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ADOPTING A SAFE SPORTS CHARTER

Committees, National Federations/National Sports Associations, local government units, schools, universities and colleges, clubs, gyms, associations, and leagues are called upon to create and guarantee safe environments. These stakeholders and duty-bearers must promote and institutionalize safe sport.

Safe Sport promotes the welfare and development of athletes and ensures the safety of athletes against all forms of harassment, discrimination, abuse, violence or bullying in sports, whether physical, emotional, psychological, or specifically gender-based, in person or online, based on race, ability, religion, poverty, status, position, education, ethnic background, opinion and differences, shall be guaranteed at all times.

safeguarded, the integrity of sports and sports organizations are protected, those working in the sports industry are protected, and the values of safe sport are promoted.¹ Below is a proposed text/ draft of such a charter that can considered and adopted by [•].

The Author developed a template Safe Sport Charter that aims to ensure that athletes are

1.3.2.1. Develop a clear definition of the term "harassment and abuse," which is consistent with the definition in Section 1 and applicable laws.

1.3.2. It recommends for IFs and NOCs to take the following into consideration:

- 1.3.2.2. Apply the safeguarding policy to all persons affiliated with the IF or NOC,
- including athletes.7 1.3.2.3. Inform all athletes, their entourages, coaches, officials, as well as other relevant
- persons on what may constitute harassment and abuse and where they may seek further information, advise and support, e.g. by organizing training or by making available educational material and provide for mechanisms to prevent involvement of known offenders in the IF's or NOC's activities.8 1.3.2.4. Establish a reporting procedure for alleged incidents of harassment and abuse,
- an alleged incident of harassment and abuse may be reported to the IF or NOC as well as the information that should be included in the report.9 1.3.2.5. Establish an investigation procedure to respond to alleged incidents of harassment and abuse which aims to assemble comprehensive information on the alleged incident¹⁰ and provide the responding party with due process before applying

specifying different reporting channels and designated persons through which

any measure or sanction.11 1.3.2.6. Establish support mechanisms to provide support and information to persons involved in an alleged incident of harassment and abuse ("concerned persons") including the appointment of someone who is responsible for following up on

all alleged incidents of harassment and abuse (e.g. a "Welfare/Support Officer").

Such person should be trained and experienced in the field of safeguarding from

harassment and abuse (e.g. medically and/or legally), and his/her responsibilities

should, in particular, include playing a central role in: (i) the reporting and investigation procedures, (ii) determining whether information of a case should be disclosed to the competent local authorities, and (iii) providing support to any concerned persons throughout the reporting and investigation procedures.¹² (5) Respect the rights and well-being of, and not discriminate against, other athletes, their

entourage, volunteers and all others within the sporting environment, and refrain from

political demonstration in competitions, competition venues and ceremonies. xxx

(7) Act as a role model, including by promoting clean sport. xxx."15

- 1.5. The World Players Association Universal Declaration of Player Rights (2017) recognizes that "Every player is entitled to equality of opportunity in the pursuit of sport without distinction of any kind and free of discrimination, harassment and violence." ¹⁶ Moreover, "A player's right to pursue sport cannot be limited because of his or her race, colour, birth, age, language, sexual orientation, gender, disability, pregnancy, religion, political or other
- opinion, responsibilities as a career, property or other status."¹⁷ 1.6. Article 1.1.1 of the Olympic Movement Medical Code of 2016 provides that "Athletes enjoy the same fundamental rights as all patients in their relationships with their physicians and health care providers, in particular, respect for: a. their human dignity; b. their physical and psychological wellObeing; c. the protection of their health and safety; d. their selfdetermination; and e. their rights to privacy and confidentiality."18
- Paralympic Committee "to promote Para sports for athletes with impairments globally at all levels, without unlawful discrimination for political, religious, economic, disability, racial, gender or sexual orientation reasons."19 1.8. The By-Laws of the Philippine Olympic Committee states that it aims "to guard and take action against all form of discrimination and violence in sports"20 and "to work in concert

1.7. The Constitution of the International Paralympic Committee requires the International

- with private and government bodies concerning the promotion of a sound sports policy."²¹ 1.9. Republic Act No. 11313, otherwise known as the Safe Spaces Act, prohibits and penalizes gender-based sexual harassment on streets, public spaces, privately-owned places open to the public, public utility vehicles, workplaces, education and training institutions, and online.

1.10. Republic Act No. 7877, otherwise known as the Anti-Sexual Harassment Act of 1995 ensures

the protection of any person in work, education, or training-related sexual harassment.²²

and institutions to ensure not only the integrity of the sport but the protection of these athletes against all forms of harassment, abuse, and violence.

3.1. Safe Sport promotes the welfare and development of athletes and ensures the safety

of athletes against all forms of harassment, discrimination, abuse, violence or bullying

2.4. Responsibilities of Sports Associations and Training Personnel and Institutions. Corollary

to these is the corresponding responsibility of sports associations and training personnel

in sports, whether physical, emotional, psychological, or specifically gender-based, in person or online, based on race, ability, religion, poverty, status, position, education, ethnic background, opinion and differences, shall be guaranteed at all times.

3. Description of Terms

- 3.2. Gender-Based Online Sexual Harassment includes acts that use information and communications technology in terrorizing and intimidating victims through physical, psychological, and emotional threats, unwanted sexual misogynistic, transphobic, homophobic and sexist remarks and comments online whether publicly or through direct and private messages, invasion of victim's privacy through cyberstalking and incessant messaging, uploading and sharing without the consent of the victim, any form of media
- that contains photos, voice, or video with sexual content, any unauthorized recording and sharing of any of the victim's photos, videos, or any information online, impersonating identities of victims online or posting lies about victims to harm their reputation, or filing, false abuse reports to online platforms to silence victims.³³ 3.3. Gender-Based Sexual Harassment in the Workplace includes the following: (a) An act or series of acts involving any unwelcome sexual advances, requests or demand for sexual favors or any act of sexual nature, whether done verbally, physically or through the use of technology such as text messaging or electronic mail or through any other forms of information and communication systems, that has or could have a detrimental effect on the conditions of an individual's employment or education, job performance or opportunities;
- (b) A conduct of sexual nature and other conduct-based on sex affecting the dignity of a person, which is unwelcome, unreasonable, and offensive to the recipient, whether done

harm to be caused, or creating an imminent danger of harm.⁴⁰

- 3.5.2. Harassment and abuse can result from an abuse of authority, meaning the improper
- person.39 3.6. Neglect means the failure of a coach or another person with a duty of care towards the

athlete to provide a minimum level of care to the athlete, which is causing harm, allowing

use of a position of influence, power or authority by an individual against another

3.7. Physical abuse means any deliberate and unwelcome act that causes physical trauma or injury and which may consist of forced or inappropriate physical activity.⁴¹ 3.8. Psychological abuse means any unwelcome act including confinement, isolation, verbal

assault, humiliation, intimidation, infantilization, or any other treatment which may diminish

trainor, or any other person who, having authority, influence, moral ascendancy over another

in a work or training or education environment, demands, requests or otherwise requires

- the sense of identity, dignity, and self-worth.⁴² 3.9. Work, education or training-related sexual harassment is committed by an employer, employee, manager, supervisor, agent of he employer, teacher, instructor, professor, coach,
- any sexual favor from the other, regardless of whether the demand, request or requirement for submission is accepted by the object of said Act. 43 4. Athletes' Rights 4.1. The Athletes Rights and Responsibilities Declaration of the IOC Athlete 365 "aspires to
- promote the ability and opportunity of athletes to: 1. Practise sport and compete without being subject to discrimination on the basis of race, colour, religion, age, sex, sexual orientation, disability, language, political or other

4.2.3. Article 9.

fights against doping and competition manipulation, and provides for transparent judging/refereeing, selection and qualification processes, and appropriate competition schedules, including training schedules at such competitions.

2. Be part of a transparent, fair and clean sporting environment, particularly one that

opinion, national or social origin, property, birth or other immutable status.

political or other opinion, responsibilities as a carer, property or other status."

and his or her social wellbeing.⁴⁸

and (2) "A player's right to pursue sport cannot be limited because of his or her race,

colour, birth, age, language, sexual orientation, gender, disability, pregnancy, religion,

4.2.3.1. Every player must be provided with a safe and secure workplace and sporting

environment, which promotes the player's safety, physical and mental health

from both internal and external risks to his or her safety, health and wellbeing.

A player is entitled to decide on the measures necessary to ensure the safety

and security of the workplace and sporting environment and to take any action

reasonably necessary to avoid those risks or prevent them from materialising.⁵⁰

- 4.2.3.2. A player must be treated and supported with utmost integrity by healthcare professionals when injured or ill, and have direction and control over that treatment and support.⁴⁹ 4.2.3.3. A player's workplace and sporting environment must be protected
- 4.2.5. Article 12. "Every player is entitled to have his or her name, image and performance protected. A player's name, image and performance may only be commercially utilised with his or her consent, voluntarily given."52 4.2.6. Article 16. "Every player is entitled to have any dispute resolved through an impartial and expeditious grievance mechanism in which the player has an equal say in the

appointment of the grievance panel, arbitrator or other decision-making person or

body. His or her sport must ensure he or she is provided with access to an effective

remedy where his or her rights under this Declaration have not been protected or

4.2.4. Article 11. "Every player has the right to a private life, privacy and protection in relation

to the collection, storage and transfer of personal data."51

5.2.1. The [•] shall form an SSCo which shall act ensure compliance by the former of this SSC, act and resolve SS-related matters and grievances, and recommend to the former policies, programs and projects on SS. The SSC shall be composed equally of male and female representatives. The Athletes' Commission of the [•] shall be consulted by the SSCo.

5.2.2. The [•] shall ensure that athletes are provided with a venue of confidence within which they

can thresh out the details of any incident of harassment, abuse, or violence in the sport.

5.2.4. The [•] shall ensure that the athlete shall be provided with adequate legal assistance

5.2.5. The SSCo shall propose to the [•] for consideration and approval detailed procedures

in case the matter is threshed out in a court of law or an administrative agency exercising

5.2.3. The [•] shall ensure that due process is upheld at all times and in all instances.

5.2. Safe Sport Committee (SSCo)

quasi-judicial functions.

respected."53

- on reporting, whistleblowing, investigation, disciplinary, third-party reporting and maintaining records. **5.3. SS Programs**
- 5.3.1. Within six (6) months from the adoption of this SSC, a strategic action plan for funding and implementing programs to increase awareness of existing athlete rights against harassment, abuse, and violence shall be developed and implemented. 5.3.2. A study on existing sporting facilities shall be conducted to determine the adequacy

and appropriateness of facilities and amenities for the safety and security of athletes.

The results of the study shall determine the necessary next steps to address the gaps

5.3.3. Private-Private, Public-Public and Public-Private Partnerships shall be pursued to promote safe sports, to build and improve safe sport-appropriate infrastructure and to deliver safe sport-related services.

gender abuse can also occur;

5.5.2.8. Be an excellent role model;

horseplay;

times;

in infrastructure for athletes in sports.

5.5.1.5. Ensure that if mixed teams are travelling together, they should always be accompanied by a male and female member of staff, keeping in mind that same

5.5.1.7. Recognize the developmental needs and capacity of young people and adults which may be susceptible to abuse. 5.5.2. [•] Coaches, staff, volunteers and consultants shall:

5.5.1.6. Give enthusiastic and constructive feedback rather than negative criticism; and

5.5.2.2. Be an important link in identifying cases when an incident may have occurred;

5.5.2.4. Maintain a safe and appropriate distance with athletes; 5.5.2.5. Build balanced relationship based on mutual trust which empowers athletes to share in the decision-making process; 5.5.2.6. Promote fair play; 5.5.2.7. Keep up to date with technical skills, qualifications and insurance in sport;

5.5.2.1. Treat stakeholders equally, and with respect and dignity;

5.5.2.3. Always put the welfare of each athlete as a top priority;

5.5.2.9. Give enthusiastic and constructive feedback;

5.5.2.10. Recognize the developmental needs and capacity of athletes; and 5.5.2.11. Keep a written record of any injury that occurs, along with the details of any treatment given. 5.5.3. [•] Athletes shall:

5.5.3.1. Not engage in rough, physical or sexually provocative games, including

5.5.3.2. Respect their teammates, coaches, officials, opponents, and the sport at all

5.5.3.3. Not conduct themselves in any manner, or engage in any activity, whether on

or off the field, that would impair public confidence in the honest and orderly

conduct of matches and competitions or in the integrity and good character of

- 5.5.3.4. Not do anything which adversely affects or reflects on or discredits sports.
- 5.8. Training and Research

[•] on sport and physical activity.

5.9. Psychological and Mental Health Support

to these must be required of members of [•], compliance with which shall be a requirement for renewal of membership, accreditation, or affiliation. 5.8.3. Research on harassment, abuse, and violence in sport shall be undertaken and initiated and data and statistics broken down by sex and systematically collected by

5.8.2. Seminars or workshops must be organized and be made available to attendance

5.9.2. Programs and services for the unique psychological and mental health needs of

female athletes must be organized and provided. This may include individual or

group psychotherapy sessions, as well as activities that promote psychological wellbeing and good mental health. 5.9.3. Individual psychotherapy, particularly from trauma specialists, must be made available

- for victims of harassment, abuse, and violence in sports. 5.10. Bias-Free Representation in Media. 5.10.2. Athletes shall enjoy bias-free representation in traditional and online media.
 - 5.10.3. Any form of media or communication which allows, supports, or perpetuates prejudice against athletes shall immediately be taken down, and sanctions shall be imposed against the writer, creator, producer, or owner of such media or communication. 5.10.4. Inhumane, offensive, and disrespectful advertisements shall be banned at all sporting

- events sanctioned by [•]. Sponsorship agreements shall explicitly forbid the use or communication of any sexist, disrespectful or gender-biased message. Any sponsor's violation of this policy shall cause the immediate termination of the agreement, without prejudice to the right of [•] to seek other legal remedies against the sponsor.
- d. Mountjoy, M., Brackenridge, C., Arrington, M., Blauwet, C., Carska-Sheppard, A., Fasting, K., & Starr, K. (2016). "International Olympic Committee Consensus Statement: Harassment and abuse (non-accidental violence) in sport" Br J Sports Med, 50(17), 1019-1029. ⁶ Section 2.1, IOC.
- 12 Section 2.5, IOC.
- 18 ld. ¹⁹ Constitution of the International Paralympic Committee, https://www.paralympic.org ²⁰ Article 1 (g), By-Laws of the Philippine Olympic Committee. Constitution & By-Laws - Olympic PH ²¹ Article 1 (n), Ibid.
- ²² https://www.officialgazette.gov.ph/1995/02/14/republic-act-no-7877/ ²³ Section 2, RA 10173. ²⁴ Section 25, Ibid. ²⁵ Section 26, Id. ²⁶ Section 27, Id.

35 Section 4, Republic Act No. 11313. Republic Act No. 11313 (lawphil.net)

²⁹ Section 30, Id. 30 Section 31, Id. ³¹ Section 32, Id. 32 Section 33, Id.

³⁷ Section 1, IOC Guidelines

²⁷ Section 28, Id.

36 Ibid.

38 Ibid.

39 ld. **40** ld.

41 ld.

42 Id.

- - ⁷Section 2.2, IOC. ⁸ Section 2.3, IOC. ⁹Section 2.4, IOC. 10 Section 2.5, IOC. "Section 2.9, IOC.
 - ¹³ Section 2.7, IOC. ¹⁴ Section 2.11, IOC. ¹⁵ Athletes Rights and Responsibilities Declaration of the IOC Athlete 365 (2018). Article 3 (1), World Players Association Universal Declaration of Player Rights (2017). 17 Article 3 (2), Ibid.

³⁴ Section 16, Republic Act No. 11313. https://lawphil.net/statutes/repacts/ra2019/ra_11313_2019.html.

28 Section 29, Id. 33 Section 12, Republic Act No. 11313. https://lawphil.net/statutes/repacts/ra2019/ra_11313_2019.html.

Members of the sports community such as National Olympic Committees, National Paralympic

1. Preamble

- 1.1. The United Nations Universal Declaration of Human Rights (1948) provides that "All human beings are born free and equal in dignity and rights. xxx." Moreover, it likewise states that "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. xxx."³
- 1.2. The Basic Universal Principles of Good Governance of the Olympic and Sports Movement (2008) prescribes the minimum good governance standards, which include, among others, the adoption of measures to prohibit the exploitation of young athletes, protection of athletes from unscrupulous recruiters and agents, development of cooperation with the governments of the countries concerned, and the signing by all sports organizations of Codes of Conduct.4
- International Federations (IFs) and National Olympic Committees (NOCs) Related to Creating and Implementing a Policy to Safeguard Athletes from Harassment and Abuse in Sport (Guidelines): 1.3.1. The Preamble furthers the IOC Consensus Statement: Sexual Harassment and Abuse
 - In sport, they give rise to suffering for athletes and others, and to legal, financial and moral liabilities for sport organizations. No sport is immune to these problems which occur at every performance level. Everyone in sport shares the responsibility to identify and prevent sexual harassment and abuse and to develop a culture of dignity, respect and safety in sport. Sport organisations, in particular, are gatekeepers to safety and should demonstrate strong leadership in identifying and eradicating these practices."5
 - 1.3.2.8. Establish a confidentiality policy, which states that an alleged incident of harassment and abuse be regarded as confidential, and that personal information

1.3.2.7. Establish a disciplinary procedure for alleged incidents of abuse and harassment,

- (including in particular name, date of birth, address, identification numbers) should not be disclosed, except, for example, if the concerned person gives his/ her prior consent, if disclosure is necessary to protect someone from harm or if a potential criminal act comes to the attention of the IF or NOC.14
- I. (1) Practise sport and compete without being subject to discrimination on the basis of race, or social origin, property, birth or other immutable status. xxx
 - colour, religion, age, sex, sexual orientation, disability, language, political or other opinion, national (6) Fair and equal gender representation.
 - (9) Report unethical behaviour without fear of retaliation. xxx (11) Freedom of expression xxx,
- (7) The protection of mental and physical health, including a safe competition and training environment and protection from abuse and harassment. xxx
 - and encourages athletes to:

 - unethical behaviour, including instances of doping, competition manipulation, prohibited discrimination and abuse and harassment. (4) Comply with applicable national laws, and the rules of the qualification processes

Olympic Charter.

and competitions, of the sport, and of the relevant sporting organisation, as well as the

1.11. Republic Act No. 10173, otherwise known as the Data Privacy Act of 2012 reiterates the policy of the State to protect the fundamental human right of privacy, of communication while ensuring free flow of information to promote innovation and growth and the vital role of information and communications technology in nation-building and its inherent obligation to ensure that personal information in information and communications systems in the government and in the private sector are secured and protected.²³ It guards against the unauthorized processing of

breaches involving sensitive personal information,²⁹ malicious³⁰ or unauthorized³¹ disclosure,

NOW THEREFORE, in consideration of the foregoing, the [•] hereby approves and ratifies this **Safe** Sports Charter (SSC) to develop and promote the safety and protection of athletes, regardless of sex, gender preference, or origin, against all forms of harassment, abuse, and violence: 2. Principles

all, which collectively is the core of Olympism. **2.2. Safe Sport Environment.** The safety of athletes against all forms of harassment,

shall be guaranteed at all times.

2.3. Rights and Responsibilities of Athletes. Athletes have inherent and fundamental rights, premised on the United Nations Declaration on Human Rights and underscored in the Athletes Rights and Responsibilities Declaration of the IOC Athlete 365 and Universal

Declaration of Player Rights of the World Players Association/ Uni Global Union.

discrimination, abuse, violence or bullying in sports, whether physical, emotional, psychological, or specifically gender-based, in person or online, based on race, ability,

religion, poverty, status, position, education, ethnic background, opinion and differences,

verbally, physically or through the use of technology such as text messaging or electronic mail or through any other forms of information and communication systems;

(c) A conduct that is unwelcome and pervasive and creates an intimidating, hostile or

receiving, storing or otherwise processing electronic data messages or electronic

- documents and includes the computer system or other similar devices by or in which data are recorded or stored and any procedure related to the recording or storage of electronic data messages or electronic documents.34 3.4. Gender-based streets and public spaces sexual harassment are committed through any unwanted and uninvited sexual actions or remarks³⁵ against any person regardless of the
- private parts, groping, or any advances, whether verbal or physical, that is unwanted and has threatened one's sense of personal space and physical safety, and committed in public spaces such as alleys, roads, sidewalks and parks. Acts constitutive of gender-based streets and public spaces sexual harassment are those performed in buildings, schools, churches, restaurants, malls, public washrooms, bars, internet shops, public markets, transportation terminals or public utility vehicles.³⁶ 3.5. Harassment is defined as to include psychological abuse, physical abuse, sexual harassment and neglect. These forms of harassment and abuse may occur in combination or in isolation.³⁷ 3.5.1. 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 one-off incident or a series of

incidents. It may be in person or online, deliberate, unsolicited, and coercive.³⁸

- 3. Access general information on athlete and competition-related matters in a timely and clear manner. 4. Access education on sports-related matters as well as to work or study while actively training and competing, should the athlete choose to do so and where practicable.
- and likeness, while recognising the intellectual property or other rights, rules of the event and of sports organisations as well as the Olympic Charter.

5. Leverage opportunities to generate income in relation to their sporting career, name

8. Elected athlete representation within sporting organisations of the Olympic Movement. 9. Report unethical behaviour without fear of retaliation.

10. Privacy, including protection of personal information

whistle blowers."47

4.2.1. Article 1. "Every player has the right to a sporting environment that is well governed,

free of corruption, 45 manipulation and cheating and protects, respects and guarantees

the fundamental human rights of everyone involved in or affected by sport, including

the player.⁴⁶ 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

- 4.2.2. Article 3. (1) "Every player is entitled to equality of opportunity in the pursuit of sport without distinction of any kind and free of discrimination, harassment and violence,
- 5. Commitments 5.1. SS Laws, Rules, and Regulations

5.1.1. Information campaign on the rights of athletes to be protected against harassment,

education, recruitment, grassroots development, community development, local government initiatives must promote and develop protection in sports.

abuse, and violence in sports must be fortified.

provided to the athletes.

5.4. Key Actions

The [•] shall:55

concerns;

policy plan;

members.

5.5. Key Responsibilities

5.6. Procedure

and differences, and must provide safe spaces free from misogynistic and sexist, acts, policies, regulations, remarks and slurs. 5.1.6. The [•] shall ensure that all personal and sensitive personal information of the athletes are collected, utilized, and preserved in accordance with existing laws, rules, and

5.1.4. The [•] shall ensure that all forms of mental, physical, and psychological support are

5.1.5. All events, competitions, workout sessions, trainings, meetings, seminars and activities of [•] must promote safe sports free from harassment, discrimination or bullying based

on race, ability, religion, poverty, status, position, education, ethnic background, opinion

5.4.1. Establishing a confidential mechanism for people to raise concerns and complaints

5.4.4. Integrating a culture of respect and the prevention of harassment and abuse into our

5.4.6.Offering education and training for athletes, coaches, support staff and other

5.4.2. Establishing and implementing rules for sanctioning people who engage in harassment or abuse:

5.4.5. Raising awareness of SS and safeguarding through information sharing; and

- These duty-bearers shall have the following responsibilities:56 5.5.1. [•] Officers shall:
- in a secure location;
- 5.5.2.2. In the event of failure to amicably settle, the SSCo shall refer the athlete to the
 - appropriate agency with jurisdiction, such as but not limited to the Prosecutor's Office, National Privacy Commission, Department of Social Welfare and Development.

forms of violence, in-person or online.

sport, if such offending party is a member thereof.

within its jurisdiction and without prejudice to existing domestic and international laws, agreements, and treaties.

5.5.3. The [•] shall enact a policy on the penalties to be meted against any erring party

5.5.2.3. The SSCo shall, in case the case is decided in favor of the athlete, ensure that

the offending party shall be disqualified from any training or membership in the

sports or a female athlete, including but not limited to the Violence Against Women and Children Act, Revised Penal Code, Anti-Sexual Harassment Law, Data Privacy Act, and the Safe Spaces Act.

5.7.3. Appropriate sanctions, including expulsion or termination of membership,

accreditation, or affiliation must be developed and imposed against any athlete, coach,

staff, member, or officer found in violation of any national law, rule, or regulation

protecting women, regardless of whether the violation was committed in relation to

- **6. Adoption.** This Safe Sports Charter is adopted by the [•] on the [•] day of [•], 20[•] in [•].
- ³ Article 2, Ibid. ⁴ Page 16, IOC Toolkit for safeguarding athletes from harassment and abuse in sport. 5 According to the IOC Consensus Statement: Harassment and Abuse in Sport (2016), "[I]t is incumbent upon all stakeholders in sport to both adopt general principles for safe sport... and to implement and monitor policies and

² Article 1, United Nations Universal Declaration of Human Rights (1948).

43 Section 3, RA 7877.

sentence) and 9.

¹ Page 15, IOC Toolkit for safeguarding athletes from harassment and abuse in sport.

- to Olympic Agenda 2020, Recommendation 18: Strengthen support to athletes, and the 2015 7th IOC International Athletes' Forum, Recommendation 2d: Development of education materials on all issues of athlete welfare, including non-discrimination, prevention of harassment and abuse in sport. The IOC, which has adopted and implemented the "IOC Framework for safeguarding athletes and other participants from harassment and abuse in sport (Gamestime period)", recommends that IFs and NOCs adopt and implement a similar policy to safeguard athletes from harassment and abuse in sport. In an effort to assist IFs and NOCs, the IOC has prepared these Guidelines, which are intended to serve as minimum standards when adopting and implementing safeguarding policies related to
- This is based on the following studies:

harassment and abuse in sport. It is the responsibility of each IF and NOC to adopt and implement such safeguarding

- European countries" International Review for the Sociology of Sport, 46(1), 76-89; and
- 45 See, for example, Annan, Kofi, "United Nations Convention Against Corruption," forward, p. (iii) in which the author when writing as UN Secretary General stated that, "Corruption is an insidious plague that has a wide range of corrosive effects on societies. It undermines democracy and the rule of law, leads to violations of human rights..." https://www.unodc.org/documents/brussels/UN_Convention_Against_Corruption.pdf 46 UNESCO Charter, including the Preamble and Article 10. UDHR, Article 27.1. ICESCR, Article 15.1(a).

⁴⁹ ILO C155. ICESCR, Article 12 including Articles 12.2(b),(c) and (d). UNESCO Charter, including the Preamble and

50 ILO C155. UNESCO Charter, including Article 10.5. UDHR, Article 3. ICCPR, Articles 7 (in particular, the second

53 UNGPs. NYC. UDHR, Articles 8 and 11.1. ICCPR, Article 14. CFREU, Article 47. 54 UDHR, Article 29. 55 Working Draft POC Safe Sport Policy, POC Safe Sport Technical Working Group, as of June 12, 2021 **56** Ibid.

44 Declared by the Organized Players of the World in Washington D.C., USA on 14 December 2017.

⁵¹UDHR, Articles 3 and 12. ICCPR, Article 17. CFREU, Articles 7 and 8.

52 UDHR, Articles 12, 17 and 27.2. ICCPR, Article 17.

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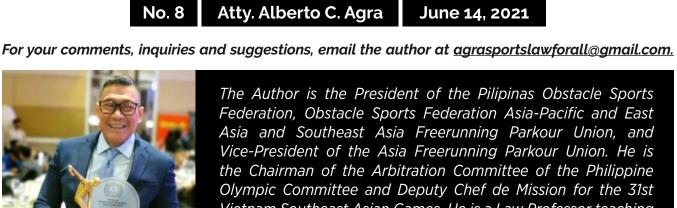
Local Government Law, Administrative Law, Election Law, Law on

Public Officers and Law on Public-Private Partnerships.

- which includes, in particular, disciplinary decisions, measures and sanctions, ¹³ without prejudice to existing laws, rules and regulations.

- 1.4. The Athletes Rights and Responsibilities Declaration of the IOC Athlete 365 "aspires to promote the ability and opportunity of athletes to:

- (1) Uphold the Olympic values and adhere to the Fundamental Principles of Olympism.
- (2) Respect the integrity of sport and compete as a clean athlete, in particular by not doping and not manipulating competitions. (3) Act in accordance with the IOC Code of Ethics and be encouraged to report
- personal information and sensitive personal information²⁴ for any purpose, accessing sensitive personal information due to negligence, ²⁵ improper disposal of personal information and sensitive personal information,²⁶ processing of personal information and sensitive personal information for unauthorized purposes,²⁷ unauthorized access or intentional breach,²⁸ concealment of security
- and a combination or series of acts as defined in Sections 25 to 32 of the Act. 32 **2.1. Sports-for-a-Purpose – Olympism**. Sports has a noble purpose which is building better humans, creating active and vibrant communities, and advancing better quality of life for
 - humiliating environment for the recipient: Provided, That the crime of gender-based sexual harassment may also be committed between peers and those committed to a superior officer by a subordinate, or to a teacher by a student, or to a trainer by a trainee; and (d) Information and communication system refers to a system for generating, sending,
 - motive for committing such action or remarks and includes catcalling, wolf-whistling, unwanted invitations, misogynistic, transphobic, homophobic and sexist slurs, persistent uninvited comments or gestures on a person's appearance, relentless requests for personal details, statement of sexual comments and suggestions, public masturbation or flashing of
- 6. Fair and equal gender representation. 7. The protection of mental and physical health, including a safe competition and training environment and protection from abuse and harassment.
- 4.2. The Universal Declaration of Player Rights of the World Players Association/ Uni Global
- 4.2.7. Article 17. "Every player has a duty to respect the rights of his or her fellow players under this Declaration, and to respect the fundamental human rights of everyone involved with or affected by sport."54
- 5.1.2. Athletes and other sports personalities, such as coaches, trainers and officials must undergo periodic training on laws dealing with the rights of athletes against harassment, abuse, and violence in sports. 5.1.3. Sports programs and activities, such as elite and mass participation, quality physical
- regulations and shall further warrant that these information will not, in any manner, be used to harass, abuse, or employ violence against the athletes.
- about alleged harassment and abuse and develop procedures for dealing with such; 5.4.3. Establishing a network of government and non-government institutions or agencies that provide professional services that appropriately respond to safeguarding
- 5.5.1.1. Treat all stakeholders equally, with respect and dignity; 5.5.1.2. Be an excellent role model; 5.5.1.3. Maintain self-control at all times while conducting themselves as responsible 5.5.1.4. Keep up-to-date with safeguarding training and make sure all records are kept
- 5.5.2. Any complaint, whether verbal or written, advanced by an athlete must be accompanied with evidence supporting any allegation. 5.5.2.1. The SSCo must endeavor to amicably settle the issue while maintaining the confidentiality of the proceedings, insofar as applicable.
- 5.7. Zero Tolerance Against Harassment, Abuse, and Violence 5.7.2. Safeguards must be put in place to guarantee the safety of athletes against harassment, abuse, and violence in sports, whether physical, emotional, psychological, or other
- **5.11. Monitoring and Reporting of Progress.** 5.11.2. An annual report on the [•]'s progress in promoting and safeguarding women's participation in sports shall be produced and made available to the general public. This shall primarily be the responsibility of the President and the Chairperson of the
- procedures for safe sport... which state that: all athletes have a right to be treated with respect, protected from nonaccidental violence..." and that "the welfare of athletes is paramount." These Guidelines have been established by the Athletes', Athletes' Entourage and Medical and Scientific and Women in Sport Commissions of the IOC pursuant
- policies. The IOC will also develop and make available educational material, best case studies as well as other practical information to further assist IFs and NOCs. a. Parent, S., Lavoi F., Thibodeau, M.E. Herbert, M., Biais, M., & Team PAJ (2016) "Sexual violence experienced in the sport context by a representative sample of Quebec Adolescents" Journal of interpersonal violence, 31 (16), b. Leahy, T., Pretty, G., & Tenenbaum, G. (2002), "Prevalence of sexual abuse in organized competitive sports in Australia" Journal of sexual aggression, 8(2), 16-36; c. Fasting, K., Chroni, S., Hervik, S. E., & Knorre, N. (2011). "Sexual harassment in sport toward females in three
- 47 CECMSC, Article 7.2(c). 48 ICESCR, Article 12. ILO C155. UNESCO Charter, Article 10.5.
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- in Sport (2006), which states that "Sexual harassment and abuse occur worldwide.
- 1.3. The International Olympic Committee (OIC) issued on 2 June 2016 the Guidelines for

- SAFE SPORTS CHARTER **BY** [•]