

Project PRESFUL Summary Report

Introduction:

As outlined in the United Nations Guiding Principles for Business and Human Rights (UNGPs), the responsibility of business enterprises to respect human rights refers to internationally recognized human rights minimum standards. In doing so, they avoid causing or contributing to human rights violations through their own and connected business activities in the value chain. On the one hand, international law is an agreement of states and is therefore only addressed to states, not to individuals or companies. In this regard, states are particularly obliged to ensure the prevention of violations and the protection and promotion of human rights. On the other hand, national states and the UN system are now signaling that business enterprises and also sports bodies are more and more expected to recognize human rights within a legitimate framework that all stakeholders support. Especially the sporting industry will be increasingly expected to also respect international human rights standards if they are to continue enjoying the privileges of the autonomy of sport. A strategic approach to fulfill this stakeholder pressure is the framework of the UNGPs. The following summary discusses the status quo of human rights in the sports industry, as well as a holistic application of the UNGPs, focusing on a three step methodology:

- 1) A policy commitment to meet the responsibility to respect human rights
- 2) A human rights due diligence process to identify, prevent, mitigate and account for how to address impacts on human rights
- 3) A processes to enable the remediation of any adverse human rights impacts that is caused or contributed to



1 Where has progress taken place in UNGPs implementation over the course of the last decade? What are the promising developments and practices by sporting actors that can be built on?

1.1 A policy commitment to meet their responsibility to respect human rights (elaborated on further in UN Guiding Principle 16)

In short: FIFA's human rights policy, based on the United Nations Guiding Principles for Business and Human Rights (UNGPS), was a first for an international sport federation in 2017 [1]. To embed respect for human rights, identify and evaluate risks for human rights, address human rights risks, track and report on implementation, and enable access to remedy has since then been implemented into bid and event contracts for major sporting events such as the Commonwealth Games [2] and UEFA [3]. The IOC is currently discussing to implement the recommendations of developing and implementing an own human rights approach, presented by the independent experts HRH Prince Zeid Ra'ad Al Hussein and Rachel Davis [4]. To specifically address the rights of a diverse set of stakeholders, concrete policies have been adopted in relation with European or UN conventions, such as the international children's rights framework (UN Convention on the Rights of the Child) that oversees FIFA's activities in the whole supply and value chains [5], the 2018 arrangements between UEFA and the European Commission [6] as well as between FIFA and the Council of Europe [7] regarding the non-discriminative nature of football and the integration of sustainability clauses in standard terms and conditions plus the development of a sustainable sourcing code by the IOC for its own activities and member organizations [8]. A best case of the acknowledgement of child rights is provided by the World Players Association and its declaration on safeguarding the rights of child athletes [9]. It includes the UN Convention of the Rights of the Child from 1989 including its Optional Protocols, the ten principles of UNICEF on child rights and business [10], the UNESCO Charter on Physical Activity, Physical Education and Sport [11], the UN Guiding Principles on Business and Human Rights and the standards of the International Labour Organization ("ILO") that are related to sport and children. In the field of athlete rights, independent international organizations such as Global Athlete and the World Player Association are advocating for enhanced rights and major changes to the way sport is run [12] and the latter has unveiled the Universal Declaration of Player Rights in 2017, highlighting the roles of sports bodies and states in preventing and addressing impacts on players' human rights, based again on the UN Guiding Principles [13].

1.2 A human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights (elaborated on further in UN Guiding Principles 17-21)

In short: The IOC developed a range of tools to achieve due diligence in procurement processes for the Olympic Games, including Management Plans, the Supplier Ethical Data Exchange (Sedex), adhering suppliers to ILO Fundamental Conventions and independent audits [14]. The member organization Swiss Olympics created appropriate guidelines for the concrete implementation, such as: Guideline on "Clothing / Sewn Products" (Supplier); Guideline on "Branded Products" (Supplier), Guideline on "Paper Products" (Supplier); Guideline on "IT" (Supplier) [15]. FIFA's Sustainable Sourcing Code is similar and contains a priority heat map, meaning a list of categories of goods and services that may be procured by the tournament organisers and, for each category of supply, the prioritisation given to different sections of the

Code [16]. More broadly, the UN Human Rights Council addressed the topic “Promoting human rights through sport and the Olympic ideal” in its 2018 General Assembly. Among other suggestions, the IOC should have a role in protecting the interests and rights of athletes, engage more women and girls in the practice of sport and that sport and major sporting events can be used to promote awareness, understanding and the application of the Universal Declaration of Human Rights [17]. For enhanced whistleblower protection, the IOC released the resource ‘Safeguarding athletes from harassment and abuse in sport - IOC Toolkit for IFs and NOCs’ to mitigate potential human rights violations in an early stage [18]. In accordance with its Human Rights Policy from 2017, FIFA released a child safeguarding toolkit for its member associations in 2019 with specific implementation and guidance related to child abuse, safe recruitment, codes of conduct, risk assessments and general procedures for a child policy in action [19]. When it comes to prevent all forms of discrimination, the European Commission against Racism and Intolerance (ECRI) published general recommendations to help member States of the Council of Europe in all types of sport, including the 4-step methodology: Legislation, Coalition, Training and Awareness [20]. In the context of spectator violence, it is recommended to establish the use of the Handbook for Police Cooperation, and to arrange pan-European anti-sports violence training for police officers and safety personnel [21]. Besides, several initiatives and NGOs have been formed in the past years to tackle the specific nature of discrimination in sports, including Football against racism in football (FARE) [22], Centre for access to football in Europe (CAFE) [23] and the European Gay & Lesbian Sport Federation (EGLSF) [24].

1.3 A processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute (elaborated on further in UN Guiding Principles 22 and 29-31)

In short: The Centre for Sport and Human Rights published a background paper called ‘Mapping Accountability and Remedy Mechanisms for Sports-Related Human Rights Grievances’, where remedy is understood in accordance with the UNGPs and may include the following as listed: apologies, restitution, rehabilitation, financial or non-financial compensation, to punitive sanctions and injunctions or guarantees of non-repetition [25]. It includes e.g. the 2016 IOC’s reporting tool for press freedom violations [26], FIFA’s complaints mechanism for human rights defenders and journalists from 2018 [27] and UEFA’s Control, Ethics and Disciplinary Body [28]. In the case of the US Olympic Committee (USOC), it requires all NGBs to report incidents of sexual misconduct (including child sexual abuse and romantic coach-athlete relationships) as well as any allegations of abuse to an independent organization called SafeSport [29]. On a broader political level, the Council of Europe platform ‘Enlarged Partial Agreement on Sport’ (EPAS) aims at establishing dialogue between specialists of human right protection mechanisms, in particular the European Court of Human Rights (ECHR), and specialists of the sports arbitration mechanisms, notably the Court of Arbitration for Sport (CAS), also with regards to monitoring and access to remedy [30]. Furthermore, two holistic good practice handbooks on human rights and sports have been published by EPAS in 2017 and 2018, for judicial authorities [31] and for the sports movement [32] with regards to human rights before sports disciplinary and arbitration bodies. This aligns with the envisaged data exchange between football institutions and police services and/or sports authorities to exchange information on high-risk supporters, established by a Council decision in 2007 [33]. In addition to that, the UNESCO IT Tralee chair is developing reporting templates and advocacy tools, in accordance with the Kazan Action Plan’s action three to “unify and further develop international standards supporting sport ministers’ interventions in the field of sport integrity” [34], to help the sports

sector navigate the complexities of UN human rights systems and explain how to engage with the Treaty Bodies, as well as to highlight to States and national human rights institutions how they can increase reporting on sport [35].

[1] FIFA (2017). FIFA's Human Rights Policy.

<https://img.fifa.com/image/upload/kr05dqyhwr1uhqy2lh6r.pdf>

[2] UEFA (2018). UEFA Football and Social Responsibility Report 2017/18.

https://www.uefa.com/MultimediaFiles/Download/uefaorg/General/02/60/26/72/2602672_DOWNLOAD.pdf

[3] The Commonwealth Games Federation (2019). CGAs commit to embedding human rights and influencing social change.

<https://thecgf.com/news/cgas-commit-embedding-human-rights-and-influencing-social-change>

[4] IOC (2020). IOC moves forward with its human rights approach.

<https://www.olympic.org/news/ioc-moves-forward-with-its-human-rights-approach>

[5] Verfassungsblog (2019). 'We need to talk about the kids': FIFA's children's rights obligations.

<https://verfassungsblog.de/we-need-to-talk-about-the-kids-fifas-childrens-rights-obligations/>

[6] European Commission (2018). Arrangement for Cooperation between the European Commission and the Union of European Football Associations

<https://ec.europa.eu/sport/sites/default/files/library/documents/decision-eu-uefa-cooperation-2018.pdf>

[7] Council of Europe (2018). MoU between the CoE and FIFA.

https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016808ccf87

[8] IOC (2020). Sustainability Essentials.

<https://www.olympic.org/sustainability-essentials>

[9] World Players Association (2017). The rights of child athletes

https://www.uniglobalunion.org/sites/default/files/files/news/world_players_declaration_on_safeguarding_the_rights_of_child_athletes.pdf

[10] UNICEF (2005). The Children's Rights and Business Principles.

https://www.unicef.org/corporate_partners/index_25078.html

[11] UNESCO (2015). International Charter on Physical Activity, Physical Education and Sport.

<https://unesdoc.unesco.org/ark:/48223/pf0000235409>

[12] Global Athlete (2020). Athlete group calls on WADA.

<https://globalathlete.org/our-word/athlete-groups-call-on-world-anti-doping-agency-to-implement-stronger-reforms>

- [13] World Players Association (2017). Universal Declaration of Player Rights.
https://www.uniglobalunion.org/sites/default/files/files/news/udpr_development_14_dec_17_v1.pdf
- [14] MSE Platform for Human Rights (2017). Procurement and Human Rights in the Sports Context.
https://www.ihrb.org/uploads/reports/MSE_Platform%2C_Procurement_and_Human_Rights_in_the_Sports_Context%2C_Jan_2017.pdf
- [15] Swiss Olympics (2020). Sustainability and procurement.
<https://www.swissolympic.ch/ueber-swiss-olympic/ueber-uns/nachhaltigkeit-beschaffung.html?tabId=6b050682-eb7e-4277-b0da-8b7676d69802>
- [16] FIFA (2020). Sustainable sourcing code.
<https://img.fifa.com/image/upload/fxrprncoiqqhmqdku8.pdf>
- [17] UN Human Rights Council (2018). Promoting human rights through sport and the Olympic ideal.
https://www.uniglobalunion.org/sites/default/files/files/news/a_hrc_37_131_resolution_on_promoting_human_rights_through_sport_and_the_olmpic_ideal.pdf
- [18] IOC (2017). Safeguarding athletes from harassment and abuse in sport.
https://d2g8uwgn11fzhj.cloudfront.net/wp-content/uploads/2017/10/18105952/IOC_Safeguarding_Toolkit_ENG_Screen_Full1.pdf
- [19] FIFA (2019). Child safeguarding toolkit for member associations.
<https://resources.fifa.com/image/upload/toolkit-fifa-guardians.pdf?cloudid=nz1lyz3ykaioy7gwfmg5>
- [20] ECRI (2008). Combating Racism and Racial Discrimination in the Field of Sport.
<https://rm.coe.int/ecri-general-policy-recommendation-no-12-key-topics-combating-racism-a/16808d28f3>
- [21] Council of Europe (2016). Council Resolution international police cooperation sport.
[https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016G1129\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016G1129(01)&from=EN)
- [22] FARE Network (2020). Home.
<https://www.farenet.org/>
- [23] CAFE Network (2020). Home.
<https://www.cafefootball.eu/>
- [24] EGLSF (2020). Home.
<https://www.eglsf.info/>
- [25] Centre for Sport and Human Rights (2019). Mapping Accountability and Remedy Mechanisms for Sports-Related Human Rights Grievances - Background paper.

https://www.sporhumanrights.org/uploads/resources/Mapping_Accountability_Remedies_Mechanisms_C_SHR_April_2019.pdf

[26] IOC (2016). Media complaints reporting tool.

<https://secure.registration.olympic.org/en/media-complaint/>

[27] FIFA (2018). FIFA launches complaints mechanism for human rights defenders and journalists.

<https://www.fifa.com/who-we-are/news/fifa-launches-complaints-mechanism-for-human-rights-defenders-and-journalists#:~:text=FIFA%20launches%20complaints%20mechanism%20for%20human%20rights%20defenders%20and%20journalists,-29%20May%202018&text=The%20web%2Dbased%20complaints%20mechanism,of%20data%20privacy%20and%20security.>

[28] UEFA (2020). Disciplinary bodies.

<https://disciplinary.uefa.com/disciplinary-bodies/control-and-disciplinary-body/>

[29] Team USA (2020). Athlete services.

<https://www.teamusa.org/team-usa-athlete-services/safe-sport#:~:text=The%20U.S.%20Center%20for%20SafeSport%20is%20the%20first%20and%20only,forms%20of%20abuse%20in%20sport.&text=The%20Center%20also%20provides%20a,U.S.%20Olympic%20and%20Paralympic%20movements.>

[30] Council of Europe. Sport & Human rights.

<https://www.coe.int/en/web/sport/sport-human-rights>

[31] Cornu, P., Cuendet, S. & Vidal, L. [ed. Council of Europe] (2017). Disciplinary and arbitration procedures of the sport movement

<https://edoc.coe.int/en/sport-for-all/7434-disciplinary-and-arbitration-procedures-of-the-sport-movement.html>

[32] Cornu, P., Cuendet, S. & Vidal, L. [ed. Council of Europe] (2018). Human rights protection in Europe in the context of sports organisations' disciplinary and arbitration procedures - Good practice handbook No. 5.

<https://edoc.coe.int/en/online-resources/7688-human-rights-protection-in-europe-in-the-context-of-sports-organisations-disciplinary-and-arbitration-procedures-good-practice-handbook-no-5.html>

[33] Council of Europe (2007). Council decision: amending Decision 2002/348/JHA concerning security in connection with football matches with an international dimension.

<https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32007D0412&from=EN>

[34] UNESCO (2017). Kazan Action Plan.

<https://unesdoc.unesco.org/ark:/48223/pf0000252725>

[35] UNESCO IT Tralee. Human Rights in and through Sport

<http://sportandhumanrights.unescoitralee.com/index.php/homepage>

2 What are key obstacles (both visible and hidden), drivers, and priorities that need to be addressed to achieve fuller realization of the UNGPs in the sporting sector?

2.1 A policy commitment to meet their responsibility to respect human rights (elaborated on further in UN Guiding Principle 16)

In short: The **non-binding features of UNGPs** [1] call for specific strategies and policies to consolidate into sporting organizations and increase sport bodies' commitment towards human rights agenda. The lack of binding policies results in rather **light commitment** from sport bodies and lack of understanding of **responsibilities** when it comes to human rights and their protection. This leads to further barriers to addressing human rights in (sporting) organizations, such **lack of resources**, and **lack of training** and education for all employees.

A risk analysis is needed in order to verify existing patterns of violations and identify the obstacles to the full realization of UNGPs in sport. FIFA has moved some steps towards the implementation of binding policies and measures to respect and protect human rights. In March 2017, FIFA created a Human Rights Advisory Board [2], which frequently publishes reports to evaluate FIFA's human rights progress and elaborate recommendations on how FIFA should address human rights issues linked to its activities. However, the obstacles undermining human rights within FIFA and its activities still represent an issue to address. As Duval and Heerdt [3] suggest, "it remains very unclear what FIFA's policies long-term impact will be, whether they will amount more to whitewashing or really offer a productive tool for affected actors to hold FIFA accountable and challenge its actions in specific contexts".

2.2 A human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights (elaborated on further in UN Guiding Principles 17-21)

In short: Many civil society organisations have raised their concerns and voices against human rights violations within sporting organizations. These actions put pressure on sporting bodies in order to embed human rights within their structures and implement accountable human rights due diligence [4].

For instance, Amnesty International, Football Supporters Europe, Human Rights Watch, Terre des Hommes and Transparency International Germany asked to consider and follow six clear steps that will ensure that FIFA and its events do not cause nor contribute to human rights abuses and corruption [4].

This steps involve:

- Bidding criteria
- Due diligence
- Major sporting event (=World Cup)
- Governance and Compliance
- Non-discrimination
- Stakeholder involvement

Amnesty International has also listed a series of recommendations to guarantee human rights protection and avoid any kind of violation within sporting organizations [5]. Furthermore, sports authorities have taken a step forward in protecting rights by integrating Human Rights bodies within their structures and increasing human rights diligence (e.g. FIFA's Human Rights advisory Board, UEFA's Human Rights and anti-corruption criteria into bidding requirements, IOC's Human Rights principles to be implemented in the Olympic Agenda 2020) [6]. These bodies monitor due diligence and compliance in line with the United Nations' Guiding Principles on Business and Human Rights and other human rights documents.

The European Union has also promoted some initiatives to build up EU-coordinated human rights due diligence in sport by allocating a specific budget, and developing cooperation with international bodies in the area of sport [7]. However, the EU's influence in sport is limited as national governments exclusively detain the power to move forward in the application of sport policy measures supported, coordinated or complemented by the EU [7]. This limits the adoption of legislation, of coordinated human rights due diligence processes or any other legally binding measure within sport bodies [7]. The EU is therefore acting via 'soft' policy tools (i.e. guidelines, recommendations and – most importantly – funding programmes, to support its sport-related objectives) [7].

2.3 A processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute (elaborated on further in UN Guiding Principles 22 and 29-31)

In short: Sports bodies and other actors with power must recognise their responsibilities under the UN Guiding Principles on Business and Human Rights, underpinned by collaboration and collective action. It is important to address gaps in access to existing mechanisms and ensure that effective grievance mechanisms are in place [8]. Sports governing bodies should encourage spaces for activism, by taking necessary measures to ensure that athletes, staff and everyone who is involved in sport activities, do not face risks when they stand up for their rights and the rights of others [9]. In addition, resources, training and activities to tackle human rights violations need to be available and distributed equally among the various sport disciplines.

Sport's long tradition of independence and autonomy can lead to complications when it comes to implementing binding policies and legal frameworks to protect human rights within sport bodies [10]. The creation or reinforcement of third parties can positively challenge the autonomy of sport without neglecting it. These parties and organisations have a role in supporting and offering expertise on human rights decisions so that sport organizations can operate more effectively and transparently [3].

It is essential to tackle the lack of a designated body and institutions both at the national and international levels that are responsible for intervening and passing judgment on violations to human rights. Clear, informed, comprehensive, effective and rights-based responses to abuse, both preventative and remedial, are not yet in place at any level [9] (e.g. many sporting organizations do not have children's rights policies nor systems to operationalise them). This outlines the need to clarify where responsibility lies when it comes to monitoring, reporting and remedial mechanisms [11].

[1] European Parliament (2018). Towards a binding international treaty on business and human rights. [https://www.europarl.europa.eu/RegData/etudes/BRIE/2018/620229/EPRS_BRI\(2018\)620229_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2018/620229/EPRS_BRI(2018)620229_EN.pdf)

[2] FIFA (2019). FIFA Human Rights Advisory Board.

<https://resources.fifa.com/image/upload/human-rights-advisory-board-terms-of-reference.pdf>

[3] Verfassungsblog (2019). FIFA and Human Rights: Introduction to the Symposium
<https://verfassungsblog.de/fifa-and-human-rights-introduction-to-the-symposium/>

[4] Sport and Rights Alliance (2015). Sport and Rights Alliance.
<https://sportandrightsalliance.org/2015/07/06/sport-and-rights-alliance/>

[5] Sport and Rights Alliance (2015). Human Rights and Sports: Amnesty's Recommendations.
<https://www.sportandhumanrights.org/human-rights-and-sports-amnestys-recommendations/>

[6] the BRIDGE (2018). Where is our Human Right to Sport?
<http://www.thebridgevienna.org/human-right-to-sport/>

[7] EPRS- European Parliamentary Research Service (2019). EU sports policy Going faster, aiming higher, reaching further.
[https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/640168/EPRS_BRI\(2019\)640168_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2019/640168/EPRS_BRI(2019)640168_EN.pdf)

[8] Centre for Sport and Human Rights (2018). Mapping Accountability and Remedy Mechanisms for Sport. Background paper.
https://www.sporhumanrights.org/Mapping_Accountability_Remedy_Mechanisms_CSHR.pdf

[9] Centre for Sport and Human Rights (2018). The 2018 sporting chance forum. Meeting report.
https://www.sporhumanrights.org/The_2018_Sporting_Chance_Forum_-_Meeting_Report.pdf

[10] Council of Europe (2013). Sport & Human rights.
<https://www.coe.int/en/web/sport/sport-human-rights>

[11] United Nations (2012). The Corporate Responsibility to respect Human Rights.
https://www.ohchr.org/documents/publications/hr.pub.12.2_en.pdf

3 What systemic or structural challenges need to be tackled to realize sustainable development based on respect for human rights in the sporting industry?

3.1 A policy commitment to meet their responsibility to respect human rights (elaborated on further in UN Guiding Principle 16)

In short: Only states are the addressees of international human rights Documents, therefore sporting organisations do not have - legally spoken- an obligation to fulfill those duties [1]. This often leads to a **lack of designated responsibility** [2]. An absence of a binding and standing human rights policy and capacity across international sport within major international sporting organisations and, as a consequence, no recourse to dispute resolution through such channels can be had for cases related to human rights [3]

3.2 A human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights (elaborated on further in UN Guiding Principles 17-21)

In short: In 2017, more than 60% of National football associations under the UEFA didn't have a specific budget dedicated to human rights [4]. It was also stated that there was a general low level of knowledge with reference to the tools dealing with Corporate Social Responsibility and Human Rights protection, including the UNGPs. [5] Another systemic challenge is the missing promotion of cooperation between bodies responsible for sports ('social dialogue') [6]. Special mechanisms are needed for for example children's rights protection [7] or to tackle structural obstacles when it comes to whistleblowing, especially the so called "esprit de corps" problem [8]. This asks for special training, financial investment and effort.

3.3 A processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute (elaborated on further in UN Guiding Principles 22 and 29-31)

In short: The inconsistent application of international human rights norms and standards to disputes before the Court of Arbitration for Sport and the fact that most Court arbitrators lack human rights expertise poses a serious challenge to access to effective remedies for athletes whose human rights are alleged to have been violated [9]. The primary default rules applied in appeals to the Court of Arbitration for Sport are the relevant sport regulations, but neither these regulations nor the statutes of sport governing bodies include human rights norms and standards as binding sources of law for adjudication. [10] The Olympic Charter and the statutes of most international federations provide for the internal resolution of disputes, with appeals permitted exclusively to the Court of Arbitration for Sport. [11] Such mandatory arbitration shields the global sports system from regulation by national legal systems, which is where human rights are typically protected. [12] While athletes may sometimes be able to make human rights-related claims against sport governing bodies before domestic courts, these courts generally only have jurisdiction over their respective national federations and national Olympic committees, not over international federations and IOC, where many decisions that may negatively impact or violate human rights originate. [13]

[1] Drywood, Eleanor: ‘We need to talk about the kids’: FIFA’s children’s rights obligations, VerfBlog, (2019), <https://verfassungsblog.de/we-need-to-talk-about-the-kids-fifas-childrens-rights-obligations/>

[2] Centre for Sports and Human Rights: Draft for consultation: Mapping remedy mechanisms for sports-related human rights grievances (2018) p. 9, https://www.sporhumanrights.org/uploads/resources/CONSULTATION_DRAFT_-_Mapping_Remedy_Mechanisms_.pdf

[3] Centre for Sports and Human Rights: Draft for consultation: Mapping remedy mechanisms for sports-related human rights grievances (2018) p. 9, https://www.sporhumanrights.org/uploads/resources/CONSULTATION_DRAFT_-_Mapping_Remedy_Mechanisms_.pdf

[4] Togon, J. (2017). Embedding human rights promotion and protection through and within European football. https://uefaacademy.com/wp-content/uploads/sites/2/2019/06/20170331_UEFAFinalReport_Tognon-Jacopo.pdf

[5] Togon, J. (2017). Embedding human rights promotion and protection through and within European football. https://uefaacademy.com/wp-content/uploads/sites/2/2019/06/20170331_UEFAFinalReport_Tognon-Jacopo.pdf

[6] FIFA: About FIFA- Fourth Report by independent Human Rights advisory board, published, press release (2020) <https://img.fifa.com/image/upload/pyume2cahuue2szxgiwq.pdf>

[7] Drywood, Eleanor: ‘We need to talk about the kids’: FIFA’s children’s rights obligations, VerfBlog, (2019), <https://verfassungsblog.de/we-need-to-talk-about-the-kids-fifas-childrens-rights-obligations/>

[8] Transparency international: Best practices for whistleblowing in sports (2018) <https://knowledgehub.transparency.org/helpdesk/best-practices-for-whistleblowing-in-sport>

[9] Human Rights Council: Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General (2020)

[10] Court of Arbitration for Sport, Code of Sports-related Arbitration, rule 48; Human rights Council: Intersection of race and gender discrimination in sport- Report of the United Nations High Commissioner for Human Rights (2020) p. 12.

[11] Human Rights Council: Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General (2020)

[12] Human Rights Council: Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General (2020)

[13] Human rights Council: Intersection of race and gender discrimination in sport- Report of the United Nations High Commissioner for Human Rights (2020), https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session44/Documents/A_HRC_44_26_AEV.docx p. 10.

4 In concrete terms, what will be needed in order to achieve meaningful progress with regard to those obstacles and priority areas? What are actionable and measurable targets for key (sporting) actors in terms of meeting the UNGPs' expectations over the coming years?

4.1 A policy commitment to meet their responsibility to respect human rights (elaborated on further in UN Guiding Principle 16)

Familiarization of the sports sector with the broad content of human rights and the available resources for policy-building and risks analyses through:

- (1) Creation of collaborative pilot projects in the field of sports and human rights across different sports and countries: especially for creating awareness around the topic and to bring the topic on the agenda of senior leaders in the sports industry
- (2) Mapping of existing policies and undertaking of a gap analysis to establish how well human rights issues are covered by the respective sporting organizations and whether additional policies are needed
- (3) More guidelines across sports to embed a human rights policy within an organization, such as sport-specific policy checklists:
 - General Obligations
 - Right to equal opportunity and non-discriminatory treatment (gender, racial, religious, disability, LGBTI*)
 - Right to security in persons
 - Rights of workers
 - Rights of children
 - Rights of athletes
 - Respect for national sovereignty and human rights
 - Obligations with regard to player/coaches protection
 - Obligations with regard to environmental protection
 - Whistleblower protection
- (4) Establishment of a roadmap for sporting organisations to evaluate the concrete risks of severe human rights impacts, and the nature within the context of the sports industry
- (5) Increasing stakeholder pressure or expectation for the sporting sector to adopt a human rights strategy or to respond to current human rights development within the industry
- (6) Share understanding of why human rights are important to business communications, internally and externally
- (7) Ratify and put in place international laws that protect human rights in general and individual rights in particular, and to have clear and sweeping national laws that also provide the necessary protection

4.2 A human rights due diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights (elaborated on further in UN Guiding Principles 17-21)

Familiarization of the sports sector with the broad content of human rights and the applicable context through:

- (1) Sharing of best practices of organizations that deploy a responsible sourcing code, working anti-discrimination policies and child/athlete rights due diligence
- (2) Mobilization of athletes advocating for overall human rights and concrete individual rights in their respective sport
- (3) Include human rights requirements into the bidding process of all major and medium-large sporting events while openly promoting them during the respective event
- (4) Obligatory human rights protection awareness training for coaches, personal trainers, intermediaries, club staff and other employees, workers and agents, especially those who work with children, underrepresented and vulnerable individuals, aiming at implementing and maintaining an effective licensing systems that is built on criminal background checks and psychological as well as ethical evaluation
- (5) Guidelines on selection and recruitment of club personnel and suggested self declaration forms for people applying for sporting positions in reference to (4), that results in an effective licensing system
- (6) Increase the awareness of an inclusive sporting environment through a multi-channel approach: increase representation of underrepresented groups in all organizational functions, collaborate with media on current issues and developments, give a diverse set of actors (e.g. players) a say and a public platform, credibly collaborate with sponsors, integrate fan groups and clubs.
- (7) Provide funding for social, educational and information activities for NGOs active in the field of sport and human rights, and help establishing links to the educational sector (schools, universities)
- (8) Share understanding of human rights commitment as an opportunity for legal clarification
- (9) Enhancement of sector-wide business initiatives in the field of sports and human rights (alliances such as SRA with more and stronger actors)
- (10) Drive the evolution away from issue-specific or disclosure-only regulation: focus on holistic due diligence and specific issues within the broad spectrum of human rights means that the impact for rights holders is more significant

4.3 A processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute (elaborated on further in UN Guiding Principles 22 and 29-31)

Familiarization of the sports sector with the broad content of human rights in a long-term commitment within the holistic value chain through:

- (1) Increase the awareness of monitoring and reporting mechanisms as well as access to remedy through a multi-channel approach: internal communication towards all stakeholders, as well as external access via websites and information points on the ground, hotlines, etc.
- (2) Explicit reference needs to be given to human rights treaties and standards during the monitoring and reporting, such as the International Covenants on Civil and Political Rights, and on

Economic, Social, and Cultural Rights, the UNGPs, or OECD Guidelines for Multinational Enterprises.

- (3) Disciplinary bodies of sports federations need to be as independent and impartial as possible in the association system (e.g. own budget; own administrative support, rather than reliance on general services provided by the federation)
- (4) Enhancing the cooperation and exchange between sporting bodies and judicial authorities: complementing the autonomous sports structure through relevant judicial procedures, especially with regards to access to remedy
- (5) A fair sport for all also means a fair legal system for all, e.g. through the provision of legal aid by lawyers prepared to work pro bono, supported by the sporting organizations (plus translations, interpretations).
- (6) Clarification over the responsibility of dispute resolutions and the provision of remedy with regards to the sporting bodies and respectively the judicial authorities (e.g. case of UEFA and FIFA, where only internal stakeholders fall under the jurisdiction of the ethics regulations).
- (7) Clarification over grey zones in the monitoring process through the drafting of guidelines, e.g. the justification on restrictions on freedom of expression if there are legitimate reasons such as guaranteeing security at competitions, ensuring law and order and combating racism, etc.
- (8) Testing of best practice human rights monitoring and reporting templates by State authorities and the sports industry to gather additional live data.
- (9) Facilitate a 'complaint and information center' in order to be accessible to complaints that occurred during match days (fans) or in the club structures (internally) as well as to inform and educate on the matter
- (10) Visualization of monitoring, reporting and remedy in CSR/sustainability/corporate reports, with sufficient data and including independent reviews of the process.



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