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DESIRABILITY OF THE REVISION OF THE UNESCO INTERNATIONAL CHARTER OF PHYSICAL EDUCATION AND SPORT

SUMMARY

Pursuant to 37 C/Resolution 38, the Director General submits to the Executive Board a report on the desirability of revising the UNESCO International Charter of Physical Education and Sport together with the operational implications of such revision.

Financial and administrative implications: see paragraphs 14 and 15.

Action expected of the Executive Board: decision proposed in paragraph 16.

I. Introduction

1. By 37 C/Resolution 38, the General Conference “request[ed] the Director-General to submit to the Executive Board, at its 194th session, a report on the desirability of a revised [International] Charter [of Physical Education and Sport] that should also ideally present a picture of the operational implications of such revision and delegate[ed] to the Executive Board the authority to determine if a revised Charter is desirable”. By the aforementioned resolution, the General Conference “further request[ed] the Director-General, assisted by CIGEPS and in consultation with Member States and subject to availability of extrabudgetary funds, to prepare a draft text of a revised Charter to be submitted to the Executive Board at its 196th session, with a view [to] its examination and adoption by the General Conference at its 38th session, provided that the Executive Board has determined, at its 194th session, that a revised Charter is desirable.”

2. The International Charter of Physical Education and Sport was adopted by the 20th session of the General Conference in 1978 within the objective of “improvement of educational content, methods and techniques” and with due regard to the promotion of physical education and sport as an integral part of lifelong education. The Charter guarantees the right of access to sport and physical education and contains a number of guiding principles for the establishment and development of physical education and sport programmes including reference to teachers, coaches and administration as well as adequate facilities and equipment. The Charter was amended by the General Conference at its 26th session in 1991 by the inclusion of an additional Article designed to avert the dangers and harmful influences which are a threat to sport.

3. Participants in the 5th International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport (MINEPS V) held in Berlin, Germany, from 28 to 30 May 2013, in the Declaration of Berlin, paragraph 19 (cf. document 36 C/INF.14), invited the Director-General to consider a revision of the Charter to reflect their findings and recommendations. The General Conference at its 37th session addressed this matter during the discussion on the follow-up to MINEPS V (cf. document 37 C/INF.16) and adopted the aforementioned resolution (37 C/Resolution 38).

II. Preliminary study on the desirability to revise the Charter

4. The present report by the Director-General draws upon a study undertaken by the International Council of Sport Sciences and Physical Education (ICSSPE) for UNESCO. The Charter, together with the Olympic Charter (continuously revised; latest version 2013), and regional sports charters, such as the European Sport Charter (1992, revised in 2001), has acted as the main reference point for national and international sport development. Its articles and many of their details remain valid today at the level of general principles, and the themes that were identified in 1978 continue to shape national and international declarations in sport.

II.1 Central assertions and themes of the Charter

5. The central assertion of the Charter is that participation in physical education and sport is a human right, regardless of age or physical attributes, and a demand that the onus of responsibility lies on public authorities and non-governmental bodies to ensure that this happens. This assertion was without precedent, and its inclusion in the Charter altered the scope and ambition of subsequent international sport policy.

6. A number of themes were highlighted in the Charter which continuously guided later policy declarations and statements including:

- physical education and sport take different forms in different contexts, and this is a virtue that should be encouraged;
- physical education and sport can develop a wide range of benefits to society as a whole;

- certain conditions are necessary for the implementation of the right to physical education and sport, including adequate facilities, equipment, suitably trained and qualified personnel; and
- international cooperation between different types of agencies is necessary for universal and well-balanced promotion of physical education and sport to be effective.

The Charter also introduced some prescient topics whose later emergence could not have been fully forecast, such as:

- the protection of ethical values in sport;
- information dissemination and research;
- the role of the media in sport.

II.2 Evolution of the policy context

7. The five editions of UNESCO's International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport (MINEPS) demonstrate clearly the ways in which the initial themes of the Charter have evolved over time. Recurring developments since 1978 concern the issue of inclusion, especially of girls and women, as well as persons with a disability; the place of physical education in education systems; access to traditional sports and games; sport as a vehicle for international cooperation and peace; sports governance; safeguarding the ethical values of sport and fostering its integrity to protect sport from manipulation, corruption, drugs and crime.

8. Parallel to the decisions adopted by delegates of MINEPS, the Charter contributed to numerous national and international meetings and statements with specific foci, such as on gender (e.g. the Brighton Declaration on Women and Sport, 1994; the Windhoek Call For Action, 1998) and on disability (e.g. the Shafallah Declaration, 2008). Moreover, the Charter was strongly supported by several decisions of the United Nations. This became most apparent, with the support given by the United Nations to youth sport development in the framework of the United Nations' Millennium Development Goals (2003), and through the International Year of Sport and Physical Education 2005. In both cases, the United Nations placed particular emphasis on the developmental and socio-economical values of sport and physical education.

9. Physical education and sport have been recurring themes in several United Nations conventions, such as in the

- Convention on the Elimination of All Forms of Discrimination against Women (1979) which affirmed, on the basis of equality of men and women, "the same opportunities to participate actively in sports and physical education" (Article 10); and women's right to participate in "recreational activities, sports and all aspects of cultural life." (Article 13);
- Convention on the Rights of the Child (1989), in which governments "recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child" (Article 31);
- Declaration of the World Conference against Racial Discrimination, Xenophobia, and Related Intolerance (2001) which called upon governments to promote measures to deter the emergence of and to counter the influence of violent ideologies, "especially on young people through formal and non-formal education ... and sport" (Article 86); and urged governments, "in cooperation with intergovernmental organizations, the International Olympic Committee and international and regional sports federations, to intensify the fight against racism in sport by, among other things, educating the youth of the world through

sport practised without discrimination of any kind and in the Olympic spirit, which requires human understanding, tolerance, fair play and solidarity” (Article 218) ;

- International Convention against Doping in Sport (2005) in which governments agreed to commit themselves to the principles of the World Anti-Doping Code;
- Convention of Rights of Persons with Disabilities (2008) which expressed the right to participate in cultural life, recreation, leisure and sport on an equal basis with others.

II.3 Proposals for the Revision of the Charter

10. A linguistic revision of the Charter is desirable, in order to align it with latest consensual language contained in relevant standard-setting texts, notably with respect to gender-inclusive language. Furthermore, due account has to be taken of the current discussion among experts regarding the most appropriate terms to describe what in the Charter is called “physical education and sport”. In particular, the term “sport” has different meanings in different national contexts and there is a danger that certain activities, including traditional games, dance, and health-related physical activities might be overlooked or marginalized. The inclusion of the term “physical activity” as a general label in the title and throughout the Charter deserves serious consideration. More generally, a revision of the Charter should include, as much as possible, concrete and measurable recommendations.

11. As for the thematic revision, the social benefits of quality physical education and sport need to become more explicit throughout the Charter, including the contribution to intellectual and academic performance and to school life, and the capacity of physical education and sport to foster social inclusion (Articles 2 and 3). The proper training of personnel through certified programmes and the important role of volunteers in sports has to be accentuated (Article 4). Greater emphasis needs to be placed on the importance of safety in the selection and provision of facilities and equipment, especially for children, women and girls and other vulnerable groups (Article 5). With regards to the protection of the ethical and moral values (Article 7), there are widely cited recent reference documents that might appropriately be included in this Article, such as the European Sports Charter and other values resources in sport which UNESCO is developing in cooperation with sport stakeholders. It also might be worth considering dividing the Article into one for governance and one for fair competition. Concerning the mass media (Article 9), the rise of social media and other new forms of information and communication technology needs to be acknowledged. As for national institutions (Article 10), the positive relationships between clubs, schools, parents, and local communities ought to be underlined together with the fact that a full range of stakeholders takes part in decision-making, including the commercial sector and athletes themselves. With regards to international cooperation (Article 11), due account has to be given to the emergence of grassroots organizations and to the increasingly influential role of private companies. This might also be the most appropriate section to include reference to sustainability, which is currently absent from the Charter. Finally, there is a need to include in the Charter guiding principles for international sport events and their legacy.

III. Procedure for the revision of the Charter

12. The revision has to be carried out within the framework of the rules of procedure set forth in the “Multi-stage procedure for the elaboration, examination, adoption and follow-up of declarations, charters and similar standard-setting instruments adopted by the General Conference and not covered by the Rules of Procedure concerning recommendations to Member States and international conventions covered by the terms of Article IV, paragraph 4, of the Constitution”, adopted by the General Conference at its 33rd session (2005). As such, it must be done through an inclusive process of consultations of governmental and non-governmental stakeholders. This process is greatly facilitated by the Declaration of Berlin of MINEPS V which contains many of the provisions that may be taken into account.

13. The following stages of the revision are proposed:

- (i) May to August 2014: Consultations with experts recommended by eighteen CIGEPS Member States and twenty-five members of its Permanent Consultative Council for (i) determining the proposed scope of the revision (themes and issues, references to other normative texts, level of detail, structure, language), and (ii) elaborating an annotated text of the Charter including recommendations and proposals for the revision;
- (ii) September 2014: Category VI meeting of experts appointed by the Director-General and serving in their personal capacity, to draw up a preliminary draft revised Charter and to recommend it to the Director-General;
- (iii) September-October 2014: Preparation of a draft revised Charter by the Director-General;
- (iv) October 2014 to January 2015: Consultation by the Director-General with UNESCO Member States on a draft revised Charter with a deadline of three months for written comments;
- (v) January 2015: Extraordinary session of CIGEPS to incorporate written comments submitted by UNESCO Member States and propose a draft revised Charter to the Director-General;
- (vi) March to April 2015: Report on the progress of the revision of the Charter and a final draft revised Charter is submitted by the Director-General to the Executive Board at its 196th session;
- (vii) April 2015: Decision by the Executive Board at its 196th session and recommendation on the draft revised Charter to the 38th session of the General Conference;
- (viii) November 2015: Submission for adoption of the draft revised Charter to the 38th session of the General Conference.

IV. Financial and administrative implications

14. 37 C/Resolution 38 requires that the revision of the Charter be subject to the availability of extrabudgetary funding. The procedure for the revision, as outlined in paragraph 13 above, is proposed as the most cost-effective option for a revision of the Charter within the 2014-2015 timeframe. Should there be a very timely, formal agreement by a donor to finance a Category II meeting (i.e., an intergovernmental meeting), such a meeting could replace the proposed written consultation with Member States and the proposed extraordinary session of CIGEPS (cf. paragraph 13 (iv) and (v) above). Otherwise, the following components of the revision process will have to be financed:

- (i) Expert consultations in the UNESCO working languages on the English version of the Charter. Only informal translations needed.
- (ii) Category VI meeting of experts of up to three days in two working languages (travel and per diems of 20 participants, simultaneous interpretation).
- (iii) Translation, reproduction and dispatching of a draft revised Charter in six languages and circular letter of the Director-General.
- (iv) Extraordinary session of CIGEPS to incorporate written comments submitted by UNESCO Member States and propose a draft revised Charter (translation of documents, and simultaneous interpretation).

- (v) Report by the Director-General to the Executive Board on the progress of the revision.
- (vi) Consultancy for coordinating expert consultations, Category VI expert meeting and contributions to a draft revised Charter by Member States (May 2014 to October 2015).
- (vii) Temporary administrative assistance, accumulated three months.

15. The cost of implementing the above components is estimated between \$100,000 and \$120,000, depending on the scope of the revision, the complexity of amendments requested by Member States, as well as the related consultations and conceptual and substantive work. Member States and UNESCO partners will be invited to make financial contributions by means of appropriations to the Regular Programme, contributions to the International Fund for Physical Education and Sport or in-kind contributions, such as organization of the Category VI meeting of experts and secondment of staff.

V. Proposed draft decision

16. In the light of the above, the Executive Board may wish to adopt a draft decision along the following lines:

The Executive Board,

1. Recalling 37 C/Resolution 38,
2. Having examined document 194 EX/9,
3. Decides that it is desirable to revise the UNESCO International Charter of Physical Education and Sport, adopted by the 20th session of the General Conference in 1978 and amended by the 26th session of the General Conference in 1991;
4. Requests the Director-General, subject to the availability of extrabudgetary funding,
 - (i) to carry out expert consultations on the revision of the Charter;
 - (ii) to convene one Category VI meeting of experts to draw up a preliminary draft revised Charter;
 - (iii) to consult Member States in writing on a draft revised Charter;
 - (iv) to convene an extraordinary session of the Intergovernmental Committee for Physical Education and Sport (CIGEPS) to make a recommendation to the Director-General on a draft revised Charter, incorporating written comments submitted by Member States;
5. Further requests the Director-General, subject to the completion of the procedures mentioned in paragraph 4 above, to submit to it at its 196th session a report on the progress of the revision of the Charter together with a final draft revised Charter.