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**UNESCO Chair, Institute of Technology Tralee submission to Department of Children, Equality, Disability, Integration and Youth Statement of Strategy 2021 – 2023**

This contribution was prepared by the UNESCO Chair “Transforming the lives of People with Disabilities their Families and Communities Through Physical Education, Sport Recreation and Fitness”. The UNESCO Chair was established by UNESCO in 2013 in the Institute of Technology Tralee, soon to be Munster Technological University (Jan 2021). The UNESCO Chair Research Centre works across policy and practice to deliver change in inclusive Sport, Play, Physical Activity, Physical Education, Fitness and Recreation. The UNESCO Chair is charged with supporting UNESCO, the lead UN agency with responsibility for education and sport, in advancing their agenda. In 2017, the UNESCO Chair was designated responsibility to lead a global response to the inclusive policy actions of the global policy instruments, the Kazan Action Plan. This has extended the Chair’s remit beyond disability inclusion to include all areas of marginalisation and exclusion.

**Context**

UNESCO recognise that children including those living with disability and other marginalised populations experience considerable inequality when it comes to accessing sport. The establishment of the Chair in Tralee represented UNESCO’s intent to accelerate action to address this inequity. Active play, physical activity, sport and recreation are important part of children’s lives, creating important opportunities for formative growth. Physical activity and sport are important for health and social integration through the life course and marginalised groups consistently report barriers in access to sport and physical activity. In Ireland the Children’s Sport Participation and Physical Activity Study 2018 found only 13% of children are meeting the guidelines for physical activity. Reflecting global trends, this is likely to be considerably lower among minority populations including refugees, and those living with disability. Citied as of serious policy concern in the study was the gradient in active participation and sports club membership found to exist by disability status which increased substantially in the post primary school years. Considerably more disaggregated data is needed to determine the extend of inequality and related barriers and facilitators across the population. Work being done by the UNESCO Chair in line with both human rights and SDG reporting will hopefully lead to more comprehensive data as called for in both CRPD and the SDGs.

**Sport, human rights, development and minority inclusion: the international perspective**

The Declaration of the 2030 Agenda for Sustainable Development states that “sport is also an important enabler of sustainable development” and recognizes the contribution of sport to the realization of development and peace, the empowerment of women and of young people, individuals and communities, to health, education and social inclusion objectives. As an overarching driving and unifying instrument, the 2030 Agenda, has provided a focal point for the sport sector globally to unify and advance its alignment with sustainable development and human rights.

In July 2017 the sixth International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport (MINEPS VI) adopted the [Kazan Action Plan](https://en.unesco.org/mineps6/kazan-action-plan) (KAP) "to facilitate international and multi‐stakeholder policy convergence, ease international cooperation and foster capacity‐building efforts of governmental authorities and sports". KAP is a coherent mechanism for policy development, implementation and monitoring aligned with universal human rights and the SDGs within and beyond the UN system.

A number of other international policies are linked with this human rights agenda in and through sport. The 71st World Health Assembly in May 2018 endorsed the [WHO Global Action Plan on Physical Activity 2018-2030](https://www.who.int/ncds/prevention/physical-activity/global-action-plan-2018-2030/en/). The United Nations General Assembly, at its 73rd session in 2018, adopted the resolution **“**[Sport as an enabler of sustainable development](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/73/24)**”.** The resolution confirms the growing convergence around KAP in the alignment of work on sport across the United Nations system, and the recognition by Member States of its potential as a pivot point for policy coordination. It further acknowledges the significance and complementarity of the Global Action Plan on Physical Activity.

Currently there are gaps in understanding between the sport sector and human rights. Neither rights holders or duty bearers are clear on how human rights in and through sport hold relevance to them. The concept of sport as a human right itself, and as a driver for implementation of other rights, needs to be socialized at all levels from relevant government departments, regional governments agencies, National Human Right Institutes, to Sports bodies (national and international), academia, civil society organizations, minority populations groups, national statistics offices, SDG reporting teams, human rights reporting teams. The UNESCO Chair is actively engaging at international, European and national levels on this agenda. We would welcome collaboration with the Department on this agenda.

**Recommendations for Department of Children, Equality, Disability, Integration and Youth’s Statement of Strategy**

In the context of this international policy background, the UNESCO Chair recommends the Department of Children, Equality, Disability, Integration and Youth, consider the following in developing the new Statement of Strategy:

**Power of sport:** As noted above, paragraph 37 of Agenda 2030 recognises sport as “an important enabler of sustainable development” while also recognising its contribution to the promotion of tolerance, empowerment of women, young people, individuals and communities, and of health, education and social inclusion. The World Health Organisation has conducted a mapping exercise and has linked physical activity to 13 of the Sustainable Development Goals. Agenda 2030 takes a rights-based approach to development that overlaps significantly with international human rights treaties. The Convention on the Rights of Persons with Disabilities (CRPD), the Convention on the Elimination of all forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), all contain articles which recognize sport as a human right. They also contain many other which contribute towards to full realisation of the right to sport or which sport can contribute to. Sport has been shown to be key intervention in several aspects of social policy including health, integration, education and employment. Due to its popular appeal, sport is also a powerful vehicle for spreading messages on topics related to equality, human rights and non-discrimination. Often described as a “universal language” sport can be a unifying force and has been shown to be an effective tool for intercultural exchange and improving relations between groups. Therefore, we encourage the Department to consider the potential for sport-based interventions in their work. We further encourage close cooperation between the Department and the Department of Media, Tourism, Arts, Culture, Sport and the Gaeltacht and Sport Ireland on the implementation of the National Sports Policy 2018 – 2027 in relation to actions which are already highlighted in the plan as being of relevance to the Department of Children and Youth Affairs, and to consider which other actions the Department could further contribute to in light of its newly expanded remit. The UNESCO Chair is working with the Central Statistics office and the Department of Community and Climate Action to advance work in Ireland on SDGs Human Rights and Sport. We would welcome involvement of the Departmentof Children, Equality, Disability, Integration and Youth in this process.

**Human rights-based approach:** A human rights-based approach is one which has international human rights standards as its normative basis and is directed towards promoting and protecting human rights. It is focused on the rights and dignity of the person and views service provision not as a charity to be bestowed but as a fulfilment of human rights commitments. The principles of non-discrimination, equality and empowerment are central to a rights-based approach. As the Irish government department with primary responsibility for the implementation and monitoring of both the Convention on the Rights of the Child and the Convention of Rights of Persons with Disabilities, the Statement of Strategy should ensure it takes a right-based approach to all aspects of work and commits to upholding all of Ireland’s UN and European human rights obligations throughout its work and interactions with people from all groups of people for which it has responsibility. The acknowledgement in the Department of Children and Youth Affairs’ Statement of Strategy 2016-2019 of the positive duty imposed on it by section 42 of the Irish Human Rights and Equality Commission Act 2014 to have regard to human rights and equality in the performance of its functions should be reiterated and firmly committed to.

**“Nothing about us without us”:** Closely linked to the rights-based approach is the notion of recognizing the agency and voices of minority or vulnerable groups rather than viewing them as passive recipients of services. “Nothing about us without us”, is a phrase commonly used among organizations for people with disabilities to highlight that policies which will affect people with disabilities should not be developed without the full and direct participation of people with disabilities. This is applicable beyond policies relating to persons with disabilities, to all policies affecting any group who will be impacted by them and is of particular relevance to women, children and minority groups who have been historically excluded from decision making processes and have had, or indeed continue to have, limited avenues for engagement with policy development. One of the four principles of the Convention on the Right of the Child, articulated in article 12.1, recognizes the right of children to have their views on matters which concern them respected and taken into account. Strategic Objective 4 of the previous Statement of Strategy that “evidence-based policy is promoted and supported, and children and young people participate in decisions that affect their lives” should be maintained and expanded to cover the participation of all groups brought under the expanded responsibilities of the Department.

**Intersectionality:** The Department has responsibilities for equality and integration relating to a broad spectrum of people who face discrimination in many areas of life and difficulty in accessing their rights including children, youth, women, people with disabilities, members of the LGBTI+ community, migrants, asylum seekers and members of minorities, including Travellers and Roma. However, people are more than a single identity and many people will fall into two or more of the above-mentioned groups. People experience exclusion and discrimination differently and there is not a one size fits all solutions to inclusion. Therefore, we recommend that the Department commits to taking an intersectional approach which considers the way that people's social identities can overlap and create compounding experiences of discrimination to its work in the new Statement of Strategy. This includes having an analysis of gender norms, different forms of discrimination and power imbalances as a core component of policy development and implementation.

**Data collection:** The collection and use of robust, high quality data is essential for makingevidenced-based decisions with regards to policy development, implementation, funding, and monitoring and evaluation. Decisions with regards to what data is collected, how data is disaggregated and who is represented in disaggregation can have important knock-effects on how different groups are considered in policy. As the UN High Commissioner for Human Rights, Navi Pillay noted in 2013 “*Only robust and accurate statistics can establish the vital benchmarks and baselines that translate our human rights commitments into targeted policies, and only they can measure how effective those policies truly are*”. The Office of the United Nations High Commissioner for Human Rights (UN OHCHR) have developed a useful guidance on [a human-rights based approach to data](https://www.ohchr.org/Documents/Issues/HRIndicators/GuidanceNoteonApproachtoData.pdf), which we encourage the Department to consider. There are also a number of ongoing international efforts to improve guidance for the collection of quality, internationally comparable data, which we recommend the Department consider engaging with and incorporating developed indicator into their workplans and monitoring and evaluation systems. Under the Kazan Action Plan, indicators on the contribution of sport to the Sustainable Development Goals have been developed, piloted and are being refined. The UNESCO Chair is centrally involved in this process. These intersect with a number of policy areas of relevance to the Department. The UN OHCHR and the EU have developed [draft indicators for monitoring implementation of the Convention on the Rights of Persons with Disabilities](https://www.ohchr.org/EN/Issues/Disability/Pages/EUAndOHCHRProjectBridgingGapI.aspx) which could provide important guidance for the Department with regards to its remit on CRPD. Our specific sports related human rights indicators that align with the SDG reporting indicators are linked below.

**Safeguarding:** Marginalized populations are more vulnerable to abuse and exploitation, in sport as in other areas of society. Safeguarding training and measures in children’s sport are overseen by Sport Ireland and robust measures and tools are in place in the case of Children’ sport in line with legislation. In the case of vulnerable adults and sport the situation is not so clear and may be an area that requires considerable attention. Internationally there is concern around the central role of victims and whistleblowers in processes around seeking justice. The Centre for Sport and Human Rights fear that this may result in significant underreporting, lags in reporting, retraumatizing victims and or make the process of reporting dependent on the resilience and resources of the victim. It is felt that intermediary bodies could or should be established at arm’s length to sports bodies and victims to facilitate better processes designed to protect victims from further trauma. This should be examined as part of policy review.

**The Department of Children, Equality, Disability, Integration and Youth and the UNESCO Chair**

In light of the shared priorities common policy interests of the Department and the UNESCO Chair, we hope to work together to implement inclusive and empowering policies in Ireland for children, youth, women, people with disabilities, members of the LGBTI+ community, migrants, asylum seekers and members of minorities, including Travellers and Roma. In particular, we see significant potential for engagement on the below agendas:

**Human Rights in and through Sport: Empowering Rights Holders & Mobilising Public Sector Equality and Human Rights Duty.** Together with the Federation of Irish Sport, Sport Against Racism Ireland, the Gaelic Athletic Association, the Central Statistics Office and Sport Ireland, the UNESCO Chair has recently been awarded a Human Rights and Equality Grant by the Irish Human Rights and Equality Commission. This project aims to support and build the capacity of rights-holders to advance their access to rights in and through sport, in particular groups facing barriers to participation in sport including women, people with disabilities, members of the Traveller community, migrants, minority ethnic groups, members of the LGBTQI+ community, and people who are socially disadvantaged. It aims to increase understanding among duty bearers - state actors, the sports sector and grassroots sporting organisation - of sport as a human rights and a tool for human rights promotion and implementation in the context of the Public Sector Equality and Human Rights Duty. It also seeks to facilitate conditions for better engagement between all actors on human rights, sport reporting and policy development This will include a series of workshops with rights holders and a high level interdepartmental expert meeting. We hope that the Department will actively engage with us on this project.

**UN Human Rights Reporting.** As part of the follow‐up to Kazan Action Plan, the UNESCO Chair is leading a sectoral partnership aiming to advance mechanisms for reporting and follow‐up on human rights and sport. This work aligns with SDG reporting indicators relating to sport. The UNESCO Chair has analysed reporting by states on sport to Committees and Committees’ inclusion of sports in Lists of Issues and Concluding Observations. To date CEDAW, CRPD and CRC have been analysed. Overall, State Parties report on sport, but this process is neither systematic nor exhaustive. Some countries report on relevant topics around sport, but they do not provide evidence or data to measure the impact of their legal framework. We wish to increase the level and quality of State and civil society reporting on human rights and sport, and the extent to which the Committees issue recommendations to States in this domain as we believe this will ultimately lead to more robust policies and implementation. Reporting templates and advocacy tools have been developed to help the sports sector navigate the complexities of UN human rights systems, engage with the Treaty Bodies and the Universal Periodic Review, as well as to highlight to states and national human rights institutions how they can increase reporting on sport. To date, the UNESCO Chair has held meetings with committees of the most salient treaties regarding sport seeking their support on advancing this agenda, they include CEDAW, CRPD and CRC as well as a briefing during Universal Periodic Review 35 (UPR35). A future meeting with the Committee on Economic, Social and Cultural Rights is envisaged. As the Department lead for two of our four target treaties, the UNESCO Chair would welcome opportunities to engage with the Department of Children, Equality, Disability, Integration and Youth on this agenda. Our draft tools can be found [here](http://www.sportandhumanrights.unescoittralee.com/).

**Resources:** The UNESCO Chair has a number of resources which may be of interest.

» Under the Democratic and Inclusive School Culture in Operation (DISCO), European Union /Council of Europe Joint Programme for international co-operation projects 2020/2021 [the Rights Understanding in Sport Toolkit (TRUST)](https://pjp-eu.coe.int/en/web/charter-edc-hre-pilot-projects/the-rights-understanding-in-sport-toolkit-trust) is under development. It will produce a programme for sports practitioners in educational institutions and the wider community on providing human rights education and raise awareness of the potential role sport can play in human rights promotion. Resources include online training, multimedia and advocacy materials as well as a knowledge hub on human rights and sport.

» [iPEPAS](https://ipepas.com/) is a blended learning, training and education resource which inclusivizes physical education, physical activity and sport training and education, increasing the capacity of practitioners to operate inclusively.

» [Plan2Inclusivize](https://sustainabledevelopment.un.org/partnership/?p=30837) is an active and participatory approach has been developed to promote social inclusion of children with disabilities through inclusive sports and play. It has been successfully piloted in development and humanitarian settings in collaboration with Plan International.

» [Universal Fitness Innovation & Transformation](https://justdoufit.com/) (UFIT) is a social movement led by the UNESCO Chair building capacity in the fitness industry to mainstream diversity through local partnerships in a lifelong, life-wide manner for greater wellbeing of all. There are currently over 100 fitness clubs involved with UFIT across USA, Ireland, UK, Portugal, Spain and Peru.

» Ireland: Sport SDGs and Human Rights. We are currently finalising documentation and will submit to the Department on Completion.

We would like to thank the Department for the opportunity to make a submission to the statement of strategy 2021-2023. We would welcome dialogue with the department on any and all of the ideas and initiatives referred or related to in this document.

Kind Regards, Kind Regards,

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