

THE ROLE OF UNESCO IN SUPPORTING THE RIGHTS OF CHILDREN IN THE PRACTICE OF PHYSICAL EDUCATION IN ALGERIA (MINEPS:1976-2013)

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Abstract : *After World War II, the international community confirmed that the world's childhood is at risk and must be protected; the Declaration of the Rights of the Child of November 20, 1959. It was the basis of the Convention on the Rights of the Child adopted by the General Assembly of the United Nations 30 years later, on November 20, 1989. The Convention on the rights of the child entered into force on 2 September 1990.*

The child will benefit from special protection and will allow him to develop physically, mentally, morally, spiritually and socially; the International Charter for Physical Education, based on the rights to declare that "the practice of physical education and sport is a fundamental right for all . UNESCO has assumed the task of monitoring the commitment of States and Governments through the creation of the International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport (MINEPS). Algeria joined UNESCO on October 15, 1962; it is committed to UNESCO regulations, including the right of the child to practice physical education, and to ensure their implementation By examining the Primary school reality, our study concluded that there is complacency in the application of national and international law related to the practice of physical education in primary schools.

Keywords: *Physical Education, Child Rights, International Law, UNESCO (MINEPS).*

1. Introduction

For several decades, experts have noted that the physical condition of children has deteriorated. It must be said that children move much less than before.

Encouraging physical activity in children is therefore essential. being active is not only beneficial for physical health. indeed, active children are also better in their skin; By the age of five, if children are moving regularly, they should have mastered basic skills such as running, throwing, catch and jumping; after that, its growth and development will continue to progress; between 6 and 9 years old, his balance improves. the child begins to learn more difficult skills, such as throwing farther; make a decision quickly.

The physical education course in primary school, therefore, offers a variety of activities adapted to the child's development: above all, it is an introduction to sports practice that will help the child to have a positive attitude towards physi-

cal activity and which will give him the means to be active outside of school; for this reason, the emphasis is on developing physical skills: however, activities of a competitive nature also have their place as they are a source of motivation for some students.

Physical education classes are compulsory in primary schools; according to the Ministry of Education As well as in accordance with international laws ratified within the framework of UNESCO.

The International Charter for Physical Education, Physical Activity and Sport is a rights-based benchmark that guides and supports policy and decision-making in sport. Adopted in 1978, the original Charter was seen as innovative at the time - as it was the first rights-based document to declare that “the practice of physical education and sport is a fundamental right for all; participation in quality physical education are essential entry points for children to acquire the skills, attitudes, values, knowledge, understanding and enjoyment necessary for lifelong participation in activity physical, in sport and in society in general.

Each education system must assign the requisite place and importance to physical education, physical activity and sport in order to establish a balance and strengthen links between physical activities and other components of education; it must also ensure that quality and inclusive physical education classes are included, preferentially on a daily basis, as a mandatory part of primary and secondary education and that sport and physical activity at school and in all other educational institutions play an integral role in the daily routine of children and youth.¹

The benefits of physical activity for children are numerous; being active has several benefits.

Physical activity promotes healthy growth and development; as they move, children master more and more motor skills and exercise their muscles; he thus develops his strength, power and endurance; regular stretching exercises can also increase your flexibility; finally, physical activity is a good opportunity for children to improve their coordination as well as their posture, agility and balance.

An active person sees his cardiorespiratory and cardiovascular capacities increase, which supports the control of the weight and the level of sugar or cholesterol in the blood. Physical activity, therefore, decreases the risk of developing heart disease, diabetes, obesity and certain types of cancer in adulthood.

Active children have better self-esteem, trust themselves and have a better body image. Physical activity also helps reduce stress, as do symptoms of depression and anxiety.

Physical activity is an opportunity for children to develop their social skills

1. UNESCO.(The General Conference of UNESCO)..International Charter of Physical Education, Physical Activity and Sport.SHS/2015/PI/H/14REV. <http://unesdoc.unesco.org/images/0023/002354/235409e.pdf>

and their relationships with others. Being active would therefore help to break isolation and promote social integration.

Physical activity can improve performance in school for several reasons; first, sports require memorizing rules and movement sequences or making quick decisions; also, moving around activates certain areas of the brain and increases the blood supply to those areas; in addition, the confidence and relaxation that physical activity provides would stimulate the child's intellectual skills; finally, young people who are active would behave better and develop a greater sense of belonging to their school; all of these factors would help the child perform better in school.

,the fundamental norms of international sports law must be brought in line with the Universal Declaration of Human Rights, other fundamental international documents and agreements that protect the rights of citizens and individuals. They must comply with the Constitutions and constitutional laws of most countries, be adopted by authorized representatives of most countries. Their legitimacy must be confirmed by the UN, the Council of Europe, the parliaments of the unions of countries and individual countries .²

2. Definition of concepts

2.1. Physical education

Physical education is a course that people have to take in school. It is followed during primary and secondary education and encourages psychomotor learning through play or exploration of movement to promote health and fitness³.

Physical literacy is a 21st century term that first emerged in sports literature before being applied to physical education as well. The concept of physical literacy covers a variety of conditions for a student. ⁴

Teachers implement different concepts in their lesson plans to teach and develop students accordingly and in a manner appropriate to their individual success and education.

Whether the course produces positive effects on the health, behavior and academic performance of students depends on the type of program taught.

2. Peskov A.Anatoly (2020) , “collisions of the international and the national sports law and the problem of protecting the rights of Athletes ”, in : International Sports Law Review Pandektis ,Vol. 13: 1-2, 2020 , p .95.

3. Anderson, D. (1989). The Discipline and the Profession. Foundations of Canadian Physical Education, Recreation, and Sports Studies. Dubuque, IA: Wm. C. Brown Publishers.

4. Mitchell, Stephen (2016). The Essential of Teaching Physical Education. Shape America - Society of Health and Physical Educators. pp. 1 page cited (4 page). ISBN 978-1-4925-0916-5.

2.2. The institution

Set of political forms or structures, such as they are established by law and which come under public law aimed at an end, which participates in the organization of society or of the Stat.⁵ affirms, that the school is an institutional space where a certain power is exerted on the youth. all the disciplines, as much in their content, their pedagogy, their organization as in their value, must therefore contribute to this human training. Physical education as a school discipline can only be analyzed with regard to this institution.

2.3. Child Rights

defines a child as "any human being under the age of eighteen, unless the law applicable to the child has reached majority earlier." ⁶ basic needs in terms of physical protection, nutrition, state-paid universal education, health care and penal laws appropriate to the age and development of the child, equal protection of civil rights child, and the absence of discrimination based on race, sex, sexual orientation, gender identity, national origin, religion, disability, color, ethnic origin or other characteristics of the child. Interpretations of children's rights range from empowering children to act independently to enforcing children being physically, mentally and emotionally. other definitions include the rights to care and education.⁷

2.4. International Organization

An international organization (also known as an international institution or intergovernmental organization) is a stable set of norms and rules intended to govern the behavior of States and other actors in the international system.⁸

Organizations can be established by a treaty or be an instrument governed by international law and having its own legal personality, such as the United Nations. ⁹

5. Larousse. Dictionaries / French online <https://www.larousse.fr/dictionnaires/francais/institution/43444>

6. Convention on the Rights of the Child, G.A. res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989), entered into force Sept. 2 1990. <http://hrlibrary.umn.edu/instree/k2crc.htm>

7. Bandman, B. (1999) Children's Right to Freedom, Care, and Enlightenment. Routledge. p 67.

8. Simmons, Beth; Martin, Lisa (2002). International Organizations and Institutions. Handbook of International Relations. Thousand. Thousand Oaks, CA: Sage Publications. p. 94.

9. Giorgio, G.(2011) , the Responsibility of International Organizations ,the Audiovisual Library of International Law <https://legal.un.org/avl/ha/ario/ario.html>

International organizations are mainly made up of Member States, but may also include other entities, such as other international organizations. In addition, entities (including States) can hold observer status .

2.5. International Law

International law, is the set of rules, norms and standards generally recognized as binding between nations.¹⁰

It is a body of rules and principles embodied in the legal instruments of agreements between states, in international customs binding for the subjects of international law, i.e. the states, international organizations, and, more recently, individuals. States are the primary subjects of international law. Despite the fact that another category of subjects of international law has been emerging, namely international organizations, individuals, groups of people and liberation movements, the states remain the traditional category of international legal subjects which hold the authority in the international legal community.¹¹

International law does not have a universally accepted authority to apply it to sovereign states. As a result, states can choose not to respect international law or even to break a treaty.¹²

The status of the international law versus national law has given rise to three distinct positions.

1. The monistic doctrine , according to which international law is not a separate legal order but a set of provisional guidelines to be advanced to the status of law if this is in the interest of the sovereign state and according to its unchecked will.

2. The dualistic doctrine, according to which the international legal order and the domestic national orders are two different sets of legal order quite distinct from each other.

3. A third view, formulated by Kelsen , argues for the supremacy of international law vis-à-vis the domestic legal systems. It appears to have gained ground more in theoretical debates than in reality.¹³

3. The most important international organizations that defended the

10. Jeremy, Bentham (1789), *An Introduction to the principle of morals and legislation* . London: T. Payne. p.4. <https://gallica.bnf.fr/ark:/12148/bpt6k93974k/f44.item.r=.langEN>

11. Dimitrios P. Panagiotopoulos (2017), “ fields of research and implementation of sport law categories”, in: *International Sports Law Review Pandektis*, Vol. 12: 1-2, 2017, p.9.

12. Slomanson, William (2011). *Fundamental Perspectives on International Law*. Boston, USA: Wadsworth. p. 4.

13. Dimitrios P. Panagiotopoulos , *Ibid*, p. 11

right of the child to engage in physical activity

3.1. The International Olympic Committee

The IOC's role is: to encourage and support the promotion of ethics and good governance in sport as well as education of youth through sport and to dedicate its efforts to ensuring that, in sport, the spirit of fair play prevails and violence is banned; to encourage and support the development of sport for all; to encourage and support initiatives blending sport with culture and education.¹⁴

3.2. United Nations Children's Fund (UNICEF)

Physical education in schools has always been an important way for children to participate in organized sport; in primary school, physical education is often provided by teachers who are not specialists; for many children, physical education is a source of fun, stimulation and pleasure, and these teachers have a major influence in their lives; in some countries, there is a fine line between learning through physical education and participating in competitive sports. good teaching practices in physical education can also help prevent violence by promoting confidence, sensitivity to others and self-awareness in children.

Children love to play: through play, they acquire social and physical skills, tolerance, discipline and respect for others; millions of children around the world participate in some form of organized sport every week; millions more informally participate in street games, spontaneous play sessions, and occasional "triggers" with their friend. sport is recognized by governments as an important political priority. It has been adopted by politicians as a major tool for the pursuit of a wide range of social, cultural and political goals, including: health and well-being.¹⁵

3.3. United Nations Educational .Scientific and Cultural Organization UNESCO

The largest organization that contributed to the development of physical education and sport in general and supports the right of children to play especially His contribution has been demonstrated by MINEPS .

14. International Olympic Committee IOC. the Olympic Charter. Printing by DidWeDo S.à.r.l., Lausanne, Switzerland Printed in Switzerland. September 2015.

<https://stillmed.olympic.org/media/Document%20Library/OlympicOrg/General/EN-Olympic-Charter.pdf>

15. Nations Children's Fund (UNICEF).protecting children from violence in sport. The UNICEF Innocenti Research Centre in Florence, Italy .IRC stock number.590U .July 2010. https://www.unicef-irc.org/publications/pdf/violence_in_sport.pdf

3.3.1. International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport (MINEPS)

Created in 1976, the International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport (MINEPS) is a forum that facilitates intellectual and technical exchange in the field of physical education and sport. MINEPS also serves as an institutional mechanism for a coherent international strategy in this domain.

MINEPS is the only global platform of its kind, engaging governments, inter-governmental organizations, the sport movement, academia and specialized. The outcomes and recommendations of MINEPS are continuously strengthening the educational, cultural and social dimensions of physical education and sport while guiding the implementation of effective policies and practices around the world. Six MINEPS Conferences have been organized : MINEPS 1 First International Conference in Paris 1976. MINEPS 2 Second International Conference in Moscow 1988. MINEPS 3 third International Conference in Uruguay 1999. MINEPS4 Fourth International Conference in Athens 2004. MINEPS5 Fifth International Conference in Berlin MINEPS6 Sixth International Conference in Kazan Russia 2017.

3.3.2. International Charter of Physical Education and Sport

The International Charter for Physical Education, Physical Activity and Sport is a rights-based benchmark that guides and supports policy and decision-making in sport; adopted in 1978, the original Charter was seen as innovative at the time - as it was the first rights-based document to declare that "the practice of physical education and sport is a fundamental right for all"; based on the universal spirit of the original Charter and incorporating significant developments in the field of sport since 1978, the revised Charter introduces universal principles such as gender equality, non-discrimination and social inclusion in and through the sport; it also highlights the benefits of physical activity, the sustainability of sport, the inclusion of people with disabilities and the protection of children; emphasizing that the early play experience with parents and guardians, and participation in quality physical education are essential entry points for children to acquire skills, attitudes, values, knowledge, understanding and the enjoyment necessary for lifelong participation in physical activity, sport and society in general .¹⁶

3.3.3. Intergovernmental Committee for Physical Education and Sport (CIGEPS)

The Intergovernmental Committee for Physical Education and Sport

16. UNESCO.(The General Conference of UNESCO)..International Charter of Physical Education, Physical Activity and Sport.SHS/2015/PI/H/14REV. <http://unesdoc.unesco.org/images/0023/002354/235409e.pdf>

(CIGEPS) was established in 1978 to promote the role and value of sport and its inclusion in public policy. CIGEPS is comprised of expert representatives in the field of physical education and sport from 18 UNESCO Member States, each elected for a four year term. The Permanent Consultative Council (PCC), comprising key sport federations, UN agencies and NGOS, provides technical support and advice to the Committee.

Through CIGEPS, UNESCO has a unique ability to drive government action in the field of sport and physical education and to ensure the implementation of effective sport policies and programs around the world. Due to its intergovernmental nature, CIGEPS has the potential to bring Member States together and to engage governments in coordinated international efforts to optimize the tangible socio-economic benefits of sport and physical education programs and their potential to deliver a high return on investment. CIGEPS:

- engages government representatives and the sports movement to drive international efforts in the area of sport and physical education ; and provides technical advice, commissions research and identifies good practices to develop policy recommendations . reinforces accountability of governments through the monitoring and evaluation of the implementation of policies ; and provides a platform for key decision-makers to exchange experiences.¹⁷

4. Reference legal texts in international laws

United Nations. Declaration of the Rights of the Child. Proclaimed by General Assembly Resolution 1386(XIV) of 20 November 1959. and through Article 31, which defines the following points : - States Parties recognize 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. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure¹⁸.

The legal texts included more comprehensive details through what is mentioned in the texts of the International Charter for Physical Education ;we find in the paragraph 4.1(Article 1) the practice of physical education, physical activity and sport is a fundamental right for all and we find in the paragraph 1.7 Each education system must assign the requisite place and importance to physical education, physical activity and sport in order to establish a balance and strengthen

17. Intergouvernementale commission (CIGEPS) <https://en.unesco.org/themes/sport-and-anti-doping/cigeps>

18. United Nations. Declaration of the Rights of the Child. Adopted and opened fo signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989. <https://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf>

links between physical activities and other components of education. It must also ensure that quality and inclusive physical education classes are included, preferentially on a daily basis, as a mandatory part of primary and secondary education and that sport and physical activity at school and in all other educational institutions play an integral role in the

Daily routine of children and youth; We find in the paragraph 4.2 (Article 3) All stakeholders must participate in creating a strategic vision, identifying; in policy options and priorities We find in the paragraph 3.2 All stakeholders, especially national and local authorities responsible for sport, education, youth, health, active recreation, development, urban planning, environment, transport, gender and disability matters, and intergovernmental organizations ,the Olympic and Paralympic movements, sports organizations, non-governmental entities, the business community, the media, educators, researchers, sport professionals and volunteers, participants and their support personnel, referees, families, as well as spectators share the responsibility for developing and supporting physical education, physical activity and sport policy; and all mentioned stakeholders should be given opportunities to exercise this responsibility.

We find in the paragraph 3.3 (Article 7) Teaching, coaching and administration of physical education, physical activity and sport must be performed by qualified personnel ; we find in the paragraph 7.1 all personnel who assume professional responsibility for physical education, physical activity and sport must have appropriate qualifications, training and access to continuous professional development.

We find in the paragraph 7.2 All physical education, physical activity and sport personnel must be recruited and trained in sufficient numbers to ensure they attain and sustain the competence necessary to nurture the rounded development and safety of all persons in their charge. Personnel who have received such training should be given a professional recognition in keeping with the duties they perform; and we find in the paragraph 3,4 (Article 8) Adequate and safe spaces, facilities and equipment are essential to quality physical education, physical activity and sport ; we find in the paragraph 8.1 Adequate and safe spaces, facilities, equipment, and dress-options must be provided and maintained to meet the needs of participants in physical education, physical activity and sport mindful of different needs associated with climate, culture, gender, age, and disability.

Finely we find in the paragraph 8.2 Public authorities, sports organizations, schools and other institutions that administer facilities at all levels should work together to design, provide and optimize the use of installations, facilities and equipment for physical education, physical activity and sport, taking into account the opportunities and conditions of the natural surroundings¹⁹

19. UNESCO.(The General Conference of UNESCO)..International Charter of Physical

5. The most important decisions related to the rights of children to practice physical education during MINEPS meetings

The project was great and the ambition was greater in order to raise the gains of the international community, support the welfare of weak communities, and advance humanity according to the principle of a common destiny, which can only be achieved through one voice and full cooperation.

5.1. MINEPS 1 First International Conference in Paris 1976

The first conference, which was distinguished by an intensive presence and great interest from the international community, and its outputs were targeted and precise, which have been summarized in the following recommendations:

Recommendation N°2 :recognizing that the development of physical education and sport must form an integral part of the educational concepts of member states and comply with training criteria responding to the interests and needs of different ages, from the pre-school period to university life, as well as " those of lifelong education, with a view to the complete formation of the individual and his full participation in society,

Recommendation N°3 :that in the perspective of lifelong education and a practice of sport continuing beyond compulsory school age, it is important to provide the child with both the bases of general physical education

Recommends that member states recognize that all people, especially children and adolescents, have the right to the benefits of physical education and sport, and that therefore:

physical education and sport, closely associated, must be an integral part of school curricula

Recommendation N°9 :that studies be carried out to enable the United Nations Educational, Scientific and Cultural Organization to play an essential role in the development of sport for the education of children and young people, and to encourage organization of sports activities on an international scale among school children and young people in general;

Recommendation N°14 :that UNESCO draw up and promulgate a Children's Charter (or Manifesto) on physical education and sport, proclaiming the right of all children and adolescents to high quality physical education and sport programs , urging all member states to give high priority to these programs in the use of their national resources, advocating international action in favor of children living in disadvantaged regions of the world.²⁰

Education, Physical Activity and Sport.SHS/2015/PI/H/14REV. <https://unesdoc.unesco.org/ark:/48223/pf0000235409>

20. UNESCO.MINEPS 1 First International Conference in Paris 5-10 April 1976. <https://unesdoc.unesco.org/ark:/48223/pf0000020998>

5.1.1. Algeria's indicators of interest

Considering that MINEPS is a multidimensional organization linked to an ideological, political, humanitarian, scientific and economic dimension, it is necessary that the representation within it is linked to competence and professionalism.

Therefore, we focus on the participants in the work who represent Algeria, and since the subject is related to physical education and sport, the representatives must be aware and consistent with the actions, decisions and recommendations issued by the MINEPS, and have the capacity to monitor and implement these recommendations in the country.

Mr Abdallah Fade (Minister of Youth and Sports)

Mr Baghdadi Simohamed (Secretary General Ministry of Youth and Sports)

Mr Ahmed Derradji (Minister Plenipotentiary Permanent Delegate)

Mr Hocine Oussedik (National Youth Director)

Mr Mostefa Chaour (Deputy Director of grassroots sport)

Mr Saddek Ibrouchene Secretary of Foreign Affairs

Mr Mohamed Chibane (Director of CREPS)

Mr Abdallah Atmania (Deputy Director Ministry of Primary and Secondary Education)

We note that the participants achieve all aspects that ensure positive participation **very important** ; in order to adapt to international laws and ensure a rapid response to the implementation of recommendations in the field of physical education and sport, a law adapted to these international regulations has been announced.

After the MINEPS1 conference was held from April 5 to 10, 1976; Algeria announced the ordinance n ° 76-81 relating to the code of physical education and sport of November 10, 1976.²¹

5.2. MINEPS 2 Second International Conference in Moscow 1988 (Moscow Declaration)

We find in the paragraph 5-1 ; ministers and senior officials responsible for physical education and sport, recommend that the necessary conditions should be established so that the eminently democratic right of access to physical education and sport, as it is recognized in the international charter, may be effectively exercised without any form of discrimination in a world without apartheid. the exercise of this right ,which is a corollary of the right of every person to educa-

21. Ordinance n ° 76-81 relating to the code of physical education and sport of November 10, 1976 . The Algerian official journal(O.J) <https://www.joradp.dz/FTP/JO-FRANCAIS/1976/F1976090.pdf?znjo=090>

tion ,should form an integral part for all curricula , formal and non-forma , at all levels from the pre-primary stag to university .

We find in the paragraph 5-2- we recommend that the place , role and prestige of physical and sports education in school and in society should be enhanced y giving it a significant ad obligatory share of the curriculum, by ensuring that it is taught by qualified personnel and it is allocated the necessary facilities and installations ²²

5.2.1. Algeria's indicators of interest

Algeria was represented by Mr Rachid Abdelhalim)Algerian Embassy in Moscow(

We note that the Algerian participation is low and was limited to diplomatic representation only through the Algerian Ambassador to Russia.

Very important ; in order to adapt to international laws and ensure a rapid response to the implementation of recommendations in the field of physical education and sport, a law adapted to these international regulations has been announced.

After the MINEPS2 conference was held from November 21 to 25, 1988; Algeria announced the Law No. 89-03 relating to the organization and development of the national system for physical education and sports on February 14, 1989. ²³

5.3. MINEPS 3 third International Conference in Uruguay1999.) Declaration of (Punta Del Este)

We find in the paragraph 4.2 That UNESCO itself, in seeking to reduce the gap between developed and developing countries, direct its attention to improving physical education and sport in primary and secondary schools.

We find in the paragraph 5.2 that UNESCO focus international attention on physical education and sport by proposing the declaration of a United Nations year of the fit and active Child and challenge each country to develop three priority action steps to improve the fitness and activity levels of young people in their country during this year. ²⁴

22. UNESCO.MINEPS 2 Second International Conference in Moscow 21-25 November 1988.

<https://unesdoc.unesco.org/ark:/48223/pf0000082899>

23. Law No. 89-03 relating to the organization and development of the national system for physical education and sports on February 14, 1989 . The Algerian official journal(O.J) <https://www.joradp.dz/FTP/JO-FRANCAIS/1989/F1989007.pdf?znjo=07>

24. UNESCO.MINEPS3 third International Conference in Uruguay 30 November-3 December 1999. <https://unesdoc.unesco.org/ark:/48223/pf0000119812>

5.3.1. Algeria's indicators of interest

Algeria was represented by Mr. Noureddine Ayadi Ambassador of Algeria to Argentina and Uruguay.

We note that the Algerian participation is low and was limited to diplomatic representation only through the Algerian Ambassador to Argentina and Uruguay.

very important: At this conference, no new laws for physical education and sport took place

Ordinance n ° 95-09 relating to orientation and organization and development of the national system of physical and sport culture (March 29, 1995)²⁵

5.4. MINEPS4 Fourth International Conference in Athens 2004.(Declaration of Athens)

The recommendations of the second committee summarize that Physical Education and Sport as a key component of quality Education for all to ensure a secure position for physical education and sport within schools for all children by means of an organized and resourced programme of appropriate activities, supported by quality teacher training.²⁶

5.4.1. Algeria's indicators of interest

Algeria was represented by Mr Ahmed BENYAMINA Ambassador of Algeria)

We note that the Algerian participation is low and was limited to diplomatic representation only through the Algerian Ambassador to Greece.

very important ; in order to adapt to international laws and ensure a rapid response to the implementation of recommendations in the field of physical education and sport, a law adapted to these international regulations has been announced.

Before the MINEPS4 conference was held from December 06 to 08,2004 ; Algeria announced the Law n ° 10 -04 relating to physical education and sport, promulgated on August 14, 2004.²⁷

25. Ordinance n ° 95-09 relating to orientation and organization and development of the national system of physical and sport culture ,March 29, 1995, The Algerian official journal(O.J) <https://www.joradp.dz/FTP/JO-FRANCAIS/1995/F1995017.pdf?znjo=17>

26. UNESCO.MINEPS4 Fourth International Conference in Athens 6-8 December 2004.
<https://unesdoc.unesco.org/ark:/48223/pf0000140584>

27. Law n ° 10 -04 relating to physical education and sport, promulgated on August 14, 2004 ,The Algerian official journal(O.J). <https://www.joradp.dz/FTP/jo-francais/2004/F2004052.pdf>

5.5. MINEPS5 Fifth International Conference in Berlin 2013.)Declaration of Berlin(

We focused on the recommendations of the Commission I Access to Sport as a Fundamental Right for All ;We find in the paragraph1.1 Highlighting that physical education is a an essential entry point for children to learn life skills, develop patterns for lifelong physical activity participation and health life style behaviors ;we find in the paragraph1.2 Noting that physical education in school and in all other educational institutions is the most effective means of providing all children and youth with the skills, attitudes, values, knowledge and understanding for lifelong participation in society ;we find in the paragraph1.3 Emphasizing the need for Child Safeguarding in all physical education and sport programmes; we find in the paragraph1 ;the Ministers, are committed to: in the paragraph 1.14 ensure physical education activities are provided in accordance with the UN Conventions on the Rights of the Child and on the Rights of Persons with Disabilities;we find in the paragraph1.15 Ensure that quality and inclusive physical education classes are included, preferentially on a daily basis, as a mandatory part of primary and secondary education and that sport and physical activity at school and in all other educational institutions play an integral role in the daily routine of children and youth; we find in the paragraph1.16 Strengthen cooperation between governments, sport organizations, schools and all other educational institutions to improve the conditions for physical education and sport at school, including sports facilities and equipment, as well as qualified teachers and coaches; we find in the paragraph1.17 foster the important role of inclusive extracurricular school sport in early development and educating children and youth .²⁸

5.5.1. Algeria's indicators of interest

Algeria was represented by Mr Majid Bouguerra Ambassador Embassy of Algeria in Germany Mr Boumediene Mahi Minister Counselor Embassy of Algeria in Germany Mr Mokhtar Bououdina Director-General of Sports Ministry of Youth and Sports.

We note that the Algerian participation is based on diplomatic representation, but an important figure in the Ministry of Youth and Sports was present and has contributed positively to benefit from the conference. **very important** ; in order to adapt to international laws and ensure a rapid response to the implementation of recommendations in the field of physical education and sport, a law adapted to these international regulations has been announced.

After the MINEPS5 conference was held from Mai 29 to 30,2013 ; Algeria

28. UNESCO.MINEPS5 Berlin 28-30 May 2013. <https://unesdoc.unesco.org/ark:/48223/pf0000222898>

announced the Law n ° 13 -05 relating to the organization and development of activities physical and sport, promulgated on July 23, 2013.²⁹

Note : This law is the latest to date, and no new proposals or changes in domestic laws were observed after the sixth MINEPS6 Conference in 2017 in Russia. The advantage of this law (13-05) is that it largely corresponds to the recommendations of the Berlin Declaration (MINEPS5).³⁰

6. Has the Algerian national legislation ever contradicted the international legislation regarding the organization of physical education?

This happened following the great political changes that Algeria experienced at the end of the 80s and the beginning of the 90s, after the victory of the Islamic Party (FIS) in the legislative elections of 1988, a negative vision towards the practicing sports, and this was considered a violation of Islamic values. This position was translated into a legislative text in article(08)of law 89-03 of February 14, 1989,³¹ which considers physical education is not compulsory in school establishments, and it has been considered as a secondary program. , and the text of Article 8 contradicts what is stated in the recommendations of the Moscow Declaration (MINEPS2) of 1988.

This article was annulled after the fall of the Islamic Party and the dissolution of Parliament, and after that, the Guidance of Ordinance 95-09 in 1995, according to which physical education was compulsory in schools and considered it as a curriculum. fundamental in the Algerian education system.³²

7. The reality of physical education in Algeria

the aim of this study is to highlight the reality of physical education within Algerian schools and thus to take a critical look at the dimensions; educational, social and cultural.

we have come to the evidence that physical education has no place in the

29. Law n ° 13 -05 relating to the organization and development of activities physical and sport, promulgated on July 23, 2013, The Algerian official journal(O.J). <https://www.joradp.dz/FTP/JO-FRANCAIS/2013/F2013039.pdf>

30. UNESCO. Declaration of Berlin . (MINEPS V), held in Berlin (28-30 May 2013).

[https://www1.health.gov.au/internet/main/publishing.nsf/Content/declaration-of-berlin-mineps-v/\\$file/declaration-of-berlin-20130603.pdf](https://www1.health.gov.au/internet/main/publishing.nsf/Content/declaration-of-berlin-mineps-v/$file/declaration-of-berlin-20130603.pdf)

31. Law 89-03 (1989) , Ibid, Article (08) .<https://www.joradp.dz/FTP/JO-FRANCAIS/1989/F1989007.pdf?znjo=07>

32. Ordinance 95-09 (1995), Ibid, Article (06) <https://www.joradp.dz/FTP/JO-FRANCAIS/1995/F1995017.pdf?znjo=17>

Algerian school. We have therefore proposed to revitalize them, relaunch them by raising awareness, on the one hand, of all the population and the social partners concerned (administrators, teachers, learners, parents, etc.) and, on the other hand, to review the official instructions (laws, ordinances and decrees) of physical education through different institutions to adapt it to the Algerian socio-cultural environment. and this, in the interests of our children.

In many countries, physical education is a definite concern, and the specificity of school sport is due to a double situation, that of anchoring in the educational world and that of potential belonging to the world of sport to the point of being among the relevant criteria for the development of a nation; for this, the charters and reference texts which induce educational policy. the laws on physical education (law 76-81, law N ° 89.03, ordinance N ° 95-09 and law 04-10 and law N ° 13-05 relating to the organization and development of the system national of physical and sports culture, stipulates that "the state ensures and guarantees the development of physical and sports education".

7.1. The physical education program in Algerian primary schools only black on white

Physical education in primary schools does not exist, a hypothetical program is not applicable for primary students only 45 minutes per week and is rarely implemented because it is divided between sports, cultural and social activity knowing that only one teacher for all subjects in addition to it is not monitored in terms of implementation by National Education Inspectors

in terms of framing. physical education in primary schools is non-existent; in terms of infrastructure and sports facilities in primary schools do not have a stadium; 99.00% of primary schools do not have a gym.

Conclusion

It is very important what international organizations in general and UNESCO, in particular in the field of children's rights, do to practice physical education and sports in schools, and especially what Algeria does to keep pace with developments through the promulgation of laws compatible with international law

But it is regrettable that we find the application of these laws and their commitment on the ground far from the aspirations of children and their reality in primary school, and it must be said that physical education as a compulsory subject is not present at the primary school and there is no one who supervises his teaching or his places of practice in the sense It is more exact that the child has no possibility of practicing physical education in Algeria

And political systems can seek to follow international law and try to pretend to be responsive and engaged in order to avoid outside pressures and negative

reports, especially those related to human rights, and that is what it does. leaves on the reputation of politicians and exposes to incrimination before international courts.

It is well known that political regimes obligatorily pay attention to physical and sports education among young people and spend large budgets to support them, simply because they contribute to social peace and ensure that young people are absent from school. their real problems related to unemployment. and deprivation, which makes young people a real threat to the ruling political system.

As for children, depriving children of having this right does not constitute internal pressure because they are part of the most fragile social layer, in particular in developing societies, and therefore care for children and their rights. will not be a priority in the agenda of the political system and its social programs which always focus on achieving social peace

The need for fundamental changes in the organization of the international Sports practice under the principle of legality in the international sports field becomes imperative, via a constitutional charter for sport and international jurisdiction .³³

We must focus on the situation experienced by Algerian children concerning the practice of physical education in primary schools, while the phenomenon of the spread of school violence has become frightening and the problem of autism, which has become among the priorities of the Ministry of Health and the Ministry of National Education due to a significant increase in the number of children with autism, in addition to disruptive physical diseases such as obesity and motor insifisence.

We know very well that the practice of physical activity is the real means that limits these problems, according to what scientific studies, educational theories and legislative laws have indicated.

And between this big difference between theory and practice, human conscience remains the only guarantor of the extent to which children need this activity. It must be said that depriving a child of physical education is a crime against him because play constitutes the essence of his life, the source of his happiness, and a means of building it physically and psychologically. And socially.

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