



EMBEDDING THE HUMAN RIGHTS OF PLAYERS IN WORLD SPORT

Play The Game 2017

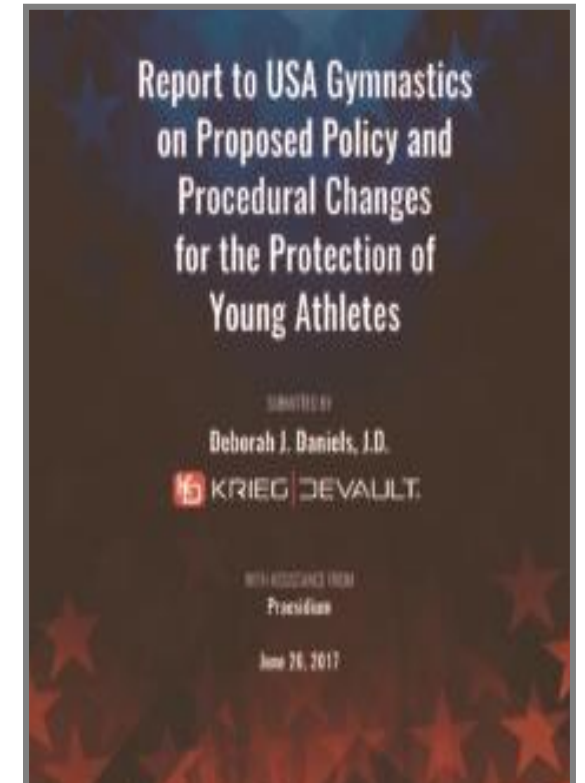
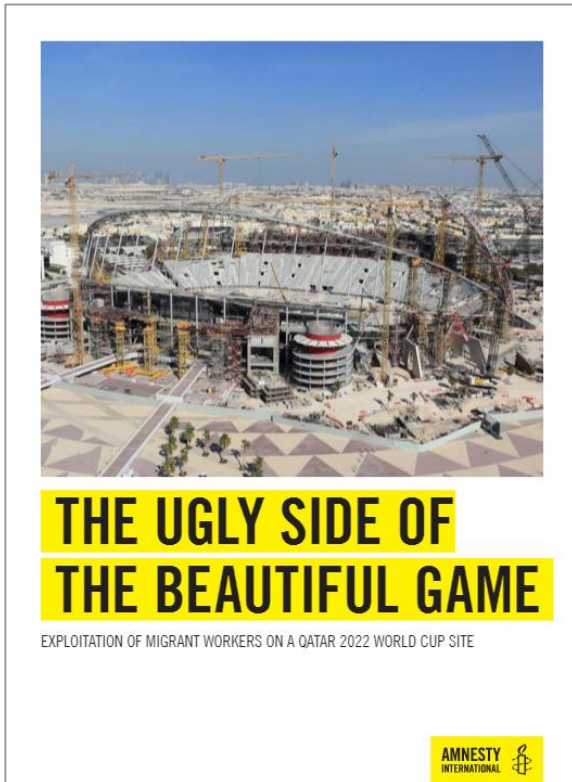
‘Riding Waves of Change’

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World Players Association, UNI Global Union

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Human and athletes' rights crisis





National vs. world 'sports law'

	National level	World 'sports law'
Players	Employees protected by employment & labour law	Regulations of ISOs enforced through arbitration (CAS)
Negotiation & representation	Right to organise & collectively bargain	Regulated by ISOs (e.g. IOC & WADA)
Sporting bodies	Cartels subject to competition / anti-trust law	Autonomy & specificity of sport



National vs. world 'sports law'

Antoine Duval (Asser Institute) –

- *“In the absence of international rules imposed conjointly by national states, the football world has developed, in the shadow of Bosman and Swiss arbitration law, a specific ‘global law without the state.’”*

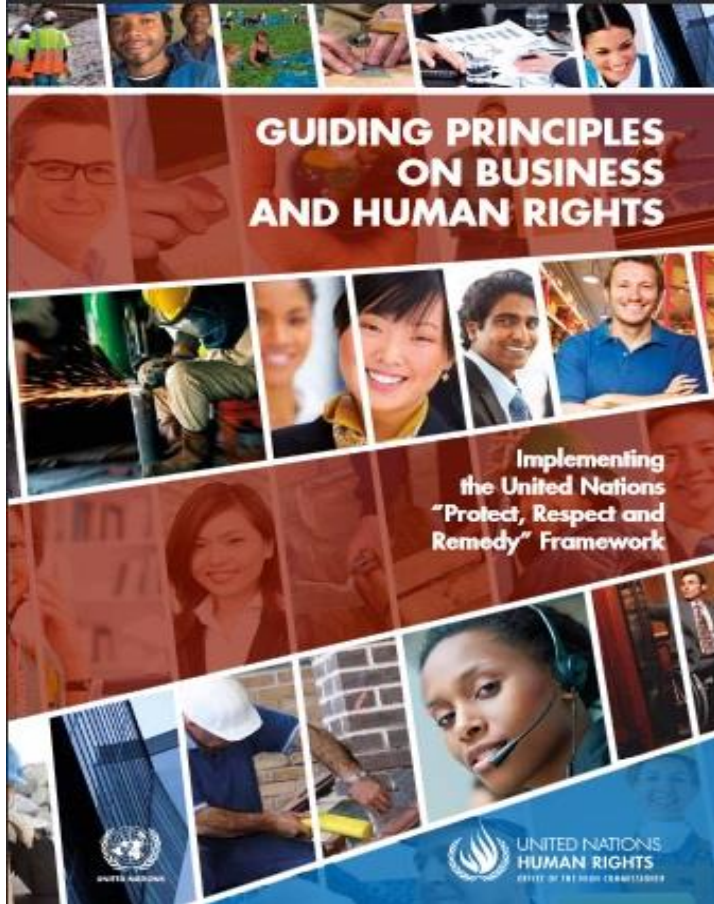
Collective action



#WORLDPLAYERSUNITED



UN Guiding Principles on Business & Human Rights, 2011 (UNGPs)



- Framework:
 - Protect
 - Respect
 - Remedy
- 4 requirements for business:
 - Human rights policy
 - Human rights due diligence
 - Access to an effective remedy
 - Engagement & communication



Internationally recognised human rights

- International Bill of Rights:
 - Universal Declaration of Human Rights
 - International Covenant on Civil & Political Rights
 - International Covenant on Economic, Social & Cultural Rights
- ILO Declaration on Fundamental Principles & Rights at Work
- UNESCO International Charter of Physical Education, Physical Activity & Sport



Recent human rights commitments of ISOs

FIFA	UEFA	IOC	CGF
<ul style="list-style-type: none">• Article 3 FIFA Statutes, 2016• Ruggie report, 2016• FIFA 2.0, 2016• FIFA Human Rights Policy & Activity Update, 2017• 2026 FIFA World Cup bid & host requirements	<ul style="list-style-type: none">• 2024 EUROS bidding requirements & staging agreement, 2017• Expanding commitment with SRA to all events & activities	<ul style="list-style-type: none">• 2024 Host City Contract, 2016	<ul style="list-style-type: none">• CGF Human Rights Policy, 2017

Kazan Action Plan, July 2017



MINEPS VI
KAZAN 2017

Sixth International Conference
of Ministers and Senior Officials Responsible
for Physical Education and Sport

“Safeguarding” the rights of athletes first pillar in the new action plan adopted by the world’s sports ministers to protect the integrity of sport

- Protecting, respecting & fulfilling the human rights of all involved in the delivery of sport in accordance with the UNGPs is “essential”
- *“Members States called attention to the multiple ways in which the rights of athletes are linked with human rights, & are infringed. These include various athlete abuse, bad employment conditions, international illegal transfer of under-aged athletes...”*
- *“Athletes need safe spaces to train & compete free of abuse, sexual exploitation & misconduct, exploitation in employment situations, trafficking & violence...”*
- *“Good governance” of sport includes “athlete oversight”*

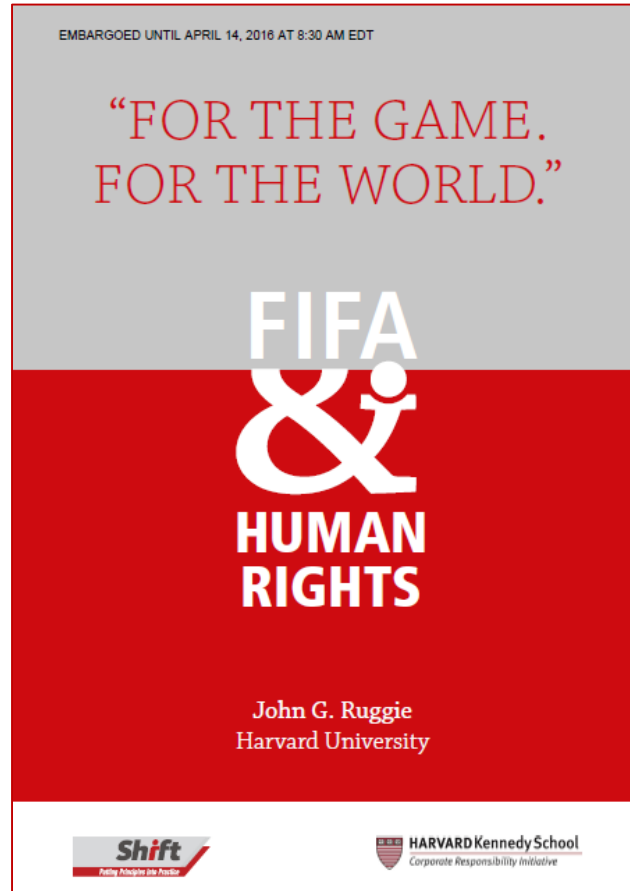


FIFA human rights policy, May 2017



- FIFA is committed to respecting all internationally recognised human rights in accordance with the UNGPs
- FIFA's "salient human rights risks" include "Players' rights"
- FIFA:
 - Engages in an ongoing due diligence
 - Is committed to providing for or cooperating in remediation where it has caused or contributed to adverse human rights impacts
- *"...Human rights commitments are **binding** on all FIFA bodies and officials when exercising their respective powers and competencies, including when interpreting and enforcing FIFA rules."*

Professor Ruggie on football's dispute resolution system



Recommendation 6.2, April 2016

FIFA should review its existing dispute resolution system for football-related issues to ensure that it does not lead in practice to a lack of access to effective remedy for human rights harms.

- FIFA should ensure that its own dispute resolution bodies have adequate human rights expertise & procedures to address human rights claims, & urge member associations, confederations & the Court of Arbitration for Sport to do the same;
- The review should involve independent experts as well as representatives of players & other users of the system.

World Player Rights Policy, July 2017



WORLD PLAYER RIGHTS POLICY

Why? To embed player rights in world sport
How? By upholding international human rights law

- 1** BINDING PLAYER RIGHTS POLICY
- 2** IDENTIFY RISKS & ACT
- 3** ACCESS TO REMEDY
- 4** PLAYER ENGAGEMENT & COMMUNICATION

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Four key player rights obligations of ISOs:

1. Binding player rights policy
2. Player rights due diligence (i.e. proactively identify risks & take action)
3. Access to an effective remedy
4. Engagement & communication with affected people & their legitimate representatives (inc. player associations)

“Volumes of legal docs in world sport impose onerous obligations on athletes. None guarantee their fundamental human rights.”



Q & A.
Thank you

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