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**Follow-up and implementation of the Vienna Declaration
and Programme of Action**

Information presented by the New Zealand Human Rights Commission*

Note by the Secretariat

The Secretariat of the Human Rights Council hereby transmits the communication submitted by the New Zealand Human Rights Commission,** reproduced below in accordance with rule 7(b) of the rules of procedures described in the annex to Council resolution 5/1, according to which participation of national human rights institutions is to be based on arrangements and practices agreed upon by the Commission on Human Rights, including resolution 2005/74 of 20 April 2005.

* National human rights institution with “A”-status accreditation from the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights.

** Reproduced in the annex as received, in the language of submission only.

Annex

[English only]

Written statement submitted by the New Zealand Human Rights Commission

20th Session of the Human Rights Council (18 June - 06 July 2012)

Comment on the Summary of the high-level interactive panel discussion of the Human Rights Council to highlight, examine, and suggest ways in which sport and major sporting events, in particular the Olympics and the Paralympic Games can be used to promote awareness and understanding of the Universal Declaration of Human Rights and the application of the principles enshrined therein.

The purpose of this submission is to add to the points made in the Summary. It is undoubtedly true that sport and human rights have the same values. One of the greatest examples to the world of this reality is the development of Special Olympics since 1968 into a global movement of 4 million athletes competing in over 50,000 events a year. It is also important to note that this was necessary because sport excluded people with intellectual disability from meaningful competition. The London Paralympics will be the first since Sydney in 2000 to allow elite athletes with intellectual disability to compete.

Games like the Olympics Games, FIFA World Cup, the Paralympic Games and the Special Olympics World Games do offer the opportunities to draw attention to the power of sport as a tool of peace and development.

However, the bigger development impact of sport is found in Eleanor Roosevelt's "small places" on the playing fields of schools and near homes. For example, while Special Olympics runs two Special Olympics World Games over a four year period it runs 200,000 events in some 170 countries, over the same period, the vast majority of which are at grassroots level. The Special Olympics sports model is well suited for developing countries and marginalised populations not otherwise served by sport. A good example of this is the success of the PYKKA model introduced by the Indian Government to promote sport in the rural villages of India.

The ability of any sports organisation to have an impact at grassroots level depends on the strength the community level network in that sport. In the Western world National Sports Organisations and International Sports Organisations grew from the grassroots up from local clubs and regional organisations. In much of the developing world this infrastructure does not exist or is very narrow and shallow in its reach. For example, in India Coca Cola organised a schools' football league for 3,000 schools because none existed and, while that was exemplary, there are over one million schools. The challenge is well understood by the Indian Government, as exemplified by its PYKKA program, and the partnerships developed with the Australian and UK Governments. In countries like Timor Leste officials concerned about community level sport development know the Western model is unaffordable. Even in developed nations, such as New Zealand, research is showing that significant numbers of children suffering the greatest economic deprivation cannot afford to play sport. Free to play sport models are particularly important in meeting the development needs of the most vulnerable groups.

Professional leagues, clubs and players, particularly the richer, professional football leagues like the Premier League in the United Kingdom, offer regular opportunities to amplify the human rights messages sport can deliver. The Premier League investment of over £100 million every year, which is more than match funded by the UK Government in its Creating

Chances project, is just one example of the significant effort made by professional football leagues and clubs all year, every year, around the world, to invest in development work largely designed to end social exclusion.

FIFA plays and should continue to play a significant role in sport for development. Not only is this through events like the FIFA men's and women's World Cups but also through sport for development activities. Football earns 76% of world sports commercial revenue. FIFA is to be commended for the investment it makes in using football and other sports for development. FIFA is the only international sports federation that has an \$800 million development fund and a related four year strategy to invest it in sport for development. It, and its Confederations and National Associations backed by this sort of investment, are powerful partners for the realisation of human rights in the world.

The other side of the reality of the power of football in commercial sport is that many sports will struggle to provide the resources needed to assist sport for development activities. US Professional Sport takes most of the rest of the commercial revenue of sport. Sports like rugby only account for 3% of world sport commercial revenue. There therefore needs to be significant private and public sector investment in community sport in order for sport for development to work. Olympic and Special Olympics sponsors like Procter & Gamble and Coca Cola are leading the way. The partnership between the Premier League and the UK Government in Creating Chances is an example of using sport for inclusion. The investment of S\$5 million in community sport in Singapore by Coca Cola is another. The support of sport, including disability sports, by Tata in India is another example.

There is one particular area where the HRC and the OHCHR should further research the power of sport which is in the area of the realisation of the right to the highest attainable level of health. Special Olympics' conducts public health screenings as part of its Healthy Athlete program. Over 1.2 million athlete health screenings have been conducted and more than 100,000 medical professionals have been trained to conduct such screenings. As a result, there is a global database, the largest in the world, with proof of the neglect of the basic primary health needs of people with intellectual disability, services delivered and follow up referrals made. Looking at a select group of screening data from the Asia Pacific Region for the period of 2007-2011, it is clear where some of the most significant problems lie:

- 37.7% had obvious untreated tooth decay
- 43.0% had obvious gingival infection
- 45.9% had preventable/treatable skin/nail conditions of feet or ankles
- 46.1% had never had an eye exam
- 32.1% failed pure tone hearing screening
- 15.9% had low bone density
- 41.4% of adults were either overweight or obese

Many UN Treaty bodies and NHRI's are aware that States are not collecting the sort of data on people with disability that is needed to properly monitor compliance with the CRPD. They could make good use of the Special Olympics data for a significant population of people with disability, especially in the absence of other large and valid data sets. Special Olympics is holding its World Winter World Games in Korea next January and this will provide the OHCHR and member states of the HRC an opportunity to see this human rights in health work first hand. There is also an international policy summit for sport for the development of people with intellectual disability planned to take place at the same time.

Finally, we would note the concluding observations of the Committee on Economic, Social and Cultural Rights in its Forty-eighth Session from 30 April-18 May 2012 on

Consideration of Reports submitted by New Zealand under articles 16 and 17 of the Covenant.

“The Committee is concerned that persons with disabilities continue to be disadvantaged in the enjoyment of economic, social and cultural rights, in spite of the numerous measures taken by the State party. The Committee expresses concern in particular at the insufficiency of measures in place, legislative or otherwise, to promote the employment of persons with disabilities and at the difficulties faced by persons with intellectual disabilities in accessing some health services. (art. 2(2))

The Committee calls upon the State party to (a) introduce incentives and other special measures to promote the employment of persons with disabilities; (b) explicitly regard denial of reasonable accommodation as a form of discrimination; (c) ensure that its primary health system is adequately equipped to provide care to persons with intellectual disabilities.

The Committee recommends that the State party collect data to monitor the enjoyment of economic, social and cultural rights by persons with disabilities and provide information and statistical data in this respect in the next periodic report. The Committee also calls on the State party to take all appropriate measures to ensure that the position of Disability Commissioner is established on a permanent basis.”

These observations could be made of most States Party in relation to collection of data, the primary health system and access to health services by people with intellectual disability. We would note that data on the extent of the problem and models for some of the solutions can be found in sport.
