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**World Federation of the Deaf and International Committee of Sports for the Deaf**

**Submission to the Special Rapporteur in the field of cultural rights**

**on the right to participate in sports**

1. **Introduction**

1. The World Federation of the Deaf (WFD) and the International Committee of Sports for the Deaf are honoured to submit their joint input to the report of the Special Rapporteur in the field of cultural rights to be submitted to the UN General Assembly in October 2024.

1. The World Federation of the Deaf is an international non-profit and non-governmental organisation and has a membership composed of national deaf associations from 136 countries. The WFD has a consultative status with the United Nations and is a founding member of the International Disability Alliance (IDA). We promote the human rights of deaf people in accordance with the principles and objectives of the United Nations Charter, the Universal Declaration of Human Rights, the UN Convention on the Rights of Persons with Disabilities (CRPD), the 2030 Agenda for Sustainable Development, and other Human Rights Treaties. As the representative body, the WFD strives to ensure that deaf people across the world are equipped with the knowledge, tools, and strategies to advocate for, achieve, and defend their rights.

1. The International Committee of Sports for the Deaf (ICSD) is the only worldwide Deaf multi-sports representative organisation with 124 Full Members, that are national deaf sports organisations. Its purposes are to develop and promote sport training and competition in the Deaf international sporting community as well as to develop new training programs and expand existing opportunities for Deaf persons to participate in sports at international standards, and to award, supervise and assist in the coordination of the Summer and Winter Deaflympics, a.o. The ICSD is recognised by the International Olympic Committee (IOC) since 1955 as an International Federation with Olympic standing.

1. The present submission aims to provide an intersectional perspective on deaf people’s right to participate in sports, to clarify the scope of application of the right of deaf people to sporting life in their linguistic and cultural minority, to provide an in-depth understanding of the role and impact of the international and national deaf sports organisations, and to provide a good practice example of positive effect of the largest sporting event worldwide, the Deaflympics, on the cultural rights of deaf communities.

1. **Deaf people’s right to participate in sports: an intersectional perspective**

1. As a general comment, the WFD and the ICSD would like to emphasise that deaf people face a unique situation compared to other persons with disabilities due to their specific cultural and linguistic identities and the use of their own languages, their national and/or Indigenous sign languages. As highlighted in the [WFD Position Paper “Complementary or diametrically opposed: Situating Deaf Communities within ‘disability’ vs ‘cultural and linguistic minority’ constructs](https://wfdeafnew.wpenginepowered.com/wp-content/uploads/2018/07/LM-and-D-Discussion-Paper-FINAL-11-May-2018.pdf),” deaf people and their communities belong to both the disability movement and the minority cultural and linguistic movements. The adhesion of deaf people to their deaf communities is not based on their degree of hearing loss but rather on their shared experiences of living in a society that is inaccessible to them as well as the use of their common languages, their national or Indigenous sign languages. Deaf communities are interconnected to the disability movement by their right to access as citizens of a broader dominant language culture.

1. The United Nations Convention on the Rights of Persons with Disabilities (CRPD) is the first international human rights treaty to explicitly recognise the fundamental human rights of deaf people and the importance of national sign languages in their participation in society, especially in its article 30, that confers the status of deaf people and their communities as linguistic and cultural minorities. States Parties to the CRPD are required to recognise and support their specific cultural and linguistic identity, including sign languages and deaf culture (Art. 30.4). Sign languages are recognised on an equal basis with spoken languages and States Parties are required to recognise them as official languages in their countries, ensuring thereby the fulfilment of the linguistic rights of deaf people (Art. 21(e)). Specifically, in the field of sports, States Parties to the CRPD must ensure that deaf persons can both participate in mainstream sporting activities at all levels, and organise, develop, and participate in disability-specific sporting activities (Art. 30.5). The Committee on the Rights of Persons with Disabilities recommended in its Concluding Observations to some States Parties to ensure the access to sport activities for all persons with disabilities, including deaf persons, in Japan[[1]](#footnote-0), and to take measures to recognise the Deaflympics as it was concerned by the lack of organizational structure for Deaf sports in France [[2]](#footnote-1).

1. Article 27 of the International Covenant on Civil and Political Rights, and Article 4.3 the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities also recognise the rights of minorities to use their own language and, specifically for deaf people, their national/Indigenous sign languages. The Special Rapporteur on minority issues affirmed that deaf people are part of linguistic minorities[[3]](#footnote-2) and the Forum on minority issues recommended Member States to recognise sign language users as members of linguistic minorities (…)[[4]](#footnote-3)”. Despite these international provisions, Deaf communities have historically been largely excluded from the culturo-linguistic minority rights discourse due to, among other things, a predominantly disability focused view of deaf people.
2. **Right of deaf persons to sporting life in their linguistic and cultural minority**
3. Deaf people who use sign languages organise themselves into deaf communities. Deaf communities are built upon the use of a sign language and a particular culture surrounding that sign language which is the Deaf culture, as explicitly mentioned in Art. 30.4 of the CRPD. An important part of the Deaf culture is Deaf sports through which deaf people do not only participate and compete as athletes, but also they encounter their deaf peers and connect with each other through sign language. Deaf sporting activities and events constitute one of the most accessible spaces for deaf people to participate in the deaf community, to learn and use sign language, and to develop thereby their linguistic and cultural identity. The [WFD Position Paper on Access to National Sign Languages as a Health Need](https://wfdeaf.org/news/position-paper-on-access-to-national-sign-languages-as-a-health-need/) clearly states that sign languages have a critical role in ensuring deaf people’s optimal mental, physical, and social health across the lifespan. Deaf sports, as we define as sports organised, led and attended by deaf persons, contribute to the wellbeing of deaf people, to the sign language vitalisation and to the perpetuation of the deaf communities throughout generations. Deaf sports are providing a lot of benefits to deaf people, and this shall be protected, promoted, and supported by the States Parties to the CRPD.
4. Deaf people have the right to participate in Deaf sports, and at all levels, either at local, regional, national or international level, such as the Deaflympics, the second oldest international multi-sporting event in the world. However, many national sport governmental bodies do not recognise nor support financially the organisation of Deaf sporting activities, preventing deaf people from accessing sports in their cultural and linguistic minority and to enjoy their cultural right to sport.
5. Deaf people also have the right to participate in mainstream sporting activities. However, an important number of national governments and sport governmental bodies do not ensure their full participation on an equal step with others, such as the prohibition of discrimination based on their disability. Deaf people often face a refusal of reasonable accommodation such as the provision of professional sign language interpreters by the sport governing bodies and/or the lack of accessibility of communication and information in sign language.
6. Deaf people are also encouraged, in some countries worldwide, to participate in disability-specific sporting activities such as the Paralympics. While some National Deaf Sports Organisations are partnering with and/or running within the national Paralympics bodies where deaf people are leading Deaf sport activities with success, many others are forced by the national governing bodies and sport policies to integrate the national Paralympics structures to benefit from funding and/or to gain standing, sometimes causing a loss of deaf leadership and/or linguistic and cultural perspectives in the activities conducted for deaf athletes. The overarching reason, next to other potential reasons, can be found in the lack of understanding and recognition of the national governments on the linguistic and cultural minority status of deaf people, and thereby their right to conduct Deaf sporting activities in their communities.
7. Deaf people have the right to participate in sports following their cultural and linguistic preferences and no restrictions shall be imposed on them in the different ways to participating into sporting activities, being in the Deaf sports, in the mainstream sports, or in the Paralympic sports, and States Parties shall undertake the necessary measures to achieve this right. Furthermore, States Parties shall recognise the unique intersectional identities of deaf people and their right to sign language as well as to enjoy from their culture, including in the field of sports. Deaf sports organisations and activities shall be protected, promoted, and supported by the States Parties as the most important spaces and contexts of the development and perpetuation of the deaf communities and their sign languages, under application of Article 30 of the CRPD.
8. **National and international deaf sports organisations and Deaflympics**
9. The year of 2024 marks the 100th anniversary of the International Committee of Sports for the Deaf (ICSD) as it was established in August 1924 at the first Deaflympics, known as the International Silent Games at this time. The ICSD is an independent and self-regulated international sports organisation and its membership is composed of legally independent national sports organisations representing deaf athletes as well as coordinating the Deaf sports in their respective countries. The ICSD is recognised by the IOC as an International Federation with Olympic Standing and is working in close collaboration with them through a Memorandum of Understanding. The IOC and the ICSD are united in their commitment to inclusivity in sports. This partnership is built on mutual respect for each organization’s principles and a shared goal of empowering deaf athletes worldwide. The IOC supports the ICSD’s mission by providing strategic guidance and recognizing the unique contributions of the deaf sports community. Together, they are dedicated to promoting diversity and ensuring that sports remain accessible to all. As they continue to collaborate, the ICSD are committed to exploring new ways to enhance sports participation and uphold the rights of every athlete to compete and excel with mutual support of the IOC. Furthermore, the ICSD, through its Code of Ethics, strives towards the respect of ethical principles that are compatible with maintenance of the values, spirits, and ideals of the ICSD and its role in the Olympic Movement. The ICSD is the main governing body responsible for the organisation of Deaflympics and other World Deaf Championships in specific sport disciplines (i.e. karate, mountain bike, athletics, etc).
10. The ICSD has, as of today, 124 Full Members, that are the National Deaf Sports Organisations recognised by their local National Olympic Committee and officially registered in the governmental bodies of their country. The National Deaf Sports Organisations are actively promoting the participation of deaf people, from early age, to sporting activities, and at different levels (local, regional, national, and international). Some of them benefit from legal recognition and/or financial support schemes from their National governments, benefitting deaf athletes in their sporting activities, and for some of them in their sporting careers on an equal step with other non-deaf professional athletes. Others are working on a voluntary basis and without recognition from their national government, impacting the opportunities of deaf people in their country to participate in sporting activities. The lack of recognition of the importance of the National Deaf Sports Organisations in the development of the deaf athletes’ linguistic and cultural identities forms a huge barrier in the achievement of the cultural rights of deaf people in sports.
11. The Deaflympics is the only quadrennial multi-sport events, under the patronage of the International Olympic Committee, at which deaf athletes compete at an elite level. It started 100 years ago in Paris gathering 148 deaf athletes from nine (9) European nations and in 2017, its 23rd Summer edition gathered 2,859 athletes from 86 countries in Türkiye. The Deaflympics, both Winter and Summer editions, are a good practice example of large sporting event that impacts positively on the cultural rights of deaf people and their linguistic and cultural minorities as they gather deaf people from all over the world, provide an unique space of interactions in multiple sign languages and intercultural exchanges. In the past, the ICSD joined in 1986 the International Paralympic Commitee formerly known as International Coordinating Committee to work on organisational structure yet retaining its autonomy such as hosting their Games[[5]](#footnote-4). However, in recognition of the unique language rights of deaf athletes, the prohibitive costs of sign language interpretation to ensure full accessibility of the event, the inability to accommodate the growing number of deaf athletes in all sport disciplines, among other reasons, the ICSD decided to withdraw its membership. The ICSD continued to benefit from the IOC recognition and support, including the granted name of “Deaflympics” by the IOC in 2001. However the status of the Deaflympcs does not enjoy the same standing as the Paralympics, impacting seriously on the opportunities for deaf athletes to be recognised in the society at large in the diversity they provide from the linguistic and cultural perspective. The Deaflympics are distinguished from all other IOC sanctioned Games by the fact that they are led by members of the community they serve.
12. **Conclusion**

To conclude, deaf people are both disability rights holders and minority rights holders under the scope of the relevant international human rights instruments, and this shall be implemented through their cultural rights, such as the right to participate in sports, especially in Deaf sports, through the recognition and use of their language, the national/Indigenous sign languages. As members of a linguistic and cultural minority, their right to participate in sports, especially in Deaf sports, must be fully recognised and facilitated by the national governments, the national sports governing organisations, and the society.

1. CRPD Committee, CRPD/C/JPN/CO/1, par. 63. [↑](#footnote-ref-0)
2. CRPD Committee, CRPD/C/FRA/CO/1, par. 60. [↑](#footnote-ref-1)
3. Special Rapporteur on Minority Issues, Report A/75/211 Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, par. 49; and Report A/HRC/43/47 Education, language and the human rights of minorities, par. 54. [↑](#footnote-ref-2)
4. Recommendations of the Forum on Minority Issues at its twelfth session on the theme “Education, language and the human rights of minorities”, A/HRC/43/62, par. 11. [↑](#footnote-ref-3)
5. CISS in Review book, 2001, pp. 55-57. [↑](#footnote-ref-4)