



# Children's Rights in the Sports Context

Sporting Chance White Paper 4.1  
Version 1, January 2017



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**Authorship note:** The White Papers in this series represent the views of either co-authors, respective authors (where separate sections have been contributed), and in some cases, interviewees. For the avoidance of doubt, where individual authors are named, the views are their own and not those of their organisation. Where there are multiple contributors, the papers do not necessarily represent the views of each contributor and no consensus is implied.

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# The Mega-Sporting Events Platform for Human Rights

The Mega-Sporting Events Platform for Human Rights (MSE Platform – [www.megasportingevents.org](http://www.megasportingevents.org)) is an emerging multi-stakeholder coalition of international and intergovernmental organisations, governments, sports governing bodies, athletes, unions, sponsors, broadcasters, and civil society groups. Through dialogue and joint action our mission is to ensure all actors involved in staging an event fully embrace and operationalise their respective human rights duties and responsibilities throughout the MSE lifecycle. Chaired by Mary Robinson, the MSE Platform is facilitated by the Institute for Human Rights and Business ([www.ihrb.org](http://www.ihrb.org)).

## The Sporting Chance White Papers

This White Paper Series was originally developed to support the Sporting Chance Forum on Mega-Sporting Events and Human Rights, co-convened by the US Department of State, the Swiss Federal Department of Foreign Affairs, and IHRB in Washington D.C. on 13-14 October 2016. Comments were received at and following the Forum, and each White Paper has been updated to reflect those inputs.

A total of 11 White Papers have been produced, clustered into four themes referring to key stakeholder groups (see below). These White Papers aim to present the latest thinking, practice, and debate in relation to key human rights issues involved in the planning, construction, delivery, and legacy of MSEs. Each paper also considers the case for, and potential role of, an independent centre of expertise on MSEs and human rights.

Each White Paper has been published as “Version 1” and the MSE Platform would welcome comments, input, and expressions of support with regard to future iterations or research on each topic.

### 1. Sports Governing Bodies

- White Paper 1.1 Evaluating Human Rights Risks in the Sports Context
- White Paper 1.2 Sports Governing Bodies and Human Rights Due Diligence
- White Paper 1.3 Corruption and Human Rights in the Sports Context

### 2. Host Actors

- White Paper 2.1 Host Actors and Human Rights Due Diligence in the Sports Context
- White Paper 2.2 Procurement and Human Rights in the Sports Context
- White Paper 2.3 Human Rights Risk Mitigation in the Sports Context
- White Paper 2.4 Remedy Mechanisms for Human Rights in the Sports Context

### 3. Sponsors and Broadcasters

- White Paper 3.1 Sponsors and Human Rights in the Sports Context
- White Paper 3.2 Broadcasters and Human Rights in the Sports Context

### 4. Affected Groups

- White Paper 4.1 Children’s Rights in the Sports Context
- White Paper 4.2 Athletes’ Rights and Mega-Sporting Events

# Contents

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<b>Executive Summary</b>	<b>5</b>
<b>1. Introduction</b>	<b>5</b>
<b>2. Context: Children’s Rights and Mega-Sporting Events</b>	<b>6</b>
2.1 Child Labour	9
2.2 Forced Labour, Debt Bondage and Low Wages, and their Impact on Children	10
2.2 Forced Evictions, Inadequate Housing and the Impact on Children	11
2.4 Increased Levels of Violence, Harassment and Abuse, including Sexual Abuse, of Children as a Result of Hosting	12
2.5 Violence and Abuse of Child Athletes	13
<b>3. Addressing Child Rights Concerns: The Story So Far</b>	<b>14</b>
3.1 Violence and Abuse of Children	15
3.2 Child Sexual Exploitation	16
3.3 Child Labour	17
3.4 Protecting and Respecting Children’s Rights in General	18
3.5 Conclusion	19
<b>4. Addressing Child Rights Concerns: The Next Steps</b>	<b>19</b>
<b>5. Potential Role of an Independent Centre</b>	<b>21</b>
<b>Annex: Overview of the UN Guiding Principles on Business &amp; Human Rights</b>	<b>23</b>



# Executive Summary

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This White Paper examines the manifold risks of mega-sporting events (MSEs) to children.

It reviews the impact that MSEs can have on the development and the rights of children in the country or city where an MSE is taking place, as well as the impact on children affected as athletes, through the supply of goods and services for the event, or through the marketing and advertising of products during the event and its broadcast.

It highlights some encouraging practice which has emerged in relation to MSEs and children, whilst recognising that the process of considering child specific measures and policies in the frame of MSEs is still in its infancy.

It proposes that, since children are more vulnerable than adults and need specific support to guarantee that their rights are upheld, MSE awarding bodies should adopt an explicit child rights focus to ensure the right action is taken to address the potential impact that these events can have on children.

Awareness about the specific rights and needs of children and the existence of potential negative impacts is the starting point for action. This requires the capacity of governing bodies and other stakeholders related to MSEs to be increased. This White Paper gives some insight and suggestions for how this could be achieved, as well as suggestions for the processes which will need to be in place for future events.

It concludes by reflecting on the role that an independent 'centre' could play in making MSEs a place where children's rights are respected and protected, highlighting potential roles in relation to knowledge sharing, service provision and monitoring capacities. It proposes that these mechanisms should be easily adaptable to local needs and focused on generating rapid progress for the child-sensitive organisation of MSEs.

## Introduction

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Sport should always be a positive driving force for children and youth. It offers them a way to express themselves, it can represent positive values and be an indispensable tool for self-development, but to maintain these positive elements is a challenge.

When it comes to MSEs, negative impacts on children, such as evictions, violence, child labour or sexual exploitation have all been identified during past events. The responsibility for ending these negative impacts starts with MSE awarding bodies such as the International Olympic Committee (IOC), FIFA or other international federations, working with those organisations with which they have business relationships. As the owners of the rights to these events, they have the opportunity to set a leading example and provide the kind of support (through bid guidance, bid requirements and shared learning) that local MSE hosts need to address.

However, preventing and remedying these negative impacts is further complicated by the many stakeholders and decision-makers involved in planning and staging an MSE (including the local organization committee, municipalities and governments), each with their own interests and agendas. Encouraging MSE awarding bodies to take responsibility as well as dealing with the responsibilities of this diverse range of stakeholders is thus demanding, not only for implementing human and child rights standards, but also in monitoring compliance with these standards.

This White Paper will examine in more detail how MSEs have impacted on children and their rights. It recognises existing good practice and proposes that by positioning child rights standards as central to the process linked with awarding and organising MSEs, negative impacts on children can be mitigated.

Finally, the paper evaluates the added value and challenges of an independent centre in relation to providing expertise in the establishment of child rights standards as well as monitoring their implementation.

## 2 Context: Children's Rights and Mega-Sporting Events

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Mega-sporting events present both opportunities as well as risks for children. They can provide the platform to advance children's rights and support the balanced development of a child. But they also present risks because, as this paper highlights, MSEs can lead to a range of negative impacts for children and their rights, including the relocation of families leading to loss of access to basic services such as schools or health services; harmful child labour in the provision of goods and services for suppliers and sponsors; and violence, harassment and abuse linked to the MSE. Some of these issues are pre-existing to the events but risk being exacerbated by it and some of them are direct results of the MSEs. Regardless, the MSE award body and its partners have a responsibility to respect child rights.

Children's rights are enshrined in the UN Convention on the Rights of the Child (UNCRC) and its Optional Protocols, in particular the Optional Protocol on the sale of children, child prostitution and child pornography, and relevant ILO Conventions, especially No. 182 on the worst forms of child labour, which together detail the special rights and protections that children (everyone aged less than 18 years old) have. A number of these rights are particularly relevant to the MSE context, not least:

- Article 2 on non-discrimination
- Article 3 on best interests of the child
- Article 4 on state responsibilities to protect
- Article 12 on children's meaningful participation
- Article 15 on peaceful assembly
- Article 19 on protection from violence and abuse including sexual abuse
- Article 24 on healthcare
- Article 26 on social security
- Article 27 on adequate standard of living including housing
- Article 28 on education
- Article 31 on right to play
- Article 32 on child labour and economic exploitation
- Article 34 on sexual exploitation and abuse
- Article 35 on sale and trafficking
- Article 37 on arrest and detention

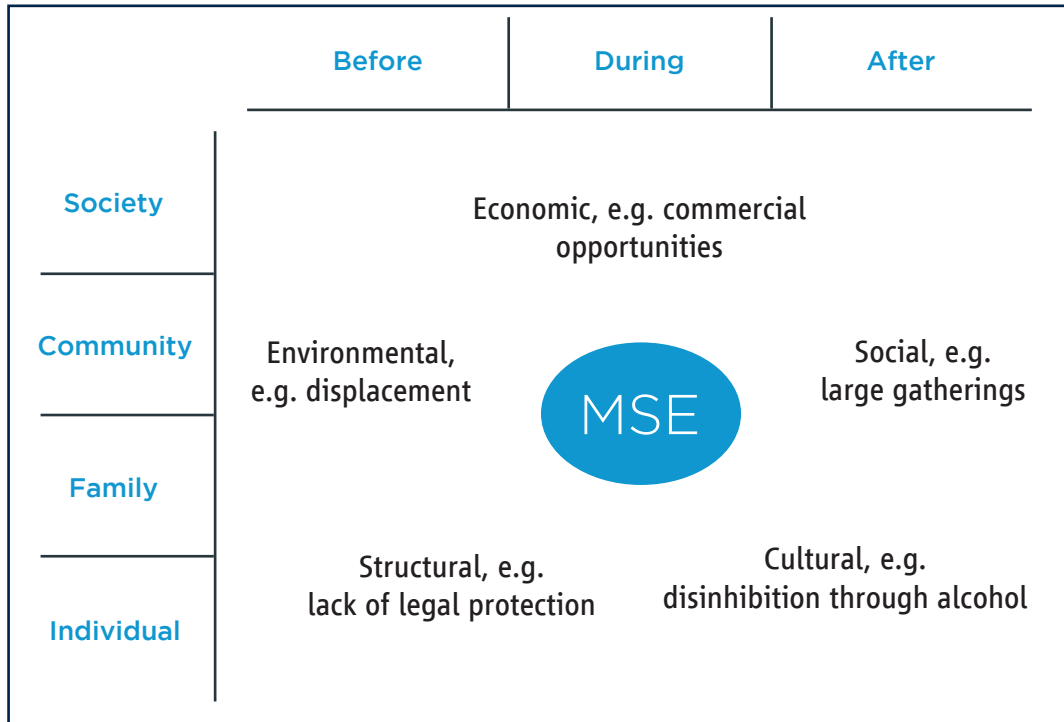
Whenever commercial organisations seek to address human rights risks and impacts, it is crucial that they pay specific attention to the most vulnerable groups in society, as part of their responsibility to respect human rights, as framed by the General Principles of the United Nations Guiding Principles on Business and Human Rights<sup>1</sup> (UNGPs). As children are particularly vulnerable and lack an opportunity to voice their rights, the impacts that MSEs have on them can be more severe and are often overlooked.

As children are still growing and developing, they are especially vulnerable to negative business impacts emanating from MSEs and can be severely and permanently affected by infringements of their rights: there are more than 168 million child labourers worldwide, 85 million of whom are in hazardous work; child consumers can be more easily convinced to buy and use inappropriate or unsuitable products; and children are much more susceptible than adults to the harmful physical effects of toxic chemicals, manual labour and poor diets.

Children's rights can be impacted both directly as well as indirectly through how their parents or caregivers, their community, or their society are affected.

<sup>1</sup> The UN Guiding Principles state: "These Guiding Principles should be implemented in a non-discriminatory manner, with particular attention to the rights and needs of, as well as the challenges faced by, individuals from groups or populations that may be at heightened risk of becoming vulnerable or marginalized, and with due regard to the different risks that may be faced by women and men."

When considering the potential impact of MSEs, an approach that considers both direct and indirect impacts is of particular importance for children, as often the impacts can be hidden. For example, Brunel University developed the following for framing the range of impacts that can and do occur before, during and after an MSE:



It is also important to recognize that whilst the term 'children' is used to describe everyone below the age of 18, the impacts experienced by children will vary with both age and gender as well as race, economic situation, sexual preference and other factors. To illustrate these possible variations, the So Let's Win this Game Together study by Dundee University, published in May 2015<sup>2</sup>, found that:

*"Overall it is important to highlight how children are also differently impacted by MSEs with some more at risk of having their rights violated in certain ways than others. Children and organisation staff all felt that poor children, especially poor black children living in favela communities were more at risk of experiencing human rights violations. The Dial 100 data suggests that those aged 8-11 then 12-14 year olds receive the most reports of violations against them and girls (55%), and black children (60%) also feature in higher numbers of reports of violations. For police violence boys were highlighted to be at particular risk especially if they were living in street situations as 72% of street children in Brazil are boys aged between 12 and 17 years old. In terms of sexual exploitation and harassment, girls were more likely to be at risk especially those aged between 9 and 17 and living in favelas."*



A range of impacts to children's rights have thus been documented. Some of the more profound impacts are highlighted in the case studies below, but this sample of cases is by no means exhaustive. In fact, some areas of particular concern currently have very little evidence of the scale of impact. For example, in the case of increased vulnerability to sexual abuse, evidence gathered is relatively limited and not allowing clear conclusion in relation to MSE and sexual exploitation of children. However, not having the evidence is not the same thing as there being no problem. As a consequence, this paper includes salient examples where independent evidence exists, whilst recognizing more evidence connected to other abuses may be available and desirable in future.

## 2.1 Child Labour

As demonstrated in the case studies below, the issue of child labour has been documented as linked to MSEs in numerous ways; in the supply chains of event sponsors and suppliers as well as during event construction and delivery. Construction work is particularly harmful for children, leaving them at risk of serious injury, alongside the impact it has on their rights to health and education. The worst forms of child labour, including the commercial sexual exploitation of children, may also be exacerbated by MSEs, and the influx of workers and visitors.

Child labour deprives children of their childhood, their health and their education, trapping them in a life of poverty and denying them the opportunity to reach their full potential. Whilst there is work that children do to help their families which is not harmful or exploitative, many children are stuck in harmful work which violates their rights. Despite ongoing efforts there are 168 million children trapped in child labour today.

### Case Study: Child Labour in MSE Supply Chains

Before the London 2012 Olympics concerns were raised over the conditions of a factory in China contracted to supply Olympics mascot toys.

Four years before, there was evidence that children as young as 12 years old were producing Olympic merchandise for the Beijing 2008 Olympic Games.

Children were also involved in the manufacturing of Olympic logo goods for the 2004 Olympic Games in Greece, despite child labour legislation.

Child labourers in India and Pakistan were found to be hand-stitching soccer balls before the 1998 World Cup in France.

See further: <http://www.ohchr.org/Documents/Issues/Children/SR/HRC25/FlorenceBruce.pdf>

## 2.2 Forced Labour, Debt Bondage and Low Wages, and their Impact on Children

Issues of unfair, unsafe and exploitative labour practices in relation to MSEs are well documented. The impact of harmful labour practices on children can often be hidden and the family perspective is rarely applied in the debate around these issues. As a direct result of poor working conditions, particularly for vulnerable groups such as migrant workers, children can be denied their right to education, health and an adequate standard of living. The obvious impacts on individual workers often hide more complex impacts on their families, and their children in particular.

Conversely, the provision of decent work for parents and caregivers can have positive impacts on child rights. Actions taken to ensure that wages support an adequate standard of living, and the broader agenda on decent work, directly relate to Article 27 of the Convention of the Rights of the Child. According to a UNICEF/ILO Working Paper "Supporting Workers and Family Responsibilities":<sup>3</sup>

*"The work activities of parents have the potential to bring greater income to the family as well as to produce a number of positive social outcomes: the status and decision-making power of women improve when they work, giving them better opportunities to determine development outcomes for their children; child-care, pre-school and education become more affordable; the socio-economic status and life chances of children improve as a result."*

### Case Study: Child Labour in MSE Supply Chains

Prem, a metal worker and father of three who carried out work on Khalifa Stadium (Qatar 2022 World Cup) in early 2015, faced a persistent delay of three months in receiving his salary from September 2014.

As a consequence of the delays in his salary payment, Prem's family was unable to keep up with loan and rental repayments and lost their home.

***"My family is now homeless and two of my younger children have been taken out of school. Every day I am in tension, I cannot sleep at night. This is a torture for me."***

See further: <https://www.amnesty.org/en/documents/mde22/3548/2016/en/>

<sup>3</sup> See: [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---integration/documents/publication/wcms\\_217181.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---integration/documents/publication/wcms_217181.pdf)

## 2.2 Forced Evictions, Inadequate Housing and the Impact on Children

In a significant number of MSEs staged to date, families have been moved from their homes in order to build some of the venues, athletes' villages or new transport infrastructure connected to the event. When conducted without respect for international human rights law, these forced evictions constitute gross violations of a range of internationally recognised human rights, and the impact on children can be particularly severe.<sup>4</sup> Re-housed in an unfamiliar community in a different part of town, often in housing that fails to meet basic standards, children can be left isolated and vulnerable. This is made even worse if fundamental services for children are lacking in the new environment.

Harm to children resulting from forced eviction for infrastructure development largely affects families who are already marginalised and vulnerable. Where inadequate arrangements are in place, children can be moved to communities with poor sanitation and water – which will always affect young children more severely than adults – and a lack of access to schools and healthcare.

The forced eviction of families for infrastructure and stadium development further increases the vulnerability of children to risks such as sexual or labour exploitation, as economic alternatives are removed and traditional support systems are damaged or destroyed. Not only are children often more vulnerable in an unfamiliar community – for example left alone for longer hours as parents have to travel longer to reach their jobs – the act of eviction itself, if conducted with violence, can have a traumatising effect on them.<sup>5</sup>

### Case Study: Children Being Made More Vulnerable by Forced Evictions

In 2015, Official statistics from the prefecture of Rio de Janeiro state that between 2009, the year the city was awarded the Olympic games, and end of 2015, 22,000 families were removed. This amounts to approximately 77,000 people, including children. There have been reports of children being moved to dangerous areas such as the 'Minha Casa, Minha Vida' block in Senador Camará in Rio, where constant shootings mean it is not safe to play outside or move around freely, and children have to stay at home. In addition, many parents also reported losing their jobs, as they were moved to new areas as far as 60km away from their original homes. This makes it difficult to support their families financially and further increasing the risk of child labour for example, as family income reduces or disappears.

4 See: <http://www.ohchr.org/en/Issues/Housing/Pages/ForcedEvictions.aspx>

5 Prefeitura do Rio de Janeiro, "Política Habitacional do Rio, suas diretrizes e números macros", 24 July 2015 <https://medium.com/explicando-a-pol%C3%ADtica-de-habita%C3%A7%C3%A3o-da-prefeitura> (accessed on 04.09.2016)

See further: <http://www.childrenwin.org/wp-content/uploads/2016/09/Rio-2016-Briefing-Paper.pdf>

For the 1988 Seoul Olympic Games, 720,000 people were forcibly displaced for stadium and infrastructure development leading up to the Games. Displacement increased poverty, divided families and heavily impacted on children who witnessed their parents being beaten and their houses torn down.

See further: <http://www.ohchr.org/Documents/Issues/Children/SR/HRC25/FlorenceBruce.pdf>

### Case Study: Children Denied Access to Basic Services as a Result of Forced Relocation Due to a MSE

In 2014, the Brazil FIFA World Cup led to many families being moved from their homes to new settlements. Amnesty reported that some children lost the school year because the removal was in the middle of the year and there were no vacancies in schools nearby the new house.

See further: <http://www.dundee.ac.uk/media/dundeewebsite/geography/documents/research/15337SoELetsWinThisGameTogetherReport%20A4.pdf>

The Delhi 2010 Commonwealth Games led to the eviction of 300,000 people from city slums. There are reports that some of these were violent and unplanned, with no entitlements for the evictees who now live in resettlement camps far from schools and economic opportunities in Delhi.

See further: <http://www.ohchr.org/Documents/Issues/Children/SR/HRC25/FlorenceBruce.pdf>

## 2.4 Increased Levels of Violence, Harassment and Abuse, including Sexual Abuse, of Children as a Result of Hosting

When an MSE comes to town, it brings with it an influx of people, and these people can pose a particular risk to children. Whether tourists or construction workers, there has long been a recognition of the increased risk of violence, harassment or sexual abuse children may face as a result of an event taking place in their community. Evidence of the extent to which these risks become reality is in short supply unfortunately, with the sexual abuse of children forming a prominent part of the media narrative around MSEs, but with a lack of conclusive evidence as to the real impact of these events on children's experiences.

Evidence does show, however, that in countries where levels of poverty and inequality are more extreme, there is pressure on MSE organisers to clear the streets in an effort to portray a safe and desirable image. The displacement of street children as part of these 'clean-ups' to prepare the city for media attention has been a regular concern of child welfare advocates.

The long-term impact of violence on children can be particularly profound. When subjected to violence, or the threat or fear of violence, children often suffer serious and long-term consequences, and their development can be permanently harmed. Violence damages children's health, preventing them from growing up in an atmosphere that is conducive to their full development.

The 'protection of children' can also be used as a smokescreen to introduce damaging legislation, limiting children's access to information, and increasing their vulnerability.

### Case Study: Clearances of Street Children Connected to MSEs

In 2015, during the last review of Brazil at the UN Committee on the Rights of the Child, clearances of street children were reported ahead of the Olympics. In order to 'clean up' tourist areas for the half a million expected visitors, many street children were taken to young offenders' units (DEGASE), where they reported violence and humiliation. Others simply disappeared.

During the 2010 South Africa FIFA World Cup, 600 street children and youth were moved to an apartheid-style relocation camp 30-km from Cape Town. Other reports suggest youths and some adults with young children were charged with loitering and punished with fines which they could not afford to pay just so they would be arrested and removed from the streets

Before the South Africa 2007 FIFA Preliminary Draw, street children were 'housed' in Westville Prison, exposing them to violence, rape and possible HIV.

See further: <http://www.ohchr.org/Documents/Issues/Children/SR/HRC25/FlorenceBruce.pdf>

## 2.5 Violence and Abuse of Child Athletes

Child athletes are particularly vulnerable to violence and abuse, and there are some risks to children which are unique to sport, in particular the increased risks for elite young athletes, such as exploitation, abuse (including sexual), over-training and doping. In particular, a closer look in this perspective should be taken at Youth or U18 MSE, given their increased number over the last decades.

### Case Study: Child Labour in MSE Supply Chains

Annabelle Cripps started swimming at a very young age and showed promise from her first strokes in the pool. She won just about every race growing up setting many state records that still stand today.

Her swimming career continued to show a lot of promise and at the young age of 14, she was world ranked for the first time. However, a month or two after this achievement she was raped by her swim coach. As she continued to excel in sport, making two Olympic teams, so did the sexual harassment and abuse.

There was no protection from the adults around her and nowhere for her to turn to for help. When she spoke up, she was told that she needed to do "what the coach said".

See further: <http://safe4athletes.org/about-us/history>

Despite the fact that a range of negative impacts on children's rights linked to MSEs have been documented, the child rights perspective is often missing in the debate on human rights and MSEs. There is need for further research into this field to fully understand the breadth of issues for children linked to MSEs as well as a need for action from stakeholders within MSEs to ensure that children's rights are respected and protected throughout the planning, staging and legacy of MSEs.

## 3

# Addressing Child Rights Concerns: The Story So Far

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It is clear from the available evidence that children face many risks arising from the process of planning and delivering an MSE. To date there are only limited examples of where child rights have been included in the mechanisms associated with bidding, awarding and staging these events. Awarding bodies have started the discussion around principles but a gap remains in terms of concrete implementation. Child rights violations take place at specific geographical locations at precise points in time, so the closing of this gap between policy and practice is crucial.

The first steps have been taken with the Ruggie report commissioned by FIFA, which includes the specific mention of children as a vulnerable group in terms of participation during formal engagement with affected stakeholders about human rights risks. Olympic Agenda 2020 has started the discussion on the principles which should be implemented by the IOC, although there is no explicit mention to human rights or child rights. The Commonwealth Games Federation's (CGF) Transformation 2022, and implementation partnership between Unicef and the CGF which will work on including human and child rights concerns into future Games and associated processes, promises more concrete action.

In addition to these steps which specifically target the bidding mechanisms, there is also a growing body of learning about interventions that have attempted to protect children and their rights before and during MSEs.

The following extracts and examples are largely taken from the 'Child Exploitation and the FIFA World Cup: A review of risks and protective interventions' published by Brunel University in 2013.

This review found that:

- dedicated child-focused responses are scarce
- very few programmatic or advocacy interventions are age-specific
- most address general rather than particular risks
- human trafficking appears to overshadow all other risks in relation to the attention resources and priority afforded to it by programmers

The following examples all highlight initiatives that have targeted particular child rights impacts associated with MSEs. The examples have been selected to highlight those where organising committees, local or national government, or awarding bodies have taken action. There is a wealth of learning about the programmes that NGOs have delivered to raise awareness and address issues that arise as a result of MSEs, which have not been included here.

## 3.1 Violence and Abuse of Children

In terms of recognising the vulnerability of children to violence or abuse during MSEs, the National Security Strategy for the 2006 FIFA World Cup in Germany included specific national safeguards for children.<sup>6</sup>

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<sup>6</sup> Safeguards are measures taken to protect all children from harm, and include policies and procedures across a range of areas including staff training, safe recruitment, systems for reporting concerns about children, child protection policies and referral mechanisms for children at risk.

Following on from this, the South African Government, in partnership with NGOs, adopted a child protection strategy specifically for the 2010 FIFA World Cup.

In addition, London 2012 implemented a number of initiatives to safeguard children and vulnerable adults including developing:

- a single point of contact for safeguarding issues, run by the London Safeguarding Children Board.
- a procedure for the escalation of safeguarding concerns relating to children and vulnerable adults
- a toolkit for assisting social services and other responsible authorities to identify potential cases of child trafficking

A number of integrated initiatives have also been launched during MSEs. Initiatives at the South Africa 2010 FIFA World Cup included setting up child friendly spaces at FIFA Fan Fests. At each entrance there was a banding station where parents and children could voluntarily take an identification wristband to wear. This system enabled trained staff to reunite lost children with their parents. One thousand child and social workers were also trained in child protection and deployed to hot spots in each of the host cities.

More recently, the IOC launched a new structure for participants to report any incidents of harassment or abuse for Rio 2016. This procedure was coordinated by an IOC Welfare Officer, who was on site in the athletes' village during the Games. All reported incidents were dealt with through a confidential procedure linked to local law enforcement agencies and relevant disciplinary channels. The IOC also launched a new section in their online integrity and compliance hotline, specifically for reporting cases of abuse and harassment in sport.

## 3.2 Child Sexual Exploitation

Despite the absence of conclusive evidence as referenced in section 2.4, efforts to combat child sexual exploitation during MSEs have featured prominently in a number of MSEs. Hotlines have been launched or expanded for a number of MSEs in the past, creating a space where victims and witnesses can report the abuse of children. Examples include:

- A national victims' hotline was launched by the Greek government during the Athens 2004 Olympics Games
- At the 2006 FIFA World Cup in Germany three national hotlines were established – two for victims and one for clients to report suspicious cases
- The Human Trafficking and London 2012 Network also set up a hotline for reporting trafficking, facilitated by the Metropolitan Police



In addition to reporting measures such as hotlines, some events have also supported prevention work. The Vancouver 2010 Winter Olympics featured an advocacy approach using 'Pocket cards'. These educational kits on human trafficking were distributed at border controls, venues for social gatherings, in Canadian schools and in ticket packages. Details of the services provided by the British Columbia's Office to Combat Trafficking in Persons were also included in all Safe Games backpacks, which were distributed amongst Games spectators.

The 'It's a Penalty' campaign, created by Happy Child International, was launched during the 2014 Brazil World Cup and has continued during the 2016 Rio Olympics as an official legacy programme. The campaign aims to raise awareness about the commercial sexual exploitation and abuse of children around MSEs by:

- Informing people about the issue of child commercial exploitation
- Educating people about the penalties for offenders
- Encouraging people to 'say something if they see something'
- Equipping the general public, sports fans, tourists and local residents with the necessary tools to report a crime
- Communicating the message to everyone involved in the sporting event, including showing an awareness film on international airlines

'It's a Penalty' also aims to advocate for the global enactment and implementation of the extra-territorial legislation, putting provisions into law which enable countries to prosecute their citizens for the abuse of children abroad. Currently, only 43 countries worldwide have such provisions in law to protect their children.

Given the experience of the travel and tourism industry in facing and addressing the challenge of sexual exploitation of children, more effort should be made by MSEs to link with businesses within this sector to extend interventions on prevention.

### 3.3 Child Labour

Much attention to date has focused on sporting good manufacture in connection with MSEs. The World Federation of the Sporting Goods Industry introduced the WFSGI Pledge for the FIFA Quality Programme for football manufacturers in 1997.<sup>7</sup> Initially designed to combat child labour in Pakistan and India, the scheme requires FIFA-licensed brands to sign a pledge together with their suppliers, which has to be renewed yearly, confirming they are in compliance with the WFSGI Code of Conduct.

<sup>7</sup> Extracts taken from IHRB, "Striving for Excellence: Mega-Sporting Events and Human Rights" (2013), <https://www.ihrb.org/megasportingevents/resource-view/report-striving-for-excellence-mega-sporting-events-human-rights>

Licensees additionally have to provide the WFSGI with an annual audit demonstrating their suppliers' full compliance with the Code. Significantly, the WFSGI Pledge is mandatory for the production of FIFA-licensed footballs, meaning the Pledge has to be confirmed before licensees can proceed to the technical test phase for producing footballs to the correct specification.

The organisers of the Vancouver 2010 Winter Olympic and Paralympic Games introduced a Supplier Code of Conduct (2009) which regular suppliers were expected to review as part of the bidding and contracting process. VANOC said that between 2006 and 2010, 100% of its suppliers met Canadian human rights standards.

During the Glasgow 2014 Commonwealth Games, supply and merchandising agreements included clear guidelines to ensure workers' rights, the elimination of child labour and to provide at least a minimum living wage throughout the supply chain. While it was not clear whether there were any guidelines for raising or responding to concerns in the supply chain, there was a policy commitment to manage and monitor relationships. Compulsory adherence with international standards and instruments was required by the organisers. It was also reported that one company organised a visit with their manufacturer in China to ensure that these standards were being met.

## 3.4 Protecting and Respecting Children's Rights in General

The Glasgow 2014 organising committee partnered with Unicef UK to raise awareness and funding to support children across the Commonwealth to realise their rights. The partnership included an initial child rights mapping exercise, which sought to understand where Glasgow 2014 could have an impact on children in Glasgow, child athletes and children potentially affected through the supply chain.

This mapping identified that:

- Children's rights were reflected in key statements
- Relevant international standards were adopted
- Training opportunities for young people were provided
- Detailed child safeguarding policies and practices were in place
- Children and young people were provided some meaningful opportunities to contribute
- Children's rights were promoted through partnerships and training offered to schools
- The timing of the event (school holidays) reduced the impact on right to education

The £5million raised during the Opening Ceremony has helped children across the Commonwealth realise their rights, and this partnership has built a strong platform of collaboration which continues with a joint project with the Commonwealth Games

Federation, to integrate human rights into the bidding, planning, staging and delivery of the Commonwealth Games and Commonwealth Youth Games (see WP2.1 for details).

## 3.5 Conclusion

Collectively these initiatives have been able to reduce some of the negative impacts arising out of MSEs, but until there is a process that begins with human and child rights at the centre, the main focus will always be on tackling the impacts that arise, rather than preventing them by understanding the risks to people, particularly children, from the outset.

# Addressing Child Rights Concerns: The Next Steps

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As noted above, whilst there is some good practice to address or prevent some impacts that may arise, a more comprehensive approach to understanding and acting on human and child rights considerations is needed. As children are more vulnerable than adults and need specific support to guarantee their rights are upheld, MSE awarding bodies should adopt an explicit child rights focus to ensure the right action is taken to address the potential negative impact that these events can have on children. A specific child rights lens is crucial given that the impacts on children are often indirect and 'hidden'.

This means that when establishing measures to address human rights issues, MSE organisers need to understand, assess and take action on specific risks to children and children's rights. Children's rights, as outlined by the UN Convention on the Rights of the Child, should be integrated as a key consideration in all relevant policies and processes.

In order to do this, MSE organisers need to, as appropriate, engage and consult with potentially affected children and their representatives as key stakeholders, to understand how the MSE impacts them.<sup>8</sup>

Putting children's voices at the heart of the MSE process is an end in itself. A robust due diligence process must involve meaningful consultation with potentially affected stakeholders. If this process includes consultation with children or their representatives,

<sup>8</sup> Further guidance on when it is appropriate to engage directly with children can be found here: [https://www.unicef.org/csr/css/Stakeholder\\_Engagement\\_on\\_Childrens\\_Rights\\_021014.pdf](https://www.unicef.org/csr/css/Stakeholder_Engagement_on_Childrens_Rights_021014.pdf)

this will link directly to Article 12 of the Convention of the Rights of the Child - the right to express views freely in all matters affecting the child. Child participation is also a foundational principle for the realisation of all Child Rights.

The Child Rights and MSEs Task Force believes and recommends that if MSE awarding bodies undertake the following actions, children and their rights will be better respected and protected before, during and after the events:

- Issue a public human rights policy that includes specific reference to children's rights as enshrined in the UN Convention of the Rights of the Child.
- Have in place internal capacity on child rights, including the capacity to engage with affected children
- Include children's rights as part of the decision for awarding the MSE
- Include child rights obligations in the MSE awarding Contract
- Ensure access to remedy for any victims of abuse, that is accessible to children
- Undertake human rights due diligence, with particular recognition of the vulnerabilities of children
- Conduct monitoring of the impact on human and child rights of all stages of the MSE
- Support external, independent monitoring of human and child rights impacts of the MSE

The active participation of children and their representatives, as advocates, as monitors and as decision-makers, should be central to these processes.

In addition, others steps can be taken to ensure that child rights are a central consideration, including delivering child rights trainings and presentations for bidding and organising committees. These could cover areas such as undertaking risk assessments and the detection of possible child abuse, and the systematic inclusion of child sexual exploitation prevention mechanisms as part of the minimal requirements for the organisation of MSE, in particular for Youth or U18 MSEs.

# Potential Role of an Independent Centre

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An independent centre could ensure an unbiased and constructive look at how MSEs are organised, which would be useful in the drive to improve the organisation of MSEs in regards to human and child rights for MSE organising committees, awarding bodies, civil society organisations, and affected stakeholders.

The eight actions highlighted above imply a range of roles for an independent centre, including:

- Supporting or quality assuring the development of human rights policies
- Building human rights capacity in awarding bodies and bidding or organising committees
- Advising on, or quality-assuring the development of decision criteria, host contracts and other relevant documents
- Providing guidance and support on undertaking human rights due diligence, including how to meaningfully engage affected stakeholders, such as children, throughout the event planning, delivery and legacy lifecycle
- Reviewing and reporting on efforts to provide access to remedy and address human and child rights
- Setting standards on the delivery of respect for human and child rights in MSEs
- Sign-posting tools and resources that can support the integration of child rights into an MSEs due diligence process

In order to undertake these roles the 'centre' will need to bring together a community of diverse actors:

- With expert capacity on children's rights or with the ability to forge relationships with child rights expert groups and commission relevant research
- That brings together existing learning or commission research to develop a 'library' of do's (good practice) and don'ts in terms of children's rights and MSEs
- With the expertise and relationships to create a bridge between children affected by MSEs, and the relevant awarding bodies and organising committees
- With the expertise to provide or commission technical input and advice in relation to children's rights
- With the ability to deliver relevant training or develop training toolkits regarding the detection of child rights abuses, identifying risks to children and other critical areas
- With, in the longer term, internal and external human rights and child rights capacities to help monitor the implementation of human rights and child rights frameworks within MSEs

Rather than exploring the structure of the 'centre' in the short term, the focus should instead be on the functions which are needed in order to create real change for the children affected by MSEs. Identifying the priority actions and the skills needed will help ensure form follows function. In the short term the 'centre' could be effective as a critical friend to awarding bodies and MSE hosts, providing or commissioning key services, sharing knowledge, developing partnerships with affected stakeholders and providing technical expertise.

Critical to this, and also a short-term objective will be ensuring the actors connected with the 'centre' concept are diverse and globally representative. The lessons from WADA as well as other parallel processes, for example with the World Bank, can help make sure the 'centre' evolves in a way that offers genuine support and clear guidance as well as keeping the options open for the future.

In the longer term, once buy-in, capacity and understanding is built within the principal actors responsible for staging MSEs, the question of monitoring and compliance will need to be addressed.

There is a need to move beyond capacity-building to ensuring quality implementation, and this will require accountability structures, monitoring processes and enforcement mechanisms which are fair, effective and responsive.

In an ideal future where MSE awarding bodies have effective internal capacity, require human and child rights due diligence as a matter of course, and hold organisers up to international standards, a 'centre' could provide an external accountability function, providing effective support in the form of monitoring progress and holding the awarding bodies and organisers accountable to the commitments they make.



# Annex: Overview of the UN Guiding Principles on Business & Human Rights

The UN Guiding Principles on Business & Human Rights state that business should “respect” human rights, “avoid infringing on the human rights of others” and “address adverse human rights impacts with which they are involved. This responsibility “exists over and above compliance with national laws and regulations protecting human rights”.<sup>1</sup>

## Level of involvement and appropriate action

UN Guiding Principles 13 identifies three ways in which a company may be associated with a human rights issue: (1) by causing an adverse human rights impact; (2) by contributing to an adverse impact; or (2) being directly linked<sup>2</sup> to it. The actions that a company is expected to take will vary depending on which level of involvement applies (UN Guiding Principle 19).

Involvement	Appropriate Action
<b>Causing</b> an adverse human rights impact	A company may “cause” an adverse human rights impact “through their own activities” (UNGP 13). Such companies are expected to try to “avoid” causing that impact and “address such impacts when they occur” (UNGP 13). This requires: <ul style="list-style-type: none"> <li>• “Taking the necessary steps to cease or prevent the impact” (UNGP 19)</li> <li>• “Provide for or cooperate in their remediation through legitimate processes” (UNGP 22)</li> </ul>
<b>Contributing</b> to an adverse human rights impact	A company may “contribute to” an adverse human rights impact “through their own activities” (UNGP 13). Such companies are expected to try to “avoid” that contribution and “address such impacts when they occur” (UNGP 13). This requires:

1 UN Guiding Principle 11, p13.

2 The definition of “direct linkage” has proven difficult to apply in practice across a number of industries. The issue is discussed further in the context of the Broadcasting White Paper 3.2.

	<ul style="list-style-type: none"> <li>• "Taking the necessary steps to cease or prevent its contribution" (UNGP 19)</li> <li>• "Using its leverage to mitigate any remaining impact to the greatest extent possible" (UNGP 19)</li> <li>• "Provide for or cooperate in their remediation through legitimate processes" (UNGP 22)</li> </ul>
<p>Impacts <b>directly linked</b> to a company's operations, products, or services by a business relationship</p>	<p>A company's operations, products, or services may be directly linked to an impact by a business relationship (UNGP 13). Such companies are expected to seek to "prevent or mitigate" the impact, "even if they have not contributed to those impacts" (UNGP 13). This requires:</p> <ul style="list-style-type: none"> <li>• Using or increasing its leverage over the entity at cause to seek to prevent or mitigate the impact (UNGP 19).</li> <li>• Where directly linked, the responsibility to respect human rights does not require that the enterprise itself provide for remediation, "though it may take a role in doing so" (UNGP 22).</li> </ul> <p>UNGP 19 commentary explains that this situation "is more complex". In order to determine the "appropriate action", companies should consider:</p> <ul style="list-style-type: none"> <li>• "[Its] leverage over the entity concerned".</li> <li>• "How crucial the relationship is".</li> <li>• "The severity of the abuse".</li> <li>• "Whether terminating the relationship ... would have adverse human rights consequences".</li> </ul>

## Meeting the Responsibility: Policies and Procedures

UN Guiding Principle 15 states that a company's responsibility to respect human rights – whether involved through causing, contributing to, or being directly linked to an impact – should be met by having in place policies and processes, including:

- A **policy commitment** to meet their responsibility to respect human rights (elaborated on further in UN Guiding Principle 16);
- A **human rights due diligence** process to identify, prevent, mitigate and account for how they address their impacts on human rights (elaborated on further in UN Guiding Principles 17-21);
- Processes to enable the **remediation** of any adverse human rights impacts they cause or to which they contribute (elaborated on further in UN Guiding Principles 22 and 29-31).