



JOINT STATEMENT OF THE EUROPEAN SOCIAL PARTNERS OF THE SPORT SECTOR ON SAFEGUARDING THE RIGHTS OF CHILD ATHLETES

Preamble

CONSIDERING THAT:

- I. Children's rights in sport are governed at the national, regional and international levels.
- II. The social partners have identified clear limits and gaps in the governance and enforcement of these rights which have resulted in the abuse of children in connection with sport.
- III. The social partners wish to set out several concerns, principles and action areas with the objective of ensuring that the fundamental rights of children are promoted, protected, respected and fulfilled within professional sport.
- IV. In July 2010, the United Nations Children's Fund ("UNICEF") reported that:

"During recent years, however, 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."¹

¹ UNICEF, "Protecting Children from Violence in Sport: a Review with a Focused on Industrialized Countries", UNICEF, July 2010, p. vii.

- V. Research studies, evidence and high-profile cases have drawn attention to extremely concerning problems such as violence, harm and the denial of an education that children have experienced in the context of sporting activities:
- A. Paulo David of the Office of the United Nations High Commissioner for Human Rights has estimated that, of all children involved in competitive sports, 10% have undergone human rights abuse, and another 20% are at risk.²
 - B. A comprehensive study of children participating in organised sport in the United Kingdom in 2011 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.³
 - C. An expert group to the European Commission recently heard estimates of the prevalence of violations of the rights of children in sport:⁴

Type	Estimate of prevalence
Sexual harassment	14 – 49% (outliers 2 – 92%)
Sexual abuse	2 – 13% for females (outlier 49%); 6% for males
Physical violence	11%
Psychological violence	38% (outlier 75%)
Bullying	+/- 30%

² Play the Game (Denmark), "Children's Rights are Still Widely Organised in Sport," 12 February 2015, http://www.playthegame.org/news/news-articles/2015/0011_children-s-rights-are-still-widely-ignored-in-sport/ accessed 12 May 2017

³ Alexander, Kate, Stafford, Anne and Lewis, Ruth, "The Experience of Children Participating in Organised Sport in the UK," Child Protection Research Centre, The University of Edinburgh / NSPCC, October 2011, p. 8.

⁴ Table presented by Ms Tine Vertommen during the meeting of the Good Governance Expert Group of the European Commission on 12 May 2016, a synthesis from studies in various countries: Volkwein et al, 1996, USA / Kirby & Greaves, 1996, CAN / Leahy et al, 2002, AUS / Fasting et al, 2003, NO / Fasting et al, 2011, NO, GRE, CZ / Alexander et al, 2011, UK/ Vertommen et al, 2016, NL and BE.

- D. FIFPro, the world footballers' association, has revealed that 10% of the world's professional footballers have not completed their education beyond the primary school level.⁵

RECALLING AND UPHOLDING:

- VI. The *United Nations Convention of the Rights of the Child 1989* including its Optional Protocols,⁶ the ten principles of UNICEF on child rights and business,⁷ the *United Nations Education Scientific and Cultural Organization* ("UNESCO") *Charter on Physical Activity, Physical Education and Sport*⁸ and the *United Nations Guiding Principles on Business and Human Rights* including the internationally recognised human rights referred to therein.⁹

CONSEQUENTLY:

- VII. The social partners, together with its affiliated player associations, reaffirm that, as children are particularly vulnerable:
- A. Children's rights require special protection.
- B. Every child shall enjoy special protection and opportunities for play and recreation and to develop fully in conditions of freedom and dignity.
- C. The best interests of the child shall be the guiding principle for the involvement of children in sport.

⁵ FIFPro (The Netherlands), "2016 FIFPro Global Employment Report," p. 26, <https://www.fifpro.org/news/2016-global-professional-football-players-survey/en/>

⁶ United Nations Convention on the Rights of the Child 1989 <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

⁷ UNESCO Charter on Physical Activity, Physical Education and Sport <https://www.unicef.org/csr/12.htm>

⁸ UNICEF Children's Rights and Business Principles 2012 <http://www.unesco.org/new/en/social-and-human-sciences/themes/physical-education-and-sport/sport-charter>

⁹ United Nations Guiding Principles on Business and Human Rights 2011 http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

Internationally recognised human rights include those expressed 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*), the *International Labour Organization's Declaration on Fundamental Principles and Rights at Work and Its Follow-Up*.

- D. The adults responsible for sports activities involving children are also responsible for creating a safe environment for them to participate in, and for responding where there are specific welfare concerns,

NOW, THEREFORE, THE SOCIAL PARTNERS DECLARE THAT:

1. Every child is entitled to the opportunity to freely pursue sport in an inclusive, adapted and safe manner, and to have his or her rights as a child protected, respected and fulfilled.
2. The social partners are committed to ensuring that sport increases its focus on a child rights approach to sport participation, and that greater attention is paid to creating a positive sporting ethos where children are respected, and where their voices are heard and used to shape their sporting experience, welfare and performance.
3. The social partners:
 - a) Are committed to promoting, protecting, respecting and fulfilling child rights in sport including by promoting awareness and understanding of the content of the rights of the child under national, regional, United Nations ("UN"), International Labour Organization ("ILO"), UNICEF and UNESCO standards and principles and the application of those standards and principles to sport;
 - b) are committed to preventing any harassment, harm, violence or abuse to children in sport including by encouraging the development of proactive measures such as procedures for reporting and acting on the concerns of or about a child, due diligence and the assessment and mitigation of risk;
 - c) will promote, encourage and facilitate the development of ethical and behaviour guidelines, codes of conduct and child protection policies to promote, protect, respect and fulfil child rights in sport;
 - d) where risks to child rights or gaps in the protection of child rights are identified, will encourage measures to ensure those risks are mitigated and removed or, where needed, that access to an effective remedy exists;
 - e) will monitor, evaluate and learn from efforts to safeguard the rights of the child in sport; and

- f) will develop a working document to identify key areas of influence and potential mechanisms for change to give effect to the commitments in this Declaration.

4. As part of the numerous issues identified, the social partners have identified five action areas to address through social dialogue and engagement with international sporting bodies and employers in sport:

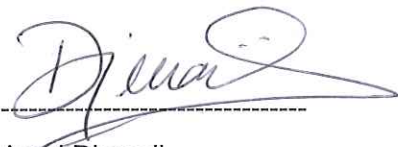
- a) Area One: To ensure that the human and labour rights of the child are respected and fulfilled. Without limitation, this requires all adults involved in delivering activities for children to be responsible for ensuring that the rights of children are safeguarded during those activities.
- b) Area 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.
- d) Area Four: Encourage sporting employers and bodies to provide a child-friendly general education environment for children players and athletes to ensure that they can pursue their right to an education and to develop their personality, talents and abilities in full.
- e) Area Five: To encourage sporting employers and bodies including academies and centers of excellence to provide tailored educational programs for children players and athletes that inform them of their rights, the risks and dangers

associated with a sporting career, the importance of an education, integrity in sport, cyber-bullying, new technologies, social media and the need for a healthy and balanced diet and lifestyle as well as the role sport can play in meeting the UN Sustainable Development Goals.

5. Finally, the social partners are committed to working towards helping develop the full human potential of children involved in sport. Fundamental human rights such as the right to a family life, education, privacy, health, wellbeing and work-life balance (for those children legally of an age to work) as well as the right to information and consultation should be guaranteed to all children in sport.

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