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## **Sport and Human Rights:**

### **The connection between Sport and Human Rights**

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Sport relies on a rules-based system, fair play, respect and the courage, cohesion, support and goodwill of society in all its facets, including athletes, fans, workers, volunteers and local communities, as well as governments, businesses large and small, the media and sports bodies.

The foundational principles of the world's preeminent sports bodies speak to universal humanitarian values, harmony among nations, solidarity and fair play, the preservation of human dignity, and commitment to non-discrimination and sport governing bodies and athletes have used sport as a mechanism to promote and educate in fundamental values and principles. These values have much in common with international human rights instruments, principles and standards.

Linking sport and human rights goes back to civil rights activism by leading athletes in the 1960s, the sporting boycott of apartheid South Africa and beyond. Today, it plays out in various ways, and the awareness of sport's human rights risks are rising, from the ongoing struggles for equal treatment by women athletes, to exploited workers and evicted communities in the run-up to mega-sporting events. These highlight structural issues within sport itself, and in connection to sport as a business through its supply chains and vast array of public and private stakeholders.

A distinction can be made between human rights risks connected to day-to-day sports, which affect both elite and grassroots sports, and human rights risks related to sports events, which can occur in the context of bidding, preparing, staging or in the aftermath of the event.

The connection between sport and human rights is far-reaching and relevant at the national and international level. The human rights risks connected to sports can differ by country, but the underlying challenges to address these risks are similar. For a long time, sport has enjoyed considerable autonomy and remained largely free from governmental interference. International and regional organisations have even recognised this special status formally. However, given harms occurring in sport and its events, the need for greater responsibility to address these risks has resulted in policy makers at national and international levels showing an increased willingness and capacity to intervene when necessary.

#### **The Actors Involved**

Sport is the product of and influenced by many actors - private, public, third sector (not-for-profit), and at local, national, regional and international levels. While sports bodies play an important role in delivering day-to-day sport and events, they are one of many actors that comprise the sports ecosystem (see lists below for further details). Given the interdependencies within the ecosystem, actions, behaviours and decisions of every individual and institution can have a butterfly effect. When individuals or institutions fail to respect, protect and/or fulfil human rights, the trust and legitimacy of all actors across the sport ecosystem is compromised and the position

of sport as a positive force for good is detrimentally impacted. The Centre for Sport and Human Rights (the Centre) has structured and positioned itself to engage with all actors to realise a world of responsible sport.

A multiplicity and variety of actors are involved in the sport ecosystem:

- International, regional, and national sports federations, e.g. World Athletics, FIFA, UEFA or the German Football Association
- Workers, including athletes, volunteers and employees
- Representative organisations of those federations, like the ASOIF
- Private sports leagues and clubs, like the Basketball Euroleague, the NBA and FC Bayern München
- Athlete representative organisations like the World Players Association, Global Athlete, Athleten Deutschland and sport specific unions and associations
- Regulatory bodies like anti-doping organisations, such as WADA, or the Court of Arbitration for Sport
- National sport ministries and other related governmental bodies
- Broadcasters
- Sponsors
- Suppliers of sporting goods and services

In the case of sport events, in particular MSEs, this list can be extended to include:

- Sports bodies like the IOC, Commonwealth Sport, the International Paralympic Committee, or National Olympic Committees
- National, regional and local governments
- Local organising entities, like the Organising Committee for the Olympic Games
- Private event organisers, including recruitment agencies
- Standards agencies
- Contractors and suppliers that provide goods and services for the preparation of the event

All these actors have different levels of involvement and leverage when it comes to the human rights risks of sport and sports events.

The work of professional athletes is, by its nature, highly skilled and valuable, yet risky and precarious. As a condition of that work, athletes are subject to regulations that are extraordinary and far-reaching in their complexity and subject matter.

Regarding leverage, international federations for instance can set an example for other sports organisations by adopting a human rights policy and including human rights standards into their statutes and other policies, including their ethics code and any grievance mechanism, their sport rules and the bidding and hosting requirements for events.

Governments can ensure that the legislative framework in their respective country, and human rights standards in particular, apply to the world of sport within their jurisdiction and that adequate responsibility mechanisms are in place.

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Sponsors and broadcasters can use their influence with sports organisations and event organisers to push for the respect for and promotion of human rights in sports, and private contractors can ensure that their human rights responsibilities extend to all of their business relationships.

### **The theoretical and normative framework**

The growing sport and human rights movement is also triggered by an increasing acceptance of the applicability of international human rights standards relating to the private sector including sports bodies and sporting event organisers, as well as sponsors, broadcasters and other business entities involved in sport.

At the same time, public actors like central, regional, or municipal governments, as well as inter-governmental organisations are showing awareness of the human rights risks and challenges linked to sports, and are seeking to address these in various ways, by means of collaboration, policy instruments, or legislative changes.

Examples include:

- The 2017 Kazan Action Plan, adopted by the Sixth International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport (MINEPS VI) and endorsed by the UNESCO General Conference which provides in the third pillar of the sports policy framework supporting the Action Plan that “the fundamental human rights of everyone affected by or involved in the delivery of physical education, physical activity and sport must be protected, respected and fulfilled in accordance with the United Nations Guiding Principles on Business and Human Rights”. This includes safeguarding athletes, spectators, workers and other groups involved in or connected to sports to ensure their human rights are fully respected, as well as undertaking specific efforts to protect children, youth and other vulnerable groups from harm.
- Article 6 of the recently revised Council of Europe’s European Sport Charter, requires all stakeholders to respect and protect internationally recognised human rights and fundamental freedoms and to observe the general framework established for their implementation in business and other activities.
- The Points of Consensus which were published following the ILO Global Dialogue Forum on Decent Work in the World of Sport (2020), which include the recommendation that governments, employers’ and workers’ organisations and other relevant stakeholders should promote all forms of effective social dialogue to advance decent work in sport, including through collective bargaining, at national, regional and global levels, as appropriate

A particularly useful normative framework to study and guide efforts to address human rights related risks and challenges linked to sport is the UN Guiding Principles on Business and Human Rights (UNGPs). Relevant to the responsibilities of the different public and private actors involved, the UNGPs provide the authoritative global standard for what is expected behaviour of businesses in relation to human rights and clarifies state duties to protect, respect and fulfil human rights in the context of abuses involving non-state actors. More specifically, the UNGPs three pillar framework outlines that:

- Governments and public bodies have a duty to protect against human right abuses including by non-state actors (e.g. businesses) through policies, regulation and adjudication;

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- Companies and organisations involved in commercial activities (e.g. Sports Bodies) have a responsibility to respect human rights, that is to avoid people's human rights being harmed through their activities or business relationships, and to address harms that do occur. This includes through policies and due diligence processes.
  - Where human rights have been harmed there needs to be access to effective remedy for victims: both public and private actors may have a role to play in providing that access.

Since their endorsement by the UN Human Rights Council in 2011, the UN Guiding Principles have found their way into the world of sport, with a number of sport bodies and sport event organisers taking steps to apply them to their operations. In particular the due diligence process, which rests on the identification and assessment of human rights risks, prevention and mitigation of those risks, tracking responses, and communicating how risks and impacts are addressed, has been adopted as useful tool for the various private actors involved in the sport ecosystem to address human rights risks related to their activities.

An additional and sport-specific framework for understanding and analysing human rights risks in the world of sports can be found in the Sporting Chance Principles, which have been developed and endorsed by the Advisory Council of the Centre for Sport and Human Rights.

### **Sport and Human Rights Issues**

The links between sport and human rights are reflected in various scenarios, from the organisation of a Mega-Sporting Event (MSE) to the governance of Sport Governing Bodies (SGBs) or the risks related to specific groups like women and children.

In the following, more detail is provided for some of these scenarios. It should be noted that the list of sub-themes presented here is not exhaustive but indicative of the most pressing themes that have emerged within the sport and human rights movement in the past years.

- **Mega-Sporting Events (MSEs):** MSEs are more than just prestigious sporting competitions. Because of their scale and complexity, these international events present an exceptional example of the potential human rights impacts of our increasingly globalised and interconnected world. While many stakeholders benefit from MSEs, the events are consistently linked to allegations of human rights abuses ranging from displacement and evictions of families to build new stadiums, worker rights abuses on construction projects and in the MSE supply chain, to abuses of fans, athletes, journalists and local residents in and around the event itself. Actors involved in MSEs have the potential both to violate human rights and to promote greater respect for human rights. Exploring the human rights impacts of MSEs highlights many issues that are relevant to the broader business and human rights debate.
- **Governance:** Sport governing bodies have an essential role in embedding human rights standards into their policies and practices. Through implementing human rights within their own governance, sports institutions become the central axis for the development of policies that govern a sport that fully respects human rights. This applies to all policies and regulations of a sports body, those that regulate the transfer of players, eligibility rules, or bidding requirements for hosting a tournament. It also should trickle down to the member associations or National Olympic Committees. There are a number of examples of international and national sport governing

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bodies taking steps to embed and implement human rights into their governance, such as Commonwealth Sport, FIFA and the German football association. However, there are also huge differences between the numerous sport governing bodies.

- **Gender Equity:** is one of the systemic human rights challenges in the world of sports. Gender discrimination in the sporting context occurs at elite and grassroots level and is reflected in lower numbers of women participating in sports generally. This highlights the structural gender barriers and discrimination faced by women and girls to access, remain in and enjoy sports. Issues at stake include gender-based violence, sexual abuse and harassment in the sports environment, the lower quality sporting infrastructure and equipment available for women athletes compared to men athletes, the lack of respect for professional standards in terms of contracts and benefits, the gender pay gap in salaries, awards and prize money with respect to men's disciplines, the lack of visibility for women's sport in media broadcasting and portrayals that reproduce harmful gender stereotypes, not to mention the low number of women in leadership and decision-making positions in sport governing bodies. Moreover, it is not just about issues of discrimination against women. The rights of transgender athletes, the discussions about regulations around athletes with Differences of Sex Development (DSD) and rights violations motivated by the normalisation of toxic masculinities in sport are also sport-related human rights issues.

- **Inclusive Sport:** Persons with disabilities face several barriers to engaging in physical activity and sports, including inaccessible sporting facilities, attitudinal barriers, the lack of suitable equipment, disability-specific knowledge and support, accessible information, and extra financial costs. Specific eligibility requirements imposed by sports bodies can further limit access to sport for some persons with disabilities. In addition to this group, there are other groups that are often excluded from sports, such as people from the LGBTIQI community, migrants, indigenous people, or people living in poverty. Regarding rights of indigenous communities, this issue often comes up in relation to sport events, in particular questions of sovereignty and rights to the land upon which a certain event occurs and the uncompensated appropriation of indigenous symbols for marketing and merchandising.

- **Remedy Ecosystem:** Every affected person whose rights have been harmed has a right to effective remedy. This means that where human rights abuses occur in the world of sport, effective remedy mechanisms should be in place and accessible for those affected. This applies equally to athletes whose rights have been harmed and to other groups and individuals, like indigenous communities or migrant workers, whose rights have been harmed in the context of an MSE. Relevant mechanisms in the world of sport range from judicial to non-judicial mechanisms, and examples are the Court of Arbitration for Sport, national sport arbitration tribunals, national and international courts, or mediation-based mechanisms. However, in many cases existing mechanisms are ineffective in providing remedy and compensation for sport-related human rights harms. In particular the Court of Arbitration for Sport has been criticised for its lack of human rights capacity. A challenge for any mechanism dealing with such cases is the need to address power imbalances between those affected and those responsible for the adverse human rights impacts, ensuring giving equal access to information, overcoming cost, language and other barriers to remedy systems, and providing a fair process and fair conditions for making use of the mechanism.

- **Children:** millions of children worldwide are engaged in organised sport. For the majority of these children, sport brings a range of positive benefits and contributes to the realisation of a number of their rights. However, for some children, sport can bring experiences of physical abuse, emotional abuse, sexual abuse, neglect, peer aggression, undue stress, harassment, hazing, bullying, and other forms of non-accidental violence, as well as doping, and trafficking and child

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labour. Sport can also affect children who are not directly engaged as players. MSEs can bring economic opportunities to host communities and provide a platform to advance children's rights. However, some MSEs have had negative impacts, including the forced relocation of families leading to a loss of access to basic services such as schools and health services, or to child labour, increased violence and sexual exploitation.

- **Athletes' Rights:** athletes are the pillar of the sport ecosystem, at elite and grassroots level. Nevertheless, they face a number of human rights risks in the sporting context, such as violations of privacy rights, the right to equality and non-discrimination, infringements to labour rights or the right to protest or the right to freedom of expression. The recent rise in reports of cases of physical and sexual abuse that happened in the sporting context implies that some of the human rights risks athletes face highlight structural problems within the world of sport. Another source of human rights risks for athletes are the anti-doping obligations imposed on them which have a significant impact on their rights to privacy, for instance when it concerns whereabouts requirements, but also the storing of data and medical samples.

- **Corruption:** Despite efforts to increase governance standards in sport organisations in recent years there are still deficiencies with regard to transparency, accountability, integrity and participation (stakeholder involvement and diversity) in many sport governing bodies. These deficiencies carry numerous risks from a human rights perspective. For example, risks caused by the high stakes competition for the right to host MSE, and contracts linked to MSEs, can lead to transparency procedures, participatory rights and proper stakeholder engagement being ignored. At the same time, the corrupt use of public money for sport or sport events can limit the resources available to guarantee important social, economic, and cultural rights of citizens. Therefore, a discussion on how to improve the structure and decision-making processes in sport is needed.

### **Mega-Sporting Events and Human Rights**

From the perspective of human rights, mega-sporting events bring both opportunities and risks. Large sporting events often precipitate massive public and private investment which create new jobs and boost employability, along with the potential for improving essential infrastructure, regenerating urban areas, developing housing and promoting increased participation in sport and healthy living. At the same time, MSEs have come under repeated scrutiny from human rights experts and campaigners over a gamut of concerns. Numerous reports have highlighted that a whole range of human rights can be adversely impacted by delivering these events, such as housing rights, labour rights, privacy rights, rights to freedom of expression and protest, press freedoms, as well as the principle of non-discrimination.

The lifecycle for a mega-sporting event also serves as a microcosm for the whole range of business and human rights issues. With the large amount of public investment associated with these events, and their impacts on local communities, mega-sporting events should be delivered to exemplary standards in all respects – especially with regard for human rights.

A successful mega-sporting event requires many parties to work together towards a shared vision. Long after an event is completed, its legacy can impact upon a range of stakeholders including the host nation, its workers, athletes and local communities. To succeed in delivering positive outcomes such as bringing vital infrastructure to a community, regenerating urban areas, or encouraging youth to be more active in sport, it is increasingly well understood that local communities and other relevant stakeholders should be involved in shaping the vision for the event from

the outset. Relevant stakeholders ought to be at the centre of any event concept. In mapping its human rights risks, both sports governing bodies and host actors (the government and bid committee) should consider how human rights could be adversely impacted, to what extent, and what can be done to prevent these impacts. Affected stakeholders should be provided with a clear understanding of how the event may impact them, above all have a chance to make regular and meaningful inputs into the planning and delivery process of MSEs, and know where and how they can go to access remedy if required.

### **The Role of Governments**

Governments can ensure that the legislative framework in their respective country, and human rights standards in particular, apply to the world of sport within their jurisdiction and that adequate responsibility mechanisms are in place.

Below are a set of recommended actions for Governments to align mega-sporting events and human rights:

- During the bid phase, commit the local organising committee (in the event of a winning bid), in line with the Guiding Principles, to adopt a human rights statement, and to publicly disclose information on their efforts to implement human rights due diligence, and to remediate adverse human rights impacts.
- Commit the local organising committee to setting up a domestic independent assurance body to oversee sustainability and human rights-related issues associated with the MSE; and a Code of Conduct on labour standards to be included in contracts with suppliers, licensees and other commercial partners, that is backed up by a grievance and dispute resolution mechanisms.
- Set out and promote general human rights guidelines in line with the UN Guiding Principles for business activities linked with the MSE but which are not within the remit of the local organising committee.
- Ensure that nothing in the bid process or host city agreement is inconsistent with the host government's international human rights obligations, for example in the enforcement of commercial property rights.
- Urge sports governing bodies to commit explicitly to respecting human rights, to integrate the UN Guiding Principles (UNGPs) within candidate city / country requirements and host city agreements, and to ensure they enforce any existing commitments to combat discrimination and to promote the rights of women and other marginalised or vulnerable groups.

### **The work of the Centre for Sport and Human Rights**

Transforming sport at every level in ways that are consistent with international human rights, labour and sustainability standards will not be achieved by any one actor alone, but only through engagement and collective action across the entire sports ecosystem.

Under international law, States are the primary duty bearers that must protect, respect, and fulfil human rights, and protect people against human rights abuses by third parties. Nevertheless, in the past decade, the discourse has been increasing around the responsibility of all relevant actors to deliver sport in a responsible way.

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A coalition of stakeholders - including intergovernmental organisations, governments, sport bodies, athletes, hosts, sponsors, broadcasters, civil society representatives, trade unions and employers – came together under the recognition that sport cannot stand apart from its very significant social impacts – both positive and negative. They recognised that it is critical to ensure that the world of sport is in full alignment with international human rights and related instruments, principles, and standards and that collective action is critical in strategies to protect and respect all internationally recognised human rights in and through sport, including access to effective remedy for the victims of human rights abuses involving sport at all levels.

This coalition, existing since 2017 and with the involvement of the German Government, supported the setting up of the Centre for Sport and Human Rights, a human rights organisation for the world of sport, which was formally launched in June 2018. The mission of the Centre is to advance a world of sport that fully respects and promotes human rights by generating awareness, building capacity and delivering impact.

The Centre is the human rights organisation for the world of sport. We are convenor of collective dialogue and action, supporting the various actors to raise awareness of human rights risks within sport, build capacity to prevent and mitigate harms, maximise positive impact, and create lasting value.

### **Key documents and references**

- The Fans Human Rights Guide, developed by the Centre and Football Supporters Europe
- Convergence 2025, the Strategy of the Centre for Sport and Human Rights
- 5 Sport and Human Rights issues to look for in 2022
- Governance Guidance, which outlines four tangible steps that sports bodies can take to build human rights into the governance of their organisations
- Mega-Sporting Events Life Cycle Guidance, including specific elements of human rights good practice at each stage of the preparation of events
- “Games Time Guidance”, designed to support organisations and authorities involved in the final preparation and delivery of major sporting events in their efforts to ensure respect for international human rights standards
- “Labour Rights in Qatar: Due Diligence Starter Kit for National FAs” a tool that aims at helping Football Associations (FAs) that will participate in the FIFA World Cup conduct human rights due diligence in Qatar and other future hosts
- White papers on Mega-Sporting Events and Human Rights
- “Striving for Excellence. Mega-Sporting Events and Human Rights”
- “For the game. For the World”. FIFA and Human Rights
- “Recommendations for an IOC human rights strategy”
- Sixth International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport (MINEPS VI) - Kazan, Russian Federation - 13-15 July 2017
- ILO Global Dialogue on Decent Work in Sport
- The Council of Europe European Sport Charter
- World Players Association Universal Declaration of Players Rights
- The Promise of a Positive Legacy: The 2026 FIFA World Cup Host City Candidates' Human Rights Plans

