

RAISING THE BAR FOR SPORT, HUMAN RIGHTS AND TRANSPARENCY

Call for inputs: Report of the United Nations High Commissioner for Human Rights pursuant to Human Rights Council Resolution 54/25 "a World of Sport Free from Racism, Racial Discrimination, Xenophobia and Related Intolerance"

I. Introduction

The <u>Sport & Rights Alliance (SRA)</u> is a global coalition of leading NGOs and trade unions working together to embed human rights and anti-corruption across world sport and to promote the rights and well-being of those most affected by human rights risks associated with the delivery of sport. Our partners include Amnesty International, The Army of Survivors, Committee to Protect Journalists, Football Supporters Europe, Human Rights Watch, ILGA World, the International Trade Union Confederation, Transparency International and World Players Association, UNI Global Union.

Aligned with our mission to advocate for those most impacted by the negative aspects of sport, the SRA actively works to counter racism, discrimination and intolerance in sport: from amplifying the voices of <u>Indian wrestlers raising complaints of sexual abuse</u> to standing with brave <u>French Muslim</u> <u>athletes fighting discriminatory hijab bans</u>. Moreover, it is part of our organizational commitment to prioritise cases in the Global South and adopt a "margins in approach" in order to prioritize and amplify the voices of historically marginalized communities.

II. Background

The world of sport is often perceived as a place in which none of the burdens and inequalities of society take place or could possibly exist. Embedded by ideals of excellence, respect and friendship, its philosophy often misleads people to discount the importance of critical scrunity around sport's responsibility to address and combat racism, discrimination and other human rights violations. Contrary to original beliefs and traditions, sport mirrors the challenges facing society – and sometimes even contributes to its exacerbation.

The competitive sporting environment is marked as a space of possibilities alligned with a meritocratic view – the idea that with hard work, all individuals are equally able to succeed. As Afro American scholar Ruha Benjamin¹ points out, this illusion of self-made success, where everything is

¹ Simons, J., & Frankel, E. (2023). Viral Justice: How We Grow the World We Want, by Ruha Benjamin. *Critical AI*, 1(1–2). https://doi.org/10.1215/2834703x-10734977

reachable and constraints are largely absent, is only possible when the barriers have been removed in advance. In that sense, the notion of meritocracy idea may thrive. However, for many individuals participating or aspiring to participate in sports, this is far from reality.

In the early 1900s, the vast majority of black athletes were excluded from taking part in competitive international sports, including the Olympic Games. When eventually eligible to compete, they would often face segregation, discrimination, racial stereotypes and isolation.

Back in 1912, native American Jim Thorpe, won gold medal both in pentathlon and decathlon only to be stripped of his achievements in the following year, after the acusation of briefly playing at a minor baseball league and therefore infringing the amateurism rules. His medals have only been restored 30 years after his death. Thorpe has continued in sports nevertheless, playing in the Major League Baseball (MLB) and becoming the first president of the American Professional Football Association.²

Many are the cases of individuals and groups who decided to disrupt the status quo. African American track and field athlete Jesse Owens won 4 gold medals at the 1936 Summer Olympics in Berlin under Nazi Germany, challenging the racial supremacy propaganda of Adolf Hitler. Besides his athletic achievements, he was never properly recognized nor gained financial stability, even being denied the opportunity, due to segregation, to visit the White House.³ Owens later became an activist for sports and civil rights, inpiring future generations of black athletes.

In 1968, U.S. athletes Tommie Smith and John Carlos gave the black power salute at the Mexico Olympic Games in the 200m award ceremony. Although no words were spoken, their protest was a clear statement against the systemic oppresion that black people faced in the US. Two hours after the award ceremony, they were condemned by the International Olympic Committee and suspended from the US national team.

Some may argue that sport has overcome this racist history, but it is undeniable that many barriers remain. In addition to the weak structural response from sport governing bodies, racialized athletes continue to experience the deep-rooted impacts of white supremacy and dominant cultural norms that pressure people of color to conform to specific expectations and behaviors in order to be accepted and fully participate in sports.

In 2016, former NFL quarterback Colin Kaepernick started the movement of kneeling during the US national anthem to protest against police brutality.⁴ In retaliation, Kaepernick was kicked off the team, with no other NFL teams choosing to sign him, and was even critized publicly by U.S. President Donald Trump. Nevertheless, he continues his activism through an organization called 'Know Your Rights Camp' which focuses on empowering Black and Brown communities.

² https://www.olympics.com/en/athletes/jim-thorpe

³ https://jesseowens.com/biography/

⁴ https://www.washingtonpost.com/sports/2020/06/01/colin-kaepernick-kneeling-history/

After making history and becoming the first Muslim-American women to compete with hijab and winning an Olympic medal at the 2016 Games, Ibtihaj Muhammad disclosed what she called "psychological warfare" she has faced leading up to the Games. While part of the US fencing team, she was forced to endure years of maltreatment from teammates and staff, including being left out of team sheets, ommitted from team emails and ignored from team gathering. She said that while being an athlete from an individual sport, the hostile environment added another layer of difficulty in her carreer.⁵

More recently, Brazilian footballer, Vinicius Junior, currently playing for Real Madrid, has been a frequent target of racism in La Liga (Spanish Football League). One of the most horrendous incidents took place during a match against Valencia in 2023 where spectators chanted racist slurs and made monkey gestures. Even with the match being temporarily halted, the athlete was visibly emotional. Vinicius continues to call for stronger actions and criticized Spain for failing to address the issue effectively.⁶

While high profile cases involving elite athletes are the ones who capture public attention, racism and discrimination in sports are more pervasive and definitely not strict to isolated cases. From grassroots to elite level, racialized athletes continue to face systemic barriers, unequal opportunity to access sport and often discriminatory treatment.

III. Practical Measures and Policies by Global Sport Governing Bodies

While operating with a high level of autonomy and limited external oversight, global sport governing bodies have gradually started to implement measures to address racism and discrimination in sports. Still far from ideal and not based in evidence and best practices, the majority of these measures consist of public campaigns and statements on the International Day for the Elimination of Racial Discrimination on March 21, lacking appropriate engagement of potentially affected stakeholders such as athletes, fans, workers and human rights defenders.

International Olympic Committee (IOC)

As a result of strong advocacy efforts from different civil society organizations, in 2023 the IOC <u>amended to the Olympic Charter</u> to include references to internationally recognized human rights, and since 2020 the IOC has mandated cities bidding to host the Olympics to uphold human rights and non-discrimination standards in alignment with the UN Guiding Principles. Additionally, Principle 6 of the Olympic Charter affirms that *"the enjoyment of the rights and freedoms set forth in the Charter shall be secured without discrimination of any kind, including race, color, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth, or any other status."* The IOC Strategic Framework on Human Rights identifies that prioritisation of efforts is necessary on populations where the risks are most severe, including from *"potentially vulnerable or marginalized groups such as LGBTQIA+ communities, racial and ethnic minority*

⁵ https://www.theguardian.com/sport/2018/jul/27/ibtihaj-muhammad-fencing-hijab-olympics

⁶ https://www.theguardian.com/sport/2023/may/21/vinicius-junior-sent-off-for-brawl-after-alleged-racism-by-valencia-fans

groups, children, migrant workers and forcibly displaced populations." A major gap relates to practical enforcement of these policies, as the IOC doesn't have an operational, transparent and inclusive reporting mechanism to report racism, discrimination, xenophobia. The current <u>IOC</u> <u>Integrity and Compliance Hotline</u> to report abuse, harassment, infringements of the IOC Code of Ethics or other matters is only available in English and French and does not provide support nor has investigatory powers to provide remedy to victims.

Féderation Internationale de Football Association (FIFA)

During the FIFA Congress last year, <u>FIFA announced an anti-racism programme</u> based on five "pillars" that will be applied across 211 member associations, namely: to include racism in the individual enforced disciplinary code of all member associations; to introduce a <u>global standard</u> <u>gesture</u> to communicate racist incidents; to push for racism to be globally recognized as criminal offence; to promote educational initiatives; and to establish a new player's anti-racism panel composed of former players. Similarly to the IOC, FIFA provides an online <u>Reporting Portal</u> for people impacted to raise their concerns related to human rights, abuse, harassment, violations of FIFA Code of Ethics and other matters. Reports can be submitted in English, French, Arabic and Spanish. Given the lack of communication and dissemination of the portal, and the lack of transparency and accountability measures it is difficult to assess its efficiency and real impact to victims of racism and discrimination.

Union of European Football Associations (UEFA)

As part of its strategic vision for 2030, UEFA's policy prioritizes the fight against racism and upholds the fundamental right of every individual involved in football to be treated with respect and enjoy equal opportunities. Additionally, in recognition of the International Day for the Elimination of Racial Discrimination, UEFA and the European Club Association (ECA) partnered to host a joint webinar series highlighting key issues related to social and environmental sustainability in football.

During the UEFA EURO 2024 in Germany, for football fans and other attendees affected by genderbased violence and discrimination in football stadia could access direct support via a Rapid Response Mechanism (RRM). Football Supporters Europe (FSE) worked in partnership with UEFA and EURO GmbH Germany, along with the technical support of SaferSpaces and the German Red Cross to pilot the RRM. This innovative system was successfully implemented in all host stadiums of the UEFA EURO 2024, having provided immediate assistance to spectators that felt harassed, discriminated against, threatened or otherwise unsafe within the host stadium. In total, the system reported 214 interactions through the QR Codes, with Safe Room facilities being used 56 times during the tournament. As highlighted in the report <u>UEFA EURO 2024 Human Rights Board:</u> <u>Insights and Recommendations from the Centre for Sport and Human Rights Report</u> published in November 2024: "*Further roll-out and implementation of the Rapid Response Mechanism at other UEFA events would represent a legacy contribution of EURO 2024 to safer and more inclusive events in future.*"

LaLiga

Over the last 10 years, the Spanish men's professional football league LaLiga and its affiliates have launched various initiatives to combat racism both inside and outside stadiums. The majority of these efforts have focused on awareness campaigns, featuring anti-racist slogans and calls to action aimed at eradicating discrimination. One of them being a preventive support in stadiums, where posters and stickers have been strategically placed to encourage fans to stand against racism. These materials also feature QR codes linking directly to the league's reporting channel, allowing spectators to report any incidents of racial abuse.⁷

IV. Discussion

Despite these measures, many argue that the current policies in place remain insufficient to promote groundbreaking structural reforms. Often, sport governing bodies implement rushed measures as a response to scandals rather than hold themselves accountable in order to scrutinize the deep rooted causes of racism and discrimination in sports. Moreover, measures that aim to provide support to individuals directly impacted by the systemic racism and discrimination in the form of remedy processes are nonexistent.

As mentioned by the UN High Comissioner for Human Rights, Volker Türk during the Sporting Chance Forum in Geneva, discrimination, harm or abuse in sports in the basis of race, gender or any other factor – affects not only individual athletes, but can impact entire groups and communities, in all their diversity.⁸

Civil society organizations have raised concerns on persistent issues related to equality and nondiscrimination in sport and called on sport governing bodies to uphold their responsibilities to ensure that discriminatory practices are properly adressed in sports.

In 2024, Amnesty International released two crucial reports exposing discriminatory practices against Muslim women and girls through hijab bans in sport and highlighting widespread racism in football, including in Morocco, the future host of the 2030 Men's World Cup:

In its report "**We can't breathe anymore. Even sports, we can't do anymore**"⁹ published at the eve of the 2024 Paris Olympics, Amnesty highlighted the host country's ban on Muslim women from wearing a sports hijab or any other form of religious headgear when they compete for France. Such bans are also in place in several sports in France, including football, basketball and volleyball, in competitions at all levels, including youth and amateur ones. For example, the French Basketball Federation's policy bans the wearing of hijabs for female players even at amateur levels. Former member of the French national youth team, Diaba Konaté, expressed her concern: *"I love basketball, my family, and my faith. It would break my heart to give up any of those, and yet that is what the current French Federation of Basketball guidelines are forcing me to do."* These regulations penalize women and girls who wish to wear religious headgear and violate their rights under international human rights laws and standards, including the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, as well as the Conventions on the

⁷ https://www.laliga.com/en-GB/laligavs/laligavsracism/initiatives

⁸ https://www.ohchr.org/en/statements-and-speeches/2023/12/advancing-human-rights-sports-can-catalyze-social-transformation

⁹ https://www.amnesty.org/en/documents/eur21/8195/2024/en/

Elimination of All Forms of Discrimination Against Women and on the Elimination of All Forms of Racial Discrimination. In <u>response</u> to our <u>letter</u> urging it to take action, the IOC claimed that France's prohibition on sports hijabs was outside the remit of the Olympic movement, claiming that "freedom of religion is interpreted in many different ways by different states." The IOC's response did not mention other rights violated by the ban, such as freedom of expression and access to health.

Furthermore, through an analysis of bids to host the Men's World Cup in the "**High Stakes Bids – Dangerously Flawed Human Rights Strategies for the 2030 and 2034 FIFA World Cups**"¹⁰, Amnesty has highlighted systemic racism in Morocco and racist incidents in Spain targeting Black and migrant footballers. The report highlighted that during the 2021-22 season, only 28 out of 1,608 sanctions issued by Spain's Commission against Violence, Racism, Xenophobia, and Intolerance in Sports were related to racism or xenophobia. Outside the pitch, migrant workers in sectors like agriculture, construction, and domestic services have also reported experiencing poor treatment and racist attitudes.

Football Supporters Europe (FSE), an independent non-profit association representing fans, advocates for the right of supporters, have expressed concerns about the restrictive and counterproductive measures imposed by sport governing bodies, particularly regarding collective punishment. FSE argues that penalizing innocent fans may have adverse effects, including discouraging the reporting of racist incidents.

The World Players Association, a core partner of the SRA and the leading representative body for organized athletes worldwide, uniting 85,000 professional players across various sports, has also submitted a collection of player association practices, policies, and best practices. The submission reflect players' perspectives and include examples of bargaining between player associations and their employers. Including, FIFPRO, a trade union uniting the voices of professional footballers, have committed to go beyond opposing openly discriminatory behavior, and have created mechanisms to raise awareness on the engrained prejudice withing society, and therefore, in football. The player union recognizes the many forms in which discrimination can take place, whether online or during matches. In 2023, FIFPRO published a report on "Understanding Racism in European Football Culture"¹¹ stating the ongoing resistance of the football world to acknowledge racial discrimination as systemic or as a symptom of a wider issue in football culture. They highlight the findings from the 2022 Governing Body Index Report, revealing that over 80% of football governing bodies and senior roles in Europe were held predominantly by white men, with less than 4% occupied by non-white individuals. Their study have also seek to explore the deep causes of racism in different aspects of football. In sum, the research project is looking into questions such as what does racial discrimination in European Football, stadiums, clubs and social media looks like, as well as how racial discrimination affects particular stakeholders.

Major League Soccer (MLS) and Major League Soccer Player Association (MLSPA) announced in 2024 a joint new Anti-Discrimination Policy agrees upons its players putting restorative justice practices at the heart of efforts to erradicate racial and discriminatory incidents. Additionally, a

¹⁰ https://www.amnesty.org/en/documents/ior10/8712/2024/en/

¹¹ https://fifpro.org/en/supporting-players/safe-working-environments/racism-and-discrimination/understanding-racism-in-european-football-culture

Player-Led awareness program was announced with the goal to help players across diverse leagues to understand and respect different cultures.¹²

V. Conclusion

The fight againts racism, xenophobia and discrimination in sport is far from over. Gradually, the world of sport is recognizing its responsibility to not just combat incidents that take place inside sports, but also to leverage its influence to create a lasting impact beyond the field of play.

While awareness raising campaings have been on the rise, initiatives that are based in evidence and that includes people with lived experience on these types of harm from grassroots all the way to elite level, are still lacking.

A structural reform that aims at mitigating any type of discrimination in the world of sport requires a collective effort which allows external oversight and scrutinity towards sports governing bodies. Looking into the future, it is essential to take a step back, recognize the harms caused in the past and provide legitimate forms of remedy for those impacted.

¹² https://www.mlssoccer.com/news/mls-and-mlspa-announce-groundbreaking-joint-anti-discrimination-policy-and-playe