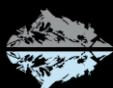


FINAL REPORT OF THE CONSULTATION PROCESS TO CONSIDER THE CREATION OF AN INTERNATIONAL SAFE SPORT ENTITY

OCTOBER 2021

Ingrid Beutler

BEUTLER
INTERNATIONAL
SPORTS
ADVISORY



Contents

GLOSSARY.....	4
ACKNOWLEDGEMENTS.....	8
EXECUTIVE SUMMARY.....	9
METHODOLOGY.....	21
CONTEXT: ABUSE IN SPORT.....	23
Identified Challenges in Establishing a New International Entity.....	24
Selected Research and Case Studies: Abuse in Sport.....	27
Addressing the Problem of Abuse in Sport: Sport’s Obligations.....	34
Addressing the Problem of Abuse in Sport: Statutory Obligations.....	43
I. ESTABLISHMENT OF A NEW SAFE SPORT ENTITY.....	44
Recommendations for the Entity.....	44
Mission Statement.....	44
Guiding Values and Principles.....	44
Objectives.....	45
Scope of Covered Persons.....	45
Scope of Offences.....	46
II. SERVICES.....	47
A. PROTECTION AND SUPPORT.....	48
A.1. REPORTING.....	48
Particular challenges in reporting abuse in sport.....	48
The Principles of a Reporting Mechanism: Trust, Impartiality and Protection.....	49
Protection of Reporting Persons.....	49
Trust and Leadership Commitment to Good Reporting Mechanisms.....	50
Different Interfaces for Reporting.....	51
Malicious and False Reporting.....	51
Mandatory Reporting.....	52
Case Studies: Reporting Mechanisms.....	52
A.1. Recommendations for the Entity: Reporting.....	55
A.2. CARE SUPPORT.....	60
Case Studies: Victim/Survivor-Centred and Trauma-Informed Care Support.....	62
A.2 Recommendations for the entity: Care Support.....	65
A.3. ACCESS TO REMEDY.....	69
Remedy as a Human Right and a State Obligation.....	69
Responsibilities of Sports Organisations to Provide Remedy.....	70
Criminal Complaints.....	74

Civil Claims	75
Strict Liability.....	75
Vicarious Liability	75
Non-recent Cases and Statute of Limitations	76
Case Studies: Non-recent Cases and Statute of Limitations	77
Independent Redress, Reparation and Compensation Funds	78
Case Studies: Independent Redress, Reparation and Compensation Funds	79
Legal Aid.....	80
Case Studies: Legal Aid.....	80
A.3. Recommendations for the entity: Access to Remedy	81
Signposting to Remedy	81
Global Network of Local Care Support: Legal Experts	81
Legal Aid.....	82
Reparation Fund for Non-recent Cases and Statues of Limitations.....	82
B. INTELLIGENCE AND INVESTIGATIONS.....	82
Distinctions between Sports Disciplinary Proceedings and Criminal Proceedings.....	84
B. Recommendations for the entity: Intelligence and Investigations.....	91
Mediation Services.....	97
Sports Disciplinary Proceedings – a Human Rights Approach	97
Sanctions and Enforcement	98
Compliance, Audits and Annual Reports	99
C. PREVENTION.....	100
C.1. Prevention through Education.....	100
Case Studies: Sport’s Prevention Tools and Resources	100
C.1. Recommendations for the entity: Knowledge Hub	103
C.2. Due Diligence Screening	105
Case Studies: Sports Due Diligence Screening and Databases	107
C.2. Recommendations for the entity: Integrity Checks.....	108
C.3. Database of Sanctions.....	109
C.3. Recommendations for the entity: International Database.....	111
III. STRUCTURE AND GOVERNANCE	112
Proposed Names	112
Location.....	113
Legal Structure	113
Secretariat.....	113
Members and Partners	113

Expert Advisory Panel	115
Implementing Partners	116
Governance	117
Governing Board	117
Funding Model	119
Proposed Process for Establishment of the New Entity	120
Annex 1. Case Studies, Overview of Potential Funding and Governance Mechanisms	121
Annex 2. International Legal and Policy Frameworks: Statutory Obligations in Addressing the Problem of Abuse in Sport	122
Annex 3. International Legal and Policy Frameworks: Reporting	131
Annex 4: International Legal and Policy Frameworks, Methods and Tools: Victim/Survivor-Centred and Trauma-Informed Care	135
Annex 5. International Legal Frameworks: Remedy	142
Annex 6. International and National Legal Frameworks: Criminal Complaints	147
Annex 7. International Legal and Policy Frameworks: Civil Claims	148
Annex 8. International Legal Frameworks: Non-recent Cases and Statute of Limitations	148
Annex 9. International Legal Frameworks: Independent Redress, Reparation and Compensation Funds	148
Annex 10. International Legal and Policy Frameworks: Intelligence, Investigations and Adjudication	149
Annex 11. International Legal, Policy and Frameworks and Resources: Prevention	154
Annex 12. Safe Sport Entity Questionnaire	158
Bibliography	162

GLOSSARY

ABUSE: For the purposes of this Report, the word ‘abuse’ has been used to encompass all forms of Harassment and Abuse as defined in the International Olympic Committee (IOC) Consensus Statement.¹

AGENCY: the capacity of individuals to act independently and to make their own free choices. For the purposes of this Report, it incorporates the concept that nothing about a victim/survivor is done without them.

ASOIF: Association of Summer Olympic International Federations

CARE SUPPORT: Described to explain the multi-sectorial services that a victim of abuse may require including, but not limited to:

- Protection: law enforcement for prompt investigation and immediate action, including arrest when appropriate, restraining orders against alleged offenders; safe harbour/safe refuge/shelter services, particularly for victims in need of safe refuge due to an imminent risk of repeat victimisation, of intimidation and of retaliation; child protection services for care support and for temporary or permanent removal if required for a child’s safety, etc.
- Medical support to address physical and mental health needs: doctors, gynaecologists, psychologists, counsellors, therapeutic services, trauma support, sexual abuse specialists and general medical care etc.
- Emotional and psychosocial support: social workers, welfare officers, trusted persons, Helpline support, meeting with other victims/survivors of abuse (Voices of Experience),² advocacy.
- Access to remedy: to provide victims/survivors with agency to determine avenues for remedy that may include opportunities for truth and reconciliation, specialist police units, legal aid services and guardian ad litem, human rights lawyers, ombudspersons and investigators specialised in child protection and human rights/harassment and abuse cases.
- Financial and practical assistance: food and accommodation, employment, humanitarian visas, safe refuge/ safe space, translators, monetary allowance, etc.

CAT: Convention Against Torture

CED: Committee on Enforced Disappearances

CEDAW: Convention on the Elimination of All Forms of Discrimination against Women

CESCR: Committee on Economic, Social and Cultural Rights

CHILD: Article 1 of the Convention on the Rights of the Child, defines a child as every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

CHILD SAFEGUARDING: While no international legal definition of the term exists, the UN Convention on the Rights of the Child states that ‘The child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection.’³

CHILDREN’S SPORT: sport for children under the age of eighteen, with it being important to ensure that it is grounded in the UN Convention on the Rights of the Child 1989.⁴

CHILD PROTECTION: refers to the action taken in response to a specific concern for a child and children who may be suffering or at risk of suffering harm or abuse. Child protection is an essential part of safeguarding and requires referral to specialised child protection services, law-enforcement agencies and expert local organisations who are trained to advise on and manage cases, if concerns arise. Child safeguarding and protection is governed by different international instruments, State and non-governmental organisations (NGOs) than the protection of adults including those affected by gender-based violence.

¹ Mountjoy, M., Brackenridge, C., Arrington, M., *et al*, 2016.

² See Global Network of Voices of Experience.

³ Preamble, UN Convention on the Rights of the Child, 1989.

⁴ See also, David, P., 2004

COMPLAINT: In legal terms, a complaint is the initial report that begins an action; typically containing a brief summary of what happened and argues why relief/remedy should be granted. In a human rights case, the complaint alleges that a government, or individual or institution that must answer to human rights standards has violated the human rights of specific individuals or groups of individuals.

CONSENT: allowing someone or giving someone permission to do something. The primary purpose of consent is to mutually agree to something before it takes place, creating an understanding between you and whoever it may be that you are with. Consent cannot be forced, and it may be withdrawn at any time if you are not comfortable with how you feel.⁵

COVERED PERSONS: for the purposes of this Report, Covered Persons are defined in the section on Scope of Covered Persons as namely those individual/s under the jurisdiction of a sports organisation, often termed as ‘participants’ within sports regulations. All persons involved in sport from the local community to elite levels should aspire to the values of respect, equity and inclusion, values that are undermined if we allow violence, abuse and related discrimination in sport.

CRC: Convention on the Rights of the Child

CRPD: Committee on the Rights of Persons with Disabilities

DUTY OF CARE: The moral or legal obligation to ensure the safety or well-being of individuals under your care. This includes State’s international human rights legal obligations requiring that State’s protect and fulfil the human rights of individuals within their territory and/or jurisdiction. This includes the duty to protect against human rights abuse by private and public organs of society and by individuals.

EPAS: Council of Europe Enlarged Partial Agreement on Sport

EXPLOITATION: The UN Trafficking in Persons Protocol does not define ‘exploitation’, instead providing an open-ended list of examples that includes, at a minimum, ‘the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs’ (Article 3).

FIFA: Fédération internationale de Football Association.

GRIEVANCE: a perceived injustice evoking an individual’s or a group’s sense of entitlement, which may be based on law, contract, explicit or implicit promises, customary practice, or general notions of fairness of aggrieved communities.

GRIEVANCE MECHANISM: any routinised, State-based or non-State-based, judicial or non-judicial process through which grievances concerning sport-related human rights abuse can be raised and remedy can be sought.⁶

JUSTICE: What the State seeks for the State and the victim.

HARASSMENT AND ABUSE: In accordance with the IOC Consensus Statement,⁷ harassment and abuse can be expressed in five main forms which may occur in combination or in isolation. These include i) psychological abuse, ii) physical abuse, iii) sexual harassment, iv) sexual abuse, and v) neglect. Harassment and abuse can be based on any grounds including race, religion, colour, creed, ethnic origin, physical attributes, gender, sexual orientation, age, disability, socio-economic status and athletic ability. It can include a one-off incident or a series of incidents. It may be in person or online. Harassment may be deliberate, unsolicited and coercive. Harassment and abuse often result from an abuse of authority, meaning the improper use of a position of influence, power or authority by an individual against another person.

HUMAN RIGHTS: Human rights are rights we have simply because we exist as human beings - they are not granted by any state. These universal rights are inherent to us all, regardless of nationality, sex, national or ethnic origin, color, religion, language, or any other status. They range from the most fundamental - the right to life - to those that make life worth living, such as the rights to

⁵ IOC, Athlete 365, What is consent

⁶ An adaption from the UN Guiding Principles of Business and Human Rights, 2011.

⁷ Mountjoy, M., Brackenridge, C., Arrington, M., *et al*, 2016.

food, education, work, health, and liberty. Human rights are universal, inalienable, indivisible, interdependent, equal and non-discriminatory.⁸ Human rights become enforceable as they become codified as Conventions, Covenants or Treaties, or as they become recognised as Customary International Law.

ICCPR: International Covenant on Civil and Political Rights

IF: International Sports Federation

ILO: International Labour Organisation

IMPLEMENTING PARTNER: an organisation to which the new entity will entrust the delivery of services specified in a signed document, along with the assumption of responsibility and accountability for the effective use of resources and the delivery of outputs. Implementing partners may include Governments, government institutions, intergovernmental organisations and civil society organisations, including non-governmental organisations.

INFORMED CONSENT: Provide the victim/survivor with the information necessary to enable them to make informed choices and to manage their expectations. Informed consent of the victim/survivor should be actively sought including in relation to their participation in addressing and resolving the matter. The victim's/survivor's informed consent and choices are a central priority in assessing and determining protection and accountability initiatives, and the provision of support. Information should include, but is not limited to, the existence and nature of support services and how to access them, applicable policies on protection against retaliation and discrimination, options available to address the allegations and related procedures, and the due process rights of the victim/survivor and the offender/alleged offender in applicable accountability processes. Information should be provided in a language that the victim/survivor understands, in a way that it is clear and accessible to them, by providing reasonable adjustments where required, and by taking into account the impact the abuse may have had on their mental or physical health.

IOC: International Olympic Committee.

ISO: International Standards Organisation

NEGLECT: This includes failure of parents or care givers to meet a child's physical and emotional needs when they have the means to do so or failure to protect a child from exposure to danger. This definition equally applies to coaches and an athlete's entourage.

NEGLIGENCE: in the context of sport, this means acts of omission regarding athlete safety. For example, depriving an athlete of food/or drink, insufficient rest and recovery, failure to provide a safe physical training environment, or developmental age-inappropriate or physique-inappropriate training methods.

NOC: National Olympic Committee.

NON-ACCIDENTAL VIOLENCE: See Harassment and Abuse definition that may also included peer abuse, bullying, harassment (adults only) and hazing.

OMERTA: a code of silence about criminal activity and a refusal to give evidence to the police. The term originates from the Italian mafia.

REDRESS: Redressing human rights harms that have occurred to the victim/survivor and includes rehabilitation and compensation as well as justice and prevention.

REMEDY: As part of their duty to protect against sport-related human rights abuse, States must take appropriate steps to ensure that when such abuses occur within their territory and/or jurisdiction, those affected have access to effective remedy including through judicial, administrative, legislative or other appropriate means.

REPORTING: The act of bringing perceived wrongdoing to the attention of someone with authority or in a position to take action. Note: There is currently no internationally accepted definition or term to denote this practice; alternative terms are whistleblowing, raising concern, alerting and disclosure. Someone with authority can be a superior in an organisation.⁹

⁸ As outlined at: OHCHR | What are Human Rights

⁹ UNODC-IOC, 2019.

ANONYMOUS REPORTING: When a report is received without the reporting person disclosing their identity.

CONFIDENTIAL REPORTING: When the identity of an individual who has disclosed information is known by the recipient but will not be disclosed without the individual's consent, unless required by law.

SAFEGUARDING: There are many terms used by sports organisations and others to refer to safeguarding athletes from harassment and abuse. The IOC refers to safeguarding as a set of measures and initiatives which are put in place to PREVENT harassment and abuse.¹⁰ Safeguarding Standards have been established by a number of entities¹¹ and may be interpreted as also including reporting.

SAFE SPORT: An environment that is respectful of human rights, practiced free of non-discrimination and all forms of non-accidental harm to athletes.

SDGs: UN Sustainable Development Goals.

STATUTORY AUTHORITIES: Institutions established by law, authorised to enforce legislation within a country or State. For the purposes of this Report, particularly criminal and child protection authorities.

SURVIVOR: Acknowledging the power and strength in recovery that some victims feel. Used interchangeably in the Report with the terminology victim/survivor or person with lived experience.

SURVIVOR-CENTRED APPROACH: A survivor or victim centred approach prioritises the needs of the person who has experienced harm and puts them at the centre of all actions, formal and informal processes, policies and procedures, through the provision of support for victims/survivors, and through protective, investigative and accountability measures. Such an approach means engaging with a victim/survivor in a way that respects their rights, needs, wishes and dignity, protects them from retaliation, re-traumatisation and discrimination, gives them agency and keeps them informed and supported.

VICARIOUS LIABILITY: The legal principle that imposes responsibility upon one person or entity for the 'tortious' (wrongful) acts of another over whom the person or entity has a special relationship with (such as coach-athlete, employer-employee), to exercise such care as a reasonable prudent person would use under similar circumstances.

VICTIM/SURVIVOR: for the purposes of this Report, means the person, or persons, in the sporting environment, or in connection with sport, towards whom conduct constituting possible harassment and abuse is directed.

¹⁰ International Olympic Committee (olympics.com)

¹¹ Including the International Safeguards for Children in Sport; UK Child Protection in Sport Unit, Standards for Safeguarding and Protecting Children in Sport; Safe Sport International Principles.

ACKNOWLEDGEMENTS

This Report was commissioned by FIFA who are emerging from the challenging learnings of complex, devastating and serious cases of abuse in Afghanistan and Haitian football and several other cases that have been brought to FIFA's attention. Their role as a catalyst in the global discussions and the humble recognition of their limitations as a sports body, albeit the world's largest, in the provision of specialist investigative and care support is particularly recognised. The ethical leadership by FIFA to support the establishment of an independent entity for all sports that is victim/survivor-centred is to be commended as is their true commitment and support throughout the Consultation Process to ensuring engagement with diverse sports, multi-lateral entities, victims/survivors of abuse, governments, experts and critical voices and their willingness to share their knowledge, learnings and experience. This, during a global pandemic making physical discussions and meetings impossible.

The commitment of the FIFA President, Gianni Infantino, to ensuring that this entity becomes a reality and truly serves the needs of victims/survivors has been unwavering throughout the Consultation Process. Leadership commitment will be fundamental to its success. Gratitude is especially extended to FIFA staff, Joyce Cook for her vision and ethical commitment in ensuring that sport remains a safe space and that victims of horrific abuse are provided the support they need. Mario Gallavotti for his legal wisdom and practical advice in defining an entity that may function for the benefit of all sports and help sports judicial bodies appropriately address harassment and abuse. Kathryn Leslie, Gloria Viseras and Marie-Laure Lemineur for the combined depth of their experience and expert input to the consultation and leadership in developing the FIFA Guardians™ Safeguarding and Child Protection programme, and Myriam Burkhard, Annaliza Tsakona and Frank Grothaus for their work with multi-lateral and governmental entities.

The Consultation Process has revealed the depth of human commitment to protecting everyone from abuse in sport, especially our children and youth. The Report notably recognises the rising number of women and girls coming forward to report abuse, often systemic, with such deserving special attention to address the underlying causes to both address and prevent such forms of gender-based violence. A particular challenge in the Process has been to integrate the emotional disconnect that is frequently evident at the international level between real humans, real children, horrifying abuse in a precise location and the theoretical, intellectual debates with regards to what is required by whom to address the abuse. The diversity of stakeholders engaged in the Consultation Process has sought to bridge that gap namely through the contribution of victims/survivors and experts dealing with cases on the ground in diverse jurisdictions with legal and policy decision makers at the regional and international levels. A sincere thanks is extended to all those who have contributed their expertise, honesty and vision as to what is required including those from international sports federations, governmental entities and multi-lateral organisations. The bravery, insight and contribution of those victims/survivors who have engaged in the Process has been profoundly valued and our hope is that this entity will fulfil its role in protecting and supporting victims/survivors, and by ensuring that they are involved in the entity from its commencement. Recognition is made of those academics, investigative journalists, advocates, civil society organisations and experts for their efforts to help victims and whistle-blowers that have come forward.

It is sincerely hoped that the framework presented in this Report provides a practical approach that is victim/survivor centred whilst supporting sports and governmental entities in fulfilling their ethical, moral and legal obligations to address harassment and abuse in sport.

Beutler International Sports Advisory was commissioned under wide Terms of Reference, namely to 'support FIFA in the Consultation Process and subsequent establishment of an independent, multi-sports international entity to investigate abuse cases in sports.' The objective of the Process was to map principal stakeholders including potential beneficiaries of the new entity; to lead the consultation process with all stakeholders mapped and to coordinate all feedback; to undertake primary and secondary research to contribute to framing the mandate, structure and funding of the new entity; and to consolidate the consultation process into a Final Report.

Ingrid Beutler, B.A., LL.B., LL.M.

EXECUTIVE SUMMARY

Sport's moral purpose and human rights responsibility is to provide a safe space for everyone, especially our children and youth, and to enjoy all the individual and social benefits that sport provides. When that space is no longer safe, its moral purpose is betrayed. However, neither morals nor human rights bind private persons or organisations unless codified in domestic or international law applicable to persons or private organisations. Ignoring them can cost reputation and social licence to operate.

Hundreds of cases of harassment and abuse in sport,¹² often referred to as non-accidental violence or intentional violence, have come to light in recent years.¹³ Such abuse, in particular sexual abuse, is serious and widespread with particularly vulnerable groups including: child athletes;¹⁴ para athletes;¹⁵ women and girls who are particularly subjected to gender-based violence by figures in authority;¹⁶ athletes who identify as lesbian, gay, bisexual, transgender, intersex or queer;¹⁷ and elite athletes¹⁸ with the risk of experiencing psychological, physical and sexual violence found to rise as an athlete progresses up the elite performance pathway.¹⁹ The consequences of abuse can be devastating and long lasting,²⁰ including loss of self-esteem, poor academic performance, distorted body image, eating disorders, self-harm, depression, anxiety, substance use disorders and suicide.²¹

In response to the increasing number of cases of abuse in sport and reflecting a global commitment to do the right thing and help prevent and address abuse, to support victims/survivors and to prosecute perpetrators, the establishment of a new international entity to help sports investigate and appropriately manage cases of abuse has been called for by FIFA.²²

Methodology of the Consultation Process

Commissioned by FIFA, the Consultation Process involved both primary and secondary research methods over a 7-month period (1 October 2020 to 30 April 2021). A Draft Report was then circulated to all those involved in the Consultation Process in June 2021 to provide an opportunity for further detailed input. The consideration and integration of all proposed comments and revisions was made in July-August 2021. The aim of the consultation was to assess the **feasibility, mission, mandate and scope of operations** needed by sports to appropriately investigate cases of abuse and take action, providing care support to those affected. Extensive research, analysis of existing institutional mechanisms, good practice, oral (conducted virtually due to the global COVID-19 pandemic) and written consultation was undertaken with UN Agencies, inter-governmental and multi-lateral entities, governmental entities, International Sports Federations, international sports related organisations, survivors' groups and individuals with lived experience of abuse in sport, human rights specialists and civil society organisations, security sector organisations and ombudspersons, child protection experts, national safe sport centres and sport integrity units, academics, investigative journalists, health professionals and independent experts with a conscious focus on ensuring geographical

¹² For the purposes of this report, the word 'abuse' has been used to encompass all forms of Harassment and Abuse as defined in the International Olympic Committee (IOC) Consensus Statement.

¹³ See: David, P., 2004; Sheldon, C., 2021; Mountjoy, M., Brackenridge, C., Arrington, M., *et al*, 2016; UNICEF, 2010; Alexander, K., Stafford, A. *et al*, 2011; Daniels, D., 2017; Mega-Sporting Events Platform for Human Rights, January 2017; Hartill, M., 2016.

¹⁴ See: Gervis, M., Dunn, N., 2004; UN Special Rapporteur on the sale and sexual exploitation of children, 2018.

¹⁵ Vertommen, T., Schipper-van Veldhoven, N., Wouters, K., *et al*, 2016.

¹⁶ Johansson, S., Kenttä, G. and Andersen, M., 2016.

¹⁷ Denison, E., Kitchen, A., 2015.

¹⁸ Fasting, K., Brackenridge, C., and Knorre, N., 2010; Vertommen, T., Schipper-van Veldhoven, N., Wouters, K., *et al*, 2016.

¹⁹ Mountjoy, M., Brackenridge, C., Arrington, M., *et al*, 2016.

²⁰ Tofler, I. R., Morse, E.D., 2005; Mountjoy, M., Brackenridge, C., Arrington, M., *et al*, 2016; WHO, June 2020.

²¹ Gervis, M., Dunn, N., 2004. See also, IOC, 2019.

²² <https://www.fifa.com/who-we-are/news/fifa-and-unodc-stress-importance-of-cooperation-in-tackling-crime-threat>

representation and international as well as local stakeholders. In total, over 230 individual stakeholder inputs were received into the Consultation Process.

It is fully recognised that the complexity and seriousness of the issue could justify a more extensive, comprehensive and deeper stakeholder engagement over a longer time period. The report is but a snapshot of a select set of views and opinions globally over a period of more than seven months. However, the Consultation Process has revealed that there is urgency in addressing current cases of abuse in sport and that the perpetration of abuse exists because of silence, complacency, and continued abuse of power and positions of trust, with perpetrators feeling that they have a certain impunity. The ultimate aim is to break the silence around violence in sport, bring perpetrators to justice, and support victims/survivors in their journey to recovery and healing as well as to encourage positive cultural change within sports to address abusive behaviour that has become normalised.

Findings of the Consultation Process

The findings of the Consultation Process are clear, all those engaged in the Process identified with the imperative of improving investigations, taking a victim/survivor-centred approach to address abuse in sport, with 97% supporting the establishment of an independent, impartial, specialist international entity.

Identified challenges in establishing a new international entity

The Consultation Process identified the following specific challenges that, through their recognition, informed the Recommendations contained throughout the report.

- **State responsibility vs. sports responsibility:** with a clear articulation required of the role of any new entity to manage abuse cases on behalf of, or in place of sports organisations and the role of the entity in assisting State and non-State entities to fulfil their human rights responsibilities, particularly when children have been harmed.
- **Need for coordination with other integrity, child protection, criminal justice and human rights issues** that have different international instruments, mechanisms and institutions to address child safeguarding and protection issues from those addressing gender-based violence issues.
- **Differences in national legislation** across jurisdictions as to what constitutes a criminal offence, reporting procedures particularly if abuse against a child is committed, whistle-blower, child and victim protection, data protection, statutory and sporting capacities, birth registries and identification processing systems, etc.
- **Inability to deliver on promises:** with it important to ensure that expectations are managed from the outset so that the entity can operationally deliver to support victims/survivors of abuse.
- **Admissibility, need to restrict the scope of individuals** over whom the entity would have jurisdiction with it recognised that the boundary between amateur and elite is not always clearly identifiable, and that abuse can happen at any level in sport.
- **Admissibility, need to restrict the scope of offences** that the entity would deal with, with the risk that lower levels of misconduct that are not picked up and addressed early on may lead to aggressive, systematic abuse. Furthermore, it is likely that non-recent cases may be the first to emerge, followed by current cases.
- **Admissibility, and the challenge of agreeing what makes a complaint to the entity allowed.** The entity would have to agree on clear criteria that would make a complaint inadmissible and learn from the lessons of other international and national human rights complaints mechanisms,²³ truth

²³ Reference to article 7 of the UN Optional Protocol to the Convention on the Rights of the Child on a communications procedure, 2014.

and reconciliation channels²⁴ particularly with regards to the degree of proof of ‘exhaustion’ or suitability of other channels for support and remedy.

- **Fear of vicarious liability** cases against sports organisations due to the legal responsibility that they may have over those in their care.
- **Limited resources** and lack of **specialised expertise** to address abuse cases with no one existing international organisation with a clearly defined mandate to help sports conduct investigations or provide and coordinate care and support, particularly in jurisdictions that cannot provide the necessary protection and access to remedy.
- Despite the extensive reporting and research undertaken of abuse in sport, there are **few sports disciplinary decisions** concerning abuse cases, especially at the international sports federation (IF)²⁵ and Court of Arbitration for Sport (CAS) level.²⁶
- **Lack of trust** and confidence in an international institution being able to assess reports, refer and coordinate local support to victims/survivors, particularly due to the physical, cultural, linguistic and emotional distance from the victim/survivor.
- The challenge of **managing diverse interests** particularly to assure culturally sensitive victim/survivor-centred, human rights, child-centred approaches to investigations and to ensure access to justice is balanced with the need to enhance the capacity of sports organisations to sustainably deal with cases.²⁷
- Necessity to ensure international, regional and national prevention and **safeguarding standards** are **mandatory** for sport entities and that this is linked with funding, technical assistance and capacity building support.
- The **cultural, systemic change** required within sport **to overcome omerta, cover-up and denial** with sports integrity efforts to date typically focused on protecting the reputation of the sports organisation and not of the victim/survivor. However, without the support of governing sports organisations, the entity risks being ignored and disregarded hence undermining its role to ensure sport is free of abusers.

SUMMARY OF RECOMMENDATIONS EMANATING FROM THE FINDINGS OF THE CONSULTATION PROCESS

Mission Statement

To promote safe sport, protect victims/survivors of abuse in sport and eradicate abuse through the provision of international, impartial reporting, care support services and specialist investigative expertise.

Guiding Values and Principles

The entity should be guided by the values and principles of Agility, Human Rights, Impartiality, Independence, Trust, Confidentiality, Paramountcy, Protection, Respect, and Zero Tolerance.

Objectives

The overarching objectives of the entity should be:

- To provide trusted and accessible **reporting lines** to report abuse in sport.
- To prioritise the **protection and care of victims/survivors of abuse** in sport particularly, but not solely, in countries where access to support, expertise, resources and remedy is challenging.

²⁴ Consideration is made of the South African Truth and Reconciliation process whereby there was no exhaustion of remedy but rather a process to ensure cooperation in ensuring that it was what the survivors wanted.

²⁵ IF cases include: UCI (Cycling), 22 February 2021; FIFA (Football) 8 June 2019, 8 October 2019 and 18 November 2020.

²⁶ See CAS 2018/A/5641; and CAS 2019/A/6388.

²⁷ Sports have a responsibility and duty of care to both prevent and appropriately respond to these cases at national and international level. The aim of the entity would not be to replace that responsibility but to support and help fulfil the responsibility and duty of each sport.

- Recognising that the majority of victims/survivors of abuse in sport are or were children at the time of the abuse, to take a **child rights approach** to the delivery of services.
- To assist sports in discharging their **duty of care** and practicing **responsible, autonomous governance** by providing an impartial, independent, **specialised entity** that provides **services of Protection and Support, Intelligence and Investigations, and Prevention**.
- As established in **human rights treaties, to support States in fulfilling their responsibilities** in keeping people, especially children, safe.
- To enable **collaboration** with **statutory authorities and expert entities** in addressing and preventing abuse in sport by establishing **Global Networks of Care Support, Investigators and Legal Experts**.
- Whilst not distracting from the entity's core mission, to act as an **umbrella organisation** for **national safe sport entities** and to support the establishment of further national entities.

Scope of Covered Persons

The risks of having too broad a scope may mean that demand may overwhelm the capacity of the entity to respond causing significant delays to cases being resolved, undermining the credibility of the entity and adding to the stress on victims/survivors and those accused of offences. It is therefore proposed that the **scope of Covered Persons** of the entity is exercised in a limited, phased approach:

- Phase 1: individuals under the jurisdiction of an **International Sports Federation (IF)** that is **officially affiliated with the entity**.
- Phase 2: individuals under the jurisdiction of an officially recognised **International Sports Federation (IF)**.²⁸
- Phase 3: any individual affiliated with sport.

Scope of Offences

The diverse spectrum of harassment and abuse incidents requires different responses, with the seriousness of a case to be considered using a wide lens that includes consideration of factors such as whether a child is involved, whether the act may also constitute a crime, the risks to the individual, recognising that emotional and psychological abuse is often the gateway underpinning most cases of harassment and abuse in sport. However, it is not possible nor feasible that an international organisation would have the capacity to deal with all cases from the outset, rather it should prioritise sexual harassment and abuse cases requiring urgent action.

It is therefore proposed that the entity would have the **authority** to investigate allegations **that involve Covered Persons, particularly** emerging from **countries** where access to support, expertise, resources and remedy is **challenging**, in relation to:²⁹

- Sexual violence against a child within sport, including without limitation, child sexual abuse and any misconduct that is reasonably related to an underlying allegation of child sexual misconduct;
- Sexual abuse including without limitation any misconduct that is reasonably related to an underlying allegation of sexual misconduct;
- Criminal charges (other than an adjudication of non-guilty) involving child abuse or sexual misconduct;
- Misconduct related to reporting (including failure to report abuse) where the underlying allegation involves child abuse or sexual misconduct.

The entity may have the **discretionary authority** to investigate and resolve allegations that **other forms of harassment and abuse** occurred, reserving the right to intervene should any sign of

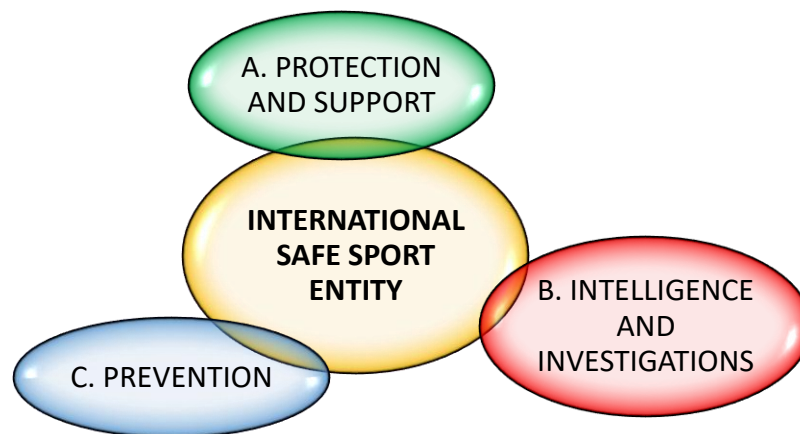
²⁸ Notably those recognised by the General Association of International Sports Federations (GAISF), GAISF » Members

²⁹ The suggested wording is adapted from the U.S. Safe Sport Code for the US Olympic and Paralympic Movement, 2020 in order to create manageable expectations of the entity at its commencement.

impropriety be suspected or there is a failure in a sport's duty of care. For cases **outside the scope of the entity, signposting to support** should be provided. It is recommended to **limit initial cases to active abuse** prior to addressing non-recent abuse. However, it is well recognised that it is imperative that non-recent abuse is addressed as an allegation relating to the past does not exclude the fact that there may be current victims.

SERVICES

The findings of the Report have been structured into 3 pillars framed as proposed Services of the new entity. The implementation of the objectives of each pillar is recommended using a phased approach over time (Phases 1-3). The details related to each objective are highlighted in the **main Report**.



Equal importance must be accorded to each pillar using a holistic approach with the **best interests of the victim/survivor at the heart of all decisions**. A specific call from sports to assist them with victim/survivor-centred investigations informs the recommendation to focus initially on pillars **A. Protection and Support** and **B. Intelligence and Investigations** due to the preventative work that is ongoing to embed safeguarding across sport.³⁰

A. PROTECTION AND SUPPORT

In all cases, the entity must prioritise the needs of the person who has experienced harm by ensuring **victims/survivors receive appropriate assistance and support** in accordance with international standards and norms using a trauma-informed and child rights approach, recognising that care support is a vital form of reparation for victims/survivors. A clear **distinction** in prioritisation, procedures and protocols is required between **child and adult victims/survivors**.

A.1. Reporting

Database of Reporting Mechanisms

To establish a **Database** of credible, trustworthy and effective **reporting mechanisms** that have the expertise and capacity to address reports of abuse in sport from within existing statutory authorities, human rights procedures, civil society and sports (Phase 1).

International Safe Sport Helpline

To establish a trusted, independent, impartial and intuitive **Helpline** where victims, responsible guardians, whistle-blowers and witnesses can speak out easily, **seek advice and access information** on **where to access support services** (Phase 2). The Helpline will be staffed by specialised, multi-

³⁰ For example, the on-going work of the IOC, FIFA and other sports.

disciplinary trauma experts³¹ with appropriate skills, training, and experience to determine whether the report falls within the scope of the entity and to undertake an **Initial Risk Assessment** that promptly, confidentially, and professionally processes and analyses all information coming into the entity notably considering the age of the victim/survivor, whether the act may constitute a crime, language and cultural diversity, while avoiding re-traumatisation and re-victimisation of victims or reporting persons. The Helpline staff will work closely with the **Global Networks** (see below). To expand the capacity of the Helpline such that an individual may request support and make a **Formal Report** (Phase 3).

A.2. Care Support

Global Network of Local Care Support Providers

To establish a **Global Network of Local Care Support Providers** composed of a pool of statutory authorities (criminal and child protection agencies), national platforms of service providers, civil society, independent experts, UN and multi-lateral organisations who can be promptly mobilised to provide or coordinate **local specialist care support**: risk assessments, protection (e.g. safe refuge), medical support (e.g. doctors, psychologists), emotional and psychosocial support (e.g. social workers, helplines); legal aid, financial and practical assistance (e.g. food and accommodation, translators). Such may include the identification of national safe sport focal points providing a bridge to the international entity as needed. Recommended prioritisation based on incoming cases and identified need (Phase 1).

To establish a **Global Network of Voices of Experience** (as a sub-Network of the Global Network of Local Care Support Providers) composed of survivors with **lived experience of abuse and entities who work with survivors**. The Network will provide a voice and community for victims/survivors who in turn may provide emotional and other care support, refer cases to the entity and support the entity in ensuring a sensitive, pastoral response and healing process for victims/survivors of abuse (Phase 1).

Signposting and Access to Care Support

To provide **signposting (referrals)** and **access** to Care Support principally through the Global Network of Local Care Support Providers.

Victim Support Fund

To establish a **Victim Support Fund**³² to provide assistance and **Care Packages** to victims/survivors of abuse, particularly those in need of **emergency care support** based on defined eligibility criteria on a case-by-case basis and clear procedures for access, whilst **prioritising care by statutory authorities** and local care support providers (Phase 1).

A.3. Access to Remedy

Signposting to Remedy

To provide **signposting to avenues for effective remedy** for victims/survivors of abuse in sport as a fundamental human rights principle, in a safe, protected, inclusive and informed environment. Signposting aims to ensure that certain groups or individuals who either do not have access to remedy, face considerable barriers to access, are not aware of how to access, or are not aware that these mechanisms exist, are made aware of avenues including (Phase 1):

- **Sports disciplinary** procedures
- **Criminal** proceedings
- **Civil** claims
- **Non-judicial** grievance mechanisms (i.e. non-legal routes to remedy)
- **Reparation funds** for non-recent cases (recommended establishment at the national level)

³¹ See also Bond, 2019.

³² Recommendation at p. 39, Al Hussein, Z.R. and Davis, R., March 2020.

Global Network of Legal Experts

To establish a **Global Network of Legal Experts** experienced in defending victims/survivors of abuse and expert in the legal channels within a given nation or region who are willing to advise, protect and defend victims (Phase 1).

Legal Aid

To guide and support victims/survivors and their guardians to seek remedy within the sport's disciplinary framework through, if necessary, the provision of **legal representation and legal aid**, as part of the **Care Packages** that may be offered by the entity (Phase 2).

B. INTELLIGENCE AND INVESTIGATIONS

Global Network of Investigators

To identify and coordinate a **Global Network of Investigators** composed of:

- statutory authorities, notably child protection and criminal; and
- local and regional experts in victim/survivor-centred approaches to investigations who can be promptly mobilised by the entity to undertake Case Management. Recommended prioritisation based on incoming cases and identified need (Phase 1).

Case Management (working closely with services outlined under A.2. Care Support)

To provide specialist victim/survivor-centred **intelligence gathering and investigative services (fact-finding)**, supplementary to and not precluding coordination with national authority proceedings. Case management would be coordinated and overseen by the entity working closely through its Global Networks (Phase 1).

To issue an **Investigation Case File Report** to the responsible Sports Federation following an investigation. Based on the Report from the entity, the **sport is responsible for sanctioning and enforcing the sanction**. If a responsible sports federation fails to implement a disciplinary proceeding based on the evidence collected by the entity, the entity may resort to pressure such as informing the media, public, civil society, government, partners etc., and potentially lodging a claim with the Court of Arbitration for Sport (CAS) should a specific arbitration clause be statutorily adopted by the relevant sports federation.

To define the parameters of a **collaboration with INTERPOL** and other multi-lateral entities necessary to deliver the Intelligence and Investigation mandate recognising the importance of **victim/survivor agency** (Phase 1).

To publish an **Annual Report of Reported Concerns** containing information on all concerns received and information about how they were handled by the entity and the sport (respecting privacy, security and data protection obligations, anonymising as needed), or alternatively examples of how different concerns were dealt with. Upon request, the entity may provide **mediation** or other services that facilitate the provision of remedy (Phase 3).

C. PREVENTION

Knowledge Hub

- To develop a **website** that provides a hub of resources to primarily help individuals navigate their options, including access to a Database of Reporting Mechanisms and Care Support resources (Phase 1).
- The website should provide **signposting to safeguarding educational tools and resources**, in diverse languages, to help prevent abuse in sport. Such resources may include existing educational

tools, advocacy, capacity building and training resources developed by the IOC,³³ International Sports Federations (IFs) such as FIFA,³⁴ governmental and multi-lateral organisations including UN agencies and other civil-society and expert entities (Phase 2).

- To collaborate with expert entities in developing **Guidelines for IFs**, their national federations and other stakeholders based on good practice within international human rights standards in relation to offences, sports disciplinary processes and sanctioning (Phase 2).
- To cooperate³⁵ in the **capacity building** of sport, criminal justice and law enforcement to effectively prevent and respond to abuse in sport using a victim/survivor-centred (and child centred when relevant) approach and to enhance the **capacity of sports organisations** to conduct their **own investigations** (Phase 3).

Integrity Checks

The vetting of individuals working with children is often obligatory under national child protection laws and should be undertaken by all sports. To facilitate access to **Integrity Checks** that serve to prevent perpetrators moving across jurisdictions and across sports, it is proposed that collaboration is established with **INTERPOL's Operation Soteria** and the **Misconduct Disclosure Scheme**³⁶ (Phase 2).

International Database

In compliance with relevant **data protection, privacy and due process standards**, to establish a centralised **International Database** that includes the decisions taken by sports' disciplinary bodies and statutory authorities concerning abuse in sport. The entity may choose not to publish all decisions, but rather only those that could pose a potential risk to the broader sport community (Phase 3).

PROPOSED STRUCTURE AND GOVERNANCE

Legal Structure

With no international entity with the recommended mandate currently in existence, it is proposed that an independent, non-profit, international organisation is legally established. Any new structure should take into consideration relevant articles of the UN Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect, and Remedy" Framework, 2011, notably Principle 31: 'Effectiveness criteria for non-judicial grievance mechanisms' and the United Nations Paris Principles that are the international benchmarks against which national human rights institutions (NHRIs) are accredited.

Name

Options for the name of the new entity emanating from the Consultation Process included:

- International Safe Sport Agency (ISSA)
- International Safe Sport Centre (ISSC)

Secretariat

It is recommended that the Secretariat of the entity is kept relatively small, led by an Executive Director and staffed by multi-disciplinary, highly qualified experts with the requisite professional qualifications. The Secretariat would be held accountable by the Governing Board. The precise staffing requirements and roles within the Secretariat will depend on the scope and mandate of the entity that is ultimately agreed upon.

³³ <https://www.olympic.org/athlete365/what-we-do/integrity/safe-sport/>

³⁴ FIFA Guardians™ Child Safeguarding Programme

³⁵ Recognising the ongoing work of sports organisations, such as the IOC's and FIFA's safeguarding programmes.

³⁶ Steering Committee for Humanitarian Response (SCHR)

Partners

As an autonomous and self-governing entity, it is proposed that there would be no members as such, but that partnerships would be developed to ensure that the entity continually serves its role to support victims/survivors and to enhance sport and State capacity - initially at the elite, international level - to address current cases of abuse and its human rights responsibilities.

Phase 1: An initial, limited number of entities who commit to its mission and mandate, namely:

- **International Sports Federations (IFs):**³⁷ who have the will and capacity to support the implementation of any imminent recommendations contained in Investigation Case File Reports emerging from the new entity.

Phase 2: Once firmly established as an entity, partnerships may be expanded to:

- **Sport entities:** including further International Sports Federations (IFs), national sports led integrity/safe sport entities, professional sports organisations, athletes' unions, and international/regional multi-sport event organisers.
- **Governmental entities:** particularly national government led integrity/safe sport entities, relevant governmental departments dealing with abuse in sport such as child protection and gender-based violence specialist entities who have the will and capacity to receive and address reported concerns received from the entity.

Partnership Agreements would elaborate on the specific relationship between the entity and the partner.

Implementing Partners

As a global organisation, collaboration with trusted partners at the international and local level is fundamental to the entity being able to deliver victim/survivor-centred care support at scale. An Implementing Partner is an organisation or individual to whom the new entity will entrust the delivery of services specified in a signed document, along with the assumption of responsibility and accountability for the effective use of resources and the delivery of outputs (e.g. care and safe refuge support, case management support, investigators, lawyers etc.). Implementing partners may include:

- **Sport and Governmental entities:** requiring a specific contractual and financial agreement beyond the Partnership Agreement to ensure the delivery of services.
- **Multilateral organisations:** To provide in-country support through field offices or through partnership with local entities. May provide technical assistance to governments and oversight to ensure that they fulfil their statutory obligations to provide victim support, capacity building, policy support, information exchange etc.
- **Civil society, academic institutions, individual experts, media etc.:** To provide victim/survivor-centred care support to victims/survivors. This may include documenting abuse in sport to increase the capacity to effectively identify, collect and preserve information in a victim/survivor-centred way for the purpose of sports investigations or criminal justice prosecutions.
- **Private Companies:** May provide due-diligence integrity checks/vetting procedures for staff, Network members and Implementing Partners and may support the mission of the entity as needed.

Expert Advisory Panel

In order to maintain a relatively light Secretariat for an international organisation, a voluntary Expert Advisory Panel will be established that is composed of regionally representative, independent experts, academic institutions, civil society and multi-lateral organisations with operational skills, providing information, advice, identifying potential local Implementing Partners and facilitating access to investigative expertise, care support and remedy on a case-by-case basis. The Panel should notably include representatives of the Network of Voices of Experience (survivors of abuse in sport).

³⁷ Notably those recognised by the General Association of International Sports Federations (GAISF), GAISF » Members

Governance

The relative independence and absolute impartiality of the entity is fundamental to its success. The entity's independence and impartiality must be above reproach and beyond question, being free not only from any actual bias but also any perceived bias to ensure trust is gained of potential users. Such may be assured through the design, operations and governance of the entity having the direct input of the end users as called for in UN Guiding Principle 31(h).³⁸ The Consultation Process has identified that the end users are victims/survivors as well as sports organisations in need of expert, specialised services to address and manage cases of sport in sport requiring a balanced and transparent governance structure. The options below have been framed accordingly.

Governing Board

The Board is the supreme governing body of the Entity. It is proposed that it is composed of a maximum of 12 individuals and that whatever structure is ultimately adopted, it is imperative that there are at least two representatives of the Network of Voices of Experience (survivors of abuse in sport).³⁹

OPTION 1:

- One independent personality appointed by each Founding Partner of the Entity;⁴⁰
- At least two representatives of the Network of Voices of Experience (appointed on a rotating basis);
- One expert appointed by the Advisory Panel (appointed on a rotating basis);
- At least two independent personalities.

OPTION 2:

12 independent representatives from diverse backgrounds including in the management of abuse cases, child protection, non-profit and business leadership, ethics compliance, sports executives, and elite athletes⁴¹ that should include at least two representatives of the Network of Voices of Experience.

OPTION 3:

- Appointed representatives of sports partners (appointed on a rotating basis);
- Appointed representatives of governmental partners (appointed on a rotating basis);
- At least two representatives of the Network of Voices of Experience (appointed on a rotating basis);
- At least three independent personalities.

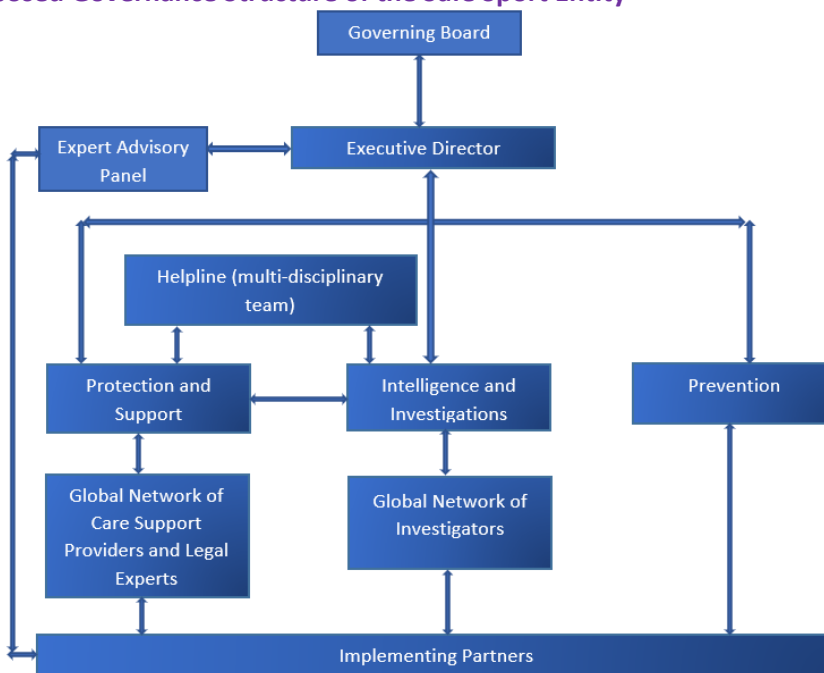
³⁸ Effectiveness criteria for non-judicial grievance mechanisms: *'Based on engagement and dialogue: consulting the stakeholder groups for whose use they are intended on their design and performance, and focusing on dialogue as the means to address and resolve grievances'*.

³⁹ Proposed as a rotating position amongst members of the Network of Voices of Experience. To ensure that affected individuals have a voice in decision-making, it is fundamental that the voice of victims/survivors of abuse is wholly integrated into the decision-making structure of the entity. See Prevention section for further details.

⁴⁰ As examples, see, FIFA Governance Regulations, 2020, Article 29: 'No fewer than half of the committee's members shall fulfil the independence criteria defined in art. 5 of these regulations'. Art. 5 refers to requirements for independence such as no official function or material business relationship at FIFA, in a confederation or a member association etc.; see also, IOC, Code of Ethics, 2020, Statutes of the IOC Ethics Commission, 'The IOC Ethics Commission is independent, it is composed of nine members, among whom there must be: [...] five personalities, independent members, who are not active, honorary, honour or former IOC Members and who have no direct link to the sports movement.'

⁴¹ Based on the model of the U.S. Center for SafeSport.

Diagram: Proposed Governance Structure of the Safe Sport Entity



Funding

It is proposed that a flexible funding model is adopted that enables rapid, responsive deployment of support, able to anticipate and respond to emerging needs and that focuses on the building of local capacity to manage abuse in sport. Clear parameters in the provision of support are necessary to manage expectations and to avoid the entity being overwhelmed with requests for support. Contributions may be made to Core Funding and/or the Victim Support Fund.

Initial seed funding for the entity is being pledged by FIFA. It is envisaged that funding from sports, governments, philanthropists, funding bodies, and a range of diverse funding sources will be forthcoming due to the role of the entity in assisting sports in fulfilling their duty of care, and governments in fulfilling their human rights obligations in the provision of care support and access to remedy for victims of crime.

A detailed review is currently ongoing of the projected costs of the entity. This analysis will contribute to the next steps in the establishment of the entity.

Proposed Process for Establishment of the New Entity

STEP 1: Following the publication of this Final Report (circa October 2021), a **multi-stakeholder Working Group** will be established to formulate the next steps, finalise scope and initial services, consolidate seed funding, etc. of the new entity aided by the **Findings and Recommendations** contained in the Final Report. A strategic action plan will be drafted to define the precise timeline and steps to be taken by the new entity.

STEP 2: International Sports Federations will voluntarily commit to become Partners of the entity. Finalisation will be made of the governance structure, location, statutes, formal registration, funding agreements, staffing, communication, etc.

STEP 3: The entity will commence its operations by taking on an **advisory role** until the services of the entity are operational, providing information, offering advice and facilitating access to care support and remedy on a case-by-case basis based on resources and capacity. This will enable the development

of necessary partnerships for the Global Networks and Implementing Partners, and by gaining experience and trust before taking on further responsibilities.

ASSURING SPORT AS A SAFE SPACE

Sport has a duty of care⁴² and as individuals we all have a responsibility in deconstructing authoritarian leadership and unequal power relationships that may have enabled inappropriate, intolerable, and illegal behaviour to occur. We must all strive to reinforce positive, inspirational, safe sport programmes that reduce the risk of an individual's power and control over others, operating with apparent impunity. This can be achieved by creating diverse and inclusive power structures, good governance⁴³ reforms within sport at all levels with programmes that are well governed, equitable, transparent and accountable; where due diligence is conducted, and safeguarding is fully integrated operationally; and where safeguarding measures are mandatory and connected with funding.

As institutions and individuals, we must ensure sport remains a safe and beneficial space for all, and if abuse does occur, that swift action is taken to investigate allegations and that there is a victim/survivor-centred, trauma-informed, child rights approach in the provision of necessary care support and access to remedy.

The duty and role of the State in providing justice and supporting victims of crimes of abuse is well-defined under international and national law; however, the reality is that hundreds, if not thousands of victims of abuse in sport are caught within a web and feel trapped and powerless within a permissive, abusive system. Within States, even where legislation is in place, implementation is a challenge in the vast majority of countries around the world with the UN Secretary-General noting in his report on Violence Against Women in 2020: 'Overall, while States have prioritised violence against women and girls, efforts have been characteristic of piecemeal and incremental approaches, rather than of transformative policies and systemic change'.⁴⁴ Furthermore, many sports bodies' judicial systems, at both national and international level, are not equipped to address cases of abuse in sport and provide for the multiple care needs of victims and witnesses. The specialist expertise required in serious abuse cases often falls beyond the competencies and powers of sport alone.

An independent, trusted, impartial and specialist organisation that treats victims with dignity, respect and care is needed to assist them in navigating their way to safety, protection, care support and access to remedy while at the same time working with sports organisations to sanction and discipline perpetrators.⁴⁵ The specific needs of victims/survivors in abuse cases are such that prompt, direct and individual responses are required. While challenging, this can only be achieved through trusted, local, expert implementing partners providing protection, support and care. Parallel to the caring, supportive role of the entity, institution building, cultural change and collaboration with law enforcement and governmental entities must also take place to ensure justice is served both by sports and statutory authorities. By pooling resources to manage cases, cost-effectiveness, efficiency and enhanced benefits for victims/survivors may be enabled. A delicate but essential balance.

⁴² See Baroness Grey-Thompson, April 2017 and Anderson, J. and Partington, N. September 2017.

⁴³ See for example, the efforts of the International Partnership Against Corruption in Sport (IPACS) and the Association of Summer Olympic International Federations (ASOIF), 2020.

⁴⁴ Report of the UN Secretary-General, 30 July 2020.

⁴⁵ See Klein, M. and Herber, J., February 2021.

METHODOLOGY

The formulation of the Recommendations in this Report has been enabled through a Consultation Process that has involved both primary and secondary research methods over a 7 month period (1 October 2020 to 30 April 2021), undertaken by the Lead Consultant (LC).

Primary research

Primary research included the identification of leading experts and organisations globally who have subsequently engaged in extensive oral and written consultation including through an online questionnaire. Stakeholder mapping was undertaken with identification of contributors to the Consultation Process made independently by the LC with further recommendations made by FIFA, the commissioning partner, and as recommended and informed by the process. In total, over 230 individual stakeholder inputs were received into the Consultation Process. Stakeholders engaged included:

- **UN Agencies, inter-governmental and multi-lateral entities** including: International Labour Organisation (ILO), UN Children’s Fund (UNICEF), United Nations Educational, Scientific and Cultural Organization (UNESCO), UN Office on Drugs and Crime (UNODC), UN Office of the Victims' Rights Advocate, The Executive Office of the Secretary-General, UN Special Representative of the Secretary-General on Violence Against Children, Office of the Special Coordinator on improving the United Nations response to sexual exploitation and abuse, UN Women, World Food Programme (WFP), World Health Organization (WHO), African Union, Association of Southeast Asian Nations (ASEAN), Commonwealth Secretariat, Caribbean Community (CARICOM), Council of Europe, European Commission, Members of the European Parliament, INTERPOL.
- **Governmental entities** including Australia, Canada, Italy, Finland, France, New Zealand, Norway, Switzerland and the United Kingdom.
- **International Sports Federations** including Olympic Sports: Athletics (Athletics Integrity Unit AIU), Badminton (BWF), Basketball (FIBA), Cycling (UCI), Football (FIFA), Gymnastics (FIG Ethics Foundation), Handball (IHF), Rugby (WR), Table Tennis (ITTF), Tennis (ITF), Triathlon (ITU), Non-Olympic Sport: Cricket (ICC Anti-Corruption Unit), **international sports related organisations** including: the Court of Arbitration for Sport (CAS), Special Olympics and the International Testing Authority (ITA).
- Experts, human rights specialists and **civil society organisations** including: CARE International, FIFPro, Foot Solidaire, Geneva Centre for Security Sector Governance (DCAF), Human Rights Watch, Keeping Children Safe International, Mission 89, Right To Play, Safe Sport Africa, Safe Sport International, Shift, Terre des Hommes, The Army of Survivors (US), The Centre for Sport and Human Rights, The Spirit of Trust (Canada), Voices for Truth and Dignity, Women and Men Against Child Abuse (South Africa), World Scouts Bureau, the U.S. Centre for SafeSport, FIFA Human Rights Advisory Board, investigative journalists, etc.
- Security sector organisations and ombudspersons, child protection **experts**, national safe sport centres and integrity units (including Australia, Finland, U.S.), academics, health professionals (including from the Harvard Global Mental Health programme), individuals with lived experience of abuse in sport (including from South Africa, Canada, United States, United Kingdom and New Zealand), private sector entities (including SportRadar and Quest) and independent experts with a conscious focus on ensuring geographic representation and international as well as local stakeholders.

A consistent approach to all interviews was undertaken ensuring the pillars of work envisaged of the new entity at the beginning of the Consultation Process were presented namely:

1. Reporting
2. Survivor-Centred Care Support
3. Investigations

4. Due Diligence Screening Process
5. Knowledge Hub.

A similar time of approximately 60 minutes was accorded to each respondent, with over 90 interviews conducted. Due to the Covid pandemic, all interviews were conducted online with it as yet unknown the full extent of COVID-19's impact on children and youth associated with sport.

The LC participated in a number of meetings with FIFA and stakeholders with the purpose of FIFA explaining their reasoning for initiating the Consultation Process and the need for a new Safe Sport entity. The majority of these meetings were subsequently followed-up by a bilateral interview with the LC. Some interviews were conducted between the LC and a number of representatives from the same organisation although the majority were conducted one on one. Interview subjects were briefly presented the 5 pillars above as the initial framing topics with more in-depth exploration made depending on the expertise and experience of the interview subject with the aim of contributing to defining the operations of the new entity. The interviews were conducted confidentially with verbatim notes taken with no individual nor entity cited in the Report to enable anonymity, protection of identity and liberty in expression. The outcomes of the interviews have been thematically analysed and integrated into this Report as appropriate.

The LC developed a web based Qualtrics questionnaire including 31 questions that was developed in collaboration with FIFA and distributed on 15 January 2021 to all those interviewed as well as to additionally identified experts and entities. The questionnaire was by invitation only that included further individuals and entities recommended by the participating experts. The survey included both qualitative and quantitative questions. The questions were structured thematically namely Reporting, Survivor-Centred Care Support, Investigations, Due Diligence Screening Process and Knowledge Hub. The Survey is included in Annex 12 to this Report. This questionnaire served to complement the oral consultation, to provide an opportunity for additional input, and to obtain a broader input than those with whom oral consultation was conducted.

A deadline for completion of the questionnaire was set for 31 January 2021. An extension was then provided to end February on request by a number of participating stakeholders. This was followed by a detailed analysis of the feedback and occasionally followed up with additional oral consultation.

Secondary Research

A comprehensive analysis of thousands of pages of academic research, independent reports and diverse organisational structural and strategic approaches and experiences served to inform the recommendations made in this Report. This included an extensive review of international legal conventions, policy guidelines and standards established by multi-lateral entities, and research studies in relation to abuse in sport. The Consultation Process considered sports integrity structures both at the national and international levels and the approaches taken by other sectors including the military, faith-based communities and Boy Scouts with regards to managing cases and the prevention of the profound and lifelong effects of abuse. An in-depth analysis was particularly made of ombuds institutions and human rights commissions within diverse sectors and jurisdictions to frame the legal parameters for the successful functioning of the new entity. The identification of good practices from other sectors insofar as they would be useful in the establishment and approach of the new entity was made by the analysis of written documentation followed by oral consultation.

Report Structure

Based on the findings of the Consultation Process, including research, oral and written consultation, analysis of existing institutional mechanisms, good practice etc. the Report has been structured consistently across the various topics. Each section provides an introduction and overview of selected

international legal and policy frameworks that outline the existing commitments and obligations that Member States have in relation to abuse in sport. These frameworks are generally contained in the Annexes unless deemed fundamental for understanding the Recommendations. The inclusion of relevant international and regional legal and policy frameworks is intended to facilitate the operations of the entity when collaborating with multi-lateral organisations and Member States and for the swift development and mapping of tools and resources by the new entity. The provision of an overview of selected research and case studies serves to provide the background to the challenge that global sport is currently facing, as well as highlighting the challenges that other sectors have also recently been confronted with, and as more and more cases are exposed.

Each section of the Report terminates with Recommendations concerning the mandate, scope, jurisdiction and operations of the proposed new entity with the sincere hope that through a phased approach the entity may serve to protect one individual at a time from continued abuse, to bring perpetrators to justice and to prevent further abuse.

A detailed Bibliography is included to facilitate reference notably to the academic articles and legal frameworks referred to throughout the Report.

In June 2021, a draft report was distributed to all individuals who provided evidence in the Consultation Phase with participating stakeholders invited to provide their final feedback by 30 June 2021. The consideration and integration of all proposed comments and revisions was made in July-August 2021.

CONTEXT: ABUSE IN SPORT

Hundreds of cases of harassment and abuse in sport, often referred to as non-accidental or intentional violence, have come to light in recent years⁴⁶ with it not unreasonable to assume that cases of abuse in sports are highly prevalent around the world. Like other spaces where there are power imbalances and financial and other incentives, abuse has and is occurring across the spectrum of sports, up and down the hierarchy from local to international, amateur to professional, children to adults, and across all genders. Particularly vulnerable groups include child athletes; athletes with disabilities;⁴⁷ athletes who identify as lesbian, gay, bisexual, transgender, or queer;⁴⁸ elite athletes⁴⁹ and girls and women.⁵⁰

The short, medium and long-term impact of abuse has been widely documented,⁵¹ with the consequences of abuse devastating and long lasting,⁵² including loss of self-esteem, poor academic performance, distorted body image, eating disorders, self-harm, depression, anxiety, substance use disorders and suicide⁵³ requiring specific child⁵⁴ and adult⁵⁵ protection measures. For children, reports have highlighted their particular vulnerability with them most at risk in situations when adults in sport have access to them in one-on-one or private spaces such as in the locker-room, trips away, a coach's home or car and social events, the very spaces they should be safe, enabled and empowered. For

⁴⁶ See: Sheldon, C., 2021; UN Special Rapporteur on the sale and sexual exploitation of children, 2018; Mountjoy, M., Brackenridge, C., Arrington, M., *et al*, 2016; UNICEF, 2010; Alexander, K. Stafford, A. Lewis R. and University of Edinburgh, 2011; Daniels, D., 2017; Mega-Sporting Events Platform for Human Rights, January 2017.

⁴⁷ Vertommen, T., Schipper-van Veldhoven, N., Wouters, K., *et al*, 2016.

⁴⁸ Denison, E., Kitchen, A., 2015.

⁴⁹ Fasting, K., Brackenridge, C., and Knorre, N., 2010; Vertommen, T., Schipper-van Veldhoven, N., Wouters, K., *et al*, 2016.

⁵⁰ Johansson, S., Kenttä, G. and Andersen, M., 2016.

⁵¹ See: Mountjoy, M., Brackenridge, C., Arrington, M., *et al*, 2016; WHO, June 2020.

⁵² Tofler, I. R., Morse, E.D., 2005; Hartill, M., 2016.

⁵³ Gervis, M., Dunn, N., 2004. See also, IOC, 2019.

⁵⁴ Such as those provided by the UN Committee on the Rights of the Child and its Optional Protocols.

⁵⁵ See Ann Craft Trust, Safeguarding Adults at Risk Key Legislation and Government Initiatives.

women and girls, the risk of abuse has been found to be accentuated due to the nature of relationships and power imbalances between female athletes and their coaches, doctors and others who are predominately male.

To address such abuse, the underlying causes must be both addressed and prevented⁵⁶ requiring efforts and engagement by both statutory and sporting entities. States have the primary duty and obligation to investigate crimes of abuse, to hold perpetrators accountable, and to provide access to remedy for victims, witnesses and whistle-blowers. With violations of children and certain forms of abuse considered a crime in most jurisdictions, it is fundamental that they are dealt with accordingly by national law enforcement mechanisms. A comprehensive understanding is required of statutory obligations vis-à-vis crimes committed within a given jurisdiction and the parameters within which an international entity could potentially act when neither statutory nor sporting authorities are fulfilling their legal, ethical and moral obligations. In numerous jurisdictions it has been found that specialist criminal and child protection statutory agencies may not be available, may have limited capacity, specialist skills or resources, with calls for support from victims of abuse either not being enabled or falling on unresponsive and uncaring individuals.

For sports governing bodies, an increasing number are confronted with serious cases of abuse that requires specialist, local investigative and care support expertise that often falls beyond the competencies and powers of sport alone requiring a pooling of resources, expertise and collaborative partnerships. Sports organisations involved in the Consultation Process acknowledged that their disciplinary processes and judicial bodies are not sufficiently equipped to provide a victim/survivor centred approach to handling abuse cases, which often require different types of expertise to cases addressing other integrity issues such as doping, corruption or competition manipulation. It is fundamental that sports recognise their human rights responsibilities and their duty of care in doing what is right to protect every individual under their care. It is also important that sports put measures in place to protect against enabling a culture of cover-up, secrecy, denial, immunity, protection of perpetrators and submissiveness to elite structures that may facilitate the abuse. Sport must remain a safe space for all, especially for our children and youth; and if abuse does occur, it must ensure that investigations are conducted to bring perpetrators to justice and ensure that there is a victim/survivor-centred approach in the provision of necessary care support for victims and access to remedy.

The findings of the Consultation Process are clear, all those engaged in the Process identified with the imperative of improving investigations, of pooling expertise and resources, and taking a victim/survivor-centred approach to address abuse in sport. The findings of this Report therefore call for the establishment of an independent, impartial, specialist international entity, operational in scope and practice, requiring a global, multi-stakeholder commitment to ensure the practice of safe sport, providing an environment that is respectful of human rights, free of non-discrimination and all forms of non-accidental harm to athletes.

Identified Challenges in Establishing a New International Entity

The Consultation Process identified the following specific challenges that, through their recognition, informed the Recommendations contained throughout the report. The percentages indicated below are a precise reflection of the results to a written questionnaire recognising that this does not take into account oral input; the accumulated findings are reflected in the Recommendations.

⁵⁶ See UN Women, 2013; UN Convention on the Elimination of Discrimination against Women (CEDAW), General Recommendation No. 35, 2017; Child Rights and International Legal Framework | Toolkit on Diversion and Alternatives to Detention | UNICEF

State responsibility vs. sports responsibility: with a clear articulation required of the role of any new entity to manage abuse cases on behalf of, or in place of sports organisations and the role of the entity in assisting State and non-State entities to fulfil their human rights responsibilities, particularly when children have been harmed.

Need for coordination with other integrity, child protection, criminal justice and human rights issues that have different international instruments, mechanisms and institutions to address child safeguarding and protection issues from those addressing gender-based violence and other issues. At the local/national level there are often limited resources and the necessary expertise required to address abuse cases with it important to provide support, build capacity, trust and to not overburden local stakeholders.

- 80.43% of respondents were in favour of the entity taking on a preventative and educative role as a 'knowledge hub' including recommendations, education tools, sharing of good practice, etc.

Differences in national legislation across jurisdictions as to what constitutes a criminal offence, reporting procedures particularly if abuse against a child is committed, whistle-blower, child and victim protection, data protection, statutory and sporting capacities, birth registries and identification processing systems, etc.

Inability to deliver on promises: with it important to ensure that expectations are managed from the outset so that the entity can operationally deliver to support victims/survivors of abuse. If the entity invites someone to report without having the means, powers, resources, or time to follow up on each report in a prompt and proper manner, the entity is misleading, will no longer be trusted and will deceive individuals in a difficult situation.

- 91.67% respondents to the questionnaire agreed that the entity should provide an independent, easily accessible and **confidential reporting mechanism** for victims of harassment and abuse in sports.
- 97.87% of respondents supported the establishment of a **global pool of local/regional experts and safe sport entities** who can be promptly mobilised to provide specialist care support to victims, witnesses and whistle-blowers in a language and location most suitable for them.

It is recognised that Safe Sport entities have been developed for a range of purposes – prevention/capacity building and/or response – and may or may not be involved in actual case management.

Admissibility, need to restrict the scope of individuals over whom the entity would have jurisdiction with it recognised that the boundary between amateur and elite is not always clearly identifiable and that abuse can happen at any level in sport.

- 26.79% of respondents to the questionnaire agreed that scope should be limited to individuals covered by the regulations of a **member sports organisation** (international or national);
- 22.32% that it be for **all individuals covered by IF regulations** where IF support has been exhausted or where referral to the entity is justified;
- 20.54% agreed that it should be limited to those covered by **IFs who are members** of the entity;
- 16.96% were in favour of all individuals on an **elite sport** pathway being covered (multiple options were possible with this question).

Admissibility, need to restrict the scope of offences that the entity would deal with, with the risk that lower levels of misconduct that are not picked up and addressed early on may lead to aggressive, systematic abuse. However, in line with the proposed phased approach of setting up such an entity, it

is recognised that different concerns and incidents will require different responses for action. Prioritisation will be needed, with incoming reports categorised based on established criteria.⁵⁷

- 87.23% of respondents to the questionnaire proposed that the entity should address all types of harassment and abuse as defined in the International Olympic Committee consensus statement: harassment and abuse (non-accidental violence) in sport.⁵⁸

Admissibility, and the challenge of agreeing what makes a reported concern to the entity allowed.

It is likely that non-recent cases may be the first to emerge, followed by current cases. A flexible approach must be facilitated as the entity moves through the phases of development, but one that is clearly communicated. The entity will have to agree on clear criteria that would make a complaint inadmissible and learn from the lessons of other international and national human rights complaints mechanisms,⁵⁹ truth and reconciliation channels⁶⁰ particularly with regards to the degree of proof of 'exhaustion' or suitability of other channels for support and remedy.

Fear of vicarious liability cases against sports organisations due to the legal responsibility that they may have over those in their care.

Limited resources and lack of **specialised expertise** to address abuse cases with no one existing international organisation with a clearly defined mandate to help sports conduct investigations or provide and coordinate care and support, particularly in jurisdictions that cannot provide the necessary protection and access to remedy.

Recognition that **some sports are less well-resourced** than others and the provision of, for example, **legal aid** by IFs is very **limited**.

- 75.56% of respondents were in favour of the new entity offering mediation or arbitration services.

Despite the extensive reporting and research undertaken of abuse in sport, there are **few sports disciplinary decisions** concerning abuse cases, especially at the international sports federations (IF) level.⁶¹ The Court of Arbitration for Sport (CAS) has two published awards dealing with the issue of sexual harassment and abuse⁶² although a number of CAS cases have dealt with human rights issues including procedural and substantive rights.⁶³

- 89.13% of respondents agreed that a key aim of the new entity should be to develop a **global pool of local/regional investigatory experts** who can be promptly mobilised to provide victim/survivor-centred case management and to conduct investigations, especially where the statutory (criminal and child protection) agencies and specialised local services are limited or not yet developed in a given country.
- 80% were in favour of the individual sports remaining responsible for issuing and enforcing administrative, sporting **sanctions**.
- 66.67% of respondents were in favour of the new entity establishing a **common sports sanctioning framework covering a range of offences for harassment and abuse**.

⁵⁷ See Bond, 2019.

⁵⁸ Mountjoy, M., Brackenridge, C., Arrington, M., *et al*, 2016

⁵⁹ Reference to article 7 of the UN Optional Protocol to the Convention on the Rights of the Child on a communications procedure, 2014.

⁶⁰ Consideration is made of the South African Truth and Reconciliation process whereby there was no exhaustion of remedy but rather a process to ensure cooperation in ensuring that it was what the victims/survivors wanted.

⁶¹ IF cases include: UCI (Cycling), 22 February 2021; FIFA (Football) 8 June 2019, 8 October 2019 and 18 November 2020.

⁶² See CAS 2018/A/5641; and CAS 2019/A/6388.

⁶³ See Rochefoucauld, E., Reeb, M., March 2021.

Lack of trust and confidence in an international institution being able to assess reports, refer and coordinate local support to victims/survivors, particularly due to the physical, cultural, linguistic and emotional distance from the victim/survivor.

The challenge of **managing diverse interests** particularly to assure culturally sensitive victim/survivor-centred, human rights, child-centred approaches to investigations and ensure access to justice balanced with the need to enhance the capacity of sports organisations to sustainably deal with cases.⁶⁴

Necessity to ensure international, regional and national prevention and **safeguarding standards** are **mandatory** for sport entities and that this is linked with funding, technical assistance and capacity building support.

The **cultural, systemic change** required within sport **to overcome omerta, cover-up and denial**, with sports integrity efforts to date **having primarily** focused on protecting the sports organisation itself rather than the victim/survivor. As such, the success of the new entity will depend on the support of the sport governing bodies themselves and their commitment to working together to eradicate abuse in sport.

- 88.89% of respondent were in favour of the entity delivering **Recommendations to the requesting sports organisation following an investigation**. Such Recommendations may outline recommended sanctions or structural changes that are required within a sports organisation to prevent a similar case arising.
- 74.42% were in favour of the entity making those **Recommendations public**.
- 59.57% provided input into how a **Screening Process** could work to prevent perpetrators moving from one region or sport to another, with 38.30% agreeing that the entity could provide a screening service and 2.13% against. Caution was expressed due to the various challenges in establishing such a system at the international level.

Selected Research and Case Studies: Abuse in Sport

The below case studies and research works provide a limited overview of the global mapping and understanding that is emerging of the extent of abuse in sport, across different sports from the grassroots to the elite levels.⁶⁵ Based on the studies conducted in diverse jurisdictions, it would appear that between 45-65% of female athletes declare themselves as being victims/survivors of abuse,⁶⁶ although such abuse is not only limited to females.⁶⁷ An in depth research focusing specifically on the issue of gender-based violence within sport is recommended. However, on a positive note, societal changes are also influencing behaviour with physical abuse often no longer acceptable behaviour within sport.⁶⁸

Afghanistan, Football

Following 'severe mental, physical, sexual and equal rights-abuse of the female players' by Afghanistan Football Association President,⁶⁹ the Court of Arbitration for Sport (CAS) affirmed the FIFA Ethics Commission's decision to ban for life the President.

⁶⁴ Sports have a responsibility and duty of care to both prevent and appropriately respond to these cases at the national and international level. The aim of the entity would not be to replace that responsibility but to support and help fulfil the responsibility and duty of each sport.

⁶⁵ See further, Fasting, K., 2017, pp. 167-177; Brackenridge, C., Fasting, K., 2002, p. 3.

⁶⁶ Based on an analysis of the research works referred to in the article: Diaconu, M., 2020.

⁶⁷ See Sheldon, C., 2021.

⁶⁸ Human Rights Watch, July 2020, p. 16.

⁶⁹ CAS 2019/A/6388, p.3.

The panel in charge of this matter underlined that, unlike bribery and match-fixing which damage the integrity of the sport, the offences committed by Keramuudin Karim violated basic human rights and damaged the mental and physical dignity and integrity of young female players. With his appalling acts, he had destroyed not only their careers, but severely damaged their lives. The panel determined that Keramuudin Karim should get the most severe sanction available.⁷⁰

Argentina, Football

In Argentina, a paedophile ring was uncovered in 2018 with dozens of boys training in lower division clubs having been sexually exploited. It is common for children from remote areas to be lodged by football academies away from their families, thus making them particularly vulnerable to abuse and exploitation. The development of football academies, particularly in the Global South, has seen a number of cases where children are abused and exploited.⁷¹

Australia

In May 2021, a Report on the Independent Review into Gymnastics in Australia⁷² found:

That unique facets of gymnastics, including the extremely high proportion of young female athletes, contribute to a high-risk environment for abuse and for the maintenance and reinforcement of negative societal stereotypes and ideals around gender.

The Commission also identified a ‘win-at-all-costs’ culture that prevailed across the sport and found that this created unacceptable risks for the safety and wellbeing of often very young gymnasts. Gymnastics at all levels of the sport—national, state and club—has a responsibility to put the wellbeing and safety of all athletes, particularly those who are children and young adults, at the forefront of everything it does. Effective cultural change for every athlete in every gym across the country will only be realised when strong leadership at all levels of the sport commit to a collaborative and holistic approach to addressing the challenges outlined in this report.

A Royal Commission into Institutional Responses to Child Sexual Abuse⁷³ held a public hearing in 2016 to examine the institutional responses of football (soccer), tennis and cricket organisations to allegations of child sexual abuse citing examples of abuse within these sports.

Canada

A 2019 survey⁷⁴ found that all 1001 current and retired Canadian athletes surveyed reported experiences of at least one harmful behaviour in each category of harm. The most commonly experienced form of harm was psychological (current athletes: 17%; retired athletes: 23%), followed closely by neglect (current athletes: 15%; retired athletes: 22%), while far fewer sexually harmful behaviours (current athletes: 4%; retired athletes: 7%), and physically harmful behaviours were reportedly experienced (current athletes: 3%; retired athletes: 5%).

Recommendations for advancing Safe Sport included: (i) establish a mechanism to receive, investigate and adjudicate complaints independent of the National Sport Organizations; (ii) attend to all forms of maltreatment; (iii) enhance the focus on athletes’ holistic well-being; (iv) implement mandatory education for all sport stakeholders; (v) strengthen accountability measures; (vi) ensure supports and resources are available for victims of maltreatment; (vii) prohibit sexual relationships and forced intimacy between athletes and those in positions of power; and (viii) conduct a climate survey of athletes’ experiences on a regular basis.

⁷⁰ FIFA Decision of the adjudicatory chamber of the Ethics Committee, 8 June 2019, p. 71.

⁷¹ BBC Mundo, 2 April 2018.

⁷² Australian Human Rights Commission, 2021.

⁷³ Australian Royal Commission into Institutional Responses to Child Sexual Abuse, 2016.

⁷⁴ Kerr, G., Willson, W., Stirling, A., 30 April 2019, p. 11.

Czech Republic

A study from the Czech Republic found that 45% of participants had experienced sexual harassment in a sports setting.⁷⁵

Europe

The Voices for Truth and Dignity Project:⁷⁶

Aimed at combatting sexual violence in sport through the voices of those affected. In order to reach this aim, a research study in seven European countries was conducted, collecting the accounts of 72 people who had experienced sexual violence in the field of sport. 80% of the participants in the study experience sexual violence as children or youth underpinning the requirement to better protect young athletes in sport. In the majority of the reports (78%) the perpetrator was the coach of the athlete, which underlines the necessity to spend specific attention to the adult/coach-child/athlete relation when implementing safeguarding procedures in sport.

Haiti

A decision of the adjudicatory chamber of the FIFA Ethics Committee taken on 18 November 2020⁷⁷ banned former Haitian Football Association President Yves Jean-Bart from football for life. There were thirty-four alleged victims of sexual abuse at the Centre Technique National in Croix-des-Bouquets by 10 possible perpetrators and accomplices including Jean-Bart. It claimed that 14 of the 34 were alleged victims of Jean-Bart himself.⁷⁸

The adjudicatory chamber emphasizes that several of its aspects render the case at hand to be of unprecedented gravity. Mr Jean-Bart sexually abused various female players, including and in particular minors, using threats, coercion, as well as gifts and the promise of advantages (of a sportive or financial nature) on those who refused to accept his advances. The sexual harassment/assault and abusive conduct was repeated and, in fact, part of a systematic treatment to which female players were subjected at the Centre, whose objective was to train and prepare the future generations of Haitian footballers. Instead, it was transformed into an environment of fear and mistreatment.

Violation of article 23 of the FIFA Code of Ethics (FCE), Protection of physical and mental integrity
[...] the FIFA Adjudicatory Panel considers that, by his appalling conduct as described above, Mr Jean Bart has breached the content of art. 23 of the FCE, in particular by attacking and violating the physical and mental integrity of the female players who resided under his authority and responsibility. More than that, Mr Jean-Bart systematically harassed and sexually abused a number of players, including and mostly minors, with a behaviour ranging from inappropriate gifts or touching to assault and rape. The situation was part of a scheme/structure that lasted for years, due to a system of "omerta" maintained with the help of various accomplices (such as facilitators, but also other abusers) by threats and coercion, as well as promises of benefits, and only the bravery of (some of) the victims and witnesses who decided to step forward and testify allowed this tragedy to be discovered and prosecuted.

Violation of art. 25 of the FCE, Abuse of position

[...] The Panel determines that Mr Jean-Bart abused of his position as the most senior official in Haitian football, as president of the FHF (for 20 years) and created a very complex and extremely harmful system of sexual abuse and exploitation of female players, also minors of age, which occurred inside and outside of the Centre and shattered the lives and careers of young girls coming from vulnerable backgrounds with their passion of playing football and possibly pursuing a football career.

⁷⁵ Fasting, K., Brackenridge, C., and Knorre, N., 2010, pp. 26–32.

⁷⁶ Hartill, M., Rulofs, B., Vertommen, T., Topic, M. D., Diketmuller, R., Horcajo, M. M. & Stockel, J. T., 31 Dec 2019.

⁷⁷ FIFA Decision of the adjudicatory chamber of the Ethics Committee, 18 November 2020.

⁷⁸ New York Times, 2020.

Japan

A July 2020 Human Rights Watch Study reported:

Abusive coaching techniques documented in this report include, but are not limited to, hitting children with bats and bamboo kendo sticks, slapping children across the face, and holding children's heads underwater to simulate drowning.⁷⁹ Of 381 respondents 24 and younger, 19 percent indicated that they had been hit, punched, slapped, kicked, knocked to the ground, or beaten with an object while participating in sports. These experiences occurred in at least 22 different sports and at least 26 prefectures.⁸⁰ Between 1983 and 2016, there were at least 121 individuals who died while participating in school judo in Japan.⁸¹ It is unknown how many of these cases involved abuse by coaches, but the rate of judo deaths in Japan has "no parallel" in other developed nations.⁸²

Recommendations included:

Establish a Japan Center for Safe Sport, an independent administrative body tasked with addressing child abuse in Japanese sport. Among sports organizations, this independent body would have centralized administrative authority to address any allegation of child athlete abuse within organized sport in Japan. Responsibilities should include:

- *Maintain standards to prevent and protect against child athlete abuse, and ensure full compliance with those standards by Japanese sports organizations;*
- *Receive complaints or reports of child athlete abuse directly, as well as via a centralized reporting system, into which all existing reporting mechanisms would flow;*
- *Conduct investigations into all cases of child athlete abuse in organized sport, issue proportionate sanctions against coaches—such as revoking their coaching license, suspending or banning them from coaching—and provide an appeal system for sanctioned coaches;*
- *Refer abuse cases to law enforcement for criminal investigation, where appropriate;*
- *Track and report data on the number of allegations, and the outcomes of investigations;*
- *Create a public registry of coaches who are sanctioned;*
- *Ensure free, ongoing, professional psychological support services for child athletes who have experienced abuse;*
- *Establish training standards for all coaches of child athletes; and*
- *Conduct education and awareness campaigns about the existence of this independent body, and the resources it provides.*

Provide the funding necessary to adequately staff and resource the Japan Center for Safe Sport, described above.

Kenya

A 2014 study conducted amongst university athletes in Kenya showed that 64.4% of respondents had experienced sexual harassment incidents.⁸³

Korea

In 2018, the National Human Rights Commission of Korea launched an investigation after it was reported that female athletes were being physically and sexually assaulted by their coaches.⁸⁴

Netherlands

A Commission of Inquiry on Sexual Harassment and Abuse in Sports, established by the Netherlands Olympic Committee, concluded that 4% of its interviewees had been sexually abused or raped during their childhood. More girls than boys were affected, with young children being particularly vulnerable.

⁷⁹ Human Rights Watch, July 2020, p. 1.

⁸⁰ *ibid*, p. 17.

⁸¹ Ryo Uchida, May 16, 2016.

⁸² Burke, M., 26 August 2010.

⁸³ Rintaugu Elijah, G., Kamau Jane, Amusa L.O. and Toriola, A.L., September 2014, pp. 974-990.

⁸⁴ National Human Rights Commission of Korea, 2008.

The majority of identified perpetrators were male coaches or trainers, with a higher incidence in football.⁸⁵

New Zealand

Following allegations of psychological and physical abuse in gymnastics, a February 2021 independent review into New Zealand Gymnastics recommended to:

*Provide a formal apology and acknowledgement of harm to all members of the New Zealand gymnastic community affected by physical, emotional, psychological and other abuse afflicted by or through inappropriate and unacceptable behaviour of other members of the community over the past four decades; particularly noting the harm suffered by young gymnasts..*⁸⁶

Norway

550 high-level athletes from 56 different sport disciplines were studied with it found that 51% of the athletes had experienced one or more forms of sexual harassment.⁸⁷ The study was grouped into: 1. Team or individual sports; 2. Extent to which clothing required for competition is revealing; 3. Gender structure (male- or female-dominated membership statistics); and 4. Gender culture (masculine, gender-neutral or feminine). The data showed that sexual harassment occurs in every sport group with female elite athletes who participated in 'masculine' sports experiencing more harassment than women in the other groups. The study concluded that, when it comes to female athletes' experiences of sexual harassment, sport type matters far less than sport participation per se.

Scotland

An Independent Review of Sexual Abuse in Scottish Football published in February 2021 had a 'total of 33 people [who] directly provided the Review with accounts of their own personal experiences of sexual abuse/alleged sexual abuse within Scottish football.'⁸⁸

South Africa

A South African child protection agency has launched legal action to force swimming executives in the country to hand over to state authorities an independent investigator's report into allegations of historic sexual abuse involving minors.⁸⁹ In 2008, South Africa women's national football team player an LGBT-rights activist was raped and murdered.⁹⁰

Switzerland

*One in five young sportsmen and women in the western French-speaking part of Switzerland has suffered some form of violence, according to a survey by the University of Lausanne. The survey is based on interviews with 287 young people who practised a sport before they turned 18. It found that 20.3% of them have endured psychological and physical violence, 15.5% sexual and psychological violence and 15.5% all three forms of violence.*⁹¹

Turkey

The findings of a study revealed that 200 out of 356 sportswomen (56%) stated that they had been sexually harassed. The most frequent time of harassment was found to be after games or training, and the most frequently occurring location of harassment was the sports centre.⁹²

⁸⁵ de Vries, K. Ross-van Dorp C. and Myjer, E., 2017.

⁸⁶ Howman, D., Nicol, L., Vickery, R., February 2021, p. 26.

⁸⁷ Fasting, K., Brackenridge, C., Sundgot-Borgen, J., 2004, pp. 84–97.

⁸⁸ Independent Review into Sexual Abuse in Scottish Football, 2018.

⁸⁹ Lord, C., November 2020.

⁹⁰ Eudy Simelane - Wikipedia

⁹¹ SwissInfo, 26 January 2021.

⁹² Gündüz, N., Sunay, H., and Koz, M., 2007.

UNICEF Report, July 2010⁹³

During recent years, [...] it has become evident that sport is not always a safe space for children, and that the same types of violence and abuse sometimes found in families and communities can also occur in sport and play programmes. Child athletes are rarely consulted about their sporting experiences, and awareness of and education on child protection issues among sport teachers, coaches and other stakeholders is too often lacking. Overall, appropriate structures and policies need to be developed for preventing, reporting and responding appropriately to violence in children's sport.

United Kingdom

A comprehensive 2011 study⁹⁴ of children participating in organised sport in the United Kingdom reported that 75% of respondents reported emotional harm, 29% reported sexual harassment, 24% reported physical harm, 10% reported self-harm and 3% reported sexual harm.

In the Independent Review into Child Sexual Abuse in Football 1970-2005, published in March 2021:
 2.3 *It is not possible to know how many children suffered sexual abuse in football from 1970 to 2005. Most incidents of abuse are not reported. But, it is clear to me that a considerable amount of sexual abuse of children took place during this period. This is reflected in the statistics produced by Operation Hydrant. As at August 7th 2020, the Holmes database (a live database) showed that – based on Operation Hydrant criteria – there were 240 suspects within football, with 692 survivors. Most of these cases occurred in the period covered by the Review.*

2.4. *The abuse shattered the trust that survivors had in the abuser, and in those with the responsibility in football to keep children safe. The abuse had a devastating impact on the lives of many of the survivors, as well as their families and loved ones. Survivors have described to me the suicide attempts, excessive alcohol or drug intake or dependency, periods of depression and other mental illness, failed relationships with partners and children, which they attribute to the sexual abuse they experienced as children. Some survivors have told me that the recent criminal trials involving a number of the perpetrators have helped them deal with the emotional impact of the abuse.*

2.5. *Most of the child sexual abuse that has been talked about in the national media took place in the context of professional clubs, or clubs that were (or were described by the perpetrators as) “feeder clubs” for professional teams. The abusers used the cloak of respectability and credibility that came through their association with professional clubs to gain access to boys and lull the boys and their parents into a sense of security. However, there were also many cases of abuse that occurred in the grassroots game. This is reflected in a number of the Crown Court records that have been examined by the Review Team, as well as a number of criminal trials that have recently taken place. In the grassroots game, it seems that football was one of several settings used by abusers to befriend and abuse young people.*

2.7. *Where abuse did take place within football, the overwhelming evidence received by the Review is that it was not witnessed by others involved in the game. Abusers were manipulative. They used elaborate grooming tactics, and their abuse was mainly conducted in private – whether in the abuser's homes, in their cars, in secluded rooms at training grounds, or in hotel rooms – not in the sight or presence of other adults. Abusers frequently worked without supervision or oversight: they had opportunities to spend time alone with young players and, as part of their roles as coaches or trainers, or even scouts, they were able to develop exclusive relationships with young players.*

2.9 *[...] for much of the period of the Review, club staff and officials were generally unaware of child protection issues; they were not trained in child protection; they did not pick up on the signs of potential*

⁹³ UNICEF, July 2010, p. vii.

⁹⁴ Alexander, K., Stafford, A. and Lewis, R., October 2011, p. 8.

*abuse and, if they were aware of the signs, they did not examine them with curiosity or suspicion. Staff and officials at clubs were naïve about the possibility of abuse. Furthermore, football clubs did not facilitate, let alone encourage, young players to raise their concerns, which might have enabled them to make disclosures [...]*⁹⁵

5.2.5 [...] Operation Hydrant informed the Review that, as at August 3rd 2020, the Holmes database was showing 136 suspects and 201 survivors in various sports (other than football). The sports with the highest number of suspects were Martial Arts (23), Swimming (22), Athletics (11), and Gymnastics (11). The sports with the highest number of survivors were Swimming (31), Martial Arts (28), Gymnastics (26), and Athletics (21).⁹⁶

United States, Gymnastics

The abuse by former doctor Larry Nassar of hundreds of elite and Olympic gymnasts and other children in the US since the early 1990s resulted in his conviction in January 2018 to 175 years in prison after pleading guilty to seven counts of sexual assault of minors.⁹⁷ In February 2018, he was sentenced to an additional 40 to 125 years in prison after pleading guilty to an additional three counts of sexual assault.⁹⁸

*[T]he sport rendered athletes inherently vulnerable ... [T]here were embedded cultural norms unique to elite gymnastics that eroded normal impediments to abuse while at the same time reducing the likelihood that survivors would come forward. The culture was intense, severe and unrelenting. It demanded obedience and deference to authority. It normalized intense physical discomfort as an integral part of the path to success.*⁹⁹

Aly Raisman, American gymnast and sexual abuse survivor:

*1997, 1998, 1999, 2000, 2004, 2011, 2013, 2014, 2015, 2016. These were the years we spoke up about Larry Nassar's abuse. All those years we were told, 'you are wrong', 'you misunderstood', 'he's a doctor', 'it's OK', 'don't worry', 'we've got it covered', 'be careful, there are risks involved'. The intention, to silence us in favour of money, medals, and reputation.*¹⁰⁰

Case Studies from other sectors: Abuse

Boy Scouts of America¹⁰¹

More than 82,000 people have come forward with sex-abuse claims against the Boy Scouts of America, describing a decades-long accumulation of assaults at the hands of scout leaders across the nation who had been trusted as role models.

Catholic Church

Between 1970 and 2015, there were more than 3,000 instances of alleged abuse made against 936 alleged perpetrators.¹⁰² A comprehensive report was made in 2001, the Nolan report,¹⁰³ that contained 83 recommendations applicable to the dioceses and religious institutes. Challenges in implementation were identified including:

⁹⁵ Sheldon, C., 2021. pp. 14-15. See also Operation Hydrant.

⁹⁶ *ibid.*, p. 77.

⁹⁷ Judicial Circuit Court for Eaton County, *People v. Nassar*, Case No. 17-020217-FC; Judicial Circuit Court for Ingham County, *People v. Nassar*, Case No. 17-143-FC.

⁹⁸ Larry Nassar - Wikipedia.

⁹⁹ Ropes and Gray, 2018, p. 3.

¹⁰⁰ Raisman, A., 2018.

¹⁰¹ Boy Scouts of America sex abuse cases - Wikipedia

¹⁰² UK Independent Inquiry into Child Sexual Abuse, November 2020, p. 116.

¹⁰³ UK Independent Inquiry into Child Sexual Abuse, 2001, D.1.

- That bishops and leaders of religious institutes “did not take full responsibility for using their legitimate authority to lead the changes that were needed ... too often paying lip service ... viewing it as a regrettable and temporary necessity to deal with the unwelcome and damaging publicity at the time”.¹⁰⁴
- The diversity of the religious institutes, although female religious institutes were ‘by and large more engaged with and supportive of the need for the Catholic Office for the Protection of Children and Vulnerable Adult’s work’ than the male religious institutes.¹⁰⁵
- The Church’s unfamiliarity with working with internal and external partners.
- The use of people in key roles (some with little or no experience of child protection work).¹⁰⁶

The 2020 Investigation Report into the Roman Catholic Church identified that ‘Real and lasting changes to attitudes have some way to go if the Roman Catholic Church is to shake off the failures of the past.’¹⁰⁷

Armed Forces

Much research into sexual abuse and violence in the armed forces has been undertaken with findings that are considered relevant to sport including that ‘women and men [...] leave the military as a result of discrimination, bullying, harassment or abuse, feeling betrayed and, in some cases, bearing the scars for the rest of their lives.’¹⁰⁸

In many jurisdictions, abuse has led to the establishment of ombuds institutions either integrated within the armed forces, with exclusive jurisdiction over the armed forces, or as general ombuds institutions.¹⁰⁹ Several countries have an independent ombuds institution which has jurisdiction only over the armed forces but is a civilian office, independent of the military chain of command. An independent armed forces oversight mechanism has the advantage of being able to devote its attention exclusively to military matters, thus developing a specialised knowledge in the field. Its ability to issue public reports strengthens the oversight capacity of other democratic institutions, such as the legislature (by providing them with information to which they may not otherwise have ready access) and ensures greater transparency and accountability of the armed forces. Such institutions can be powerful examples of independent oversight.¹¹⁰

Addressing the Problem of Abuse in Sport: Sport’s Obligations

Sport, as the environment within which abuse has been allowed to occur and persist, has a duty of care towards those that it promises to protect. This requires an acknowledgement by sport from the grassroots, local club level, national federation, to international federation (IF) level of their responsibilities and a commitment to make the changes necessary to ensure sport remains a safe space and inspiration for all and that if abuse occurs, that cases are appropriately handled and addressed.

The responsibility of sports organisations and people in sport to respect human rights refers to internationally recognised human rights – understood, at a minimum, as those expressed in the International Bill of Human Rights and the principles concerning fundamental rights set out in the International Labour Organization’s Declaration on Fundamental Principles and Rights at Work.¹¹¹

¹⁰⁴ para 52, INQ000989_009.pdf (iicsa.org.uk)

¹⁰⁵ para 23, INQ000989_004.pdf (iicsa.org.uk)

¹⁰⁶ para 54.5, INQ000989_009.pdf (iicsa.org.uk)

¹⁰⁷ UK Independent Inquiry into Child Sexual Abuse (IICSA), November 2020.

¹⁰⁸ DCAF, 2015.

¹⁰⁹ See further: Buckland, B. S. and McDermott, W., 2012.

¹¹⁰ *ibid*, p. 31.

¹¹¹ As referred to and adapted from the UN Guiding Principles on Business and Human Rights, notably Principle 12.

Because sport can have an impact on virtually the entire spectrum of internationally recognised human rights, their responsibility to respect applies to all such rights. In practice, some human rights may be at greater risk than others in particular sports or contexts, and therefore will be the focus of heightened attention. However, situations may change, so all human rights should be the subject of periodic review. An authoritative list of the core internationally recognised human rights is contained in the International Bill of Human Rights (consisting of the Universal Declaration of Human Rights and the main instruments through which it has been codified: the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights), coupled with the principles concerning fundamental rights in the eight ILO core conventions as set out in the Declaration on Fundamental Principles and Rights at Work. Additional standards are outlined in instruments such as the Convention on the Elimination of Discrimination against Women that outlines State party obligations in relation to gender-based violence against women including due diligence obligations for acts or omissions of non-State actors (see Annex 2).

These are the benchmarks against which other social actors assess the human rights impacts of sport, sports organisations and people. The responsibility of sports organisations and people to respect human rights is distinct from issues of legal liability and enforcement, which remain defined largely by national law provisions in relevant jurisdictions. Depending on circumstances, sports organisations may need to consider additional standards. For instance, sports organisations should respect the human rights of individuals belonging to specific groups or populations that require particular attention, where they may have adverse human rights impacts on them. In this connection, United Nations instruments have elaborated further on the rights of indigenous peoples; women; national or ethnic, religious and linguistic minorities; children; persons with disabilities; and migrant workers and their families.

To ensure respect for human rights and ensuring the capacity to address abuse cases in sport requires a multi-sectorial and holistic approach, often requiring different professionals from the child protection, health, social services and justice system working together, with the victim/survivor at the centre. This requires new, creative, innovative partnerships and solutions that are beyond the capacity of sport to resolve alone.

Specific measures by sport to assist them in fulfilling their human rights obligations are outlined throughout this report and include:

- Cultural, institutional and systemic changes within organised sport that respect human rights;
- Legislative and sports regulatory changes from the national to international levels that embed human rights, particularly with regards to child protection;
- Access to impartial reporting mechanisms that include protection of reporting persons;
- The provision of care support to victims/survivors;
- Access to judicial and non-judicial grievance mechanisms and effective remedy for victims/survivors of abuse;
- Better education and prevention programmes;
- The identification of skilled, competent individuals and entities to implement the reforms needed;
- The development of cooperation and partnerships between sport, statutory authorities, civil society and experts to provide the support to victims/survivors that is required;
- The inclusion of the voice of those affected by abuse with special efforts to engage vulnerable and hard to reach groups, affected groups and their representatives;
- The dissemination of information and best practices across sports and jurisdictions;
- The transparent tracking and reporting of cases.¹¹²

¹¹² Schwab, B. Protect, 2019.

Positive Sporting Culture

Sport's positive impact within society is well acknowledged with it fundamental that its positive benefits on individuals' physical and mental health continue to be promoted and supported. The commitment of athletes to inspire humanity, to enable us to rejoice and come together as communities and nations is well justified. However, the individual sacrifices, the pain and suffering and absolute submission to authority of any athlete and of his/her family and entourage to pursue individual and national goals should never, ever be made to satisfy the power, control and desires of predators, especially child sexual predators.¹¹³ Such blindness, secrecy and refusal to acknowledge and respond to cases of abuse is both morally repugnant and in many instances, illegal.

Encouraging a healthy, transparent, democratic, positive culture within sport requires recognition of a number of factors that the Consultation Process has revealed including the importance of:

- Promoting safe, protected reporting of wrongdoing that will break through the power of secrecy that pervades many sports;
- Child protection and safeguarding measures that are respected;
- Strong, positive role models and a commitment from leadership of all sports organisations who acknowledge that abuse can occur in all sports, in all jurisdictions;
- Gender equality;
- Deconstruction of the authoritarian nature of sport, unequal power relationships and the unquestioning obedience of athletes towards coaches and those in power even when they feel and know that conduct is inappropriate, intolerable or illegal;
- Establishment of a culture that accepts and acknowledges responsibility, promotes respect and the human rights of the individual above the desire to win at all costs;
- Conscious efforts to protect those on an elite pathway, especially those selected at a very young age with clear parameters with regards to permissible physical contact including regulations regarding potential risky situations: changing rooms, showers, carpooling, overnight stays, etc.;
- Providing financial and human resources to appropriately investigate and deal with cases.

Responsible Autonomy of Sport

A particular challenge in deconstructing the environment that has enabled abuse to occur in sport is linked with the autonomy of sport that results in frequent exemption from oversight by governmental and judicial authorities. However, it is increasingly accepted that to be able to maintain the autonomy to decide the rules that govern sport, sport must remain within the law and conduct 'responsible autonomy'. The autonomy of sport cannot be legitimate when connected with abuse. Just as human right treaties limit the sovereignty of States whose governments ratify a human rights treaty - so called 'responsible sovereignty' - private organisations such as sports may accept authoritative standards of responsible conduct if they wish to be viewed as responsible businesses. Such is responsible autonomy, responsible governance and the organisational integrity of sport.

The challenges with an 'autonomous' sports system is that the sports themselves seek to control and even cover-up cases of abuse due to the fear of devastating reputational, staffing and financial implications, placing them in a situation of conflict of interest. Even though the reporting of crimes or suspicious of crimes such as sexual relations with minors is mandatory in many jurisdictions, there are numerous examples where complicit bystanders have ignored cases and even actively covered-up cases of abuse in sport. The recommendations throughout this Report highlight some points as to how the barriers to reporting may be alleviated.

¹¹³ Ropes and Gray, 10 December 2018.

Sport, Civil Society and National Governmental Frameworks

A number of international and national sports federations, sports related civil society organisations and national governments have developed safeguarding mechanisms, policies, procedures and tools to manage cases of abuse in sport. It has been noted that given that child protection and other statutory authorities are often overburdened, such services may ignore sport because of the apparent existence of a parallel system of regulation. Furthermore, in some jurisdictions, there appears to be an implicit belief that child maltreatment in sport is not as serious or as deserving of attention as the cases they more typically deal with.¹¹⁴

A growing number of sports bodies are making public commitments to respect international human rights standards, including the UN Guiding Principles on Business and Human Rights.¹¹⁵ A comprehensive, peer reviewed research work in the form of the IOC Consensus Statement: harassment and abuse (non-accidental violence) in sport¹¹⁶ is instructive in enhancing understanding of the prevalence of abuse in sport, the challenges that the sport sector is confronted with and proposed systemic and structural measures that are required.

*Association of Summer Olympic International Federations (ASOIF) Good Governance Review, 2020¹¹⁷
On the subject of safeguarding, 15 out of 31 IFs were able to show that they had a policy consistent with IOC guidelines and that it was being implemented, [...] In most cases, the main activity at IF level had started within the last two years. Five IFs had not yet adopted a policy although all were working on one. Private sport regulations, disciplinary, contractual, professional standards etc.*

Australia

The Australian Government has established Sport Integrity Australia that develops national policies, resources and education to safeguard sport in Australia.¹¹⁸ Sporting organisations and individuals can access the National Sports Tribunal to resolve complaints and disputes, provided they meet the criteria to access this service.

Canada

Following the publication of a report and recommendations¹¹⁹ for implementing the Universal Code of Conduct to Prevent and Address Maltreatment in Sport, it is expected that a pan-Canadian mechanism will be established in 2021 to deal with maltreatment in sport.

Centre for Sport and Human Rights (CSHR), 2018 Sporting Chance Principles (SCPs)

Principle 3. All actors involved in sport commit to internationally recognised human rights. All actors involved in sport should commit to protecting and respecting internationally recognised human rights through their activities and business relationships. Harms that do occur should be addressed. All actors should strive to act responsibly, through their governance, through proper safeguarding, and through protecting/respecting the rights of all stakeholders including athletes, fans, communities, workers, children, volunteers, journalists, human rights defenders, and potentially marginalised groups.¹²⁰

Commonwealth Games Federation (CGF) Human Rights Policy Statement, 2017

In line with our commitment to adhere to the UN Guiding Principles on Business and Human Rights, the CGF is dedicated to undertaking an ongoing process of human rights due diligence to avoid causing

¹¹⁴ Donnelly, Kerr, et al., 2016.

¹¹⁵ See Al Hussein, Z. R. and Davis, R., March 2020.

¹¹⁶ Mountjoy, M., Brackenridge, C., Arrington, M., et al, 2016.

¹¹⁷ ASOIF, 2020, Good Governance Review, ASOIF Third Review of International Federation Governance

¹¹⁸ Safeguarding | Sport Integrity Australia

¹¹⁹ McLaren Global Sports Solutions, 5 October 2020.

¹²⁰ Centre for Sport and Human Rights (CSHR), 2018, 2018, principle 3.

or contributing to adverse human rights impacts through our own activities; and mitigate and account for how we address any adverse human rights impacts.

FIFA Code of Ethics, 2020

Article 23. Protection of physical and mental integrity

- 1. Persons bound by this Code shall protect, respect and safeguard the integrity and personal dignity of others.*
- 2. Persons bound by this Code shall not use offensive gestures and language in order to insult someone in any way or to incite others to hatred or violence.*
- 3. Persons bound by this Code must refrain from all forms of physical or mental abuse, all forms of harassment, and all other hostile acts intended to isolate, ostracise or harm the dignity of a person.*
- 4. Threats, the promise of advantages, coercion and all forms of sexual abuse, harassment and exploitation are particularly prohibited.*
- 5. Violation of this article shall be sanctioned with an appropriate fine of at least CHF 10,000 as well as a ban on taking part in any football-related activity for a minimum of two years. In cases of sexual exploitation or abuse, or in serious cases and/or in the case of repetition, a ban on taking part in any football related activity may be pronounced for a minimum of ten years.*

FIFA Disciplinary Code, 2019

Article 13. Discrimination

- 1. Any person who offends the dignity or integrity of a country, a person or group of people through contemptuous, discriminatory or derogatory words or actions (by any means whatsoever) on account of race, skin colour, ethnic, national or social origin, gender, disability, sexual orientation, language, religion, political opinion, wealth, birth or any other status or any other reason, shall be sanctioned with a suspension lasting at least ten matches or a specific period, or any other appropriate disciplinary measure.*

FIFA Human Rights Policy, May 2017

Article 1: Commitment FIFA is committed to respecting human rights in accordance with the UN Guiding Principles on Business and Human Rights (UNGPs).

Article 2: Determination of the HR recognised FIFA's commitment embraces all internationally recognised human rights, including those contained in the International Bill of Human Rights (consisting of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights) and the International Labour Organization's Declaration on Fundamental Principles and Rights at Work. Where FIFA may have adverse impacts on the human rights of people belonging to specific groups or populations that require special attention, it will also consider other international standards and principles that elaborate on the rights of such individuals, including in particular those standards concerning indigenous peoples, women, national, ethnic, religious and linguistic minorities, children, disabled people, migrant workers and their families and human rights defenders. Moreover, where FIFA's operations extend to situations of armed conflict, it will also respect the standards of international humanitarian law.

- FIFA Child Protection and Safeguarding Expert Working Group
- FIFA Guardians™ Child Safeguarding Programme and Toolkit
- FIFA Good Practice Guide on Diversity and Anti-Discrimination
- FIFA Guardians™ Safeguarding in Sport Diploma
- FIFA Human Rights Advisory Board
- FIFA's Minimum Package of Care in cases of harassment and abuse

IOC, Olympic Charter

*Rule 2. Mission and role of the IOC**

18. To promote safe sport and the protection of athletes from all forms of harassment and abuse.

IOC, Code of Ethics

Article 1 Respect for the universal fundamental ethical principles is the foundation of Olympism.

1.4 Respect for international conventions on protecting human rights insofar as they apply to the Olympic Games' activities and which ensure in particular:

- *Rejection of all forms of harassment and abuse, be it physical, professional or sexual, and any physical or mental injuries.*

IOC Consensus Statement on sexual harassment and abuse in sport, 2007¹²¹

This document summarises current scientific knowledge about the different forms of sexual harassment and abuse, the risk factors that might alert the sport community to early intervention and the myths that deflect attention from these problems. It also proposes a set of recommendations for awareness raising, policy development and implementation, education and prevention, and enhancement of good practice.

IOC Consensus Statement: harassment and abuse (non-accidental violence) in sport, 2016

Sexual harassment and abuse in sport stem from abuses of power relations¹²² facilitated by an organisational culture that ignores, denies, fails to prevent or even tacitly accepts such problems.¹²³ They may thus be considered as symptoms of failed leadership.

In the face of validated research indicating that harassment and abuse in sport is serious and widespread, the promotion of safe sport is an urgent task.¹²⁴ Indeed, the prevention of harassment and abuse is increasingly constructed and presented as a public health concern, linking population and community health, to personal health and welfare.¹²⁵

Eliminating non-accidental violence against athletes is also part of a broader international conversation in sport addressing ethical and integrity issues, such as doping, match manipulation, event security and fair play.¹²⁶ This focus reflects a wider societal discourse regarding abusive and unethical practices in institutional settings, such as the church, healthcare and the military, igniting public interest in the prevention of abuse more broadly, and highlighting the importance of rigorous safe sport business practices.¹²⁷ To reduce tolerance and prevent abuses, a systematic multiagency approach is most effective.¹²⁸

[...] To avoid an overly narrow focus on the psychopathological aspects of these problems it is important for sport stakeholders to understand wider societal risk factors for harassment and abuse. These include the power imbalances associated with hierarchical and heteronormatively masculine

¹²¹ See Ljungqvist A, Mountjoy M, Brackenridge CH, et al. 2007.

¹²² Mewett, P., Toffoletti, K. 2008, pp. 165–80; Tomlinson, A, Yorganci I., 1997, pp. 134–55.

¹²³ Brackenridge, C.H., 2001; Hartill, M. 2013, pp. 241–54.

¹²⁴ Alexander, K., Stafford, A., Lewis, R. 2011; Starr K., 2015; Leahy, T. 2001, pp. 28–31; Parent, S., Demers, G., 2001, pp.120–33; Lang, M., Hartill, M., eds. 2014; Safe Sport International, 2015; United States Olympic Committee (USOC), 2010; IOC, 2014; Brackenridge, C.H. 2015, pp. 18–23.

¹²⁵ Laws, D.R. 2000, pp. 30–44.

¹²⁶ Mountjoy, M., Rhind, D.J.A., Tivas, A., et al. 2015, pp. 883–6; USOC, 2000; Maffulli, N., 2007; Brackenridge, C.H., Pitchford, A., Wilson, M., 2011, pp. 175–91; National Human Rights Commission for the Republic of Korea, 2011, pp. 83–99; Kainz, A., 2015; NSPCC, 2015.

¹²⁷ Australian Royal Commission into Institutional Responses to Child Sexual Abuse (RCIRCSA), 2015; UK Independent Inquiry into Child Sexual Abuse, November 2020.

¹²⁸ Brackenridge, C.H., Fasting, K., Kirby, S., et al. 2010; ICES, 2015; Tenenbaum, G., Stewart, E., Singer, R.N., et al., 1997, pp.1–7; Wells, M.S., Ruddell, E., Paisley, K., 2006, pp. 77:13.

authority systems of sport that lead to a culture of secrecy and deference that facilitates abuse.¹²⁹ Power imbalances may also lead to intense selection rivalries among peer athletes, which can result in both prosocial and antisocial behaviours.

SUMMARY AND RECOMMENDATIONS FOR ACTION

Sport organisations

1. *Implement and monitor policies and procedures for safe sport that:¹³⁰*
 - *State that all athletes have a right to be treated with respect, protected from non-accidental violence;*
 - *State that the welfare of athletes is paramount;*
 - *Identify who has responsibility for implementation;*
 - *Specify what constitutes a violation and specify the range of consequences;*
 - *Detail a response system for handling athlete/whistle-blower concerns and complaints, with reporting and referral mechanisms and a neutral resolution mechanism;*
 - *Provide details of where to seek advice and support for all parties involved in a referral or complaint.*
2. *Deliver an education programme for all main stakeholders about how to engage in the practicalities of preventing non-accidental violence to athletes.*
3. *Appoint or work with qualified, designated personnel responsible for safe sport programming and athlete welfare.*
4. *Listen to the voices of athletes in decision-making about their own protection.*
5. *Foster strong partnerships with athletes' parents/caregivers to promote safe sport.*
6. *Partner with expert groups and stakeholders to follow a systematic multidisciplinary, multiagency approach. This may include law enforcement, media, medical, child protection, counselling and support or other groups.*

IOC Olympic Agenda 2020 +5, 15 Recommendations

Recommendation 5 Further strengthen safe sport and the protection of clean athletes

Strengthen safe sport/safeguarding across the Olympic Movement to protect the physical and mental well-being of athletes

- *'Safeguarding athletes from harassment and abuse in sport, IOC Toolkit for IFs and NOCs'¹³¹*
- *Signatory to the "Brighton Plus Helsinki 2014 Declaration on Women and Sport",¹³² which calls on sports governing bodies and others to respect the equality provisions in the Universal Declaration on Human Rights and the UN Convention on the Elimination of All Forms of Discrimination against Women.*

International Paralympic Committee (IPC)

Co-operation Agreement signed 3 December 2020 with the Office of the UN High Commissioner for Human Rights (UN Human Rights) in line with the UN Convention on the Rights of Persons with Disabilities.

International Safeguards for Children in Sport¹³³

What are the International Safeguards? The International Safeguards for Children in Sport describe what organisations need to put in place if they are providing sports activities to children.

¹²⁹ Hartill, M., 2013; Fasting, K., 2015, pp. 573–88.

¹³⁰ IOC, 2014.

¹³¹ Safeguarding: Athlete365 (olympic.org)

¹³² https://iwgwomenandsport.org/wp-content/uploads/2019/05/IWG_BrightonDeclaration_SignatoryPack_May19.pdf

¹³³ International Safeguarding Children in Sport Working Group, 2016.

What is the aim of the Safeguards? The aim is to create a safe sporting environment for all children, in all parts of the world and at all levels of competition.

Who is this guide for? This guide is for anyone who works with children in a sporting context.

Step 01: Preparing for the journey¹³⁴

It is every child's right to be safe during sport, and it is every organisation's responsibility to protect them. There are additional reasons why safeguarding is important:



European Social Partners of the Sport Sector, Joint Statement on Safeguarding the Rights of Child Athletes, 2017

1. [...] the social partners have identified five action areas to address through social dialogue and engagement with international sporting bodies and employers in sport:
 - a. Area One: To ensure that the human and labour rights of the child are respected and fulfilled. Without limitation, this requires all adults involved in delivering activities for children to be responsible for ensuring that the rights of children are safeguarded during those activities.
 - b. Area Two: To ensure a safe environment for children, including professional players and athletes, so that they are treated with respect and in accordance with national, regional and UN, ILO, UNICEF and UNESCO standards and principles.
 - c. Area Three: To ensure the proper and safe recruiting and training of coaches, personal trainers, intermediaries, club staff and other employees, workers and agents who work with children, including through:
 - i. the requisite contractual provisions that require adherence to national, regional, UN, ILO, UNICEF and UNESCO standards and principles including applicable guidelines, codes and policies that give effect to such standards and principles; and
 - ii. implementing and maintaining an effective licensing system which includes minimum requirements such as specific skills, training, criminal background checks and psychological evaluation.

New Zealand

Sport NZ believes that:

- Children have a right to participate in sport and recreation that is safe and where they are protected from harm
- Children should feel respected, valued and encouraged to enjoy their participation and to reach their full potential

¹³⁴ *ibid*, p. 18.

- *Sport and recreation organisations have a duty of care when it comes to children and should take steps to ensure that children can participate safely in the activities they provide.*¹³⁵

Norway

*Within Norwegian sports there is Zero tolerance for discrimination and harassment irrespective of gender, ethnic background, religious faith, sexual orientation and disability.*¹³⁶

The Norwegian Olympic and Paralympic Committee and Confederation of Sports (NIF) has developed guidelines to prevent sexual harassment and abuse in sports that advises: ¹³⁷

If you are the object of sexual harassment or sexual abuse

- *Get in touch/seek help from someone you trust.*
- *Contact the management of the club/sports association, or the sports division, the national sports federation or NIF.*
- *Contact the Equality and Anti-Discrimination Ombuds.*

United Kingdom

The National Society for the Prevention of Cruelty to Children (NSPCC) has, in partnership with Sport England, established a Child Protection in Sport Unit (CPSU)¹³⁸ that provides information/advice, establishes national standards, and maintains a direct presence in relation to sport.

United States of America

In January 2019, the Committee to Restore Integrity to the USOC made 12 recommendations to USOC including the following:¹³⁹

1. The Olympic movement can only protect athletes by shifting power.
2. Athletes must be afforded better whistle-blower and retaliation protections.
3. The USOC must provide athletes with the same due process requirements that it mandates National Governing Bodies (NGBs) provide athletes.
4. Create an athlete advocate position, with staff.
5. Establish an office of inspector general.
6. Revise current arbitration procedures.
7. The USOC must cut ties with anti-athlete law firms, including those that participated in the Nassar cover up.

The U.S. Center for SafeSport¹⁴⁰ is an independent 501c (3) non-profit organization focused on ending all forms of abuse in sport. Under the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017, the Center has the exclusive authority to respond to reports of allegations of sexual abuse and sexual misconduct within the United States Olympic and Paralympic Committee and their recognised National Governing Bodies.

World Players Association, Universal Declaration of Player Rights, 2017

VI. Every sport must:

- B. respect and protect the fundamental human rights of everyone involved with or affected by sport including the player;*
- C. avoid infringing on the human rights of others and address all adverse human rights impacts with which they are involved;*

¹³⁵ Sport NZ, safe-sport-for-children.pdf (sportnz.org.nz)

¹³⁶ English (idrettsforbundet.no)

¹³⁷ Norwegian Olympic and Paralympic Committee and Confederation of Sports (NIF), Guidelines to prevent sexual harassment and abuse in sports.

¹³⁸ <https://thecpsu.org.uk/>

¹³⁹ The Committee to Restore Integrity to the USOC, 21 January 2019.

¹⁴⁰ About Us | Mission and Vision | U.S. Center for SafeSport

D. embrace and promote the responsibility of their sport to respect human rights;

Article 1. Protect. Respect. Remedy.

Every player has the right to a sporting environment that is well governed, free of corruption, manipulation and cheating and protects, respects and guarantees the fundamental human rights of everyone involved in or affected by sport, including the player. His or her sport must adopt and implement the appropriate measures to ensure the enjoyment of the rights of the player and the maintenance of a sporting environment in accordance with this Declaration including by adequately protecting whistle blowers.

Addressing the Problem of Abuse in Sport: Statutory Obligations

Multiple international legal and policy frameworks have been signed and ratified by Member States that serve to outline State obligations with regards to the protection of human rights across all sectors of society, including sport. These frameworks also reflect the commitment of signatory Member States within international law while recognising that for each international legal commitment, implementation and enforcement at the national level is the true measure of effectiveness. In some jurisdictions, the statutory agencies and specialist local services are limited, or not yet developed sufficiently to investigate crimes of abuse and to protect and support victims/survivors of abuse. Furthermore, not all national laws cover persons in positions of trust as criminally liable when abuse occurs.

The list contained in ‘Annex 2. International Legal and Policy Frameworks: Statutory Obligations in Addressing the Problem of Abuse in Sport’ is non-exclusive and highlights specific articles that refer to sport or may be applicable to address cases of abuse in sport. Governmental authorities can draw from existing international standards to develop their own national legislation and policies. Specific provisions related to statutory obligations in the provision of certain support or services are outlined in the relevant sections of the report or the annexes. The Consultation Process has strongly recommended that in the construction of the new entity, clear protocols are developed to distinguish between child protection issues and those focused on protecting adults. Different international instruments and national level legislation and institutions have been established to address these issues with it recognised that childhood abuse is often only reported once the victim/survivor is an adult. The recommendations contained in this Report seek to address such a fundamental issue.

As outlined in the UN Guiding Principles on Business and Human Rights, State’s international human rights law obligations require that they protect and fulfil the human rights of individuals within their territory and/or jurisdiction. This includes the duty to protect against human rights abuse by private and public organs of society and by individuals.

The State duty to protect is a standard of conduct.¹⁴¹ Therefore, States are not per se responsible for human rights abuse by private actors. However, States may breach their international human rights law obligations where such abuse can be attributed to them, or where they fail to take appropriate steps to prevent, investigate, punish and redress private actors’ abuse. While States generally have discretion in deciding upon these steps, they should consider the full range of permissible preventative and remedial measures, including policies, legislation, regulations and adjudication. States also have the duty to protect and promote the rule of law, including by taking measures to ensure equality before the law, fairness in its application, and by providing for adequate accountability, legal certainty, and procedural and legal transparency.

¹⁴¹ As identified and adapted from the UN Guiding Principles, Foundational Principles.

I. ESTABLISHMENT OF A NEW SAFE SPORT ENTITY

The Consultation Process has identified global recognition and support for the establishment of a new, specialised entity at the international level to assist in providing the international coordination needed to conduct investigations and to provide support to victims/survivors of abuse in sport, and to enabling the systemic change needed to prevent such abuse occurring.

Recommendations for the Entity

Mission Statement

To promote safe sport, protect victims/survivors of abuse in sport and eradicate abuse through the provision of international, impartial reporting, care support services and specialist investigative expertise.

Guiding Values and Principles

The Entity is guided by the following values and principles, with the sum of the values and principles stronger than its individual components:

Agility:	To respond to cases of abuse in sport through a flexible, agile and rapidly responsive network of local implementing partners.
Confidentiality:	To retain information as private when addressing cases, only disclosing under specific circumstances. To have conversations with the victim/survivor in a safe, confidential place and format of their choosing. To explain the entity's policy of confidentiality throughout the process, including confidential reporting. To outline the information that may be transmitted to whom, and for what purpose. To explain any implications on the scope and conduct of a possible investigation of a victim's/survivor's choice to keep information confidential.
Human Rights:	A human rights-based and participatory approach should be undertaken to ensure that the entity is founded on the principles of dignity, equality and respect. Such a rights-based approach will be critical to ensuring the voices and experiences of children and young people are recognised and elevated.
Impartiality:	That there is no bias, discrimination, prejudice, or benefit to one person over another for improper reasons when addressing cases of abuse in sport. This requires a clear operating model and controls to enable and facilitate effective programmes.
Independence:	From influences that may infringe on the entity fulfilling its mission of providing a trusted mechanism.
Paramountcy:	The welfare of the victim/survivor is paramount with priority given to the most urgent cases where harm is imminent.
Protection:	Do no harm. Do not take any actions that may jeopardise the safety and well-being of the victim/survivor including protection of the human rights, dignity, safety and welfare of the victim/survivor and protection from retaliation irrespective of the follow-up to, and/or outcome, of the report of abuse. To consider implementation of protection measures in consultation with the victim/survivor, and monitor the status of the victim/survivor, the offender/alleged offender and the work unit(s) to promptly detect and address any suspected retaliation. To protect the victim/survivor from stigmatisation, re-traumatization and discrimination. Protection is the responsibility of all partners of the entity. Protection of reporting persons in turn protects all stakeholders.

- Respect:** To respect the inherent dignity of the victim/survivor and their culture, values and individual needs, treating them with courtesy, empathy, professionalism and fairness and considering their informed choices as a central priority. To listen to and hear the victim/survivor without judgment. To not minimise or excuse the offender/alleged offender's conduct and to deal with information about victims/survivors with the utmost care and discretion.
- Support:** To provide support from the moment the entity is made aware of a disclosure, report, incident or situation concerning a victim/survivor and throughout the follow-up. Where necessary:
- To provide support beyond the conclusion of any informal or formal process undertaken to address the matter.
 - To offer the victim/survivor assistance to promote their well-being and support them to move forward.
 - In line with their wishes, refer the victim/survivor to competent and accessible support services including medical, psychological, socio-economic support, and legal services.
 - To offer a range of actions and solutions, including informal resolution mechanisms. Inform the victim/survivor that they may report conduct which may amount to criminal conduct to national or local authorities.
- Trust:** Takes a long time to build and only moments to destroy. Trust is a key success factor for both internal and external stakeholders. Legitimacy and trust is built on actions rather than words and actions must be effective to build and maintain it.
- Zero tolerance:** A policy of very strict, uncompromising enforcement of rules or laws.

Objectives

The overarching objectives of the entity should be:

- To provide trusted and accessible **reporting lines** to report abuse in sport.
- To prioritise the **protection and care of victims/survivors of abuse** in sport particularly, but not solely, in countries where access to support, expertise, resources and remedy is challenging.
- Recognising that the majority of victims/survivors of abuse in sport are or were children at the time of the abuse, to take a **child rights approach** in the delivery of services.
- To assist sports in discharging their **duty of care** and practicing **responsible, autonomous governance** by providing an impartial, independent, **specialised entity** that provides **services of Protection and Support, Intelligence and Investigations, and Prevention**.
- As established in **human rights treaties, to support States in fulfilling their responsibilities** in keeping people, especially children, safe.
- To enable **collaboration** with **statutory authorities and expert entities** in addressing and preventing abuse in sport by establishing **Global Networks of Care Support, Investigators and Legal Experts**.
- Whilst not distracting from the entity's core mission, to act as an **umbrella organisation** for **national safe sport entities** and to support the establishment of further national entities.

Scope of Covered Persons

The risks of having too broad a scope may mean that demand may overwhelm the capacity of the entity to respond causing significant delays to cases being resolved, undermining the credibility of the entity and adding to the stress on victims/survivors and those accused of offences. It is therefore proposed that the scope of Covered Persons of the entity is exercised in a limited, phased approach:

- Phase 1: individuals under the jurisdiction of an **International Sports Federation (IF)** that is **officially affiliated with the entity**.
- Phase 2: individuals under the jurisdiction of an officially recognised **International Sports Federation (IF)**.¹⁴²
- Phase 3: any individual affiliated with sport.

Scope of Offences

The diverse spectrum of harassment and abuse incidents requires different responses, with the seriousness of a case to be considered using a wide lens that includes consideration of factors such as whether a child is involved, whether the act may also constitute a crime, the risks to the individual, recognising that emotional and psychological abuse is often the gateway underpinning most cases of harassment and abuse in sport. However, it is not possible nor feasible that an international organisation would have the capacity to deal with all cases from the outset, rather it should prioritise sexual harassment and abuse cases requiring urgent action.

It is therefore proposed that the entity would have the **authority** to investigate allegations **that involve Covered Persons, particularly** emerging from **countries** where access to support, expertise, resources and remedy is **challenging**, in relation to.¹⁴³

1. Sexual violence against a child within sport, including without limitation, child sexual abuse and any misconduct that is reasonably related to an underlying allegation of child sexual misconduct;
2. Gender based violence, including without limitation, sexual abuse and any misconduct that is reasonably related to an underlying allegation of sexual misconduct;
3. Criminal charges (other than an adjudication of non-guilty) involving child abuse or sexual misconduct;
4. Misconduct related to reporting (including failure to report abuse) where the underlying allegation involves child abuse or sexual misconduct.

The entity may have the **discretionary authority** to investigate and resolve allegations that **other forms of harassment and abuse** occurred, reserving the right to intervene should any sign of impropriety be suspected or there is a failure in a sport's duty of care. For cases **outside the scope of the entity, signposting to support** should be provided.

It is recommended to limit initial cases to **active abuse prior to addressing non-recent abuse**. However, it is well recognised that it is imperative that non-recent abuse is addressed as an allegation relating to the past does not exclude the fact that there may be current victims.

See below under '**Initial Assessment Procedure**' for further details of criteria and procedures upon which cases will be deemed admissible, under '**Case Management**' for details on the appeals process and under the '**Governance and Structure**' of this Report with regards to the proposed structure of the entity.

¹⁴² Notably those recognised by the General Association of International Sports Federations (GAISF), GAISF » Members

¹⁴³ The suggested wording is adapted from the U.S. Safe Sport Code for the US Olympic and Paralympic Movement, 2020 in order to create manageable expectations of the entity at its commencement.

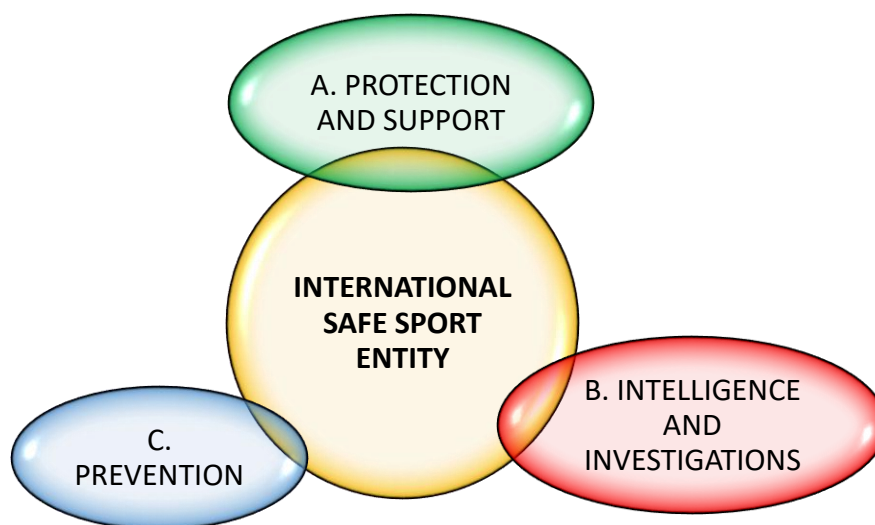
II. SERVICES

The findings of the Report have been structured into 3 pillars framed as proposed Services of the new entity, namely **A. Protection and Support**, **B. Intelligence and Investigations** and **C. Prevention**. The implementation of the objectives of each pillar is recommended using a phased approach (Phases 1-3). Equal importance must be accorded to each pillar using a holistic approach with the **best interests of the victim/survivor at the heart of all decisions**. As outlined in the UNESCO Kazan Action Plan:

The integrity of sport is a precondition to protect and maximise the contribution of sport to sustainable human and social development. For the purpose of the Kazan Action Plan, sport integrity encompasses the components of personal, organisational and competition integrity, and thus shall reject competition manipulation, discrimination, cheating, violence, abuse, corruption and any other crime or fraud related to sport; promote transparency and accountability in the governance of sport; and foster respect for internationally recognised human rights.

It is recommended that an initial focus in Phases 1 and 2 is made on pillars **A. Protection and Support** and **B. Intelligence and Investigations** due to the extensive preventative work that is ongoing to embed safeguarding across all levels of sport.¹⁴⁴ Such emanates from the specific call from sports to assist them with victim/survivor-centred investigations. Acknowledgement is made that many of the cases of reported abuse in sport to date have been committed against children requiring a particular focus on collaboration and partnerships with child protection authorities and experts across all operations of the entity.

Diagram: Pillars of services of the new Safe Sport entity



¹⁴⁴ For example, the on-going work of the IOC, FIFA and other sports with it recognised that implementation is at varying stages both at the international and national levels.

A. PROTECTION AND SUPPORT

A.1. REPORTING

Providing the opportunity to disclose abuse by victims/survivors, responsible guardians, whistleblowers, witnesses and other reporting persons is a necessary step in sport's fulfilment of their responsibilities in keeping sport a space free from abuse and to address cases when they arise. The Consultation Process identified the importance of the new entity providing an independent, confidential reporting mechanism. Without knowledge of cases, without reporting, there can be no remedy. The International Legal and Policy Frameworks relevant to reporting of cases of abuse in sport are contained in 'Annex 3. International Legal and Policy Frameworks: Reporting' of this Report.

Particular challenges in reporting abuse in sport

Through consultation with both victims/survivors of abuse, individuals representing survivors and academic research, the following factors have been identified as impeding an individual to report abuse in sport:

- Delayed disclosure with it often taking decades before a victim/survivor is ready to expose abuse. *[I]t became very clear from talking to more than two dozen survivors as well as lawyers and counsellors, that many if not most men abused as young boys don't feel able to disclose for 25 years or more. With hindsight I now understand why so few spoke out in 1997 and why the full scale of the issue didn't emerge until so many men reached their 40's.*¹⁴⁵
- Culture of sport enabling a code of silence or omerta,¹⁴⁶ with the close bonds in team sports leading to greater reluctance to denounce their colleagues than individual sports.¹⁴⁷ Members of a team are expected to make sacrifices and to be loyal to teammates, thus, "camaraderie can produce a culture of silence" related to deviant and corrupt behaviours,¹⁴⁸ with some behaviour becoming normalised (e.g. verbal or emotional abuse). *[S]ports institutions can foster a culture of silence, feelings of shame and embarrassment which are linked to gendered norms. This is not surprising when strength and aggression are viewed as essential qualities of the male athlete. Thus, disclosure of abuse and especially abuse of a sexual nature may be associated with weakness and lack of masculinity.*¹⁴⁹
- Power imbalances, cover-up/denial of the abuse and a culture of gender-based violence.¹⁵⁰
- Fear of being accused of libel by a 'powerful' perpetrator, or threats by the perpetrator, and thus having to go through long judicial processes with high personal and financial cost (notably legal fees) for the victim/survivor.
- Parents failing to report due to limited financial resources and lack of financial aid to cover the cost of good legal representation.
- Threats and fear of retaliation, intimidation or other negative consequences if a report is made for the victim/survivor and also for their families who are often not aware of the abuse.
- Accessibility, language and jurisdictional issues.
- No idea of who to trust, where or how to report.
- Lack of trust in the institutions that govern sport and in statutory authorities.
- Lack of confidence that justice will be served.
- Feelings of shame, embarrassment and fear of not being believed.¹⁵¹

¹⁴⁵ Deborah Davies as cited in Sheldon, C., 2021, Para. 5.2.23, p. 80.

¹⁴⁶ See: Moriconi, M., de Cima, C., 2020, pp. 55-76.

¹⁴⁷ Whitaker, L., Backhouse, S. H., and Long, J., 2014, pp. 515-521.

¹⁴⁸ Albus, I., 2018.

¹⁴⁹ IICSA Research Team, 2020, p. 20.

¹⁵⁰ See: UN Stats, 2015 for an overview of trends and statistics of violence against women (non-sport specific).

¹⁵¹ Sheldon, C., 2021, Para. 5.1.29, p. 80.

- Fear of public exposure, particularly by negligent and biased media, with a preference for internal resolution rather than exposing colleagues to potential harm.¹⁵²
- For individuals working within the institutions from where the harm is arising, consciousness of the consequences of reporting on their colleagues.
- Tolerance and acceptance of abuse as ‘normal’ particularly by children who have been groomed to think that abuse is their fault, or that it is not actually abuse.
- The bystander effect whereby we are less likely to report abuse when others are present and a lack of knowledge of what to do.

For victims/survivors of abuse, the process of deciding to report may take decades of internal conflict and trauma. Research shows that ‘it is common for victims and survivors of child sexual abuse to delay disclosure’.¹⁵³ Once that decision has been taken, knowing who to report to and who to trust is an additional challenge. In many jurisdictions, there are a multitude of channels for reporting abuse in sport at the national level as well as child protection hotlines, helplines, specialist human rights advocates, law enforcement, national safe sport and integrity centres, child ombudspersons, sports ombudspersons etc.

Each victim/survivor, each reporting person has agency to choose and must be empowered to know that effective options do exist and to understand the most effective mechanism to get the support they require.

The Principles of a Reporting Mechanism: Trust, Impartiality and Protection

A reporting mechanism must be based on three principles: Trust, Impartiality and Protection (TIP).¹⁵⁴ In cases of abuse in sport, victims/survivors must trust the organisation running the system so that they can come forward, feeling believed, safe, informed and empowered. Reporting of wrongdoing typically starts with people talking about their concerns to a person close to them. This may lead to the provision of care and support that is required. However, if nothing happens or they get an unsupportive reaction, people usually look to report their concerns elsewhere, for example, through the media, or in a more formal manner (for example, through a reporting mechanism).¹⁵⁵

Protection of Reporting Persons

Given the closely connected, interdependent power imbalances within sport, a victim/survivor may feel that the ‘safest’ channel to obtaining a listening and empathetic ear and access to care support and remedy is through an independent, impartial mechanism that ensures full respect for the principles of Trust, Impartiality and Protection through safeguarding of confidentiality and the sanctioning of retaliation against reporting persons. Few sports organisations have such policies in place that are subsequently enforced.

In the humanitarian sector, there are a number of reports of victims, whistle-blowers, and witnesses who, following the reporting of accusations of sexual misconduct, have faced retaliation including dismissal.¹⁵⁶ Similar examples are well recognised within the sports sector with examples of athletes not being selected following a report of abuse. Such risks are exacerbated by low levels of

¹⁵² Moriconi, M., et al, 2020, p.11.

¹⁵³ INQ000995_36.pdf (iicsa.org.uk)

¹⁵⁴ See ISO 37002 on Whistleblowing.

¹⁵⁵ Most of this research was carried out in industry sectors other than sports e.g. Brown, A. J., 2008; and Vandekerckhove W. and Phillips, A. 2017; see Erickson, Patterson and Backhouse, “The process isn’t a case of report it and stop” as cited in UNODC-IOC, 2019, p. 10.

¹⁵⁶ See for example, UK Department for International Development, Safeguarding Unit, 2018.

unionisation, gender dimensions and weak capacity of specialised investigators within the sports sector to provide the necessary protection to the reporting persons.

Organisations that operate a reporting mechanism bear the responsibility for ensuring that the identity of the reporting person, alleged wrongdoers and other persons named in a report remains confidential to the fullest extent possible. Furthermore, to ensure that no conflicts of interest arise between the reporting process and the advice and care support provided through that process and the formal remedy process, it is recommended that there is clear separation between these tasks.

A number of countries have legislation that provides for the protection of reporting persons,¹⁵⁷ however most of the protection offered is post-hoc. The reporting person can only use the legislation to seek redress in court or in an appropriate forum after they have experienced retaliation. Furthermore, there is limited conformity between jurisdictions with regards to the protection of witnesses, reporting persons and collaborators or cooperating offenders in the context of criminal law¹⁵⁸ and reporting persons in sport may find the legislation does not apply to them or their specific circumstances. For example:¹⁵⁹

- In some countries, legislation on protecting reporting persons only covers employment relationships, but athletes, coaches and officials are not always employees.¹⁶⁰
- In some countries, the protection offered through legislation is restricted to misconduct by government officials, which means the scope of the law is too limited to effectively protect reporting persons in sport.

New whistle-blowing legislation and standards¹⁶¹ put the onus on organisations to ensure to the fullest extent possible that reporting persons remain free of reprisal. Keeping the identity of the reporting person confidential is the best way to provide protection for reporting persons with it recommended that measures such as a non-retaliation policy within all sports organisations is adopted and applied if the reporting person is identified (e.g. through their own behaviour).

The recently adopted international standard ISO 37002 on Whistleblowing was established by representatives from over 40 nations with the aim of supporting organisations in establishing and running effective whistleblowing programmes. Furthermore, common criteria and guidelines have been established by international and European entities for a number of areas, including protection programmes, protection measures for witnesses and collaborators of justice.¹⁶²

Trust and Leadership Commitment to Good Reporting Mechanisms

It is recognised the effectiveness of reporting mechanisms stands or falls with the commitment of those who lead the organisation. Leadership commitment is expressed by endorsing the following and denouncing opposition to:¹⁶³

- Encouraging open communication and the reporting of wrongdoing;
- Ensuring that those responsible for implementing and operating reporting mechanisms in sport have adequate resources and mandates;

¹⁵⁷ See for example Devine, T., 2015, pp. 7-19; International Bar Association, April 2018; and Council of Europe resolution 444 (2019) and recommendation 435 (2019).

¹⁵⁸ IOC-UNODC, 2013; and IOC-UNODC, 2016.

¹⁵⁹ See UNODC, IOC, 2019.

¹⁶⁰ Sports athletes at colleges in the United States are on scholarships, which do not qualify as employment contracts. See Epstein, A., 2018, pp. 65-84.

¹⁶¹ See for example the 2019 amendments to the Australian Corporations Act 2001 (Cth); and the European Parliament legislative resolution of 16 April 2019 on the proposal for a directive of the European Parliament and of the Council on the protection of persons reporting on breaches of Union law (COM(2018)0218 - C8-0159/2018 - 2018/0106(COD)).

¹⁶² For example, see UNODC, 2016, and Council of Europe, Good practice Rec(2005)9.

¹⁶³ UNODC-IOC, 2019.

- Supporting due process and the impartiality of reporting mechanisms;
- Safeguarding the confidentiality of the process;
- Ensuring that any reprisals against reporting persons are redressed and that those who retaliate against reporting persons are held to account;
- Ensuring that wrongdoing identified through a reporting mechanism is appropriately remediated and sanctioned and if deemed outside the scope of the entity, that clear communication is made with the reporting person and necessary report and referrals made;
- Supporting a continuous evaluation and improvement of the reporting mechanism;
- Ensuring that the reporting mechanism is clearly and simply communicated to the widest audience possible;
- Promoting reporting behaviour in general and reporting persons as integrity role models.

Different Interfaces for Reporting

Victims/survivors take great risks in reporting with a limited, although growing, number of national hotlines that exist for victims of abuse. The channels and options for disclosure of abuse may take numerous forms with it crucial that the system is user-friendly, efficient, respects the above principles of trust, impartiality, and protection, is efficient, transparent through the provision of information about the Case Management Process and is legally compliant. Differences exist as to the kind of interface for reporting that people are comfortable with (for example, a face-to-face meeting, a live telephone call, a recorded message phone call, an online interface, an email, text message, webchat function or a digital app)¹⁶⁴ based on culture, age, access to technology, education, language offerings, etc. For international organisations and entities, online platforms are increasingly used enabling two-way anonymous communication between the reporting person and the receiver of a report. Online reporting interfaces are easier to operate 24/7 in multiple languages than telephone lines.

However, the Consultation Process made it very evident that having a ‘human voice’ to speak to or communicate with is fundamental to building trust and confidence in the system and often the preferred method for victims/survivors of abuse. Recognising the challenges in providing an international service that can address all languages, partnerships must be established with local entities with a phased approach taken to the development of the reporting mechanism and clear parameters drafted with partner organisations to define how reports will be coordinated between the entity and partner organisations.

A good reporting mechanism uses different interfaces, allowing confidential and anonymous reporting whereby it is possible for a reporting person to make a report without disclosing their identity. An effective reporting system will subsequently serve to protect reporting persons, organisations, their people, and stakeholders delivering economic and ethical benefits when well run.

The Consultation Process found that frequently distinction is made between ‘disclosure’ and ‘reporting’. ‘Disclosure’ typically is providing the possibility to a reporting person to share an experience but does not necessarily launch a formal process. Such may enable the determination of appropriate support and services (such as medical, counselling, child protection services etc.). The disclosing person may subsequently determine if they want to make a formal report. The recommendations below have been informed by these distinctions.

Malicious and False Reporting

Reports may be received that have been made for malicious purposes or that are false.¹⁶⁵ Such may require verification and deeper investigation including requests for documentation (passport, license number, checking with parents etc.). Throughout the Consultation Process, reports were made of the

¹⁶⁴ Park, H. et al, November 2008.

¹⁶⁵ See Pépin-Gagné, J., Parent, S., November 2015; Hoyle, C., Speechley, N. E. and Burnett, R. 2016.

journey that is taken by victims/survivors to disclose, frequently testing the entity to whom they report until trust is established.

Mandatory Reporting

In many jurisdictions, it is a criminal offence not to report child sexual abuse, or other forms of maltreatment and abuse if they know or have reasonable cause to suspect it was or is taking place. Child sexual abuse allegations should always be reported externally to the responsible statutory authorities. Under sports regulations, mandatory reporting has been established as a legal duty, for example, under the Olympic Movement Code on the Prevention of the Manipulation of Competitions.¹⁶⁶

However, while reporting is to be encouraged, the organisations managing those reporting channels must recognise the inherent dangers, the potential negative consequences that the reporting may have on those affected,¹⁶⁷ and the fact that many who have reported deviant behaviours have suffered reprisals.¹⁶⁸ The reporting process must ensure that the protection afforded a reporting person and victim/survivor is guaranteed prior to insisting that reporting is mandatory. This requires that a service or any entity receiving concerns has the human and financial resources in place to appropriately handle them.

Case Studies: Reporting Mechanisms

Association of Summer Olympic International Federations (ASOIF) Good Governance Review, 2020¹⁶⁹ Quite a few IFs have been implementing confidential reporting mechanisms for whistle-blowers in recent times. Fifteen IFs provided at least an email address or online reporting form with an option to remain anonymous (although some without an adequate level of encryption/protection). A further 11 could demonstrate that a system was in place and that action had been taken in response to reports. These are significant increases on the previous assessments.

A further study of the websites of international Olympic federations,¹⁷⁰ reveals that almost half of them (17/40) have no reporting mechanism in place. On a number of occasions, they refer to the World Antidoping Agency (WADA)'s 'Speak Up!' system for doping issues, and the IOC hotline for match-fixing and other wrongdoings. Several researchers have underlined the need for international (but also national) sport organisations to implement reporting mechanisms to address doping, match-fixing, corruption and abuse cases.¹⁷¹

Football, Afghanistan

Khalida Popal, a former captain of the Afghanistan women's football team, declared in 2020 that it took her one year before she could find a way to report the abuse by men from the country's national football federation including the president.¹⁷²

¹⁶⁶ Art. 2.5. 1. Failing to report to the Sports Organisation concerned or a relevant disclosure/reporting mechanism or authority, at the first available opportunity, full details of any approaches or invitations received by the Participant to engage in conduct or incidents that could amount to a violation of this Code. 2. Failing to report to the Sports Organisation concerned or a relevant disclosure/reporting mechanism or authority, at the first available opportunity, full details of any incident, fact or matter that comes to the attention of the Participant (or of which they ought to have been reasonably aware) including approaches or invitations that have been received by another Participant to engage in conduct that could amount to a violation of this Code. Code-Prevention-Manipulation-Competitions.pdf (olympic.org)

¹⁶⁷ Moriconi, M., de Cima, C., 2020.

¹⁶⁸ Notably in relation to the denouncing of match-fixing, see, for example Farina, S., 2011 at 1:03 min.

¹⁶⁹ ASOIF, 2020, p. 8.

¹⁷⁰ Verschuuren, P., 2020, pp. 142–154.

¹⁷¹ Verschuuren, P., 2020; Erickson, K., Patterson, L. B. and Backhouse, S. H., 2018, pp. 724-735; Pacella, J. M., and Edelman, M., 2018, pp. 463-503.

¹⁷² McGivering, J., 4 December 2018.

Football, Haiti

The FIFA Adjudicatory Chamber noted:

Another aspect that attests to Mr Jean-Barts complete control of the system of abuse implemented at the Centre is the culture of “omerta” or silence that has been instilled in all the participants, victims, witnesses, perpetrators, accomplices, within or outside the FHF [Haitian Football Federation].¹⁷³

India Childline¹⁷⁴

Childline is India’s first and the world’s largest, 24-hour telephonic helpline service that is accessible to anyone calling on 1098. It works for children in distress across the country. Any call made on the Childline is answered by a trained Contact Officer in any of the six call centres across India.

[...] the service has a strong network of over 750 partner organisations that ensure safety of children across India. As of 2016, Childline, responds in over 25 languages.

Recent numbers indicate that the calls to this Child Helpline has doubled in numbers (as compared to 2015-16), currently it is around 9.83 million.

United States, Committee to Restore Integrity to the US Olympic Committee (USOC)

Our recommendations to create an athlete-first culture at the US Olympic movement¹⁷⁵

2. Athletes must be afforded better whistle-blower and retaliation protections.

The threat of retaliation is so strong that over 25 athletes have told us that they cannot publicly sign on to Team Integrity’s petition, not because they are not fully in accord with our goals and strategies, but because of the backlash and retaliation that they’ve witnessed or experienced by the USOC and NGBs [National Governing Bodies]. A parent told us that when they participated in a formal complaint, they jeopardized their child’s opportunity to participate in the Olympic Games. Some sports exploit subjective criteria for Team Selection procedures, making the athletes obedient and compliant, or else risk not making the Olympic Team.

U.S. Center for SafeSport

Report to the U.S. Center for Safesport¹⁷⁶

The Center handles ALL reports of sexual abuse and child abuse within the U.S. Olympic & Paralympic Movements. Make a report to the Center if you have a reasonable suspicion of child abuse (including child sexual abuse), sexual misconduct, non-consensual sexual conduct, sexual harassment or intimate relationships involving an imbalance of power. The Center also accepts reports of emotional and physical misconduct (including bullying, hazing and harassment) within the U.S. Olympic and Paralympic Movements.

The Center employs a Resource & Process Advisor who can assist you with locating and connecting with various resources and support services, both online and in your local area, and can also answer questions you might have about the Response & Resolution process. The Resource & Process Advisor is a neutral party, uninvolved in the investigative process, who can assist both Claimants and Respondents throughout the process, and can address questions from witnesses and third-party reporters.

If you are a mandatory reporter, you may also be required to report suspected child abuse or child sexual abuse to law enforcement, in addition to reporting to the Center.

¹⁷³ Para. 166, FIFA, 18 November 2020.

¹⁷⁴ Best NGO in India to support child right | CHILDLINE India Foundation

¹⁷⁵ The Committee to Restore Integrity to the USOC, 21 January 2019.

¹⁷⁶ Report a SafeSport Concern | U.S. Center for SafeSport

Response and Resolution

Can I get an update on an investigation into a specific individual?¹⁷⁷

It's the Center's policy to not speak to specific matters in order to protect the integrity of the process and the confidentiality of the individuals involved, including Claimants. If the Center enacts a temporary measure or sanction that impacts a Respondent's eligibility to participate in sport, it can be found in its publicly searchable database.

World Rugby

Keep Rugby Onside, World Rugby's Anti-Corruption Website, Confidential Reporting Policy¹⁷⁸

10. May I submit a report anonymously?

Persons submitting information have the right to do so anonymously should they so wish. If you wish to submit a report anonymously, you may do so by emailing our Confidential Mailbox or by using our Online Reporting Form. If you intend to submit an anonymous report via the online reporting form, please ensure you do not include your name on the form. If you intend to submit an anonymous report by emailing our confidential mailbox, please ensure that your email is sent from an email account which is not capable of identifying you.

To further enhance your security and anonymity, please follow these instructions:

- *In the event that you would like to remain anonymous, do not submit any information that can be traced back to you.*
- *Make sure that the internet connection is secure which is displayed by the lock symbol in your browser.*
- *Note that an intranet connection, in particular, may jeopardize your anonymity.*

¹⁷⁷ Frequently Asked Questions | U.S. Center for SafeSport

¹⁷⁸ Keep Rugby Onside - World Rugby's Anti-Corruption Web Site

A.1. Recommendations for the Entity: Reporting

A.1. Summary of Objectives: Reporting

Global Database of Reporting Mechanisms

To establish a **Database** of credible, trustworthy and effective **reporting mechanisms** that have the expertise and capacity to address reports of abuse in sport from within existing statutory authorities, human rights procedures, civil society and sports (Phase 1).

International Safe Sport Helpline

To establish a trusted, independent, impartial and intuitive **Helpline** where victims, responsible guardians, whistle-blowers and witnesses can speak out easily, **seek advice and access information on where to access support services** (Phase 2).

The Helpline will be staffed by specialised, multi-disciplinary trauma experts with appropriate skills, training, and experience to determine whether the report falls within the scope of the entity and to undertake an **Initial Risk Assessment** that promptly, confidentially, and professionally processes and analyses all information coming into the entity notably considering the age of the victim/survivor, whether the act may constitute a crime, language and cultural diversity, while avoiding re-traumatisation and re-victimisation of victims or reporting persons. The Helpline staff will work closely with the **Global Networks**.

To expand the capacity of the Helpline such that an individual may request support and make a **Formal Report** (Phase 3).

A.1. Details of Objectives: Reporting

In all cases, the entity must prioritise the needs of the person who has experienced harm by ensuring **victims/survivors receive appropriate assistance and support** in accordance with recognised international guidance using a trauma-informed, child rights approach, recognising that care support is a vital form of reparation for victims/survivors.

Global Database of Reporting Mechanisms

To map all existing reporting mechanisms available by sport and by country for victims of abuse in sport and to develop an online **Database of Reporting Mechanisms**. The Database should be **Online** and intuitive to use, mapped according to country and sport. Such may include mechanisms used and mapped by Child Helpline International, emergency telephone hotlines for cases of imminent danger,¹⁷⁹ the collaboration between UN Women, the U.S. National Network to End Domestic Violence and the Global Network of Women's Shelters (GNWS),¹⁸⁰ existing sport reporting mechanisms,¹⁸¹ IOC Safe Sport Directory, European Union Agency for Fundamental Rights (FRA) Mapping of child protection systems in the EU, Child Protection, Child Ombudsperson, mental health services, crisis contact services etc.

The mapping may also include mechanisms to report for those who cannot read or write, or require accessible formats. These may include phone messaging services; mechanisms within international human rights communications procedures including those included in the Convention on the Rights of the Child (CRC), the International Covenant on Civil and Political Rights (ICCPR), Committee on

¹⁷⁹ Recommended consideration of India's Childline.

¹⁸⁰ Developed with the support of UN Women and the National Network to End Domestic Violence (NNEDV), the GNWS will be launched at the UN General Assembly in September 2021.

¹⁸¹ See, Verschuuren, P., 2020.

Economic, Social and Cultural Rights (CESCR), Convention Against Torture (CAT), Committee on Enforced Disappearances (CED), Committee on the Rights of Persons with Disabilities (CRPD), and Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

To develop a **website** that helps individuals navigate their journey, asking questions and providing a hub of resources to help them including access to the Database of Reporting Mechanisms and Care Support resources.

To establish **cooperation with child protection, law enforcement and other relevant statutory authorities** to enable the reporting of abuse in sport from the entity to those relevant authorities potentially through a **collaboration with INTERPOL**.

To support partner sports organisations in ensuring that their regulations, and those of their national federations, include a **mandatory duty to report** suspicions and cases of abuse within their sport, especially those involving children (recommended compliance oversight by the responsible international sports federations and the International Olympic Committee). The guidelines should distinguish between children and adults recognising the differences in national legislation.

Establishment of an International Safe Sport Helpline

To establish an online Helpline that:

1. Is implemented using a **phased approach**, focusing initially on the provision of signposting and **referrals** to services and support prior to providing the possibility to make a Formal Report to the entity (in the knowledge that the establishment of a trusted relationship may take an extended period of time).
2. Outlines the process for the **reporting of criminal acts** under national law (such as cases of sexual abuse of children).
3. Implements international standard **ISO 37002** on Whistleblowing.
4. Recognises that once the Helpline is established, the entity must take ownership of the risk, in the absence of any well-developed structures in jurisdictions where the abuse has occurred, and therefore must be able to implement **practical measures to negate and mitigate further harm**.
5. Ensures **access to Care Support** is well established prior to the launch of the Helpline, particularly ensuring access to safe spaces for reporting persons and their family members as needed, who may be in danger as a result of making a report.
6. Is **informed by victims/survivors of abuse** to help identify barriers to reporting concerns and how the entity could help reduce those barriers.
7. Includes provisions and procedures for: children, providing informed consent, data protection, confidentiality including of identity and medical data, protection of reporting persons etc.
8. Is **secure** from a technical standpoint and appropriate for those who do not have secure communications mechanisms e.g. fear that their phones are tapped or that their emails are being read.
9. Has **multiple access points**, is intuitive to use, distinguishes between children and adults, and is receptive to the decentralised, global and hierarchical nature of sport including:
 - a. an online reporting form available in a maximum number of languages (proposed connection with online translation service);
 - b. a web-based application, that includes the capacity to identify the location of the user, the closest police station/child protection services/support services;
 - c. email address.

10. In partnership with experts and established guidelines,¹⁸² to establish relevant Protocols, Policies and Procedures for the Reporting Helpline taking into account the below considerations:

Initial Assessment Procedure

The objectives of an Initial Assessment Procedure for all reports coming into the entity are to:

- Provide a specialised team of individuals¹⁸³ with appropriate skills, training, and experience in risk assessment to undertake the Initial Assessment.
- Promptly, confidentially and professionally process and analyse all information coming into the entity.
- Guarantee that direct interaction with victims/survivors is entrusted exclusively to individuals with extensive experience in communicating with victims/survivors of abuse to avoid retraumatisation.
- Conduct a needs and vulnerability assessment and ensure victim/survivor care support is provided based on that assessment.
- Determine if the report falls within the scope and jurisdiction of the entity.
- If the report does not fall within the scope and jurisdiction of the entity, to clearly communicate that this is the case with the reporting person and signpost to further support or to make the necessary referrals.
- Determine if it meets a potential criminal threshold and hence communication with statutory authorities is required while ensuring the agency of the victim/survivor (see ‘Criminal Conduct Protocol’ below).
- Clearly communicate the Investigative Procedure with the reporting person (if a formal Investigation is to be undertaken).
- Build trust and be able to work with the reporting person.¹⁸⁴
- Provide fair, effective and quick resolution of concerns.
- Assess and manage risk.

Step 1: Acknowledgement of receipt

When a report is made, an acknowledgment of receipt should be given to the reporting person within a 24-hour period. Example of acknowledgment of receipt:

*We are writing to let you know that we have received your report regarding [insert wording from the report]. Thank you for reporting your concerns. We will attempt to respond to you within X days. We may need to speak to you in the future. In the meantime, if you have anything further to add or if you have any further questions, please do not hesitate to contact us.*¹⁸⁵

Ensure the timeframe in the acknowledgment of receipt is retained to ensure regular communication with the reporting person and to manage expectations. The timeframe set in the acknowledgment of receipt should give those operating the reporting mechanism the time to conduct an Initial Assessment of the report, make a number of decisions and classify the report for further handling. It is important to ensure regular communication throughout the Investigation Procedure.

¹⁸² e.g. UN Women, UNFPA, WHO, UNDP and UNODC, Essential services package for women and girls subject to violence, 2015; UN Women, 2011, Incident response protocols.

¹⁸³ Such a team could collectively be called the “Safeguarding Panel” or “Social Service Team” – these staff would play a key role in making assessments and linking victims with services and support. See also Bond, 2019.

¹⁸⁴ Based on the recommendations contained in UNODC-IOC, 2019.

¹⁸⁵ Source: IOC-INTERPOL, 2016a, p. 69.

Step 2: Considerations to take in the Initial Assessment stage¹⁸⁶

Paramourncy and Protection

- Does the case involve a child?
- Is this a potential criminal offence/child protection issue that requires immediate action by a statutory authority?
- Is there a responsible child protection agency for referral when a child's life is in danger or the abuse crosses a criminal threshold or someone's life is at risk?
- Is there a legal Guardian present?

Possible Actions:

- If the case involves a child, immediately refer case to statutory authorities.
- The first point of contact of a reporting person should, if possible (notably due to language challenges) undertake the initial assessment of the individual and make a prompt referral to specialised local, victim/survivor care support services as needed whilst respecting victim/survivor agency (see further under Empowerment).
- Recognise individuals in need of special protection: child victims and identify legal guardians (taking into account their age, maturity, level of understanding and any communication difficulties they may have), victims of sexual violence and other gender-based violence, disabled victims or para-athletes, victims who are migrants or refugees, and victims of violence in close relationships.

Admissibility and Jurisdiction

Before the entity can consider taking on a complaint, it first needs to establish whether or not the complaint is "admissible", in other words, whether the entity has jurisdiction.

- Does the reported abuse fall within the scope of offences covered by the entity?
- Does the reported abuse involve a Covered Person of the entity?

Possible Actions:

- Upon the consent of the reporting person, consult with the international sports federation (IF) concerned, do they have jurisdiction to investigate abuse of the victim/survivor mentioned in the report?
- If not, does their national federation have jurisdiction to investigate abuse of the victim/survivor mentioned in the report? Extreme caution must be taken if the accused person is part of the sport such that they are not alerted to the inquiry that may cause further harm to the reporting person or those mentioned in the report.
- Determine whether the national or international federation will lead the investigation?
- Does the sport organisation require support in the Investigation Procedure?
- Do they require coordination support between criminal procedures and sport's disciplinary proceedings?
- If yes, Draft Terms of Reference including time frame and scope of the support (e.g. assistance in case management, specialist legal support, etc.)
- Ensure all decisions are logged in a Case File.
- If not, ensure the victim/survivor is sign-posted to appropriate support structures.
- If it is not a matter of wrongdoing but of dissatisfaction and it will not be investigated, communicate to the reporting person explaining why no further action can be taken. At this point, the reporting person might have further information. In any case, the report should be logged in the system.

Urgency

- What is the urgency of the report?
- Is the wrongdoing a one-off event, a reoccurring event or an anticipated event?

¹⁸⁶ Based on UNODC-IOC, 2019, p. 20.

- Is there harm or possible imminent harm to individuals?

Possible Actions:

- All reports need to be handled in a timely manner (filter but do not filter out).
- However, some reports may need immediate action within 24 hours and take priority when it comes to further handling e.g. immediate harm to individual, involving a child, a severe breach of law, when the report involves high-level management, etc.
- One person should be appointed to communicate with the reporting person, requiring skills of empathy, trauma expertise, knowledge of available support and processes. First responders are crucial in setting the tone for the investigative process and the long-term outcome, as well as the quality of evidence that is collected. Recognition must be made of the impact of trauma on the ability of victims/survivors to recount as well as acknowledging the pain and suffering of victims/survivors.

Empowerment

- What does the victim/survivor or reporting person need to help them cope with the situation?
- Who does the reporting person NOT trust?
- Who is going to communicate with the reporting person?

Possible Actions:

- Victims/survivors of abuse have agency, it is for the reporting person to determine who they trust and who they do not trust. While respecting legal obligations if the victim/survivor is a child, the entity should support the reporting person in navigating the channels of reporting and signposting to Care Support specialist services including rape support, sexual assault, child protection services and others. In many jurisdictions, victims/survivors of sexual offences will be allocated a sexual offences liaison officer who will perform both an investigative and support function; coordination with such officers (where existing) should be assured.
- Ensure clarity around who will communicate with the reporting person for the duration of the case in order to manage expectations.
- The entity must provide a “safe harbour” where support and care can be provided before the victim/survivor decides to report or not report, especially to criminal authorities. Abuse in sport will always be a sports disciplinary offence and depending on the type of crime, may also be a criminal offence. If it is a criminal matter, the entity will be required to inform criminal justice and law enforcement authorities in accordance with national laws/proceedings. However, it is recognised that this undermines victim/survivor agency. Following the agreement of the victim/survivor, it is proposed that, through a collaboration with INTERPOL the case may be transferred to the responsible National Central Bureau or the relevant child protection or statutory authorities.

Information

- Does the report include enough information to answer the other questions in this Initial Assessment Procedure?

Possible Actions:

- If not, you will need to contact the reporting person and ask for more information. However, the reporting person cannot be asked to do detective work.

Engagement

- Has the reporting person engaged with other national and regional complaint mechanisms?

Possible Actions:

- If appropriate and suitable channels for remedy exist, ensure that a reporting person can demonstrate that they have meaningfully tried to engage with or exhausted the dispute resolution process available within their sport or nation or that they have reasonable reason not to have engaged.

Note that under the UN Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure, a person(s) making a complaint to the UN Committee on the Rights of the Child must demonstrate that they have tried all possible solutions in their own country. Sometimes, however, when the process at the national level has taken too long or the solution was not helpful, the complaint can be accepted by the Committee. A similar approach could be considered by the entity when addressing reported concerns with it recognised that the entity should in itself be part of an effective remedy system, not the last resort when all else have failed.

Precedent reports

- Have similar reports been made previously?

Possible Actions:

- A report might not have enough information on its own, but when considered in parallel with information in other reports, a more viable case may appear.
- All reports should be logged, requiring you to filter, but not filter out.

Status of reporting person

- Is the reporting person a child?
- Does the reporting person have an immigrant/residence permit that is about to expire?
- Does the reporting person work in a small team?

Possible Actions:

- Follow defined procedure, elements of which are outlined above, if a child is involved.
- Determine if the individual is in a safe space.
- The reporting person might have already spoken to someone about their concern or they might be in a position where it is easy for others to guess who made the report.
- The employment history of the reporting person might be relevant to getting a proper understanding of the situation and potential risks.
- Investigators should be informed of these risks.

Retaliation

- Has there already been retaliation against the reporting person?

Possible Actions:

- If there has, the report may be influenced by anxiety and frustration relating to the reprisal. Communication with the reporting person is needed to separate the facts about the wrongdoing from those relating to the retaliation.

A.2. CARE SUPPORT

The comprehensive response and support services that are needed to help victims/survivors of abuse heal, recover and access justice has been widely documented (see Annex 4: International Legal and Policy Frameworks, Methods and Tools: Victim/Survivor-Centred and Trauma-Informed Care). An effective and comprehensive response and support strategy needs to address both acute and ongoing service needs by providing victims/survivors who have experienced or are at risk of abuse with appropriate, timely, child-friendly and gender-sensitive care that meets their safety, health and social needs and can enable them access to justice. This comprehensive provision of care often requires a multi-sectorial approach involving social services, child protection, health, and justice professionals all working together as a case-management team around the victim/survivor. Depending on the country, the provision of care support and case-management is often coordinated by social workers whose functions range from: assessing needs; ensuring immediate safety; developing a case plan; referral and follow up with appropriate social, health, justice or other services; and serving as liaison with the

authorities (such as the police). Around the world, there are however many models of case management, and the functions can be performed by different types of social workers.

A victim/survivor centred approach prioritises the needs of the person who has experienced harm and puts them at the centre of all actions, formal and informal processes, policies and procedures, through the provision of support for victims/survivors, and through protective, investigative and accountability measures.¹⁸⁷ Such an approach means engaging with a victim/survivor in a way that respects their rights, needs, wishes and dignity, protects them from retaliation, re-traumatisation and discrimination, gives them agency and keeps them informed, and supported. The Consultation Process has been instrumental in identifying the key considerations necessary in the provision of care that is required to effectively support victims/survivors of abuse so that victims/survivors have optimal access to a full range of services in their location and in a language that is accessible for them with over 90% support for the establishment of a Global Network of Local Care Support providers.

Many victims/survivors of abuse require care support services during the often-traumatic experience of reporting and subsequently seeking accountability and redress for the harm they have suffered. Support services are generally provided by the statutory authorities, civil society and voluntary organisations with victims/survivors using multiple routes to access support at various points during their lives. Vast differences exist across and within countries in accessing those support services, with it crucial that services are provided to both female and male victims/survivors of abuse.

The globalisation of sport has increasingly shifted regulatory control to international sports federations (IFs) who in the majority are Swiss based private associations. Inevitably distant from athletes and officials over whom they have a duty of care, they may be far-distant and inaccessible for victims/survivors of abuse in sport. Furthermore, the specific regulations and procedures of each individual sport, such as the formal requirements for the complaints which can be filed only through certain means and in a limited number of languages, might be impracticable or obscure to many victims/survivors and to the local persons who might want to help them.¹⁸⁸

For individual sports, the development of trusted partnerships with care support providers is a new area of specialisation, typically not within their traditional partnerships and one that will require time to be effective and efficient. It is not always feasible for individual sports to promptly mobilise trusted experts with local know-how to provide care support services on the ground to victims/survivors of abuse. The new entity intends to fill this gap while recognising the challenges facing an international entity in providing access to local care support at its outset in individual cases. In many jurisdictions, neither sport nor statutory authorities can provide the necessary support and hence the provision of care support depends on being able to commission local experts through collaborative partnerships with international and local organisations, non-Governmental organisations, statutory authorities and other specialists. The establishment of local and regional networks of experts will take time, albeit expedited by the pooling of resources.

¹⁸⁷ See, for example, UN System Chief Executives Board for Coordination, May 2021.

¹⁸⁸ Diaconu, M., 2020.

Case Studies: Victim/Survivor-Centred and Trauma-Informed Care Support

Australia

A 2011 Study:

Provides initial data that support recent work in the trauma field with non-athletes, indicating that contextualized, trauma-based assessment and intervention is an appropriate therapeutic approach when working with athlete-survivors of childhood sexual abuse.¹⁸⁹

Boy Scouts America, Abused in Scouting¹⁹⁰

Abused in Scouting started with a few voices in February 2019. Now we're a group of over 8,000 men who survived sexual abuse in BSA programs, united to fight against Scouting abuse.

Catholic Church

The impact of survivor testimonies:

We have listened to the deep and lasting confusion, pain and despair, inflicted by the people who abused them. We have listened with horror to the ways in which precious gifts of our faith have been used to groom and dominate both children and vulnerable adults in crimes of abuse. We humbly ask forgiveness of all who carry this pain, for our slowness and defensiveness and for our neglect of both preventative and restorative actions.¹⁹¹

Football, FIFA Package of Care

FIFA has developed a Package of Care framework that aims to ensure that victims/survivors of sexual exploitation and abuse - whose cases come under the scope of article 23 of the FIFA Code of Ethics - receive appropriate assistance and support in a timely manner, especially if they are involved in FIFA Ethics proceedings.¹⁹²

This Package of Care forms part of FIFA's case-management system in addressing cases of harassment and abuse in football. It sets out how FIFA does its utmost to facilitate, refer and coordinate, as appropriate, assistance and support to survivors, within its remit, using local service providers and expertise in a given country. As the global governing body for football, FIFA is committed to respecting and promoting all international human rights and it has zero-tolerance for any form of harassment and abuse in football, as stated in article 23 of the 2019 FIFA Code of Ethics. It outlines however, that FIFA itself is not a service provider when it comes to the full provision of care that is required to effectively support survivors of abuse.

Gymnastics, The Army of Survivors

6 guiding principles to a trauma informed approach:

Adopting a trauma-informed approach is not accomplished through any single particular technique or checklist. It requires constant attention, caring awareness, sensitivity, and possibly a cultural change to an organizational level. On-going internal organizational assessment and quality improvement, as well as engagement with community stakeholders, will help to embed this approach which can be augmented with organizational development and practice improvement.

¹⁸⁹ Leahy, T., Pretty, G. and Tenenbaum, G., 2011.

¹⁹⁰ Abused In Scouting - Boy Scouts Sexual Abuse -Call 1.888.99.SCOUT

¹⁹¹ INQ004789.pdf (iicsa.org.uk)

¹⁹² Based on the UN Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel, 2008.



IOC, Mental health in elite athletes: consensus statement, 2019

*Childhood psychological abuse is a correlate of long term post-traumatic and dissociative symptoms in athletes.*¹⁹³

*Athletes can also suffer from indirect non-accidental violence when they witness such events experienced by others and not stopped by others, including those in authority.*¹⁹⁴ *This phenomenon compounds the psychological trauma of the victim, and deters disclosure by athletes.*¹⁹⁵ *Non-accidental violence in sport may also affect the victim's family, and personal, social and work/school relationships outside of sport.*¹⁹⁶

*An athlete presenting with mental health symptoms to a clinician should be asked about a history of non-accidental violence, either within or outside of sport.*¹⁹⁷ *Sports medicine healthcare providers should develop the clinical competence to recognise non-accidental violence, manage athlete disclosures, report cases and treat victims, their families and their teams.*¹⁹⁸ *It is imperative to ensure immediate athlete safety. Multidisciplinary support should be the cornerstone of management. Support for teammates, the athlete entourage and family members may also be appropriate. Depending on laws where the abuse occurred, reporting to legal authorities may be required, for example if a child has been sexually abused.*

Sport England

Sport England has established a Consultative Group of survivors of abuse in sport¹⁹⁹ that emerged from the Voices of Truth and Dignity project that recognised that sports organisations need to move beyond simply listening to experiences and start to actively work in partnership with people with lived experience of childhood sexual abuse.²⁰⁰

¹⁹³ Fasting, K., Brackenridge, C., Walseth, K., 2002, pp. 37–48.

¹⁹⁴ Raakman, E., Dorsch, K., Rhind, D., 2010, pp. 503–15.

¹⁹⁵ Fasting, K., Brackenridge, C., Walseth, K., 2007, pp. 419–33.

¹⁹⁶ Leahy, T., 2010, pp. 303–12.

¹⁹⁷ Marks, S., Mountjoy, M., Marcus, M., 2012, pp. 905–8.

¹⁹⁸ NCAA, 2018.

¹⁹⁹ Engaging with people who have lived experience of childhood abuse | CPSU (thecpsu.org.uk)

²⁰⁰ See Hartill, M., Rulofs, B., *et al*, 2019.

United Kingdom Independent Inquiry Child Sexual Abuse Accountability and Reparations Report
*During the hearings we heard consistently that victims and survivors of child sexual abuse struggle to access the right support at the right time.*²⁰¹

Zambia, Trauma-focused Cognitive Behavioural Therapy (TF-CBT)²⁰²

In Lusaka, Zambia, 257 boys and girls aged 5–18 years who had experienced at least one traumatic incident (including abuse and exploitation) and reported significant trauma-related symptoms (such as post-traumatic stress disorder) were recruited from five communities. The children were randomly assigned either to an intervention group where they received 10–16 sessions of TF-CBT, or to a comparison group where they received the “treatment as usual” offered to orphaned and vulnerable children. Treatment as usual included psychosocial counselling, peer education, support groups and testing for and treatment of HIV/AIDS. Importantly, the TF-CBT was delivered by trained and supervised lay counsellors rather than specialist mental health providers. The study found that trauma symptoms were reduced by 82% in the intervention group compared to a 21% reduction in the group receiving treatment as usual. TF-CBT was significantly more effective than the treatment as usual. These findings are especially important given that there are unlikely to be sufficient resources in most low-income settings to recruit specialist mental health care providers, or to train lay workers in more than one approach to dealing with the effects of trauma.

²⁰¹ UK Independent Inquiry into Child Sexual Abuse, September 2019, p. 42.

²⁰² WHO, 11 July 2018, p. 63.

A.2 Recommendations for the entity: Care Support

Summary of Objectives: Care Support

Global Network of Local Care Support Providers

- To establish a **Global Network of Local Care Support Providers** composed of a pool of statutory authorities (criminal and child protection agencies), national platforms of service providers, civil society, independent experts, UN and multi-lateral organisations who can be promptly mobilised to provide or coordinate **local specialist care support**: risk assessments, protection (e.g. safe refuge), medical support (e.g. doctors, psychologists), emotional and psychosocial support (e.g. social workers, helplines); legal aid, financial and practical assistance (e.g. food and accommodation, translators). Such may include the identification of national safe sport focal points providing a bridge to the international entity as needed. Recommended prioritisation based on incoming cases and identified need (Phase 1).
- To establish a **Global Network of Voices of Experience** (as a sub-Network of the Global Network of Local Care Support Providers) composed of survivors with **lived experience of abuse and entities who work with survivors**. The Network will provide a voice and community for victims/survivors who in turn may provide emotional and other care support, refer cases to the entity and support the entity in ensuring a sensitive, pastoral response and healing process for victims/survivors of abuse.

Signposting and Access to Care Support

To provide **signposting (referrals) and access** to Care Support principally through the Global Network of Local Care Support Providers.

Victim Support Fund

To establish a **Victim Support Fund** to provide assistance and **Care Packages** to victims/survivors of abuse, particularly those in need of **emergency care support** based on defined eligibility criteria on a case-by-case basis and clear procedures for access, whilst **prioritising care provided by statutory authorities** and local care support providers (Phase 1).

Details of Objectives: Care Support

Global Network of Local Care Support

The entity should establish a network of local experts in the field to whom sign-posting and referrals can be made and who can be rapidly mobilised and deployed to provide victim/survivor-centred and trauma-informed support for victims/survivors of abuse in sport. With no knowledge from which jurisdiction the next case may arise, the entity must adopt an agile, flexible and responsive approach to providing Care Support.

This Network should be facilitated at the international level through the establishment of partnerships with inter-governmental, international and regional organisations that have field presence in jurisdictions around the world and who can conduct the vetting/due diligence/quality assurance/integrity checks necessary to ensure quality control in the provision of care support including UN entities e.g. UNICEF,²⁰³ UNODC, the Office of the Victims' Rights Advocate,²⁰⁴ UN Resident

²⁰³ UNICEF, 2018.

²⁰⁴ In May 2020, the Office concluded a pilot mapping of victims' services, capacities and approaches in 13 countries with different United Nations presences and it found that services, such as medical, psychosocial, shelter, protection and

Coordinators, UN Women,²⁰⁵ ECPAT International,²⁰⁶ alumni of the Harvard Global Mental Health programme, Justice Rapid Response,²⁰⁷ Safeguarding Resource and Support Hub, Directory of Support services,²⁰⁸ the Global Social Service Workforce Alliance²⁰⁹ and other multi-lateral entities. This should be complemented by individual care support providers (statutory and civil society entities and individuals) whose expertise will become known to the entity as the Network grows and develops and with whom trusted relationships have been established. Of note is the potential role of medical doctors as, in general, trusted persons for athletes in most communities. Such would imply the necessity to train sports doctors in trauma-informed care.

A victim/survivor of abuse may require the following Care Support services with it recommended that the entity develops access to a diverse range of expertise including, but not limited to:

- **Protection:** law enforcement (e.g. sexual offence specialists), safe refuge/shelter services, particularly for victims in need of safe refuge due to an imminent risk of repeat victimisation, of intimidation and of retaliation, child protection services, etc.
- **Medical support:** doctors, gynaecologists, psychologists, counsellors, therapeutic services, trauma support, sexual abuse specialists and general medical care, etc.
- **Emotional and psychosocial support:** Social workers, welfare officers, trusted persons, Helpline support, other survivors of abuse (Voices of Experience), advocacy, etc.
- **Access to remedy:** including lawyers, ombudspersons and investigators specialised in child protection and human rights.
- **Financial and practical assistance:** food and accommodation, humanitarian visas, employment, relocation to another club/safe space, translators, etc.

The Global Network of Local Care Support Providers must work closely and in harmony with the Investigators (see below Network of Investigators) to provide a victim/survivor-centred approach to investigations.

Legally, the requirement that States provide assistance and care support to victims of crime and abuse is provided in a number of international legal frameworks.²¹⁰ A number of Member States have already implemented these provisions in national law and in practice.

The following steps are proposed in the establishment of the Global Network of Local Care Support providers:

- Identify global/regional partners to access local Care Support providers;
- The Entity should, at the minimum, have National Safe Sport Contact(s) who are aware of what is available in their nation and who take responsibility for ensuring that those services are clearly signposted. This role may be taken by a statutory authority, a national Safe Sport Centre, the National Olympic Committee, national sports federation, civil society actor, etc. Trust-based relationships develop over time and hence caution is expressed to ensure that expectations with regards to the entity's capacity to provide on-the-ground Care Support are kept realistic.

legal, are generally provided through existing gender-based violence pathways. See para 32 of the Report of the UN Secretary-General on Special measures for protection from sexual exploitation and abuse, 15 February 2021.

²⁰⁵ UN Women has a presence in 61 countries with strong links with many women's organisations and NGOs providing front-line support to victims/survivors on the ground.

²⁰⁶ ECPAT - A global network working to end the sexual exploitation of children

²⁰⁷ Our Experts (justicerapidresponse.org)

²⁰⁸ See: Tip sheet - Conducting safeguarding due diligence checks on organisations or individuals you are contracting to provide services | Safeguarding Resource and Support Hub (safeguardingsupporthub.org)

²⁰⁹ See: <http://www.socialserviceworkforce.org/about-us>

²¹⁰ Such as the UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, 2006 and the Council of Europe, 2011.

- Build a Network through trusted entities/persons, identifying designated focal points and conducting appropriate background/due diligence integrity checks. To avoid an additional layer of due diligence for local partners, it is recommended that partnerships are established with existing mechanisms in the international development field of expertise.
- Establish recommended Standards for the delivery of Care Support based on international guidance. Such may include, for athletes, a Medical Exam integrating an ACE Trauma-Informed approach or a more detailed Psychological Needs Assessment.
- Establish a Victims Fund as a specific budget within the new entity.²¹¹
- Establish clear procedures for accessing Care Packages including the timeframe for which support would be covered, the types of support, contractual agreements (if the entity is covering the costs).

Network of Voices of Experience

Recognising that sports organisations need to move beyond simply listening to experiences and start to actively work in partnership with people with lived experience of abuse, the entity will establish a Network of Voices of Experience including representatives of survivors of abuse in sport from diverse regions, sports, and genders and including entities who work with victims/survivors. The Network will enable the entity to listen to those who have suffered abuse, to learn from them, to have them help inform the strategic direction of the entity through the prioritisation and development of a sensitive, pastoral response and healing process for victims/survivors of abuse and to contribute to the delivery of the services of the entity.

The Voices of Experience will form part of the Global Network of Local Care Support and may provide emotional and other local care support to victims/survivors depending on the expertise of the survivor/entity through a peer-support mentoring system between a member of the Voices of Experience and victims/survivors. Such services must be fairly compensated to ensure contribution is made in a safe and non-exploitative manner. The Network may also be instrumental in referring cases to the entity. The Network will contribute to enhancing understanding that an acknowledgement and an apology from the leadership of the sports organisation is often crucially important to people with lived experience.

Existing networks of survivors of abuse in sport and dedicated entities have been identified including The Spirit of Trust in Canada;²¹² in the US, The Army of Survivors,²¹³ Safe to Compete;²¹⁴ at the EU Level, the Voices for Truth and Dignity project;²¹⁵ in Belgium, Voices in Sport;²¹⁶ in the UK, the Football Associations (FA) Survivor Support and Safeguarding Advisory Group;²¹⁷ the Sport England Consultative Group of survivors of abuse in sport;²¹⁸ and in South Africa, the Women + Men Against Child Abuse (WMACA) Athletes Against Child abuse.²¹⁹ It is recommended that the entity establishes collaboration with such entities as well as other survivor organisations that may not currently be working directly on sports-related abuse, such as those working on Violence Against Women and Girls and Gender Based Violence (GBV). Collaboration with the international entity may provide

²¹¹ Recommendation at Al Hussein, Z. R. and Davis, R., March 2020, p. 39.

²¹² The Spirit of Trust

²¹³ The Army of Survivors is a US based organisation advocating for and supporting child athlete survivors of sexual violence.

²¹⁴ Safe to Compete, a program of the US National Center for Missing & Exploited Children®(NCMEC).

²¹⁵ The Voices for truth and dignity – Combating sexual violence in sport is an EU based project based on the accounts of those who have experienced sexual violence in sports settings.

²¹⁶ Voices-in-sport

²¹⁷ Safeguarding update (thefa.com)

²¹⁸ Engaging with people who have lived experience of childhood abuse | CPSU (thecpsu.org.uk)

²¹⁹ WMACA – Women & Men Against Child Abuse

international support to national efforts, enabling the sharing of good practice, learnings and the development of specific collaboration and projects as needed.²²⁰

Guidance in the Provision of Victim/Survivor-Centred Care Support

The following principles should be respected in the provision of any Care Support by the entity:²²¹

- **Safety, protection, trauma-informed and confidentiality:** ensure physical and emotional safety; ensure privacy, confidentiality and support by ensuring that trusted relationships are respected, recognising that care support and investigations may be conducted jointly. All assistance and support should be provided in a manner that does not increase the trauma suffered by the victim/survivor.
- **Trustworthiness and Transparency:** Decisions must be made with transparency, with a goal of building and maintaining trust for all through the provision of clear delimitations with regards to the Care Support provided.
- **Peer support:** use stories and lived experiences to promote healing by providing access to ‘Voices of Experience’, for victims/survivors to speak with other victims/survivors to support them in the journey.
- **Collaboration/Mutuality:** Everyone has a role to play in the healing process.
- **Empowerment, Dignity, Voice and Choice:** Each victim/survivor, each reporting person has agency to choose Care Support and must be empowered to know that effective options do exist and to understand the most effective mechanism to get the support that they require. Individuals’ strengths must be recognised, built on and validated; ask the victim/survivor what it is that they want and listen. Avoid unnecessarily handing the victim/survivor over from one support provider to another.
- **Cultural, historical and gender issues:** actively moving past stereotypes and biases, offering accessible and inclusive services.

Victim Support Fund

It is recommended that a fund is established whose scope is to provide the financial resources to cover Care Support of victims/survivors of abuse in clearly defined circumstances (excluding compensation or reparation payments). The fund would be managed by the entity and would be resourced by its partners, fines imposed on perpetrators, sponsors, governmental entities, etc. The terms for access to the fund should be clearly set out and regularly assessed by a competent independent body.

Procedures for Accessing Care Support Services: Care Packages

Eligibility to access Care Support services of the entity will depend on the scope of jurisdiction of the entity, using a phased approach to ensure that the new entity can appropriately and realistically manage concerns coming into it.

Recognising the diversity and challenges within jurisdictions in accessing quality care support for victims/survivors of abuse, it is recommended that an agile approach is taken enabling Care Support to be provided in the most efficient and effective manner. This may follow a procedure such as:

1. Local care support: through the networks provided by the Global Network of Local Care Support providers, a trustworthy safe harbour will be identified.
2. Contracts: Access to services should always be based on clear, written contracts if the entity is to support the provision of care support. Based on the victim/survivor’s needs, this should outline the contractual agreement between the Care Support provider and the victim/survivor, or the provider and the entity, including type of service, duration, cost, etc. that makes up the Care

²²⁰ See further the recommendations established at: Engaging with people who have lived experience of childhood abuse | CPSU (thecpsu.org.uk)

²²¹ Adapted from The Army of Survivors, 6 principles of a Trauma Informed Approach.

Package. The Care Support provider may also be the lead Fact-Finder (see below under Intelligence and Investigations).

3. In clearly defined circumstances, access to the Victim Support Fund may be possible to cover the costs of the Care Package.
4. Oversight of Care Support: If the contract is between the local Care Support provider and the victim/survivor directly, the entity will seek to oversee the provision of services to ensure that the victim/survivor is fully supported.
5. The provision of any assistance and support by the entity is not an acknowledgement of the validity of the claims or an indication of acceptance of responsibility by the alleged perpetrator.

A.3. ACCESS TO REMEDY

Remedy as a Human Right and a State Obligation

A foundational human rights principle is the right to effective remedy and when sport-related human rights abuses occur, those affected must have access to effective remedy. Remedy is about redressing human rights harms that have occurred with it the duty of States to ensure that judicial remedy exists and is accessible for victims of crime. While remedy cannot restore a victim/survivor to before the harm occurred, it can be instrumental in guiding an individual to move past the harm and to empower them to be part of the cultural and often systemic change that is required within an organisation such that such harm is not repeated.

Ensuring accountability of sports organisations and access to effective remedy for those affected is a vital part of a State's duty to protect against sport-related human rights abuse, as required under international human rights law. If we consider most sports organisations as a business, then a direct adaptation of Principle 25 of the UN Guiding Principles on Business and Human Rights notes that as part of their duty to protect against sport-related human rights abuse, States must take appropriate steps to ensure, through judicial, administrative, legislative or other appropriate means, that when such abuses occur within their territory and/or jurisdiction those affected have access to effective remedy. Unless States take appropriate steps to investigate, punish and redress sport-related human rights abuses when they do occur, the State duty to protect can be rendered weak or even meaningless.

Access to effective remedy has both procedural and substantive aspects. The remedies provided by the grievance mechanisms discussed in this section may take a range of substantive forms the aim of which, generally speaking, will be to counteract or make good any human rights harms that have occurred. Remedy may include apologies, restitution, rehabilitation, financial or non-financial compensation and punitive sanctions (whether criminal or administrative, such as fines), as well as the prevention of harm through, for example, injunctions or guarantees of non-repetition. Procedures for the provision of remedy should be impartial, protected from corruption and free from political or other attempts to influence the outcome.

For the purposes of the UN Guiding Principles, a grievance is understood to be a perceived injustice evoking an individual's or a group's sense of entitlement, which may be based on law, contract, explicit or implicit promises, customary practice, or general notions of fairness of aggrieved communities. The term grievance mechanism is used to indicate any routinised, State-based or non-State-based, judicial or non-judicial process through which grievances concerning sport-related human rights abuse can be raised and remedy can be sought. State-based grievance mechanisms may be administered by a branch or agency of the State, or by an independent body on a statutory or constitutional basis. They may be judicial or non-judicial. In some mechanisms, those affected are directly involved in seeking remedy; in others, an intermediary seeks remedy on their behalf. Examples include the courts (for

both criminal and civil actions), labour tribunals, national human rights institutions, many ombudsperson offices, and Government-run complaints offices.

Ensuring access to remedy for sport-related human rights abuses requires that States facilitate public awareness and understanding of these mechanisms, how they can be accessed, and any support (financial or expert) for doing so. State-based judicial and non-judicial grievance mechanisms should form the foundation of a wider system of remedy. Within such a system, operational-level grievance mechanisms can provide early-stage recourse and resolution. State-based and operational-level mechanisms, in turn, can be supplemented or enhanced by the remedial functions of collaborative initiatives as well as those of international and regional human rights mechanisms. Further guidance about these mechanisms is provided in UN Guiding Principles 26 to 31.

See ‘Annex 5. International Legal Frameworks: Remedy’ for an overview of references to remedy within various international and regional legal frameworks.

Responsibilities of Sports Organisations to Provide Remedy

Non-judicial means, such as those provided through the disciplinary processes of sports bodies and the Court of Arbitration for Sport (CAS), may complement judicial means as non-State based grievance mechanisms. The responsibility of a sports organisation to provide remedy may be triggered through it having caused or contributed to the abuse by creating the environment within which it has been able to occur. As part of its duty of care, it is imperative that responsible sports organisations develop and implement clear and effective remedies for all types of non-accidental violence and abuse against those in their care. The recognition by sports organisations of that responsibility is an ongoing debate with few international sports federations or organisations having integrated human rights obligations within their Statutes and codes.

As stated in the UN Guiding Principles, while effective judicial mechanisms should be “at the core of ensuring access to remedy”, administrative, legislative and other non-judicial mechanisms play an essential role in complementing and supplementing judicial mechanisms. Effective non-State-based grievance mechanisms offer potential benefits “such as speed of access and remediation, reduced costs and/or transnational reach” and, moreover, have a particular role to play in cases where a grievance may not readily provide the basis for legal enforcement or a legal claim. Sports organisations should establish or participate in effective operational-level grievance mechanisms, noting their potential contributions to human rights due diligence processes. It is important that collaborative initiatives ensure the availability of effective mechanisms to help enable remedy.

With the proposed new safe sport entity providing a non-State based grievance mechanism, UN Guiding Principles 29 and 30 are directly relevant to the type of mechanism proposed:

UNGP 29. *To make it possible for grievances to be addressed early and remediated directly, [sports] organisations or enterprises should establish or participate in effective operational-level grievance mechanisms for individuals and communities who may be adversely impacted.*

Relevant commentary on UNGP 29 notes that operational-level grievance mechanisms must be accessible directly to individuals and communities who may be adversely impacted by a sports organisation or enterprise. They are typically administered by enterprises, alone or in collaboration with others, including relevant stakeholders. They may also be provided through recourse to a mutually acceptable external expert or body. They do not require that those bringing a complaint first access other means of recourse. They can engage the sports organisation or enterprise directly in assessing the issues and seeking remediation of any harm. Operational-level grievance mechanisms perform two key functions regarding the responsibility of sports organisation or enterprises to respect human rights.

Firstly, they support the identification of adverse human rights impacts as a part of a sports organisation or enterprise's ongoing human rights due diligence. They do so by providing a channel for those directly impacted by the sport organisation or enterprise's operations to raise concerns when they believe they are being or will be adversely impacted. By analysing trends and patterns in complaints, sports organisations can also identify systemic problems and adapt their practices accordingly.

Secondly, these mechanisms make it possible for grievances, once identified, to be addressed and for adverse impacts to be remediated early and directly by the sport's organisation, thereby preventing harms from compounding and grievances from escalating. Such mechanisms need not require that a complaint or grievance amounts to an alleged human rights abuse before it can be raised, but specifically aim to identify any legitimate concerns of those who may be adversely impacted. If those concerns are not identified and addressed, they may over time escalate into more major disputes and human rights abuses.

Operational-level grievance mechanisms should reflect certain criteria to ensure their effectiveness in practice (Principle 31). These criteria can be met through many different forms of grievance mechanisms according to the demands of scale, resource, sector, culture and other parameters. Operational-level grievance mechanisms can be important complements to wider stakeholder engagement and collective bargaining processes but cannot substitute for either. They should not be used to undermine the role of legitimate trade unions in addressing labour-related disputes, nor to preclude access to judicial or other non-judicial grievance mechanisms. Sport and sports industry, multi-stakeholder and other collaborative initiatives that are based on respect for human rights-related standards should ensure that effective grievance mechanisms are available.

Human rights-related standards are increasingly reflected in commitments undertaken by industry bodies (such as the IOC, NOCs and IFs), multi-stakeholder and other collaborative initiatives, through codes of conduct, performance standards, global framework agreements between trade unions and international and national sports organisations, and similar undertakings. Such collaborative initiatives should ensure the availability of effective mechanisms through which affected parties or their legitimate representatives can raise concerns when they believe the commitments in question have not been met. The legitimacy of such initiatives may be put at risk if they do not provide for such mechanisms. The mechanisms could be at the level of individual members, of the collaborative initiative, or both. These mechanisms should provide for accountability and help enable the remediation of adverse human rights impacts.

With victims/survivors of abuse reacting to their experiences in different ways, the precise form of remedy or redress may differ. By adopting an honest victim/survivor-centred approach, the entity should be instrumental in assisting the affected person to identify what type of justice they are seeking. This may be through the provision of effective representation and by outlining the various options for remedy available for them, what would be required of them as an affected person and what could be the potential result.

It must be recognised that no one system is perfect, that each system is unique and that no one system provides an entire system of remedy that can satisfy all. For example, under the sports disciplinary system, the maximum sanction is a life ban from the sport yet the perpetrator may continue to abuse outside of the sports system; only the criminal justice system can enable the prosecution of offences; or in a civil claim, the organisation involved may not admit liability.²²²

²²² As has been reflected in the UK Independent Inquiry into Child Sexual Abuse, September 2019.

The Eco-System of Remedy within Sport

Within sport, the eco-system of remedy may include:

- An acknowledgement from the perpetrator or institution that the abuse occurred;
- An apology;
- An explanation of how the abuse was allowed to happen;
- Restitution or rehabilitation;
- The prevention of harm, e.g. injunctions;
- An assurance of non-recurrence;
- The provision of care support;
- Reporting the matter to law enforcement or another statutory authority;
- Financial or non-financial compensation e.g. through civil legal proceedings or a criminal compensation order by the criminal courts;
- Punitive sanctions through the sports disciplinary procedures or other grievance and dispute resolution procedures e.g. a fine, a ban, removal of (for example) coaching license, right of appeal before the Court of Arbitration for Sport (CAS);
- Funding restrictions e.g. by governments on sports organisations or IFs on national federations or NOCs on national federations;
- Punitive sanctions through the national criminal justice system;
- Punitive sanctions through the human rights judicial process.

Limitations within the existing system of sports remedy include a lack of specialisation in taking a human rights approach within sports disciplinary procedures. Such procedures are typically not designed to handle sensitive cases of harassment and abuse and often protect the integrity of the sport rather than the integrity of persons. Within sport, power imbalances are such that victims of abuse seldom report and are rarely afforded the protections that international human rights law would expect for them. Extensive work is required to ensure that the rights of victims/survivors are duly respected and protected within the sports' disciplinary frameworks in accordance with human rights standards. This is particularly important given that victims/survivors of abuse are often left re-traumatised by the remedial process, particularly when dragged through an adversarial system that is often confusing, hostile, frustrating and in the end may be futile.

Providing signposting and access to the various avenues of remedy available for severe human rights harms in sports is essential for the 'responsible autonomy' of sports organisations. Access to remedy is, however, dependent on reporting persons exposing wrongdoing such that cases may be remedied with a sense of justice and settlement and that there is a clear understanding of the various avenues that exist.

The Recommendations on Remedy below seek to outline the specific role that the entity may have in providing an operational level grievance mechanism for victims/survivors of abuse in sport, whilst acknowledging that it is not and cannot be responsible for the whole eco-system of remedy and that a primary responsibility lies with States to provide remedy for victims of crime within their jurisdiction.

Sports Frameworks

Commonwealth Games Federation (CGF) Human Rights Policy Statement, 2017

The CGF commits to provide for, or cooperate in supporting, access to remedy for victims where our activities cause or contribute to adverse human rights impacts. The CGF is also dedicated to promoting, or cooperating in, access to remediation where adverse human rights impacts are directly linked to us via our business relationships.

Football, FIFA Statutes, 2019

Article 3. Human rights

FIFA is committed to respecting all internationally recognised human rights and shall strive to promote the protection of these rights.

FIFA Code of Ethics 2020

Article 23. Protection of physical and mental integrity

- 1. Persons bound by this Code shall protect, respect and safeguard the integrity and personal dignity of others.*
- 2. Persons bound by this Code shall not use offensive gestures and language in order to insult someone in any way or to incite others to hatred or violence.*
- 3. Persons bound by this Code must refrain from all forms of physical or mental abuse, all forms of harassment, and all other hostile acts intended to isolate, ostracise or harm the dignity of a person.*
- 4. Threats, the promise of advantages, coercion and all forms of sexual abuse, harassment and exploitation are particularly prohibited.*

FIFA Disciplinary Code, 2019

Article 11. Offensive behaviour and violations of the principles of fair play

- 1. Associations and clubs, as well as their players, officials and any other member and/or person carrying out a function on their behalf, must respect the Laws of the Game, as well as the FIFA Statutes and FIFA's regulations, directives, guidelines, circulars and decisions, and comply with the principles of fair play, loyalty and integrity.*
- 2. Anyone who acts in any of the following ways may be subject to disciplinary measures: a) violating the basic rules of decent conduct; b) insulting a natural or legal person in any way, especially by using offensive gestures, signs or language, etc.*

See also, Article 12. Misconduct of players and officials and Article 13. Discrimination.

Case Study beyond Sport

United Kingdom, Catholic Church

Compensation is “very often is not the primary purpose. Victims and survivors want to be believed, they want to be listened to, they want their story to be heard”.²²³

*The Inquiry's Accountability and Reparations investigation examined the extent to which the civil justice system, criminal compensation and support services promoted accountability and reparations to victims and survivors of child sexual abuse.*²²⁴

The meaning of 'accountability' and 'reparations' have been identified in the UK Independent Inquiry Child Sexual Abuse Accountability and Reparations Report²²⁵ as meaning different things to different victims and survivors of child sexual abuse. Through the evidence that we heard, a number of key elements emerged.

- Punishment of offenders: Many victims and survivors wanted perpetrators brought to justice and punished – that is, prosecuted in the criminal courts, convicted and imprisoned.*
- Holding institutions to account: Victims and survivors wanted the institutions they saw as responsible for the abuse held to account for any failures that had allowed the abuse to occur.*
- Acknowledgement and recognition: We heard that acknowledgement and recognition of the abuse was important to victims and survivors. For some victims and survivors, this meant having their*

²²³ Bertelsen, J. 4 November 2019.

²²⁴ UK Independent Inquiry into Child Sexual Abuse, September 2019, Executive Summary.

²²⁵ UK Independent Inquiry into Child Sexual Abuse, September 2019, p. 3.

‘day in court’. They wanted to explain in public what had happened to them and for there to be recognition of the abuse that they had suffered. Some, but not all, also wanted the opportunity to face their abusers.

- *Apologies and explanations: The majority of victims and survivors we heard from wanted apologies from the institutions and bodies that they thought had failed them, rather than from the abusers themselves. The importance of a genuine and effective apology was made clear, with some people saying that it should be face-to-face and not a simple ‘sorry’ on a piece of paper. Victims and survivors stressed the importance of those in authority acknowledging the abuse and explaining why it had been allowed to happen.*
- *Assurances of non-recurrence: Many victims and survivors wanted assurances that other children would be protected in the future. They felt that listening to and recognising the abuse they had suffered might help prevent it from happening again.*
- *Redress: Some victims and survivors told us that no amount of money could ever compensate them for what they had been through. Others did want financial compensation and hoped that the money might go some way towards helping them to achieve the things that they had been unable to because of the effects of the abuse. However, victims and survivors made clear that reparation was not just about financial compensation. Several spoke of a lost education and the inability to live fulfilled lives.*
- *Support: Many victims and survivors told us that the provision of support was an important form of reparation.*

Criminal Complaints

Under the criminal law of most jurisdictions, abuse is a crime with it the primary duty and obligation of States to investigate crimes of abuse and hold perpetrators accountable. However, for victims of abuse in sports, particular challenges are highlighted that justify consideration, namely:

- Cases of abuse in sport may not always meet the criminal threshold, namely proof beyond reasonable doubt. Sports sanctioning typically applies a lower standard of proof.
- Very few reported cases of abuse result in a suspect being charged, let alone a conviction.²²⁶ Corruption within statutory authorities facilitates the capacity for perpetrators to circumvent justice.
- The length of time of a criminal procedure may take years whereby the perpetrator may remain in place and continue offending.
- A criminal offence is always an offence against the State, hence a victim’s role is as a witness for the State. This means that a victim is not necessarily entitled to financial compensation or individual reparations.
- In some nations, victim-centred support may be provided during a criminal investigation, with victims put at the forefront of the investigation to ensure that victim support and safeguarding is a primary concern.²²⁷

It is to be noted that criminal investigations may be triggered by making an official criminal complaint or by the commencement of a lawsuit by an aggrieved party. In criminal cases, an aggrieved party is an individual who is entitled to commence a lawsuit against another because his or her legal rights have been violated through the filing of a criminal complaint. Whether those individuals or legal entities have a right to participate in the pursuing criminal proceedings depends on the legal system of the jurisdiction involved. Under some jurisdictions’ procedures, such individuals or legal entities can claim the status of aggrieved party and join the proceedings. In most jurisdictions in Europe with a civil law system, sports organisations are more likely to be considered as aggrieved parties and therefore

²²⁶ For example, in England and Wales in 2019, only three per cent of rape complaints resulted in a suspect being charged, see Dame Vera Baird QC, Victims’ Commissioner for England and Wales, 2020, p. 16.

²²⁷ UK Independent Inquiry into Child Sexual Abuse, September 2019, p. 87.

have access to the file and the ability to participate in the proceedings. On the other hand, jurisdictions with common law systems typically do not allow for this right.

See further, 'Annex 6. International and National Legal Frameworks: Criminal Complaints'.

Civil Claims

Under civil claims, the aim is to resolve disputes between private individuals (or organisations or companies) in order to provide remedies for injured parties, often as financial compensation. In cases of abuse in sport, personal injury claims may seek damages for harm, suffering and special damages for past and future financial losses, such as earnings, the costs of care and therapy and paternity/child support claims. Abuse may result in children with perpetrators usually evading their parental responsibility. It is critical that any framework ensures that this does not happen. For victims/survivors of abuse in sport, particular challenges and opportunities are highlighted that justify consideration, namely:

- Civil claims apply a lower standard of proof, the balance of probabilities, than criminal complaints.
- Civil claims may provide the opportunity for financial compensation from an organisation that has 'vicarious' responsibility for the perpetrator (see below under Vicarious Liability).
- The courts cannot order defendants to give apologies or explanations for the abuse or assurances that it will not happen again.
- Civil claims must typically be brought within a defined time period (e.g. three years after the abuse depending on the national law).
- In a civil claim, the responsible organisation may be substituted by the public liability insurer, creating a situation of frustration for the victims/survivors.
- It is inevitably painful to relive and recount an experience of abuse in a civil process with lawyers seldom trained to provide the medical and emotional support needed by the claimant.²²⁸
- In a civil process, interim payments may be possible to fund expenses such as psychotherapy or counselling.
- At the end of their civil claims, victims/survivors may feel abandoned.

See further, 'Annex 7. International Legal and Policy Frameworks: Civil Claims'.

Strict Liability

Applied in doping cases in sport, the strict liability principal means that each athlete is strictly liable for the substances found in his or her bodily specimen, and that an anti-doping rule violation occurs whenever a prohibited substance (or its metabolites or markers) is found in bodily specimen, whether or not the athlete intentionally or unintentionally used a prohibited substance or was negligent or otherwise at fault.²²⁹ Arguably a sport could also be found strictly liable for cases of abuse, placing the onus on the organisation to show that there was no abuse.

Vicarious Liability

Vicarious liability is the legal principle that imposes responsibility upon one person for the 'tortious' (wrongful) acts of another over whom the person has a special relationship (such as coach-athlete, employer-employee), to exercise such care as a reasonable prudent person would use under similar circumstances. Claims relating to child sexual abuse would normally fall within the ambit of personal

²²⁸ Malcolm Johnson, 5 December 2018. See also Faulks, E., 29 November 2018.

²²⁹ Strict Liability in Anti-Doping | World Anti-Doping Agency (wada-ama.org)

injury claims against the institution in which the abuse took place or against those responsible for that institution, i.e. vicarious liability. In an English Supreme Court case the judgement noted:²³⁰

The scope of vicarious liability depends upon the answers to two questions. First, what sort of relationship has to exist between an individual and a defendant before the defendant can be made vicariously liable in tort for the conduct of that individual? Secondly, in what manner does the conduct of that individual have to be related to that relationship, in order for vicarious liability to be imposed on the defendant?

While beyond the scope of the Consultation Process to explore in greater depth, it is to be noted that as has been found in English case law, where courts have imposed vicarious liability there has been consideration of the power and authority given to the abuser by the organisation and to what extent the risk flowed from the 'business' of the organisation. Vicarious liability must ultimately always have to satisfy the test that it is imposed where it is fair, just and reasonable.²³¹ Cultural context influences liability with some nations taking less action because once action is taken, the liability floodgates may open versus those nations where failure to take action is in itself a liability issue.

Such claims for vicarious liability may be covered by a liability insurance policy, but if there is no insurance in place or the insurer cannot be identified due to a statute of limitations, the organisation may be responsible for meeting any successful claims.

Case Studies

New Zealand, Accident Compensation Corporation

Since 1976, it has not been possible to sue in tort for injury by accident with a no-fault accident compensation system established. A Royal Commission showed the costs of the litigation-based system were more than a no-fault prevention, rehabilitation and compensation scheme. Significant benefits to sport were found, not least that sport could address injury issues without the threat of lawsuits and with the benefit of significant data and investment from the Accident Compensation Corporation.²³²

United Kingdom, Independent Inquiry Child Sexual Abuse Accountability and Reparations Report

*The government should introduce legislation revising the Compensation Act 2006 to clarify that section 2 facilitates apologies or offers of treatment or other redress to victims and survivors of child sexual abuse by institutions that may be vicariously liable for the actions or omissions of other persons, including the perpetrators.*²³³

*Although insurers told us that they are generally supportive of apologies being made by institutions, concerns remain as to the timing of such an apology and whether it might amount to an admission of liability. Zurich now supported apologies being made by local authorities at the outset of a claim. Its guidance permits its policyholders to make apologies which do not amount to admissions of liability.*²³⁴

Non-recent Cases and Statute of Limitations

A statute of limitations is the maximum time after an event, established in law, within which legal proceedings may be initiated. While national legislation may provide time limits, recent experiences

²³⁰ *Mohamud v WM Morrison Supermarkets* [2016] UKSC 11, Cox (Respondent) v *Ministry of Justice* (Appellant) (supremecourt.uk), [2016] UKSC 10.

²³¹ Para. 41, Cox (Respondent) v *Ministry of Justice* (Appellant) (supremecourt.uk)

²³² <https://www.acc.co.nz/about-us/preventing-injury/sport-recreation>

²³³ UK Independent Inquiry into Child Sexual Abuse, September 2019, p. 105.

²³⁴ Nichols, D., at para. 153 UK Independent Inquiry into Child Sexual Abuse, September 2019.

within sport, the Catholic Church and Boy Scouts reflect that reporting abuse takes place decades after the actual abuse.

Reporting mechanisms within various educational institutions,²³⁵ and findings of the child abuse sexual claims within the Catholic Church recommend that there should be no time limit on reporting, no matter how long ago the incident took place with non-recent cases often the first to be reported. In the UK, it is now easier for claimants to bring claims of non-recent abuse based on vicarious liability due to two major judgments by the House of Lords.²³⁶ Firstly, a decision in 2001 that employers could be vicariously liable for sexual assault.²³⁷ Secondly, a decision in 2008 that the extendable three-year limitation period should apply to all sexual abuse claims.²³⁸ In Australia, the Commonwealth Ombudsman within the Defence Force²³⁹ may recommend a reparation payment in response to a report of non-recent serious abuse in clearly defined circumstances.

However, it is to be recognised that a statute of limitations serves a particular purpose, namely to provide legal certainty and finality with regards to cases where evidence may be unreliable or incomplete.²⁴⁰

See further, 'Annex 8. International Legal Frameworks: Non-recent Cases and Statute of Limitations'.

Case Studies: Non-recent Cases and Statute of Limitations

Court of Arbitration for Sport (CAS) CAS 2015/A/4304, *Tatyana Andrianova v. All Russia Athletic Federation (ARAF)*, award of 14 April 2016

It does not necessarily follow from the qualification of the statute of limitation as a "procedural rule" that there are no limits to a retroactive application of such rule. Instead, it follows from Art. 6(1) ECHR that the procedure must be "fair". CAS panels have repeatedly found that arbitral tribunals are indirectly bound by the ECHR. Applying retroactively a longer statute of limitation to a case that was already time barred at the time of the entry into force of the new provision is incompatible with a "fair proceeding". All the interests protected by a statute of limitation, in particular the legitimate procedural interests of the "debtor"/"defendant" would be violated if an association could retroactively allow for the persecution of a disciplinary offense already time-barred. Such open-ended approach to disciplinary cases poses a serious threat to the principle of legal certainty that constitutes a violation of Art. 6(1) ECHR. Therefore, the 10-year statute of limitation in Rule 47 of the 2015 ADR can only apply to those cases that were not already time-barred on 1 January 2015, i.e. at the time of the entry into force of the 2015 ADR.

European Court of Human Rights, *Oleksandr Volkov v. Ukraine*, 2018

Para. 137. The Court has held that limitation periods serve several important purposes, namely to ensure legal certainty and finality, protect potential defendants from stale claims which might be difficult to counter and prevent any injustice which might arise if courts were required to decide upon events which took place in the distant past on the basis of evidence which might have become unreliable and incomplete because of the passage of time

²³⁵ e.g. Australian National University How to report sexual misconduct - ANU

²³⁶ Alistair Gillespie 29 November 2018; Billhar Singh Uppal said that "we can judge liability in a much more concrete, certain way from the outset of the claim".

²³⁷ *Lister v Hesley Hall* [2001] UKHL 22, [2002] 1 AC 215

²³⁸ *A v Hoare* [2008] UKHL 6, [2008] 1 AC 844 in relation to the application of the Limitation Act 1980, ss.2, 11

²³⁹ Australia, Commonwealth Ombudsman Defence

²⁴⁰ See, for example, CAS 2015/A/4304.

United Kingdom, Independent Inquiry into Child Sexual Abuse, Catholic Church Investigation Report 2020

The Nolan Report 2001 recommended that:

*Historical allegations should be treated in the same way as allegations of current abuse. Bishops and religious superiors should ensure that historic cases should be the subject of review as soon as possible and reported to the statutory authorities where appropriate.*²⁴¹

*Average time elapsed between start of abuse within the Catholic Church and year of complaint*²⁴²

Period of complaint	Mean number of years since alleged abuse began
1980 to 1984	2 years
1985 to 1989	4 years
1990 to 1994	11 years
1995 to 1999	17 years
2000 to 2004	21 years
2005 to 2009	31 years
2010 to 2014	33 years
2015	34 years
OVERALL	26 years

In the Catholic Church Inquiry, evidence was heard:

*[...] that the adversarial civil justice system is inherently unsuitable for providing accountability and reparations to victims and survivors of child sexual abuse, particularly in non-recent cases. Many witnesses told us that the litigation process was emotionally challenging and that it compounded the trauma they had already suffered as children. They also felt dissatisfied with the outcome, either because their claims had failed or because they had succeeded, usually by accepting a settlement offer, but they had never received any explanation or apology for what had happened to them and did not feel that justice had been done.*²⁴³

Independent Redress, Reparation and Compensation Funds

Alternative avenues for redress to the criminal and civil compensation systems may be through the establishment of independent redress channels that are often referred to as Reparation or Compensation Funds. Such schemes may be funded by public money or wholly, or in part, by the responsible institution (or their insurers). They have been established in various jurisdictions to address child sexual abuse, such as by the Lambeth London Borough Council,²⁴⁴ the Irish Government,²⁴⁵ the Jersey Government,²⁴⁶ the Australian Government,²⁴⁷ and Scotland.²⁴⁸ Such alternative systems have been identified as:

- Offering the flexibility to facilitate apologies, acknowledgements of wrongdoing, and assurances of steps that have been or will be taken to prevent further abuse;
- Fund or direct victims/survivors to support services;
- Avoid the difficulties of civil litigation;
- Avoid the stress and emotional trauma for victims/survivors of abuse as they avoid a contentious, adversarial process, the purpose of which is limited to obtaining financial compensation.

²⁴¹ UK Independent Inquiry into Child Sexual Abuse, 2001, The Nolan report, as cited at p. 35 in UK Independent Inquiry into Child Sexual Abuse, 2020.

²⁴² Bullivant, S., 2019.

²⁴³ UK Independent Inquiry into Child Sexual Abuse, September 2019, p. 26.

²⁴⁴ Lambeth Childrens Homes Redress Scheme.pdf

²⁴⁵ Through the Residential Institutions Redress Act, 2002.

²⁴⁶ Jersey Redress Scheme (gov.je)

²⁴⁷ Australia, National Redress Scheme for people who have experienced institutional child sexual abuse.

²⁴⁸ In April 2019, the Scottish Government opened an Advance Payment Scheme, ahead of the planned legislation for a statutory redress scheme: <https://www.gov.scot/news/redress-for-historical-abuse-survivors/>.

However, it is also recognised that such independent redress schemes:

- May not balance the interests of participants justly;
- May not investigate claims with the same degree of rigour as the civil justice system;
- May not provide an adequate alternative if victims/survivors still feel they need to bring civil claims to ensure that they receive adequate damages;
- Challenges in the funding and duration of such a scheme.

In the UK Independent Inquiry into Child Sexual Abuse, the following components were identified as important to an effective redress scheme:²⁴⁹

- **Compensation:** financial compensation is a key aspect of any redress or compensation scheme as a form of recognition of wrongdoing by an institution and of compensating for an injury.
- **The facilitation of apologies and an acknowledgement of failure:** An apology by the relevant institution and an acknowledgement of failure is a primary desire of many victims/survivors.
- **Prevention of continuing abuse:** Some want to ensure that future children do not suffer the abuse they received, with reassurance that steps have been taken to prevent abuse occurring.
- **Counselling or other treatment:** Some victims/survivors continue to struggle with the effects of the abuse they suffered and hoped for more support than they got in their civil claims. Such support should be a key ingredient of a redress scheme.
- **A non-adversarial system:** Civil litigation is an adversarial system, which – in particular through cross-examination – can be traumatic, difficult and demoralising. Any challenge to the credibility of a victim/survivor of child sexual abuse can re-traumatise them through the fear of not being believed.
- **Speed:** Legal processes can both be protracted which can be hard for victims/survivors. A timely remedy is an important factor in ensuring that victims/survivors feel believed and acknowledged.

See further, 'Annex 9. International Legal Frameworks: Independent Redress, Reparation and Compensation Funds.'

Case Studies: Independent Redress, Reparation and Compensation Funds

Australia, Commonwealth Ombudsman Defence

Our Office may recommend to Defence that a reparation payment be made in relation to a report of serious abuse which has been accepted, if:

- *the abuse occurred on or before 30 June 2014;*
- *the report of abuse was made to our Office on or before 30 June 2021;*
- *the Ombudsman is satisfied the report involves the most serious forms of abuse and/or sexual assault.*

Australia, National Redress Scheme for people who have experienced institutional child sexual abuse²⁵⁰

The Scheme:

- *acknowledges that many children were sexually abused in Australian institutions*
- *recognises the harm caused by this abuse*
- *holds institutions accountable for this abuse*
- *helps people who have experienced institutional child sexual abuse gain access to counselling and psychological services, a direct personal response, and a monetary payment.*

The Scheme started on 1 July 2018 and will run for 10 years.

²⁴⁹ Adapted from UK Independent Inquiry into Child Sexual Abuse, September 2019, p. 94.

²⁵⁰ Australia, National Redress Scheme for people who have experienced institutional child sexual abuse.)

Boy Scouts of America²⁵¹

A victims' compensation fund was set up under a US Chapter 11 filing (for bankruptcy) in February 2020. The date for all survivors of sexual abuse to come forward was set at 16 November 2020.²⁵²

General liability insurance taken out by the Boy Scouts of America National Council, along with the local councils, council camps and chartered organisations over the years that have no annual aggregate amount may mean that each survivor will have their individual claims liquidated through insurance settlements in full.²⁵³ However, some of those liability insurers are questioning the huge increase in claims filed against Boy Scouts, claiming that plaintiffs' attorneys and for-profit claims generators helped establish tens of thousands of claims with little or no vetting.²⁵⁴

Germany, Doping Compensation

In 2016, the German Government launched a second wave of compensation to athletes affected by the widespread State-supported doping regime implemented by the German Democratic Republic (GDR), known as State Plan 14.25. The regime took place during a 20-year period in the 1970s and 1980s prior to the fall of the Berlin Wall in 1989. It is estimated that up to 9,000 athletes were part of the programme, often being given banned drugs without their knowledge. The German Government pledged to give those athletes affected a one-off payment of €10,500 (£8,100/\$11,600).²⁵⁵

United Kingdom, Lambeth Children's Homes Redress Scheme²⁵⁶

The Scheme was established by Lambeth London Borough Council to operate between 2 January 2018 and 1 January 2020. It is designed so that the standard of proof, the elements for establishing liability and the valuation of claims, are the same as the civil justice system. Applications are made on a written application form, reasonable legal costs are covered and applications are determined by members of the Council's Redress Team or the scheme solicitors.

Legal Aid

Throughout the Consultation Process, challenges in accessing legal aid by victim/survivors of abuse in sport has been a recurrent theme. Reflections were made that this may be related to lack of knowledge that options do exist, lack of opportunities to access and reluctance to bring proceedings either through the criminal justice system, a civil complaint or in front of the national or international sports federation.

Under international human rights law, it is a State's responsibility to provide legal aid in circumstances in which citizens cannot afford to access the national legal system for the protection of human rights protected by treaties under the national law.

The provision of independent, professional legal aid for victims/survivors of abuse in all sport has been called for throughout the Consultation Process.²⁵⁷ It has been recommended that the provision of confidential legal advice and representation in sports disciplinary proceedings is provided and that legally aided parties should not always have to rely on pro bono legal services as it arguably puts them on a weaker footing.²⁵⁸

Case Studies: Legal Aid

²⁵¹ Boy Scouts of America sex abuse cases - Wikipedia

²⁵² Baker, M., 15 November 2020.

²⁵³ Boy Scouts of America sex abuse cases - Wikipedia

²⁵⁴ Boy Scouts' Liability Insurers Challenge Sex-Abuse 'Claim-Mining' - WSJ

²⁵⁵ Inside the Games, 2016.

²⁵⁶ Lambeth Childrens Homes Redress Scheme.pdf

²⁵⁷ See also, A Diaconu, M., 2020 and The Committee to Restore Integrity to the USOC, 21 January 2019.

²⁵⁸ See De Marco, N., 2016.

Under sports law, very few international sports federations have legal aid mechanisms to support victims/survivors through their disciplinary proceedings. Those that do at the international level include FIFA,²⁵⁹ UEFA,²⁶⁰ the International Ice Hockey Federation (IIHF),²⁶¹ and the Court of Arbitration for Sport (CAS)²⁶² as the final appeal body for sport. At the national level, the U.S. Olympic Committee were found to provide legal aid.²⁶³

A.3. Recommendations for the entity: Access to Remedy

Summary of Objectives: Access to Remedy

Signposting to Remedy

To provide **signposting to avenues for effective remedy** for victims of abuse in sport as a fundamental human rights principle, in a safe, protected, inclusive and informed environment. Signposting aims to ensure that certain groups or individuals who either do not have access to remedy, face considerable barriers to access, are not aware of how to access, or are not aware that these mechanisms exist, are made aware of avenues including:

- Non-judicial grievance mechanisms (i.e. non-legal routes to remedy)
- Criminal complaints
- Civil claims
- Reparation fund for non-recent cases (recommended establishment at the national level)
- Sports disciplinary procedures (Phase 1).

Global Network of Legal Experts

To establish a **Global Network of Legal Experts** experienced in defending victims of abuse and expert in the legal channels within a given nation or region and are willing to advise, protect and defend victims of abuse in sport, anonymising testimonies, and providing local support (Phase 1).

Legal Aid

To guide and support victims and their guardians to seek remedy within the sport's disciplinary framework through, if necessary, the provision of **legal representation and legal aid**, as part of the Care Packages that may be offered by the entity (Phase 2).

Details of Objectives: Access to Remedy

Signposting to Remedy

Remedy may be legal or non-legal, with the entity providing signposting for victims/survivors that aims to ensure that lawyers, grievance system designers, and other skill sets are provided for those in need.

Global Network of Local Care Support: Legal Experts

Within the Global Network of Care Support, identify lawyers, law firms, legal analysts and legal experts who are experienced in defending victims/survivors of abuse and expert in the legal channels within a given nation or region and are willing to advise, protect and defend victims/survivors of abuse in sport, anonymising testimonies, potentially providing support pro-bono etc. The Network may provide advice and guidance on the process, consequences and expectations of any avenue of remedy.

²⁵⁹ Legal - Judicial Bodies - Legal Aid and Pro Bono - FIFA.com

²⁶⁰ Pro bono counsels | UEFA.com

²⁶¹ IIHF - IIHF introduces legal aid program

²⁶² Court of Arbitration for Sport (CAS), 1 November 2020.

²⁶³ Athlete Legal Aid Program (teamusa.org)

Legal Aid

Based on clearly defined eligibility criteria and procedures for accessing the Victim Support Fund of the entity, legal aid may:

- Be made available to a presumed victim/survivor who proves his/her lack of financial means, for the payment of the costs of sports disciplinary proceedings by or before all member sports.
- Cover all reasonable legal costs related to sports disciplinary proceedings initiated by the victim/survivor or in which the latter takes part, including costs for the victim/survivor's lawyer and costs related to travel and accommodation for hearings;
- And/or provide the benefit of a pro-bono legal counsel.

Reparation Fund for Non-recent Cases and Statues of Limitations

While the mechanism may be established to prevent and remedy abuse today, it will undoubtedly learn of past abuse (which is ongoing if not remedied) and hence must be dealt with. It is recommended that each sport would consider the establishment of an Independent Reparation Fund for cases of non-recent abuse in their sport. It is recommended that such Funds would be managed at the national level of the sport, in collaboration with national statutory authorities.

Given the exponential increase in recent times of reports of abuse in sport, it may be assumed that the coming years will see more and more individuals coming forward to report that they have also been victims within a system that has provided the environment for abuse to occur. Many of these cases will be non-recent and therefore a Reparations Fund that addresses non-recent abuse may be a financially costly yet necessary way of addressing the abuse. This would enable the entity and sports to focus on current situations.

Such Reparation Funds for non-recent cases would mean that a traditional Statute of Limitations period would not apply. The procedure to access the Fund should be based on Article 31, Effectiveness criteria for non-judicial grievance mechanisms of the UN Guiding Principles on Business and Human Rights. Notably, the Fund should facilitate apologies, the acknowledgement of failure, and the prevention of continuing abuse that requires sports organisation to willingly engage with the redress process.

B. INTELLIGENCE AND INVESTIGATIONS

The gathering of credible intelligence in a professional, efficient, human rights, victim/survivor-centred investigative manner is fundamental to ensuring the perpetrators of abuse in sport are sanctioned and sport remains a safe space free of abuse.

When suspicions or allegations of abuse in sport arise, two types of investigators might become involved: law enforcement (i.e. the police) or social workers/child welfare officers who may foresee the matter resulting in judicial proceedings, and fact-finders from sports organisations who may foresee disciplinary proceedings as a potential outcome. Both investigators – external by statutory authorities and internal through sports disciplinary proceedings – may work in parallel under different jurisdictions of criminal or disciplinary cases while looking at specific points to prove, collecting information and evidence, analysing it, recording it and ultimately presenting it to the relevant decision-makers. The role of the sports disciplinary proceedings is not for sport to take on State like functions, nor to replace statutory responsibilities and hence liberate the State of their obligations, but rather to conduct an internal, parallel process.

However, within sport there is a fundamental issue as to whether sport can and should investigate abuse of people within sport. It is well recognised that there is no need for the investigation itself to be done by the sports body – however adjudication requires an acceptance of jurisdiction –

investigations are often done with no cooperation from an accused person. As an example, in Australia, an “A” status National Human Rights Institution (NHRI), the Australian Human Rights Commission²⁶⁴ did an overall review of gymnastics within Australia with no individual findings made whilst Sport Integrity Australia (independent of State and sport) investigates individual complaints.²⁶⁵ Both watchdogs are funded by sports and State. For that reason, this Report and the below recommendations have been informed by an analysis of ombuds institutions within the private sector, military and police sectors, procedures for dealing with ill-treatment under the Convention Against Torture and the ICCPR as well as existing procedures and mechanism within sports in conducting investigations, particularly those with sports Integrity Units. Most ombuds institutions within the armed forces are neither criminal nor adversarial in nature with many ombuds institutions explicitly barred from investigating matters that are already the subject of investigation or examination by military justice or a civilian court.²⁶⁶ Most of the investigations conducted by ombuds institutions are generally aimed at producing recommendations; they aim to resolve issues independently and impartially, and to prevent their recurrence, rather than to punish an offender or an individual act of wrongdoing.

The principal types of investigations conducted by ombuds institutions are complaint-based, own-motion, and those dealing with systemic issues. Common elements are evident within most investigative functions of ombuds institutions that are relevant for sport, including:

- Fact-finding and establishing that the complaint has merit;
- Alternative dispute resolution or mediation;
- Interviews and other investigative methods, such as inspections and site visits; and
- Drawing conclusions that lead to recommendations and any other steps that may be required to ensure that the specific problem is adequately addressed, as well as to prevent its recurrence.²⁶⁷

Within sport, the approach to intelligence and investigations is becoming increasingly professionalised, notably through the approach taken to anti-doping efforts and the fight against the manipulation of sports competitions. However, approaches to both these integrity issues typically take a sport-centric approach with limited regard to the human rights of the participant, notably in the investigative and adjudication stages. Within the sports safeguarding space, the terminology of ‘Case Management’ is typically used to refer to the process from receipt of a report, assessment, and intervention to case closure. The use of the terminology ‘Intelligence and Investigations’ (I. and I.) has been proposed as an outcome of the Consultation Process insofar that this terminology is used for doping²⁶⁸ and competition manipulation²⁶⁹ hence enabling a practical implementation and understanding by international and national sports federations and National Olympic Committees globally due to their familiarity and understanding of the processes. It alludes to the specialist technical skills required in both the intelligence gathering and investigative phases. Case Management may be interpreted within the new entity as referring to the process from start (receipt of a report) to finish (closure of a case) presented under the pillars of the entity: Protection and Support and I. and I.

The aim of a fact-finding inquiry in sport is to investigate reports of wrongdoing that breach the regulations of the sport. Individuals tasked with the responsibility of fact-finding in cases of abuse in sport would typically have the following responsibilities:²⁷⁰

- Identifying the specific sports regulations that are alleged to have been breached;

²⁶⁴ Independent Review of Gymnastics in Australia | Australian Human Rights Commission

²⁶⁵ Gymnastics partners with newly established sport integrity bodies to introduce independent complaint

²⁶⁶ Buckland, B. S. and McDermott, W., 2012.

²⁶⁷ *ibid*, p. 25.

²⁶⁸ Intelligence and Investigations | World Anti-Doping Agency (wada-ama.org)

²⁶⁹ Intelligence and investigations (olympic.org)

²⁷⁰ IOC-INTERPOL, 2016a, pp. 9-10.

- Recognising the jurisdiction(s) in which the alleged breach has occurred and the legal requirements (for reporting of crimes etc.);
- Working in partnership and cooperating with relevant stakeholders both within and outside sport;
- Implementing an Investigation Plan;
- Establishing facts in relation to suspicions or allegations of abuse through the collection, evaluation and management of information from a range of sources including victims/survivors, the media, reporting mechanisms etc.
- Planning and conducting interviews with individuals who may have information to offer the inquiry including potential violators and witnesses to obtain statements and corroboration;
- Seizing and retaining exhibits relevant to the investigation;
- Proceeding with the inquiry in a timely manner based on identified resources and case prioritisation;
- Managing the Case File including findings, evidence, documents, exhibits and reports;
- Maintaining confidentiality, anonymity and impartiality throughout the inquiry;
- Presenting a structured Case File Report for the information of a sports disciplinary panel or statutory authorities.

With the globalisation and transnational nature of sport, perpetrators of abuse in sport cross borders, athletes and officials move globally requiring the sharing of information within sport at national and international levels and the sharing of information with law enforcement when the abuse may be a crime. Understanding the distinctions between a criminal investigation and a sports fact-finding inquiry will assist in defining parameters for cooperation. The IOC and INTERPOL have defined these distinctions as below.²⁷¹

Distinctions between Sports Disciplinary Proceedings and Criminal Proceedings

Sports Disciplinary Proceedings	Criminal Proceedings
<i>Proceedings may be complementary, yet decisions may differ.</i>	
<i>Both proceedings require fair and efficient justice, carried out promptly, proportionately and in a transparent manner.</i>	
International vs. National Level	
<i>Disciplinary proceedings may be conducted at an international level by an international sports federation or multi-sport event organiser e.g. the Olympic Games or nationally by a national sports federation or organisation. Sports disciplinary proceedings have no powers to arrest and imprison a person convicted.</i>	Crime is always considered nationally, i.e. according to the national law. Criminal proceedings may lead to arrest. Abuse is frequently conducted across borders, requiring international collaboration in the investigation.
<i>In some States, non-criminal tribunals have been established that can be involved in sport including employment mediation/arbitration and tribunals; human rights mediation and tribunals (and public prosecutors for complainants) and sports tribunals</i>	The police, courts and other competent authorities have the legal authority to issue and enforce protection measures such as restraining or barring orders, prohibiting further contact with the victim, as well as imposing penalties for breaches of those orders.
Definition of misconduct	
<i>Disciplinary misconduct may not be a criminal offence. Some rules and laws will be similar and some not e.g. bullying may be against sports rules but generally not against the law. Sexual abuse may be against both the regulations and the law.</i>	Criminal misconduct by an athlete is a disciplinary offence (in general). The focus of a criminal investigation will most often be broader than a sports disciplinary case as the primary focus should be targeting the criminals abusing the victims and pursuing criminal networks.
Time and Resources	

²⁷¹ Adapted from IOC-INTERPOL, 2016, pp. 59-62.

<p><i>Although thorough fact-finding inquiries are time and resource intensive, sports disciplinary proceedings are generally more time efficient due to the lower standard of proof required.</i></p>	<p>Criminal investigations are generally very time-consuming and resource intensive, particularly when they are transnational in nature.</p>
<p>Jurisdiction</p>	
<p><i>Sports disciplinary law can only be applied if there is a legal relationship between the subject and the sports organisation e.g. members, persons involved in the sports organisation. The abuser may be someone outside the sports family and hence not subject to any possible action by the sports disciplinary system.</i></p>	<p>‘Nulla poena sine lege’ (no penalty without law) prohibits the enforcement of sanctions not explicitly provided for in texts. As such, some parts of abuse may be wholly within sport’s jurisdiction, some parts are wholly within the law enforcement agency’s jurisdiction and some parts may be of mutual interest to both law enforcement and a fact-finding inquiry.</p>
<p>Sports Fact-Finding Inquiry vs. Police Investigation</p>	
<p><i>Each sports organisation should establish fact-finding procedures for the management of cases of abuse including the identification of a fact-finder (such as a trained and qualified sports safeguarding officer, integrity officer, lawyer, etc.) appointed to initiate and to undertake an inquiry on behalf of the sports organisation. Such an individual would have the role of:</i></p> <ul style="list-style-type: none"> • <i>Conducting fact-finding inquiries into suspicions or allegations of abuse;</i> • <i>Establishing the facts of the said allegation or suspicion;</i> • <i>Reporting the findings to a disciplinary panel.</i> <p><i>Investigations of a breach may be conducted in conjunction with relevant competent national or international authorities (including criminal, administrative, professional and/or judicial authorities). The sports organisation may decide to pause its own investigation pending the outcome of investigations conducted by other competent authorities. It is recommended that sport fact-finders liaise with police to prevent the disruption of criminal investigations, while ensuring that the sport’s disciplinary proceeding is maintained.</i></p>	<p>Each national police force should identify an individual or team of ‘sports investigators’ who can coordinate with the national sports federations joint investigations, or to advise the sports federations as necessary. Police may be willing to ‘second’ an investigator to the sports body in order to assist in the fact-finding inquiry. This may be of particular use for those sports who do not have the capacity to investigate abuse in sport.</p> <p>The primary responsibility for initiating investigations into abuse lies with the criminal authorities and does not rest with sports or the victims subjected to violence, regardless of the level or form of abuse.</p>
<p>Aims</p>	
<p><i>A fact-finding inquiry by a sports organisation aims to establish if evidence exists that a breach of the regulations has occurred.</i></p> <p><i>Provisional suspension of the alleged perpetrator from his/her duties while any investigation takes place should be standard practice by the sport.</i></p>	<p>A criminal investigation aims to establish if evidence exists that a national criminal law has been broken, where there is a realistic prospect of conviction and public interest requires a prosecution.</p>
<p>Evidence</p>	
<p><i>All evidence may be admissible including any useful, relevant evidence and facts that have been established by any reliable means, so long as they are obtained within legal parameters (e.g. respect of human dignity and safety, natural justice).</i></p>	<p>Special investigative techniques may be used to obtain evidence so long as they are in accordance with national law and procedures, respect human rights and the general principal of proportionality e.g. seizing of material, electronic and covert surveillance, cameras, monitoring of bank accounts, controlled deliveries, and other financial investigations, fictitious business operations etc. However, certain evidence may be non-admissible in</p>

	court with protocols required to determine the parameters of admissibility.
Exchange of Information	
<i>Protocols for the Exchange of Information between sport and law enforcement should be established either formally or informally. Where there is a suspicion that a criminal act has taken place, or there is a perceived risk to the safety of someone as a result of a fact-finding inquiry, the sports organisation should report to the relevant national law enforcement agency. It is good practice to identify in advance the responsible agency and a single point of contact within that agency so that a cooperative, coordinated working relationship can be established.</i>	
Burden of proof	
<i>Burden of proof: should be on the sports organisation rather than the accused to prove that a violation has occurred. Some circumstances may presume there is an offence unless the accused disproves it.</i>	Will depend on the national law.
Standard of Proof	
<i>Balance of probabilities: a standard that implies that on the preponderance of the evidence it is more likely than not that a breach of the regulations has occurred</i>	Beyond reasonable doubt is the standard mostly used in criminal law. It is quite possible that insufficient evidence exists to prove, beyond reasonable doubt, that a criminal law was broken. However, there may be sufficient evidence to allow the disciplinary body to make a determination on the balance of probabilities that a breach of the regulations occurred.
Provisional measures	
<i>Provisional measures may be necessary to preserve the reputation of a sport and protect the victim.</i>	Depending on national law, an interim order may be imposed, which can be either a temporary restraining order or a temporary directive order.
Sanctions vs. Sentences	
<i>Sanctions may include a warning, fine, suspension, ban or other order. Often the sports sanction may be a more effective punishment and may act as a strong deterrent against misbehaviour.</i>	Sentences may include a fine, community order, prison or other order.

The Consultation Process has identified a number of areas that require extensive work, standard setting, collaboration and partnerships to be able to provide a truly victim/survivor-centred approach to investigating cases of abuse in sport, some are identified below.

Intelligence gathering: The paramountcy principle must be applied when gathering information, with extreme attention made to the trigger effect that exposing information can have on the victim/survivor and their entourage, to the extent of putting their lives in danger. Intelligence gathering must be conducted in a human rights centred way taking into account recommended procedures and standards outlined in international legal and policy frameworks. This may mean that the principal role of fact-finder is performed by the principal Care Support provider.

Expertise and collaboration may be required to gather intelligence from:

- Human Intelligence (HUMINT): including human source networks, surveillance, investigative journalists, interviews and statements, due diligence professionals, care support providers etc.
- Open source intelligence (OSINT): including dark web research, social media interrogation.
- Technical Intelligence (TECHINT): including the acquisition of electronic data from electronic devices e.g. laptops, phones, drives, watches etc.
- Law enforcement: including covert operations, parallel and coordinated investigations with law enforcement.

- Other Intelligence: including monitoring and use of specialised, non-public sports databases, locational data, document exploitation, imagery exploitation etc.

Understanding of the *modus operandi* of abusers is necessary to effectively conduct intelligence gathering. Research has found that ‘grooming’ by abusers commonly includes:

- paying for meals out and takeaways;
- arranging and often paying for trips and holidays;
- making gifts to the athletes (often clothes or kit);
- allowing athletes to do things that their parents might not allow them to do;
- ‘showing off’, most often by reference to the abusers sporting connections (including by referring to the success of other athletes that they have coached).
- threatening athletes including the use of physical violence;
- seeking to ‘normalise’ abuse with abuse often linked to the promise of a professional sporting career.²⁷²

Where abuse did take place within football, the overwhelming evidence received by the Review is that it was not witnessed by others involved in the game. Abusers were manipulative. They used elaborate grooming tactics, and their abuse was mainly conducted in private – whether in the abuser’s homes, in their cars, in secluded rooms at training grounds, or in hotel rooms – not in the sight or presence of other adults. Abusers frequently worked without supervision or oversight: they had opportunities to spend time alone with young players and, as part of their roles as coaches or trainers, or even scouts, they were able to develop exclusive relationships with young players.²⁷³

There was also “grooming” of the boys’ families. Many of the abusers sought to ingratiate themselves with the families of survivors by striking up friendships or relationships with family members (including by offering them employment), bringing “treats” for the family, or otherwise “charming” parents so as to be seen as a positive influence on the boys and someone who held the keys to their child’s success. Whilst the methods of ingratiation may have differed, I have no doubt that the purposes were the same; to disarm families, and to make the boys less likely to confront or make disclosures about their abuser.²⁷⁴

Intelligence exchange: It is fundamental to safeguard confidentiality, anonymity and protection of the victim/survivor when intelligence is required to be exchanged e.g. between sport and law enforcement. It is important to recognise existing mechanisms that may exist for intelligence exchange including National Platforms under the Council of Europe Convention on the Prevention of the Manipulation of Sports Competitions,²⁷⁵ National Anti-Doping Organisations (NADOs)²⁷⁶ and the INTERPOL Match-Fixing Task Force.²⁷⁷ Such platforms, while focused on doping and competition manipulation, may facilitate sport-law enforcement exchange and collaboration in relation to abuse cases.

Interviews: To ensure sensitivity and human rights approaches to interviews and coordination with other sports and statutory entities, particularly in the taking of victim/survivor’s statements to avoid further traumatisation.

²⁷² Para. 5.2.32-5.2.41, p. 82-84, Sheldon, C., 2021.

²⁷³ Para. 2.7, p. 15, *ibid*.

²⁷⁴ Para. 5.2.33, p. 83, *ibid*.

²⁷⁵ Network of National Platforms (Group of Copenhagen) (coe.int)

²⁷⁶ National Anti-Doping Organizations (NADO) | World Anti-Doping Agency (wada-ama.org)

²⁷⁷ Corruption in sport (interpol.int)

Reports and recommendations: Building on the experience of ombuds institutions, reports or recommendations are typically made following an investigation. Such reports are a key function with nearly all such institutions mandated to produce a regular report on their work and activities. Such should take due care to protect the privacy of individual complainants but are important in providing recommendations that are aimed at rectifying the specific problems relevant to the complaint and to any broader, systemic issues that may have been uncovered during an investigation or inquiry. Reports can serve a number of different functions, including to encourage relevant parties to rectify, mitigate, or reverse the adverse decision, policy, or law that led to a complaint, or to inform general and targeted education programs. Reports can also suggest reparations, such as payments for harm or formal apologies for mistakes or adverse effects. Reports can be divided into two main types:

1. Recommendations on specific reported concerns and their resolution;
2. Policy recommendations aimed at addressing more systemic issues.

The proper implementation of recommendations made by ombuds institutions is central to the effectiveness of these bodies.

The findings of the Consultation Process were clear (over 80%) in proposing that the entity would not issue sanctions itself, but rather refer back to the responsible sports organisation to issue and enforce sanctions. While *'arguably this [referral back to the sport] undermines the benefits of having an independent reporting and investigative service, as the organisation is ultimately responsible for imposing any sanctions'*,²⁷⁸ the respondents recognised that the determination and enforcement of sanctions should remain with the responsible sports organisations. 74% of respondents to the questionnaire were in favour of making the recommendations of the entity public, with caution expressed to ensure protection of the identities of victims/survivors.

Sports Adjudication Proceedings: To date, few sports are compliant with human rights standards in their adjudication proceedings often due to a general lack in human rights expertise and lack of procedural safeguards for victims/survivors of human rights abuses.²⁷⁹ A particular hindrance to accessing justice is the frequent lack of procedural or legal standing for a survivor to participate in the sport's disciplinary proceedings concerning their alleged aggressor,²⁸⁰ with only UEFA²⁸¹ found to have some consideration made of victim/survivor's rights as a party to the proceedings, and FIFA²⁸² providing that while victims/survivors are not considered parties to the proceedings, the victim/survivor, as a "person bound by the Code", is entitled to receive a copy of the decision taken against their aggressor.

The opportunity for victims/survivors to participate in the proceedings is important in assisting victims/survivors to avoid further trauma, including through secondary victimisation, whereby the victim/survivor is initially traumatised through the aggression itself, and then again by the fact of being ignored by the justice system, or a justice system that is not victim/survivor-centred.²⁸³ Victims/survivors of abuse must be able to testify in (sport or criminal) proceedings through adequate measures that facilitate such testimony by protecting their privacy, identity and dignity; ensuring safety during proceedings; and avoiding any 'secondary victimisation'.

It has been argued²⁸⁴ that the exclusion of a victim/survivor from sports disciplinary proceedings may be illegal under Swiss law,²⁸⁵ which is the jurisdiction of the majority of IFs, with IFs disciplinary

²⁷⁸ Sport Dispute Resolution Centre of Canada (SDRCC), 31 March 2020.

²⁷⁹ Ruggie, J., 2016, p. 10.

²⁸⁰ Diaconu, M., 2020.

²⁸¹ UEFA Disciplinary Regulations, 2020, article 37.

²⁸² FIFA Code of Ethics, 2020, article 41.3.

²⁸³ Brown, K., 2019, p. 3.

²⁸⁴ Notably see Diaconu, M., 2020.

²⁸⁵ Duval, A., 2015, p. 12.

regulations considered administrative law.²⁸⁶ Under Swiss administrative law, an individual who files a complaint concerning a wrongdoing which directly affects them and can assert an interest worthy of protection, has the right to participate in the proceedings.²⁸⁷ Such a provision is also present in Swiss criminal law,²⁸⁸ with it noted that victims/survivors of violence, abuse and harassment have legal standing in Swiss civil law proceedings.²⁸⁹ In accordance with article 29 of the Swiss Constitution with regards to general procedural guarantees, it is proposed that all IFs headquartered in Switzerland should grant victims/survivors of abuse the following rights:²⁹⁰

1. To consult the case file, either without restrictions, partially or under a confidentiality agreement, if such restriction is necessary in order to protect the rights of other participants;
2. To submit (written) observations and adduce evidence;
3. To be kept informed of the progress and of the result of the proceedings, including receiving notification of the decision; and
4. To file an appeal against the decision, if his/her complaint is rejected.

Mediation and Arbitration: The Consultation Process Questionnaire specifically asked whether the new entity should offer mediation or arbitration services, with over 76% responding favourably.

See further ‘Annex 10. International Legal and Policy Frameworks: Intelligence, Investigations and Adjudication’.

Case Studies: Intelligence, Investigations and Adjudication

Court of Arbitration for Sport (CAS) “Sport and Human Rights: Overview from a CAS perspective”²⁹¹

- I. *Human rights in sport regulation*
- II. *Selected CAS cases related to human rights issues*
- III. *Sport and the European Convention on Human Rights (ECHR)*
- IV. *SFT judgements dealing with the application of human rights in CAS matters*
- V. *List of CAS arbitrators with a human rights competence*
- VI. *List of topics related to Human Rights in sport discussed at past CAS seminars*

Court of Arbitration for Sport (CAS), 2019/A/6388, *Karim Keramuddin v. FIFA*

Para. 124. Preliminarily, the Panel underlines that, as a matter of principle, the hearing of “anonymous” witnesses is not per se prohibited as running against the fundamental right to a fair trial, as recognized by the ECHR (Article 6) and the Swiss Constitution (art. 29(2)).

Para. 125. The European Court of Human Rights (the “ECtHR”), in fact, allowed the use of “protected” or “anonymous” witnesses even in criminal cases [...]

Para. 135. In light of the witnesses’ interest in keeping their identities anonymous, the Panel found that it could strike a proper balance between the Appellant’s right to be heard and to a fair trial and the necessity to protect witnesses’ interest.

Court of Arbitration for Sport (CAS), 2019/A/6345, *Club Raja Casablanca v. Fédération Internationale de Football Association (FIFA)*, award of 16 December 2019

Para. 35. To the extent that there are gaps in these statutes [FIFA Statutes], the Sole Arbitrator will have recourse to Swiss law (which, anyway reflects a standard of protection of human rights at least

²⁸⁶ See Swiss Federal Tribunal judgment 2A.191 / 2003 of January 22, 2004; ATF 109 Ia 217 at 4a p. 229.

²⁸⁷ Swiss Federal Tribunal judgment 2C_642 / 2011 of February 20, 2012 and Article 6 of the Federal Act on Administrative Procedure.

²⁸⁸ Article 301 par. 3 Swiss Penal Code.

²⁸⁹ Article 28b Civil Code (introduced in 2006).

²⁹⁰ As proposed by Diaconu, M., 2020.

²⁹¹ Rochefoucauld, E., Reeb, M., March 2021.

equivalent to that embedded in the European Convention on Human Rights) in order to fill the observed gaps.

FIFA, Adjudicatory Chamber

*It was due to the exposure created by the media and various NGOs involved in the fight against sexual harassment and the protection of human rights, and the bravery of some of the victims and witnesses, who decided to speak out despite fearing for repercussions, that the matter was discovered and could be investigated and prosecuted.*²⁹²

UK Sports Resolutions, National Safeguarding Panel²⁹³

The National Safeguarding Panel (NSP) supports NGBs in the professional management of safeguarding complaints and concerns. It provides three key services:

- *Independent investigations and reviews into safeguarding complaints and concerns; and*
- *Independent arbitration in place of a NGB's disciplinary or appeals panel.*
- *Expert Risk Assessment of an individual's suitability to work with children and adults at risk.*

The NSP works in tandem with NGB safeguarding systems and provides professional support in cases of significant complexity or seriousness, which present risks to children, young people, vulnerable adults or to the reputation of a sport. The NSP is also appropriate in cases where an independent and "arm's length" approach is required. The NSP is not intended to replace the need for NGBs to establish their own policies, procedures, and systems for dealing with child safeguarding complaints and concerns. The NSPCC Child Protection in Sport Unit have established an integrated Case Management Model²⁹⁴ for safeguarding complaints and concerns.

World Anti-doping Code (WADC) 2021

13.2.2 Appeals Involving Other Athletes or Other Persons

In cases where Article 13.2.1 is not applicable [Appeals Involving International-Level Athletes or International Events where the decision may be appealed exclusively to CAS], the decision may be appealed to an appellate body in accordance with rules established by the National Anti-Doping Organization. The rules for such appeal shall respect the following principles:

- *a timely hearing;*
- *a fair, impartial, and Operationally Independent and Institutionally Independent hearing panel;*
- *the right to be represented by counsel at the Person's own expense; and*
- *a timely, written, reasoned decision.*

*If no such body as described above is in place and available at the time of the appeal, the Athlete or other Person shall have a right to appeal to CAS.*²⁹⁵

²⁹² Para. 182, FIFA, 18 November 2020.

²⁹³ Sport Resolutions | Dispute Resolution Services

²⁹⁴ Deal with a concern | NSPCC Child Protection in Sport Unit (thecpsu.org.uk)

²⁹⁵ Clarification of the standards of independence that apply to the adjudicatory bodies. Based on Art. 6 (1) of the European Convention on Human Rights ("ECHR"), different standards apply to the first and the second instances. According to this provision, only one instance needs to comply with all procedural guarantees of Art. 6 (1) ECHR (including the principle of independence). This requirement is always met if a final appeal to the CAS is possible, since the CAS has been found [by the ECtHR in the *Mutu Pechstein case*, 02.10.2018, no138 et seq.] to be a true and independent arbitral tribunal which, in addition, respects the athletes' right to a public hearing (cf. Art. R57 (2)). If the appellate body established by the rules of a NADO is competent to (finally) decide the case, Art. 13.2.2 WADC 2021 ensures that the same standards are met at the local appellate level. Otherwise, the athlete or other person has a right to appeal the first instance decision directly to the CAS', Haas U., March 2020 as cited in de la Rochefoucauld, E., Reeb, M., March 2021.

B. Recommendations for the entity: Intelligence and Investigations

Summary of Objectives: Intelligence and Investigations

Global Network of Investigators

To identify and coordinate a **Global Network of Investigators** composed of:

- statutory authorities, notably child protection and criminal; and
- local and regional experts in victim/survivor-centred approaches to investigations who can be promptly mobilised by the entity to undertake Case Management. Recommended prioritisation based on incoming cases and identified need (Phase 1).

Case Management (working closely with services outlined under A.2. Care Support)

To provide specialist victim/survivor-centred **intelligence gathering and investigative services (fact-finding)**, supplementary to and not precluding coordination with national authority proceedings. Case management would be coordinated and overseen by the entity working closely through its Global Networks (Phase 1).

To issue an **Investigation Case File Report** to the responsible Sports Federation following an investigation. Based on the Report from the entity, the **sport is responsible for sanctioning and enforcing the sanction**. If a responsible sports federation fails to implement a disciplinary proceeding based on the evidence collected by the entity, the entity may resort to pressure such as informing the media, public, civil society, government, partners etc., and potentially lodging a claim with the Court of Arbitration for Sport (CAS) should a specific arbitration clause be statutorily adopted by the relevant sports federation.

To define the parameters of a **collaboration with INTERPOL** and other multi-lateral entities necessary to deliver the Intelligence and Investigation mandate recognising the importance of **victim/survivor agency** (Phase 1).

To publish an **Annual Report of Reported Concerns** containing information on all concerns received and information about how they were handled by the entity and the sport (respecting privacy, security and data protection obligations, anonymising as needed), or alternatively examples of how different concerns were dealt with.

Upon request, the entity may provide **mediation** or other services that facilitate the provision of remedy (Phase 3).

Details of Objectives: Intelligence and Investigations

The entity itself is not criminal nor adversarial in nature, rather the entity provides an independent, impartial mechanism that should remain at arms distance from the sports organisation concerned to reduce any conflicts of interest.

Phase 1:

- Establish the investigation and intelligence gathering powers to be attributed to the I&I unit.
- Establish procedures for the entity to ensure **victim/survivor-centred Intelligence Gathering and Investigations** in relation to data protection and privacy, interviews (especially of children), evidence management etc. based on international standards, guidelines, evidence-based practice, independent research and evaluation and training.

- Identify an Intelligence and Investigation (**Case Management**) **technological system** to use and hire skilled I. and I. staff to ensure that the entire process considers the wellbeing, security and interests of the victim/survivor.
- Ensure the entity's **right of appeal to CAS** is provided in the statutes of the entity and of partner organisations e.g. in case of a sport not responding to the findings of the entity.
Focus on the establishment of **Global Networks of Care Support and Investigators** addressing jurisdictions that the Consultation Process and research has informed are particularly 'at risk'.

Phase 2:

- Establish Guidelines for **victim/survivor-centred Sports Disciplinary Proceedings** that can subsequently be applied by sport including national federations, international federations and the Court of Arbitration for Sport in line with already established international human rights standards.
- Support sports in implementing the standards for victim/survivor-centred investigations and disciplinary proceedings.

Phase 3:

- Expand the Global Networks.
- Define and establish Mediation or other services that facilitate the provision of remedy.

Global Network of Local Investigators

The entity should identify and coordinate an international network of local victim/survivor-centred expert investigators who can be promptly mobilised as needed. This Network should be closely aligned with the Care Support providers acknowledging that victims/survivors may only provide actionable intelligence once they feel safe and supported. The principal Care Support Provider may be the principal interface between the victim/survivor and the other services required (including police, other social services, sports etc.). The Network of Investigators may include experts specialised in international criminal and human rights investigations, in conducting trauma informed interviews, gathering and analysing complex evidence and with the analytical skills to write a report, sexual and gender-based violence (SGBV) experts, forensic experts, prosecutors, military analysts, psychosocial experts, witness and victim/survivor support, legal analysts, child rights experts, human rights lawyers, former law enforcement personnel with experience in investigating cases of abuse within the region etc. Potential partners in identifying such experts may include INTERPOL, EUROPOL, the International Olympic Committee, UN agencies especially UNODC, ECPAT International, the Justice Rapid Response expert roster,²⁹⁶ specialised investigative journalists and civil society partners. They may or may not have worked in sport.

The entity must conduct a thorough vetting process and assessment based on a standard set of criteria of all partners and organisations that it works with.

Such professionals may support the entity in conducting investigations into cases of abuse in sport over which the entity has jurisdiction. The Network will complement the entities internal intelligence analysts and investigators. These individuals may be the primary point of contact for all disclosures from the Initial Assessment phase. Their responsibilities will include making referrals to Care Support, liaising with statutory authorities, assisting with activating and navigating avenues for remedy, and undertaking investigations as necessary.

²⁹⁶ JRR – Justice Rapid Response

The establishment of a Global Network of Investigators specialised in human rights investigations will notably:

- Give priority to the immediate situation, to provide Care Support and to resolve issues independently and impartially and to prevent their recurrence, rather than to punish an offender or an individual for an act of wrongdoing;
- Enable investigations to be kept at arm's length from the sports organisation concerned;
- Be less resource intensive for individual sports rather than having their own investigators trained in what are hopefully rare, but delicate and complex investigations;
- Enable continued training and education of a small pool of individuals helping to share knowledge and best practices.

Case Management²⁹⁷

Partnership with INTERPOL

It is proposed that a partnership is established with INTERPOL that may include the following activities (subject to internal assessment and validation):

- Use the model of the INTERPOL Match-Fixing Task Force (IMFTF)²⁹⁸ to also cover crimes of abuse in sport (by reviewing its structure, functions and scope), enabling a national single point of contact within law enforcement agencies to collaborate globally and coordinate investigations at the national level with the designated sport's investigators. The IMFTF currently has 95 member units from jurisdictions in five continents, with more than 145 national points of contact worldwide.
- Partner with INTERPOL's Vulnerable Communities Sub Directorate. The partnership could lead to:
 - Joining Interpol's Specialist Group on Crimes Against Children (SGCAC);²⁹⁹
 - Establishing and coordinating national Law Enforcement Agency (LEA) Points of Contact for the sports sector.
- Deployment of INTERPOL Incident Response Teams (IRT) to support national law enforcement as needed. The deployment of an INTERPOL IRT could lead to:
 - Establishment of an effective reporting mechanism for victims/survivors of abuse at the national level;
 - Facilitating an increase in the number of reported cases of sexual exploitation and abuse by the vulnerable communities;
 - Acting as a deterrent against any abuse by potential perpetrators as they will be aware that their actions will be under scrutiny;
 - Frontline LEAs' awareness and skills increased through concrete field-based action about investigating techniques, statements/interviews collection, evidence, searches, etc.;
 - Lessons learned to be included in a best practices scheme, which may serve as a reference for further trainings in the country of the IRT deployment.
- Capacity building programme to train sport and law enforcement to investigate abuse in sport using a victim/survivor-centred approach. The programme could lead to:
 - Increasing the sport sector's understanding of the role of LEA, what LEA needs to act efficiently and successfully, and how INTERPOL can support this process, and build/improve the capacity on actions to take when Sexual Exploitation, Abuse and Sexual Harassment (SEAH) is reported to them;
 - Draft guidelines for the sport-sector reporting to LEA (in general and by jurisdiction where possible);

²⁹⁷ A simplified version of the Intelligence and Investigation Procedure should be made available on the website. Good practice should be drawn from publications such as INTERPOL-IOC, 2016a; Sport Resolutions 2021.

²⁹⁸ Corruption in sport (interpol.int)

²⁹⁹ Our response to crimes against children (interpol.int)

- Encourage the creation of a sport sector investigative-staff forum for mutual assistance, and sharing of experience and best practice;
- Create a dedicated workspace on INTERPOL's Global Knowledge Hub (GKH) platform, providing a space for collaboration and information sharing between end users.
- Collaboration with Operation Soteria (see below).
- Collaboration to ensure the use of INTERPOL's Information Sharing mechanisms, such as Green and Purples Notices.³⁰⁰ The activities around the Information Sharing and Notices component would seek to:
 - Provide warning about a person's criminal activities, where the person is considered to be a possible threat to public safety.
 - Increase awareness amongst LEA's of the incidence of SEAH within the sport sector through the publication of INTERPOL Purple Notices.
 - Enhance the INTERPOL Notices system to identify individuals who intend to travel internationally for the purpose of employment or volunteering in sports organisations and who may pose a risk to children or vulnerable adults.

Investigation Procedure

Upon receipt of a report and following the triage undertaken at the Initial Assessment phase, the entity may support the requesting entity/individual in:

- Identifying care support.
- Ensuring all investigation processes and steps comply with relevant Data Protection and Privacy legislation in the collection, passing and storage of information.
- Identifying if a full investigation is warranted, or to determine if the complaint should be referred to another organisation e.g. to statutory authorities or back to the sports organisation if such is appropriate to do so. If safe and appropriate, opening an investigation with a formal letter to the organisation concerned, requesting additional information, field visits, interviews, etc.
- Identifying investigators to assist in the conduct of the fact-finding inquiry from within the Global Network of Investigators based on the skill set required, priorities, etc.
- Drafting and overseeing Terms of Reference between the requesting entity (or the entity itself based on the agreement between the member and the entity) and the care support providers/investigators outlining parameters for support, assurances of protection and security, to ensure the investigation is completed on time and within budget.
- Coordinating referral to the appropriate national statutory authorities.
- Facilitating administrative and further investigative support as needed.

Criminal Conduct Protocol

- A Protocol should be elaborated for defining the procedure when criminal, or suspected criminal behaviour is revealed and how parallel sport/criminal proceedings are to progress. It is recognised that the entity is not a substitute for statutory authorities, rather offering a parallel framework to access remedy.
- Behavior may not always meet the criminal standard of proof (beyond reasonable doubt in most jurisdictions), yet sport has the possibility to enforce provisional measures such as the provisional suspension of a suspect if 'risky' behavior has been reported.
- The involvement of external agencies should remain an option at every stage of the process.
- The Protocol may include:
 - establishment of a formal partnership between the entity and INTERPOL;
 - behaviour being reported to the statutory authorities (through INTERPOL or the police National Central Bureau (NCB) in the jurisdiction where the entity is established);
 - reporting when a case has a multi-jurisdictional dimension;

³⁰⁰ About Notices (interpol.int)

- identification of Single Points of Contact within national statutory authorities;
- collaboration throughout the investigative process to ensure that the sports disciplinary proceedings do not incriminate individuals or prejudice a criminal investigation.
- A Risk Assessment should be taken to understand the potential risk of individuals who were either acquitted after a criminal trial or where the police or statutory authorities decided to take no further action.

Care Support

To identify care support (in accordance with Care Support procedures outlined above) in collaboration with the above identified statutory authorities (or other local care support providers from the Global Network of Local Care Support).

Designated Investigators

If a formal investigation is opened, the Intelligence and Investigation team of the entity will:

- Identify local investigator/s to assist in the conduct of the fact-finding inquiry from within the entity staff and the Global Network of Investigators. It is recommended that the internal entity investigator provides an oversight role over the investigator appointed from the Global Network.
- Gather intelligence including reviewing documents, interviewing the people involved in the matter and any witnesses to the wrongdoing in accordance with recognised human rights procedures. The organisation that is being investigated should be provided a chance to respond (extreme caution to ensure protection of victims/survivors).
- The entity should provide oversight of the entire investigation process.

Interviewing

In compliance with international standards, and where available national standards, with regards to interviewing victims/survivors of abuse, interviews should always ensure that the collection of evidence takes into account the unique needs, age and perspectives of the victims/survivors, respects their dignity and integrity and minimises intrusion into their lives. At all times, the victims/survivors (or their parents or legal guardian) must be informed of their rights, relevant procedures and the availability of legal aid, assistance and redress. When victims/survivors of violence are the subject of intimidation, threats or harm, immediate and effective action to ensure their safety must be prioritised.

Investigator's Report

The responsible investigator/s will prepare a Case File Report that outlines the facts identified and whether the alleged conduct occurred. The report may include recommended sanctions for the sport.

Investigative Panel

As a form of accountability, for the most serious cases, it is recommended that the Investigator's Case File Report will be submitted to an Investigative Panel for final consideration with regards to the facts contained in the Report. It is recommended that a three-person Panel is established to decide on each case brought before it. The Panel may issue a request for a more extensive investigation based on the need to consider certain issues, findings of fact, await parallel investigative findings, convene an external panel of Care Support providers to review the Investigator's Report and to determine if certain factors were considered appropriately (known as the Philadelphia Model) or to issue the Investigation Case File Report.

Investigation Case File Report

The issuing of Reports is a key function of the entity. Reports may seek to rectify, mitigate, or reverse the specific problems relevant to the complaint. The Report may include recommendations for

sanctioning although it is the responsibility of the sport to issues sanctions (see below under Sanctions). Reports can be divided into two main types:

1. Recommendations on specific reported concerns and their resolution.
2. Policy recommendations aimed at addressing broader, more systemic issues that may have been uncovered during the investigation.

Based on the Case File Report, that is effectively a fact-finding report, the sport's governing body is responsible for conducting its own disciplinary processes and issuing and enforcing the sanction. The entity is not responsible for issuing and enforcing sanctions. It is recommended that adherence to a human rights approach in the disciplinary process of partner sports is adhered to and that any outcome of cases is communicated in a way that is victim/survivor centric.

The entity should provide a reasonable timeline for the responsible entity to issue sanctions and make the recommended changes based on the Report issued by the entity. Where a sport considers that it cannot implement the entity's Report, it should inform the entity of the reasoning behind such a decision and any proposed alternative resolution to the complaint.

If a responsible sports entity fails to implement or refuses to take notice of the Report made by the entity, the entity may resort to pressure e.g. informing civil society, government, partners, etc. However, such must be only where no further harm will be caused and with relative surety that it will contribute to improving the system and supporting victims/survivors rather than for the sole purpose of highlighting weaknesses of the sport. The entity staff will follow up to ensure Reports have been implemented.

Appeals

No appeals can be made of the Case File Report, although complaints about the entity's recommendations may be submitted to the management team.

Should a specific arbitration clause be statutorily adopted by the relevant sports federation, the entity may be in the position to lodge a claim with the Court of Arbitration for Sport (CAS) in case of non-action based on the Report. Rights of appeal remain with the internal appeal structures of each sport, and ultimately to CAS. It is recommended that all final decisions are made public to prevent individuals reoffending in another jurisdiction or sport. Final decisions issued by a sport should be submitted to the entity for inclusion in the 'International Database' (see below).

Both the complainant and the subject of the complaint should be informed immediately of the result.

Closing a Case and Learning from the Process

All reports should be entered in a single database that includes a record of the report, the setting or context in which the alleged abuse took place and the steps taken, including in cases where the investigation was closed or the alleged perpetrator was found not guilty.

There should be systematic analysis of all cases to detect structural and procedural malfunctions leading to improved practices and processes within the entity including a regular review and revision of the Intelligence and Investigation Procedure (at least on an annual basis).

There should be continual oversight of the enforcement of Reports made by the entity through input into the International Database.

Mediation Services

Once firmly established as an entity, it may also offer mediation or other services that facilitate the provision of remedy. It is important to recognise that arbitration is rarely an appropriate response for serious abuse. In this regard, it is important to recall that the Court of Arbitration for Sport (CAS) is an arbitral tribunal with jurisdiction through contract – it is not the equivalent of a State judicial body. Any mediation process must have very clear means to redress the power imbalance with a specially trained neutral facilitator (the mediator) potentially providing a confidential setting to bring together those involved in a case to reach a joint settlement. Mediation is often a swift and cost-effective way of bringing the parties to an agreed solution. The Mediation services may include:

- Selection and appointment of a specially trained neutral facilitator with a good understanding of the sport;
- Organisation of the mediation using the Mediation Procedure (to be developed).
- Mediation of the dispute and assistance to finalise a settlement agreement between the parties.

Sports Disciplinary Proceedings – a Human Rights Approach

While the global sports system is effectively a parallel system to that regulated under international and national law, resort to national, regional or international courts may be and is an option, especially when human rights are infringed. Increasingly, the global sports disciplinary system recognises its responsibility and obligation to consider human rights norms and standards in the resolution of sports disputes.

It is important that investigations conducted by the entity, support provided to sports organisations and any standard setting made by the entity take a human rights approach, taking into account the following considerations:

- Human rights expertise on disciplinary tribunals/specialist tribunals of international federations, national federations, national sports tribunals, Court of Arbitration for Sport etc.
- Application of human rights norms and good practices in disciplinary proceedings³⁰¹ based on recognised international standards such as the UNODC Compendium of United Nations standards and norms in crime prevention and criminal justice,³⁰² Council of Europe Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice, and the Barnahus approach. Such standards could include:
 - consideration of the place and role, views, rights and needs of the victim/survivor in sports disciplinary proceedings that includes respect for the principles of participation, best interests of the child, dignity, protection from discrimination and rule of law;
 - right to access the various avenues to justice and care support throughout the process;
 - sensitivity to the victim/survivor throughout the process;
 - fully recognising victim/survivors' procedural standing and right to participate in the process including the right;
 - to consult the case file, either without restrictions, partially or under a confidentiality agreement, if such restriction is necessary in order to protect the rights of other participants;
 - to submit (written) observations and adduce evidence and to have their views, needs and concerns presented, directly or through an intermediary, and considered;
 - to enable victims/survivors to testify, without being present or at least without the presence of the alleged perpetrator, notably through the use of appropriate communication technologies, where available.
 - to be kept informed of the progress and of the result of the proceedings, including receiving notification of the decision; and

³⁰¹ See de la Rochefoucauld, E., Reeb, M., March 2021.

³⁰² UNODC, 2016.

- to file an appeal against the decision, if his/her complaint is rejected.
- right to protection of the privacy and the image of the victim/survivor;
- right to a fair trial;
- limitation on the number of appeals that may be made to provide a clear timeframe to the disciplinary process;
- providing victims/survivors with independent and competent interpreters when victims/survivors are parties to proceedings or when they are supplying evidence;
- avoiding contact between victims/survivors and perpetrators where possible;
- that the defence of statute of limitations should be used only in exceptional cases.

Sanctions and Enforcement

The Consultation Process has informed the decision that the entity will not be responsible for issuing sanctions and enforcing those sanctions. Rather, as part of its Case Rile Report to the responsible sports organisations, the entity may include recommendations for sanctions. The disciplinary process and sanctions would be carried out by the responsible sports entity. Failure to sanction may trigger the entity appealing to CAS.

As part of its mandate to provide 'Prevention' support (see below), it is recommended that the entity and the responsible sports organisation work closely together to ensure support is provided in ensuring harmonisation of sanctions and enforcement of sanctions.

A common sanctioning framework is needed covering a range of offences so that sanctions issued by sports are proportionate to the misconduct and harmonised. This should be informed by a database that is kept continually updated to consider precedent both from within sport and the judicial system to determine deterrent, fair and appropriate sanctions that take account of the nature, severity and duration of the abuse itself and of its immediate effects, as well as any long-term psychiatric harm that it may have caused. Sanctions that a sport may consider include:

- Punishment of offenders: a life ban, suspension, fine, or a combination, depending on the scope and severity of the offence.
- Holding the responsible sports organisations to account:
 - Through acknowledgement and recognition;
 - Through apologies and explanations including an apology for mistakes or adverse effects. It is important that those in authority acknowledge the abuse and explain why it was allowed to happen;
 - Providing a certain time limit for the organisation to reform with consequences for non-conformity such as appointing a normalisation committee, withholding development funding, non-eligibility to participate in tournaments, suspension from membership of the IF, etc.
 - Assurances of non-recurrence: Many victims/survivors want assurances that other victims/survivors will be protected in the future. Listening to and recognising the abuse might help prevent it from happening again. The sports organisation may need to reconsider a decision it did not take properly in the first place and improve its procedures so similar cases do not occur again.
- Redress: Each victim/survivor should be made aware of the various avenues for redress. Such may include possible reparations/compensation for reasonable expenses or costs incurred or harm suffered.
- Care Support: The provision of support is an important form of reparation with it recognised that sports may need to make a clear commitment to provide needed Care Support to the victim/survivor.
- Policy recommendations: aimed at addressing broader, more systemic issues such as the need to appoint a Safeguarding Officer, cultural changes, gender balance, etc.

It has been recommended that the enforcement of sanctions is made possible through the following mechanisms and efforts:

- Guidelines on Sanctioning (see below under Prevention);
- Funding: to link enforcement of the sanctions and the recommended structural changes that may emerge from an investigation to the funding provided either by the International Sports Federation, the IOC, or governmental grants.

Compliance, Audits and Annual Reports

The Consultation Process found that the entity having a compliance function could assist in providing the necessary assurance that all cases were being managed as promptly and robustly as should be expected. Such audits are a valuable way of ensuring that institutions are doing what is required to safeguard children and vulnerable adults and to remedy any deficiencies. However, the majority involved in the Consultation Process identified that any compliance type function should be approached cautiously, applying a phased approach starting with Annual Reports prior to moving into an independent compliance, monitoring and evaluation role.

Annual Reports

An Annual Report of Reported Concerns should be published containing information on all cases received and information about how they were handled (respecting privacy and data protection obligations) or alternatively, examples of how different sorts of issues were dealt with. By doing so, the entity takes a proactive and transparent stance towards fighting abuse in sport and enabling victims/survivors and their communities to see that justice has been served.

The Annual Report may include publication of a sport's response to reported allegations of abuse received by the entity, case reviews and investigations undertaken (by the entity on behalf of the sport or by the sport itself) and implementation of the entity's Case File Reports. Such an external review would promote compliance, accountability, trust and transparency. A clear procedure should be established within the rules of partnership for dealing with cases of non-compliance.

Alternatively, partner organisations submit to the entity proof of reviewing and investigating allegations of abuse, in particular those reported through the new entity, and the implementation status of the Case File Report (e.g. within a 12 month period, provided by the Audit and Compliance and/or Governance Committee or the equivalent body of the partner). The entity may announce publicly as 'non-compliant' those partners that have not investigated reports of abuse, or appointed the entity to do so, nor implemented the resultant Case File Report satisfactorily. A similar process could be established for international-national federation relations and linked with the subsequent appointment of a 'normalisation committee' (in extreme cases) to run the affairs of the national federation, to ensure good governance requirements are met.

Independent Audits

The provision of an independent audit of partner organisations investigation of reports of abuse (by the sport or entity on the sports behalf) and implementation of the subsequent Case File Report established by the entity within a defined time period is recommended. Each sport would be responsible for the hearing and implementation of the Case File Report compiled by the entity (where mandated to carry out the investigation on behalf of the sport).

To provide periodic, independent, impartial audits of partner organisations with expected standards established in the partnership agreement with the entity and with other entities such as the Association of Summer Olympic International Federations (ASOIF) Good Governance Reviews, the implementation by national federations of international federations regulations and policy requirements, etc.

C. PREVENTION

C.1. Prevention through Education

The role of the entity in preventing abuse in sport is to provide an international knowledge hub of expertise, guidance and support, and as a repository for various tools and initiatives to support the preventative efforts of sport, including an International Database and Integrity Screening. The commitment to prevention does not lessen the obligation of States and sports to respond effectively when abuse occurs. It is recognised that systemic cultural change may be required in certain jurisdictions to break down abusive behaviour that has become normalised, to identify and sanction the perpetrators, to build the capacity for sport to remain a safe sport for its participants while, at all stages of the process, ensuring that victims/survivors are supported.

Prevention is linked with well governed sports organisations that recognise their duty of care. By identifying and mitigating the risk of abuse through preventative measures, as well as addressing cases of abuse when they arise, sport may remain a safe space. Through understanding and knowledge, denial may be overcome, reporting of abuse will occur and steps taken to address cultural issues and concerns, acknowledge responsibility and develop the support required to move forward.

The frameworks and resources identified below are far from exhaustive as a range of sports, Member States and entities have established educational and risk management tools and resources, research and policy frameworks that are focused on the prevention of abuse in sport.

See further, ‘Annex 11, International Legal, Policy and Frameworks and Resources: Prevention’.

Case Studies: Sport’s Prevention Tools and Resources

FIFA Guardians™ Programme and Toolkit

The toolkit is a practical handbook for FIFA’s 211 member associations on the steps needed to develop and implement policies and procedures to prevent and address harm and ensure the well-being of everyone in football, especially children.

FIFA Guardians™ Safeguarding in Sport Diploma

This FIFA Guardians™ Safeguarding in Sport Diploma, developed with the Open University, provides a series of five online courses, tutor assignments, webinars, and a residential workshop over a 2-year open learning programme. The Diploma is designed to professionalise the role of Safeguarding Officers within FIFA’s 211 Member Associations (known as “FIFA Learners”). The five online courses are also open and freely accessible to other learners (“Open Learners”) from any sport or sector, who want to learn more about safeguarding in sport. If they successfully complete all five courses online, they will be awarded the FIFA Guardians Safeguarding in Sports Award by the Open University.

IOC, Athlete 365, Safe Sport

Safe Sport is an environment where athletes can train and compete in healthy and supportive surroundings; an environment which is respectful, equitable, and free from all forms of harassment and abuse. Knowing your rights, treating others with respect, knowing how and where to report, and feeling supported in doing so all help to create a safe sport environment.

IOC, Athlete 365, What is consent?

Achieving sporting success is the ultimate goal of all athletes, but reaching your potential has to be accomplished on your own terms. That means consenting to the conditions you train in and agreeing on what makes you feel comfortable. But what is consent?

IOC, Safe Sport Directory

Witnessing harassment and abuse and not saying anything can give the impression that the behaviour is OK. If you're experiencing or if you suspect someone else is suffering from harassment and abuse, it is important that you feel supported and know how and where to report. Find the details of your IF's and/or NOC's safeguarding policy and reporting process through our online directory below.

IOC, Safe Sport Toolkit

Released in November 2017, the IOC Athlete Safeguarding Toolkit was created in collaboration with over 50 stakeholders from inside and outside the Olympic Movement, including, athletes, IFs, NOCs and subject matter experts.

The Toolkit is a step-by-step guide which focuses on helping organisations to develop two main policies:

- 1. Competition-specific policies and procedures: applicable during any sports competitions sanctioned by the organisation, for example a world cup or national championship for International Federations;*
- 2. Organisational policies and procedures: they refer to a policy that is in place all year round. It may be intended to safeguard all athletes and individuals who are linked to an organisation.*

In recognition that organisational, cultural and logistical differences occur between sports organisations, the IOC Toolkit offers a multi-tiered solutions-based approach to the core components of athlete-safeguarding policies and procedures.

International Safeguarding Children in Sport Working Group, International Safeguards for Children in Sport: A Guide for Organisations who work with Children

This guide will help you on your journey to develop, implement and embed these Safeguards. It includes explanations of what each Safeguard means, questions to prompt you to consider relevant issues and examples from organisations that have already started putting the Safeguards into practice.

Terre des Hommes-UEFA, child safeguarding

UEFA-safeguarding.eu is a digital platform, developed in partnership between UEFA and Terre des hommes Foundation, providing a central online information and learning resource aiming at enhancing the knowledge, skills and practices in football to build capacity for creating safer football environments so that all children who play football are kept safe from any form of harm or abuse.

United Kingdom Independent Review into Child Sexual Abuse in Football 1970-2005³⁰³

- Recommendation 1: I recommend that the FA should make arrangements to encourage all parents/carers to receive safeguarding training. If parents or carers, particularly parents or carers of children playing football intensively and at a high level, received tailored training on identifying signs of abuse and grooming behaviour, this might allow concerns to be caught earlier. Parents and carers would also have the confidence to talk to the children about safeguarding issues, and children would feel comfortable that their parents or carers would understand their concerns.*
- Recommendation 2: I recommend that the FA should make arrangements for all players and young people to receive safeguarding training.*
- Recommendation 3: I recommend that FA Board and Senior Management Team ("SMT") members should receive safeguarding training on a regular basis: every three years.*

³⁰³ Sheldon, C., 2021.

- *Recommendation 4: I recommend that the FA should require the Board of Directors of professional clubs to receive safeguarding training on a regular basis: every three years, and should encourage professional club boards to engage in safeguarding strategy and implementation.*
- *Recommendation 5: I recommend that the FA should require all those engaging in a regulated activity, including managers and coaches of junior teams (under 18s) and open-age teams (teams comprised of adults and 16-17 year olds) at grassroots clubs to receive safeguarding training as part of their clubs' affiliation to their County FA.*
- *Recommendation 10: I recommend that the FA should ensure that the Safeguarding Officer in professional clubs should report on a regular basis to their club's Board on safeguarding matters. The Safeguarding Officer at each of the Premier League and English Football League ("EFL") Championship clubs should be a dedicated, full-time, salaried post, with suitable qualifications and experience. In EFL Leagues 1 & 2, the Safeguarding Officer should, as a minimum, be a part-time salaried post, with suitable qualifications and experience, and 50% of their time should be dedicated to safeguarding.³⁰⁴*

U.S. Centre for SafeSport, *Minor Athlete Abuse Prevention Policies*, 2019³⁰⁵

Prevention Training

Federal law authorizes the Center to develop training to prevent abuse, including emotional, physical, and sexual abuse, of any amateur athlete. At a minimum, national governing bodies and paralympic sports organizations must offer and give consistent training related to the prevention of child abuse to:

1. *adult members who are in regular contact with amateur athletes who are minors and*
2. *subject to parental consent, to members who are minors.*

Prevention Policies

Federal law also authorizes the Center to develop policies and procedures for implementation by national governing bodies or paralympic sports organizations to prevent abuse, including emotional, physical, and sexual abuse, of any amateur athlete. As a part of these policies and procedures, national governing bodies and paralympic sports organizations must implement reasonable procedures to limit one-on-one interactions between an amateur athlete who is a minor and an adult (who is not the minor's legal guardian) at a facility under the jurisdiction of a national governing body or paralympic sports organization without being in an observable and interruptible distance from another adult, except under emergency circumstances.

³⁰⁴ p.33-39, *ibid*.

³⁰⁵ U.S. Centre for SafeSport, 23 January 2019; see also Johnson, N., Hanna, K., Novak, J., and Giardino, A, P., 2020.

C.1. Recommendations for the entity: Knowledge Hub

C.1. Summary of Objectives: Knowledge Hub

- To develop a **website** that provides a hub of resources to primarily help individuals navigate their options, including access to a Database of Reporting Mechanisms and Care Support resources (Phase 1).
- The website should provide **signposting to safeguarding educational tools and resources**, in diverse languages, to assist victims and members in preventing abuse in sport. Such resources may include educational tools, advocacy, capacity building and training resources developed by the IOC,¹ IFs such as FIFA,¹ governmental and multi-lateral organisations including UN agencies and other civil-society and expert entities (Phase 2).
- To collaborate with expert entities in developing **Guidelines for IFs**, their national federations and other stakeholders based on good practice within international human rights standards in relation to offences, sports disciplinary processes and sanctioning (Phase 2).
- To cooperate in the **capacity building** of sport and law enforcement to investigate abuse in sport using a victim/survivor-centred approach and to enhance the **capacity of sports organisations** to conduct their **own investigations** (Phase 3).

Details of Objectives: Knowledge Hub

Prevention must be a key cornerstone of the entity but should not be detrimental to the urgent need for trusted, independent reporting lines, the protection and care support for victims/survivors of abuse and victim/survivor-centred investigations to establish sport as a safe space. The preventative work that is being undertaken to date in the safeguarding space is relatively substantial and is to be commended, albeit this work requires ongoing investment across sports with preventive safeguarding and child protection measures needing to be a mandatory requirement and an obligation for funding.

Website

Intensive training and education of all stakeholders is required but must remain as a key responsibility of each sport and of the IOC to support its IFs. To avoid duplication with work undertaken by other entities, it is recommended that collaboration is established to reinforce and provide signposting to ongoing preventative work including policies, educational tools, advocacy programmes and resources notably of the IOC,³⁰⁶ IFs including FIFA,³⁰⁷ governments, athletes unions, and other international stakeholders in sport.

The website should also provide an overview of **victim/survivor-centred ‘good practice’** that has been identified through the application of a set of comparable ‘indicators’ for the prevention and handling of cases, research papers, norms, standards and policy decisions.

Establishment of **Country Profiles** will assist in providing tailored approaches in the delivery of the services of the entity; such would be internal to the entity and may be developed in collaboration with multi-lateral organisations.

Guidelines

The entity should develop **guidelines** for partners, their national federations and other stakeholders based on good practice such as the development of:

- **Procedural Guidelines**³⁰⁸ for sports organisations on appropriate behaviour including:

³⁰⁶ <https://www.olympic.org/athlete365/what-we-do/integrity/safe-sport/>

³⁰⁷ What we do - FIFA Guardians Programme - FIFA.com

³⁰⁸ Adapted from U.S. Centre for SafeSport, 23 January 2019.

- Limitation of one-on-one interactions between an amateur athlete who is a minor and an adult (who is not the minor's legal guardian) at a facility under the jurisdiction of a national federation without being in an observable and interruptible distance from another adult, except under emergency circumstances;
- Massages and rubdowns/athletic training modalities;
- Locker rooms and changing areas;
- Social media and electronic communications;
- Local travel and team travel.
- **Guidelines on Sports Disciplinary Processes:** To ensure a victim/survivor-centred approach to sports disciplinary processes, informed by the Intelligence and Investigations pillar of work and good practice.
- **Guidelines on Sanctioning:** To ensure harmonisation of sanctions across sports, based on precedent and research to assist in defining appropriate and proportionate sanctions across the spectrum of harassment and abuse recognising the challenges in addressing the varying thresholds, cultures and standards within this space. Caution is expressed to ensure a sufficient number of precedent cases to enable baseline standards to be established. With the variation in cultural and legal approaches to sanctioning, a particularly cautious approach is recommended. Such Guidelines should be developed once the entity is firmly established and the mapping of sanctions has been conducted (see International Database below). The Guidelines may include recommendations for mutual recognition of sanctions across sports and when there has been a decision by a court of competent jurisdiction, informed by the learnings of the partners of the entity.
- Establishment of a **Code to Prevent and Address Abuse in Sport** that would be mandatory on all members of the Olympic Movement.³⁰⁹ This would enable the definition of participant over whom the Code would apply, offences, duty to report, disciplinary procedures, sanctions, mutual recognition, etc. and determination of the authority of the entity in responding to and investigating breaches of the Code.

Policy Support

- To support Member States and sports entities in ensuring **regulatory frameworks** (law and sports regulations) are fit for purpose and support the cultural change needed to professionalise the leadership, governance, management and delivery of **safeguarding strategies**.
- The entity will seek to be **thought leaders** by identifying research gaps and undertaking/coordinating/contributing to research works including prevalence studies on abuse in sport,³¹⁰ serial and predatory behaviour, how to deal with new threats such as social media, etc. This may be through collaboration with existing **academic Networks**³¹¹ working on integrity in sport issues reinforced by the local contacts that the entity's Networks will establish.
- To ensure coordination and integration with existing **integrity in sport policy frameworks** and recommendations to avoid overloading the capacity of stakeholders to address other integrity issues. This may be through existing National Integrity in Sport Platforms³¹² and Safe Sport Centres.
- To provide **specialised advice, guidance, support and to cooperate in the capacity building** of sport including leadership, those responsible for policy and legal development, disciplinary and ethics proceedings, safeguarding officers, coaches, athletes and others. Including but not limited to:
 - Embedding safeguarding in the governance of sport as an integral part of wider work on sports integrity.

³⁰⁹ As examples: the World Anti-Doping Code, the Olympic Movement Code on the Prevention of the Manipulation of Competitions, both referred to in the Olympic Charter as mandatory for the Olympic movement (art. 43).

³¹⁰ Such as the EU Erasmus+ Programme, Child Abuse in Sport: European Statistics (CASES).

³¹¹ Such as the International Research Network on Violence and Integrity in Sport (IRNOVIS).

³¹² Network of National Platforms (Group of Copenhagen) (coe.int)

- Advising partner organisations on specific legal matters such as the integration of trauma support into insurance policies; adoption and implementation of a strong regulatory framework, including sports codes of ethics.
- Supporting national safe sport centres.
- Guiding victims/survivors to disclose their abuse using appropriate channels.
- Providing independent and impartial support for partner organisations who are seeking to build a case.

C.2. Due Diligence Screening

The Consultation Process considered the issue of seeking to prevent abuse by providing a service of background checks of individuals working or intending to work in sport. The Consultation Process looked at existing projects that could potentially be used by sport to facilitate due diligence integrity checks and challenges within those existing schemes. Notable challenges in any screening or vetting process include the infringement on privacy and data protection obligations that differ across jurisdictions and the challenges in obtaining criminal information that in many jurisdictions is impossible or due to corruption, inaccurate. In a number of countries, the provision of a criminal record is mandatory when applying for jobs that involve working with children. However, this is often limited to the national context and not possible when an individual from country A applies for a job in country B. The importance of any individual who is working with children to prove that they have no prior convictions or allegations against them is crucial to safeguarding sport from abuse, however the mechanism to implement such a system, not the least at the international level, is recognised as challenging.

Due to cases of sexual abuse within the humanitarian sector, a number of projects have recently been established to seek to address the issue of abusers moving within the sector, across organisations and jurisdictions. It may be possible that these projects also include the sports sector rather than developing a new scheme specifically for sport.

Due diligence screening within sport currently appears to take place on a case-by-case basis by the individual sports organisations often working with private sector due diligence companies who conduct the background checks. A few sports have developed centralised databases that might in turn be used for integrity purposes such that if you are not included in the database then it is because you have been excluded from the sport for some reason, albeit this would not necessarily provide a reliable database of sanctioned perpetrators of sexual abuse. Some sports have established guidelines on safe recruitment and screening processes.

Case Studies: Criminal Record Checks and Integrity Screening

European Commission, Recommendations on the protection of young athletes and safeguarding children's rights in sport, Expert group on good governance, July 2016

To national public authorities:

- *Find a flexible way to implement the requirement of criminal record checks for people working with minors mentioning the nature of the crime and an exchange system between Member States (see directive 2011/93, Council Decision 2009/316/JHA of 6 April 2009 on the establishment of the European Criminal Records Information System (ECRIS) and Framework Decision 2009/315/JHA³¹³). And consider facilitating the exchange of information across Member States by ensuring the equivalence of information shared across EU.*

³¹³ The information can be exchanged for the purpose of criminal proceedings or for any other purposes, e.g. pre-employment screenings.

INTERPOL Operation Soteria

INTERPOL, in partnership with the United Kingdom Foreign, Commonwealth and Development Office (FCDO), have established Project Soteria, an initiative to prevent sexual offenders from using positions in the humanitarian sector to access and offend against children and vulnerable adults.

The project proposes to reinforce the capacity of member countries in dealing with sex offenders and establish an advanced level of collaboration between law enforcement agencies and non-governmental organisations operating internationally. While it predominantly focuses on reducing the risk of accused or convicted sex offenders working in the humanitarian sector, it also aims to ensure stronger mechanisms for detection, investigation and reporting of cases are in place.

Project Soteria is currently assessing the feasibility of a portal dedicated to the facilitation of information exchange to vet international employees in the aid sector.

Misconduct Disclosure Scheme

The Misconduct Disclosure Scheme was established by the Steering Committee for Humanitarian Response (SCHR) to address concerns about the adequacy of reference checks by aid agencies.

What is the Scheme? The Scheme was launched in January 2019 to address the specific problem of known sexual abusers moving within and between different humanitarian and development agencies. As at March 2021 it has over 70 organisations and affiliates in various stages of implementation, with several other organisations preparing to implement. We anticipate a continuing increase in implementing organisations as existing signatories continue to demonstrate implementation at scale. Implementation is on a rolling basis, with some organisations – mainly those with centralised systems – rolling out from the centre, while other are rolling out across some parts of their confederations before others. The Scheme consists of two main commitments:

- *A commitment to systematically check with previous employers about any [Sexual Exploitation and Abuse] SEA issues relating to potential new hires;*
- *A commitment to respond systematically to such checks from others.*

The Scheme complements rather than replaces other processes such as police checks. It picks up perpetrators who have had disciplinary processes completed against them, or who are subject to ongoing investigation, but who may not have committed crimes or been investigated by the police. The scheme also recognises that definitions of abuse may vary, and accommodates these.

It also provides a [registry](#) of implementing organisations contact points, and a legally robust [template](#), which makes checks easier to conduct. The Misconduct Disclosure Scheme holds no information on specific cases of abuse. Rather, the Scheme facilitates the systematic bilateral sharing of misconduct data between recruiting organisations and previous employers. This avoids the [data protection](#) and [legal](#) issues that have prevented similar initiatives succeeding in the past.

The Scheme is linked to other efforts to prevent sexual exploitation and abuse through the employment cycle, including the [Interpol pilot](#) of an international criminal vetting system for the Aid Sector and the DFID-led Aid Worker Registration Scheme that is due to be piloted in 2021.

The scheme enables participating organisations to share information on misconduct going back five years. While it is recognised that the scheme is a useful step forward, it apparently lacks a mechanism for ensuring that the shared information is derived from a fair and objective process. Employers are not always fair, this is why laws on unfair dismissal exist with cases adjudicated by independent tribunals.³¹⁴

³¹⁴ Naik, A., 10 July 2020.

UN 'ClearCheck'

*Clear Check is a critical system-wide information-sharing tool to prevent the re-employment of individuals against whom allegations of sexual exploitation and abuse have been substantiated or who left the Organization prior to the conclusion of an investigation into such allegations in any part of the United Nations. Currently, 25 United Nations entities have committed to participating in the screening tool.*³¹⁵

UK Aid Worker Registration Scheme³¹⁶

The Aid Worker Registration scheme will play an important role in strengthening the employment cycle in the aid sector and preventing perpetrators of Safeguarding against Sexual Exploitation and Abuse and Sexual Harassment (SEAH) moving around the sector undetected. The starting point is that there is an acute need for more effective regulation of the international aid and development sector in terms of safeguarding generally, and prevention, detection and investigation of sexual exploitation abuse and harassment specifically ('SEAH')

The outcome of the legal review is as follows. [...]

Recommendation 1: no single regulator for the international aid sector

Recommendation 2: donors to mandate – to NGOs and private sector contractors – as a condition of funding

- 1. registration with the inter-agency misconduct disclosure scheme (which should accordingly include private sector entities); and*
- 2. registration of basic details of qualifying employees (applying an all-inclusive definition) on a new central biometric aid worker register, with alternative concurrent secure identity verification where biometric data is not available*

Recommendation 3: as a condition of funding, donor mandated minimum core safeguarding standards, and independent inspections

Recommendation 4: as a condition of funding, mandatory and consistent reporting of safeguarding and misconduct data

The British government is seeking to bring other governments on board to make the scheme truly global. However, challenges with the system have been identified in that it does little to tackle the core issue and risks precipitating new human rights violations with respect to workers' rights, data protection, and privacy.³¹⁷

Case Studies: Sports Due Diligence Screening and Databases

Football, FIFA Guardians™ Toolkit Guidance on Safe Recruitment and Screening Procedures for Member Associations (MAs)³¹⁸

The following recruitment procedures will help select the right people and screen out and discourage those who are not suitable to work with children in football:

- 1. All roles involving interaction with children should explicitly include reference to safeguarding in the adverts and job descriptions.*
- 2. At least two reference checks should be conducted and documented. References should be requested to demonstrate the applicant's suitability to work with children.*

³¹⁵ The Secretariat (23 departments at Headquarters, 7 offices away from Headquarters and the 5 regional commissions), 12 United Nations funds and programmes and 12 United Nations specialized and related agencies, see para. 34, Report of the UN Secretary-General, on Special measures for protection from sexual exploitation and abuse, 17 February 2020 and para 24, Report of the UN Secretary-General on Special measures for protection from sexual exploitation and abuse, 15 February 2021.

³¹⁶ Davies, H. QC, 30 April 2020, pp. 2-3,

³¹⁷ Naik, A., 10 July 2020.

³¹⁸ pp. 57-61, toolkit-fifa-guardians.pdf

3. Applicants should explicitly explain any gaps in employment.
4. The decision to request a police check needs to be made wherever there is an obligation or a possibility to do so under local legislation. Often this will simply be where the role requires access to children. Note that some countries have a database of offenders/people who are not suitable to work with children. If this exists in your country, then it should be checked. Also note that a person may have been convicted or prosecuted for a sexual offence after his/her recruitment. Police checks must be completed before the individual starts working in his/her role but also regularly, once he/she has started working in his/her role (at least once every five years).
5. If police checks do not exist in your country, a self-declaration form (or national equivalent) should be signed where a reliable criminal record check is not available (see sample form below). This can include broader questions about whether the individual has ever been subject to a disciplinary investigation. All such checks must be completed before the individual starts working in his/her role and at least once every five years, once he/she has started working in his/her role.
6. All new employees must attend and complete the MA's training on safeguarding children in football within three months of taking up a post.
7. All new employees must read and sign the MA's code of conduct upon taking up a post.
8. All new employees must complete their induction, which must include an obligation to read all relevant policies and procedures pertinent to safeguarding.

[World Taekwondo Global Membership System](#)³¹⁹

The Global Membership System (GMS) provides a database for all stakeholders in the global taekwondo family including athletes, coaches, referees, officials, volunteers, media and practitioners at all levels from beginners (color belts) to black belts of taekwondo. The GMS provide a centralized, fully integrated platform including membership, event and competition management, results and rankings, online education, grading and certification, club management, website builder and much more. Each member in the platform has their own online profile which stores their latest information as well as historical results, courses and more.

C.2. Recommendations for the entity: Integrity Checks

C.2. Summary of Objectives: Integrity Checks

To facilitate access to **Integrity Checks**, screening initiatives that serve to prevent perpetrators moving across jurisdictions and across sports through potential collaboration with **INTERPOL's Operation Soteria** and the **Misconduct Disclosure Scheme** (Phase 2).

Details of Objectives: Integrity Checks

With the aim of supporting sports in undertaking Integrity Checks, it is proposed that the entity collaborates with the following initiatives:

- INTERPOL's Operation Soteria: that the entity would become a partner to the project. The initiative aims to prevent sexual offenders from using positions in the humanitarian sector to access and offend against children and vulnerable adults.
- Misconduct Disclosure Scheme: that partner organisations would join the scheme. The Scheme consists of a commitment to *systematically* check with previous employers about any Sexual Exploitation and Abuse (SEA) issues relating to potential new hires; and a commitment to *respond systematically* to such checks from others.

Furthermore, it is recommended that the entity collaborates with INTERPOL in ensuring the use of INTERPOL's Information Sharing mechanisms, such as Green and Purples Notices.³²⁰

³¹⁹ World Taekwondo Europe - What is the actual cost of the WT GMS license?

³²⁰ About Notices (interpol.int)

Specific support may be provided to partner organisations in ensuring that all staff and volunteers provide an enhanced criminal record check (in those jurisdictions where such checks are possible) with an initial phase focusing on the categories of individuals identified in the compilation of the International Database.

C.3. Database of Sanctions

To prevent perpetrators moving from one region or sport to another, it has been proposed that the new entity should undertake due diligence screening processes on behalf of sports by providing a service that is informed by prior criminal convictions, disciplinary convictions, allegations, prior concerns reported, etc.

Examination was made during the Consultation Process of existing databases of offenders within sport with a number existing specifically for doping and match-fixing offenders, principally listing athlete offenders. As yet, none exists at the international level for perpetrators of harassment and abuse within sport. It is troubling to extrapolate that based on the amount of validated research, the thousands of victims/survivors that have come forward and the likely thousands more that exist, that sport has not yet fulfilled its duty of care in identifying and prosecuting abusers.

Evidence provided through the Consultation Process, notably by victims/survivors of abuse and in the literature reviews undertaken, has identified the following potential reasons for a lack of sports disciplinary decisions:

- an inherent lack of trust in the systems that enable abuse to occur;
- few victims/survivors filing a formal complaint with police and if they do, extreme challenges in providing evidence to meet criminal standards;
- few victims/survivors filing a formal complaint with the responsible sport as the perpetrator is often officially linked with and protected by the sport;
- no support to victims/survivors in navigating the channels to remedy including lack of financial support, lack of knowledge of one's rights either in sports regulations, law, policies or in practice, such as no provision of care support including legal aid;
- feelings of shame or guilt and fear of reprisals or other repercussions, notably not being selected for a team or of not being taken seriously.³²¹

Studies have found mixed support for public disclosure of sanctions with those who are for public disclosure arguing that it protects athletes, improves the system and prevents perpetrators moving across sports and borders. Others argue that making sanctions public should be limited to those cases that meet a certain threshold of severity.³²² If doping and match-fixing offenders are made public, how can we accept that abusers of children are not made public? A number of jurisdictions have sex offenders' registers with it arguably in the public interest to have a database of offenders in sport, at least where offenders have been banned for a certain period of time or for life for serious offences.

Case Studies: Sport Databases

Athletics Integrity Unit Global List of Ineligible Persons³²³

The Athletics Integrity Unit has jurisdiction over International-Level Athletes and their Athlete Support Persons, World Athletics Officials and Member Federation Officials (limited to their dealings with World Athletics). On this page we publish a consolidated list of all persons serving a period of

³²¹ See the LawInSport Safe Sport Series; See also Fasting, K., 2014, p. 9.

³²² p. 259, McLaren Global Sports Solutions, 5 October 2020.

³²³ Global List of Ineligible Persons | Athletics Integrity Unit

ineligibility in Athletics. This includes persons serving a period of ineligibility as a result of national level cases and decisions.

FIFA Judicial Bodies³²⁴

Pursuant to article 52 of the FIFA Statutes, the Disciplinary, Appeal and Ethics Committees are FIFA's judicial bodies.

Ethics Committee Decisions³²⁵

Pursuant to Article 54 of the FIFA Statutes, the function of the Ethics Committee shall be governed by the FIFA Code of Ethics. It is divided into an investigatory chamber and an adjudicatory chamber. The Ethics Committee may pronounce the sanctions described in the FIFA Statutes, the FIFA Code of Ethics on officials, players, intermediaries and licensed match agents.

International Tennis Integrity Agency (ITIA)³²⁶

Includes name, date, end date of sanction, overview of the case and hyperlink to related ITIA Press Releases.

US National Football League (NFL) player arrests database³²⁷

These are arrests, charges and citations of NFL players for crimes more serious than common traffic violations. Almost all of the players belonged to an NFL roster at the time of the incident. In rare cases, a free agent is included only if that player later signs with an NFL team. The data comes from media reports and public records.

U.S. Center for Safe Sport Centre, Centralised Disciplinary Database³²⁸

The U.S. Center for SafeSport's Centralized Disciplinary Database is a resource designed to keep the public informed when individuals connected with the U.S. Olympic & Paralympic Movements are either subject to certain temporary restrictions pending investigation by the Center or are subject to certain sanctions after an investigation found them in violation of the SafeSport Code. The database also contains certain eligibility decisions made by the National Governing Bodies (NGB), their Local Affiliated Organizations (LAO), or the U.S. Olympic & Paralympic Committee (USOPC), including those rendered prior to the establishment of the Center.

[...] Search results will include the Participant's Name, City, State, Sport Affiliation(s), Decision Date, Misconduct, and Action Taken.

U.S. Anti-Doping Agency (USADA) Sanctions - Anti-Doping Violations³²⁹

Below is a listing of athletes who have received a sanction for a doping violation under the World Anti-Doping Code, the athlete's International Federation rules, and/or the United States Olympic & Paralympic Anti-Doping Policies, as well as the UFC Anti-Doping Program. The release date listed in the table corresponds to the date the sanction was publicly announced. For more information about a specific sanction, please reference the official press release announcing the anti-doping rule violation that is linked in each entry. [...]

**Athlete names are removed from this database each January if the athlete's sanction(s) ended 10 years prior. While the name is removed, all other sanction data remains in the Sanction List to ensure the integrity of the database.*

³²⁴ <https://www.fifa.com/who-we-are/legal/judicial-bodies/>

³²⁵ <https://www.fifa.com/who-we-are/legal/judicial-bodies/ethics-committee/decisions/>

³²⁶ Sanctioned Players (itia.tennis)

³²⁷ NFL player arrests database: Records since 2000 | USA TODAY Databases | USA TODAY NETWORK

³²⁸ U.S. Centre for SafeSport, Centralised Disciplinary Database, Search the Disciplinary Database | U.S. Center for SafeSport

³²⁹ Sanctions - Anti-Doping Violations | U.S. Anti-Doping Agency (USADA)

World Taekwondo Sanctioned Athletes and Athlete Support Personnel³³⁰

It may be an Anti-Doping Rule Violation (ADRV) to work with Athlete Support Personnel who has been sanctioned by the IF, as well as any coaches, trainers, physicians or other athlete support personnel who are ineligible on account of an ADRV or who have been criminally convicted or professionally disciplined in relation to doping.

C.3. Recommendations for the entity: International Database

C.3. Summary of Objectives: International Database

To prevent the movement of offenders within and across jurisdictions and sports, in compliance with relevant **data protection, privacy and due process standards**, to establish a centralised **International Database** that includes the decisions taken by sports' disciplinary bodies and statutory authorities concerning abuse in sport. The entity may choose not to publish all decisions, but rather only those that could pose a potential risk to the broader sport community (Phase 3).

Details of Objectives: International Database

The Database may include those who have either been found to have engaged in - or are alleged to have engaged in - forms of misconduct that present a potential risk to other stakeholders of the sports community (e.g. allegations of child sexual abuse regarding a coach with current/ongoing access to minor athletes).³³¹ This may include criminal sanctions, provisional suspensions imposed by a sport while a criminal case is ongoing, sanctions imposed by national and international sports federations etc. Redacting of decisions will be necessary to protect individuals. The compiling of the Database may be made by:

- **Mapping of national criminal prosecutions** related to abuse in sport with the objective of identifying the name, nationality, sport, function within the sport, offence, the sanction imposed and whether they have completed the sanction.
- **Mapping of sports disciplinary decisions** related to abuse in sport with the objective of identifying the name, nationality, sport, function within the sport, offence, the sanction imposed and whether they remain within the sport.

The entity will subsequently need to:

- Define access requirements to the International Database notably to ensure that the Database is compliant with data protection, privacy and due process standards.
- Support partner organisations in verifying their relationship with any individuals who may be found on the International Database and implementing corrective behaviour as needed.

It is recommended that to ensure that the entity provides an additional layer of screening, oversight and control for partner sports organisations, there is collaboration with private sector due diligence organisations in the provision of regular and timely expert staff, human rights fact-finding missions and spot checks to test the incidence of abuse on the ground, so that a clear signal is sent that abuse is not acceptable.

³³⁰ World Taekwondo

³³¹ Recommended criteria based on those identified in the U.S. Centre for SafeSport, Centralised Disciplinary Database.

III. STRUCTURE AND GOVERNANCE

Based on the findings of the Consultation Process, the section on Structure and Governance outlines proposed names, location, structure, governance, partners, staffing and funding opportunities with the objective of assisting the Working Group following the delivery of this report.

Proposed Names

OPTION 1: International Safe Sport Centre (ISSC) or International Safe Sport Agency (ISSA)

Safe Sport is increasingly identified as the terminology used for entities working to end violence against athletes and providing services for victims/survivors of abuse in sport. The IOC Consensus Statement defines safe sport as “An athletic environment that is respectful, equitable and free from all forms of non-accidental violence to athletes”. “Safe sport” provides clarity with regards to what it is not insofar as other integrity matters are concerned. The entity aims to be international and an operational, specialised centre of expertise and advice, something that this name clearly depicts. Caution is expressed with regards to the word order to avoid confusion with another entity, the International Centre for Sports Security (ICSS). Furthermore, awareness is made of existing entities using Safe Sport in their name: Safe Sport International (focusing on research, consultancy and training), U.S. Centre for SafeSport (US focused, for National Sports Governing Bodies recognised by the U.S. Olympic Committee), and the soon to be established Canadian Safe Sport Centre.

OPTION 2: International Sport Guardian Unit (SGU)

OPTION 3: International Sport Guardian Centre (ISGC)

Guardians is the terminology used by FIFA in its FIFA Guardians™ Programme and signifies our responsibility as individuals involved in sport to act as guardians to our children and youth. Under Routine Activity Theory, a field of criminology, crime occurs when three elements converge: a likely offender, a suitable target, and the absence of a capable guardian, coming together in time and space. If there is an unprotected target and sufficient rewards, a motivated offender will commit a crime.



However, many cases involving children will not be reported until the victims/survivors are adults with ‘guardians’ the term used in the Convention on the Rights of the Child (CRC) to describe those legally in the role of parents, which is not the position of sports organisations. Sports organisations are responsible, and in many countries legally obliged, to “ensure the child such protection and care as is necessary for his or her wellbeing” (see CRC Articles 2, 3, 5, 18 and 19) – sports bodies and people in them are “other persons who has care of the child”. Furthermore, the term “guardian” raises issues of agency (nothing about us without us) and the importance of incorporating the voice of victims/survivors.

Options proposed by the Consultation:

- Guardian, Safe Sport, Protection Against Abuse in Sports, Wellbeing, International Sports Protection, International Sports Ombudsperson, Integrity.
- Commissioner, Ombudsperson, Specialised Unit, Department, Agency, Organisation, Network, Rapid Response, Initiative.

Location

Options proposed by the Consultation included Switzerland, Netherlands, France, the Global south e.g. Nairobi, Middle East, or Singapore.

Switzerland is where the headquarters are of 45 International Sports Federations (IFs) including FIFA, as well as the International Olympic Committee (IOC), United Nations (UN) agencies and numerous humanitarian organisations.

Legal Structure

The Consultation Process considered both national and international entities whose structures and learning could be applicable in the formulation of the new entity. This included bodies such as the U.S. Centre for SafeSport, Sport Integrity Australia, the Athletics Integrity Unit (AIU), International Testing Agency (ITA), the International Tennis Integrity Agency (ITIA), Centre for Sport and Human Rights (CSHR), World Anti-Doping Agency (WADA), UK National Society for the Prevention of Cruelty to Children (NSPCC) Child Protection in Sport Unit, UNAIDS and other non-sports related entities notably within military ombudsperson institutions, security sector think tanks and complaint mechanisms within the banking, health and police sectors. Options proposed by the Consultation:

- Establishment of a new initiative of the United Nations;
- Integration into existing entities such as the creation of a new department within the International Testing Agency (ITA);
- Establishment of a new non-profit organisation such as an Association or Foundation.

It is proposed that an independent, non-profit, international organisation is legally established, such as a Foundation. Any new structure should take into consideration relevant articles of the UN Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect, and Remedy” Framework, 2011, notably Principle 31: ‘Effectiveness criteria for non-judicial grievance mechanisms’ and the United Nations Paris Principles that are the international benchmarks against which national human rights institutions (NHRIs) are accredited.

Secretariat

A relatively small, multi-disciplinary Secretariat is recommended to ensure focus on the coordination of the provision of services to victims of abuse led by an Executive Director.

Members and Partners

The Consultation Process proposed various options for membership:

- That members should be limited to International Sports Federations (IFs) with Associate Membership status possible for national level sports organisations.
- That membership should be open to all sports entities including professional, amateur and other sports related entities at the international and national levels such as National Federations, National Olympic Committees, national sports led integrity/safe sport entities, professional sports organisations, athlete unions and multi-sport event organisers.
- That membership should also be open to governmental and inter-governmental entities.
- That there should be no members as the entity should not sit at the top of the pyramid of similar organisations but rather should be outside and autonomous. Collaboration with entities should be

enabled through Partnership Agreements such that the entity fulfils an external, operational, independent function.

In order for the entity to be successful, collaboration is fundamental. Abuse in sport is not a 'sport only' or 'State only' issue but requires creative, agile, partnerships founded on a willingness to keep the interests of the victim/survivor at the heart of all decisions, with the entity being firmly grounded in human rights standards that appropriately protect victims/survivors and their supporters.

Proposed Partnership Model

As an autonomous and self-governing entity, it is proposed that there would be no members as such, but that partnerships would be developed to ensure that the entity continually serves its role to support victims/survivors and to enhance sports and States capacity - initially at the elite, international level - to address current cases of abuse and its human rights responsibilities.

Phase 1: An initial, limited number of entities who commit to its mission and mandate, namely:

- **International Sports Federations (IFs):**³³² who have the will and capacity to support the implementation of any imminent recommendations contained in Investigation Case File Reports emerging from the new entity.

Phase 2: Once firmly established as an entity, partnerships may be expanded to:

- **Sport entities:** including further International Sports Federations (IFs), national sports led integrity/safe sport entities, professional sports organisations, athletes' unions, and international/regional multi-sport event organisers.
- **Governmental entities:** particularly national government led integrity/safe sport entities, relevant governmental departments dealing with abuse in sport such as child protection and gender-based violence specialist entities who have the will and capacity to receive and address reported concerns received from the entity.

Partnership Agreements would elaborate on the specific relationship between the entity and the partner.

Any partnership between the entity and a sport should ensure that there is:

- A commitment by the sport to respect the autonomy and independence of the entity in fulfilling its mission and to follow-up on the findings of the entity following an investigation.
- A commitment by the sport to provide signposting to national federations within jurisdictions that are recognised as being capable of addressing abuse cases with the entity reserving the right to intervene should any sign of impropriety be suspected or there is a failure in their duty of care.
- A commitment by the sport to ensuring that the entity is provided the right of free access to people, premises and information in order to fulfil its mandate.
- A commitment by the sport to ensuring that they build internal capacity to address cases that do not reach the threshold defined in the agreed scope of the entity and to continually build internal capacity to address all cases of abuse in their sport, and to support their member federations in doing the same.
- Mandatory implementation of safeguarding standards amongst the sports' national federations and, where applicable, in coordination with national safe sport entities and this is linked with financial sanctions for non-conformity.
- Alignment of regulations and procedures with the recommended standards and practices established by the entity to access services and to provide the entity with the necessary jurisdiction.

³³² Notably those recognised by the General Association of International Sports Federations (GAISF), GAISF » Members

- Access to certain services of the entity to reinforce sport's efforts based on a case-by-case, fee-for-service agreement. Such Agreements should outline considerations such as how sports will be informed that a report has been received in relation to their sport and the results of the Initial Assessment Procedure, how intelligence will be shared, data protection, confidentiality and privacy considerations, determining whether the partner organisation can deal with the case themselves or require the entity to undertake investigations on their behalf, etc.

Compliance with the above commitments may be verified on a regular basis by the entity.

It is recognised that partnership between the entity and **sports entities** may contribute to:

- Greater cost efficiency through a pooling of resources and expertise providing access to Global Networks of local providers.
- Facilitate access to specialist victim/survivor-centred expertise including the provision of a confidential, professional intelligence and investigation service.
- Guide organisations in ensuring their sports remain a safe space, providing an impartial and neutral space for listening to complaints.
- Assist organisations in fulfilling their duty of care responsibilities towards individuals under their care, based on the paramountcy principle.
- Assist organisations in putting athletes, in particular children and vulnerable adults, at the centre of their sport and serve to deconstruct the power imbalances and dependency that prevents reporting.
- Provide an independent compliance mechanism for sports organisations who receive external funding with regards to their obligations to implement laws, regulations, policies and procedures in relation to the prevention of abuse in sport.
- Support leadership in obtaining emotional empathy, beyond cognitive empathy, for victims/survivors of abuse.
- Inform a culture of vigilance and responsibility where each individual adult involved in sport consciously and actively takes personal responsibility for creating a safe environment for those in their care.
- Inform a culture of vigilance and responsibility where each individual adult involved in sport consciously and actively takes personal responsibility for creating a safe environment for all.

It is recognised that partnership between the entity and **governmental entities** may contribute to:

- Assisting governments in the fulfilment of their obligations under international human rights law namely in the provision of care support and access to remedy for victims of crime and government commitments under various international and regional sports policy frameworks.
- Providing an external compliance mechanism for national sports organisations who receive government funding with regards to their obligations to implement regulations, policies and procedures in relation to the prevention of abuse in sport.

Expert Advisory Panel

To support and guide the work of the entity, a voluntary Expert Advisory Panel will be established that is composed of regionally representative, independent experts, academic institutions, civil society organisations and multi-lateral organisations with operational skills who are able to provide information and advice, help identify and facilitate access to investigative expertise, as well as care support and remedy on a case-by-case basis, guide the work of the entity, and contribute to building trust in the new entity.

The Panel should include independent experts in the field of safeguarding, child protection, human rights, gender based violence and other areas of relevance to the achievement of the objectives of the

entity and whom may or may not be Implementing Partners. The panel should notably include representatives of the Network of Voices of Experience (survivors of abuse in sport).

Advisory Panel members will be identified by the entity Secretariat based on the needs of the entity. Criteria for Selection and Terms of Reference will be elaborated once the entity is established. Should an Expert Advisory Panel member be required to provide their expertise as an 'Implementing Partner', then a contractual agreement will be established.

Within the Expert Advisory Panel, should it be deemed necessary notably due to size, stakeholders may be grouped with input into the entity coordinated by a Chair of each stakeholder group.

It is recommended that the entity hosts an annual Congress such that the entity's Staff and Board may report on progress and share learnings. This event should be open to the public and media (as observers) to ensure further transparency and to build confidence.

Implementing Partners

As a global organisation, collaboration with trusted partners at the international and local level is fundamental to the entity being able to deliver victim/survivor-centred care support at scale. The Networks that it will establish are dependent on local actors with it crucial that the victim's/survivor's interests remain at the heart of the entity. Principally drawn from the Global Networks established by the entity, an Implementing Partner is an organisation or individual to whom the new entity will entrust the delivery of services specified in a signed document, along with the assumption of responsibility and accountability for the effective use of resources and the delivery of outputs (e.g. care and safe refuge support, case management support, investigators, lawyers etc.). Implementing partners may include Governments, government institutions, inter-governmental organisations, expert service providers, national safe sport entities, civil society organisations, including non-governmental organisations.

As the Entity expands, it may increase its support to existing national safe sport entities as well supporting the establishment of new national safe sport entities. An agile, responsive approach is required, backed up by due diligence conducted through partners, or, as necessary, by the entity itself.

The entity will enter into Memorandums of Understanding and/or fee-for-service contracts with its Implementing Partners to provide Services as required by the entity. It is recommended that incoming cases would inform the partnership model developed and the jurisdictions and sports that are focused on. Implementing partners may include:

- **Multilateral organisations:** To provide in-country support through field offices or through partnership with local entities. May provide technical assistance to governments and oversight to ensure that they fulfil their statutory obligations to provide victim support, capacity building, policy support, information exchange etc.
- **Civil society, academic institutions, individual experts, media etc.:** May provide victim/survivor-centred care support to victims/survivors. This may include documenting abuse in sport to increase the capacity to effectively identify, collect and preserve information in a victim/survivor-centred way for the purpose of sports investigations or criminal justice prosecutions.
- **Private Companies:** May provide due-diligence integrity checks/vetting procedures for staff, Network members and Implementing Partners and may support the mission of the entity as needed.

Governance

The entity's independence and impartiality must be above reproach and beyond question, being free not only from any actual bias but also any perceived bias to ensure trust is gained of potential users. Such may be assured through the design, operations and governance of the entity having the direct input of the end users. From the very initial stages of the Consultation Process, the end users have been identified as victims/survivors as well as sports organisations in need of expert, specialised services to address and manage cases of sport in sport.

The relative independence and absolute impartiality of the entity is fundamental to its success. Good practice advises that the independence of any human rights related entity requires independence from government. However, it is recognised that the concept of independence is relative and not absolute due to the possibility for funding to be received from government and sports. Therefore, to ensure accountability, the entity should have a close but not dependent relationship with government and sport organisations with independence and oversight guaranteed by an independent board. The benefits of impartiality and independence include, but are not limited to the following points:

- Preserving the anonymity of victims/survivors raising legitimate concerns about their national and international sports federations, thereby providing protection for whistle-blowers;
- Assisting in proactively identifying issues within sports federations, including possible corrective actions;
- Contributing to more routine and proactive oversight of sports governing bodies;
- Improving athletes' and the public's trust in sport's governance.

The operations of the entity, notably the Intelligence and Investigations Department, must ensure that it can operate independently within the entity in accordance with its Intelligence and Investigations policy. It should not be required to obtain consent from other bodies or individuals within the entity.

The options below have been framed based on the findings of the Consultation Process, taking into consideration UN Guiding Principle 31 for the 'Effectiveness criteria for non-judicial grievance mechanisms' that states at h. *'Based on engagement and dialogue: consulting the stakeholder groups for whose use they are intended on their design and performance, and focusing on dialogue as the means to address and resolve grievances.'*

Governing Board

The Board is the supreme governing body of the Entity. It is proposed that it is composed of a maximum of 12 individuals and that whatever structure is ultimately adopted, it is imperative that there are at least two representatives of the Network of Voices of Experience (survivors of abuse in sport).³³³

OPTION 1:

- One independent personality appointed by each Founding Partner of the Entity;³³⁴
- At least two representatives of the Network of Voices of Experience (survivors of abuse in sport);
- One expert appointed by the Advisory Board (appointed on a rotating basis);

³³³ It is proposed that this is a rotating position amongst members of the Network of Voices of Experience. To ensure that affected individuals have a voice in decision-making, it is fundamental that the voice of victims/survivors of abuse is wholly integrated into the decision-making structure of the entity. See Prevention section for further details.

³³⁴ As examples, see, FIFA Governance Regulations, 2020, Article 29: 'No fewer than half of the committee's members shall fulfil the independence criteria defined in art. 5 of these regulations'. Art. 5 refers to requirements for independence such as no official function or material business relationship at FIFA, in a confederation or a member association etc.; see also, IOC, Code of Ethics, 2020, Statutes of the IOC Ethics Commission, 'The IOC Ethics Commission is independent, it is composed of nine members, among whom there must be: [...] five personalities, independent members, who are not active, honorary, honour or former IOC Members and who have no direct link to the sports movement.'

- At least two independent personalities.

OPTION 2:

12 independent representatives from diverse backgrounds including in the management of abuse cases, child protection, non-profit and business leadership, ethics compliance, sports executives, and elite athletes³³⁵ that should include at least two representatives of the Network of Voices of Experience (survivors of abuse in sport).

OPTION 3:

- Appointed representatives of sports partners (appointed on a rotating basis);
- Appointed representatives of governmental partners (appointed on a rotating basis);
- At least two representatives of the Network of Voices of Experience (survivors of abuse in sport);
- At least three independent personalities.

Remit of the Board

It is recommended that any decisions that may directly or indirectly impede the development or maintenance of trust and independence in the entity should be subject to the oversight of the Board. This may include decisions such as those involving:

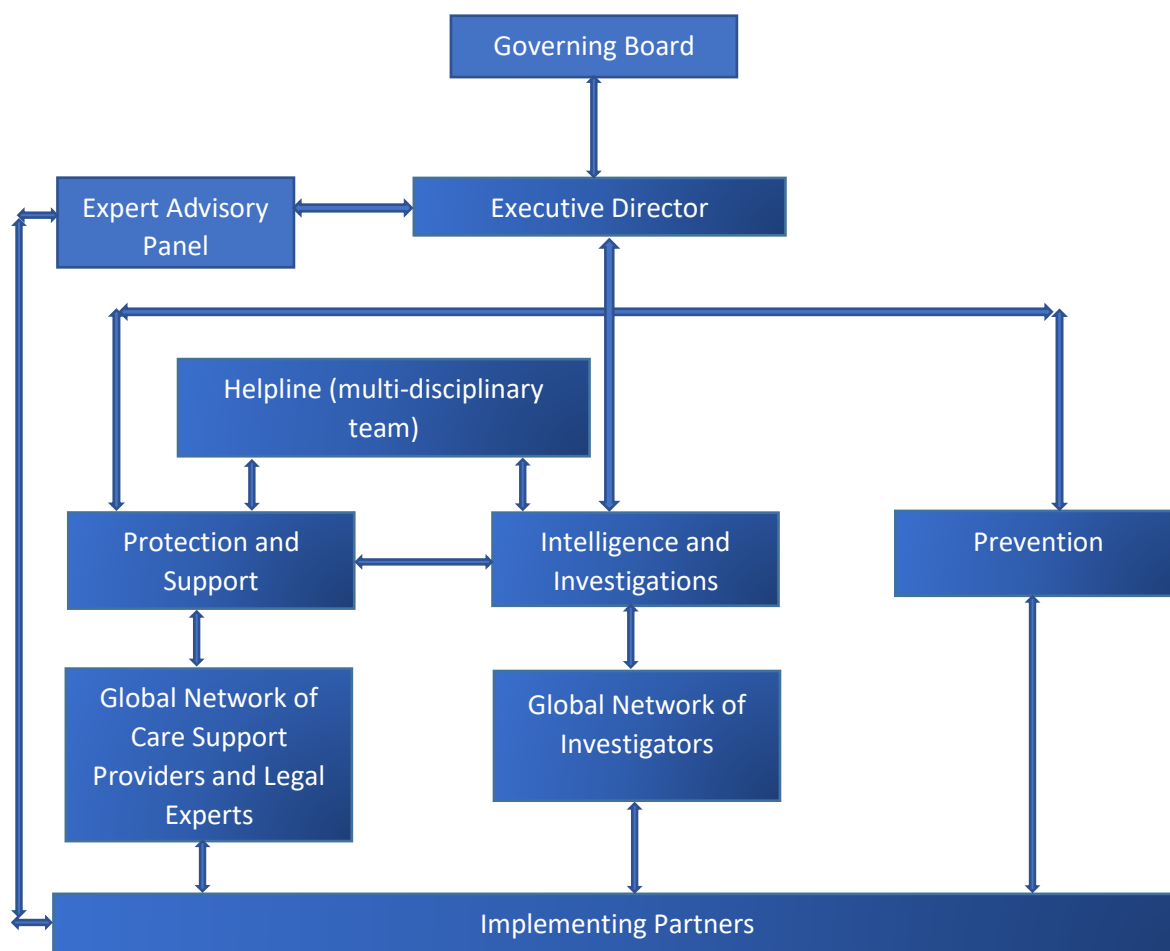
- The decision not to pursue/investigate a reported concern;
- The publication of (anonymised) outcomes of investigations undertaken by the entity;
- The publication of the non-compliance with recommendations by sports bodies;
- The appointment of senior staff;
- Internal disciplinary decisions;
- Removal of Board members or disaffiliation of partners.

Provisions of the Board

The Statutes of the new entity may include the following provisions:

- The terms of office of Board members shall be four years, renewable for a maximum of two terms.
- The Board shall appoint its President, its Secretary and its Treasurer.
- The Board shall approve the appointment of:
 - its members
 - the auditors
 - the Executive Director
- Voting and decisions of the board (including reference to the quorum necessary, procedures etc.)
- The Board may issue regulations (bylaws) necessary to ensure the pursuit of the entity's activities.
- The Board may set up an Expert Advisory Panel, and other Expert Panels for which it shall determine the assignments and composition.

³³⁵ Based on the model of the U.S. Center for SafeSport.

Diagram: Proposed Governance Structure of the Safe Sport Entity

Funding Model

It is proposed that a flexible funding model is adopted that enables rapid, responsive deployment of support that can anticipate and respond to emerging needs and focuses on the building of local capacity to manage abuse in sport. Clear parameters in the provision of support are necessary to manage expectations (see further under Scope) and to avoid the entity being overwhelmed with requests for support. Contributions may be made to:

1. Core Funding
2. Victim Support Fund

Initial seed funding for the entity is being pledged by FIFA. Early partners will be invited to endow the foundation with an initial minimum capital to be agreed by the founding partners and commit to long term, annual funding of the entity.

It is envisaged that funding from a number of other sports and a range of diverse funding sources will be forthcoming due to the role of the entity in assisting sports in fulfilling their duty of care, and governments in fulfilling their obligations in the provision of care support and access to remedy for victims of crime. The founding partners and donors shall provide the foundation with further resources by transferring assets, passing property, providing contributions in-kind, and/or by seconding personnel and experts to the entity. It is recommended that donors are advised of performance on a regular basis.

The foundation shall also be entitled to receive donations and legacies from third persons and parties. By endowing the entity with the necessary resources and powers, its independence and impartiality is a crucial element in ensuring the accountability of sport and safeguarding its autonomy. Potential mechanisms for financing include:

- Governments:
 - Development funding, Humanitarian, Stabilisation and Early Recovery programmes, sports integrity budget (e.g. Anti-Doping budget, National Sports Integrity Platforms addressing competition manipulation), child protection
 - in-kind contributions e.g. secondees from law enforcement, child protection experts
- Sports organisations (professional and amateur) including:
 - Contributions
 - Financial sanctions imposed by sport against individuals would go into the Victims Fund.
- Private contributions, benefactors and foundations.
- Multi-lateral/international entities and initiatives e.g. End Violence Against Children Fund,³³⁶ the Grand Bargain,³³⁷ EU funding, UN entities, WeProtect Global Alliance,³³⁸ European Commission, African Development Bank, World Bank.
- Private sector e.g. sponsors, private sector sponsors of the WeProtect Global Alliance.
- Lotteries and private betting operators e.g. World Lotteries Association (WLA), European Lotteries (EL), national lotteries, private betting operators, through their 'integrity in sport' budget streams.
- Academia: research and in-kind support e.g. office space, safe venues for interviews, mentoring system for victims/survivors with social science experts, academic opportunities etc.

The entity may also enter 'fee for service' contracts with its partners on a case-by-case basis. A detailed review is currently ongoing of the projected costs of the entity. This analysis will contribute to the next steps in the establishment of the entity.

Proposed Process for Establishment of the New Entity

STEP 1: Following the publication of this Final Report, a **multi-stakeholder Working Group** will then be promptly established to formulate the next steps, finalise scope and initial services, consolidate seed funding, etc. of the new entity aided by the **Findings and Recommendations** contained in the Final Report. A strategic action plan will be drafted to define the precise timeline and steps to be taken by the new entity.

STEP 2: International Sports Federations will voluntarily commit to become Partners of the entity. Finalisation will be made of the governance structure, location, statutes, formal registration, funding agreements, staffing, communication, etc.

STEP 3: The entity will commence its operations by taking on an **advisory role** until the services of the entity are operational, providing information, offering advice and facilitating access to care support and remedy on a case-by-case basis based on resources and capacity. This will enable the development of necessary partnerships for the Global Networks and Implementing Partners, and by gaining experience and trust before taking on further responsibilities.

³³⁶ The Fund | End Violence (end-violence.org) notably 'Safe Online', addressing violence online, with a particular focus on child sexual exploitation and abuse.

³³⁷ The Grand Bargain (Official website) | IASC (interagencystandingcommittee.org)

³³⁸ WePROTECT Global Alliance - protecting children against sexual exploitation and abuse online

Annex 1. Case Studies, Overview of Potential Funding and Governance Mechanisms

The purpose of the below case studies is to recognise the diversity of approaches in both funding and governance, focusing on Swiss Foundations, ranging from annual budgets of less than CHF 2 million to over CHF 30 million.

Geneva Centre for Security Sector Governance (DCAF)

Annual Budget: CHF 32 million (2019) (3 core funders: Sweden, Switzerland, Liechtenstein + membership fees, EU funding etc.)

Swiss Foundation

Governance: Foundation Council composed of Governments

International Tennis Integrity Agency (ITIA)

Annual Budget: US\$7.23 million (2020)

Governance: On 1 January 2021, the Tennis Integrity Unit (TIU) became the International Tennis Integrity Agency (ITIA), an independent legal entity. The Board is made up of senior representatives of the international governing bodies of tennis (ATP, WTA, ITF, Grand Slam Board) and five independent members.

International Testing Agency (ITA)

Annual Budget: CHF 10 million (principally from the IOC and fee for service contracts from sports and hosts of sports events)

Governance: A Swiss Foundation. The Foundation Council is composed of 1 IOC representative, 1 IF, 1 athlete, 3 experts. Chair: independent expert.

Justice Rapid Response Association

Annual Budget: Euro 3.9 million (2021) (from governments and UN agencies)

International Non-Profit Association under Swiss Law.

Global facility that provides rapidly deployable specialised justice experts from its Roster to support investigations of international crimes and serious human rights violations.

U.S. Centre for SafeSport

Annual budget: US \$20 million p.a. (as required under a 2020 federal law from the US Olympic & Paralympic Committee).³³⁹

Governance: A board comprised of 12 independent board members, including experts in abuse prevention and investigation, non-profit and business leadership, ethics compliance, sports executives, and elite athletes.

World Anti-Doping Agency (WADA)

Swiss Foundation, based in Canada.

Annual Budget: US \$40 million (sport matches government donations. Governments agree internally to their individual donation). WADA received its first 2 years (\$18.3 million) from the Olympic Movement.

Governance: sports and governments, alternating leadership between sport and government.

³³⁹ U.S. Public Law 116-189, S.2330 - Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020

Annex 2. International Legal and Policy Frameworks: Statutory Obligations in Addressing the Problem of Abuse in Sport

Council of Europe Convention on Action against Trafficking in Human Beings, 2005

Article 4. Definitions

For the purposes of this Convention:

a. "Trafficking in human beings" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

Article 12. Assistance to victims

1. Each Party shall adopt such legislative or other measures as may be necessary to assist victims in their physical, psychological and social recovery.

Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, 2007 (the Lanzarote Convention)

Chapter II. Preventive measures

Article 5. Recruitment, training and awareness raising of persons working in contact with children

1. Each Party shall take the necessary legislative or other measures to encourage awareness of the protection and rights of children among persons who have regular contacts with children in the education, health, social protection, judicial and law-enforcement sectors and in areas relating to sport, culture and leisure activities.

Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, 2011 (the Istanbul Convention)

Chapter VIII. International co-operation

Article 62. General principles

- 1. Parties shall co-operate with each other, in accordance with the provisions of this Convention, and through the application of relevant international and regional instruments on co-operation in civil and criminal matters, arrangements agreed on the basis of uniform or reciprocal legislation and internal laws, to the widest extent possible, for the purpose of:
 - a. preventing, combating and prosecuting all forms of violence covered by the scope of this Convention;*
 - b. protecting and providing assistance to victims;*
 - c. investigations or proceedings concerning the offences established in accordance with this Convention;*
 - d. enforcing relevant civil and criminal judgments issued by the judicial authorities of Parties, including protection orders.**
- 2. Parties shall take the necessary legislative or other measures to ensure that victims of an offence established in accordance with this Convention and committed in the territory of a Party other than the one where they reside may make a complaint before the competent authorities of their State of residence.*

Article 33. Psychological violence

Parties shall take the necessary legislative or other measures to ensure that the intentional conduct of seriously impairing a person's psychological integrity through coercion or threats is criminalised.

Article 40. Sexual harassment

Parties shall take the necessary legislative or other measures to ensure that any form of unwanted verbal, non-verbal or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment, is subject to criminal or other legal sanction

Council of Europe Enlarged Partial Agreement on Sport (EPAS) Guidelines on Sport Integrity, Action 3 of the Kazan Action Plan

POLICY AREA 2

Preventing and addressing harassment and abuse in sport

Special attention should be paid to the risks faced by those who are more often victims of harassment or abuse, in particular children, women and girls, human rights defenders, LGBTI+, migrants, minority and ethnic groups, indigenous people, historically disadvantaged communities, and the physically and mentally less abled.

Set up an independent body to handle cases of harassment and abuse

Council of Europe Committee of Ministers Recommendation to Prevent and Combat Sexism, 2019

Recalling that sexism is a manifestation of historically unequal power relations between women and men, which leads to discrimination and prevents the full advancement of women in society;

Concerned that sexism is linked to violence against women and girls, whereby acts of “everyday” sexism are part of a continuum of violence creating a climate of intimidation, fear, discrimination, exclusion and insecurity which limits opportunities and freedom;

Noting that women and girls can be subject to multiple and intersecting forms of discrimination and may face sexism combined with other norms or behaviour which are discriminatory, hateful or harmful;

Aware that sexism and sexist behaviour are perpetrated at the individual, institutional and structural levels, and experienced with detrimental effect at all three levels, and that measures to prevent and combat sexism should therefore be taken at all levels;

Appendix to Recommendation CM/Rec (2019)1

Guidelines for preventing and combating sexism: measures for implementation

Definition

For the purpose of this Recommendation, sexism is:

Any act, gesture, visual representation, spoken or written words, practice or behaviour based upon the idea that a person or a group of persons is inferior because of their sex, which occurs in the public or private sphere, whether online or offline, with the purpose or effect of:

- i. violating the inherent dignity or rights of a person or a group of persons; or*
- ii. resulting in physical, sexual, psychological or socio-economic harm or suffering to a person or a group of persons; or*
- iii. creating an intimidating, hostile, degrading, humiliating or offensive environment;*

II.H.4. Urge sport federations and associations and cultural institutions at all levels to prepare codes of conduct to prevent sexism and sexist behaviour which should include provisions for disciplinary action. Foster zero tolerance towards sexism and sexist hate speech in cultural and sporting events.

Council of Europe Conference of Ministers responsible for Sports, International Declaration on Human Rights and Sport (Tbilisi Declaration), 2018

We commit to fighting arbitrariness and other abuses in sport so as to ensure full respect for the rule of law in sport activities, including access to justice and fair trial in line with the applicable human rights standards.

We commit to further investing in the effective implementation of human rights standards in and through sport, in particular by developing governmental/non-governmental partnerships and using multi-stakeholder platforms to identify and promote measures to prevent and respond to human rights violations in sport.

Council of Europe Ministers of Sport Resolution No. 3/2000 on the Prevention of Sexual Harassment and Abuse of Women, Young People and Children in Sport

A. Resolve to:

1. *Commission research and collect data at national level, in co-operation with national or international organisations and researchers, to ascertain the scale and importance of this problem in sport in their countries;*

2. *Prepare a national policy which would:*

- *make a clear statement about the absolute need to safeguard and promote the welfare of children, young people and women in sport;*
- *define harassment and abuse of women, young people and children in sport, and provide specific guidance on what is appropriate and inadmissible behaviour;*
- *explain that the principles apply to all, regardless of ethnic origins, age, gender, religion, disability or sexual orientation;*
- *promote awareness of concern over behaviour which may be harmful either physically or psychologically to children, or young people or female athletes;*
- *set out the responsibilities of sports organisations and individuals, including all those in relationships based on trust and/or power;*
- *list procedures that should be put into place and followed in order to protect children, young people and women athletes;*
- *stress the need for confidentiality and sensitivity in a delicate area;*
- *agree on sanctions and provide information on them.*

3. *Agree that the implementation of the policy within the context of an overall framework of support and protection for children, young people and women in sport, could include such actions as:*

- *drawing up a basic code of conduct for coaches, trainers and leaders, incorporating the suggestions contained in the discussion document MSL-9 (2000) 3), which has been submitted to the Conference;*
- *encouraging national sports organisations to draw up codes of conduct based on the same principles;*
- *developing and disseminating information materials for families, athletes and coaches, trainers and leaders;*
- *setting up of independent telephone help lines;*
- *introducing specific courses on child protection in the education of coaches and trainers.*

4. *To draw up a timetable for the rapid implementation of these measures.*

B. *Invite the Committee of Ministers of the Council of Europe to ask the Committee for the Development of Sport to:*

- *promote research in the monitoring and evaluating of the measures (codes, help lines etc.) set up to combat sexual harassment and abuse among women, young people and children in sport;*

- *draft a specific reference to the prevention of sexual harassment and abuse for inclusion in a revised European Sports Charter (R (92) 13) and a revised Code of Sports Ethics (R (92) 14).*

Council of Europe Recommendation on Gender Mainstreaming in Sport, 2015

- I. *The governments of member States are invited to implement the following measures:*
15. *adopt, implement and monitor policies and measures, in co-operation with sports organisations, to prevent and combat gender-based violence against women and girls in sport, namely, physical intimidation or violence, verbal, psychological, physical and sexual harassment and abuse;*
 16. *devise and implement policies and measures to prevent and combat gender-based bullying, harassment and violence with regard to the practice of physical activity, physical education and sport, and encourage schools, local authorities and sports organisations and clubs to implement them and monitor their implementation;*

Council of Europe Recommendation on Measures to Combat Discrimination on Ground of Sexual Orientation and Gender Identity, 2010

IX. Sports

41. *Member states should encourage dialogue with and support sports associations and fan clubs in developing awareness-raising activities regarding discrimination against lesbian, gay, bisexual and transgender persons in sport and in condemning manifestations of intolerance towards them.*

European Commission, Study on Gender-Based Violence in Sport, 2016

While there is a striking lack of awareness, and sometimes complete denial, about the existence of the problem of gender-based violence in sport in some countries, the problem of lack of data on the magnitude of the phenomenon extends also to those countries where there is (some) awareness.

Although none of the EU Member States has developed sport-specific legislation to prosecute gender-based violence in sport, most forms of gender-based violence that occur in the context of sport can be prosecuted under existing legislation (notably under the criminal/penal codes and/or child protection laws) across the EU Member States. However, it can be argued that specific laws to regulate the prosecution of gender-based violence in sport, grafted on existing criminal legislation on gender-based violence in general, could improve the awareness within sport settings.

*Services to support those involved in incidents of gender-based violence in sport should be put in place. Such services should be made available to victims, their families, perpetrators and others involved in incidents of gender-based violence.*³⁴⁰

European Commission, Recommendations on the protection of young athletes and safeguarding children's rights in sport, 2016

To national public authorities:

1. *Encourage collaboration/effective partnerships between sport organisations, national agencies responsible for sport with those responsible for child protection.*
2. *Implement effective legislation and regulation in fighting against violence to minors in sport.*
3. *Support sport organisations for the development of child protection measures: promote educational programmes, codes of conduct, guidelines, toolkits, awareness campaigns, hotlines, etc. with clear procedures for managing allegations and dealing with post-judgment issues and link revenue grant aid for that purpose.*
4. *Improve data collection and knowledge about violence to minors in sport.*
5. *Promote special training/courses for physical education teachers to be sure their work is adapted to working with minors.*

³⁴⁰ pp. 12-14, *ibid.*

6. *Encourage national sport governing bodies to develop and promote child protection strategies as one of their priorities.*

International Covenant on Civil and Political Rights 1966

Article 7.

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.

Article 24.

1. *Every child shall have, without any discrimination as to race, colour, sex, language, religion, national or social origin, property or birth, the right to such measures of protection as are required by his status as a minor, on the part of his family, society and the State.*

International Labour Organization (ILO) Global Dialogue Forum on Decent Work in the World of Sport, 2020

6. *Athletes are exposed to various forms of violence and harassment, including gender-based violence and racism and other forms of discrimination, by various parties. The Equal Remuneration Convention, 1951 (No. 100), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Violence and Harassment Convention, 2019 (No. 190) and Recommendation (No. 206) are particularly relevant to supporting governments, together with social partners and other stakeholders, in preventing and addressing discrimination, violence and harassment in sport.*
7. *Children and young athletes require special protection from abuse and from injuries and illness resulting from sport, including protection of mental well-being. Such protection is especially important for minors in situations away from their home. The Worst Forms of Child Labour Convention, 1999 (No. 182) is particularly relevant in this regard.*

Recommendations for future action by the International Labour Organization and its Members

30. *Governments, employers' and workers' organizations and other relevant stakeholders, each within their own responsibilities, should create an enabling environment to promote decent work in the world of sport, including by:*
 - b. *protecting athletes from acts of violence, racism, abuse and discrimination at all times, through education programmes, coalitions of different stakeholders, anti-discrimination legislation, a zero tolerance culture, awareness raising, and effective redress mechanisms;*

UN Convention on the Elimination of Discrimination against Women (CEDAW), 1999, General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19, 2017

2. *Due diligence obligations for acts or omissions of non-State actors*
 - b. *Article 2 (e) of the Convention explicitly provides that States parties are to take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise.³⁴¹ That obligation, frequently referred to as an obligation of due diligence, underpins the Convention as a whole³⁴² and accordingly States parties will be held responsible should they fail to take all appropriate measures to prevent, as well as to investigate, prosecute, punish and provide reparations for, acts or omissions by non-State actors that result in gender-based violence against women.³⁴³[...] The failure of a State party to take all appropriate measures to prevent acts of gender-based violence against women in cases in which its authorities are aware or should be aware of the risk of such violence, or the failure to investigate, to prosecute and punish perpetrators and to provide reparations to victims/survivors of such acts, provides tacit permission*

³⁴¹ General recommendation No. 28, para. 36.

³⁴² Ibid., para. 13.

³⁴³ General recommendation No. 19, para. 9.

or encouragement to perpetrate acts of gender-based violence against women.³⁴⁴ Such failures or omissions constitute human rights violations.

UN Convention on the Rights of the Child, 1989

Article 1

For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier

Article 3

- 1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.*
- 2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.*
- 3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.*

Article 19

- 1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.*
- 2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.*

Article 31

- 1. 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.*
- 2. 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 leisure activity.*

Article 32

- 1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.*

Article 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- a. The inducement or coercion of a child to engage in any unlawful sexual activity;*

³⁴⁴ General recommendation No. 19, para. 9.

Article 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

UN Convention on the Rights of the Child, General comment No. 13, 2011, The right of the child to freedom from all forms of violence

Article 33. Definition of “caregivers”.

The Committee considers that, while respecting the evolving capacities and progressive autonomy of the child, all human beings below the age of 18 years are nonetheless “in the care of” someone, or should be.

The definition of “caregivers”, referred to in article 19, paragraph 1, as “parent(s), legal guardian(s) or any other person who has the care of the child”, covers those with clear, recognized legal, professional-ethical and/or cultural responsibility for the safety, health, development and well-being of the child, primarily: ...recreational and sports coaches – including youth group supervisors;

Article 42. Administrative measures should reflect governmental obligations to establish policies, programmes, monitoring and oversight systems required to protect the child from all forms of violence. These include:

b. At the levels of governmental, professional and civil society institutions:

i. Developing and implementing (through participatory processes which encourage ownership and sustainability):

b. Professional ethics codes, protocols, memoranda of understanding and standards of care for all childcare services and settings (including ... sport clubs ... etc.);

UN Convention on the Rights of Persons with Disabilities 2006

Preamble

The States Parties to the present Convention:

q. Recognizing that women and girls with disabilities are often at greater risk, both within and outside the home, of violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation,

Article 16. Freedom from exploitation, violence and abuse

- 1. States Parties shall take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse, including their gender-based aspects.*
- 3. In order to prevent the occurrence of all forms of exploitation, violence and abuse, States Parties shall ensure that all facilities and programmes designed to serve persons with disabilities are effectively monitored by independent authorities.*
- 4. States Parties shall take all appropriate measures to promote the physical, cognitive and psychological recovery, rehabilitation and social reintegration of persons with disabilities who become victims of any form of exploitation, violence or abuse, including through the provision of protection services. Such recovery and reintegration shall take place in an environment that fosters the health, welfare, self-respect, dignity and autonomy of the person and takes into account gender- and age-specific needs.*
- 5. States Parties shall put in place effective legislation and policies, including women- and child-focused legislation and policies, to ensure that instances of exploitation, violence and abuse against persons with disabilities are identified, investigated and, where appropriate, prosecuted.*

UN Convention Against Torture 1984

Article 1

1. *For the purposes of this Convention, the term "torture" means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.*

Universal Declaration on Human Rights 1948

Article 5.

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, 2006

III. Prevention of Victimization

10. *Member States are encouraged to consider the introduction, where necessary, and the strengthening of the work of ombudsmen and civilian review bodies or other complaint mechanisms and means of preventing and investigating possible abuse of power.*

UN Guiding Principles on Business and Human Rights, 2011

I. The State duty to protect human rights

A. Foundational principles

1. *States must protect against human rights abuse within their territory and/or jurisdiction by third parties, including business enterprises. This requires taking appropriate steps to prevent, investigate, punish and redress such abuse through effective policies, legislation, regulations and adjudication.*

Issues of context

23. *In all contexts, business enterprises should:*
 - a. *Comply with all applicable laws and respect internationally recognized human rights, wherever they operate;*
 - b. *Seek ways to honour the principles of internationally recognized human rights when faced with conflicting requirements;*
 - c. *Treat the risk of causing or contributing to gross human rights abuses as a legal compliance issue wherever they operate.*

UN Convention Against Transnational Organized Crime, 2004

For the purposes of this Convention:

- a. *"Organized criminal group" shall mean a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit;*

UN Convention Against Transnational Organized Crime, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime (the Palermo Protocol)

For the purposes of this Protocol:

- a. *"Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of*

payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

UNESCO Kazan Action Plan, Sixth International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport, MINEPS VI, 2017

Objective

Enhance sport ministries' capacities through more consistent and comprehensive international standards that facilitate synergies to address sport integrity issues and support the implementation of the existing rules

UNESCO, Reporting on violence against women and girls: a handbook for journalists

Testimonies have multiplied, with many countries and domains affected: ...sports... This global wave has highlighted the omnipresence of harassment and sexual assault against women.

Ensure that the media as a whole (...sports...) does not reinforce representations and stereotypes that contribute to trivializing sexual harassment and similar attacks.

UN High Commissioner for Human Rights, Report to the Human Rights Council, Intersection of race and gender discrimination in sport, 2020

6. *Numerous studies point to the factors linked to the lower participation rates of women and girls in both amateur and professional sport. Those factors can be [...] internal to sport, including the lack of programmes to create a gender-sensitive and safe sporting environment or to address harassment and other forms of gender-based violence in sport, including sexual exploitation and abuse.³⁴⁵*
57. *States should consider taking collective action on behalf of athletes, including with the involvement of sporting bodies, to address the gaps in accountability arising from the practices and policies of sporting bodies.*
58. *States and sporting bodies should establish a process to review rules, regulations, contracts and agreements to ensure their compliance with international human rights norms and standards, paying particular attention to the need to protect from discrimination and to provide adequate remedies, including in respect of arbitration clauses, so that they do not violate the rights of athletes.*

UN Resolution 8/4 adopted by the Conference of the States Parties to the UN Convention against Corruption at its eighth session, 2019

Recognizing the importance of protecting children and young people in sport from potential exploitation and abuse so as to ensure a positive experience and a safe environment that supports their healthy development:

10. *Urges States parties and relevant stakeholders to address risks to vulnerable groups, in particular children and young athletes, posed by corruption in sport, with a view to promoting healthy lives and principles of integrity and to creating an atmosphere of intolerance towards corruption in junior and youth sport;*
11. *Invites States parties and relevant stakeholders, with a view to promoting gender equality and the empowerment of women, to actively encourage the greater participation and representation of women in sports-related activities, programmes and initiatives and in sports governing bodies, including by developing robust awareness programmes that address gender-related barriers in sport caused by corruption;*

³⁴⁵ See, for example, European Commission, February 2014.

UN Sustainable Development Goals (SDGs)

SDG 5. Achieve gender equality and empower all women and girls

Target 5.1. End all forms of discrimination against all women and girls everywhere

Target 5.2. Eliminate all forms of violence against all women and girls in public and private spheres, including trafficking and sexual and other types of exploitation

SDG 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

SDG Target 16.1. Significantly reduce all forms of violence and related death rates everywhere

SDG Target 16.2. End abuse, exploitation, trafficking and all forms of violence against children

UN Women, Towards an End to Sexual Harassment: The Urgency and Nature of Change in the Era of #MeToo, 2018

UN Women led an inter-agency framework to underpin action to prevent violence against women,³⁴⁶ which articulates an evidence-based understanding of the root causes, risk and protective factors associated with violence. It also outlines the eradication work that can be undertaken by stakeholders across countries, regions, communities, sectors and disciplines.

Within this comprehensive approach to prevention, institutional change is identified as a key pillar. Institutions, whether public or private, formal or informal, often reflect the harmful attitudes, beliefs and practices that perpetuate discrimination and gender inequality that underpin violence against women and girls. They are sites where structures and culture enable sexual harassment and abuse against women and girls to be meted out and where harmful social norms can go uncontested, reinforcing these notions and behaviours.³⁴⁷

UN Women, Elimination and prevention of all forms of violence against women and girls: Agreed Conclusions, 2013

The “agreed conclusions” adopted by the Commission on the Status of Women at the conclusion of its session (E/2013/27) cover all forms of violence against women and girls, in all contexts and settings. Emerging forms of violence, such as cyber stalking and cyber bullying, gender-related killings, or femicide, and the need for safety in public spaces, also receive attention. The agreed conclusions recognize that multiple forms of discrimination and other factors expose some women and girls to increased risk of violence, requiring targeted responses.

Annex 3. International Legal and Policy Frameworks: Reporting

Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, 2007 (the Lanzarote Convention)

Article 12. Reporting suspicion of sexual exploitation or sexual abuse

- 1. Each Party shall take the necessary legislative or other measures to ensure that the confidentiality rules imposed by internal law on certain professionals called upon to work in contact with children do not constitute an obstacle to the possibility, for those professionals, of their reporting to the services responsible for child protection any situation where they have reasonable grounds for believing that a child is the victim of sexual exploitation or sexual abuse.*
- 2. Each Party shall take the necessary legislative or other measures to encourage any person who knows about or suspects, in good faith, sexual exploitation or sexual abuse of children to report these facts to the competent services.*

³⁴⁶ UN Women, 2016.

³⁴⁷ p.19, *ibid.*

Article 13. Helplines

Each Party shall take the necessary legislative or other measures to encourage and support the setting up of information services, such as telephone or Internet helplines, to provide advice to callers, even confidentially or with due regard for their anonymity.

Article 31. General measures of protection³⁴⁸

1. *Each Party shall take the necessary legislative or other measures to protect the rights and interests of victims, including their special needs as witnesses, at all stages of investigations and criminal proceedings, in particular by:*
 - a. *informing them of their rights and the services at their disposal and, unless they do not wish to receive such information, the follow-up given to their complaint, the charges, the general progress of the investigation or proceedings, and their role therein as well as the outcome of their cases;*
 - b. *ensuring, at least in cases where the victims and their families might be in danger, that they may be informed, if necessary, when the person prosecuted or convicted is released temporarily or definitively;*
 - c. *enabling them, in a manner consistent with the procedural rules of internal law, to be heard, to supply evidence and to choose the means of having their views, needs and concerns presented, directly or through an intermediary, and considered;*
 - d. *providing them with appropriate support services so that their rights and interests are duly presented and taken into account;*
 - e. *protecting their privacy, their identity and their image and by taking measures in accordance with internal law to prevent the public dissemination of any information that could lead to their identification;*
 - f. *providing for their safety, as well as that of their families and witnesses on their behalf, from intimidation, retaliation and repeat victimisation;*
 - g. *ensuring that contact between victims and perpetrators within court and law enforcement agency premises is avoided, unless the competent authorities establish otherwise in the best interests of the child or when the investigations or proceedings require such contact. Each Party shall ensure that victims have access, as from their first contact with the competent authorities, to information on relevant judicial and administrative proceedings.*
2. *Each Party shall ensure that victims have access, as from their first contact with the competent authorities, to information on relevant judicial and administrative proceedings.*
3. *Each Party shall ensure that victims have access, provided free of charge where warranted, to legal aid when it is possible for them to have the status of parties to criminal proceedings.*
4. *Each Party shall provide for the possibility for the judicial authorities to appoint a special representative for the victim when, by internal law, he or she may have the status of a party to the criminal proceedings and where the holders of parental responsibility are precluded from representing the child in such proceedings as a result of a conflict of interest between them and the victim.*
5. *Each Party shall provide, by means of legislative or other measures, in accordance with the conditions provided for by its internal law, the possibility for groups, foundations, associations or governmental or non-governmental organisations, to assist and/or support the victims with their consent during criminal proceedings concerning the offences established in accordance with this Convention.*
6. *Each Party shall ensure that the information given to victims in conformity with the provisions of this article is provided in a manner adapted to their age and maturity and in a language that they can understand.*

³⁴⁸ Similar wording is provided at article 56 Measures of Protection, Council of Europe, 2011

Council of Europe Convention on preventing and combating violence against women and domestic violence, 2011 (the Istanbul Convention)

Article 24. Telephone helplines

Parties shall take the necessary legislative or other measures to set up state-wide round-the-clock (24/7) telephone helplines free of charge to provide advice to callers, confidentially or with due regard for their anonymity, in relation to all forms of violence covered by the scope of this Convention.

Article 27. Reporting

Parties shall take the necessary measures to encourage any person witness to the commission of acts of violence covered by the scope of this Convention or who has reasonable grounds to believe that such an act may be committed, or that further acts of violence are to be expected, to report this to the competent organisations or authorities.

Council of Europe Recommendation CM/Rec (2014)7 on the protection of whistle-blowers and explanatory memorandum

IV. Channels for reporting and disclosures

14. The channels for reporting and disclosures comprise:

- *Reports within an organisation or enterprise (including to persons designated to receive reports in confidence);*
- *Reports to relevant public regulatory bodies, law enforcement agencies and supervisory bodies;*
- *Disclosures to the public, for example to a journalist or a member of parliament.*
- *The individual circumstances of each case will determine the most appropriate channel.*

VII. Protection against retaliation

21. Whistle-blowers should be protected against retaliation of any form, whether directly or indirectly, by their employer and by persons working for or acting on behalf of the employer. Forms of such retaliation might include dismissal, suspension, demotion, loss of promotion opportunities, punitive transfers and reductions in or deductions of wages, harassment or other punitive or discriminatory treatment.

Child Helpline International

Mental health and violence were the two main reasons for contact reported by the child helplines in the EU in 2019. More than half of all counselling contacts were related to these two topics (53.2%).

ISO 37002 on Whistleblowing

Whistleblowing is the act of reporting suspected wrongdoing, or risk of wrongdoing. Studies and experience demonstrate that a large proportion of wrongdoing comes to the attention of the affected organization via reports from persons within or close to the organization.

Organizations are increasingly introducing internal whistleblowing policies and processes in response to regulation or on a voluntary basis.

This document provides guidance to organizations for establishing, implementing, maintaining and improving a whistleblowing management system, with the following outcomes:

- Encouraging and facilitating reporting of wrongdoing;*
- Supporting and protecting whistle-blowers and other persons involved;*
- Ensuring reports of wrongdoing are dealt with in a proper and timely manner;*
- Improving organizational culture, governance and the prevention of wrongdoing.*

Potential benefits for the organization include:

- *Allowing the organization to identify and address wrongdoing at the earliest opportunity;*
- *Helping prevent or minimize loss of assets and aiding recovery of lost assets;*
- *Ensuring compliance with organizational policies, procedures, and legal and social obligations;*

- *Attracting and retaining personnel committed to the organization's values and culture; and*
- *Demonstrating sound, ethical governance practices to society, markets, regulators, owners and other stakeholders.*

An effective whistleblowing management system will build organizational trust, by:

- *Demonstrating leadership commitment to preventing and addressing wrongdoing;*
- *Encouraging people to come forward early with reports of wrongdoing;*
- *Reducing and preventing detrimental treatment of whistle-blowers and others involved; and*
- *Encouraging a culture of openness, transparency and accountability.*

UN Convention Against Transnational Organised Crime (UNTOC)

Article 24. Protection of witnesses

1. *Each State Party shall take appropriate measures within its means to provide effective protection from potential retaliation or intimidation for witnesses in criminal proceedings who give testimony concerning offences covered by this Convention and, as appropriate, for their relatives and other persons close to them.*

UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, 2006

2. *Also recommends that Member States take the necessary steps to give effect to the provisions contained in the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, through:*
 - d. *The establishment of measures to protect victims from abuse, calumny or intimidation in the course or as a result of any criminal or other proceedings related to the crime, including effective remedies, should such abuses occur;*

PRINCIPLES 8. As stated in international instruments and in particular the Convention on the Rights of the Child as reflected in the work of the Committee on the Rights of the Child, and in order to ensure justice for child victims and witnesses of crime, professionals and others responsible for the well-being of those children must respect the following cross-cutting principles:

- c. *Best interests of the child. While the rights of accused and convicted offenders should be safeguarded, every child has the right to have his or her best interests given primary consideration. This includes the right to protection and to a chance for harmonious development:*
 - i. *Protection. Every child has the right to life and survival and to be shielded from any form of hardship, abuse or neglect, including physical, psychological, mental and emotional abuse and neglect;*

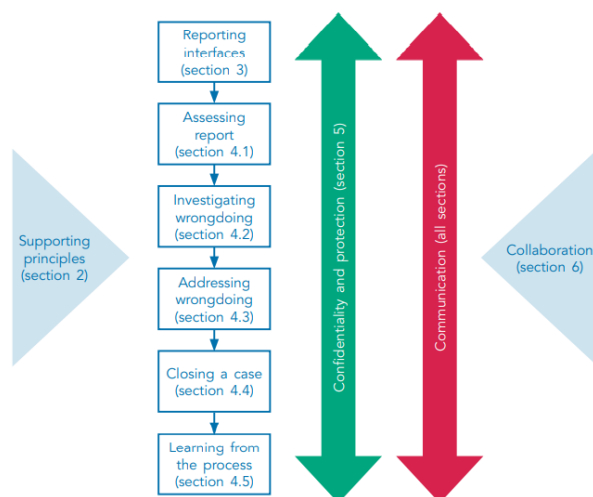
UN Resolution 8/4 adopted by the Conference of the States Parties to the UN Convention against Corruption at its eighth session, 2019

12. *Encourages States parties and sports organizations, bearing in mind in particular articles 8, 32 and 33 of the United Nations Convention against Corruption, in conformity with national legislation and in the context of sport, to consider developing reporting mechanisms in sport and establishing effective protection measures for reporting persons and witnesses, to increase awareness of such measures and to make use of the joint publication of the United Nations Office on Drugs and Crime and the International Olympic Committee entitled Reporting Mechanisms in Sport: A Practical Guide for Development and Implementation and the publication of the United Nations Office on Drugs and Crime entitled Resource Guide on Good Practices in the Protection of Reporting Persons;*

UNODC-IOC, Reporting Mechanisms in Sport: A Practical Guide for Development and Implementation, 2019

This Guide aims to facilitate the implementation of effective reporting mechanisms in sport.

BOX 1. OVERVIEW OF A REPORTING MECHANISM



Annex 4: International Legal and Policy Frameworks, Methods and Tools: Victim/Survivor-Centred and Trauma-Informed Care

Adverse Childhood Experiences (ACE) and Trauma-Informed Care

The Adverse Childhood Experiences (ACE) Study³⁴⁹ looked at the relationship of childhood abuse and household dysfunction³⁵⁰ to many of the leading causes of death in adults. The study found a strong graded relationship between the breadth of exposure to abuse or household dysfunction during childhood and multiple risk factors for several of the leading causes of death in adults.

*Practitioners in all health care disciplines need to be knowledgeable about ACEs and prepared to address them. Patients need their providers to skilfully and comprehensively navigate the intersection of mental, emotional, and physical components of their healing process. Models of trauma-informed care and resilience-building approaches assist rehabilitation professionals in contributing to a solution to the prevalence of ACEs and chronic stress in the population.*³⁵¹

Barnahus approach³⁵²

The Barnahus approach is a child-friendly, interdisciplinary and multi-agency approach for child victims and witnesses where children can be interviewed and medically examined for forensic purposes, comprehensively assessed and receive all relevant therapeutic services from appropriate professionals.

³⁴⁹ Felitti, V. J., Anda, R. F., et al., 1998, pp. 245-258.

³⁵⁰ The traumatic events are: physical abuse, verbal abuse, sexual abuse, physical neglect, emotional neglect, a parent who is an alcoholic, a mother who is a victim of domestic violence, a family member in jail, a family member diagnosed with a mental illness, and the disappearance of a parent through divorce, death or abandonment.

³⁵¹ Ranjbar, N., Erb, M., March 2019.

³⁵² Nica, F., 2016.

To avoid subjecting children to repeated interviews by many agencies in different locations. Research has shown that when this happens, it can be very traumatic for the child. This 're-victimisation' can have even more harmful effects on the child than the abuse itself. Furthermore, research has shown that repeated interviews carried out by people that are not specifically trained in forensic interviewing are likely to distort the child's account of events by suggestive questioning and have a detrimental effect on criminal investigations.

A Barnahus is described as having four 'rooms' and each contains a particular operation. These are: criminal investigation, collaboration/protection, physical health and mental health. Moreover, Barnahus is a place at which the social services, the police, the public prosecutor's office, forensic medicine, pediatrics and child and adolescent psychiatry can confer and collaborate, particularly in the initial stages of the preliminary investigation and the social investigation.

Interview: The child is interviewed in a special room by a trained investigative interviewer according to evidence-based protocol and it is adapted to the child's developmental age.

Listening-in: To spare the child from having to tell his or her story on several occasions and to several individuals, the interview is observed in a different room (a listening-in room) by a judge, who is formally in charge of the procedure, a social worker from the child protection authorities, the police, the prosecution, the defense attorney and the child's advocate. The interview is videotaped and is used in court at the main proceedings if an indictment is made. This arrangement makes it possible to do with only one interview with the child as the child need not appear in court.

Medical examination: After the interview, the child may have the medical examination in the medical room of the house. The job of healthcare personnel at a Barnahus is to investigate the child's somatic status, assess the presence of injuries, and investigate, assess and meet the child's need for somatic treatment. The purpose of the medical investigation is to document injuries and issue a forensic certificate on the basis of the examination results.

Crisis support and treatment: Crisis support for children, parents and other family members may be offered on site by specially appointed personnel or team members, as long as the investigation and the legal process are ongoing or they may be referred to other care providers at another site.

The House also provides treatment services for child victims of sexual abuse and their families. The child is assessed for therapeutic purposes and an individual treatment plan is designed and executed either at the facilities or, if the child lives outside of the capital area, as near to her/his home as possible.

Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, 2007 (the Lanzarote Convention)

Article 14. Assistance to victims

1. *Each Party shall take the necessary legislative or other measures to assist victims, in the short and long term, in their physical and psycho-social recovery. Measures taken pursuant to this paragraph shall take due account of the child's views, needs and concerns.*
2. *Each Party shall take measures, under the conditions provided for by its internal law, to cooperate with non-governmental organisations, other relevant organisations or other elements of civil society engaged in assistance to victims.*
3. *When the parents or persons who have care of the child are involved in his or her sexual exploitation or sexual abuse, the intervention procedures taken in application of Article 11, paragraph 1, shall include: – the possibility of removing the alleged perpetrator; – the possibility*

of removing the victim from his or her family environment. The conditions and duration of such removal shall be determined in accordance with the best interests of the child.

- 4. Each Party shall take the necessary legislative or other measures to ensure that the persons who are close to the victim may benefit, where appropriate, from therapeutic assistance, notably emergency psychological care.*

Council of Europe Convention on preventing and combating violence against women and domestic violence, 2011 (the Istanbul Convention)

Article 20. General support services

- 2. Parties shall take the necessary legislative or other measures to ensure that victims have access to services facilitating their recovery from violence. These measures should include, when necessary, services such as legal and psychological counselling, financial assistance, housing, education, training and assistance in finding employment.*
- 3. Parties shall take the necessary legislative or other measures to ensure that victims have access to health care and social services and that services are adequately resourced and professionals are trained to assist victims and refer them to the appropriate services.*

Article 22. Specialist support services

- 1. Parties shall take the necessary legislative or other measures to provide or arrange for, in an adequate geographical distribution, immediate, short- and long-term specialist support services to any victim subjected to any of the acts of violence covered by the scope of this Convention.*
- 2. Parties shall provide or arrange for specialist women's support services to all women victims of violence and their children.*

Article 23. Shelters

Parties shall take the necessary legislative or other measures to provide for the setting-up of appropriate, easily accessible shelters in sufficient numbers to provide safe accommodation for and to reach out pro-actively to victims, especially women and their children.

Article 25. Support for victims of sexual violence

Parties shall take the necessary legislative or other measures to provide for the setting up of appropriate, easily accessible rape crisis or sexual violence referral centres for victims in sufficient numbers to provide for medical and forensic examination, trauma support and counselling for victims.

Article 26. Protection and support for child witnesses

- 3. Parties shall take the necessary legislative or other measures to ensure that in the provision of protection and support services to victims, due account is taken of the rights and needs of child witnesses of all forms of violence covered by the scope of this Convention.*
- 4. Measures taken pursuant to this article shall include age-appropriate psychosocial counselling for child witnesses of all forms of violence covered by the scope of this Convention and shall give due regard to the best interests of the child.*

Council of Europe, The Istanbul Convention Infographic

Protection: The safety and needs of victims and witnesses must be at the heart of all protective measures adopted by a country. Their rights include:



Harvard Medical School, H5 Model on Trauma and Recovery³⁵³

I. NEW H5 MODEL

Recognizing the urgent need to address the humanitarian care of those affected by human violence and aggression, the H5 Model focuses specifically on the millions of refugees living in camps worldwide, but it is our hope that it can also be used to serve civilian and mainstream populations suffering from trauma.

Figure 1: The Five Overlapping Dimensions and Core Elements of the H5 Model



Harvard Program in Refugee Trauma Questionnaire

A 300-page manual entitled Measuring Trauma, Measuring Torture is available. It provides a rich scientific and ethnographic model and tools for the care of traumatized persons in diverse cultural settings worldwide.

UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, 2006

2. Further recommends that Member States, in collaboration with relevant services, agencies and organizations, endeavour:
 - a. To encourage the provision of assistance and support services to victims of crime, with due regard to different social, cultural and legal systems, taking into account the experience of different models and methods of service delivery and the current state of knowledge concerning victimization, including its emotional impact, and the consequent need for service organizations to extend offers of assistance to victims;

³⁵³ Harvard Medical School, 2014, p. 3.

- b. *To develop suitable training for all who provide services to victims to enable them to develop the skills and understanding needed to help victims cope with the emotional impact of crime and overcome bias, where it may exist, and to provide factual information;*
- e. *Where informal mechanisms for the resolution of disputes exist, or have been newly introduced, to ensure, if possible and with due consideration to established legal principles, that the wishes and sensibilities of victims are fully taken into consideration and that the outcome is at least as beneficial for the victims as would have been the case if the formal system had been used;*

UN Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by UN Staff and Related Personnel, A/RES/62/214, 2008

Assistance and support

- 6. *Complainants should receive basic assistance and support in accordance with their individual needs directly arising from the alleged sexual exploitation and abuse. This assistance and support will comprise medical care, legal services, support to deal with the psychological and social effects of the experience and immediate material care, such as food, clothing, emergency and safe shelter, as necessary.*
- 7. *Further to basic assistance, victims should receive additional assistance and support in accordance with their individual needs directly arising from sexual exploitation and abuse. This assistance and support will comprise medical care, legal services, support to deal with the psychological and social effects of the experience and immediate material care, as necessary.*

UNODC Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice: A New Tool for Policymakers, Criminal Justice Officials and Practitioners, 2015

The Model strategies underline that, “prevention measures, building on a growing understanding of factors that give rise to violence against children and addressing the risks of violence to which children are exposed, should be part of a comprehensive strategy to eliminate violence against children” and call all relevant actors, to work together in developing “effective violence prevention programmes as part of both broader crime prevention programmes and initiatives to build a protective environment for children”. “Preventing the victimization of children through all available means should be recognized as a crime prevention priority”.

Other relevant tools and publications include:

- UNODC, March 2015, *Planning the Implementation of the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice: A Checklist,*
- UNODC-UNICEF, 2006, *UN Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime: Child-Friendly Version;*
- UNODC, 2009, *Handbook for Professionals and Policymakers on Justice in matters involving child victims and witnesses of crime;*
- UNODC, 2015b, *Training Programme on the Treatment of Child Victims and Child Witnesses of Crime for Law Enforcement Officials.*

UN Victims’ Rights Advocate (VRA)

The Office of the Victims’ Rights Advocate (OVRA) seeks to put the rights and dignity of victims of sexual exploitation and abuse by UN staff and related personnel at the forefront of the UN’s prevention and response efforts. We work together with all entities of the UN system so that victims get the assistance and support they need. We also work in collaboration with Government institutions, civil society, and including national and legal and human rights organizations to build networks of support and help ensure that the full effect of local laws, including remedies for victims, are brought to bear.

UN Women, UNFPA, WHO, UNDP and UNODC, Essential services package for women and girls subject to violence, 2015

The United Nations Joint Global Programme on Essential Services for Women and Girls Subject to Violence, a partnership by UN Women, UNFPA, WHO, UNDP and UNODC, aims to provide greater access to a coordinated set of essential and quality multi-sectoral services for all women and girls who have experienced gender-based violence.

The Programme identifies the essential services to be provided by the health, social services, police and justice sectors as well as guidelines for the coordination of essential services and the governance of coordination processes and mechanisms. Service delivery guidelines for the core elements of each essential service have been identified to ensure the delivery of high-quality services, particularly for low- and middle-income countries, for women and girls experiencing violence. Taken together, these elements comprise the “Essential services package”.

Module 4: Social Services: Essential Services Package for Women and Girls Subject to Violence Core Elements and Quality Guidelines³⁵⁴

ESSENTIAL SERVICE: 9. WOMEN-CENTRED SUPPORT	
Navigating the range of services, options and decision available can be daunting for women and girls experiencing intimate partner and non- partner sexual violence. Skilled assistance from trained staff can assist women and girls to access the most appropriate services, and to make informed choices that have the best opportunity to ensure her safety, empower her, and uphold her rights.	
CORE ELEMENTS	GUIDELINES
9.1 Availability	<ul style="list-style-type: none"> • Ensure women and child-centred support is available for women and girls throughout their journey through the system • Ensure staff are trained to work on behalf of, and to represent the interests of, women and girls • Ensure staff respect the expressed wishes and decisions of women and girls • Ensure any representation on behalf of women and girls is carried out with their explicit and informed consent

ESSENTIAL SERVICE: 10. CHILDREN’S SERVICES FOR ANY CHILD AFFECTED BY VIOLENCE	
The effect of experiencing violence directly or indirectly can have a devastating impact on children. Children have the right to access services that are age appropriate, child sensitive and child-friendly.	
CORE ELEMENTS	GUIDELINES
10.1 Availability	<ul style="list-style-type: none"> • Provide child-centred rights-based counselling and psycho-social support • Ensure each child has an individualized care plan • Provide services for children free of charge • Facilitate access to emergency and long-term alternative care, if required, with or without a parent/caregiver, as appropriate, in line with the Guidelines of the Alternative Care of Children • Facilitate access to representation for children, where required, for example a (legal) guardian if the child is unaccompanied • Ensure timely referrals and facilitated access to necessary services, for example to child protection to address issues regarding guardianship, health care and education
10.2 Accessibility	<ul style="list-style-type: none"> • Provide services that are age appropriate, child sensitive, child friendly and in line with international standards • Ensure staff receive training on child-sensitive and child-friendly procedures

³⁵⁴ Module 4, p. 16, UN Women, UNFPA, WHO, UNDP and UNODC, Essential services package for women and girls subject to violence, 2015

World Health Organisation (WHO), Global plan of action to strengthen the role of the health system within a national multisectoral response to address interpersonal violence, in particular against women and girls, and against children, 2016

Women and girls bear an enormous burden of specific types of violence that are rooted in socially accepted gender inequality and discrimination, and are thus sanctioned, despite constituting a violation of their human rights. Because of this, women and girls experience shame and stigma, and the violence often remains hidden. All too often, health and other institutions are slow to recognize and address this violence, and services are not available or have limited capacity.

WHO, INSPIRE Handbook: Action For Implementing The Seven Strategies For Ending Violence Against Children 2018

The INSPIRE technical package of care outlines the evidenced based response and support approaches that should be in place to improve access to good-quality health, social welfare and justice services for all children who need them, and to reduce the long-term impact of abuse. Trauma-informed cognitive behaviour therapy is one such intervention that has proven to be effective, among many other cross-cutting interventions.

Goal: Help children, immediately and in the longer term³⁵⁵

ALL SECTORS	SOCIAL SERVICES	HEALTH	JUSTICE
Provide first-line support, minimize harms, and prevent secondary victimization	Support and coordination of services and case management Alternative care, including foster care with social services Counseling and therapeutic approaches	Assessment, documentation, and clinical and psychosocial care Specialized clinical care for sexual abuse Counseling and therapeutic approaches	Protective mechanisms Child-friendly justice process Quality free legal aid Guardian ad Litem

The INSPIRE technical package highlights the importance of coordination among different services to promote the safety of victims, provide appropriate care and prevent secondary and re-victimisation. Among several actions and services that need to be coordinated is the crucial role of the social service workforce in making assessment and linking victims of violence with services and support.

WHO, Strengthening health systems to respond to women subjected to intimate partner violence or sexual violence: A manual for health managers, 2017

The purpose of this manual is to strengthen and enable health systems to provide confidential, effective and women-centred services to survivors of violence. Health-care providers are often the first point of professional contact for survivors/ victims of violence, and yet the underlying violence is often invisible to them. Children who suffer violence also frequently come to the health services without the violence being identified by health workers.

³⁵⁵ WHO, 11 July 2018, p. 208.

Annex 5. International Legal Frameworks: Remedy

Council of Europe, Guidelines on Sports Integrity: Action 3 of the Kazan Action Plan, 2020

Remedies are managed on the governmental side by judicial authorities, mediators and independent authorities. On the sport side, sports organisations have disciplinary and arbitration bodies at international level, while the jurisdiction of the Court of Arbitration for Sport (CAS) constitutes the ultimate remedy. Based in Switzerland, CAS can be held accountable to the Swiss Federal Tribunal if its procedures are not compliant with fundamental rights. And Switzerland is then accountable to the European Court of Human Rights.

Council of Europe, Convention on preventing and combating violence against women and domestic violence, 2011 (the Istanbul Convention)

Chapter VI – Investigation, prosecution, procedural law and protective measures.

Article 49. General obligations

- 1. Parties shall take the necessary legislative or other measures to ensure that investigations and judicial proceedings in relation to all forms of violence covered by the scope of this Convention are carried out without undue delay while taking into consideration the rights of the victim during all stages of the criminal proceedings.*

Article 50. Immediate response, prevention and protection

- 1. Parties shall take the necessary legislative or other measures to ensure that the responsible law enforcement agencies respond to all forms of violence covered by the scope of this Convention promptly and appropriately by offering adequate and immediate protection to victims.*
- 2. Parties shall take the necessary legislative or other measures to ensure that the responsible law enforcement agencies engage promptly and appropriately in the prevention and protection against all forms of violence covered by the scope of this Convention, including the employment of preventive operational measures and the collection of evidence.*

Article 51. Risk assessment and risk management

- 1. Parties shall take the necessary legislative or other measures to ensure that an assessment of the lethality risk, the seriousness of the situation and the risk of repeated violence is carried out by all relevant authorities in order to manage the risk and if necessary to provide co-ordinated safety and support.*
- 2. Parties shall take the necessary legislative or other measures to ensure that the assessment referred to in paragraph 1 duly takes into account, at all stages of the investigation and application of protective measures, the fact that perpetrators of acts of violence covered by the scope of this Convention possess or have access to firearms.*

Article 52. Emergency barring orders

Parties shall take the necessary legislative or other measures to ensure that the competent authorities are granted the power to order, in situations of immediate danger, a perpetrator of domestic violence to vacate the residence of the victim or person at risk for a sufficient period of time and to prohibit the perpetrator from entering the residence of or contacting the victim or person at risk. Measures taken pursuant to this article shall give priority to the safety of victims or persons at risk.

Article 53. Restraining or protection orders

- 1. Parties shall take the necessary legislative or other measures to ensure that appropriate restraining or protection orders are available to victims of all forms of violence covered by the scope of this Convention.*

- Parties shall take the necessary legislative or other measures to ensure that breaches of restraining or protection orders issued pursuant to paragraph 1 shall be subject to effective, proportionate and dissuasive criminal or other legal sanctions.

Article 54. Investigations and evidence

Parties shall take the necessary legislative or other measures to ensure that, in any civil or criminal proceedings, evidence relating to the sexual history and conduct of the victim shall be permitted only when it is relevant and necessary.

Article 55. Ex parte and ex officio proceedings

- Parties shall ensure that investigations into or prosecution of offences established in accordance with Articles 35, 36, 37, 38 and 39 of this Convention shall not be wholly dependent upon a report or complaint filed by a victim if the offence was committed in whole or in part on its territory, and that the proceedings may continue even if the victim withdraws her or his statement or complaint.
- Parties shall take the necessary legislative or other measures to ensure, in accordance with the conditions provided for by their internal law, the possibility for governmental and non-governmental organisations and domestic violence counsellors to assist and/or support victims, at their request, during investigations and judicial proceedings concerning the offences established in accordance with this Convention.

Article 56. Measures of protection

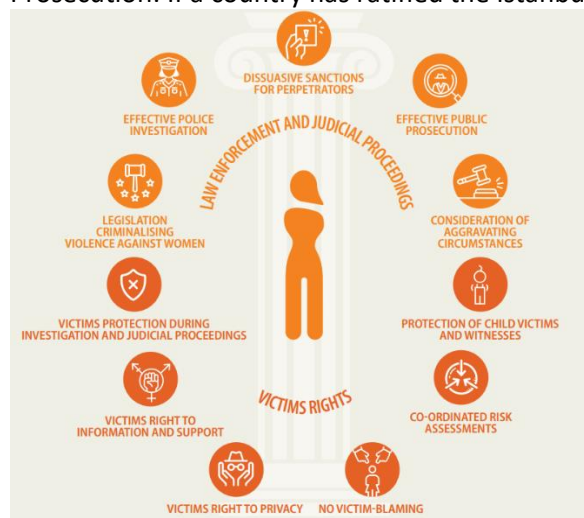
- Parties shall take the necessary legislative or other measures to protect the rights and interests of victims, including their special needs as witnesses, at all stages of investigations and judicial proceedings
- A child victim and child witness of violence against women and domestic violence shall be afforded, where appropriate, special protection measures taking into account the best interests of the child.

Article 57. Legal aid

Parties shall provide for the right to legal assistance and to free legal aid for victims under the conditions provided by their internal law.

Council of Europe, The Istanbul Convention Infographic³⁵⁶

Prosecution: If a country has ratified the Istanbul Convention, it will have to ensure:



³⁵⁶ Council of Europe, Infographic, COE_IstanbulConvention_Infographic_EN_r04_v01

International Covenant on Civil and Political Rights, 1976

Article 3. Each State Party to the present Covenant undertakes:

To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy [...];

To ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;

To ensure that the competent authorities shall enforce such remedies when granted.

International Labour Organization (ILO) Global Dialogue Forum on Decent Work in the World of Sport, GDFWS/2020/7, Points of Consensus, 2020

12. *Although there have been some encouraging developments, it remains challenging to establish and implement effective remedy mechanisms to address grievances of all kinds. While some redress mechanisms exist and are effective in addressing violations of athletes' rights, others are not. In these cases, effective grievance mechanisms should be created, enhanced and further developed.*

24. *Compliance with and respect for athletes' contracts is linked to the existence of effective redress mechanisms at country, regional and global level. Some governments, employers' and workers' organizations, and other relevant stakeholders have put in place a range of disciplinary measures and remedy systems to address decent work deficits and provide athletes with a safe space to air grievances. However, these systems and measures could be further strengthened, bearing in mind the "duty of care" concerned actors have towards all athletes.*

25. *Some governments have developed social protection systems that support athletes after injury, whereas in other countries access to social protection for athletes is limited or does not exist.*

UN Convention on the Rights of the Child, General comment No. 13, 2011, The right of the child to freedom from all forms of violence

Article 41. State parties that have not yet done so must:

f. *Ensure the protection of child victims and witnesses and effective access to redress and reparation.*

i. *Enforce law and judicial procedures in a child-friendly way, including remedies available to children when rights are violated;*

UN Convention Against Torture 1984

Article 14

1. *Each State Party shall ensure in its legal system that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible.*

UN Convention on the Elimination of All Forms of Discrimination against Women, 1979

Article 2

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

c. *To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;*

UN Convention on the Rights of Persons with Disabilities

Article 13. Access to justice

States Parties shall ensure effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age-appropriate accommodations, in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, including at investigative and other preliminary stages.

UN High Commissioner for Human Rights, Report to the Human Rights Council, Intersection of race and gender discrimination in sport, 2020

Article 54. States have obligations to remove obstacles for women and girls in accessing sport, including social, cultural and economic barriers. To this end, they should address discrimination in sport on the basis of gender, race and other grounds by:

d. Ensuring access to adequate and effective remedies that can provide full redress for discrimination in sport;

Article 56. States should ensure that athletes know their rights. They should also ensure that athletes have access to legal remedy and have the legal capacity and social support to act, collectively as well as individually, to protect their rights and seek and receive all the information they need to make decisions at every level of their engagement in sport.

Article 58. States and sporting bodies should establish a process to review rules, regulations, contracts and agreements to ensure their compliance with international human rights norms and standards, paying particular attention to the need to protect from discrimination and to provide adequate remedies, including in respect of arbitration clauses, so that they do not violate the rights of athletes.

UN High Commissioner for Human Rights, Report to the Human Rights Council, Improving accountability and access to remedy for victims of business-related human rights abuse through non-State-based grievance mechanisms, 2020

Policy objective 5: States seek ways to promote the establishment and effective functioning of non-State-based grievance mechanisms through international cooperation.

Policy objective 6: Non-State-based grievance mechanisms are effective in dealing with business-related human rights harm.

Policy objective 7: Non-State-based grievance mechanisms are legitimate.

Policy objective 8: Non-State-based grievance mechanisms are accessible

Policy objective 9: Non-State-based grievance mechanisms are predictable.

Policy objective 10: Non-State-based grievance mechanisms are equitable.

Policy objective 11: Non-State-based grievance mechanisms are transparent.

Policy objective 12: Non-State-based grievance mechanisms are rights compatible.

Policy objective 13: Non-State-based grievance mechanisms are a source of continuous learning.

Policy objective 14: Operational-level mechanisms are based on engagement and dialogue.

Policy objective 15: Developers and operators of non-State-based grievance mechanisms³⁵⁷ cooperate proactively and constructively with each other in order to raise standards and promote good practice with respect to the resolution of grievances arising from business-related human rights harms.

Policy objective 16: Developers and operators of non-State-based grievance mechanisms cooperate proactively and constructively with each other, and with relevant partners and institutions, to enhance outreach and to promote coherent and effective systems of accountability and access to remedy for business-related human rights harms, including in a cross-border context.

³⁵⁷ Developers and operators of non-State-based grievance mechanisms include entities or organizations that create, design or host non-State-based grievance mechanisms (such as business enterprises or development finance institutions), non-State-based grievance mechanisms themselves and their personnel. See further A/HRC/44/32/Add.1, part II.C.

Universal Declaration of Human Rights 1948

Article 8.

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, 2006

A. Victims of abuse of power

18. *“Victims” means persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that do not yet constitute violations of national criminal laws but of internationally recognized norms relating to human rights.*
19. *States should consider incorporating into the national law norms proscribing abuses of power and providing remedies to victims of such abuses. In particular, such remedies should include restitution and/or compensation, and necessary material, medical, psychological and social assistance and support.*

UN Guiding Principles on Business and Human Rights, 2011

I. Access to remedy

a. Foundational principle 25.

As part of their duty to protect against business-related human rights abuse, States must take appropriate steps to ensure, through judicial, administrative, legislative or other appropriate means, that when such abuses occur within their territory and/or jurisdiction those affected have access to effective remedy.

Effectiveness criteria for non-judicial grievance mechanisms

31. *In order to ensure their effectiveness, non-judicial grievance mechanisms, both State-based and non-State-based, should be:*
 - a. *Legitimate: enabling trust from the stakeholder groups for whose use they are intended, and being accountable for the fair conduct of grievance processes;*
 - b. *Accessible: being known to all stakeholder groups for whose use they are intended, and providing adequate assistance for those who may face particular barriers to access;*
 - c. *Predictable: providing a clear and known procedure with an indicative time frame for each stage, and clarity on the types of process and outcome available and means of monitoring implementation;*
 - d. *Equitable: seeking to ensure that aggrieved parties have reasonable access to sources of information, advice and expertise necessary to engage in a grievance process on fair, informed and respectful terms;*
 - e. *Transparent: keeping parties to a grievance informed about its progress, and providing sufficient information about the mechanism’s performance to build confidence in its effectiveness and meet any public interest at stake;*
 - f. *Rights-compatible: ensuring that outcomes and remedies accord with internationally recognized human rights;*
 - g. *A source of continuous learning: drawing on relevant measures to identify lessons for improving the mechanism and preventing future grievances and harms; Operational-level mechanisms should also be:*
 - h. *Based on engagement and dialogue: consulting the stakeholder groups for whose use they are intended on their design and performance, and focusing on dialogue as the means to address and resolve grievances.*

UN Sustainable Development Goals (SDGs)

SDG 16 calls on States to: *Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.*

Target 16.3 requires States to: *promote the rule of law at the national and international levels and ensure equal access to justice for all.*

Annex 6. International and National Legal Frameworks: Criminal Complaints

Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, 2007 (the Lanzarote Convention)

Chapter VI. Substantive criminal law

Article 18. Sexual abuse

2. *Each Party shall take the necessary legislative or other measures to ensure that the following intentional conduct is criminalised:*
 - a. *engaging in sexual activities with a child who, according to the relevant provisions of national law, has not reached the legal age for sexual activities;*
 - b. *engaging in sexual activities with a child where:*
 - *use is made of coercion, force or threats; or*
 - *abuse is made of a recognised position of trust, authority or influence over the child, including within the family; or*
 - *abuse is made of a particularly vulnerable situation of the child, notably because of a mental or physical disability or a situation of dependence*
3. *For the purpose of paragraph 1 above, each Party shall decide the age below which it is prohibited to engage in sexual activities with a child.*
4. *The provisions of paragraph 1.a are not intended to govern consensual sexual activities between minors.*

European Convention on Human Rights (ECHR), 2010

Article 6. Right to a fair trial

1. *In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgment shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interests of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.*
2. *Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law.*
3. *Everyone charged with a criminal offence has the following minimum rights:*
 - a. *to be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him;*
 - b. *to have adequate time and facilities for the preparation of his defence;*
 - c. *to defend himself in person or through legal assistance of his own choosing or, if he has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require;*
 - d. *to examine or have examined witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;*
 - e. *to have the free assistance of an interpreter if he cannot understand or speak the language used in court.*

United Kingdom, Code of Practice for Victims of Crime, 2015

1. *This Code of Practice for Victims of Crime forms a key part of the wider Government strategy to transform the criminal justice system by putting victims first, making the system more responsive and easier to navigate. Victims of crime should be treated in a respectful, sensitive, tailored and professional manner without discrimination of any kind. They should receive appropriate support to help them, as far as possible, to cope and recover and be protected from re-victimisation. It is important that victims of crime know what information and support is available to them from reporting a crime onwards and who to request help from if they are not getting it.*

Annex 7. International Legal and Policy Frameworks: Civil Claims

Council of Europe Convention on preventing and combating violence against women and domestic violence, 2011 (the Istanbul Convention)

Article 29. Civil lawsuits and remedies

2. *Parties shall take the necessary legislative or other measures to provide victims with adequate civil remedies against the perpetrator.*
3. *Parties shall take the necessary legislative or other measures to provide victims, in accordance with the general principles of international law, with adequate civil remedies against State authorities that have failed in their duty to take the necessary preventive or protective measures within the scope of their powers.*

Article 30. Compensation

1. *Parties shall take the necessary legislative or other measures to ensure that victims have the right to claim compensation from perpetrators for any of the offences established in accordance with this Convention.*

Annex 8. International Legal Frameworks: Non-recent Cases and Statute of Limitations

Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, 2007 (the Lanzarote Convention)

Article 33. Statute of limitation

Each Party shall take the necessary legislative or other measures to ensure that the statute of limitation for initiating proceedings with regard to the offences established in accordance with Articles 18, 19, paragraph 1.a and b, and 21, paragraph 1.a and b, shall continue for a period of time sufficient to allow the efficient starting of proceedings after the victim has reached the age of majority and which is commensurate with the gravity of the crime in question.

Annex 9. International Legal Frameworks: Independent Redress, Reparation and Compensation Funds

UN Guiding Principles on Business and Human Rights, 2011

Effectiveness criteria for non-judicial grievance mechanisms

Article 31. In order to ensure their effectiveness, non-judicial grievance mechanisms, both State-based and non-State-based, should be:

- a. *Legitimate: enabling trust from the stakeholder groups for whose use they are intended, and being accountable for the fair conduct of grievance processes;*
- b. *Accessible: being known to all stakeholder groups for whose use they are intended, and providing adequate assistance for those who may face particular barriers to access;*

- c. *Predictable: providing a clear and known procedure with an indicative time frame for each stage, and clarity on the types of process and outcome available and means of monitoring implementation;*
- d. *Equitable: seeking to ensure that aggrieved parties have reasonable access to sources of information, advice and expertise necessary to engage in a grievance process on fair, informed and respectful terms;*
- e. *Transparent: keeping parties to a grievance informed about its progress, and providing sufficient information about the mechanism's performance to build confidence in its effectiveness and meet any public interest at stake;*
- f. *Rights-compatible: ensuring that outcomes and remedies accord with internationally recognized human rights;*
- g. *A source of continuous learning: drawing on relevant measures to identify lessons for improving the mechanism and preventing future grievances and harms; Operational-level mechanisms should also be:*
- h. *Based on engagement and dialogue: consulting the stakeholder groups for whose use they are intended on their design and performance, and focusing on dialogue as the means to address and resolve grievances.*

Annex 10. International Legal and Policy Frameworks: Intelligence, Investigations and Adjudication

Association for the Prevention of Torture, Principles on Effective Interviewing for Investigations and Information Gathering, the Méndez Principles, 2021

These [new Principles](#) aim to transform the relationship between States and their citizens. They are intended to change how public authorities conduct interviewing and as a result improve trust in the State. Grounded in science, law and ethics, the Principles propose a concrete alternative to interrogation methods that rely on coercion to extract confessions. They provide guidance on obtaining accurate and reliable information in full respect of the human rights and dignity of all, including through the implementation of legal and procedural safeguards in the first hours of [police custody](#).

Scope: To What Situation Do the Principles Apply?

8. The Principles apply to all interviews by information-gathering officials, such as police, intelligence, military, administrative authorities, or other persons acting in an official capacity. This includes different forms of questioning by intelligence personnel, including strategic and tactical debriefings and interrogation by military and intelligence authorities.

Council of Europe Convention on the Prevention of the Manipulation of Sports Competitions³⁵⁸

Article 13. National platform

- 4. *Each Party shall identify a national platform addressing manipulation of sports competitions. The national platform shall, in accordance with domestic law, inter alia:*
 - a. *serve as an information hub, collecting and disseminating information that is relevant to the fight against manipulation of sports competitions to the relevant organisations and authorities;*
 - b. *co-ordinate the fight against the manipulation of sports competitions;*
 - c. *receive, centralise and analyse information on irregular and suspicious bets placed on sports competitions taking place on the territory of the Party and, where appropriate, issue alerts;*
 - d. *transmit information on possible infringements of laws or sports regulations referred to in this Convention to public authorities or to sports organisations and/or sports betting operators;*

³⁵⁸ Full list (coe.int)

- e. *co-operate with all organisations and relevant authorities at national and international levels, including national platforms of other States.*

Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, 2007 (the Lanzarote Convention)

Article 27. Sanctions and measures

1. *Each Party shall take the necessary legislative or other measures to ensure that the offences established in accordance with this Convention are punishable by effective, proportionate and dissuasive sanctions, taking into account their seriousness. These sanctions shall include penalties involving deprivation of liberty which can give rise to extradition.*

Article 28. Aggravating circumstances

Each Party shall take the necessary legislative or other measures to ensure that the following circumstances, in so far as they do not already form part of the constituent elements of the offence, may, in conformity with the relevant provisions of internal law, be taken into consideration as aggravating circumstances in the determination of the sanctions in relation to the offences established in accordance with this Convention:

- a. *the offence seriously damaged the physical or mental health of the victim;*
- b. *the offence was preceded or accompanied by acts of torture or serious violence;*
- c. *the offence was committed against a particularly vulnerable victim;* d *the offence was committed by a member of the family, a person cohabiting with the child or a person having abused his or her authority;* e *the offence was committed by several people acting together;* f *the offence was committed within the framework of a criminal organisation;* g *the perpetrator has previously been convicted of offences of the same nature.*

Article 29. Previous convictions

Each Party shall take the necessary legislative or other measures to provide for the possibility to take into account final sentences passed by another Party in relation to the offences established in accordance with this Convention when determining the sanctions.

Article 34. Investigations

1. *Each Party shall adopt such measures as may be necessary to ensure that persons, units or services in charge of investigations are specialised in the field of combating sexual exploitation and sexual abuse of children or that persons are trained for this purpose. Such units or services shall have adequate financial resources.*
2. *Each Party shall take the necessary legislative or other measures to ensure that uncertainty as to the actual age of the victim shall not prevent the initiation of criminal investigations.*

Article 35. Interviews with the child

1. *Each Party shall take the necessary legislative or other measures to ensure that:*
 - a. *interviews with the child take place without unjustified delay after the facts have been reported to the competent authorities;*
 - b. *interviews with the child take place, where necessary, in premises designed or adapted for this purpose;*
 - c. *interviews with the child are carried out by professionals trained for this purpose;*
 - d. *the same persons, if possible and where appropriate, conduct all interviews with the child;*
 - e. *the number of interviews is as limited as possible and in so far as strictly necessary for the purpose of criminal proceedings;*
 - f. *the child may be accompanied by his or her legal representative or, where appropriate, an adult of his or her choice, unless a reasoned decision has been made to the contrary in respect of that person.*

2. *Each Party shall take the necessary legislative or other measures to ensure that all interviews with the victim or, where appropriate, those with a child witness, may be videotaped and that these videotaped interviews may be accepted as evidence during the court proceedings, according to the rules provided by its internal law.*
3. *When the age of the victim is uncertain and there are reasons to believe that the victim is a child, the measures established in paragraphs 1 and 2 shall be applied pending verification of his or her age.*

Council of Europe Convention on preventing and combating violence against women and domestic violence, 2011 (the Istanbul Convention)

Article 56. Measures of protection

1. *Parties shall take the necessary legislative or other measures to protect the rights and interests of victims, including their special needs as witnesses, at all stages of investigations and judicial proceedings, in particular by:*
 - c. *informing them, under the conditions provided for by internal law, of their rights and the services at their disposal and the follow-up given to their complaint, the charges, the general progress of the investigation or proceedings, and their role therein, as well as the outcome of their case;*
 - d. *enabling victims, in a manner consistent with the procedural rules of internal law, to be heard, to supply evidence and have their views, needs and concerns presented, directly or through an intermediary, and considered;*
 - f. *ensuring that measures may be adopted to protect the privacy and the image of the victim;*
 - g. *ensuring that contact between victims and perpetrators within court and law enforcement agency premises is avoided where possible;*
 - h. *providing victims with independent and competent interpreters when victims are parties to proceedings or when they are supplying evidence;*
 - i. *enabling victims to testify, according to the rules provided by their internal law, in the courtroom without being present or at least without the presence of the alleged perpetrator, notably through the use of appropriate communication technologies, where available.*

Council of Europe Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice, 2010

Scope and purpose

1. *The guidelines deal with the issue of the place and role, and the views, rights and needs of the child in judicial proceedings and in alternatives to such proceedings.*
2. *The guidelines should apply to all ways in which children are likely to be, for whatever reason and in whatever capacity, brought into contact with all competent bodies and services involved in implementing criminal, civil or administrative law.*
3. *The guidelines aim to ensure that, in any such proceedings, all rights of children, among which the right to information, to representation, to participation and to protection, are fully respected with due consideration to the child's level of maturity and understanding and to the circumstances of the case. Respecting children's rights should not jeopardise the rights of other parties involved.*

European Court of Human Rights, *Mutu and Pechstein v. Switzerland Case*, 2018

That basic human rights must be upheld, even by private adjudication bodies.

The Hague Rules on Business and Human Rights Arbitration

1. *The Hague Rules on Business and Human Rights Arbitration (the "Rules") provide a set of procedures for the arbitration of disputes related to the human rights impacts of business activities.*
2. *In particular, arbitration under the Rules can provide:*

- a. *For the possibility of a remedy for those affected by the human rights impacts of business activities, as set forth in Pillar III of the United Nations Guiding Principles on Business and Human Rights (the "UN Guiding Principles"), serving as a grievance mechanism consistent with Principle 31 of the UN Guiding Principles; and*
- b. *Businesses with a mechanism for addressing adverse human rights impacts with which they are involved, as set forth in Pillar II and Principles 11 and 13 of the UN Guiding Principles.*

UN High Commissioner for Human Rights, Report to the Human Rights Council, Intersection of race and gender discrimination in sport, 2020

61. *Sporting bodies should commit themselves to protecting and respecting internationally recognized human rights.*
 - b. *Establishing practices of due diligence in tracking and responding to reports of discrimination and abuse;*
 - c. *Ensuring that athletes have access to all relevant information on their rights and on the steps that can be taken to ensure their rights, expose abuse and hold those responsible to account.*
62. *Sport governing bodies should protect athletes' right to remedy by not restricting their access to justice mechanisms. Moreover, they should act to ensure effective forms of redress that conform with international human rights law and that are equally accessible to all athletes regardless of resources and geographic location.*
63. *Sport governing bodies should ensure that the heightened protections for athletes under the age of 18 provided by the international framework for child rights are in place in sport governing bodies' policies, rules and regulations.*

UN Office of the High Commissioner for Human Rights (OHCHR), Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Recommended by General Assembly resolution 55/89 of 4 December 2000

1. *The purposes of effective investigation and documentation of torture and other cruel, inhuman or degrading treatment or punishment (hereinafter "torture or other ill-treatment") include the following:*
 - a. *Clarification of the facts and establishment and acknowledgement of individual and State responsibility for victims and their families;*
 - b. *Identification of measures needed to prevent recurrence;*
 - c. *Facilitation of prosecution and/or, as appropriate, disciplinary sanctions for those indicated by the investigation as being responsible and demonstration of the need for full reparation and redress from the State, including fair and adequate financial compensation and provision of the means for medical care and rehabilitation.*
2. *States shall ensure that complaints and reports of torture or ill-treatment are promptly and effectively investigated. Even in the absence of an express complaint, an investigation shall be undertaken if there are other indications that torture or ill-treatment might have occurred. The investigators, who shall be independent of the suspected perpetrators and the agency they serve, shall be competent and impartial. They shall have access to, or be empowered to commission investigations by, impartial medical or other experts. The methods used to carry out such investigations shall meet the highest professional standards and the findings shall be made public.*

UN Office of the High Commissioner for Human Rights (OHCHR), Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ("Istanbul Protocol"), 2004

- B. Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
78. *The following principles represent a consensus among individuals and organizations having expertise in the investigation of torture. The purposes of effective investigation and*

documentation of torture and other cruel, inhuman or degrading treatment or punishment (hereinafter referred to as torture or other ill-treatment) include the following:

- a. Clarification of the facts and establishment and acknowledgement of individual and State responsibility for victims and their families;
- b. Identification of measures needed to prevent recurrence;
- c. Facilitation of prosecution or, as appropriate, disciplinary sanctions for those indicated by the investigation as being responsible and demonstration of the need for full reparation and redress from the State, including fair and adequate financial compensation and provision of the means for medical care and rehabilitation.

UN Economic and Social Council (ECOSOC), Resolution 2005/20 Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime

Adopts the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime, annexed to the present resolution, as a useful framework that could assist Member States in enhancing the protection of child victims and witnesses in the criminal justice system;

UNODC Global Programme to End Violence Against Children

UNODC has produced a number of critical publications in relation to the rights of child victims and witnesses, including the Training Programme on the Treatment of Child Victims and Witnesses of Crime for Prosecutors and Judges,³⁵⁹ Handbook for Professionals and Policymakers on Justice in matters involving child victims and witnesses of crime³⁶⁰ and the training Programme on Child Victims and Witnesses of Crime for Law Enforcement Officials.³⁶¹

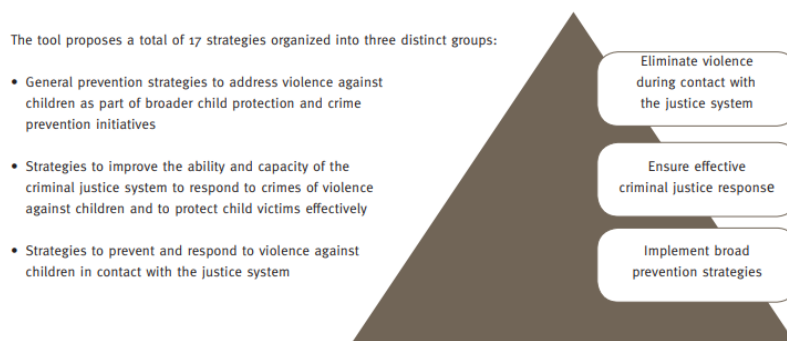
UNODC Guidelines on the Role of Prosecutors, 1990

Article 13. In the performance of their duties, prosecutors shall:

- d. *Consider the views and concerns of victims when their personal interests are affected and ensure that victims are informed of their rights in accordance with the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power.*

UNODC Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice: A New Tool for Policymakers, Criminal Justice Officials and Practitioners, 2015

The goal of the Model Strategies is to improve the effectiveness of the criminal justice system in preventing and responding to all forms of violence against children.



³⁵⁹ UNODC, 2015a.

³⁶⁰ UNODC, 2009.

³⁶¹ UNODC, 2015b.

UN Women, United Nations Office on Drugs and Crime (UNODC) and the International Association of Women Police (IAWP), Handbook on gender-responsive police services for women and girls subject to violence, 2021

Strengthening the justice sector response, particularly that of law enforcement, has consistently been cited as one of the most challenging issues when responding to violence against women and girls. A positive initial contact experience with police is crucial for survivors of violence and a high-quality police and justice response must be available and accessible to all women and girls who are navigating an often-complex justice system, especially those who are most marginalized and are at greater risk of experiencing violence.

The handbook is based on and complements existing global and country-specific handbooks and training materials for law enforcement. It covers in depth areas such as: gender-responsive police investigations; prevention; intersectionality; survivor-centred approaches; promoting positive masculinities; coordination; institution-building; and emerging issues such as online and ICT-facilitated violence against women and girls.

UNODC Policing Crime Investigation Criminal Justice Assessment Toolkit, 2006

Includes:

G. Are there time limits on the length of time a suspect may be detained before charge? Does this change depend on the alleged offence under investigation? Are there differences for juveniles or vulnerable victims? Is a suspect entitled to free and independent legal advice whilst in custody? Can a suspect be interviewed without legal representation (if the suspect consents)? How is this consent documented? Is there a code of practice on how interviews should be conducted?

Annex 11. International Legal, Policy and Frameworks and Resources: Prevention

The below frameworks and resources, while not always directly referring to sport within their text, are of particular relevance in their potential guidance in the framing of sport's preventative responses to abuse.

Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, 2007 (the Lanzarote Convention)

Chapter II. Preventive measures

Article 5. Recruitment, training and awareness raising of persons working in contact with children

- 1. Each Party shall take the necessary legislative or other measures to encourage awareness of the protection and rights of children among persons who have regular contacts with children in the education, health, social protection, judicial and law-enforcement sectors and in areas relating to sport, culture and leisure activities.*

Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence, 2011 (the Istanbul Convention)

Article 14. Education

- 1. Parties shall take, where appropriate, the necessary steps to include teaching material on issues such as equality between women and men, non-stereotyped gender roles, mutual respect, non-violent conflict resolution in interpersonal relationships, gender-based violence against women and the right to personal integrity, adapted to the evolving capacity of learners, in formal curricula and at all levels of education.*
- 2. Parties shall take the necessary steps to promote the principles referred to in paragraph 1 in informal educational facilities, as well as in sports, cultural and leisure facilities and the media.*

Council of Europe Start to Talk campaign

“Start to talk” is a Council of Europe call for action to public authorities and the sport movement to stop child sexual abuse. By joining this call, governments, sports clubs, associations and federations, as well as athletes and coaches, pledge to take concrete measures to prevent and respond to abuse.

“Start to talk” is about adults breaking the silence and lending children a voice.

EPAS invites the Council of Europe member states to join this effort and undertake three kinds of actions. The three actions below each contain a set number of "supporting packages" which, when combined, offer states a dynamic set of tools to ensure the action develops. Detailed information about each individual supporting package can also be found below.

Action 1 (A1): Launch a Start To Talk campaign at national level

Action 2 (A2): Develop or improve safeguarding and protection frameworks

Action 3 (A3): Promote training of key stakeholders

EU-CoE Joint Projects Pro Safe Sport and Pro Safe Sport+

The online resource centre was built upon the analysis of the existing standards and norms to prevent sexual violence against children in sport.³⁶² Resources and practice examples are classified into one overarching theme and four areas of action.

EU Erasmus+ Programme, Child Abuse in Sport: European Statistics (CASES)

Period: January 2019 – December 2021

CASES is a collaborative partnership between seven universities, two national sport agencies and one international sport federation. CASES will deliver a scientific study into the prevalence of child exploitation and abuse in sport in six EU countries.

Harvard Medical School, Global Mental Health: Trauma and Recovery Certificate Program

[...] the course will focus on leadership development in the mental health and humanitarian fields. The course will be taught by a distinguished culturally diverse multi-disciplinary faculty. Upon successful completion, participants will receive continuing medical education credits from Harvard Medical School and a certification of successful completion from the Harvard Program in Refugee Trauma.

International Labour Organization (ILO) Global Dialogue Forum on Decent Work in the World of Sport, GDFWS/2020/7, Points of Consensus, 2020

19. More proactive measures are needed to combat violence and abuse, including gender-based violence and racism and all other forms of discrimination. These measures include education, training for sport sector personnel, media campaigns, clear policies on player rights and protection, and joint actions between athletes and sport organizations to signal mutual repudiation of such behaviour.

International Research Network on Violence and Integrity in Sport (IRNOVIS)

The International Research Network on Violence and Integrity in Sport (IRNOVIS) brings together the leading and most active researchers from multiple disciplines in the field of violence in sport.

Report of the UN Secretary-General, Special measures for protection from sexual exploitation and abuse, 17 February 2020

1. [...] All personnel are expected to incorporate awareness and prevention of sexual exploitation and abuse into their duties, while programmatic investments, although not exclusively devoted to

³⁶² Vertommen, T., 2017.

addressing sexual exploitation and abuse, mainstream prevention and response to sexual exploitation and abuse in line with existing guidelines.

2. [...] Three priorities are identified in the plan as essential for every humanitarian or refugee response: (a) safe and accessible reporting mechanisms; (b) quality assistance for victims; and (c) the capacity to offer prompt, confidential and respectful investigations with corresponding indicators to track and benchmark progress. With the support of a broad range of United Nations agencies, funds and programmes, the plan has been implemented in 32 countries, including through the deployment of dedicated inter-agency protection from sexual exploitation and abuse coordinators in more than 30 humanitarian emergencies.³⁶³
19. [...] Many of the United Nations activities and programmes on the ground are delivered by implementing partners³⁶⁴ and their personnel.
21. [...] For partners engaged in higher-risk activities or contexts, or with unsatisfactory capacity, the provision of direct support, capacity-building, training and guidance is a joint United Nations entity-partner responsibility.
22. [...] In December 2019, the United Nations protocol on the provision of assistance to victims of sexual exploitation and abuse was endorsed by the High-level Steering Group. [...] It sets out standards, in line with existing frameworks, to strengthen a coordinated, system-wide approach to the provision of assistance and support, which prioritizes the rights and dignity of victims, regardless of the affiliation of the perpetrators.

Safeguarding Resource and Support Hub (RSH)

The Safeguarding Resource and Support Hub (RSH) aims to support organisations in the aid sector to strengthen their safeguarding policy and practice against Sexual Exploitation, Abuse and Sexual Harassment (SEAH).

The Hub is an open-access platform bringing together relevant guidance, tools and research, and signposting quality-assured safeguarding support. It creates opportunities for meaningful engagement through online communities, discussion forums and live events.

UN Convention on the Rights of the Child, General comment No. 13, 2011

The right of the child to freedom from all forms of violence

Article 46. Prevention.

The Committee emphasizes in the strongest terms that child protection must begin with proactive prevention of all forms of violence as well as explicitly prohibit all forms of violence. States have the obligation to adopt all measures necessary to ensure that adults responsible for the care, guidance and upbringing of children will respect and protect children's rights [...]. However, commitment to prevention does not lessen States' obligations to respond effectively to violence when it occurs.

Article 47. Prevention measures include, but are not limited to:

- iii. Preventing violence in care and justice settings by, inter alia, developing and implementing community-based services in order to make use of institutionalization and detention only as a last resort and only if in the best interest of the child.

UN Inter-Agency Standing Committee (IASC) Protection from Sexual Exploitation and Abuse (SEA)

The Inter-Agency Standing Committee is committed to protecting affected populations from sexual exploitation and abuse within all the humanitarian response operations. The IASC PSEA Technical

³⁶³ Protection from Sexual Exploitation and Abuse: UNICEF IASC Championship 2018-2019 | IASC (interagencystandingcommittee.org)

³⁶⁴ An implementing partner is an entity to which a United Nations office or entity has entrusted the implementation of a programme and/or project specified in a signed document, along with the assumption of responsibility and accountability for the effective use of resources and the delivery of outputs. Implementing partners may include host Governments, government institutions, intergovernmental organizations and civil society organizations, including non-governmental organizations.

Expert Group supports Humanitarian Coordinators and Humanitarian Country Teams to deliver on this commitment through technical support, resources and partnerships.

UN Inter-Agency Standing Committee (IASC) Champion on Protection from Sexual Exploitation and Abuse and Sexual Harassment (SH)

The IASC Principals welcomed continuous knowledge sharing of good practices to prevent, investigate and respond to SEA and SH and committed to immediate collective action to:

- *Ensure a victim-centred approach to addressing SEA and SH;*
- *Promote positive change in organizational culture through strategic communications and role modelling;*
- *Improve referencing systems to stop transgressors from moving through the humanitarian sector;*
- *Strengthen sector-wide investigations capacity;*
- *Support collective activities of in-country networks to SEA and SH.*

UN Women, RESPECT Women: Preventing violence against women – Implementation package

The implementation package aims to support national- and sub-national-level policy and programming to prevent violence against women and girls. It distils programming knowledge and guidance based on existing global evidence, expert recommendations, and practitioner consensus.

Annex 12. Safe Sport Entity Questionnaire

Please kindly review the Briefing Note and complete the following questions

Q1. Should the entity provide an independent, easily accessible and confidential reporting mechanism for victims of harassment and abuse in sports?

- Yes
- No

Q2. What recommendations would you have for a reporting mechanism? Please consider the following mechanisms and tick all that apply:

- Online reporting form in multiple languages (possible link with online translation services to enable access to a maximum range of languages)
- Digital reporting tool (mobile phone app)
- Email address
- Telephone helpline/s in multiple languages (possible link with voice recognition software)
- Drop-down lists of existing helplines per country and per sport
- Other practical considerations, please describe below:

Q3. What challenges should be considered in setting up a reporting line at the international level and how should we address those challenges (e.g. limitation of whistleblowing legislation protection, ensuring confidentiality, avoiding reprisals, providing physical protection, etc.)? Please describe below:

Q4. **Scope of offences** Should the entity address all types of harassment and abuse as defined in the International Olympic Committee consensus statement: harassment and abuse (non-accidental violence) in sport?

- Yes
- No

Q5. **Scope of covered persons** Should the entity limit itself to the following individuals (please tick all that apply):

- Individuals covered by the regulations of an International Sports Federation (IF), where IF support has been exhausted or where referral to the entity is justified
- Individuals covered by the regulations of an International Sports Federation (IF) who has chosen to partner with the new Entity
- Individuals covered by the regulations of any sports organisation who has chosen to partner with the new Entity (international or national)
- All individuals on an Elite sports pathway
- Other, please explain further:

Q6. **Survivor centred approach** A key aim of the new entity would be to provide a global pool of local / regional experts and entities who can be promptly mobilised to provide specialist care support to victims, witnesses and whistle-blowers. A survivor-centred approach prioritizes the needs of the person who has experienced harm. Do you agree:

- Yes
- No

Q7. **Which agencies, experts and specialist services should be available to be deployed locally or regionally when needed. Please tick all that apply:**

- Statutory / governmental authorities specialized in child protection and law enforcement (e.g. police and child protection agencies, humanitarian visa support, etc.)
- Clinical care: psychologists, medical care services etc.
- Counsellors, social workers, welfare officers etc.
- Safe refuge / survivor shelter services
- Legal Aid, including lawyers, ombudspersons and investigators specialized in child protection and human rights
- National Safe Sport organisations
- Non-governmental organizations specialized in child protection and human rights
- Translators
- Other, please specify further:

Q8. **Case Management/Investigations** A key aim of the new entity would be to provide a global pool of local/regional experts that can be promptly mobilised to provide survivor-centred case management and to

conduct investigations (on behalf of a sport), especially where the statutory (criminal and child protection) agencies and specialised local services are limited or not yet developed. Do you agree:

- Yes
- No

Q9. The Duty and Responsibility of States Numerous international legal frameworks outline state obligations with regards to the protection of human rights in sport insofar as they are related to abuse in sport. How should the entity collaborate with statutory authorities? Please tick all that apply:

- By defining a protocol for addressing cases that potentially meet the criminal threshold recognising that each jurisdiction is different in their definition of criminal conduct
- Through partnership with relevant international organisations, the provision of an oversight mechanism to ensure states fulfil their obligations towards victims of crime
- By building national capacity of statutory authorities to fulfil their obligations
- Other, please explain

Q10. The Duty and Responsibility of Sports The new entity should not supersede the responsibility and jurisdiction of sports governing bodies to investigate and sanction abuse in their sport, rather than providing support in situations where local capacity in a given context or country is limited. Do you agree?

- Yes
- No
- Please explain

Q11. Under what mandate should the new entity provide support? Please tick all that apply:

- Request for support from an International Sports Federation (IF), where IF support has been exhausted or where referral to the entity is justified
- International Sports Federation who has chosen to partner with the new Entity opts into the independent services of the entity
- Sports organisation who has chosen to partner with the new Entity (international or national) opt into the independent services of the entity
- Protocol established whereby following the exhaustion of support by national and international sports organisations, the entity may investigate
- Other, please specify further:

Q12. Recommendations of the Entity Following a request to the new entity for support, the entity will conduct an independent investigation and deliver Recommendations to the requesting organisation. Such Recommendations may outline recommended sanctions or structural changes that are required within an organisation to prevent a similar case arising. Do you agree?

- Yes
- No

Q13. Should the new entity make its Recommendations public?

- Yes
- No

Q14. Sanctioning by Sports Each sport should still be responsible for issuing and enforcing sanctions based on the Recommendations of the entity. Do you agree?

- Yes
- No

Q15. Should the entity offer mediation or arbitration services?

- Yes
- No

Q16. Standardisation of Sanctions Should the new entity establish a common sports sanctioning framework defining recommended sanctions for each offence?

- Yes
- No

Q17. If needed, please provide further information on questions 12-16:

Q18. **Compliance with Recommendations of the Entity** Should the new entity have a compliance/audit /oversight role to ensure Recommendations of the new entity are acted upon?

- Yes
- No
- please explain how this could work:

Q19. **Knowledge hub** Should the new entity also serve a preventative and educative role as a ‘knowledge hub’ in the defined area of expertise including recommendations, education tools, sharing of good practice, etc.?

- Yes
- No

Q20. If you answered yes to the above question, please tick all that apply:

- Reporting abuse
- Survivor centred tools and services/care support
- Specialised case management/investigative skills in abuse cases
- Standardization of sanctions across sports
- Safeguarding/preventative measures, including online abuse
- Capacity building and training
- Other, please describe below including the topics it should address:

Q21. **Due Diligence Screening Process** To prevent perpetrators moving from one region or sport to another, should the new entity undertake due diligence screening processes on behalf of sports by a providing a service that is informed by prior criminal convictions, disciplinary convictions, allegations, prior complaints received, etc.?

- Yes
- No

How could such a Screening Process work, please explain:

Q22. **Administration** How would you envisage the name, legal form, location, structure, staffing, etc. of the new entity? Please describe:

Q23. **Stakeholders** Which key stakeholders should be involved to ensure that the new entity is fit for purpose and successful in its mandate?

- International Sports Federations
- National Olympic Committees and National Sports Federations
- National safe sport entities
- Law enforcement agencies
- Child protection agencies
- Governments
- Multi-lateral and international organizations including United Nations agencies
- Non-governmental organizations, particularly those using sport as a tool to achieve their objectives
- Local/regional experts and other specialist entities (e.g. as outlined in Question 6)
- Players and Athletes
- Survivor groups (voices of experience)
- Other, please describe:

Q24. **How would you envisage stakeholders to be engaged?**

- Partnership Agreements/Memorandums of Understanding
- Service Provider Agreements/Contracts
- Other, please explain:

Q25. **How would you envisage access to services?**

- Entity may respond to requests for assistance from specific sports/entities
- Entity may act as a referral system for victims, witnesses and whistle-blowers when neither sport nor statutory agencies are responding, within a defined scope
- Entity must follow-up on all reports received, in accordance with clearly defined scope and procedures
- Partners may access services based on a pay per service model
- Free services
- Other, please describe:

Q26. **Who should fund the new entity?**

- Sports

- Governments
- Private donors, foundations, etc.
- Other, please explain

Q27. Accountability To whom should the new entity be accountable and by what mechanism e.g. to the international sports federations, to the funding partners, to a Foundation Council, Board etc.? Please provide details:

Q28. Please explain the role you would foresee of the organization you represent within the new entity?

Q29. Do you have 'field offices', i.e. representatives in countries around the world?

- Yes
- No
- Please explain:

Q30. Tick if you would be potentially interested in being:

- A contributing (funding) partner of the new entity
- A sport benefiting from the services of the new entity
- A service provider of the new entity

Q31. Any further considerations that should be made when setting up the new entity

Bibliography

- Albisu, I., 2018, 'Best Practices for Whistleblowing in Sport', In Anti-Corruption Helpdesk, Transparency International: <https://knowledgehub.transparency.org/helpdesk/best-practices-for-whistleblowing-in-sport>
- Alexander, K., Stafford, A. Lewis, R. and University of Edinburgh, 2011, 'The experiences of children participating in organised sport in the UK: Main report', NSPCC Child Protection Research Centre, <https://www.nspcc.org.uk/globalassets/documents/research-reports/experiences-children-participating-organised-sport-uk-main-report.pdf>
- Al Hussein, Z. R. and Davis, R., March 2020, Recommendations for an IOC Human Rights Strategy, Independent Expert Report, Expert Report_IOC_HumanRights_Public_Nov2020_Final_withauthors (olympic.org)
- Anderson, J. and Partington, N., September 2017, Duty of Care in Sport: Making the case for a Sports Ombudsman in the UK, <https://www.lawinsport.com/topics/item/duty-of-care-in-sport-making-the-case-for-a-sports-ombudsman-in-the-uk>
- Ann Craft Trust, Safeguarding Adults at Risk Key Legislation and Government Initiatives, Safeguarding Adults at Risk Key Legislation and Government Initiatives (anncrafttrust.org)
- ASOIF, 2020, Good Governance Review, ASOIF Third Review of International Federation Governance
- Association for the Prevention of Torture, 2021, New Principles on Effective Interviewing for Investigations and Information Gathering, New Principles on Effective Interviewing for Investigations and Information Gathering | Association for the Prevention of Torture (apt.ch)
- Australia, Commonwealth Ombudsman Defence, Reporting abuse in Defence - Commonwealth Ombudsman
- Australia, National Redress Scheme for people who have experienced institutional child sexual abuse, National Redress Scheme for people who have experienced institutional child sexual abuse | Department of Social Services, Australian Government (dss.gov.au)
- Australian Human Rights Commission, 2021, *Change the Routine: Report on the Independent Review into Gymnastics in Australia (2021)* | Australian Human Rights Commission, *Change the Routine: Report on the Independent Review into Gymnastics in Australia (2021)* | Australian Human Rights Commission
- Australian Royal Commission into Institutional Responses to Child Sexual Abuse (RCIRCSA), 2015, <https://www.childabuseroyalcommission.gov.au/>
- Australian Royal Commission into Institutional Responses to Child Sexual Abuse (RCIRCSA), 2016, Case Study 39: Sporting clubs and institutions | Royal Commission into Institutional Responses to Child Sexual Abuse (childabuseroyalcommission.gov.au)
- Baker, M., 15 November 2020, Sex-Abuse Claims Against Boy Scouts Now Surpass 82,000 - The New York Times (nytimes.com)
- Baroness Grey-Thompson, April 2017, *Independent report, Duty of Care in Sport Review*, Department for Digital, Culture, Media & Sport, <https://www.gov.uk/government/publications/duty-of-care-in-sport-review>
- BBC Mundo, 2 April 2018, "El escándalo por las denuncias de abuso sexual de menores que sacude al mundo del fútbol en Argentina".
- Bertelsen, Sister J., 4 November 2019, 40/13-16, Inquiry Roman Catholic Church Investigation IICSA Wider Hearing
- Brackenridge, C.H., 2001, 'Spoilsports: understanding and preventing sexual exploitation in sport', London, UK: Routledge.
- Brackenridge, C.H., 2015, Ending violence against athletes, J Int Centre Sport Security 2, pp.18–23.
- Brackenridge, C.H., Fasting, K., 2002, 'Sexual harassment and abuse in sport – The research context', Journal of Sexual Aggression, pp. 3–15.
- Brackenridge, C.H., Fasting, K., Kirby, S., et al. 2010, 'Protecting children from violence in sport; a review from industrialized countries', Florence, UNICEF Innocenti Research Centre.
- Brackenridge, C.H., Pitchford, A., Wilson, M., 2011, 'Respect: results of a pilot project designed to improve behaviour in English football', Manag Leisure Int J 16, pp. 175–91.
- Brown, A. J., 2008, Whistleblowing in the Australian Public Sector, ANU Press.
- Brown, K., 2019, Victim Participation Rights. Variations Across Justice Systems, Palgrave Macmillan.
- Buckland, B. S. and McDermott, W., 2012, Ombuds Institutions for the Armed Forces: A Handbook, DCAF, OMBUDSHbook_FINAL_ONLINE.pdf (dcaf.ch)
- Bullivant, S., 2019, Allegations of child sexual abuse in the Catholic Church in England and Wales between 1970 and 2015: A Statistical Summary, CHC001938.pdf (iicsa.org.uk)

- Burke, M., 26 August 2010, "108 school judo class deaths but no charges, only silence," Japan Times, <https://www.japantimes.co.jp/news/2010/08/26/national/108-school-judo-class-deaths-but-no-charges-only-silence/>
- CAS 2015/A/4304, *Tatyana Andrianova v. All Russia Athletic Federation (ARAF)*, award of 14 April 2016, TAS xxx (tas-cas.org)
- CAS 2018/A/5641 *Cyril Sen v. ITTF*, award of 9 August 2018, TAS xxx (tas-cas.org)
- CAS 2019/A/6388, *Karim Keramuddin v. FIFA*, award of 14 July 2020, Award_Final_6388.pdf (tas-cas.org)
- CAS, 2019/A/6345, *Club Raja Casablanca v. Fédération Internationale de Football Association (FIFA)*, award of 16 December 2019, TAS xxx (tas-cas.org)
- Centre for Sport and Human Rights (CSHR), 2018, Sporting Chance Principles, <https://www.sporhumanrights.org/en/about/principles>
- Child Helpline International, Voices of Children and Young People in the EU Child Helpline Data for 2019, VCYP-EU-2019-Data-Spreads.pdf (childhelplineinternational.org)
- Commonwealth Games Federation (CGF), 2017, Human Rights Policy Statement, Microsoft Word - CGF_HumanRightsPolicyStatement_05Oct2017.docx (thecgf.com)
- Council of Europe, 2005, Convention on Action against Trafficking in Human Beings, CETS 197 - Council of Europe Convention on Action against Trafficking in Human Beings (europa.eu)
- Council of Europe, 2000, Ministers of Sport Resolution No. 3/2000 on the Prevention of Sexual Harassment and Abuse of Women, Young People and Children in Sport, CM(2000)97...9th Conference of European Ministers responsible for Sport (coe.int)
- Council of Europe, 2007, Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (the Lanzarote Convention), CETS 201 - Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (coe.int)
- Council of Europe, 2010, Recommendation on Measures to Combat Discrimination on Ground of Sexual Orientation and Gender Identity, Discrimination on grounds of sexual orientation and gender identity (coe.int)
- Council of Europe, 2011, Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention), CETS 210 - Council of Europe Convention on preventing and combating violence against women and domestic violence (coe.int)
- Council of Europe, The Istanbul Convention Infographic, COE_IstanbulConvention_Infographic_EN_r04_v01
- Council of Europe, 2010, Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice, 16804b2cf3 (coe.int)
- Council of Europe, 2014, Recommendation CM/Rec(2014)7 on the protection of whistle-blowers and explanatory memorandum, Protecting whistle-blowers (coe.int)
- Council of Europe, 2015, Recommendation on Gender Mainstreaming in Sport, Sport (coe.int)
- Council of Europe, 2018, Conference of Ministers responsible for Sports, International Declaration on Human Rights and Sport (Tbilisi Declaration), Tbilisi Declaration (coe.int)
- Council of Europe, 2019, Committee of Ministers Recommendation to Prevent and Combat Sexism, 2019, 168093e08c (coe.int)
- Council of Europe, April 2020, Enlarged Partial Agreement on Sport (EPAS) Guidelines on Sport Integrity, Action 3 of the Kazan Action Plan, 16809f321d (coe.int)
- Council of Europe Convention on the Prevention of the Manipulation of Sports Competitions, Full list (coe.int)
- Council of Europe, Good practice Rec(2005)9 of the Committee of Ministers to member states on the protection of witnesses and collaborators of justice, (Rec_2005_9 on the protection of witnesses and collaborato\205) (coe.int)
- Council of Europe resolution 444 (2019), 'The Protection of Whistleblowers', Commission-Doc-EN (coe.int)
- Council of Europe, recommendation 435 (2019), 3 April 2019, 'The Protection of Whistleblowers', 16808f0496 (coe.int)
- Council of Europe Start to Talk campaign, Start to talk (coe.int)
- Council of Europe document CG36(2019)14final, 3 April 2019, 'The protection of whistle-blowers Challenges and opportunities for local and regional government', Commission-Doc-EN (coe.int)
- Court of Arbitration for Sport (CAS), 1 November 2020, Guidelines on Legal Aid before the Court of Arbitration for Sport, Legal aid - Tribunal Arbitral du Sport / Court of Arbitration for Sport (tas-cas.org)
- Baird, Dame Vera, QC, 2020, Victims' Commissioner for England and Wales, 2019/2020 Annual Report, Victims-Commissioners-Annual-Report-2019-20-with-hyperlinks.pdf
- Daniels, D., 2017, 'Report to USA Gymnastics on proposed policy and procedure changes for the protection of young athletes', https://usagym.org/PDFs/About%20USA%20Gymnastics/ddreport_062617.pdf

- David, P., 2004, *Human Rights in Youth Sport: A Critical Review of Children's Rights in Competitive Sport (Ethics and Sport)*, Routledge.
- Davies, H. QC, 30 April 2020, *Aid Worker Passport/Registration Scheme Legal Review: Final Report*, Aid Worker Registration Scheme Legal Review (publishing.service.gov.uk)
- DCAF, 2015, *Gender and Complaints Mechanisms: A Handbook for Armed Forces and Ombuds Institutions to Prevent and Respond to Gender-Related Discrimination, Harassment, Bullying and Abuse*, DCAF-Handbook-Gender-Complaints-Mechanisms_0.pdf
- De Marco, N., 2016, The dichotomy and future of sports arbitration - Legal aid and publications of decisions, LawInSport, <https://www.lawinsport.com/topics/features/item/the-dichotomy-and-future-of-sports-arbitration-legal-aid-and-publications-of-decisions>
- Denison, E., Kitchen, A., 2015, Out on the fields, <http://www.outonthefields.com/wp-content/uploads/2016/04/Out-on-the-Fields-Final-Report.pdf>
- Devine, T., 2015, 'International best practices for whistle-blower statutes', in *Developments in Whistleblowing Research*, D. Lewis and W. Vandekerckhove, eds., London, International Whistleblowing Research Network.
- de Vries, K. Ross-van Dorp C. and Myjer, E., 2017, *Rapport van de Onderzoekscommissie seksuele intimidatie en misbruik in de sport*.
- Diaconu, M., 2020, Access To Justice For Survivors Of (Sexual) Harassment And Abuse In Sports, LawInSport, Access To Justice For Survivors Of (Sexual) Harassment And Abuse In Sports - LawInSport.
- Donnelly, Kerr, et al., 2016, 'Revising Canada's Policies on Harassment and Abuse in Sport: A Position Paper and Recommendations', Centre For Sport Policy Studies Position Paper FINAL CSPS position paper, harassment and abuse in sport (utoronto.ca)
- Duval, A., 2015, *La Lex Sportiva Face au Droit de l'Union Européenne : Guerre et Paix dans l'Espace Juridique Transnational*, Florence.
- Epstein, A., 2018, 'The NCAA and whistle-blowers: 30–40 years of wrongdoing and college sport and possible solutions', *Southern Law Journal*, vol. 28, No. 1, pp. 65–84.
- Erickson, K., Patterson, L. B., and Backhouse, S. H. 2018, "The process isn't a case of report it and stop": Athletes' lived experience of whistleblowing on doping in sport. *Sport Management Review*, 22(5), 724-735 <https://doi.org/10.1016/j.smr.2018.12.001>
- EU-CoE Joint Projects Pro Safe Sport and Pro Safe Sport+, Resource centre (coe.int)
- EU Erasmus+ Programme, Child Abuse in Sport: European Statistics (CASES), Child Abuse in Sport: European Statistics (CASES) - Centre for Child Protection and Safeguarding in Sport (edgehill.ac.uk)
- European Commission, 2016, *Study on Gender-Based Violence in Sport*, Study on Gender-Based Violence in Sport (europa.eu)
- European Commission, July 2016, *Recommendations on the protection of young athletes and safeguarding children's rights in sport*, Expert Group on Good Governance, index.cfm (europa.eu)
- European Commission, February 2014, *Gender Equality in Sport: Proposal for Strategic Actions*.
- European Convention on Human Rights (ECHR), 2010, *European Convention on Human Rights* (coe.int)
- European Court of Human Rights, 27 May 2013, *Oleksandr Volkov v. Ukraine*, application no. 21722/1, *OLEKSANDR VOLKOV v. UKRAINE* (coe.int)
- European Court of Human Rights, 2018, *Mutu and Pechstein v. Switzerland Case*, *Mutu and Pechstein v. Switzerland* (coe.int)
- European Social Partners of the Sport Sector, 2017, *Joint Statement on Safeguarding the Rights of Child Athletes*, *Safeguarding-the-Rights-of-Child-Athletes-8-November-2017-EUSP-SPORT-2.pdf* (uni-europa.org)
- Farina, S., 2011, *CalcioScommesse scandal*, <https://www.youtube.com/watch?v=FAxrDaHzzhg>
- Fasting, K., 2014, 'Sexual Harassment and Abuse in Sport: prevalence and prevention', *SISU Idrottsböcker och författarna*.
- Fasting, K., 2015, 'Narratives of sexual harassment experiences in sport', *Qual Res Sport Exerc Health* 7, pp. 573–88.
- Fasting, K., 2017, 'Gender, Sexual Harassment and Abuse in Sport', *Sport & Gender – (inter)nationale sportsoziologische Geschlechterforschung*, pp. 167-177.
- Fasting, K., Brackenridge, C., and Knorre, N., 2010, Performance level and sexual harassment prevalence among female athletes in the Czech Republic. *Women in Sport & Physical Activity*, 19, pp. 26–32.
- Fasting, K., Brackenridge, C., Sundgot-Borgen, J., 2004, Prevalence of sexual harassment among Norwegian female elite athletes in relation to sport type, *Research Quarterly for Exercise and Sport* 74(1), pp. 84–97.
- Fasting, K., Brackenridge, C., Walseth, K., 2002, Consequences of sexual harassment in sport for female athletes. *J Sex Aggress*, 8:37–48, doi:10.1080/13552600208413338

- Fasting, K., Brackenridge, C., Walseth, K., 2007, Women athletes' personal responses to sexual harassment in sport. *J Appl Sport Psychol*, 19, pp. 419–33, doi:10.1080/10413200701599165
- Faulks, E., 29 November 2018, 87/11-25 iicsa051218
- Felitti, V. J., Anda, R. F., et al., 1998, 'Relationship of Childhood Abuse and Household Dysfunction to Many of the Leading Causes of Death in Adults', *American Journal of Preventive Medicine*, 14(4), pp. 245-258. doi:10.1016/s0749-3797(98)00017-8
- FIFA, 8 June 2019, Decision of the adjudicatory chamber of the Ethics Committee, Mr Keramuddin Karim, Afghanistan, <https://resources.fifa.com/image/upload/ac-12-2019-8-06-2019-keramuudin-karim.pdf?cloudid=fryqw5hiyifbaxva6nwd>.
- FIFA, 8 October 2019, Decision of the adjudicatory chamber of the Ethics Committee, ac-23-2019-8-10-2019-sayed-aghazada.pdf (fifa.com)
- FIFA, 18 November 2020, Decision of the adjudicatory chamber of the Ethics Committee. Yves Jean-Bart, Haiti, Decision of the adjudicatory chamber of the Ethics Committee (fifa.com)
- FIFA, Code of Ethics, 2020, [fifa-code-of-ethics-2020.pdf](#)
- FIFA, Disciplinary Code, 2019, [fifa-disciplinary-code-2019-edition.pdf](#)
- FIFA, Good Practice Guide on Diversity and Anti-Discrimination, <https://img.fifa.com/image/upload/wg4ub76pezwcnsaoj98.pdf>
- FIFA Governance Regulations (FGR), 2020, [fifa-governance-regulations.pdf](#)
- FIFA Guardians™ Child Safeguarding Programme, <https://www.fifa.com/social-impact/fifa-guardians>
- FIFA Guardians™ Toolkit, What we do - FIFA Guardians Programme - FIFA.com
- FIFA Guardians™ and the Open University, Safeguarding in Sport Diploma, FIFA Learners | FIFA Guardians Safeguarding in Sport
- FIFA, Human Rights Policy, May 2017, [kr05dqyhwr1uhqy2lh6r.pdf](#) (fifa.com) FIFA Minimum Package of Care in cases of harassment and abuse (with reference to cases under article 23 of the FIFA Code of Ethics), Portrait Master Template (fifa.com)
- FIFA Statutes, 2019, [fifa-statutes-5-august-2019-en.pdf](#)
- Gervis, M., Dunn, N., 2004, The emotional abuse of elite child athletes by their coaches. *Child Abuse Rev*, 13, pp. 215–23, doi:10.1002/car.843.
- Gündüz, N., Sunay, H., and Koz, M., 2007, Incidents of Sexual Harassment In Turkey On Elite Sportswomen. *The Sport Journal*, 10(2), Incidents of Sexual Harassment in Turkey on Elite Sportswomen – *The Sport Journal*.
- Hartill, M., Rulofs, B., Vertommen, T., Topic, M. D., Diketmuller, R., Horcajo, M. M. & Stockel, J. T., 31 Dec 2019, *Final Report: VOICES FOR TRUTH AND DIGNITY: Combatting sexual violence in European Sport through the voices of those affected*, Cologne: German Sport University, Cologne.
- Hartill, M., 2016, *Sexual abuse in youth sport: a sociocultural analysis*, London, Routledge.
- Hartill, M. 2013. 'Concealment of child sexual abuse in sports', *Quest*, 65, pp. 241–54.
- Harvard Global Mental Health Programme, Global Mental Health: Trauma and Recovery Certificate Program | Harvard Program in Refugee Trauma ([hpert-cambridge.org](#))
- Harvard Medical School, *Global Mental Health: Trauma and Recovery Certificate Program*, <http://hpert-cambridge.org/education/gmh/>
- Harvard Program in Refugee Trauma Questionnaire, <http://hpert-cambridge.org/screening/measuring-trauma-measuring-torture/>
- Harvard Medical School, 2014, 'The New H 5 Model Trauma and Recovery: A Summary', Harvard Program in Refugee Trauma, Massachusetts General Hospital, <http://hpert-cambridge.org/wp-content/uploads/2015/09/THE-NEW-H5-MODEL-TRAUMA-AND-RECOVERY-09.22.14.pdf>
- Howman, D., Nicol, L., Vickery, R., February 2021, 'Independent Review of New Zealand Gymnastics', [Gymnastics-New-Zealand-Independent-Report-10-February-2021.pdf](#) (gymnasticsnz.com)
- Hoyle, C., Speechley, N. E. and Burnett, R. 2016, The Impact of Being Wrongly Accused of Abuse in Occupations of Trust: Victims' Voices, University of Oxford Centre for Criminology, Microsoft Word - The Impact of Being Wrongly Accused of Abuse_Hoyle et al 2016_typos14May.docx (ox.ac.uk)
- Human Rights Watch, July 2020, "I Was Hit So Many Times I Can't Count: Abuse of Child Athletes in Japan", [japan0720_reportcover_8.5x11](#) (hrw.org)
- Independent Review into Sexual Abuse in Scottish Football, 2018, [independent-review-of-sexual-abuse-in-scottish-football-final-report.pdf](#) (scottishfa.co.uk)
- Inside the Games, 2016, Anti-Doping Agency praise Government pledge to further compensate athletes affected by East German doping scandal ([insidethegames.biz](#))
- International Bar Association, April 2018, Whistleblower Protections: A Guide, IBA - IBA publishes whistle-blower protection guidance for regulators and organisations ([ibanet.org](#))

- International Centre for Ethics in Sport (ICES), 2015, 'Safeguarding youth sport: stimulating the individual empowerment of elite young athletes and a positive ethical climate in sport organisations', Belgium.
- International Covenant on Civil and Political Rights 1966, OHCHR | International Covenant on Civil and Political Rights
- International Labour Organization (ILO), 2020, Global Dialogue Forum on Decent Work in the World of Sport, GDFWS/2020/7, Points of Consensus, points for consensus (ilo.org)
- International Research Network on Violence and Integrity in Sport (IRNOVIS), IRNOVIS | International Research Network on Violence and Integrity in Sport | University of Antwerp (uantwerpen.be)
- International Safeguarding Children in Sport Working Group, 2016, International Safeguards for Children in Sport: A guide for organisations who work with children implementation-guide-for-organisations-who-work-with-children-a5-version-re.pdf (sportanddev.org)
- IOC, 2019, Mental health in elite athletes: consensus statement, Mental health in elite athletes: International Olympic Committee consensus statement (2019) | British Journal of Sports Medicine (bmj.com)
- IOC, Code of Ethics, 2020 IOC Code of Ethics - Olympic Principles and Rules of Conduct
- IOC, Olympic Movement Code on the Prevention of the Manipulation of Competitions, Olympic Movement Code on the Prevention of the Manipulation of Competitions,
- IOC Olympic Charter, EN-Olympic-Charter.pdf
- IOC, 2014, Sexual Harassment and Abuse educational program, Support and protect clean athletes (olympic.org);
- IOC, Athlete 365, Safe Sport, Safe Sport - Athlete365 (olympic.org)
- IOC, Athlete 365, What is consent?, What is consent? - Athlete365 (olympic.org)
- IOC Olympic Agenda 2020 +5, 15 Recommendations, Olympic Agenda 2020+5
- IOC Safe Sport Directory, Safe Sport Directory - Athlete365 (olympic.org)
- IOC Safe Sport Toolkit, 2017, Support and protect clean athletes (olympic.org)
- IOC-INTERPOL, 2016, Handbook on Protecting Sport from Competition Manipulation, Handbook on Protecting Sport from Competition Manipulation (olympic.org)
- IOC-INTERPOL, 2016a, Handbook on Conducting Fact-Finding Inquiries into Breaches of Sports Integrity, IOC-INTERPOL, 2016, Handbook on Conducting Fact-Finding Inquiries into Breaches of Sports Integrity
- IOC-UNODC, 2013, *Criminalization Approaches to Combat Match fixing and Illegal/Irregular Betting: A Global Perspective*, Vienna, Criminalization_approaches_to_combat_match-fixing.pdf (unodc.org)
- IOC-UNODC, 2016, *Criminal Law Provisions for the Prosecution of Competition Manipulation Study*, Vienna, UNODC-IOC-Study.pdf (olympic.org)
- ISO 37002 on Whistleblowing, ISO - ISO/DIS 37002 - Whistleblowing management systems — Guidelines
- Johansson, S., Kenttä, G. and Andersen, M., 2016. "Desires and taboos: Sexual relationships between coaches and athletes", *International journal of sports science & coaching*, vol. 11, No. 4.
- Johnson, N., Hanna, K., Novak, J., and Giardino, A. P., 2020, "U.S. Center for SafeSport: Preventing Abuse in Sports", *Women in Sport and Physical Activity Journal*. Advance online publication. 10.1123/wspaj.2019-0049.
- Kainz, A., 2015, 'Sport respects your rights—the project', Vienna, Austria: Sportunion Österreich, <http://sport-respects-your-rights.eu/>
- Kerr, G., Willson, W., Stirling, A., 30 April 2019, Prevalence of Maltreatment Among Current and Former National Team Athletes, University of Toronto in partnership with AthletesCAN, Microsoft Word - Prevalence of Maltreatment Report_May6_2019 (1) (1).docx (athletescan.com)
- Klein, M. and Herber, J., February 2021, 'Anregungen für ein Unabhängiges Zentrum für Safe Sport', Athleten Deutschland e.V. [in German].
- Lang, M., Hartill, M., eds. 2014, Safeguarding, child protection and abuse in sport: international perspectives in research, policy and practice, London, UK: Routledge.
- LawInSport Safe Sport Series, The International Responses To Athlete Abuse In Sport, <https://www.lawinsport.com/topics/item/safe-sport-series-the-international-responses-to-athlete-abuse-in-sport>
- Laws, D.R. 2000, 'Sexual offending as a public health problem: a North American perspective', *J Sex Aggress* 5, pp. 30–44.
- Leahy, T. 2001, 'Preventing the sexual abuse of young people in Australian sport', *Sport Educator*, 13, pp. 28–31.
- Leahy, T., 2010, Working with adult athlete survivors of sexual abuse, in: Hanrahan, S.J., Anderson, M.B., eds. *Routledge Handbook of applied sport psychology: a comprehensive guide for students and practitioners*. London, UK: Routledge, pp. 303–12.
- Leahy, T., Pretty, G. and Tenenbaum, G., 2011, A Contextualized Investigation of Traumatic Correlates of Childhood Sexual Abuse in Australian Athletes, Florida State University, A Contextualized Investigation of

- Traumatic Correlates of Childhood Sexual Abuse in Australian Athletes: *International Journal of Sport and Exercise Psychology*: Vol 6, No 4 (tandfonline.com)
- Ljungqvist A, Mountjoy M, Brackenridge CH, et al. 2007, IOC Consensus Statement on sexual harassment & abuse in sport. *Int J Sport Exerc Psychol* 6: pp. 442–9, https://www.researchgate.net/publication/339830415_International_Olympic_Committee_IOC_Consensus_Statement_Sexual_Harassment_and_Abuse_in_Sport
- Lord, C., November 2020, South African sport under scrutiny over handling of child sexual abuse claims | Swimming | The Guardian
- Maffulli, N., 2007, 'Human rights in youth sports', *Br J Sports Med* 41, pp.59–60.
- Marks, S., Mountjoy, M., Marcus, M., 2012, 'Sexual harassment and abuse in sport: the role of the team doctor', *Br J Sports Med*, 46, pp. 905–8, doi:10.1136/bjsports-2011-090345
- McGivering, J., 4 December 2018, 'Afghan women's football dream turns into nightmare', *bbc.com*, <https://www.bbc.com/news/world-asia-46429872>
- McLaren Global Sports Solutions, 5 October 2020, Final Report on Independent Approaches to Administer the Universal Code of Conduct to Prevent and Address Maltreatment in Sport in Canada ("UCCMS"), Microsoft Word - UCCMS Report v3 FINAL FOR PUBLICATION.docx (sirc.ca)
- Mega-Sporting Events Platform for Human Rights, January 2017, 'Children's rights in the sports context', *Sporting Chance White Paper* 4.1, Version 1, https://www.ihrb.org/uploads/reports/MSE_Platform%2C_Childrens_Rights_in_the_Sports_Context%2C_Jan._2017.pdf
- Mewett, P., Toffoletti, K. 2008, 'Rogue men and predatory women: female fans' perceptions of Australian Footballers' sexual conduct', *Int Rev Social Sport*, 43 pp. 165–80.
- Moriconi, M., de Cima, C., 2020, 'To report, or not to report? From code of silence suppositions within sport to public secrecy realities. *Crime Law Soc Change* 74, pp. 55–76, CRIS-D-19-00122_R1 (1)-2-29.pdf (iscte-iul.pt)
- Mountjoy, M., Brackenridge, C., Arrington, M., et al, 2016, 'International Olympic Committee consensus statement: harassment and abuse (non-accidental violence) in sport', *British Journal of Sports Medicine*, 50:1019-1029, <https://bjsm.bmj.com/content/50/17/1019>
- Mountjoy, M., Rhind, D.J.A., Tivas, A., et al. 2015, 'Safeguarding the child athletes in sport: a review, a framework and recommendations for the IOC youth athlete development model', *Br J Sports Med* 49, pp. 883–6.
- Naik, A., 10 July 2020, Opinion: Global aid worker register to prevent abuse risks doing more harm than good, Opinion: Global aid worker register to prevent abuse risks doing more harm than good | Devex
- National Human Rights Commission of Korea, 3 March 2008, "NHRCK To Investigate Sexual Violence in Sports".
- National Human Rights Commission for the Republic of Korea, 2011, 'Guidelines: human rights in sports', Seoul, South Korea.
- National Society for the Prevention of Cruelty to Children (NSPCC), 2015, 'Child abuse in a sports setting', *Child Protection in Sport Unit, NSPCC Child Protection in Sport Unit | CPSU (thecpsu.org.uk)*
- NCAA, 2018, Interassociation consensus document: understanding and supporting Student-Athlete mental wellness. *Mental health best practices*, http://www.ncaa.org/sites/default/files/SSI_MentalHealthBestPractices_Web_20170921.pdf
- New York Times, 2020, Haiti, "Sexual Abuse Case in Global Soccer Puts FIFA Under Scrutiny Again", in <https://www.nytimes.com/2020/05/22/sports/soccer/sexual-abuse-soccer-haiti-fifa.html>
- Nica, F., 2016, 'What is Barnabus and how it works', For Child Protection Hub for South East Europe, What is Barnabus and how it works | Child Protection Hub for South East Europe (childhub.org)
- Norwegian Olympic and Paralympic Committee and Confederation of Sports (NIF), Guidelines to prevent sexual harassment and abuse in sports, 637_10_sexual-harassment_eng_web.pdf (idrettsforbundet.no)
- Operation Hydrant, www.npcc.police.uk/NPCCBusinessAreas/OtherWorkAreas/OpHydrant/FootballAbuseStats.aspx
- Pacella, J. M., and Edelman, M., 2018, 'Vaulted into Victims: Preventing Further Sexual Abuse in U.S. Olympic Sports Through Unionization and Improved Governance', *SSRN Electronic Journal*, 463-503. <https://doi.org/10.2139/ssrn.3234438>
- Parent, S., Demers, G., 2001, 'Sexual abuse in sport: a model to prevent and protect athletes', *Child Abuse Rev*, 20, pp.120–33.
- Parent, S., Hlimi, K.E., 2013, 'Athlete protection in Quebec's sport system: assessments, problems, and challenges', *J Sport Soc Issues* 37, pp. 284–96.
- Park, H. et al, November 2008, "Cultural orientation and attitudes toward different forms of whistleblowing: A comparison of South Korea, Turkey, and the UK" *Journal of Business Ethics*, vol. 82, No. 4.

- Pépin-Gagné, J., Parent, S., November 2015, Coaching, Touching, and False Allegations of Sexual Abuse in Canada, *Journal of Sport & Social Issues* 40(2) DOI: 10.1177/0193723515615176
- Raakman, E., Dorsch, K., Rhind, D., 2010, The development of a typology of abusive coaching behaviours within youth sport, *Int J Sports Sci Coach*, 5, pp. 503–15, doi:10.1260/1747-9541.5.4.503
- Raisman, A., 2018, Speech accepting ESPYS Award on behalf of survivors of sexual abuse by Larry Nassar. 'Sister survivors' moment of solidarity accepting Arthur Ashe Courage Award, ESPYS 2018, ESPN: <https://www.youtube.com/watch?v=W9hu5HLoSzM>
- Ranjbar, N., Erb, M., March 2019, 'Adverse Childhood Experiences and Trauma-Informed Care in Rehabilitation Clinical Practice, *Archives of Rehabilitation Research and Clinical Translation* 1(1-2):100003, DOI: 10.1016/j.arrct.2019.100003
- Report of the UN Secretary-General, 17 February 2020, Special measures for protection from sexual exploitation and abuse, A/74/705 - E - A/74/705 -Desktop (undocs.org)
- Report of the UN Secretary-General, 15 February 2021, Special measures for protection from sexual exploitation and abuse, <https://undocs.org/A/75/754>
- Report of the UN Secretary-General, 30 July 2020, Intensification of efforts to eliminate all forms of violence against women and girls, A/75/274 - E - A/75/274 -Desktop (undocs.org)
- Rintaugu Elijah, G., Kamau Jane, Amusa L.O. and Toriola, A.L., September 2014, The forbidden acts: Prevalence of sexual harassment among university female athletes, *African Journal for Physical, Health Education, Recreation and Dance (AJPHERD)*, Volume 20 (3:1), pp. 974-990.
- Rochefoucauld, E., Reeb, M., March 2021, "Sport and Human Rights: Overview from a CAS perspective", CAS, [Human_Rights_in_sport__CAS_report_updated_31_03_2021_.pdf](https://www.tas-cas.org/Human_Rights_in_sport__CAS_report_updated_31_03_2021_.pdf) (tas-cas.org)
- Ropes and Gray, 10 December 2018, 'Report of the independent investigation: The constellation of factors underlying Larry Nassar's abuse of athletes', <https://www.nassarinvestigation.com/en>
- Ruggie, J., 2016, For the game. For the world: FIFA and human rights, Harvard Kennedy School, [Ruggie_humanrightsFIFA_reportApril2016.pdf](https://www.harvard.edu/humanrights/FIFA_reportApril2016.pdf) (harvard.edu)
- Ryo Uchida, May 16, 2016, "Facing the cervical accident of the middle-aged person in the 12th fatal accident of school judo," Yahoo Japan, <https://news.yahoo.co.jp/byline/ryouchida/20160516-00057737/>
- Safe Sport International, 2015, Declaration and principles, London, United Kingdom, <https://www.safesportinternational.com/principles/>
- Safeguarding Resource and Support Hub (RSH), Safeguarding Resource and Support Hub (safeguardingsupporthub.org)
- Safeguarding Resource and Support Hub, Directory of Support services, Directory of support services | Safeguarding Resource and Support Hub (safeguardingsupporthub.org)
- Schwab, B. Protect, 2019, 'Respect and Remedy: Global Sport and Human Rights', Sweet & Maxwell's *International Sports Law Review*, 3, Journal Article (uniglobalunion.org)
- Sport Dispute Resolution Centre of Canada (SDRCC), 31 March 2020, Pilot Project Evaluation Report: Canadian Sport Helpline and Investigation Unit, Microsoft Word - Evaluation of Safe Sport Initiatives - Final report 31 Mar 2020.docx (crdsc-sdrcc.ca)
- Sheldon, C., 2021, Independent Review into Child Sexual Abuse in Football 1970-2005, TheFA.com - Independent Review into Child Sexual Abuse in Football 1970-2005 (the-fa.com)
- Singh, P.C. 2005, "Extreme' parents and sport: a socio-legal perspective', *South Afr J Res Sport Phys Educ Recreation* 27, pp. 83–99.
- Sport Resolutions, 2021, Safeguarding Investigation Guide, Sport England.
- Starr K., 2015, 'Safe4athletes: survey on types of harassment in sport Colorado springs', CO, USA: United States Olympic Committee
- Steering Committee for Humanitarian Response (SCHR), Misconduct Disclosure Scheme, <https://www.schr.info/the-misconduct-disclosure-scheme>
- Swiss Constitution, April 1999, Federal Constitution of the Swiss Confederation, Microsoft Word - 101.en.doc (admin.ch)
- SwissInfo, 26 January 2021, Abuse of young sportspeople is frequent, says survey - SWI swissinfo.ch
- Tenenbaum, G., Stewart, E., Singer, R.N., et al., 1997, 'Aggression and violence in sport: an ISSP position stand', *Sport Psychol* 11, pp.1–7.
- Terre des Hommes-UEFA, child safeguarding, | Child Safeguarding in Football - UEFA and Tdh (uefa-safeguarding.eu)
- The Army of Survivors, 6 principles of a Trauma Informed Approach: Trauma Informed Approach | The Army of Survivors

- The Committee to Restore Integrity to the USOC, 21 January 2019, 'Our recommendations to create an athlete-first culture at the US Olympic movement', [Team+Integrity+Athlete+First+Recommendations+to+USOC+1+21+2019.pdf](#)
- The Hague Rules on Business and Human Rights Arbitration, The Hague Rules on Business and Human Rights Arbitration | CILC website
- Tofler, I. R., Morse, E.D., 2005, The interface between sport psychiatry and sports medicine, *Clin Sports Med*, 24, pp. 959–71, doi:10.1016/j.csm.2005.06.009
- Tomlinson, A, Yorganci I., 1997, 'Male coach/female athlete relations: gender and power relations in competitive sport', *J Sport Soc Issues* 21, pp. 134–55.
- UEFA Disciplinary Regulations, 2020, article 37, [20200626_UEFA_DR_2020_en.pdf](#)
- UK Code of Practice for Victims of Crime, 2015, The code of practice for victims of crime and supporting public information materials - GOV.UK (www.gov.uk)
- UK Department for International Development, Safeguarding Unit, 2018, 'Sexual Exploitation, Abuse and Harassment (SEAH) in the international aid sector Victim and survivor voices: main findings from a DFID-led listening exercise', *Sexual Exploitation, Abuse and Harassment in the aid sector: victim and survivor listening exercise* (reliefweb.int)
- UK Independent Inquiry into Child Sexual Abuse, November 2020, Catholic Church Investigation Report 2020, The Roman Catholic Church Investigation Report | IICSA Independent Inquiry into Child Sexual Abuse
- UK Independent Inquiry into Child Sexual Abuse (IICSA) Research Team, 2020, Truth Project Thematic Report: Child sexual abuse in sports, Truth Project Thematic Report: Child sexual abuse in sports | IICSA Independent Inquiry into Child Sexual Abuse
- UK Independent Inquiry into Child Sexual Abuse, September 2019, Accountability and Reparations: Investigation Report, [Accountability-and-reparations-report-19-sep-2019](#) | IICSA Independent Inquiry into Child Sexual Abuse
- UK Independent Inquiry into Child Sexual Abuse, September 2019, Executive Summary, Accountability and Reparations: Investigation Report, Executive Summary | IICSA Independent Inquiry into Child Sexual Abuse
- UK Independent Inquiry into Child Sexual Abuse, 2001, The Nolan Report, UK Independent Inquiry into Child Sexual Abuse, 2001, The Nolan report (2001) | IICSA Independent Inquiry into Child Sexual Abuse
- UN, 2020, Inter-Agency Working Group on Violence against Children. 1st ed, https://violenceagainstchildren.un.org/sites/violenceagainstchildren.un.org/files/2020/agenda_for_action/agenda_iawg_on_vac_27_april_ready_for_launch.pdf
- UN Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by UN Staff and Related Personnel, A/RES/62/214, 2008, Microsoft Word - N0747661.doc (unmissions.org)
- UN Convention Against Torture 1984, OHCHR | [Convention against Torture](#)
- UN Convention Against Transnational Organized Crime, 2004, UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME AND THE PROTOCOLS THERETO (unodc.org)
- UN Convention Against Transnational Organized Crime, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime (the Palermo Protocol), UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME AND THE PROTOCOLS THERETO (unodc.org)
- UN Convention on the Elimination of All Forms of Discrimination against Women, 1979, OHCHR | [Convention on the Elimination of All Forms of Discrimination against Women](#)
- UN Convention on the Rights of the Child, 1989, OHCHR | [Convention on the Rights of the Child](#)
- UN Convention on the Rights of the Child, General Comment No. 13, 2011, The right of the child to freedom from all forms of violence, United Nations (ohchr.org)
- UN Convention on the Rights of Persons with Disabilities 2006, OHCHR | [Convention on the Rights of Persons with Disabilities](#)
- UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, 2006 in Compendium of United Nations standards and norms in crime prevention and criminal justice (unodc.org)
- UN Economic and Social Council (ECOSOC), Resolution 2005/20 Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime, Microsoft Word - Document7 (un.org)
- UNESCO, 2019, Reporting on violence against women and girls: a handbook for journalists Reporting on violence against women and girls: a handbook for journalists - UNESCO Digital Library
- UNESCO Kazan Action Plan, Sixth International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport, MINEPS VI, 2017, Kazan Action Plan (unesco.org)
- Universal Declaration of Human Rights 1948, Universal Declaration of Human Rights | United Nations

- UN Guiding Principles on Business and Human Rights, 2011, https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf
- UN High Commissioner for Human Rights, Report to the Human Rights Council, 2020, Intersection of race and gender discrimination in sport, A/HRC/44/26, 15 June 2020, UN Human Rights Council
- UNICEF, 2018, Guidance on Risk-Informed Programming: How to integrate an analysis of risk into child rights-focused planning and programming, file (unicef.org)
- UNICEF, July 2010, 'Protecting Children from Violence in Sport: a Review with a Focused on Industrialized Countries'.
- UNICEF, 2010, Protecting children from violence in sport: A review with a focus on industrialized countries, https://www.unicef-irc.org/publications/pdf/violence_in_sport.pdf
- UN Inter-Agency Standing Committee (IASC), Protection from Sexual Exploitation and Abuse (SEA), Protection from Sexual Exploitation and Abuse | IASC / PSEA (interagencystandingcommittee.org)
- UN Inter-Agency Standing Committee (IASC), Champion on Protection from Sexual Exploitation and Abuse and Sexual Harassment (SH), IASC Champion on Protection from Sexual Exploitation and Abuse and Sexual Harassment | IASC (interagencystandingcommittee.org)
- UNODC, 2006, Policing Crime Investigation Criminal Justice Assessment Toolkit, UNODC Assessment Toolkit
- UNODC, 2009, *Handbook for Professionals and Policymakers on Justice in matters involving child victims and witnesses of crime*, Handbook for Professionals and Policymakers on Justice in matters involving child victims and witnesses of crime (unodc.org)
- UNODC, 2015, Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice: A New Tool for Policymakers, Criminal Justice Officials and Practitioners, UNITED NATIONS MODEL STRATEGIES AND PRACTICAL MEASURES ON VIOLENCE AGAINST CHILDREN (unodc.org)
- UNODC, 2015a, *Training Programme on the Treatment of Child Victims and Witnesses of Crime for Prosecutors and Judges*, Training Programme on the Treatment of Child Victims and Child Witnesses of Crime for Prosecutors and Judges (unodc.org)
- UNODC, 2015b, *Training Programme on the Treatment of Child Victims and Child Witnesses of Crime for Law Enforcement Officials*, Training Programme on the Treatment of Child Victims and Child Witnesses of Crime for Law Enforcement Officials (unodc.org)
- UNODC, March 2015, *Planning the Implementation of the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice: A Checklist*, https://www.unodc.org/documents/justice-and-prison-reform/14-08452_Ebook.pdf
- UNODC, 2016, Compendium of United Nations standards and norms in crime prevention and criminal justice (unodc.org)
- UNODC Global Programme to End Violence Against Children, end-vac-child victims and witnesses (unodc.org)
- UNODC Guidelines on the Role of Prosecutors, 1990, Microsoft Word - Document1 (unodc.org)
- UNODC-IOC, 2019, Reporting Mechanisms in Sport: A Practical Guide for Development and Implementation (unodc.org)
- UNODC-UNICEF, 2006, *UN Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime: Child-Friendly Version*, https://www.unodc.org/pdf/criminal_justice/Guidelines_E.pdf
- UN Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1999, OHCHR | Optional Protocol CEDAW
- UN Convention on the Elimination of Discrimination against Women, 1999, General recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19, 2017, OHCHR | Launch of CEDAW General Recommendation No. 35
- UN Office of the High Commissioner for Human Rights (OHCHR), Report to the Human Rights Council, 2020, A/HRC/44/32, Improving accountability and access to remedy for victims of business-related human rights abuse through non-State-based grievance mechanisms, A/HRC/44/32 - E - A/HRC/44/32 -Desktop (undocs.org)
- UN Office of the High Commissioner for Human Rights (OHCHR), 2004, Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ("Istanbul Protocol"), Refworld | Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ("Istanbul Protocol")
- UN Optional Protocol to the Convention on the Rights of the Child on a communications procedure, 2014, OHCHR | Optional Protocol to the Convention on a communications procedure
- UN Resolution 8/4 adopted by the Conference of the States Parties to the UN Convention against Corruption at its eighth session, 2019, UNCAC_-_resolution_8-4.pdf (unodc.org)

- UN 'ClearCheck', Screening Database "ClearCheck" | United Nations - CEB (unsceb.org)
- UN Special Rapporteur on the sale and sexual exploitation of children, 2018, 'Report on the sale and sexual exploitation of children in the context of sports', Report to the HRC at its 40th session, March 2019, A/HRC/40/51
- UN Statistics Division (UNSD), Department of Economic and Social Affairs (DESA), 2015, The World's Women 2015: Trends and Statistics, WorldsWomen2015_report.pdf (un.org)
- UN Sustainable Development Goals (SDGs), <https://sdgs.un.org/goals>
- UN System Chief Executives Board (CEB) for Coordination, May 2021, *Advancing a Common Understanding of a Victim-centred Approach to Sexual Harassment: Within the Organizations of the United Nations System*.
- UN Victims' Rights Advocate (VRA), Office of the Victims' Rights Advocate | Preventing Sexual Exploitation and Abuse (un.org)
- UN Women, 2011, Incident response protocols, Incident response protocols (endvawnow.org)
- UN Women, 2013, Elimination and prevention of all forms of violence against women and girls: Agreed Conclusions, Commission on the Status of Women, csw57-agreedconclusions-a4-en.pdf (unwomen.org)
- UN Women, 2016, A Framework to Underpin Action to Prevent Violence against Women (with ILO, UNDP, UNESCO, UNFPA, WHO, OHCHR), <http://www.unwomen.org/en/digitallibrary/publications/2015/11/prevention-framework>
- UN Women, 2018, Towards an End to Sexual Harassment: The Urgency and Nature of Change in the Era of #MeToo, towards-an-end-to-sexual-harassment-en.pdf (unwomen.org)
- UN Women, 2019, RESPECT Women: Preventing violence against women – Implementation package, RESPECT Women: Preventing violence against women – Implementation package | Digital library: Publications | UN Women – Headquarters
- UN Women, UNFPA, WHO, UNDP and UNODC, 2015, Essential services package for women and girls subject to violence, Essential services package for women and girls subject to violence | UN Women – Headquarters
- UN Women, UNODC and the International Association of Women Police (IAWP), 2021, *The Handbook on gender-responsive police services for women and girls subject to violence*, Handbook on gender-responsive police services for women and girls subject to violence | Digital library: Publications | UN Women – Headquarters
- U.S. Centre for SafeSport, 23 January 2019, Minor Athlete Abuse Prevention Policies, Minor-Athlete-Abuse-Prevention-Policies.pdf (uscenterforsafesport.org)
- U.S. Centre for SafeSport, Centralised Disciplinary Database, CDD-Link-1-overview-and-definitions-v2.pdf (uscenterforsafesport.org)
- U.S. Public Law 116-189, S.2330 - Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020, Text - S.2330 - 116th Congress (2019-2020): Empowering Olympic, Paralympic, and Amateur Athletes Act of 2020 | Congress.gov | Library of Congress
- U.S. Safe Sport Code for the US Olympic and Paralympic Movement, 2020, Microsoft Word - 2020-02-21 - 2020 SafeSport Code - FINAL AMENDED (uscenterforsafesport.org).
- US Olympic Committee, 2010, Working group for safe training environments: recommendations to the USOC Board of Directors, CO, USA
- US Olympic Committee, 2000, 'Coaching ethics code', Colorado Springs, CO, USA
- Vandekerckhove W. and Phillips, A. 2017, "Whistleblowing as a protracted process: a study of UK whistle-blower journeys", Journal of Business Ethics.
- Verschuuren, P., 2020, 'Whistleblowing determinants and the effectiveness of reporting channels in the international sports sector', Sport Management Review, 23(1), pp. 142–154. <https://doi.org/10.1016/j.smr.2019.07.002>
- Verschuuren, P., 2020, Les Dispositifs d'alerte dans le Sport International : Performance et Perspectives, University of Lausanne.
- Vertommen, T., 2017, 'Good to Know Before Implementing a Policy on Preventing Sexual Violence Against Children in Sport Standards and norms, areas of action and tips', 168077200b (coe.int)
- Vertommen, T., Schipper-van Veldhoven, N., Wouters, K., et al, 2016, Interpersonal violence against children in sport in the Netherlands and Belgium. Child Abuse Neglect, 51, pp. 223–36, doi:10.1016/j.chiabu.2015.10.006
- Wells, M.S., Ruddell, E., Paisley, K., 2006, 'Creating an environment for sportsmanship outcomes: a systems perspective; systems modeling can guide the changes needed to improve the sport environment', J Phys Educ Recreation Dance, pp. 77:13.
- Whitaker, L., Backhouse, S. H., and Long, J., 2014, 'Reporting doping in sport: national level athletes' perceptions of their role in doping prevention', Scandinavian journal of medicine and science in sports, 24(6), pp. 515-521.

- WHO, 2016, Global plan of action to strengthen the role of the health system within a national multisectoral response to address interpersonal violence, in particular against women and girls, and against children, 9789241511537-eng.pdf;jsessionid=58CC38F754B8F52877D9C5315E2BF80A (who.int)
- WHO, 2017, Strengthening health systems to respond to women subjected to intimate partner violence or sexual violence: A manual for health managers, WHO | Strengthening health systems to respond to women subjected to intimate partner violence or sexual violence:
- WHO, 11 July 2018, *INSPIRE Handbook: Action For Implementing The Seven Strategies For Ending Violence Against Children*, INSPIRE Handbook: action for implementing the seven strategies for ending violence against children (who.int)
- WHO, June 2020, Violence Against Children Factsheet, <https://www.who.int/news-room/factsheets/detail/violence-against-children>
- World Players Association, Universal Declaration of Player Rights, 2017, official_udpr.pdf (uniglobalunion.org)
- World Anti-doping Code (WADC) 2021, World Anti-Doping Code | World Anti-Doping Agency (wada-ama.org)