**DESA/DISD Inputs to OHCHR report with respect to the**

**Human Rights Council resolution 43/L.34**

DESA/DISD welcomes the opportunity to contribute to OHCHR’s thematic study on sports following article 30 of the Convention on Rights of Persons with Disabilities.

In 2017, the United Nations Secretary-General tasked the Department of Economic and Social Affairs, thorough its Division for Inclusive Social Development, to take up the United Nations’ substantive portfolio on sport for development and peace.  DESA/DISD has, since that time, provided support to relevant intergovernmental mechanisms, carried out research and reporting on sport as an enabler of sustainable development, coordinated activities with key actors in the wider Sport for Development and Peace community and carried out awareness raising activities.  DESA also serves as the focal point on disability for the United Nations system and its work in this area includes serving as the Secretariat to the Conference of States Parties to the CRPD. Below, DESA/DISD provides information on: 1) a relevant round table discussion held at the 12th Conference of States Parties to the COSP; and 2) DESA/DISD’s nascent capacity development efforts relevant to Article 30 of the CRPD.

1. Conference of States Parties to the CRPD

During the twelfth session of the Conference of States Parties to the Convention on the Rights of Persons with Disabilities (11 to 13 June 2019), three roundtables were held, one of which focused on the theme “inclusion of persons with disabilities in society through participation in cultural life, recreation, leisure and sport.” UNDESA prepared a note to facilitate the round-table discussion in consultation with United Nations entities, representatives of civil society and other relevant stakeholders. The roundtable discussions highlighted the challenges, shared experiences and best practices, and raised key policy recommendations for the inclusion of persons with disabilities in sport and physical activities. [[1]](#footnote-1)

CRPD

Improving the inclusion and well-being of persons with disabilities through sport can help to advance the 2030 Agenda for Sustainable Development. The unique ability of sports to transcend linguistic, cultural and social barriers makes it an excellent platform for strategies of inclusion and adaptation. Furthermore, the universal popularity of sport and its physical, social and economic development benefits make it an ideal tool for fostering the inclusion and well-being of persons with disabilities.

The UN Convention on the Rights of Persons with Disabilities is the first legally binding international instrument to address the rights of persons with disabilities and sport. The Convention on the Rights of Persons with Disabilities explicitly recognizes the importance of inclusion and accessibility for participation, on an equal basis with others, in sport. States parties commit to ensuring that persons with disabilities have access to sporting, recreational and tourism venues. For children with disabilities, States parties commit to ensuring that such children have access to participation in play, recreation and leisure and sporting activities in the school system, which includes access to playgrounds in the community and to adaptive physical education in schools. States parties also commit to ensuring that persons with disabilities have an opportunity to organize, develop and participate in sport with other persons with disabilities, including activities organized specifically for persons with disabilities.

In meeting those obligations, States must refrain from limiting or interfering with the access of persons with disabilities to sporting and recreational venues. States must also refrain from enforcing discriminatory practices related to cultural life, such as restricting or limiting the use of sign language. Obligations to protect include the duty of States to adopt appropriate legislative, administrative and other measures to facilitate the enjoyment of cultural, recreational, sporting and leisure rights. Examples include providing sign language interpretation for a cultural event or building sporting arenas without physical barriers. Finally, the obligation to fulfil consists of requiring States to, among other things, undertake measures to fully implement such rights. In that regard, States parties to the Convention must ensure appropriate education and training for all those involved in the organization of recreational, tourism, leisure and sporting opportunities so as to ensure non-discrimination and facilitate the full and effective participation of persons with disabilities.

Challenges

In many parts of the world, persons with disabilities are still facing challenges with regard to fully and effectively participating in the wide array of sporting and recreational activities.

* Legal and policy barriers exist that discourage participation and lead to exclusion; for example, many schools do not have policies of inclusion that would allow students with disabilities to participate in sporting and recreational activities.
* Deep-rooted discrimination, misconceptions, prejudice and negative attitudes towards persons with disabilities, including persons with psychosocial disabilities, overlook the aspirations, rights, needs and capabilities of persons with disabilities to participate in cultural, recreational and sporting activities.
* Women with disabilities often experience double discrimination on the basis of their gender and disability. It is reported that 93% of women with disabilities are not involved in sport and women comprise only one-third of athletes with disabilities in international competitions.[[2]](#footnote-2)
* Disability is often not a priority in national and local policy agendas on sport. There is a shortage of investments in building and maintaining cultural, leisure and sports venues, facilities and services that are usable for and accessible to persons with disabilities. According to UNDESA’s Flagship Report on “Disability and Development 2018: Realization of the Sustainable Development Goals By, For and With Persons with Disabilities,” among more than 14,000 sporting venues, 55 per cent were accessible.
* In many countries, little relevant information related to culture, leisure and sport has been made available in a user-friendly and accessible format for persons with disabilities. Social and communication barriers prevent many persons with disabilities, children and adults alike, from participating as actors or spectators. Service providers or programme implementers, such as many school teachers, often do not receive adequate disability-sensitive education and skills training on how to adapt sporting, cultural and recreational activities for students or trainees with disabilities.

Policy recommendations:

Policy interventions can help to make a difference in increasing the accessibility and availability of sporting opportunities for persons with disabilities:

(a) Non-discriminatory legal frameworks. Such frameworks could be enacted and robustly implemented to oblige public and private service providers to guarantee accessibility and the provision of reasonable accommodation to persons with disabilities and to provide legal recourse to persons with disabilities whose rights have been infringed, including through the denial of access to sporting activities on the grounds of disability;

(b) Disability-inclusive and disability-responsive policies on sport. Such policies could be implemented to provide opportunities for inclusion and participation, taking a twin-track approach to facilitate the active participation of persons with disabilities in mainstream and specific activities, with the necessary support. The policies should be developed in collaboration with stakeholders, including persons with disabilities, and address all aspects hindering the full participation of persons with disabilities in sport;

(c) National and local strategies and plans of action for improving accessibility and enabling effective participation by persons with disabilities. An increasing number of initiatives have been taken at all levels to increase accessibility by ensuring that new venues, programmes, facilities and services, as well as information and communications related to them, are designed and built to be accessible and apply the principles of universal design, and by progressively removing existing barriers in physical and informational structures. Some countries use policy tools, such as public procurement or financial or taxation incentives, to regulate the performance of market players in promoting accessibility in the field of sport, while some also encourage disabled persons’ organizations and other civil society organizations to be part of audit exercises concerning accessibility in order to ensure that sports facilities, venues and services are made accessible through the use of universal design principles. Data is critical to demonstrating the ways that sport could advance broader social development goals.;

(d) Partnerships among Governments and civil society, including the private sector, to educate and further raise public awareness of the rights, needs, capabilities and contributions of persons with disabilities. Some countries have been able to mobilize additional resources to increase the visibility of sporting events that include the participation of persons with disabilities. Governments must play a leading role in supporting the participation of persons with disabilities in sports, including through financial investments in the construction of adapted or accessible facilities.

1. DESA/DISD Capacity Development Efforts

The Government of Italy will support a project “Building national capacity to strengthen inclusion through sport for development and peace” (2021-2023) in the Dominican Republic, Cuba and Panama together with DESA’s Division for Inclusive Social Development (DISD). The objective of the project is to strengthen the capacity of Governments, civil society organizations and sport associations/federations, including Paralympic committees in the three selected countries to jointly elaborate plans for the full and effective inclusion of persons with disabilities, with a specific focus on autism, in society through sport. At the same time, the project aims at developing the skills of sport instructors in the field of running to train young people with autism and monitor their progress in sporting activities over time

A Toolkit on Disability for Africa has been developed by DISD that aims to (a) provide practical tools on various disability-related issues to government officials, members of parliament, civil and public servants at all levels, disabled persons organizations (DPOs) and all those with an interest in the inclusion of persons with disabilities in society and development; (b) support the implementation of the CRPD and disability-inclusive development; and (c) offer examples of good practices from countries in the African region. The toolkit is comprised of several modules focused on various topics of socio-economic development related to disability issues in Africa, e.g. accessibility; building multi-stakeholder partnerships for disability inclusion; national plans on disability and legislating for disability rights; inclusive health services for persons with disabilities; participation in political and public life; culture, beliefs, and disability; and inclusive education.

DISD is also currently working on developing a training toolkit on sport, development and peace based on existing good practices and gaps in policy development in selected countries in Africa, which will be used as a basis for capacity building and training activities for Government officials, non-governmental organizations, and national human rights institutions. DISD also intends to develop a roadmap to guide the development of DISD’s programme of technical cooperation on sport, development and peace with the aim to accelerate the implementation of the 2030 Agenda, the CRPD and other relevant mandates that guide the work of DISD regarding sport and development.

1. Full documentation available at: <https://www.un.org/development/desa/disabilities/conference-of-states-parties-to-the-convention-on-the-rights-of-persons-with-disabilities-2/cosp12.html> [↑](#footnote-ref-1)
2. https://www.un.org/development/desa/disabilities/issues/disability-and-sports.html [↑](#footnote-ref-2)