

SPORTS AND RECREATION

IV. CONCLUDING OBSERVATIONS, CONTINUED

ICESCR

- China, ICESCR, E/2006/22 (2005) 25 at paras. 160 and 190.

160. ...The Committee is concerned about the number of forced evictions and demolitions that have occurred in anticipation of the 2008 Olympic Games to be hosted by the State party...

...

190. The Committee recommends that the State party take immediate measures to enforce laws and regulations prohibiting forced evictions and ensure that persons evicted from their homes be provided with adequate compensation or offered alternative accommodation, in accordance with the guidelines adopted by the Committee in its general comment No. 7 (1997) on the right to adequate housing (art. 11, para. 1 of the Covenant): forced evictions...

CAT

- Bulgaria, CAT, A/59/44 (2004) 19 at paras. 32 and 33.

32. The Committee expresses concern about the following:

...

(h) The extremely poor material conditions prevailing in detention facilities, in particular in investigative detention facilities, some of which are still underground or lack basic facilities for outdoor activities, where persons can be held for up to two years, and the lack of independent inspections of such places;

...

33. The Committee recommends that the State party:

...

(i) Take measures to improve the conditions in detention facilities, in particular the investigative detention facilities, with a view to closing the remaining five facilities that are underground, and ensure that all detention facilities provide at least minimal outdoor exercise for detainees;

...

- Croatia, CAT, A/59/44 (2004) 38 at paras. 77 and 78.

77. The Committee is concerned about the following:

...

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(d) In connection with asylum-seekers and illegal immigrants:

(i) The poor conditions of detention of those held in the Jezevo Reception Centre for Foreigners, including poor hygienic conditions and limited access to recreational activities;

...

(g) The poor regime for remand prisoners, who spend up to 22 hours a day in their cells without meaningful activities.

78. The Committee recommends that the State party:

...

(f) Adopt all necessary measures to improve the material conditions of the reception centres for asylum-seekers and immigrants and ensure the physical and psychological integrity of all individuals accommodated in these centres;

...

(m) Improve the regime of activities for remand prisoners in accordance with international standards;

...

- Czech Republic, CAT, A/59/44 (2004) 42 at paras. 86 and 87.

86. The Committee expresses concern about the following:

...

(d) The fact that remand prisoners and those serving life sentences cannot work and are left idle without adequate activities;

...

87. The Committee recommends that the State party:

...

(f) Consider modalities of creating additional activities for all detainees with a view to encouraging them to occupy themselves, thus reducing the amount of time spent in idleness;

...

CRC

- Mauritania, CRC, CRC/C/111 (2001) 8 at paras. 72 and 73.

72. ...[T]he Committee expresses its concern at the lack of play space and recreational facilities for children, especially in rural areas.

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73. ...[T]he Committee recommends that the State party:

...

(g) In light of article 31 of the Convention, seek to ensure the right of the child to rest and leisure and to engage in play and recreational activities, *inter alia* by educating parents on the importance of these activities for the development of the child and by developing appropriate facilities, in particular in rural areas.

- Oman, CRC, CRC/C/111 (2001) 36 at paras. 199 and 200.

199. The Committee is seriously concerned at the hazardous situation of children involved in camel racing. In particular it is concerned that sometimes very young children are involved and that such involvement produces serious injuries, even fatalities. It concurs with the ILO Committee of Experts on the Application of Conventions and Recommendations which has previously indicated that the employment of children as camel jockeys constitutes dangerous work under article 3(1) of ILO Convention No. 138.

200. In accordance with article 32 of the Convention and ILO Convention No. 182, which the State party has ratified, the Committee recommends that the State party:

(a) Take immediate and effective steps to ensure the implementation of article 32 of the Convention and ILO Convention No. 182, taking into account ILO Recommendation No. 190;

(b) Undertake efforts to develop a regional initiative in this regard, including bilateral and multilateral cooperation; and

(c) Seek assistance from the ILO.

See also:

- Qatar, CRC, CRC/C/111 (2001) 59 at paras. 320 and 321.

- Portugal, CRC, CRC/C/111 (2001) 48 at paras. 248 and 249.

248. The Committee notes the programmes "Support to Youth Associations" and "Initiative" and the promotion of sports activities in schools. The Committee expresses concern that:

(a) Sports activities receive insufficient financial support;

(b) The number of children taking part in sports activities in the State party is much lower

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than in other countries in the region, particularly for adolescents.

249. The Committee recommends that the State party:

(a) Increase its investments in physical activities for students in schools;

(b) Take additional steps to promote and support sports and other leisure activities for children, giving particular attention to children living outside the main urban regions.

- Greece, CRC, CRC/C/114 (2002) 25 at paras. 158 and 159.

158. Acknowledging the many activities of the State party towards improving access to education and the quality of education and introducing multicultural teaching, the Committee remains concerned about a variety of problems that still exist, such as:

...

(g) The lack of sufficient space for schools, particularly in cities.

159. The Committee recommends that the State party:

...

(f) Ensure that schools have sufficient space to function effectively, including for gymnasium and sports facilities;

...

- Mozambique, CRC, CRC/C/114 (2002) 65 at paras. 298, 307 and 308.

298. The Committee recommends that the State party:

...

(b) Make every effort to assure the full integration of children with disabilities into everyday life as enjoyed by other children, including family life, education, leisure and professional training;

...

307. The Committee is concerned that:

(a) Children living in urban centres have very few areas, such as parks, in which they can play safely;

(b) As noted in the State party report, “there is no mandatory allocation and conservation of recreational areas for children in urban development plans [and] the number of such places has declined or is virtually non-existent in large towns”.

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308. The Committee recommends that the State party:

- (a) Provide areas, such as parks, urban centres, which can be used by children for leisure activities;
- (b) Consider adopting legislation or administrative rules and making an appropriate budgetary allocation, in order to ensure that leisure areas for children remain a priority in urban planning decisions.

- Guinea-Bissau, CRC, CRC/C/118 (2002) 12 at paras. 76 and 77.

76. The Committee is concerned that children living in urban centres have very few areas, such as parks, in which they can play safely and that the State party report itself notes in its report the absence of parks in the country (para. 230).

77. The Committee recommends that the State party:

- (a) Ensure the existence of areas, such as parks, within urban centres, which may be used by children for leisure activities;
- (b) Consider the adoption of legislation or administrative rules, and the allocation of an appropriate budget, to ensure that leisure areas for children are maintained as a priority in urban planning decisions.

- United Arab Emirates, CRC, CRC/C/118 (2002) 90 at paras. 406 and 407.

406. Despite noting some efforts by the State party, the Committee is seriously concerned at the hazardous situation of children involved in camel racing. In particular, it is concerned that very young children are sometimes involved; that children are trafficked, particularly from Africa and South Asia for this purpose; that children are denied education and health care; and that such involvement produces serious injuries, even fatalities. It concurs with the ILO Committee of Experts on the Application of Conventions and Recommendations, which has previously indicated to the State party that the employment of children as camel jockeys constitutes dangerous work under article 3, paragraph 1, of ILO Convention No. 138.

407. In accordance with article 32 of the Convention and ILO Conventions Nos. 138 and 182, which the State party has ratified, the Committee recommends that the State party:

- (a) Take immediate and effective steps to ensure the implementation of article 32 of the

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Convention on the Rights of the Child and ILO Convention Nos. 138 and 182, taking into account ILO Recommendations Nos. 146 and 190;

(b) Undertake awareness-raising campaigns on trafficking in countries of origin and strengthen cooperation with those countries;

(c) Undertake a regional initiative (e.g. through the Gulf Cooperation Council) in this regard, including bilateral and multilateral cooperation; and

(d) Seek assistance from the ILO and UNICEF.

- The Netherlands (Antilles), CRC, CRC/C/118 (2002) 129 at paras. 577 and 578.

577. The Committee welcomes efforts by the State party to increase after school care centres for children, and introduce after school programmes and facilities for youth. Yet, the Committee is concerned that there is a lack of affordable sports facilities and other recreational programmes, and not enough activities of a cultural nature.

578. The Committee recommends that the State party organize cultural after school activities such as drawing, plastic arts, dance and music, in participation with children, and make available free and accessible public sports facilities.

- Poland, CRC, CRC/C/121 (2002) 120 at paras. 533 and 534.

533. The Committee is concerned that children with disabilities do not all have the opportunity to attend integrated schools and education programmes, and that in some cases children with disabilities are institutionalized or do not attend school regularly owing to a lack of appropriate programmes close to their homes.

534. The Committee recommends that the State party:

(a) Develop a time-bound plan for reducing the number of children with disabilities living in institutions and integrating them into mainstream education and vocational training programmes, as well as social, cultural and leisure activities;

...

- Eritrea, CRC, CRC/C/132 (2003) 8 at paras. 75 and 76.

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75. The Committee is encouraged by the State party's efforts to increase enrolment rates in basic education, reduce illiteracy, promote cultural and recreational activities and provide education in the native language of all nine ethnic groups...

76. The Committee recommends that the State party:

...

(c) Continue its activities in the area of cultural and recreational activities;

...

- Sri Lanka, CRC, CRC/C/132 (2003) 48 at para. 264.

264. In light of the recommendations of the Committee's day of general discussion on the private sector as service provider and its role in implementing child rights in 2002 (see CRC/C/121), the Committee recommends that the State party:

...

(c) Take all necessary measures to integrate children with disabilities into society and include them in cultural and leisure activities.

- Jamaica, CRC, CRC/C/132 (2003) 86 at paras. 432, 433, 442 and 443.

432. While noting the progress made in the area of the rights of children with disabilities, including the work done in cooperation with NGOs and United Nations agencies and, *inter alia*, the adoption of the Copenhagen Declaration and Plan of Action of 1995, the Committee remains concerned that:

...

(d) Insufficient efforts have been made to facilitate the inclusion of children with disabilities into the educational system and society in general, including efforts to change traditional attitudes towards persons with disabilities and to improve access to information, medical facilities, etc.

433. The Committee recommends that the State party:

...

(b) In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339), further encourage the integration of children with disabilities into the regular educational system and their inclusion into society, *inter alia*, by giving more attention to special training for teachers and making the physical environment, including schools, sports and leisure facilities and all other public areas, accessible to children with

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disabilities;

...

442. The Committee welcomes the State party's progress in the field of education, but remains concerned about:

(a) The effectiveness of measures taken to implement the child's right to education and leisure activities in accordance with article 28, 29 and 31 of the Convention, particularly in view of the inadequacy of budget allocations;

...

443. The Committee recommends that the State party, in the light of the Committee's general comment No. 1 on article 29 (1) of the Convention (aims of education):

(a) Carefully examine the budget allocations and measures taken within the field, with regard to their impact on the progressive implementation of the child's right to education and leisure activities;

...

- Singapore, CRC, CRC/C/133 (2003) 84 at para. 426.

426. The Committee recommends that the State party:

...

(c) Undertake effective measures to reduce school-related stress and the competitiveness of the school system and strengthen efforts to promote the development of children's personality, talents and abilities to their fullest potential, including through the promotion of cultural life and the arts and play and recreational activities in schools;

...

- Armenia, CRC, CRC/C/137 (2004) 36 at paras. 233 and 234.

233. The Committee notes with concern the general deterioration in children's access to quality leisure facilities like sports centres and public libraries.

234. The Committee recommends that the State party give priority to improving children's access to, and quality of, sports centres, cultural institutions and other leisure facilities.

- The Netherlands (Netherlands and Aruba), CRC, CRC/C/137 (2004) 63 at para. 361.

361. In keeping with the Standard Rules on the Equalization of Opportunities for Persons

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with Disabilities (General Assembly resolution 48/96 of 20 December 1993), the Committee recommends that the State party strengthen its efforts to integrate children with disabilities into mainstream education and everyday life by:

...

(c) Improving the physical accessibility of mainstream schools, leisure and recreational facilities, and other public buildings and spaces in Aruba;

...

- Rwanda, CRC, CRC/C/140 (2004) 36 at paras. 217 and 218.

217. The Committee is concerned that children have insufficient opportunities to exercise their rights to leisure and cultural activities.

218. The Committee recommends that the State party improve respect for the right of children to leisure and cultural activities, including by promoting these rights among parents, teachers and community leaders. The Committee recommends that the State party seek assistance from UNESCO and UNICEF in this regard.

- Sao Tome and Principe, CRC, CRC/C/140 (2004) 54 at para. 291.

291. In the light of articles 28 and 29 of the Convention, the Committee recommends that the State party:

...

(i) Cooperate with, inter alia, UNESCO, UNICEF and the civil society to improve the education sector.

- Dominica, CRC, CRC/C/140 (2004) 101 at para. 500.

500. The Committee recommends that the State party, in the light of the Committee's General Comment No. 1 (2001) on the aims of education:

(a) Carefully examine the budget allocations and measures taken within this field with regard to their impact on the progressive implementation of the child's right to education and leisure activities;

...

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- Kyrgyzstan, CRC, CRC/C/143 (2004) 50 at paras. 296 and 297.

296. The Committee notes with concern the general deterioration of children's access to quality leisure facilities, such as sports centres and cultural institutions, and to public libraries.

297. The Committee recommends that the State party give priority to improving children's access to, and the quality of sports centres, cultural institutions and other leisure facilities.

- Angola, CRC, CRC/C/143 (2004) 78 at paras. 433 and 434.

433. The Committee notes with concern children's general lack of access to leisure and cultural facilities.

434. The Committee recommends that the State party give priority to improving children's access to, and the quality of, sports facilities, cultural institutions and other leisure facilities.

- Sweden, CRC, CRC/C/146 (2005) 8 at paras. 49 and 50.

49. The Committee is concerned about the degree of violence accessible to children on the Internet and shown on television early in the evenings. The Committee is further concerned about the insufficient protection of children against child pornography and violent computer games.

50. The Committee recommends that the State party take all necessary measures, including by enforcing appropriate legislation, providing parental education and awareness-raising of children, to effectively protect children against violence on the Internet, television and computer games, and against the display of child pornography and encourage international cooperation in this respect.

- Albania, CRC, CRC/C/146 (2005) 19 at paras. 137 and 138.

137. The Committee shares the concern expressed in the State party's report that much of the cultural and recreational infrastructure does not function in Albania, and that playgrounds are almost non-existent.

138. The Committee recommends that the State party consider the need for playgrounds and child-friendly parks in city planning and increase efforts to provide more appropriate spaces

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for children allowing them to enjoy the right to leisure, recreation and cultural activities.

- Luxembourg, CRC, CRC/C/146 (2005) 36 at paras. 188 and 189.

188. While noting that the new Act of 16 June 2004 dealing with the reorganization of the State Socio-Educational Centre reduces to 10 days, instead of the previous 20 days, the maximum duration of solitary confinement as a disciplinary sanction for persons under 18 years of age, and provides the child with the possibility of appealing to the juvenile judge, the Committee is still deeply concerned at the use and length of this isolation and at the very harsh conditions depriving the child of almost all contact with the outside world and of any outdoor activity.

189. The Committee recommends that the State party develop and implement alternative disciplinary sanctions in order to avoid as much as possible the use of solitary confinement, to further reduce the length of this confinement and to improve its conditions, *inter alia*, by providing persons under 18 with access to an outdoor area for at least one hour a day and giving them access to some kind of recreational facilities...

- Austria, CRC, CRC/C/146 (2005) 47 at paras. 253 and 254.

253. While welcoming the State party's efforts to protect children from harmful media influence, the Committee shares the concern of the State party that the existing legal instruments for the limitation of the dissemination of racist, violent and violence-inducing images, texts and games through the Internet and mass media as well as video computer games need to be reviewed and extended.

254. The Committee recommends that the State party continue and strengthen its efforts to protect children from harmful information. It further recommends that the State party provide parental education and raise the awareness of children to effectively protect children against violence on the Internet, television and computer games and encourage international cooperation in this respect.

- Belize, CRC, CRC/C/146 (2005) 59 at paras. 342, 343, 355 and 356.

342. The Committee expresses grave concern about the situation of children with disabilities and regrets that *de facto* discrimination against them still exists. The Committee notes with concern the lack of specific legislation which would ensure full and equal participation in social life, including access to social and health services, education, training, information and

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communication, rehabilitation, recreation and care, for children with disabilities...

343. The Committee urges the State party, taking into account the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96 of 20 December 1993, annex) and the recommendations adopted by the Committee at its day of general discussion on “The rights of children with disabilities” (see CRC/C/69, paras. 310-339):

(a) To enact special legislation dealing exclusively with disability issues, including access to social and health services, rehabilitation, support services, physical environment, information and communication, education, recreation and sports, in order to achieve the objectives of full participation and equality for children with disabilities;

...

(g) To seek international assistance from, among others, UNICEF and WHO in this respect.

...

355. While acknowledging that some improvements have been achieved, the Committee shares the State party’s concern at the insufficient number of cultural and recreational activities and facilities for children.

356. In the light of the recommendations adopted by the Committee at its day of general discussion on “Implementing child rights in early childhood” (see CRC/C/143, paras. 532-563), the Committee recommends that the State party increase its efforts to promote and protect the right of the child to rest, leisure and cultural and recreational activities...

- Togo, CRC, CRC/C/146 (2005) 104 at paras. 573 and 575.

573. The Committee is concerned about the lack of leisure and play areas and activities available to children.

...

575. In the light of article 31 of the Convention, the Committee recommends that the State party take the necessary measures to set up appropriate playgrounds and leisure activities for children.

- Nigeria, CRC, CRC/C/146 (2005) 135 at paras. 710 and 711.

710. The Committee reiterates its previous concern at the widespread discrimination against children with disabilities, both within the family and in society in general, especially in rural areas... The Committee is particularly concerned at the limited number of trained teachers and professionals working with children with disabilities, as well as the insufficient efforts

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made to facilitate their inclusion in the education system and the society in general.

711. In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities, the Committee recommends that the State party:

...

(d) Encourage the integration of children with disabilities into the regular educational system and their inclusion into society, *inter alia* by giving more attention to special training for teachers and making the physical environment, including schools, sports and leisure facilities and all other public areas, accessible for children with disabilities;

...

- Saint Lucia, CRC, CRC/C/150 (2005) 10 at paras. 79, 89 and 90.

79. The Committee recommends that the State party:

(a) Adopt a comprehensive policy for children with disabilities;

...

(c) Encourage the integration of children with disabilities into the regular educational system and their inclusion into society, *inter alia*, by giving more attention to special training for teachers and making the physical environment, including schools, sports and leisure facilities and all other public areas, accessible for children with disabilities;

...

89. The Committee is concerned that while the child's right to leisure, recreation, and cultural activities is recognized within the principles of legislation guiding service development, this right is not ensured explicitly within such legislation. The Committee further notes that existing recreational facilities are not always accessible to all children.

90. The Committee recommends that the State party provide access for all children to enjoy leisure, recreation, and cultural activities in all spheres of the child's life.

- Philippines, CRC, CRC/C/150 (2005) 24 at paras. 174 and 175.

174. Notwithstanding the State party's efforts to develop and organize sports and cultural activities for children, the Committee notes with concern the insufficient number of recreational and cultural activities and facilities for children and the discrepancies between *barangays* in this respect. The Committee is concerned that there are several groups of children, such as children not involved in primary education, child labourers and street children, who neither have equal right to enjoy their right to rest and leisure nor to engage

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in play, sport, recreational and cultural activities.

175. In the light of article 31 of the Convention, the Committee recommends that the State party make all necessary efforts to protect the right of the child to rest, leisure, cultural and recreational activities. The Committee recommends that the State party strengthen its efforts to promote the right of the child to engage in play by providing children with creative play facilities. It requests the allocation of adequate human and financial resources to the implementation of this right and the payment of particular attention to vulnerable groups of children, such as children outside of the educational system, child labourers and street children.

- Bosnia and Herzegovina, CRC, CRC/C/150 (2005) 49 at paras. 258 and 261.

258. Despite some recent encouraging developments, especially through the adoption of legislative and other measures in the field of education - i.e. the Framework Law on primary and secondary education, the establishment of a nine-year cycle of compulsory education and the Action Plan for meeting educational needs of Roma and other national minorities - the Committee remains concerned at:

...

(c) The lack of adequate space and facilities for recreational and cultural activities;

...

261. The Committee recommends that the State party:

...

(g) Ensure that adequate space and facilities are provided to children for their rest and leisure, as well as for recreational and cultural activities;

...

- Ecuador, CRC, CRC/C/150 (2005) 91 at paras. 447 and 448.

447. While noting the efforts undertaken by the State party in organizing sports and cultural activities, the Committee notes with concern the insufficient number of recreational and cultural activities available.

448. The Committee recommends that the State party ensure that children can enjoy their right to leisure, play and participation in cultural and artistic activities, in accordance with article 31 of the Convention.

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- Norway, CRC, CRC/C/150 (2005) 105 at paras. 493 and 494.

493. The Committee notes with concern that children with disabilities are limited in their participation in cultural and recreational activities.

494. The Committee recommends that the State party take all necessary measures to ensure that equal access to services, including cultural and recreational activities, is provided to children with disabilities taking into consideration the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339).

- Mongolia, CRC, CRC/C/150 (2005) 113 at paras. 569, 570, 575 and 576.

569. The Committee notes with concern the insufficient number of recreational and cultural activities and facilities for children living in cities and that many playgrounds built for them have been destroyed during the last decade.

570. In the light of article 31 of the Convention, the Committee recommends that the State party pay attention to the right of the child to engage in play and increase its efforts to promote and protect the right of the child to rest, leisure, cultural and recreational activities by allocating adequate human and financial resources to the implementation of this right, including by designing and building safe playgrounds for children living in cities.

...

575. ...[T]he Committee is concerned at the hazardous situation of children increasingly involved and exploited in traditional horse racing, which has undergone considerable changes from traditional sports to profitable businesses with child-abusive and exploitative features. In particular, it is concerned, that children, sometimes as young as 8 years old, are involved and that such involvement can generate serious injuries, even fatalities.

576. The Committee recommends that the State party take immediate and effective measures:

...

(c) To ensure that working children have access to quality education, including vocational and non-formal education and that they are given sufficient time off to enjoy their right to education as well as to rest, leisure and recreational activities;

...

(e) To address the issue of child jockeys in traditional horse racing by undertaking a comprehensive study to assess the nature and extent of exploitation of children in the horse-racing business and by explicitly prohibiting the employment of children under the age

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of 16 as jockeys in these races in line with the minimum age for work set in the labour law;

...