The UN Convention as a Basis for Elaborating Rights of Children In Sport

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More and more, our society is focussing attention on children and youth. Today, there is an increasing number of child related initiatives such as children's news bulletins on television, children's hairdressers, and child friendly holidays. During the 20th century, there has been an evolution from children and youth as an object of protection to a focus on child and youth culture. A central contribution to this evolution has been the UN Convention on the Rights of the Child. This legal instrument was the product of 10 years of negotiation among government delegations, inter-governmental organizations, and non-governmental organizations (NGO's) from every part of the world (Johnson, 1992). The Convention was adopted unanimously by the UN General Assembly on November 20th, 1989, exactly 30 years after the adoption of the Declaration of the Rights of the Child, and 10 years after the International Year of the Child (Verhellen, 1994). When the Convention entered into force on September 2nd, 1990, more than three quarters of UN member states ratified it. Today, 191 States have ratified this international human rights treaty, with the exception of the United States of America and Somalia (David, 1999a).

The UN Convention on the Rights of the Child, which provides impetus for a broad social debate, is a legal framework for worldwide efforts to improve the position of children. It is within the framework of the Convention as a whole that the question of the best interest of the child is to be considered. The 'best interest' is a basic criterion to settle possible conflicts of interest to the advantage of the child (Alston, 1994; Institut International des Droits de l'Enfant, 1997). This principle is therefore to prevail in any conflict of interest between the child and those who are responsible for the child. The best interest of the child can be seen as synonymous with 'child-centered' (De Martelaer, De Knop, Theeboom & Van Heddegem, 1999) and is necessary in the process of integration of the child into the society in which he or she is living.

The discussion about medical and pedagogical aspects of youth sport started thirty years ago, while the debate on the rights of children in sport is of a recent date (David, 1993, 1999b). Telama (1999) notes that the 'marriage' between child and sport is not necessarily a happy one. One can question if some practices in youth sport are not contradictory to the rights as they have been written down in the UN Convention. There are some codes on the subject of the rights and the protection of children in sport (Clearing House, 1999), though most of these declarations are not youth sport specific enough (Buisman, 1993).

In this article, we have opted for the internationally accepted UN Convention as a basis for elaborating specific rights of children in sport. In accordance with the definition of a child in the UN Convention, we refer to the age group under 18 years, unless a different specific age group is noted. The aim of this contribution is to give an overview of the needs of children in sport and possible conflicting interests of adults and suggest possible strategies to improve youth sport as a leisure activity regarding youth sport policy and guidance.

The Best Interest of Children in Sport

What children need in their leisure time in general and in sport in particular can be analyzed by taking into account those aspects under the umbrella ‘the best interest' (article 3). This is a context-bound concept (Bouverne-De Bie, 1989) and depends on the appropriate age-group. Therefore, in this contribution, the analysis of the best interest of
Non-discrimination (article 2)
Article 2 of the Convention is about nondiscrimination. It is a principle that all rights apply to all children without exception, and the States have an obligation to protect children from any form of discrimination. A basic assumption in children's sporting rights is that every child has the right to practice sport. There should be equality of provision and opportunity in sport participation according to ability, gender, and/or origin of young people. Although sport programs should not discriminate and thus be accessible for every youngster, separate initiatives can be taken for specific groups, for example, ethnic minority groups or youngsters with disabilities.

Right to appropriate guidance (article 5)
Because of the dependency of children, the role of adults in stimulating children's development is crucial. This can be found in article 5, right to appropriate guidance. As opposed to tree play, sport activities are usually guided by adults, causing a relationship of dependency. In order to provide proper guidance of children, adults who are responsible for the policy and guidance must be aware of the needs of each age group (possibilities and preferences) in sport in general and in one sport in particular. The tasks and responsibilities as a youth sport leader include more than just training young athletes. For example, they may have to contact parents, school teachers, and municipal sports councils, or deal with issues pertaining to stress or drop out (De Knop, Wylleman, Theeboom, De Martelaer, Van Puymbroeck & Wittock, 1994)

Right to development (article 6), right to rest and leisure, to engage in play and recreational activities appropriate to the age of the child (article 31)
On the one hand, there are the developmental stages of childhood and adolescence, forming an important topic for developmental psychology, at the other hand there is the range of individual differences (Birren, Kinney, Schaie, & Woodruff, 1981; Seifert & Hofnung, 1994). There are three considerations: First, how do you plan a youth sport career? According to Vrijens (1995), from six to ten years of age, emphasis is placed on a broad psychomotor education, with attention directed towards an improvement of co-ordination and skills, as opposed to early specialization in one discipline (e.g., breaststroke). From ten to thirteen years, the first sport specific specialization can be introduced, but with other related sports included (e.g., ball games). Between thirteen and eighteen years of age, one can make maximum use of sport-specific types of training, increasing the intensity progressively (qualitatively and quantitatively). Second, what are the ingredients of an effective youth training? De Knop et al. (1994) say in an appropriate approach, children: have a lot of fun because tasks are attainable and learning takes place while playing; and learn a lot, not only techniques and tactics, but also how to get along with others (e.g., code of behavior, fair play, teamwork, independence). Third, when is a child ready for competition? Research has shown that cognitive capabilities of children to understand the meaning of competition is not really developed before ten years of age (Roberts, 1980). This means that children should not be encouraged to participate in competition until their final year in primary school or first year in secondary school.

Taking into account children's opinion (article 12 and 13)
Research has shown that, when children do not feel they can have a say in deciding to take part in sports, there is a greater chance they will drop out (Gould & Petlichkoff, 1988). Children participating in sport need to have a voice in planning and evaluating sport activities. Sport organizers have the responsibility to search for values, experiences, and wishes of children. This can be done in an informal way (e.g., daily contacts) or in a structured way (e.g., surveys, youth council). Good communication with children is the core element of youth sport guidance and starts with listening carefully. One of the quality criteria in youth sport or 'user quality' is taking into account what children and youngsters themselves value as important (De Knop, Van Hoecke & De Martelaer, 1998; De Knop, Van Hoecke, De Martelaer, Theeboom, Van Heddegem, & Wylleman, 2000). Children involved in intensive training have a different lifestyle, often isolated and marginalized from other children. They are faced with career defining options at an early age and it is crucial they are involved in the decision-making process (David, 1999a).

Striving towards health improvement (art. 24), protection from the use of drugs (art. 33)
In the policy of sport and health emphasis can be placed on three aspects: to anticipate the need for increased physical effort, to reduce sport injuries, and to control the use of doping (van Hilvoorde, 1998). First, being physically active on a regular basis is necessary for health improvement. Nowadays people are becoming more and more sedentary. Children are brought to schools by car and have lots of passive leisure possibilities such as television and computer games. An active lifestyle for children must be promoted in both an intra and extracurricular way. Second, injuries can be reduced by participating in sport activities which are adapted to the needs of a specific age group and
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to the individual capabilities in particular. Coaches and parents have an important task in promoting the harmless physical and mental development of children. In some sports, such as gymnastics, figure skating, and diving, children start intensive training too early, retarding physical growth (David, 1999a). Third, doping of young athletes exists, under diverse forms and for different reasons (David, 1999a). In gymnastics, for example, some young girls are encouraged by their trainers to take diuretics in order to lose weight for an important competition. States in general and sport federations, trainers, managers, and parents have the responsibility to protect young athletes from the use of illicit drugs.

**Right to protection from engaging in work that threatens health, education or development, sale, trafficking, exploitation,** ... (art. 32, 35, 36)

There are always potential risks when sponsors or sports clubs invest large amounts of money in very young athletes (David, 1999b). There is increasing pressure to perform, and in the case of failure, a heightening sense of abandonment and isolation when sponsors lose interest. Some families who become economically dependent on the child labour of their teenagers resemble earlier situations of the 19th century (Het Nieuwsblad, 2000). At a psychological level, since young children do not understand the relationship between cause and effect in their own behaviour, they are dependent on the evaluation given by others, especially adults. For young children, it is therefore important to show appreciation for their achievements rather than for the winning score, avoiding external rewards (De Knop et al., 1994; Smoll & Smith, 1996). Finally, since education at school is a right for everyone, it would not be fair if those participating in high level sport were put at a disadvantage because of their time intensive sport. Special school programs for top athletes exist in most Western countries, although their quality varies (David, 1999a).

**Conflicting Interests in Youth Sport**

Children sometimes appear to be the victims of the exaggerated egocentrism of adults, which is called ‘adultcentrism’ (Verhellen, 1994, p. 17). The dependence of children in general and in sport in particular can be attributed to the power of adults. Following the articles of the Convention applied in youth sport, it becomes clear that it is not always self-evident to act in the best interest of the child. In organized sport, there are different interested parties among adults, which can endanger the child. Due to the predominance of adults in organized sport as a social structure, there can arise an incongruence between the enforced norms and values of adults and those of youth participants with their own physical and social development (McPherson & Brown, 1988).

Examples of personal priorities of adult interests are those of coaches, parents, and/or members of the board. For example, a coach who stimulates dependency instead of growing independence by sexual abuse of female judokas. In the Netherlands, a famous judo coach was accused of sexual harassment. Three female judokas told their sad story about their youth, which was nearly not believed. Their total dependency of the coach became clear: “Without judo and especially without him I was nothing anymore”, and the other: “There was only one way and it was the way of. . . you were so fixed, you could not otherwise. You are so busy with that coach, you are a prisoner”. During a tournament abroad, they had to share the hotel room with their coach. “You did everything so he would not be angry” (Buisman, De Knop, & Theeboom, 1998, p. 31).

Second, structural priorities are an issue for conflicting interest. There are the interests of the sport club, the sport federation, and the (national) public bodies responsible for (top) sport, which can differ. Concrete measures, for example, relating to a minimum age or to adapt the competition system and game rules, are different from one country to another and from one sport to another (Clearing House, 1999). Another well-known problem is the transfer and thus the trafficking of (young) sport participants where the (financial) interests of the club are most important. Until the new regulation (Decree of the non-professional player), transfer of a child athlete in exchange for money was frequent, especially in soccer (Blanpain, 1994). Too often, clubs serve the interest of the adults and forget the needs of the children (De Smet, 1993, Institut International des droits de l'enfant, 1999). Finally, although the number of opportunities for participating in sport for youngsters has increased substantially in the last 10 years (De Knop, Engstrom, Skirstad & Weiss, 1996), instead of a co-operation or coordination, different sport organizations are competing for the child's membership.

Third, the interests of society can provide conflicting interests, for example, the priorities within certain cultures or religions, nations, or sponsors individuals can differ from societal priorities when sport is used as a (political) tool, exploited (by States) to reinforce their own prestige. In this context, the role of the media is very important and often dominant in the sport landscape. Actual sponsoring exists due to modern media, in particular, television (De Knop & Hoogendam, 1998). On the other hand, the media also has the possibility to contribute to education, but must work more effectively towards that end.
Conclusion

The UN Convention on the Rights of the Child may be considered as the expression of a change in our relationship with children (Veerman, 1992). On the other hand, there are also indications that the emancipation of children is limited due to refusing them greater responsibility. Due to conflicting interest between the child on the one hand, and adults on the other hand, limitations continue. Children and youngsters do have rights in sport, however, the question 'how could children benefit sports' is of value rather than 'how sports could benefit children' (David, 1999b).

In this article, we started to look at the articles of the UN Convention in order to translate them in a sport context, taking into account the best interest of children. The best interest of children was linked to conflicting interests in youth sport, because of the impact of adults in organized sport. In the discussion about conflicting interests in youth sport, a distinction was made between the individual, structural, and social priorities. These three categories cannot be seen as completely separate. Structures are influencing individuals and, at the same time, are made by individuals with personal interests. One cannot have regulations imposed without policy measures in a more structured way. For example, as long as parents are interested in sending young children to sport clubs, clubs and federations will organize sport activities and competitions for young children, and vice versa.

The best interest of the child can, thanks to its positive approach and intention for always finding the best possible solution, be a help in realizing the fundamental rights of children in sport. Realizing these rights requires a step by step approach: (1) normalize what is desirable in youth sport and what is not, (2) analyze the actual situation, (3) develop strategies to change practice and (4) evaluate policy and guidance and, if essential, adjust (one of) the first three steps (figure 1).

In this article, we gave an answer to step (1). The analysis of the actual situation (step 2) is specific for each country. In order to realize step (3), it is necessary to raise the consciousness of those who are responsible for children in sport. To get the UN Convention into the hands of those people working directly with children, as well as to those framing (sport) legislation, there is a need to present the Charter's content in a manner which is both understandable and 'applied' (Andrews, 1999). Therefore, sport bodies, sport federations, sport clubs, schools, and parents need to be convinced that implementing the Convention is not only in the best interest of the child but also for the future of (youth) sport. During the first meetings of The Institute for the Rights of the Child (IDE) devoted to sport, the complementary roles of the teacher, trainer, coach, manager, and agent were emphasized (Institut International des droits de L'Enfant, 1999). Professionals and volunteers working with children and youngsters in sport will have to gain the necessary skills to act in the spirit of the Convention, through a systematic and enriching training. The guidelines resulting from our study of the UN Convention and the literature in youth sport have a wide application. Voluntary sport activities in sport clubs or organized by local authorities, schools, and private initiatives, should take into account the rights of children in sport.

The promotion of children's rights has to be followed by actions to enhance the situation. Every concrete action, whether it is a campaign or more structural measures, should be evaluated in order to know more about the effect, the possible changes in intentions, and behaviors of those concerned. Despite the fact that there is knowledge about the rights of children in sport all over the world, there is a lack of systematizing data. While several policy measures are already taken, a coordinated policy is still missing, and scientific evaluation is rare. After all, a proposal is already made to form a commission or international working group to promote and monitor children's rights in sport (Institut International des droits de L'Enfant, 1999) but this idea still has to be realized.
Figure 1: Step by step approach to realize the rights of children in sport

(1) Normalize what is desirable in youth sport and what is not
(2) Analyze actual situation
(3) Develop strategies to change practice:
   - raise consciousness of those responsible for youth sport
   - draw up and carry out an action plan
   - co-ordinate the different initiatives
(4) Evaluate policy and guidance to check if:
   - the aims of the action plans are achieved
   - there is teamwork from a structural point of view
   - there are unforeseen consequences

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