

SPORT IN THE UNITED NATIONS CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES



**A publication of the
INTERNATIONAL DISABILITY IN SPORT WORKING GROUP
in partnership with the
UNITED NATIONS OFFICE OF THE SPECIAL ADVISOR TO THE SECRETARY-GENERAL
ON SPORT FOR DEVELOPMENT AND PEACE**

IDISWG Secretariat

Center for the Study of Sport in Society
Northeastern University

International Disability in Sport Working Group

The mission of the International Disability in Sport Working Group, in accordance with Article 30.5 of the United Nations Convention on the Rights of Persons with Disabilities, is to advance and protect people with disabilities' human rights as they relate to sport.

1. To promote the advancement of human rights for people with disabilities as they relate to sport
2. To monitor the status of people with a disabilities' right to sport in all regions of the world.
3. To develop and support research that enhances people with disabilities' human rights to sport.
4. To develop and support sport and physical activity programs for people with disabilities.

For more information, please contact:

IDISWG Secretariat
Center for the Study of Sport in Society
Northeastern University
Phone: 617-373-8936
Fax: 617-373-4566

cover image courtesy of Handicap International, 2001

Article 30.5 Convention on the Rights of Persons with Disabilities

5. With a view to enabling persons with disabilities to participate on an equal basis with others in recreational, leisure and sporting activities, States Parties shall take appropriate measures:

- (a) To encourage and promote the participation, to the fullest extent possible, of persons with disabilities in mainstream sporting activities at all levels;
- (b) To ensure that persons with disabilities have an opportunity to organize, develop and participate in disability-specific sporting and recreational activities and, to this end, encourage the provision, on an equal basis with others, of appropriate instruction, training and resources;
- (c) To ensure that persons with disabilities have access to sporting, recreational and tourism venues;
- (d) To ensure that children with disabilities have equal access with other children to participation in play, recreation and leisure and sporting activities, including those activities in the school system;
- (e) To ensure that persons with disabilities have access to services from those involved in the organization of recreational, tourism, leisure and sporting activities.

Table of Contents

| | | | |
|--|----|--|----|
| Introduction..... | 5 | Clermont Simard <i>Rehabilitation International</i> | 29 |
| UNITED NATIONS ORGANIZATIONS | | | |
| Adolf Ogi <i>United Nations Office of the Special Advisor to the Secretary-General on Sport for Development and Peace</i> | 6 | Anita Keller <i>Veterans International</i> | 31 |
| INTERNATIONAL SPORT ORGANIZATIONS | | | |
| Thomas Schindlmayr <i>United Nations Secretariat for the Convention on the Rights of Persons with Disabilities</i> | 8 | Eli A. Wolff, Mary A. Hums & Elise C. Roy <i>Center for the Study of Sport in Society Northeastern University</i> | 32 |
| Jill Van den Brule & Kentaro Fukuchi <i>UNESCO</i> | 10 | Donalda Ammons <i>International Committee on Sports for the Deaf</i> | 34 |
| Reuben McCarthy <i>UNICEF</i> | 13 | Karen DePauw <i>International Council of Sport Science and Physical Education</i> | 35 |
| Simon Walker <i>Office of the High Commissioner for Human Rights</i> | 16 | Claudine Sherrill <i>International Federation of Adapted Physical Activity</i> | 37 |
| Charlotte McClain-Nhlapo <i>World Bank</i> | 18 | Linda Mastandrea <i>International Paralympic Committee</i> | 39 |
| INTERNATIONAL DISABILITY ORGANIZATIONS | | | |
| Steve Estey & Janet Lord <i>Disabled Peoples' International</i> | 20 | Lydia la Rivière-Zijdel <i>International Working Group on Women and Sport</i> | 41 |
| Thomas Chantereault <i>Handicap International</i> | 24 | Michael Brogioli <i>Special Olympics International</i> | 43 |
| Nerina Cevra <i>Landmine Survivors Network</i> | 26 | | |

Introduction

It is a great pleasure to introduce this collection of essays and statements addressing the significance of the right to sport in the United Nations Convention on the Rights of Persons with Disabilities. The contributions in this publication address (1) the meaning of the right to sport within the Convention, (2) specific recommended implementation strategies, and (3) the potential future impact within communities around the world.

As a project of the International Disability in Sport Working Group (IDISWG), and in partnership with the United Nations Office of the Special Advisor to the Secretary-General on Sport for Development and Peace, this collection is intended to promote the Convention, and to also serve as an educational resource. The IDISWG is a network of international sport organizations, international disability rights organizations, and United Nations organizations working to advance and protect people with disabilities' human rights as they relate to sport.

We would like to thank each of the contributors and their respective organizations not only for providing essays and statements for this collection, but also for their ongoing efforts and commitment to promote and protect the human rights of persons with disabilities in all domains, including sport. It is a great honor and we look forward to continuing to work together in international collaboration.

Eli A. Wolff, Mary A. Hums & Elise C. Roy
Center for the Study of Sport in Society
Northeastern University



Statement by the Special Adviser to the United Nations Secretary-General on Sport for Development and Peace concerning the Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities

Adolf Ogi
United Nations Office of the Special Advisor to the Secretary-General on Sport for Development and Peace

The recent adoption of the Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities represents a fundamental step for humankind. The international community has thereby provided the legal framework for the rights of those living with disabilities (around 10 percent of the world's population) to be respected and lead a better life.

For too long, persons with disabilities have been marginalized and denied basic rights that the majority of the population takes for granted. The Convention's inclusion of Article 30 addressing the need for States to improve access to, and encourage inclusion in, recreational, leisure and sporting activities for persons with disabilities, is a signal that persons with disabilities must be treated with equal respect and dignity, receiving equal rights and opportunities in sport, recreation and leisure activities.

By upholding respect of Article 30, individuals and the local and international community will benefit from the positive role sport can play in the lives of those living

with a disability. Sport allows individuals to excel, despite the odds and compete with others on an even playing field. The importance of equal opportunity and access to sport is essential for persons with disabilities to return to normality, to overcome trauma and learn to deal with their disabilities during re-education and social integration. The practice of sport teaches onlookers that persons with disabilities are able to compete and enjoy physical activity. In particular, sport:

1. Provides equal opportunities for persons with disabilities to be active and interact in a positive social circle enabling the mitigation of negative factors which may be associated with the disability. By promoting "ability" rather than "disability", the individual is empowered and gains greater self-confidence that can be applied to other realms of life, for example, employment.
2. Socialization through sport is particularly valuable for persons with disabilities as they often remain in the home environment, protected and guarded by their families. Participation in sport promotes peer interaction, co-operative relationships and teamwork.
3. Disability sport programmes serve to strengthen participants both mentally and physically, promote rehabilitation and facilitate a capacity for self-help.
4. Sport can promote the inclusion of girls and women who experience double stigmatization.
5. Involving participants with and without disabilities in the same programmes increases understanding and sensitivity about one another and can assist with preventing social exclusion.
6. Sports programmes for persons with disabilities are a cost-effective method of rehabilitation. They are highly therapeutic, improve motor skills and increase mobility, self-sufficiency and self-confidence.

In the recent Action Plan on Sport for Development and Peace of the Report by the Secretary General to the General Assembly (Report A/61/373), which was endorsed by all 192 Member States in resolution 61/10 of 3 November 2006, Governments were particularly encouraged to implement the principle of "sport for all" through inclusive and coherent legislation and policies, including measures to promote participation of persons with disabilities. As Special Adviser to the United Nations Secretary-General on Sport for Development and Peace, I strongly encourage all member States to ratify the Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities and hence to contribute to the full and equal integration, protection and promotion of the rights and dignities of persons living with disabilities.

Disability in Sport: The International Legal Framework

Thomas Schindlmayr¹
United Nations Secretariat for the Convention on the Rights of Persons with Disabilities

The human right of persons with disabilities to enjoy and participate in sport is enshrined in various international legal instruments. These instruments have ensured that persons with disabilities enjoy their rights to sport. By comparison, sport does not feature prominently in the human rights instruments of other population groups; indicating its overall importance to persons with disabilities.

There are three major international instruments for persons with disabilities. All three stress the involvement of persons with disabilities both as sport spectators and active participants. The right to sport has become more pronounced with each instrument. The 1982 *World Programme of Action Concerning Disabled Persons*² stressed that member states should encourage sport activities for persons with disabilities by providing facilities and organizations. The 1993 *Standard Rules on the Equalization of Opportunities for Persons with Disabilities*³ emphasised that states should undertake, among other things, measures to make recreational and sport facilities accessible, and develop opportunities for the participation of persons with disabilities in sport activities.

The recently adopted *Convention on the Rights of Persons with Disabilities*⁴ goes further than the previous two instruments. Not only is the convention a human rights treaty with obligations that are legally binding, but for the first time persons with disabilities are encouraged to participate in mainstream as well

¹ The views expressed herein are those of the author and do not necessarily reflect the views of the United Nations.

² <http://www.un.org/esa/socdev/enable/diswpa00.htm>

³ <http://www.un.org/esa/socdev/enable/dissre00.htm>

⁴ <http://www.un.org/disabilities/convention/conventionfull.shtml>

as disability-specific sporting activities. Article 30(5) also notes that children with disabilities should have the same access to participate in sporting activities as other children. Like the other two instruments, it also indicates states should ensure that persons with disabilities enjoy access to sporting venues.

Article 30 proved to be uncontroversial during negotiations. The suggestion to include ‘mainstream’ sporting activities was made during the third session of the *Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities* in May/June 2004. There was widespread support for the provisions of the article and the Ad Hoc Committee adopted it by consensus on the 21 August 2006. The General Assembly adopted the convention in its entirety on 13 December 2006.

International legal instruments have helped to ensure that persons with disabilities enjoy their right to sport, although much still needs to be done. A recent report by the United Nations Special Rapporteur for Disabilities found that athletes with disabilities are a source of national pride in many countries, and the participation of persons with disabilities in sports is high, particularly at the community level. However, a number of the measures articulated in the Standard Rules have yet to be implemented across the globe. The report found that two-thirds of the 114 countries responding to the survey had undertaken measures to enable persons with disabilities to enjoy the right to sport and recreation. Sixty-three countries stated that sport and recreation venues were accessible, while 49 answered that they were not.⁵

Through advocacy by sporting organisations, civil society and international organisations, legal instruments have and continue to play a significant role in promoting sport for persons with disabilities. Over

⁵ United Nations Special Rapporteur on Disabilities (2006) *Global Survey on Government Action on the Implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities*. Doha.

the next few years, major sporting events such as the 2008 Paralympic Games will serve as venues to raise the profile of the Convention. The new Convention will take the right to sport to a whole new level, with numerous countries expected to sign and ratify this legally binding treaty.



Sport as a Vehicle for Persons with Disabilities

Jill Van den Brule
UNESCO

Physical education and sport form an important part of educational systems and are key contributors to social, human and intellectual development. Sport contributes to:

- Promoting human values, fair play, ethics, well-being and healthy-lifestyle;
- Bringing together persons from different social, cultural and geographic background regardless of religion and ideology;
- Contributing to peace and human development.

UNESCO's activities seek to raise awareness regarding the significant benefits of the educational, social and moral values of sport and physical education and their important role in achieving the Millennium Development Goals (MDGs). Its activities are aimed at:

1. Fostering the perception of sport and physical education as tools to promote the ideals of international understanding and peace, enshrined in UNESCO's Constitution.
2. Boosting the quality physical education and sport in education systems, thus advancing the Education for All (EFA) agenda.

3. Promoting cultural diversity and the respect for indigenous identity, while at the same time building cultural bridges, namely through the promotion and development of traditional sport and games.

UNESCO is confident that the UN Convention will be an important vehicle for promoting the rights of persons with disabilities, not only to education, but enable them to participate in all aspects of life in order to build inclusive societies where all children can truly be part of the game.

My Hope for an Inclusive Society

Kentaro Fukuchi

My name is Kentaro Fukuchi, a 22-year-old blind student at University of Tsukuba in Japan. It is my pleasure to write this essay on the significance and potential of Article 30.5 on the right to sports and recreation within the Convention on the Rights of Persons with Disabilities.

It was December 13, 2006, when I got the exciting and historical news about the adoption of the Convention on the Rights of Persons with Disabilities. Among all of the essential articles in the Convention, Article 30.5 was one of the most inspiring statements for me since it refers to the right to participate in sports, recreation, and leisure, all of which are enjoyed by the majority of the society so naturally. From my experience of blind soccer and the activities concerned with adapted sports, I strongly believe in the meaning of those rights. Thus, I'd like to express my hopes for and the meaning of these rights in the future.

First of all, I'd like to share what I got from one sport, blind soccer. In blind soccer, each team consists of four blind or eye-covered players, one sighted keeper, and one sighted caller who gives instructions to the players from behind the goal of the other team. A ball which has tiny lead balls inside to make noise is used in the game so that we can recognize its location. It was amazing when I came to know this thrilling sport since I couldn't imagine that I could play soccer exactly the same as my sighted friends. Although I had enjoyed playing ball with my sighted friends with some support and modification of rules in my childhood, blind soccer was something I had never thought about. By playing blind soccer, I experience a series of challenges, recreation for my daily life, and wonderful comrades. In mastering new techniques and challenging each game through teamwork, I feel a sense of mastery which makes me confident and proud. I believe sports encourage the spirit of challenge and self-reliance, both of which are essential for our lives. In fact, the spirit of challenge and self-reliance inherent in blind soccer always enables me to take another step forward and accept new challenges such as cross-country skiing, dancing, and traveling abroad.

Moreover, recreation and sports can increase the quality in daily life through social connections. Spending weekends with my friends playing soccer just for fun helps me regain my energy for the new week to come. In addition, dancing salsa was an excellent recreation I learned when I was an international student in the U.S. These kinds of recreational activities surely enrich my life. As I have noted, I believe sports make our lives meaningful in many ways.

All humans have the right to enjoy enriching our lives. In this sense, it is noteworthy that this right has just been adopted as an article of the Convention on the Rights of Persons with Disabilities. I think all governments can and should play a significant role in implementing this statement. Needless to say, physical and financial measures are needed. Promoting a barrier-free environment is a very prudent policy. It is true that

barriers in society prevent people with disabilities even from going out of their homes. Establishing foundations or grants to support local sports centers or projects for sports and recreation can be effective in realizing sports-centered activities in the community, which may increase the number of people involved in sports on daily basis.

From the view point of Education, which is my major, I believe it is necessary to introduce various kinds of sports, including adapted sports, to Physical Education classes. When I was a student at a regular junior high school, the Physical Education teachers introduced blind volleyball and blind table tennis while my sighted friends played the ordinary varieties so that everybody could try two versions of the games. This experience gave me the idea that I could join many of the activities that initially seem difficult or impossible, if only we could figure out suitable modifications. I am sure this kind of experience will help raise awareness among children with or without disabilities. I believe it is necessary for children with disabilities to participate in sports and recreation. I am involved in a project called Supporters for Adapted Sports (SAS), which is for creating opportunities for children with disabilities in the community to experience adapted sports. I have seen many children become more active and gain self-confidence through playing sports such as wheelchair soccer, wheelchair basketball, and sailing using a small yacht called Access Dinghy. It would be so nice if children with and without disabilities could play sports together in school.

Lastly, I think raising awareness is required in order to implement Article 30.5. I have met some parents and children with disabilities who cling to the idea that it is impossible for their children to participate in the activities. On the contrary, I believe sports themselves can be very inclusive with proper rule modifications. Thus, raising awareness is of the utmost importance. Whenever we plan an adapted sports event, we discuss how to change the rules so that more children with severe disabilities can participate. It is true that we need to

make a compromise between our capacity and our ideal. However, it is always worth discussing how to make the event as inclusive as possible. The more people come to believe in the inclusiveness of sports, the more varied and inclusive sports will be. I dare to say we can apply the idea of adapted sports to societies as well. With certain modifications of rules or norms in society, I believe we can establish inclusive societies as we make sports inclusive.

Article 30.5 gives me an impression that rights to sports and recreation would be a strong tool to realize an inclusive society. It enables people with disabilities to enjoy sport which can empower people with disabilities by encouraging self-confidence and the spirit of challenge as well as meaningful daily life. On the other hand, through promoting adapted sports to implement this Article, I believe it is possible raise awareness of inclusive environments. Interaction of these effects will lead us to a more inclusive society.

As a conclusion I would like to express my great appreciation to my blind soccer team mates and SAS project colleagues as well as my teachers, who have made me aware of the meaning and potentiality of sports and recreation. Hereby I confirm that I am also responsible for realization as a person with disabilities who believes in the meaning of the sport for an inclusive society.

Sport & Children with Disabilities

Reuben McCarthy
UNICEF

- *Imagine, a place where 98% of children with disabilities have no access to school or vocational training;*
- *A place where children who are hard of hearing or deaf are considered to be intellectually impaired;*
- *A place where a child is handcuffed because the parents do not know their child suffers with autism and they want to stop him hitting himself.*
- *Imagine a place where children and people who are disabled have no access to basic services due to the physical, institutional and social barriers;*
- *A place where people with disabilities are not considered to be full members of the society.*

This place is Ethiopia... (UNICEF, Ethiopia, 2006).

Children who live with physical, sensory, or mental health disabilities are among the most stigmatized and marginalized of all the world's children. Misunderstanding and fear of children with disabilities results in their marginalization within the family, community, at school, and in the wider society. In addition to affecting their self-esteem and their chances for interaction with others, learning, and development, this type of discrimination also puts children with disabilities at higher risk for abuse and exploitation. The realization of rights contained in the Convention on the Rights of the Child and related obligations towards children with disabilities in the new Convention on the Rights of Persons with Disabilities provide UNICEF a reference and framework for the protection of the rights of children with disabilities. It is our belief that no country will be able to attain the Millennium Development Goals

(MDGs) without providing special attention to children and adolescents with disabilities. The MDGs relating to universal primary education and the elimination of gender disparities, for instance, are achievable only if all children, including all those with disabilities, have the opportunity to attend school, learn and be better prepared for life. Similarly, the goal of reducing child mortality is also more likely to be reached if the early detection and follow up of childhood disability becomes a routine part of under-five primary health care.

UNICEF's priorities include quality primary education, promotion of gender equality, young child survival and development, HIV/AIDS prevention and response, and protection of children from violence, abuse, exploitation and discrimination. Children with disabilities are particularly at risk of remaining un-reached, given the discrimination they often face from the very individuals and institutions with an obligation to protect them, including families, health and education services, and the State. In addition to being denied services, children with disabilities are especially vulnerable to abuse, exploitation and neglect, due to the same misperceptions which result in other forms of discrimination, and due also to their increased vulnerability as a result of their specific physical or intellectual difference.

UNICEF recognizes the role that sport and play have in the health and wellbeing of all children, including children with disabilities, especially in terms of promoting physical well-being and combating discrimination. Sport and play are important (often essential) aspects of the healing and rehabilitation process for all children affected by crisis, or those who have consistently suffered discrimination and marginalization. Promoting the involvement of disabled children in specialised or mainstream sport and play activities can do a great deal to rebuild confidence and a sense of security while also assisting in physical and psychological rehabilitation, and changing attitudes toward children with disabilities. UNICEF's work around landmines is one area where we have been involved in promoting sport – both to prevent disability, and to promote inclusion of children

who are disabled.

Using sport activities as a means to prevent accidents from landmines and other conflict related threats, is done through the development of safe-play-areas and child-friendly-spaces, known to be free of landmines and conflict. These areas provide children a safe place to play. Sport training programmes for children often include life-skills training such as mine risk education messages on how to identify mines, what to do if you are in a mined area, how to avoid mines, as well as lessons to prevent discrimination against children with disabilities and promote their inclusion in mainstream activities. The 'Sport in a Box' programme developed in Laos is an example of one such project. This programme addresses the landmine issue in two ways: by creating well equipped, safe play areas for children and by providing training on basic warning messages. The two pronged approach has resulted in children spending their free time playing sport and being involved in creative activities in safe areas, rather than exploring dangerous areas. Similarly in Bosnia and Herzegovina, young athletes are vulnerable to mine accidents as they often seek playgrounds in the countryside. Starting in 1997 UNICEF supported small-scale, alternative approaches to reaching young beneficiaries through sport activities under the co-ordination of the Ministries of Sport, which provided training on mine risk education and the rights of people with disabilities in athletic clubs. Children remain among the most vulnerable to landmine injuries and the stigma that is often associated with disabilities caused by these weapons, requiring the development of new models and approaches to their education and a long-term, sustainable strategy for their protection.

UNICEF also uses sport as a means to rehabilitate child landmine survivors and other children with disabilities. Sport is an extremely important means to support the physical, psychological and social rehabilitation and reintegration of these children. Often small scale projects have sport as an adjunct to physical rehabilitation programmes: providing prosthetic devices for amputees

and a component of physical exercise to speed up the rehabilitation process, learning to walk, building confidence and so on. Larger scale projects may include the creation of sports clubs and associations for people with disabilities and linking these to national and international Paralympic activities. The participation of children with disabilities in specific and mainstream sports activities plays a very important part in the physical and psychological rehabilitation of children with disabilities, who may have suffered extreme trauma. It is also an essential component in breaking down prejudices and social barriers, and educating the wider population about the capacities of children with disabilities.

In the Russian Federation, UNICEF is working with World Health Organization (WHO) on a comprehensive approach to landmine survivor assistance and children with disabilities by facilitating the provision of services for both the physical and psychosocial rehabilitation of survivors. UNICEF is supporting a prosthetic workshop and rehabilitation centres in Vladikavkaz, the capital of North Ossetia, and is providing technical equipment, therapeutic materials, prostheses and orthoses for conflict-related injuries. In this programme, UNICEF has trained a team of psychosocial counselors to provide support to persons with a disability in the centres, and more than 200 child and adolescents have received physical and psychological assistance, and more than 2,000 have been provided with orthopaedic devices. As an essential part of this programme, UNICEF has also organised sport activities, including the creation of amputee soccer teams, and vocational training workshops for children and adolescents. A programme in Malaysia for children called Football for All is run by UNICEF and the government. It provides children with visual, hearing and mental impairments the opportunity to play football in a supportive environment. Football leagues have been formed at primary and secondary schools for boys and girls with disabilities, encouraging these children to take part in Malaysia's national Paralympic teams.

UNICEF has also successfully used sport and play as

advocacy tools, focusing on the public communication aspects of the rehabilitation of children with disabilities and sport. This has been done foremost for the benefit of the child, but opportunities have been made to mobilize resources and raise awareness about the specific issues these children face. Such projects often involve recruiting a prominent 'sports ambassador' who highlights the issues faced by children with disabilities and the benefits of sport. Similarly such projects may involve sponsoring athletes or events for the benefit of the child and for advocacy purposes. As an example, in 1999, prior to Angola ratifying the Landmine Ban Treaty, UNICEF supported sport activities celebrating the entry into force of the Treaty with the dual aims of providing a framework for rehabilitation and advocacy for Angola to sign the landmines treaty.

To be a child with disabilities in a situation of poverty, instability and discrimination places that child in an extreme position of vulnerability. There is little doubt that disabled children are more vulnerable than other children in times of stability, but in times of insecurity this vulnerability is exacerbated. The experience of disabled children is often one of marginalization and disempowerment, and they frequently live isolated, faced with negative attitudes and an uncompromising environment. For UNICEF, working with children with disabilities is not a single or necessarily exclusive programme of work but the application of certain underlying values (inclusion, participation and so on) which ensure their protection and participation in ours and others' relief efforts. Sport and play have considerable importance in the physical and psychological rehabilitation and reintegration of children with disabilities for UNICEF. They also have an essential role in breaking down barriers, raising public awareness and knowledge, and facilitating the access and participation of children with disabilities in all facets of community life.

Finally, while sport and play can be powerful instruments to help overcome the marginalization and discrimination faced by disabled children, they are not simply means to an end. Article 31 of the Convention

on the Rights of the Child (CRC) recognizes that all children have the right to play: ensuring children's enjoyment of that right is also, therefore, an end in itself. UNICEF welcomes the fact that Article 30 of the new Convention on the Rights of Persons with Disabilities further reinforces the CRC's provision by specifying the equal right of persons with disabilities to participate in recreational, leisure and sporting activities and by requiring that States Parties take necessary measures to ensure this right is fulfilled.

The Convention on the Rights of Persons with Disabilities: Participation in Sport and the Right to Take Part in Cultural Life

Simon Walker¹
Office of the High Commissioner for Human Rights

Sport plays a crucial role in society, promoting personal development and health, team work as well as popular entertainment. Sport might be professional, therapeutic or simply for pleasure, and can be for individuals or involve groups or the whole community. While some sports today require significant investment and have become big business, every society, even the poorest, has developed creative ways to promote physical well-being and pass time with other members of the community either actively as a participant or as a spectator.

Persons with disabilities participate in both mainstream sport and disability-specific sport, benefiting both the individual as well as communities. For persons with disabilities, participation in sport can promote self-confidence and a healthy life-style, increase social networking and create a positive enabling image of persons with disabilities for others. For the community, participation by persons with disabilities in sport provides a means of deconstructing disabling images that portray persons with disabilities as passive, inactive and lacking capacities to participate in the wider life of the community. In breaking down stereotypes of disabilities, participation in sport helps build more inclusive communities and therefore greater social cooperation and cohesion.

International competitive sporting events have taken on an increasingly important role in promoting participation in sport for persons with disabilities. While partici-

¹ The views expressed herein are those of the author and do not necessarily reflect the views of the United Nations.

pation in sport at the amateur level provides opportunities closest to home to benefit persons with disabilities and communities, competitive international sporting events provide a means of reaching a wide public who might not always be aware of the achievement of sportspeople with and without disabilities. Events such as the Paralympic Games— primarily aimed at persons with physical disabilities – and the Special Olympics – dedicated to persons with intellectual disabilities – have a broad reach and help create role models of sportspeople who have reached the highest level of excellence in sport as inspiration within and across countries.

Participation in sport on an equal basis with others is more than just a good idea. It is a human right. The new Convention on the Rights of Persons with Disabilities, adopted by the UN in December 2006, recognizes that persons with disabilities have the right to take part in cultural life, including participating in recreational, leisure and sporting activities, on an equal basis with others. Under the Convention, States have to encourage a twin-track approach to sport and disabilities. On the one hand, they must encourage persons with disabilities to participate in mainstream sporting activities while on the other hand ensure that persons with disabilities have the opportunity to participate in disability-specific sporting activities. Further, States have to promote participation in sport by ensuring the accessibility of sporting venues as well as services for those involved in sporting activities.

The Convention promotes a rights-based approach to disability and sport, which means not only the promotion of participation in sport but also of quality participation of persons with disabilities. Thus, for example, participation in sport should not be discriminatory, not only on the basis of disability but also on the basis of gender or age. Consequently, sporting activities should reach out to all members of the community, including women and girls with disabilities as well as persons with disabilities who receive less attention or are particularly marginalized or invisible. Similarly, participation in sport should not only be participation in the sport-

ing activity itself but should also involve participation of persons with disabilities in planning and managing sport.

Further, the community should build capacity so that persons without disabilities have the knowledge and skills to work with sportspeople and others with disabilities and that everyone enjoys a disability-sensitive environment. In this regard, ensuring physical, technological and linguistic accessibility – through the provision of ramps for wheelchairs, accessible websites or sign interpretation – can ensure effective participation. Finally, to the extent that sporting activities rely on the provision of financial and human resources, communities and public authorities should ensure that an appropriate proportion of available budgets are directed to promote participation of persons with disabilities in sport.

On 30 March 2007, the new Convention will be open for signature by States. This will set in motion the need for implementation of the Convention which covers not only participation in sport but also participation in other areas of life such as the workplace, the school, the justice sector, health care and so on. The challenge is now to ensure that these universally agreed standards are enjoyed by persons with disabilities and communities in the future.

Sport a Force for Inclusive Development!

Charlotte McCain-Nhlapo
World Bank

Sport has a huge influence on our lives. It transcends geography, politics, class, race, sex, culture, ethnicity, disability and religion. It reaches and unites huge audiences across the world. It has great economic influence, provides employment and contributes to local development. It enjoys an important position in community life and thus strong community and volunteer involvement.

Sport is more than a game. Evidence shows that sports programmes serve as effective tools for social mobilization, social cohesion, supporting health activities such as HIV/AIDS education and immunization campaigns. Sport builds bodies and minds, promotes public health and instills important values, such as teamwork, fairness, inclusion, cooperation and communication. It also teaches the importance of principles such as interdependence and respect.

However, throughout the world most people with disabilities are absent from sport. The reality is people with disabilities experience discrimination and exclusion from most aspects of civic life, including sport.

Physical barriers obstruct access to participating in sport. Social and communication barriers in the form of attitudes and practices similarly exclude people with disabilities. These varied barriers explicitly and implicitly exclude people with disabilities.

The lack of understanding and awareness of how to include persons with a disability in sport continues to perpetuate exclusionary practices and, consequently, their participation remains marginal and insignificant.

Sport's huge popularity with children and young people throughout the world is an unexploited opportunity.

Sport is a demand driven youth activity. Young people can relate to sport. They feel part of it. Sport programmes that include young people with disabilities along side their non disabled peers have the potential to harness sport's power and use it to educate young people on how to build an inclusive society. However, inclusive sport will require mobilizing communities to include those who have generally been thought incapable of participating.

Sport offers many positive benefits of a social, psychological and physiological nature for people with disabilities. It has the potential to :

- a) maintain a healthy lifestyle and improve physical and mental health;
- b) provide a space for socialisation among peers; and
- c) provide a means for interaction between participants irrespective of their disability, thus facilitating a better understanding and awareness of social exclusion.

When applied effectively, inclusive sport programmes promote social integration and foster tolerance, helping reduce discrimination and generate dialogue. The convening power of sport makes it additionally compelling as a tool for advocacy, communication and social change.

Sport opens doors and is a theme that appeals to all. With inclusive sport programmes the emphasis should be on ability. People with disabilities are not charity cases; they too can also be part of sporting activities. Sport can impart people with a sense of self-esteem and hope of a better future.

The fundamental elements of sport clearly make it a viable and practical tool to support the achievement of the MDGs and in so doing the work of the World Bank.

Finally sport is about rules that all players and spectators must learn, understand and honor. These rules and principles are enunciated in the Convention on the Rights of People with Disabilities and in Article 30.5 of the International Convention on the Rights of People with Disabilities.

In conclusion, emphasizing inclusion through sport will benefit not only individuals and teams, but society at large. Such initiatives can foster and strengthen leadership skills, promote equity, and support social inclusion and the respect for diversity. Sport provides a space in which partnerships can flourish, where we can influence social change and begin to level the playing fields.



The Potential Role of National Human Rights Institutions and Disabled People's Organizations in Implementing the Right to Sport, Recreation, Play & Leisure in the UN Disability Convention

Steve Estey & Janet Lord
Disabled Peoples' International

Introduction

The process by which the new UN Convention on the Rights of Persons with Disabilities (CRPD) was negotiated marks the first time that national human rights institutions (NHRIs)¹ have actively participated in drafting a core UN human rights convention. Significantly, their role as promoters, protectors and monitors of the CRPD is implicated in Article 33 of the treaty text. As such, NHRIs are positioned to play an important role in supporting the implementation of the CRPD, includ-

¹ A rough typology of NHRIs follows: (i) national human rights commissions, with multiple members and broad mandate to monitor and promote national and international human rights within the domestic realm; (ii) ombudsman, often consisting of single member, mandated to receive complaints alleging certain violations of domestic norms; (iii) specialized commissions, with a specific, issue-oriented mandate designed to tackle a particular human rights issue, such as racial discrimination; and (iv) hybrid institutions, typically coupling a complaints procedure with a broader human rights mandate. See United Nations, Fact Sheet No. 19, "National Institutions for the Protection and Promotion of Human Rights," (United Nations, 19 April 1993). Available at: <http://www.unhcr.ch/html/menu6/2/fs10.htm>; International Council on Human Rights Policy, Performance and Legitimacy: National Human Rights Institutions (Versoix: ICHRP, 2004), p. 5.

ing the right of people with disabilities to participate in sport, recreation, play and leisure activities, as recognized in Article 30(5) of the Convention. As a global federation of disabled people's organizations, Disabled Peoples' International (DPI) is committed to working closely with Human Rights Institutions such as NHRIs in order to see the promise of international disability rights realized in countries around the world.

During the course of treaty negotiations in the Ad Hoc Committee, DPI stood with other DPOs, governmental delegations and NHRIs in strong support of an article that explicitly recognized the right of people with disabilities to participate in sport, recreation and leisure, and advocated for the articulation of specific measures to be taken to further the realization of that right. According to the CRPD, national-level implementation must include the promotion, protection and monitoring of the right of people with disabilities to participate in sport, recreation, play and leisure, a frequently overlooked human right which is an essential component of disability inclusion, as reflected in the UN Standard Rules.

NHRIs and CRDP Implementation

The drafters of the Convention understood the important role NHRIs can play in facilitating the implementation of human rights obligations. Moreover, NHRIs participated actively in drafting all parts of the Convention from the first meeting of the Ad Hoc Committee, during the Working Group that drafted the baseline text for negotiations, and in subsequent Ad Hoc Committee sessions.² The Convention opens the door to NHRIs' involvement in national-level implementation and monitoring, signifying their importance as human rights actors within the global human rights system. Article 33

² National human rights institutions from around the world participated in all sessions of the Ad Hoc Committee and worked in concert to provide expertise and to comment on convention articles. See, e.g., Position Paper of the European National Human Rights Institutions, 2d Session of the Ad Hoc Committee, 16 June 2003. Available at: <http://www.nhri.net/pdf/Position-Paper-EU-NHRI's-Disability.pdf> See also <http://www.nhri.net/default.asp?PID=103&AFD=0> (for copies of joint statements submitted by NHRIs during the UN Disability Convention treaty negotiations).

which discusses their role provides as follows:

1. States Parties, in accordance with their system of organization, shall designate one or more focal points within government for matters relating to the implementation of the present Convention, and shall give due consideration to the establishment or designation of a coordination mechanism within government to facilitate related action in different sectors and at different levels.
2. States Parties shall, in accordance with their legal and administrative systems, maintain, strengthen, designate or establish within the State Party, a framework, including one or more independent mechanisms, as appropriate, to promote, protect and monitor implementation of the present Convention. When designating or establishing such a mechanism, States Parties shall take into account the principles relating to the status and functioning of national institutions for protection and promotion of human rights.
3. Civil society, in particular persons with disabilities and their representative organizations, shall be involved and participate fully in the monitoring process.

Clearly then Article 33 creates obligations on the part of States Parties to (i) designate a focal point within government for Convention implementation and to consider establishing or designating a further mechanism within government to facilitate cross-sectoral coordination and implementation; (ii) endow an independent national-level mechanism (preferably an NHRI) with responsibility to promote, protect and monitor the Convention; and (iii) involve civil society, particularly disabled people's organizations, in national-level monitoring.

NHRIs & DPOs partnering to advance sport, recreation, play and leisure rights

Article 33(3) makes clear that civil society participation is a critical part of the strategy for NHRI engagement on Convention implementation. Best practice guidelines for NHRIs further underscore the role that civil society can play in cooperating with NHRIs in advancing hu-

man rights implementation.³ National-level implementation of the right of people with disabilities to participate in sport, recreation and leisure can of course take many forms.

One area worth further exploration may be the formation of innovative partnerships between disabled peoples organizations (DPOs) and NHRIs.

Indeed, some NHRIs have already participated in promoting the right of people with disabilities to participate in sport! Here are three brief examples which serve to highlight the huge potential in this area.

In Egypt, an innovative partnership between a local DPO called NAS, and the newly established Egyptian Council on Human Rights served to integrate human rights and issues relating to disability into the academic curricula of university sport and physical education departments. In addition, NAS has advocated for the establishment of a sub-committee on disability issues within the Egyptian Human Rights Council that will address, among other issues, human rights action in the area of disability and sport.

Elsewhere, the Australian Human Rights and Equal Opportunity Commission has addressed discrimination against people with disabilities in sport and recreation.⁴ In addition to issuing decisions on complaints concerning disability discrimination in sport and recreation, the Commission has an innovative program for the adoption of action plans by government and civil society actors specifying strategies for changing those practices which might result in discrimination against people with disabilities in sport and recreational contexts. A broad range of Australian organizations have submitted action plans identifying concrete measures to ensure disability inclusion is a range of sporting contexts, such as surfing, cricket, swimming, and table tennis.⁵

³ Commonwealth Secretariat, National Human Rights Institutions - Best Practice, (London, 2001).

⁴ For the disability rights sport and recreation homepage of the Australian Human Rights and Equal opportunity Commission, see http://www.humanrights.gov.au/disability_rights/sport.htm

⁵ Id.

Finally, the Fiji Human Rights Commission held a Public Inquiry and, as a result, launched a National Disability Action Plan based on its consultations. Interestingly sport and recreation were identified as priority areas in the action plan, on the basis that “people with disabilities have a right to participate without discrimination in sport and recreation” and that such participation is “important for social integration and for the psychological and physical well-being of people with disabilities.”⁶

Conclusion

Many NHRIs are new institutions, struggling to interpret and operationalize their mandates. In this context placement of a particular human rights issue on the agenda of an NHRI may well depend upon the initiative of civil society. DPOs and, more specifically, disability sport organizations, are therefore well positioned to take the lead in ensuring that NHRIs consider and act upon the implementation of Article 30(5) within the framework of their role as implementers of the UN Disability Convention. Such collaborations can be fruitful entry points for disability groups working on mainstreaming sporting activities and breaking down barriers to inclusion in the full range of sport, recreation, play and leisure opportunities in communities. Sport and recreation are important societal integrators, and DPOs would be well advised to actively promote such partnerships as part worldwide efforts to implement the new CRPD. The checklist provided in Annex 1 is a tool designed for use by DPOs to assess and plan for NHRI engagement around the right of people with disabilities to participate in sport, recreation, leisure and play.

⁶ For a copy of the Fiji Disability Action Plan, see <http://www.worldenable.net/bangkok2003/paperfiji2.htm>

ANNEX 1

DPO Checklist for Assessing & Encouraging NHRI Engagement on Sport & Human Rights Issues

What are the specific functions of the NHRI and how does it address the rights to sport, recreation, leisure and play in its work.

- Educating, informing and promoting human rights
 - Utilizing sport events in public awareness campaigns for public and officials.
 - Human rights education and training courses for ministries and departments of culture, sport, education, tourism. Coverage of disability and sport, recreation, leisure and play issues.
 - Events in celebration of UN International Day of Disabled Persons (December 3). Sport and recreational events for Dec. 3.
 - Inclusion of disability sport dimension in human right education manuals and materials?
- Reviewing and commenting on existing laws and proposed legislation
 - Has it reviewed existing legislation with regard to disability and sport, recreation, leisure and play? Are there opportunities to comment upon proposed legislation? Does proposed legislation mention sport, recreation and leisure for people with disabilities?
- National Human Rights Action Planning
 - Inclusion of disability dimension in national actions plans as well as sport, recreation, leisure and play.
 - Inclusion of disabled peoples’ organizations, including disability sport organizations, in national human rights action planning consultations.
- Monitoring of domestic human rights situations
 - Monitoring governmental compliance with human rights conventions, including rights in relation to disabled people and sport, recreation leisure and play.
 - Monitoring of compliance with human rights by private bodies (e.g. sporting authorities; sport and

- recreational clubs, tourist industry; leisure facilities).
- Monitoring of budgets and allocations of resources for disability-related initiatives in sport, recreation, leisure and play contexts.
- Monitoring and advising on compliance with international human rights standards
 - Promotion of ratification of UN Disability Convention.
 - Preparation of shadow reports which include coverage of sport, recreation, leisure and play?
- Inspection of custodial facilities and places of detention and reporting
 - Monitoring access to sport & recreation for people with disabilities in detention.
- Power of investigation and complaints procedures
 - Does the power to investigate and complaints procedures cover violations of the right of people with disabilities to sport, recreation leisure and play? Has the NHRI undertaken investigations or heard complaints on such cases?
 - Investigation and complaints regarding discriminatory access to sport and recreation.
- Research Projects
 - Does research encompass disability-related issues? Does it cover rights in relation to sport, recreation, leisure and play for people with disabilities?
- Role in relation to international human rights bodies and mechanisms?
- NHRI engagement with civil society.
 - Consultation with all stakeholders, including disabled peoples’ organizations.



Sport and Leisure Activities

Thomas Chantereault
Handicap International

Since being established in 1982, Handicap International (HI) has supported the practice of sports and leisure activities (SLAs) for people with disabilities around the world. HI's first activities were developed around centres for functional rehabilitation and in refugee camps, where adults and children had the opportunity to participate in play and competition.

Today and for the past two years, HI has used SLAs in countries as varied as Bangladesh (project aiming at improving the quality of life of the children and young people by developing their physical, psychological and social capacities through the practice of sports and leisure activities), Morocco (by supporting associations of people with disabilities to set up and to develop sporting and leisure practices to support their social integration), Afghanistan (supporting the inclusion and the personal development of the people with disabilities with SLAs), Mozambique (supporting social integration through the practice of sports and leisure activities for people with disabilities of the provinces of Sofala and Manica), Senegal and Nicaragua (support for associations which propose SLAs for people with disabilities).

Participation by people with disabilities in sport and leisure activities now falls under international law. Article 30 of the new United Nations Convention on the Rights of Persons with Disabilities, includes culture, leisure, and sport among the target sectors to support the full social participation of the people with disabilities in society. The sports and leisure activities (SLAs) constitute not only one right, but also excellent



image courtesy of Handicap International

examples of inclusion. Since they are popular, they make it possible to touch a large audience and play an essential part in changing daily practices and how people view disability.

Sport is one of the means which make it possible for all people to live together. Sport and leisure activities must be available for all without any discrimination (age, sex, type of disability, social class, level of performance of the person). In fact, SLAs are adaptable to almost all people with disabilities regardless of their degree of disability or their level of desired practice. Sport and leisure activities can be practised individually or collectively. It is necessary to make adaptations so that non-disabled people and people with disabilities can practise sports and leisure activities together.

The use of the SLAs must make it possible not only for persons with disabilities to be active, but also their families, colleagues and especially their community. Many positive outcomes come from this, such as improved physical condition, better motor control, increased mental understanding of the activities (concentration or strategy), the joy of the effort, social participation, autonomy, and changing the social

representations of people with disabilities.

SLAs are thus not “educational” or “therapeutic” in themselves. It is important to understand how SLAs are a means which can be used to integrate persons with disabilities in educational or therapeutic projects. The objective will not be to develop the SLAs just for their own sake. Rather the SLAs will serve as a tool for people, which will contribute to their personal achievement and participation in greater society. Article 30 will be an important tool to help persons with disabilities in achieving enhanced status in society in and through sport.



Rights-Based Approach: A Framework for Implementation

Nerina Cevra
Landmine Survivors Network

After decades of intense advocacy by people with disabilities around the world, in the international organizations and local communities alike, the UN General Assembly adopted the Convention on Rights of Persons with Disabilities (“the Convention”) and its Optional Protocol on December 13, 2006. The Convention is a “whole that is more than the sum of its parts,”¹ as it presents a comprehensive internationally binding instrument for the advancement of human rights of persons with disabilities. It addresses civil, political, economic, social and cultural rights and places the Convention firmly within the core international human rights framework by creating a monitoring mechanism with power to hear individual complaints.

The Convention reaffirms the right of persons with disabilities to participate in sports in a specific Article, which is Article 30, underscoring the key role of sports in achieving rehabilitation, participation and inclusion of persons with disabilities in the society. Furthermore, the provision adopts a dual-track approach, guaranteeing inclusion of persons with disabilities in mainstream, as well as disability-specific sporting activities.

This first human rights Convention in the 21st century is opening for signature on March 30, 2007. Focusing on implementation strategies is key to making sure that

it does not remain a dead letter on paper, but is instead made a reality on the ground. A rights-based approach offers a useful framework for national implementation of the Convention. This approach provides a conceptual framework for policy change that is normatively based on international human rights standards and operationally directed at promoting and protecting human rights.² A rights-based approach to sports means integrating human rights principles in the design, implementation, monitoring and evaluation of policies and programs related to the implementation of the right to sport as articulated in the Convention. These include: accountability, participation, inclusion, and non-discrimination.

A rights-based approach is multi-faceted. On the core level, it holds that as members of society, individuals hold certain entitlements endowed upon them by virtue of their humanity. At the same time, if these entitlements are to have any meaning, a person or an institution must have a duty to fulfill them. The rights-based approach seeks to enhance the duty bearers’ recognition, authority and resources for compliance with international human rights standards. Thus, this framework holds duty bearers accountable for their obligations, while at the same time empowering people to demand their rightful entitlements and fully participate in society, promoting equality and challenging discrimination.

The central aim of the rights-based approach is to empower rights-holders to vindicate their rights, through the creation of a culture of respect for human rights by promoting transparency, participation and access to services and remedies. Access to information, so people are informed of their rights, is an essential component of the rights-based approach. This approach describes situations not simply in terms of human needs, but in terms of society’s obligation to respond to the inalienable rights of individuals. It empowers people to demand justice as a right, not as charity, and

² Stephanie T. Kleine-Ahlbrandt, *From Principle to Practice: Operationalizing the human rights-based approach to United Nations development cooperation and programming*, in *Human Rights and Development: Law, Policy and Governance*. LexisNexis Butterworths, (2006), 327, 328.

¹ International Disability Caucus Statement at the United Nations General Assembly December 13, 2006.

gives communities a moral basis from which to claim international assistance where needed.³ Participation in sports offers great opportunities for self-empowerment by people with disabilities. By showcasing ability, not disability, sports improve people with disabilities’ perception of self as beneficial members of society with valued contributions.

Inclusion of key stakeholders, in this case, people with disabilities, is a necessary pre-condition to successful implementation of the Convention in the domestic context. The rights-based approach affirms that ALL people have dignity and rights.⁴ Therefore, the focus is particularly on those who are marginalized and excluded and cannot access their rights, or whose rights are violated. The rights-based approach also works toward ensuring laws, policies and practices are in place guaranteeing every member of society has a voice and can participate fully in their community. The dual-track approach that Article 30.5 on the right to sport adopts is key to achieving true inclusion. It is only through inclusion in mainstream and disability-specific sports that true equality will be achieved. The principle of inclusion is articulated as one of the Convention’s principles in Article 3.⁵ In addition, the Convention mandates that persons with disabilities be directly involved in development of policies affecting them.⁶ This applies also to sports programming.

It must be noted that the rights-holder/duty bearer relationship is not a one-way street. Participation is the flip-side of inclusion. As members of society with

³ Id at 329.

⁴ International Council on Human Rights. *Local Government and Human Rights: Doing Good Service*. International Council on Human Rights Policy: Versoix, Switzerland 2005. Available at: http://www.ichrp.org/paper_files/124_p_01.pdf. Last visited February 5, 2007.

⁵ See supra note 2, Article 3 General Principles. “The principles of the present Convention shall be:...(c) Full and effective participation and inclusion in society;...”

⁶ Id., Article 4 General Obligations. “3. In the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.”

certain entitlements, individuals are also duty bearers. They have both a right and a duty to participate in the decision-making affecting their lives. In the context of the Convention, the rights-based approach requires active, free and meaningful participation from individuals, organizations and communities in all stages of development and implementation of the Convention’s provisions, as a pre-condition for successful implementation of the Convention. This aspect of the rights-based approach is often overlooked, as advocacy organizations and stakeholders often focus on claiming rights with less understanding of the responsibilities that individual members of society. In particular, the most marginalized groups in society must be brought to the table during the development of any implementation strategies for those strategies to have meaningful effect on the lives of persons with disabilities.

Non-discrimination is a principle that stands at the heart of human rights.⁷ It means there must be assurance that rights are not denied based on sex, race, nationality, ethnicity, class, religion, age, physical ability, caste, opinion, sexual orientation or any other prohibited ground. Article 5 of the Convention prohibits discrimination of all kinds on the basis of disability.⁸ The dual-track approach of Article 30.5 on sports addresses non-discrimination by guaranteeing equal access to mainstream sporting activities. In addition, the focus on disability-specific sports will improve their quality and availability, which will in turn create an equal footing for all.⁹

Stigma and prejudice are obstacles to participation by persons with disabilities in all areas of life, including sports. Lack of understanding and awareness about how

⁷ See supra note 5 at 19.

⁸ See supra note 2, “Article 5. Equality and non-discrimination 1. States Parties recognize that all persons are equal before and under the law and are entitled without any discrimination to the equal protection and equal benefit of the law. 2. States Parties shall prohibit all discrimination on the basis of disability and guarantee to persons with disabilities equal and effective legal protection against discrimination on all grounds. 3. In order to promote equality and eliminate discrimination, States Parties shall take all appropriate steps to ensure that reasonable accommodation is provided. 4. Specific measures which are necessary to accelerate or achieve de facto equality of persons with disabilities shall not be considered discrimination under the terms of the present Convention.”

⁹ See supra note 2.

to include persons with disabilities in sporting activities has exacerbated the segregation and exclusion of persons with disabilities from sports, thereby undermining their potential for athletic achievement. Laws and policies will remain exclusionary if they are not accompanied by comprehensive awareness-raising efforts, aimed at dismantling the stereotypes and incorrect societal beliefs about the ability of persons with disabilities to participate in sporting activities.

Discriminatory norms and practices are the result of prejudice against and misperceptions about persons with disabilities. For real change to happen, people's minds must change. Article 8 of the Convention reaffirms the importance of awareness-raising, calling on states parties to adopt specific measures that will educate the public at large about the rights and dignity of persons with disabilities, combat stereotypes, prejudices and harmful practices and promote awareness of the capabilities and contributions of persons with disabilities.¹⁰ Sporting events are great vehicles for awareness-raising. By showcasing athletic achievements and sportsmanship, ability is recognized, and the societal misperceptions, which create disability, can begin to change.

¹⁰ See supra note 2, Article 8(1): "...1. States Parties undertake to adopt immediate, effective and appropriate measures: (a) To raise awareness throughout society, including at the family level, regarding persons with disabilities, and to foster respect for the rights and dignity of persons with disabilities; (b) To combat stereotypes, prejudices and harmful practices relating to persons with disabilities, including those based on sex and age, in all areas of life; (c) To promote awareness of the capabilities and contributions of persons with disabilities."

A rights-based approach is a comprehensive framework and cannot be successful if implemented in a piecemeal manner. Therefore, it is time for human rights and disability rights advocates to focus on gathering support for the rights-based approach in their domestic context by advocating for it with the appropriate governmental and civil society partners. Time has finally come for the rights of persons with disabilities to be recognized and promoted and the rights-based approach offers an effective framework for implementation of the Convention.



Leisure, Recreation and Physical Activities Commission

Clermont Simard
Rehabilitation International

RI is a global and diverse network of persons with disabilities, NGOs, government agencies, service providers and advocates who work together to advance the rights and inclusion of people with disabilities worldwide. RI is an international organization that has been working to promote the rights and inclusion of people with disabilities for over 80 years. The RI Executive Committee (EC) - with 21 members, half of whom are persons with disabilities, from six different geographic regions and representing a variety of government, advocacy and NGOs - represents the hundreds of member organizations in 80 countries.

Our Commission on Leisure, Recreation and Physical Activities (LRPA) is one of the seven Commissions working in Rehabilitation International (RI) and has a particular interest in the newly adopted UN Convention on the Rights of People with Disabilities. We consider that it is very important that every human being should be able to participate on an equal basis with others as it is stipulated in the Art. 30.5 of the new Convention.

The vision of the LRPA Commission in the strategic plan is to promote active lifestyle at all levels and to all people with disabilities in the field of physical, social and cultural activities.

The mission is to enhance functioning and participation through leisure, recreation and physical activities

(including the sport of disabled people) and get publications available to all.

The main objective is to build alliances with other organizations and to link with other commissions:

To enable the LRPA Commission to be an active part in the implementation of the new Convention, we plan to build new alliances and partnership with other NGOs such as the International Paralympic Committee (IPC), Special Olympics International, International Ability and all the NGOs in connection with International Disability Alliance (IDA), a network of the eight global democratic disability organizations: Disabled People's International (DPI), Inclusions International (II), the International Federation of Hard of Hearing People (IFHOH), Right and Inclusion International (RI), World Blind Union (WBU), World Federation of Deaf (WFD), World Federation of Deaf Blind (WFDB) and World Network of Users and Survivors of Psychiatry (WNUSP).

One of the goals of this partnership could be a revision of the classification for the participants in different games to make them more accessible for everybody.

We have also on the table a concept proposal with LSN who is the first international organization created by and for survivors to help mine victims rebuild their lives and fulfill their rights. Since its inception in 1995, LSN has been a leader in advocacy efforts for survivor and disability rights. LSN sees disability rights not as "special rights" but as basic human rights for all.

Concept proposal: LSN, IPC and RI partner to promote awareness and ratification of disability rights convention.

Our 2007 priority is to promote global recognition of disability rights as human rights. We plan to do this by raising the public profile of the newly negotiated Disability Rights Convention and then advocating for swift ratifications in the countries where we work. Upon twenty ratifications, this long awaited Convention will

become international law. LSN will use the opportunity of a ratification campaign to develop new advocacy partnerships to strengthen the international human rights framework. Specifically, we plan to secure 20 swift ratifications of the Disability Rights Convention by working in partnership with RI and the International Paralympic Committee.

RI is a global network of people with disabilities, service providers, researchers, government agencies and advocates promoting and implementing the rights and inclusion of people with disabilities. RI is currently composed of several hundred members and affiliated organizations in more than 85 nations, in all regions of the world. RI has established thematic commissions in particular fields of expertise, which assist in developing and expanding program activities, including one dedicated to promoting physical activity, the Leisure, Recreation and Physical Activities Commission.

LSN and RI were among the co-founders of the International Disability Caucus, the global coalition of disabled person organizations and their allies, which was the recognized civil society voice of people with disabilities in the negotiations for the Disability Rights Convention.

LSN and RI propose to partner with the International Paralympic Committee to develop and disseminate ratification toolkits for use by athletes and committee members around the world. The toolkits will contain simple and accessible information about the Convention, why it is important, and how it is relevant to the pursuit of equal opportunity in sport, as well as an advocacy call to action. This strategy will leverage IPC's pre-existing network and schedule of regional sports competitions to raise awareness about the Disability Rights Convention.

This awareness-raising campaign will be complemented by targeted advocacy trainings. Over the years, LSN has developed extensive materials that have been packaged into easy-to-use training manuals for disability rights advocacy. LSN will work with selected Paralympic Athletes and Committee members who want to be trained

as spokespeople and champions for Convention ratification.

The 21st World Congress of RI will be held in Québec City, Canada, from the 23rd to 28th of August 2008. The main goal of the World Congress RI-2008 is to work on an action plan to promote a more just and equitable society which is in term with the UN Convention.

Playing for our Lives

Anita Keller
Veterans International

On December 13, 2006, the United Nations announced its completion and adoption of text for the world's first treaty to focus on the rights of people with disabilities. In the months and years to come, states will have the chance to sign and ratify the Convention on the Rights of Persons with Disabilities, thus making the treaty an applicable document in their own legal systems and part of the UN framework on human rights.

The Convention was initiated by and progressed quickly due to the commitment of the disability community. Some people outside of the community questioned whether a specific Convention on disability was necessary, stating that the rights of persons with disabilities are already covered or should be included in more "comprehensive" human rights documents. But the disability community voiced its response by continuing to move forward with the Convention. In the process they identified issues that are continuously neglected, ignored or barely considered in these more comprehensive documents.

Nestled deep within the document, in Article 30, we find the sections that will guarantee people with disabilities the right to participation in cultural life, recreation, leisure and sport. This article finally clarifies for signing states the integral role that these activities play in defining and promoting rights for persons with disabilities. Additionally, it shows that the disability community deserves access to these activities both as a human right and as a tool for achieving greater equality and autonomy.

Why would the disability community consider an article like Article 30 to be important in this Convention? There are both ideological and practical reasons for Article 30.

Ideologically, having access to culture and recreation is at the heart of one's personal and national identity. Who of us has not received inspiration from a poem, song or story? Who has not wanted to enjoy the performance of talented dancers, actors or athletes? Who has not at some point or another at least wanted to try to express themselves in one of these forms if not become famous by doing so? To not encourage these types of activities in ways that are accessible to all is to deny certain individuals/groups the ability to wholly participate in society and thus the ability to become personally "whole."

Practically, this article will require states to take a hard look at sport organizations, particularly at government-funded bodies. If adopted, the article will provide athletes with disabilities the basis for a discussion with government funding agencies about increased and potentially equal funding for disability-specific sport programming. This does not occur in most countries around the world, even those "developed" nations claiming to already have "adequate" disability legislation.

Once recognized, athletes with disabilities and others like them might use their elevated profile to continue pushing for greater access to human rights. Paralympic athletes in Angola are one such example. They have used their position to discuss programs that will allow qualified students with disabilities to access a university education and continue to demand support for the National Paralympic Committee.

In short, the adoption of the Convention on Rights of Persons with Disabilities is the first step in what will be a continuous process to improve access to human rights for all. Now that the text has been adopted, it will require a mobilized and vociferous community to push for its signing and ratification. Hopefully, the already active community of athletes with disabilities will be able to lend their voices to this end.



Understanding the Right to Sport in the United Nations Convention on the Rights of Persons with Disabilities

Eli A. Wolff, Mary A. Hums & Elise C. Roy
Center for the Study of Sport in Society
Northeastern University

The United Nations Convention on the Rights of Persons with Disabilities establishes a legally binding standard and a framework for understanding the human rights of people with disabilities in the context of recreational, leisure, and sporting activities. Article 30.5 of the Convention applies to all people with disabilities and addresses the full spectrum of opportunities for people with disabilities in sport. Article 30.5 recognizes the athletic potential in all men, women, and children with disabilities, and gives value and respect to people with disabilities as athletic participants integral to the global sporting environment. Article 30.5 provides visibility and voice for people with disabilities to engage in recreational, leisure and sporting activities, and calls upon all people in society to include individuals with disabilities in the community of sport. Article 30.5 promotes and advances the access and dignity of people with disabilities in sport, recreation and leisure, and furthers a broader understanding of the rights that all individuals have in the domain of sport and physical activity.

Developing an understanding of the right to sport within the United Nations Convention on the Rights of Persons with Disabilities is critical to promoting and implement-

ing opportunities in sport for persons with disabilities. An awareness of Article 30.5 of the Convention will allow for recognition of the rights of persons with disabilities in all aspects of the sporting environment. Understanding Article 30.5 is an integral part of promoting the full scope of rights for persons with disabilities around the world.

5. With a view to enabling persons with disabilities to participate on an equal basis with others in recreational, leisure and sporting activities, States Parties shall take appropriate measures:

People with disabilities have the right to participate in sport on the basis of equality of opportunity. People with disabilities have a right to be supported by State Parties, and recognized as equal as those without disabilities.

(a) To encourage and promote the participation, to the fullest extent possible, of persons with disabilities in mainstream sporting activities at all levels;

Mainstream sport includes many forms of sport, including sport for all or elite sport. But what is critical is to know that people with disabilities, when they participate in sport, can participate at all levels and in all forms. People with disabilities have a right to be central and integral to sport. Generally, all sporting opportunities for people with disabilities are mainstream. Specifically, people with disabilities, when possible, have a right to participate in sport with people without disabilities. Being in a sporting environment open to all helps provide important socialization and learning opportunities for both people with and without disabilities.

(b) To ensure that persons with disabilities have an opportunity to organize, develop and participate in disability-specific sporting and recreational activities and, to this end, encourage the provision, on an equal basis with others, of appropriate instruction, training and resources;

People with disabilities have a right to choose to participate in sport with other people with disabilities, and organized specifically for people with disabilities. Dis-

ability-specific activities, also known as disability sport, are a type of mainstream sporting activity, and should be treated as an appropriate and legitimate form of sport. These activities provide a fair play and level playing field for people with disabilities. Disability-specific activities are explicitly referenced in order to ensure its recognition as a legitimate form of sport and to preclude its relegation to a lesser status.

(c) To ensure that persons with disabilities have access to sporting, recreational and tourism venues;

People with disabilities have a right to be able to enter and utilize sporting venues and facilities. People with disabilities have a right to equal access so they can experience the venue or facility equally with a person without a disability.

(d) To ensure that children with disabilities have equal access with other children to participation in play, recreation and leisure and sporting activities, including those activities in the school system;

Children have the right to sport and play. Children have this right both inside and outside of school. Children with disabilities have the right to play wherever they are.

(e) To ensure that persons with disabilities have access to services from those involved in the organization of recreational, tourism, leisure and sporting activities.

People with disabilities have a right to be included as recipients of the services of organizations providing recreational, tourism, leisure and sporting activities. People with disabilities have a right to be integral participants in all sporting organizations, on an equal basis with others. People with disabilities have the right to be provided services and programming by sport administrators.



Official Statement from International Committee on Sports for the Deaf Regarding Article 30.5 under United Nations Convention on the Rights of Persons with Disabilities

Donalda Ammons
International Committee on Sports for the Deaf

The adoption of Article 30.5 holds very important significance for deaf and hard of hearing persons, who will at last comprehend the motto of International Committee of Sports for the Deaf (ICSD)-“ Per Ludos Aequalitias (Equal through Sport)”.

The impact of this historic breakthrough which is legally binding, will go a long way in expanding deaf and hard of hearing athletes’ abilities and protecting their rights to play and compete on an equal playing field.

The ICSD will continue to work closely with the International Paralympic Committee (IPC) in informing the competent sports authorities of the international structures of both organizations and addressing the inequalities or discrepancies that may arise at national levels between the affiliated organizations.

The adoption of Article 30.5 shall ensure that these athletes with disabilities have a global stage to display their sporting spirit and dedication by participating in the Deaflympics. More and better athletes will now be allowed to reach the pinnacle of disability-specific competition, and establish higher benchmarks.

Even better, the adoption specifically of Article 30.5 will ensure more significant levels of respect and recognition for deaf and hard of hearing athletes who want to compete in the Deaflympics. We welcome the challenge to work with national governments, NGOs, international and national sport organizations in understanding that deaf and hard of hearing athletes shall be treated with the same respect and dignity accorded to athletes with other disabilities.



United Nations Convention on the Rights of Persons with Disabilities: Statement of the International Council of Sport Science and Physical Education

Karen DePauw
International Council of Sport Science and Physical Education

Being physically active and having access to recreational, leisure and sporting activities are important to all individuals including individuals with disabilities. Active healthful living through physical activity and sport is a fundamental right of individuals with disabilities.

In the late 20th century, the World Health Organization (WHO) endorsed the concept that physical activity is an essential component of everyday life and is an effective means whereby individuals, including those with disabilities, can influence health and functional ability. WHO also initiated the development of a framework to describe functioning, health and disability status among all people (International Classification of Functioning and Disability - ICFIDM-2). The efforts of the World Health Organization helped focus attention on (a) functional ability rather than disability, (b) health promotion and prevention of secondary health conditions and (c) the role of physical activity (sport, recreation, leisure, physical education, health) in the lives of individuals with disabilities.

The benefits of physical activity are well known and have been historically well documented in the literature. The benefits include the following: physical, health,

cognitive, psychological, and vocational. Research has demonstrated these same benefits for individuals with disabilities as well as benefits gained from inclusion and social interaction. Among these benefits are: social interaction skills, increased understanding and appreciation of differences, interaction with age appropriate peers, increased expectations, and more. Despite increased awareness of the benefits of physical activity, access to and participation in regular physical activity remains a missing component in the lives of many persons with disabilities.

Education and action must occur to ensure access to and participation in physical activity and sport by individuals with disabilities. A collective effort among national and international organizations is necessary to accomplish this goal. The International Council of Sport Science and Physical Education (ICSSPE) is one such organization.

The International Council of Sport Science and Physical Education (ICSSPE), founded in 1958, is an umbrella organization committed to the reinforcement of linkages among the fields of sport, sport science and physical education and the promotion of scientific inquiry, dissemination and practical application in cultural and educational contexts around the world.

ICSSPE’s aims are to contribute to the awareness of human values inherent in sport and physical activity, improve health and physical well-being, and develop physical activity, physical education and sport in all countries, including efforts needed in developing countries. ICSSPE is further committed to the concept of fair play, the formation of the sporting ethic, and to the promotion of peace and understanding among peoples of the world.

Within its mission, objectives and structure, ICSSPE affirms the right of all individuals to have access to and participate in sport, recreation and leisure activities. Toward this end, ICSSPE actively supports international initiatives inclusive of individuals with disabilities,

promotes relevant sport science and works collaboratively with major international organizations such as the International Paralympic Committee (IPC), Special Olympics International (SOI), the International Committee of Sports for the Deaf (ICSID) and the International Federation of Adapted Physical Activity (IFAPA) – all ICSSPE Members - for the benefit of individuals with disabilities. A major project was the World Summit on Physical Education (first in 1999, second in 2005) in which “inclusive physical education” became a guiding principle. Documents prepared and officially signed articulated a statement on the fundamental right of all to physical activity and the values and benefits of physical education for all people including individuals with disabilities. For more information, see the Magglingen Commitment to Physical education which can be found at: <http://www.icsspe.org/>

ICSSPE’s strong commitment and adoption of an inclusive approach can be demonstrated through publications, seminars, workshops and projects in which individuals with disabilities are included. Examples include a seminar on Sport & Reconstruction in the Tsunami region which focused in part on rehabilitation and disability, a commissioned book on the history of the Paralympic Movement, a volume in the ICSSPE Series “Perspectives” with the title “Sport for Persons with a Disability”, Sport Science conferences in which adapted physical activity and disability sport are included among the themes (such as the planned first International Convention on Science, Education and Medicine in Sport (ICSEMIS 2008) in partnership with the IOC, IPC and FIMS), and much more. As an umbrella organization with nearly 300 member associations and international partnerships and collaborations with organizations such as the International Olympic Committee (IOC), UNESCO, International Federation of Sports Medicine (FIMS), World Health Organization (WHO) and General Association of International Sport

Federations (GAISF), ICSSPE regularly contributes to the advancement of the goal of the Convention on the Rights of Persons with Disabilities to enable “persons with disabilities to participate on an equal basis with others in recreational, leisure and sporting activities” (Article 30.5).



United Nations Convention on the Rights of Persons with Disabilities: Position Statement of the International Federation of Adapted Physical Activity

Claudine Sherrill
International Federation of Adapted Physical Activity

Whereas the International Federation of Adapted Physical Activity (IFAPA) was founded in 1973 to “give global focus to professionals who use adapted physical activities for instruction, recreation, remediation, and research” and exists today as a multidimensional not-for-profit organization dedicated to optimization of quality of life of persons with disabilities, their families, and their communities through opportunities for lifespan, daily, healthy, joyous physical activity FOR ALL that reflect personal choice and equal access to many settings (e.g., inclusive, least restrictive, specially designed), services, and programs staffed by well-qualified personnel, IFAPA members strongly support Article 30.5 of the Convention on the Rights of Persons with Disabilities. We have already disseminated this Convention on our international and regional websites and other media. Several members who are textbook authors are committed to including the words of this Convention in our next editions and recommending its inclusion in university-based professional preparation. We plan also to highlight this Convention at our Biennial Seminar of Adapted Physical Activity scheduled for July, 2007, in Rio Claro, Brazil, and at subsequent seminars and conferences.

IFAPA members believe that the realization of the rights set forth in Article 30.5 necessitates collaboration of many organizations to bring resources and support to all countries of the world. It also involves working together to empower persons with disabilities to (a) engage in decision making at the highest administrative levels in regard to physical activity access and opportunities; (b) serve as members of Executive Boards of organizations and agencies; (c) receive invitations to be keynote speakers at important conferences, and (d) have a voice in all decisions affecting themselves and others with and without disabilities. Toward that end, IFAPA wishes to express its gratefulness to the United Nations as an increasingly visible vehicle in helping to publicize and implement these desired outcomes. We wish also to thank everyone involved in the work of planning, drafting, disseminating, and eventually actualizing the adopting of Article 30.5.

Credible estimates of the number of persons with disabilities in the world range from 650 to 850 million persons, depending on the criteria and procedures used for identification. Many persons think of disabilities only as physical, sensory, or intellectual impairments, but this definition is too narrow when we consider human rights. IFAPA believes these estimates are too low to encompass the many persons with AIDS/HIV, malaria, heart disease, cancer, diabetes, chronic obstructive pulmonary diseases, mental illness, and the like. Moreover, 80 % of persons with disabilities live in developing countries, where their daily existence is compromised by lack of food, water, medications, health personnel, mobility devices, road and street surfaces conducive to use of wheelchairs and walkers, and access to the opportunities of able-bodied peers.

Recreational, leisure, and sporting activities may not seem a high priority in light of such needs, but the health and physical activity professions can bring sustenance to the soul, hope, happiness, comradeship, family/community cohesiveness, goodwill, and other qualities associated with peaceful behaviors . . . and, ultimately, the achievement of the United Nations’ goal

of sport for peace. Adapted physical activity is the name of a profession and scholarly body of knowledge that has developed over the last 100 years or so specifically to provide health and physical activity services, programs, and empowerment to persons of all ages with special needs. IFAPA, as the only international organization with its mission oriented specifically toward these outcomes, has regional organizations in Asia, Europe, and North America and is striving toward development of regional organizations on other continents in addition to more national and state organizations. IFAPA will assure that all of our affiliates have knowledge of Article 30.5 and encouragement to implement its intents.

Whereas international sport events such as Paralympic Games, Special Olympics, and Deaflympics serve a few of the elite among persons with disabilities, IFAPA believes that the masses deserve the human rights enumerated in Article 30.5 and we hope the United Nations will take immediate action to create concrete procedures by which human rights in relation to health and physical activity can be introduced, encouraged, developed, and maintained in every country of the world. IFAPA believes that the health and physical activity professions should continue to be involved in the movement begun by the Convention on the Rights of Persons with Disabilities. We stand ready to serve and to lead.



The Importance of Sport to the Convention on the Rights of Persons with Disabilities

Linda Mastandrea
International Paralympic Committee

When asked to name an important aspect of human rights, many will say the right to employment, or education, or housing. They may include arts, music and culture. They may consider participation in civic life to be of utmost importance. These, without a doubt are some of the major bricks in the foundation we call human life. However, they are not the entire building. A discussion of human rights would be incomplete without considering the importance of the brick we call physical education, recreation and competitive sport.

Sport has played an invaluable role in the development of my life as an individual with a disability. It has shaped choice after choice, led me to the path that would become my career, and opened door after door for me. Born with cerebral palsy, spastic diplegia, I grew up sitting on the sidelines watching children play in PE class. I went to the library or study hall. I got to be the team manager, not a player on the team. Unquestionably, this treatment cemented my status as “different”, an “outsider” and someone who could not quite fit in.

When I got to college, and through accident (or divine intervention, fate or whatever you might call it) I



sprained an ankle and ended up at the Division of Rehabilitation Education Services on my college campus. There, I met Brad Hedrick, the coach of the wheelchair basketball teams on the campus. He invited me to come and watch the women and join the team. I explained to him that I had never played, and didn’t use a wheelchair. He said neither of those things mattered, and encouraged me to come anyway.

I went to a practice, and though I did not become a wheelchair basketball superstar, that first practice, which left me sweaty, blistered, exhausted and wondering just what I had gotten myself into, changed my life. I realized that the fact my legs didn’t work very well meant nothing in the world of wheelchair sports. I realized that in this world, I wasn’t “different”, but very much like everyone else out on the floor.

Through my years of competition, I found the strength and drive to pursue goals I never would have before. I learned that people with disabilities worldwide had the same struggles I had, trying to fit in, trying to get around, trying to learn, to do, to be.

Playing sports teaches us so much more than about how our physical body works. It can teach us how to be part of a team, and play a part, even if it is not the “glory” role. It can teach us how to set goals, breaking them down into manageable steps to achieve them. It can teach us how to be assertive, even aggressive in a positive, controlled way. It can teach us how to present ourselves to the world, since many times sports players will deal with the media and the public. It teaches us to be healthy and make good choices about food, drugs, and risky behaviors.

The value sports played in my life is exponentially increased when considered in the context of people with disabilities living in less developed nations around the world. In the United States, we have reasonable access

to school, work, transportation, and recreation. It is not perfect, but it is there. In other countries, there may be not only no access, but no legal means of demanding it such as through the Americans with Disabilities Act that was enacted in the United States in 1990.

Through sport, individuals with disabilities develop the tools they need to become effective self-advocates and agents of change. They learn to find and use their voice, just like I did. Athletes everywhere are revered for their skills and accomplishments. Right or wrong, they are looked to as inspirations, role models, and people who have answers. Thus, individuals with disabilities who wish to effect positive change in their countries may use the vehicle of sport to gain the notoriety they need to

bring attention to the issues they want addressed.



Implementing the Convention, and the sport article in particular, should involve

international sport federations like the International Paralympic Committee and National Paralympic Committees, as well as the International Sport Organizations for the Disabled such as CP-ISRA, IWAS, and IBSA as well as Special Olympics International. These organizations would be invaluable in creating and raising awareness, educating governments, people with disabilities, their friends, families and neighbors, and ultimately creating and getting legislation passed to codify the Convention into law in the nations. They have access to the world stage for regional, national and international competitions in a way that can impact hundreds of thousands of people a year with some organization and planning, and with minimal cost to any one body.

The potential future impact of the sports article in the Convention is boundless. Through the positive inter-

twining of sports into the fabric of the Convention, as well as the athletes who participate in them, the Convention will receive greater attention and expansion onto the world stage. Legislation enacting the Convention by states parties will increase access to all aspects of life, enabling people with disabilities to showcase themselves and their abilities to the world. No longer will we be content to sit on the sidelines and watch the game of life go by. We'll be playing.

images courtesy of Lieven Coudenys/International Paralympic Committee



The Convention as an Instrument to Advance Sport Participation of Women and Girls with Disabilities: A Response from the International Working Group on Women and Sport

Lydia la Rivière-Zijdel
International Working Group on Women and Sport

The International Working Group on Women and Sport (IWG) welcomes the new Convention on the Rights of Persons with Disabilities (Convention) as an important human rights instrument to advance the participation of women and girls with disabilities (WWD) in sport activities. If the Convention can be accompanied by a decrease of the cultural, religious and medical bias towards WWD, it will create a paradigm shift in the conceptual thinking about WWD and sport and advance the participation in sport of WWD worldwide and specifically in developing countries.

The International Working Group on Women and Sport (IWG)

The IWG, established in 1994 at the First World Conference on Women and Sport in Brighton (UK), is an independent coordinating body consisting of representatives of key governmental and non-governmental organizations from different regions of the world. Its objective is to promote and facilitate the development of opportunities for girls and women (with and without disabilities) in sport and physical activity throughout

the world. The IWG acts as a catalyst for existing government and non-governmental (sport) organizations concerned with the development of girls and women through sport. One of IWG's main tasks is to promote and monitor the adoption and implementation of the Brighton Declaration and Windhoek Call for Action by governments and national/international organizations worldwide.

The situation of women with disabilities in sport

Worldwide estimates reveal that more than 10% of all persons in the world are persons with disabilities. In the industrialized world, approximately 53% of persons with disabilities are women, and approximately 58% in developing countries¹. Participation by WWD within recreational and competitive sport activities is underdeveloped due to cultural, religious and reasons of gender and medical bias.

Though continents like Africa, Southeast Asia and some Arabic states have advanced sport participation legislation and programs targeted at women and WWD, the poorer countries among them fail to supply women athletes with special sport equipment (e.g. wheelchairs) and allocate such sport-aids more often to male athletes. The lack of material and accessible training facilities in many countries around the world is not only a resource problem, but also determined by negative attitudes towards WWD. Cultural practices frustrate efforts to excel.

Research on women with disabilities in sport is seldom done. In addition, the general research on women in sport has not traditionally included WWD within its scope. Due to these reasons, an accurate worldwide overview of the situation of WWD in recreational and competitive sport activities cannot be presented.

Sport programs for PWD are rarely developed in a gender specific manner (e.g. recreational or competitive

¹ Source: World Health Organization, European Union Statistics, American Disability Act figures

sport, sport and development programs), but good practices prove the value of these programs. For instance:

- The IWG as mainstream women and sport organization focuses on the advancement of WWD²; in its current and former programs
- A worldwide Self-defense project (initiated in the Netherlands) aims specifically at girls and women with all disabilities³.
- Handicap International’s ‘Fun Inclusive’ program on sports and games as means of rehabilitation, interaction and integration for children and young people with disabilities and specific programs targets WWD
- The International Paralympic Committee’s Women in Sport Committee advocates and advises on strategies to improve sporting opportunities for WWD.

The United Nations Convention on the Rights of Persons with Disabilities (Convention)

The Convention is of inestimable value for advancing WWD in sport activities. Finally there exists a legal framework that obliges member states of the UN⁴ to initiate sport programs and legislation specifically tailored for women and girls with disabilities.

Article 30.5 of the Convention binds countries legally to create sport activities for persons with disabilities. With this article in combination with the legal obligation of “Equality between women and men” (Article 3.g), the Convention acknowledges that ‘disabled women and girls are more frequently discriminated than disabled men and non-disabled women’ (Preamble q), and the action that is required ‘to ensure full inclusion of disabled women and girls’ (Article 6). Governments have the obligation to put an emphasis on gender equality within sport.

² From Brighton to Windhoek ‘Facing the Challenge’, 1994-1998; ‘Windhoek-Montreal’ Women and Sport Progress Report 1998-2002, From ‘Montreal-Kumamoto’ 2002-2006,

³ Includes a Teacher Training Course for female Self defence and Martial Arts teachers (© ITAR LZ product)

⁴ UN is composed of most countries around the world and they are named States Parties

As State Parties recognize specifically in the Convention “that women and girls with disabilities are subject to multiple discrimination” they created binding text wherein they stipulate that “in this regard governments shall take measures to ensure the full and equal enjoyment by WWD of all human rights and fundamental freedoms” (Article 6.1).

Article 6.2. emphasizes further that “States Parties shall take all appropriate measures to ensure the full development, advancement and empowerment of women” to “ensure that WWD can exercise and enjoy all the rights set out in the Convention”, such as the creation of sport programs.

It is the first time in the UN history that women and girls with disabilities are specifically targeted⁵. The strong lobby and pressure of worldwide organizations of women with (and without) disabilities, during the entire drafting process of the Convention, paid off in the end.

The way forward

The Convention can only advance WWD’s position (in sport) if a paradigm shift from a medical model on disability to a social gender model on disability is achieved. This paradigm shift demands a tangible unambiguous new approach on recreational and competitive sport activities.

But first and foremost countries should overcome their cultural and religious prejudices towards women, girls and sport and regard sport as an instrument of self-esteem building and empowerment for ALL women and girls with and without disabilities. More than half of the disability movement is waiting to get out there on the sports fields!

⁵ No specific reference to WWD in CEDAW, nor in the Convention on the Rights of the Child



Special Olympics Lauds United Nations Convention on the Rights of Persons with Disabilities

**Michael Brogioli
Special Olympics International**

In the quest to affect social change and universal inclusion, Special Olympics celebrates victories small and large. As an international movement dedicated to empowering people with intellectual disabilities through sport to become physically fit,



productive and respected members of society, Special Olympics currently engages over 2.2 million athletes, and hundreds of thousands of volunteers, in more than 150 countries. While our reach is impressive, the challenge remains great: there are over 170 million people with intellectual disabilities around the world, and too often they are marginalized and discriminated against. With this sobering reality in mind, Special Olympics applauds the adoption on 13 December 2006 by the United Nations General Assembly of a landmark Convention on the Rights of Persons with Disabilities – the first human rights treaty of the 21st century.

What this means for Special Olympics, its athletes and people with intellectual disabilities is that nations are

coming together, pledging to uphold the rights of people with disabilities to be physically active, to socialize and learn in the safe environment of sport. In essence, the treaty is a banner to the world,



proclaiming that people with disabilities must be treated with equal respect and dignity, receiving equal rights and opportunities in sport, recreation and leisure activities.

Special Olympics is especially glad that the Convention, which comprises 50 articles, includes an article on sport and recreation calling upon nations to improve access to, and encourage inclusion in, recreational, leisure and sporting activities for people with disabilities. This article underscores what we have long understood: the power of sport to transform lives and to be a gateway to other vital social supports. Indeed, the United Nations’ own Task Force on Sport for Development and Peace affirmed this by noting that “sports offers a cost-effective tool to meet many development and peace challenges.”

We have a simpler way of stating this at Special Olympics: Our work isn’t just nice, it’s important. It is not simply about the joy of our athletes, family members, coaches and spectators. It goes beyond the emotional impact to tangible benefits to our athletes and the communities they live in, and by extension to all of society. Special Olympics is a gateway to physical fitness, to much-needed health screenings and referrals, to family involvement and inclusion, to education and employment. Special Olympics athletes benefit physically, emotionally and psychologically. They gain confidence and self esteem. They are more likely to be employed. They receive health services that were once denied to them. In short, they become engaged, stepping out of the shadows and into the light of society.

Special Olympics President and CEO Bruce Pasternack emphasizes that other human rights treaties, such as conventions on the rights of children and women, have had a major effect in addressing rights violations. “The message is simple, clear and profound: people with intellectual disabilities are members of the human family who should be treated with respect and dignity,” Pasternack says. “Our athletes say to all of us, ‘Here we are, watch us play and compete. Watch us have fun and make friends. Watch us become more physically fit, healthier, more engaged members of society. View us as leaders and role models. And don’t just watch us: join us!’”



Our challenge now is to work for swift ratification of the Convention, and to ensure that its words have meaning—that it is implemented. For our part, Special Olympics will continue to strengthen our movement to benefit more and more people with intellectual disabilities, their families, communities and societies around the world. Although we have made great strides in recent years, as evidenced by the tremendous growth of Special Olympics around the world, still just a small fraction of people with intellectual disabilities currently participate in Special Olympics. Far too many remain in institutions; far too many are subjected to vicious name-calling and bullying, and even in the wealthiest of nations, people with intellectual disabilities face terrible disparities in health care and health outcomes, educational and housing opportunities and employment rates. We can --and must-- do better, here and around the globe.

Let us heed the call of the UN Convention and make the promise of equal rights for people with intellectual and other disabilities a reality.

images courtesy of Special Olympics International