

World Leisure Organization: Charter for Leisure

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Introduction

As with other rights included in the Universal Declaration of Human Rights and endorsed by governments around the world, the right to leisure time and to participate in the cultural life of the community are indispensable to every human being. However, they are routinely denied to millions of people: in developing countries, where many are required to work excessive hours in poor conditions injurious to their health; and in developed countries, where competitive environments mean that working hours are increasing rather than falling and developments in information technology have enabled work-related responsibilities to intrude into non-work time. Access to space, facilities and services and to natural and cultural heritage are also essential to ensure the exercise of the right to leisure participation. Against this background, the World Leisure Organisation's *Charter for Leisure* is a statement of leisure-related rights and the benefits that flow from their recognition and implementation.

The historical, social, legal and political context of the charter is outlined in the appended statement of *Context for the Charter for Leisure*.

Articles

1. Everyone, whether adult or child, has the right to adequate time for **rest and** for the pursuit of **leisure** activityⁱ.
2. For those engaged in remunerated work, Article 1 requires recognition of the right to **reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays**. Securing these rights generally requires national/provincial legislation.
3. Article 1 also applies to those not in paid employment; children and domestic care-givers also have the right to time for rest and leisure.
4. Everyone has the right to **freely participate in the cultural life of the community**.
 - (a) *Culture* is viewed by the UN Committee on Economic, Social and Cultural Rights as including: 'music and song, ceremonies, sport and games, natural and man-made environments' and 'the arts, customs and traditions through which individuals, groups of individuals and communities express their humanity and the meaning they give to their existence'. These activities depend on the provision of: 'libraries, museums, theatres, cinemas and sports stadiums; literature, including folklore, and the arts in all forms; the shared open spaces essential to cultural interaction, such as parks, squares, avenues and streets; nature's gifts, such as seas, lakes, rivers, mountains, forests and nature reserves, including the flora and fauna found there'.ⁱⁱ
 - (b) *Participation* in social and cultural activities includes engagement as: an active participant, a learner, a spectator or audience member or an unpaid volunteer.
5. Leisure is a medium through which other rights and related benefits set out in the Universal Declaration of Human Rights and associated covenants can be exercised,

including: the physical, mental, emotional and social development of the child through play; support for family life; personal expression and development; sustaining of cultural life of the community; and promotion of physical and mental health and well-being through sport and exercise and cultural engagement. Conversely, denial of time for beneficial leisure activity can have serious consequences for the well-being of individuals and societies.

6. All of society's institutions are therefore called upon to support the realisation of these rights, including commercial organisations, education institutions, professional bodies and non-government organisations. Governments at national, regional/provincial and local levels have particular responsibilities reflecting commitments under United Nations treaties and, in some cases, provisions in national constitutions and legislation.
7. Recognising that governments at all levels are not the only providers of facilities and services for leisure and that they face many challenges and competing demands for resources, they nevertheless have particular responsibilities to:
 - (a) ensure the availability and protection of land for open space for recreation in residential areas;
 - (b) ensure the preservation of, and public access to, natural and culture heritage;
 - (c) ensure the provision of suitable space and facilities for children's play;
 - (d) support the provision of health-enhancing amenities such as facilities for sport and exercise;
 - (e) support cultural institutions and activities;
 - (f) ensure that all members of the community, regardless of age, gender, ethnicity or ability, have access to beneficial leisure facilities and services;
 - (g) support suitable training of a technical and professional work force for the leisure/sport/cultural service industries;
 - (h) support research on the benefits and costs of leisure activity and on the provision of leisure facilities and services;
 - (i) include recognition of leisure-related rights in relevant national/provincial legislation and regulations, including those concerned with the regulation of mass communications and digital media;
 - (j) recognise, in national, regional and urban policies and plans, the contribution which leisure-related provisions can make to personal, social, cultural and economic development;
 - (k) support other human rights which facilitate the exercise of the right to leisure, including food, clothing, housing and medical care and necessary social services and security, as set out in Article 25 of the Universal Declaration of Human Rights.
 - (l) conversely, ensure the social conditions necessary for participation in the cultural life of the community which include, as set out in Article 25 of the UDHR, the right to 'a standard of living adequate for health and well-being ... including food, clothing, housing and medical care and necessary social services'.

CONTEXT FOR THE CHARTER FOR LEISURE

1. The first edition of the *Charter for Leisure* was adopted by the International Recreation Association in 1970, and revised by the then World Leisure and Recreation Association

in 1979, and by the World Leisure Organization (WLO) in 2000. The current version was released for public comment by the WLO Board of Directors in December, 2018.

2. The World Leisure Organization was established (as the International Recreation Association) in 1952 and is one of 2500 non-governmental organizations recognised as a consultative body by the Economic & Social Council of the United Nations (<http://worldleisure.org/about/>).
3. While there is research to show leisure is a state of mind or a type of experience, in this Charter it is viewed as comprising *leisure time*, which is time relatively free of such commitments as paid or unpaid work or personal maintenance, and *leisure activities*, which take place during leisure time.
4. In developing the *Charter for Leisure*, the WLO has taken its lead from the 1948 Universal Declaration of Human Rights (UDHR). Articles in the UDHR which relate to leisure are:
 - (a) In regard to leisure time: Article 24: ‘Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay’.
 - (b) In regard to participation in leisure/cultural activity: Article 27: ‘Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts’.
5. The UDHR is a declaration of principles endorsed by all member-states of the United Nations. It is implemented by means of two related 1966 treaties: the International Covenant for Civil and Political Rights (ICCPR) and the International Covenant for Economic, Social & Cultural Rights (ICESCR). States which sign and ratify the ICCPR and the ICESCR are formally committed to ensuring the achievement of these rights. This involves reporting periodically to the UN Human Rights Council on progress in achieving them and being subject to evaluation. Progress in regard to working hours and holiday entitlements of people in paid employment is overseen by the UN International Labour Organisation. The leisure-related rights set out in the UDHR are reaffirmed in the ICESCR, as follows:
 - (a) ICESCR Article 7 (reflecting UDHR Article 24): State Parties recognise the right to: ‘the enjoyment of just and favourable conditions of work’, including the right to: ‘Rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays’.
 - (b) ICESCR Article 15 (reflecting UDHR Article 27): State Parties recognise the right of everyone to: ‘take part in cultural life’. Furthermore, they shall take steps necessary for the ‘conservation, the development and the diffusion of culture’ and to ensure ‘the freedom indispensable for ... creative activity’.
6. These leisure-related rights stand as ‘universal, indivisible and interdependent and interrelated’ⁱⁱⁱ with the other civil, political, economic, social and cultural rights set out in the UDHR and associated covenants. The exercise of leisure-related rights may be severely curtailed if other universal human rights are denied.
7. While the *Charter for Leisure* is focussed on the promotion of beneficial effects of leisure, we should not ignore the fact that some leisure activities can be potentially harmful to both individuals and society. Reflecting Article 29.2 of the UDHR, participation in leisure activity should be ‘subject only to such limitations as are

determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society’.

8. United Nations treaties also refer to leisure rights in specific contexts, including:
 - (a) Travel/tourism: as noted above, the UDHR (Article 24) and the ICESCR (Article 7) include the right for those in employment, to periodic holidays with pay. UDHR (Article 13) and the *International Covenant for Civil and Political Rights* (ICCPR) (Article 12) include the right to freedom of movement, both domestically and internationally.
 - (b) *Convention on the Elimination of All Forms of Discrimination against Women* (1979) affirms that men and women should have ‘the same opportunities to participate actively in sports and physical education’ and to ‘participate in recreational activities, sports and all aspects of cultural life’ (Articles 10 & 13).
 - (c) *Convention on the Rights of the Child* (1989) affirms ‘the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts’ (Article 31) and, for those in employment, ‘appropriate regulation of the hours and conditions of employment’ (Article 32).
 - (d) *Convention Concerning Indigenous and Tribal Peoples in Independent Countries* (1989: states that governments should ensure promotion of ‘the full realisation of the social, economic and cultural rights of these peoples with respect for their social and cultural identity, their customs and traditions and their institutions’ (Article 2).
 - (e) *Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities* (1999) affirms the right of these persons to ‘enjoy their own culture’ and to ‘participate effectively in cultural, religious, social, economic and public life’ (Article 2).
 - (f) *Political Declaration and Madrid International Plan of Action on Ageing* (2002) affirms that older persons should be able to ‘participate in the economic, political, social and cultural life of their societies’ and ‘should have the opportunity to work for as long as they wish and are able to’ (Article 12).
 - (g) *Convention on the Rights of Persons with Disabilities* (2006) affirms the right of persons with disabilities to ‘take part on an equal basis with others in cultural life’ and to enjoy equal access to: cultural materials; television programmes, films, theatre and other cultural activities; places for cultural performances or services, such as theatres, museums, cinemas, libraries and tourism services and, as far as possible, monuments and sites of national cultural importance; and, to the fullest extent possible, participation in mainstream sporting activities, disability-specific sporting and recreational activities, appropriate instruction, training and resources, and sporting, recreational and tourism venues (Article 30).
 - (h) *Hangzhou Declaration: Placing culture at the heart of sustainable development policies*. UNESCO (2013) affirms ‘cultural rights, access to cultural goods and services,

free participation in cultural life, and freedom of artistic expression are critical to forging inclusive and equitable societies’.

9. Other statements published by the World Leisure Organisation:, related to human rights and leisure (available on www.worldleisure.org) include:
 - (a) *Leisure, Tourism and the Environment*. Statement arising from the WLRA World Congress, Sydney, 1991.
 - (b) *WLRA International Charter for Leisure Education*, 1993.
 - (c) *The São Paulo Declaration: Leisure in globalized society*. 1998; updated as: . *São Paulo Declaration: Leisure beyond constraints*, 2018.
 - (d) *The Québec Declaration: Leisure, essential to community development*. 2008.

10. Charters in fields which are segments of leisure or are leisure-related have been published by a variety of organisations.
 - (a) Travel, holidays and tourism
 - i. *The Global Code of Ethics for Tourism*: World Tourism Organisation, 1998
 - ii. *Opinion on Social Tourism in Europe*: EU Economic and Social Committee, 2006.

 - (b) Sport
 - i. *The Olympic Charter*: International Olympic Committee, 2004
 - ii. *European Sports Charter*: Council of Europe, 1992
 - iii. *International Charter of Physical Education, Physical Activity and Sport*: UNESCO, 2014
 - iv. *Declaration on Women and Sport*: International Working Group on Women and Sport, 2014.

 - (c) Culture (referring to both distinctive ‘way of life’ and ‘arts/creative activity’) and heritage
 - i. *Universal Declaration on Cultural Diversity*: UNESCO, 2001.
 - ii. *Convention for the Safeguarding of the Intangible Cultural Heritage*: UNSECO, 2003.

11. The UDHR (Art. 27) and the ICESCR (Art. 15) recognise the rights of authors/creators of literary or artistic works to protection of the moral and material interests resulting from such works. While this provision is clearly essential for culture, it is outside the immediate scope of the Charter for Leisure, although it is recognised that leisure is increasingly dependent on digital/social media. These matters are the concern of the *Berne Convention for the Protection of Literary and Artistic Works* (World Intellectual Property Organization, 1886-1979) and the *World Intellectual Property Organization Copyright Treaty* (World Intellectual Property Organization, 1996).

12. Both leisure and human rights are complex concepts, so the relationships between the two are also complex. Such complexity cannot be fully reflected in a brief statement, but a guide to reading is provided on the World Leisure Organisation website: (www.worldleisure.org)

ⁱ Blue text indicates terminology used in the Universal Declaration of Human Rights and associated covenants.

ii UN Committee on Economic, Social and Cultural Rights (2009). *Guidelines on Treaty-specific Documents to be Submitted by States Parties Under Articles 16 and 17 of the ICESCR*. Document E/C.12/2008/2. New York: UN, pp. 4-5.

iii World Conference on Human Rights (1993). *Vienna Declaration*. New York: United Nations, p. I.5.