited with the UN Economic and Social Council in order to attend meetings of Committees but they do need to apply for accreditation from the secretariat. Organisations who submit information on reporting States parties can also apply to make oral presentations to the Committee.

# REPORTING GUIDELINES

## Some practicalities:

Parallel reports to the State party report can be a maximum 10,700 words and a maximum of 5,350 words for all other submissions including for the List of Issues or the List of Issues Prior to Reporting.

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.

The Committee's secretariat does not translate civil society submissions, therefore reports should be submitted in English, French or Spanish. If possible, English is the most useful language 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.

Reports should be provided in accessible digital or electronic formats, for example, word or text formats. To submit reports, email them to the [crpd@ohchr.org](mailto:crpd@ohchr.org). The subject of the email should read "submission" and the "name of the country" (e.g. "Submission Ireland"). Hard-copies are not necessary.



## Suggested reporting template

1. Title page indicating the full name of the organisation and the State to which the information relates.
2. A brief description of activities at international and/or national level, mission/vision statement and what role persons with disabilities play in the organisation, and level of inclusiveness and participation of persons with disabilities in the drafting of the submission.
3. A short executive summary of no longer than one page.
4. Table of contents
5. Introduction that gives more information about the production of the report
6. 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. Evidence can include 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.
8. Concluding remarks
9. Appendix (if necessary) can include text of important laws, lists of references or participants in report preparation, media clips, etc.) Proposed recommendations.

# SUGGESTED REPORTING INDICATORS

- 1) Are there dedicated resources, including budget lines, for inclusion of people with disabilities in sport?
- 2) Do national sports bodies have specific inclusion and equality policies? Do these policies recognise specific groups? Do these policies have dedicated budget lines?
- 3) Is reporting on inclusion of people with disabilities a requirement of receiving public funding for sport?
- 4) Are there publicly available guidelines on inclusion in sport?
- 5) What percentage of persons with disabilities are involved in sport or physical activities?
- 6) Have any qualitative studies on the experiences of persons with disabilities in sports and physical activity been undertaken? If so what were the findings from such reports?
- 7) What percentage of presidents, board members or executive leadership of national sports bodies are persons with disabilities?
- 8) What percentage of sport organisations have training for coaching in disability sport? how many coaches have undergone such training?
- 9) Are sports coaches/ practitioners given sensitivity training on the multiple intersecting barriers that persons with disabilities may face in accessing sports?
- 10) Have any qualitative studies on the new horizons of sports been conducted? What were the findings of such reports?

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- 1) Is an intersectional approach with recognizes the double discrimination that women and girls with disabilities face, taken towards policy development/ legislative development/ programme design?
- 2) What proportion of legislation, national action plans and strategies targeting women and/or persons with disabilities in sports make explicit references to women and girls with disabilities?

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- 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, sex, gender, age? ?
- 2) Are sports coaches/ practitioners working with children or other vulnerable groups required to undertake a criminal background check?

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- 1) Has the State Party run any public relations campaigns in line with article 8. 2.a? Did such a campaign include a focus on persons with disabilities in sport and physical activity? Was there any follow-up studies on the impact of such campaigns on public perceptions of athletes with disabilities and persons with disabilities participating in sport and physical activities?
- 2) Are there any officially issued guidelines regarding best practice for media representation of persons with disabilities including in relation to sports and physical activities to avoid perpetuation of negative stereotypes, debunk myths, combat attitudes of intolerance and discrimination against persons with disabilities, ensure respect for the equal dignity and value of life of persons with disabilities as part of human diversity; and seeke a multiplicity of sources and voices of persons with disabilities.

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- 1) What percentage of public sport and recreational facilities are accessible to persons with disabilities?
- 2) Is accessibility a requirement when building all new public sport and recreational facilities?
- 3) Is there a process of retroactively fitting public sport and recreational facilities to ensure that they are accessible ongoing?
- 4) Are venues for sporting events accessible for spectators with disabilities? Are there any examples of good practice in this regard?
- 5) What percentage of public green spaces (parks and recreational facilities) meet the minimum national standards for accessibility by persons with disabilities? Qualitative experiences of persons with disabilities in accessing public green spaces and enjoyment of them?
- 6) Are public websites and applications that contain information on public sport and recreation activities and facilities fully accessible?
- 7) Is there public information available on the accessibility of public sport and recreational facilities?

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- 1) What percentage of national sport bodies have policies to prevent, detect, and combat violence, abuse, and all forms of exploitation with explicit reference to persons with disabilities which addresses the particular needs of women, children and older persons and persons with all types of impairment in private and public settings?
- 2) Are sports coaches/ fitness practitioners, including volunteers, working with children and vulnerable adults with disabilities legally required to undertake a criminal background check?
- 3) Are all sports organisations legally required to have clear, easy to understand, confidential and accessible reporting mechanisms in place to handle complaints of harassment or abuse?
- 4) Is there legislation in place that outlines when reporting of harassment and abuse to public authorities is be mandatory?

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- 1) Are community sporting facilities accessible to persons with disabilities?
  - 2) Is accessibility a requirement when designing and/ or allocating funding to community sporting facilities?
  - 3) Is there a national strategy or plan(s) to ensure accessibility and responsiveness of mainstream sports, physical activity and physical education services to persons with disabilities, including provision of reasonable accommodation to persons with disabilities.
  - 4) Number of persons with disabilities using mainstream services relating to sports, physical activity and physical education, and proportion out of the total of service users, disaggregated by age, sex, disability, and kind of service, as compared to other persons.
  - 5) Number and proportion of requests for reasonable accommodation granted to persons with disabilities in using mainstream sports, physical activity and physical education services.

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- 1) Is there a national strategy or policy to address the mobility needs of persons with disabilities which includes training, tailored to each individual's requirements, that is affordable or free of charge, according to the person's means?
  - 2) Number of PEPAS professionals trained in the use mobility aids, devices, assistive technologies, live assistance, etc., to impart mobility skills to persons with disabilities."

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- 1) What percentage of children with disabilities are enrolled in mainstream schools/ special schools/ not enrolled in school?
  - 2) Are reasonable accommodation measures available for children with disabilities in mainstream schools?
  - 3) Have there been any qualitative studies on the experiences of children with disabilities in the country's education system?
  - 4) What percentage of schools offer physical education? Is it a mandatory component of the national curriculum?
  - 5) What percentage of physical education teachers in service 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?
  - 6) Is there a national certificate for adapted physical education? What percentage of teachers have this certificate?
  - 7) What percentage of schools (primary, lower and upper secondary) have adapted infrastructure and materials for students with disabilities?
  - 8) Are there any good practice programmes running in schools to ensure students with disabilities are receiving a quality physical education?
  - 9) 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.
  - 10) Where sports scholarships, bursaries and support are offered at educational institutions are athletes with disabilities eligible and are they represented among the recipients?

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- 1) What percentage of the population is sufficiently active as defined by WHO? What percentage of persons with disabilities are sufficiently active as defined by WHO?
  - 2) Are there specific programmes to encourage and facilitate the participation of persons with disabilities 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 include persons with disabilities?

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- 1) Is the sport and fitness industry involved in the provision of habilitation and rehabilitation services?
  - 2) Does the state provide initial and continuing training for sport and fitness professionals engaged in the provision of habilitation and rehabilitation services that is in line with the human rights based approach to disability, and that:
    - Prohibits discrimination against persons with disabilities on the basis of disability, including the provision of reasonable accommodation, or any other grounds, including nationality and migrant status.
    - Upholds explicitly the right to give and refuse prior, free and informed consent and protect persons with disabilities from imposed habilitation and rehabilitation services.

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- 1) What percentage of the total workforce is employed in the physical education, physical activity and sports sector across both the public and private sectors?
  - 2) What percentage of those employed in the sector are persons with disabilities?
  - 3) What proportion of managerial positions in the sector are held by persons with disabilities? disaggregated by gender
  - 4) Have there been any qualitative studies conducted on the experiences of persons with disabilities working in the sports and fitness sector? Are there any examples of good practice programmes to encourage/ increase employment of persons with disabilities in the sports and fitness sector?



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  
Educational, Scientific and  
Cultural Organization



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