

# Can World Sport Embrace Human Rights?

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Play The Game 2017

# In the last 3 years positive change has happened...

- FIFA & IOC have accepted that human rights must be addressed as it pertains to world sport
- IOC's Agenda 2020 addressed good governance, human rights and gender
- FIFA took the lead, engaging the UN's top expert to outline a human rights policy
- FIBA joined FIFA to allow headcoverings (hijab, turban, etc.) increasing inclusion
- UCI agrees to adapt its policies on XY female athletes, gender verification and TUEs
- This would not have happened without journalists, activists, lawyers, academics, and a handful of athletes speaking up and out...

# UN Guiding Principles on Business & Human Rights 2011

- Big change has also come from international regimes.
- The UNGPs outline how nation states & business enterprises have an obligation to respect, protect, and fulfill human rights and fundamental freedoms.
- Sports top sponsors are working to implement the UNGPs across their businesses, including Coca Cola and Adidas.
- The UNGPs require the IOC & FIFA to respect all human rights issues connected to sport.

# FIFA's new Human Rights Policy & Advisory Board

- FIFA's transformation started with the Ruggie Report in April 2016
- Professor Ruggie and the new Advisory Board's focus for FIFA:
  - Adopt a human rights policy,
  - 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
- Human Rights Policy approved by Council in May 2017, a first for international sport
- Human Rights Advisory Board-8 members with high standing in human rights community
- But remember...this coincided with FIFA's governance & corruption crisis

# FIFA's Human Rights Advisory Board Report

- Despite progress by FIFA...The Advisory Board report outlined at least 10 major shortfalls in Nov. '17
- FIFA has not embedded respect for human rights throughout FIFA and its connected entities
- Governance Committee head resigned along with top human rights experts
- Missing connection between good governance & internal corruption and human rights
- Missing greater transparency of FIFA's actions and internal activities on human rights
- Lacking a system to identify greatest risks, including those to athletes, human rights defenders (who could be athletes) and journalists
- Lacking grievance mechanisms and other dispute-settlement mechanisms for FIFA staff, athletes, and those connected to FIFA activities

# Difficulties for FIFA...Russia, Qatar

Of the 22 FIFA members who voted for Russia & Qatar, 12 have now been accused of corruption or other alleged offences...others remain

Russia-12,000 workers, 50% migrant workers of whom there are allegations of slave-like conditions

- FIFA's updates to Human Rights Advisory Board were missing results & methods of investigations and there was no way to evaluate effectiveness of efforts

Qatar 2022-12,000 workers rising to 36,000 in 2018

- At least 8 deaths in last 2 years and HRA Board report queried issue of "work-place related" deaths
- Others living as slaves under the Kafala system

# IOC's Agenda 2020 improvements

- In 2015, 40 recommendations were made including improvements to gender, good governance and human rights
- Human rights now built into Host City contracts starting in 2024
- Improved transparency of financials
- Diversification of IOC membership
- Improvements to the IOC Ethics Commission's independence

# IOC's Agenda 2020 failures

Agenda 2020 Working Groups included Diack, Hickey, Ahmad, Fredericks and lots of other men- Not a single working group had a majority of women, some had no women at all

- Pillar of 2020 is gender, but the IOC remains an old boys club
- Women IOC members still not equal despite 35 years trying (only 28%)
- Unenforceable sex harassment and abuse policy with no remedial mechanism

Intl Institute of Management Development issued report in July 2017 with 33 recommendations

- Transparency issues with Olympic Solidarity Program (headed by Sheikh Ahmad Al-Fahad Al Sabah who was identified in US Fed. Court as being the source of bribes paid to FIFA voters)
- Sanctioning power needs to be given to a third party not IOC Executive Board
- Ethics Commission needs to have investigatory powers



# Structure of international sport root cause of problems

- Autonomous nature of sport, makes it impossible to co-exist with nation states.
  - Traditional rule making and legal justice systems cannot be accessed
  - Coherced arbitration in the Court of Arbitration for Sport
- IOC & IF members thrive on an undemocratic system rife with bribery, collusion and secrecy.
  - No human rights experts or other members skilled in social impact or corporate social responsibility
- While it can be argued that it is in the best interests of each organization to embrace human rights, is it in the best interests of the individual leaders to change?

# And the athletes?

- Athletes are not given opportunity to participate in governing or rule making
- Athletes lack legitimate representation as athlete members serve the interests of the IOC/IF
  - The role of the IOC athlete member is to “represent and promote the interests of the IOC and the Olympic Movement in their countries and in the organisations of the Olympic Movement in which they serve.”
  - This means a loyalty to the Olympic Movement/sport as whole over the individual constituent, such as the athlete.
- Other athletes cannot speak out due to Olympic gag rule 50.2
- No effective grievance mechanism means remedy unavailable for those who speak out for the rights of others or want to exert their human rights

# What next?

- Together we must demand an overhaul of sports' leadership structure, membership & governance
- We must fight to end to sport's autonomy
- We must lift the reforms from the paper through continued external pressure so they aren't a smokescreen for continued human rights abuses
- I cannot let sport be in the service of repression and we need to speak with one voice or it will all be meaningless