



Striving for Excellence: Mega-Sporting Events and Human Rights

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Striving for Excellence: Mega-Sporting Events and Human Rights

About this Paper

This is the second in a series of occasional papers by the Institute for Human Rights and Business (IHRB). Papers in this series provide independent analysis and policy recommendations concerning timely subjects on the business and human rights agenda from the perspective of IHRB staff members and research fellows.

IHRB Research Fellow, Lucy Amis, prepared this paper with input from IHRB team members.

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Since 2011 when it launched the Staff Wanted Initiative with Anti-Slavery International in response to concerns around the exploitation of vulnerable workers, trafficking and forced labour in the hospitality sector in the run-up to the London 2012 Olympics, IHRB has taken an active interest in the business and human rights impacts of mega sporting events (MSEs). MSEs such as the Olympic Games, FIFA (Fédération Internationale de Football Association) World Cup and Commonwealth Games – with their massive physical and commercial footprints – afford a rare opportunity to address a broad spectrum of business and human rights concerns within a microcosm, and to explore possible new approaches to integrating respect for human rights across a wide range of relationships and practices.

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1) Introduction

International sporting events capture global attention not only because of the excellence of the athletes who compete but also because of the intense competition among nations to host them. In part due to the media interest generated by these “Mega Sporting Events” (MSEs), they have become a lightning rod for civil society campaigners and trade unionists that seek to highlight a range of social and environmental concerns across the event life-cycle from host-nation bid to post-event transition. And because the preparation and staging of major events like the Olympics or World Cup entails large-scale corporate involvement and sponsorship, the companies concerned often become specific targets for campaigning.

The wave of protests in Brazil in June 2013, which saw over a million people take to the streets during the staging of the FIFA Confederations Cup (a dress rehearsal for the 2014 World Cup to be held in Brazil), as well as controversies linked to the 2014 Winter Olympics in Russia and the Qatar FIFA World Cup in 2022, have renewed fundamental questions over the responsibilities of host national governments, and the international sports governing bodies that set the terms for staging MSEs. Public concern over spiralling costs associated with MSEs is not unique to Brazil, but discontent in the country - primarily focused on corruption and poor or expensive public services - found a visible manifestation in the use of public money to host the World Cup and Olympics. The scale of the opposition, particularly in a country so passionate about sport and football in particular, shines a spotlight on the extent to which social impacts and community views matter and need to be factored into MSE planning.

From the perspective of human rights, MSEs bring both opportunities and risks. Large sporting events precipitate massive public and private investment needed to create new jobs and boost employability, along with the potential for improving essential infrastructure, regenerating urban areas, developing housing and promoting increased participation in sport and healthy living. At the same time, MSEs – including the Beijing 2008 Olympics, the South Africa 2010 FIFA World Cup, the New Delhi 2010 Commonwealth Games, the London 2012 Olympics, and forthcoming FIFA World Cups and Olympics in Brazil and Russia – have come under repeated scrutiny from human rights experts and campaigners over a gamut of concerns. According to some estimates, as many as 1.5 million people were displaced for the Beijing Olympics, while some 35,000 families were evicted from public lands ahead of the New Delhi Games.¹ At the height of the Beijing Olympic venue construction, at least 10 people were killed and some 17,000 workers complained of workplace exploitation.² And in the run-up to MSEs in Brazil, a UN human rights expert has reported many allegations of housing rights abuses.³

The human rights issues associated with MSEs are not confined to venue and infrastructure development. Allegations of sweatshop labour in the supply chains for sporting goods, apparel, and merchandise linked to MSEs surface repeatedly, irrespective of whether the event is held in an already rich or fast-growing economy. Ahead of the Beijing Olympics, for example, the Playfair Campaign recorded instances of child labour, excessive working hours, and abuses of

1 Report of the UN Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, Raquel Rolnik, A/HRC/13/20; and Fair Play for Housing Rights: Mega-events, Olympic Games & Housing Rights, p.28, © COHRE 2007.

2 <http://www.reuters.com/article/2008/01/21/us-olympics-beijing-deaths-idUSSP8764420080121>; and “One Year of My Blood” Exploitation of Migrant Construction Workers in Beijing, © Human Rights Watch, March 2008.

3 <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=13456>

health and safety laws in the supply chains of several Olympic licensees.⁴ Similarly, prior to the South Africa FIFA World Cup and London 2012 Olympics, campaigners made allegations of low wages and other labour rights abuses in the supply chains for sporting goods and clothing in factories across Pakistan, India, China and Southeast Asia.⁵ Some of these allegations were vigorously denied by the brands concerned, while others were conceded and remedial steps put in place.

Human rights concerns have also come to the fore during the events themselves. The World Cup in South Africa saw media reports of police harassment of the homeless and squatters, and forced removal of street vendors from commercial exclusion zones that reportedly resulted in lost livelihoods.⁶ Media revelations during the 2012 London Olympics surfaced cases of wage and migrant worker exploitation among temporary agency staff working at two hotels used by Olympic delegations and referees.⁷ Equally, during the Vancouver 2010 Winter Olympics and London 2012, civil liberties groups and journalists complained of limits on free speech and assembly imposed by host authorities and event organisers ostensibly to safeguard brand rights.

The London 2012 Olympics laid down several significant benchmarks in addressing human rights related challenges. London was the first Summer Olympics to embed sustainability from the outset and to place an emphasis on leaving a positive legacy for the city, sport in the UK, and for the wider Olympic movement. It was also the first Olympic and Paralympic Games to open itself up to scrutiny by an independent assurance body, the Commission for Sustainable London 2012. London's Olympic Delivery Authority set a new bar too, by completing venue construction without any construction worker dying in an accident.⁸

London's Organising Committee of the Olympic Games (LOCOG) paved new ground with a Sustainable Sourcing Code that was reinforced by a complaints mechanism.⁹ London was not exempt from criticism however. For example, LOCOG faced assertions that it was slow to call upon licensees to disclose information on their supply chains.¹⁰

⁴ http://www.playfair2008.org/docs/playfair_2008-report.pdf. Playfair is a union-NGO coalition campaigning for respect for workers' rights at MSEs.

⁵ <http://www.cleanclothes.org/media-inquiries/press-releases/world-cup-soccer-balls-exploitation-still-the-norm>; and An Overview of Working Conditions in Sportswear Factories in Indonesia, Sri Lanka & the Philippines, © ITGLWF, 2011.

⁶ <http://www.guardian.co.uk/world/feedarticle/9120192>

⁷ A BBC Newsnight report (26 & 27/9/12) claimed that Jani-king, the agency used by the Hilton Waldorf, altered workers' hourly rates without warning, and threatened them with unfair dismissal. Jani-king denied any staff would be automatically made redundant, but did apologise for inconveniences over salaries. Hilton said that all its suppliers must comply with existing laws and conditions of employment, and said Jani-king was reviewing staffing practices at the Hotel. Calibre, the agency used by St Ermin's Hotel, was reported to pay workers piece-rates of pay below the minimum wage. St Ermin's said it had ceased working with Calibre over related irregularities. Calibre maintained it paid hourly pay rates and complied with government requirements.

⁸ Commission for a Sustainable London 2012 | Fit for purpose | March 2011.

⁹ Playfair and other stakeholders lobbied LOCOG to include labour standards within its Sustainable Sourcing Code and for Complaints Mechanism.

¹⁰ Commission for a Sustainable London 2012, Breaking the tape – Annual Review 2011, © 2012.

Despite this and other criticisms, London 2012 arguably went further than any previous MSE organiser in terms of commitment to sustainability and socially responsible policies and practices, and made advances upon which the Olympic Movement and other MSE organisers can build. Yet more than one year after the Games, as London's Olympic organising bodies wind up, and mass protests in Brazil and debates around homophobia in Russia prompt attention to the next Olympic host cities, it is unclear if and by what means the lessons learned from London 2012 will be carried forward to upcoming events such as the Sochi Winter Olympics, Brazil FIFA World Cup, Glasgow Commonwealth Games in 2014, the England 2015 Rugby World Cup, the Rio 2016 Olympics, or FIFA World Cups in Brazil, Russia and Qatar in 2014, 2018 and 2022 respectively.

Undoubtedly not every example of good practice established in London can be replicated with ease in other contexts. Nonetheless, there is a real risk as events in Brazil and concerns about Russia and Qatar suggest, that without the requisite leadership and support of the sports governing bodies and future MSE host governments, and in the absence of a suitable vehicle for taking learning forward, that the momentum built around sustainability and human rights during London 2012 may be lost.

Since their inception more than a hundred years ago, both the Olympics and FIFA World Cup have frequently played a symbolic part in promoting human rights. This is not to suggest these events have always been free of controversy. Yet the close association between the Olympic movement and values of harmony among nations, solidarity and fair play, is part of what makes the Olympic Games in particular so commercially attractive to sponsors and other business partners. It also likely accounts for heightened popular expectations around social issues, as well as among other initiatives including the Joint Communiqué on 'Human Rights and the Olympic and Paralympic Games'¹¹ by the governments of the UK and the next three Olympic host cities Russia, Brazil and South Korea.

Now with events in Brazil, Russia and Qatar having rekindled the debate over the social opportunity costs of hosting MSEs, the International Olympic Committee (IOC), FIFA and other international sports governing bodies may face growing demands to reform their candidate city bid requirements and host city agreements to reflect emerging international standards and respond to new stakeholder expectations on a range of sustainability issues. Indeed, as more companies globally - including many official MSE sponsors - commit themselves to socially responsible behaviour, including stronger commitment to respecting human rights, such practices may increasingly be seen as essential for all parties involved in delivering MSEs. This inevitably places an added onus on host governments to meet their international human rights obligations, especially in contexts where their own laws are weak or poorly enforced such as, for example, in the case of land development, construction and workplace standards.

This paper focuses primarily on two MSEs, the Olympics and FIFA World Cup. Other World Cups, the Commonwealth Games, and several smaller MSEs are also considered briefly. The aim is not to concentrate on the very real dilemmas over the economics of MSEs so apparent in the Brazil 2013 protests, or the fine balance between the costs and benefits of staging such

11 The communiqué on 'Human Rights and the Olympic and Paralympic Games' between the UK, The Russian Federation (host of the Sochi 2014), Brazil (host of Rio 2016) and South Korea (host of PyeongChang 2018) was launched on 29 August 2012 at the UK Foreign & Commonwealth Office.

events.¹² Rather, the emphasis is on the breadth of human rights opportunities and risks across the life-cycle of MSEs. In attempting to analyse the extent to which human rights-related concerns are being addressed by sports governing bodies and the hosts of MSEs, examples of emerging good practices that advance respect for human rights are highlighted. At the same time, apparent gaps in the current governance behind these events are discussed, as are mounting human rights relevant concerns over several MSEs on the horizon. The paper concludes with a series of suggested recommendations for key actors as they seek to ensure that MSEs leave a positive human rights legacy in the years ahead.

2) The human rights heritage of MSEs

The fact that human rights advocates increasingly focus on high-profile MSEs to publicise and achieve their campaign goals ought to come as no surprise. Not only do such events attract huge public interest, the staging of the Olympics in particular invites high expectations. Since Baron Pierre de Coubertin revived the Olympic Games for the modern era in 1894¹³ upon ideals of harmony between nations, solidarity and fair play, the Olympics have not only succeeded in bringing together athletes from all continents to participate in regular festivals of sport and culture, they and other MSEs have also played an important symbolic role in promoting human rights.

The reality has often been complicated, as seen in Hitler's attempt to use the 1936 Berlin Olympics for Nazi propaganda purposes,¹⁴ the Munich Massacre of 1972 when terrorists killed Israeli athletes after holding them hostage, and the series of politically motivated Olympic boycotts in 1976, 1980 and 1984.¹⁵ Several MSEs have been marred by human rights controversies, like the deaths of hundreds of Mexican protestors in the run-up to the 1968 Olympic Games,¹⁶ and the wave of political 'disappearances' at the time of the 1978 Argentina FIFA World Cup.¹⁷

Landmark moments have, however, cemented links in the public mind between the Olympics and human rights. Moments like African-American sprinter Jesse Owens's victories in 1936 that provoked Hitler into snubbing his medal ceremonies; the iconic clenched-fist salute of

12 These include the benefit of short-term worldwide attention, economic and psychological boosts for the host city/nation, set against the opportunity cost of mobilising resources on such a scale for other development purposes, as well as the risk of long-term debt and non-utilisation of newly-built facilities after the event.

13 The first modern Olympic Games itself took place in Athens in 1896.

14 When the International Olympic Committee (IOC) awarded Berlin the 1936 Olympics in April 1931, it was intended to celebrate the re-admission of a peaceful, democratic Germany to the family of Nations after its political isolation following World War I. Hitler came to power in January 1933.

15 In 1976, 25 African countries withdrew from the Montreal Olympics over South African Apartheid. The 1980 US-led boycott saw 65 countries pull out of the Moscow Olympics over the Soviet invasion of Afghanistan, resulting in an Eastern Bloc boycott of the 1984 Los Angeles Olympics.

16 Reports suggest that up to 500 pro-democracy student protestors were killed, or disappeared and hundreds more injured, by a secret police squad ten days before the start of the 1968 Mexico Olympics. The Mexican government launched a massive cover-up, amidst fears of a boycott of the Olympics [<http://www.guardian.co.uk/world/2001/dec/11/mexico>].

17 The 1978 FIFA World Cup took place amidst the Argentinian military dictatorship's 'Dirty War' (1976-83), in which up to 30,000 people were killed or 'disappeared'. Political prisoners could hear the cheers from the World Cup final. [<http://articles.latimes.com/2008/jun/28/world/fg-mundial28>].

Tommy Smith and John Carlos at the 1968 Mexico Olympics in protest against racial segregation in sport;¹⁸ the promotion of Aboriginal rights by Cathy Freeman during the 2008 Sydney Olympics in carrying the Aboriginal flag on her victory lap; and most recently the participation of women athletes, who competed for Saudi Arabia (the runner Sarah Attar), Qatar and Brunei for the first time at London 2012.¹⁹ Against this backdrop, it was no coincidence that London 2012 organisers bestowed the honour of carrying the Olympic flag at the opening ceremony upon human rights and humanitarian figures²⁰, and profiled the Universal Declaration of Human Rights during the Paralympic opening ceremony.

FIFA and Rugby World Cups have played their part too. In 1961 FIFA was the first international sporting body to impose sanctions on South Africa (then under the apartheid regime), culminating in the country's global sporting and eventual political isolation. The Buenos Aires Resolution (2001) saw FIFA publicly commit itself to anti-discrimination, including through its on-going 'Say No to Racism' campaign. More recently, in 2013 FIFA introduced its Taskforce Against Racism and Discrimination and tough sanctions to combat fresh, high profile displays of racism in football.²¹ The 1995 Rugby World Cup, hosted by South Africa, gave newly elected South African president Nelson Mandela a unique diplomatic opportunity to mark the birth of a new democracy and to promote the image of a vibrant, integrated, rainbow nation. The choice of the sport was no accident. Rugby is popular among the Afrikaner community, many of whose members had supported or benefited from apartheid. By cheering the South African team, and by the squad embracing the country's first democratically elected president, the event sent a powerful message within the country and around the world about the transformative political change in South Africa.

The human rights significance of MSEs, however, is more than just symbolic. The IOC itself speaks of having a "mission to spark social change through sport." Although these events can never be a panacea for all social ills, or reasonably be expected to solve existing human rights issues in host countries thrown into relief by the hosting of an MSE, with the right planning and risk prevention strategies in place, MSEs do have the potential to help catalyse greater respect for human rights among the many businesses and business sectors involved. In so doing, there may also be scope to trigger human rights reforms, or at least as they pertain to business activity, within host countries themselves, not least in those countries transitioning rapidly toward better governance and higher levels of economic and social development.

18 Tommie Smith and John Carlos were members of the Olympic Project for Human Rights (OPHR) set up in 1967, which initially called for a boycott by black athletes of the 1968 Olympics unless South Africa and Rhodesia were uninvited, Muhammad Ali's world heavyweight boxing title was restored, Avery Brundage stepped down as IOC president, and more African-American assistant coaches were hired. Australian Peter Norman, silver medallist in the 200 metres, joined Smith and Carlos in wearing an OPHR badge out of solidarity. Norman opposed the "White Australia Policy".

19 London 2012 was the first Olympics in which women competed in the teams of every nation and could enter all events, including boxing.

20 They included Nobel Peace Prize winner Leyma Gbowee, Daniel Barenboim (musician and Middle-East peace campaigner), Sally Becker (charity worker in Bosnia and Kosovo), Shami Chakrabarti (UK civil rights campaigner), Ban Ki-Moon (UN Secretary-General), Doreen Lawrence (racial justice advocate), Marina Silva (Brazilian Environmentalist), Haile Gebrselassie and Muhammad Ali (former athlete and boxer respectively active in humanitarian work). The same honour was accorded at the Salt Lake City's 2002 Winter Games to Nobel laureates Desmond Tutu and Lech Walesa.

21 <http://edition.cnn.com/2013/05/31/sport/blatter-fifa-racism>

3) Exploring the complexities of a modern MSE

Complex logistics, many years of forward planning, and programmes of urban revitalisation characterise many mega-events, whether cultural (like World Fairs), political, or sporting. Typically, such events have a lasting effect on the cities and nations that host them. This is not only in terms of new infrastructure and event facilities, but because, if successful, they project a new positive, or revitalised, image and identity for the host city via massive media coverage.²² MSEs uniquely are “marked by the high levels of interest they evoke internationally; the resultant high levels of spectatorship they draw; and the volumes of corporate investments – and revenues - they can command,”²³ as well as merchandising on a global scale.

The Summer Olympic Games and FIFA World Cup are the archetypal prestigious sport competitions, held on a regular and rotational basis in different locations across the world.²⁴ They are set apart from other MSEs in terms of prestige, attendance, interest, publicity, cost, and commonly levels of venue and infrastructure development. The 2010 FIFA World Cup Final and Beijing 2008 Olympics opening ceremony, for example, each drew average viewing audiences in excess of 500 million,²⁵ while the costs of London 2012 came in at just under £9 billion.²⁶ Other MSEs, like the Winter Olympics, tend to be more limited in scope or attract lower levels of participation – the spiralling costs of Sochi 2014 notwithstanding.²⁷

The foremost MSEs usually entail an intricate bidding process of up to two years among competing candidate cities. The sports governing bodies set strict criteria, and for the winning candidate it typically culminates in a host city agreement, which is signed by the sports governing body, the host city authority and a sports member association or national committee. This is followed by roughly a seven-year timeline in which to translate the bid into reality. It is notable that as part of the host city agreement, under which the host agrees to set up a local organising committee to run the event, primary legislation is enacted to address a range of issues, among them transport, security and the protection of sponsors’ commercial rights. This may create conflict of interest in relation to a national government’s human rights obligations. For example, at recent Olympics, groups like Liberty²⁸ in the UK and the British Columbia Civil Liberties Association in Canada,²⁹ have raised concerns that such legislation may be taking precedence over domestic human rights safeguards, including over the right to free speech and to peaceful protest.

22 Maurice Roche, *Mega-Events and Urban Policy*, 21 ANNALS OF TOURISM RES. 1, 1-2 (1994).

23 Scarlett Cornelissen “Kicking Away South Africa’s Past”, *Limes - the Italian Journal of Geopolitics*, 13 July 2010.

24 Scarlett Cornelissen “Kicking Away South Africa’s Past”, *Limes - the Italian Journal of Geopolitics*, 13 July 2010.

25 <http://theworldgame.sbs.com.au/news/1064369/fifa-reveals-2010-viewing-figures>

26 <http://www.bbc.co.uk/sport/0/olympics/20041426>

27 Amidst allegations of corruption however, estimates for infrastructure and venue development for the Sochi 2014 Winter Olympics (which are typically far less costly than the Summer Games), have been put at \$50 billion. <http://www.bloomberg.com/news/2013-02-12/russia-s-50-billion-olympics.html>

28 <http://www.liberty-human-rights.org.uk/campaigns/olympics/freedom-games-.php>

29 <http://www.vancouverobserver.com/politics/news/2009/10/07/bc-civil-liberties-association-files-suit-against-city-vancouver-olympics>

MSEs normally rely on a rich mix of both public and private bodies. The global sports governing bodies - like the IOC, FIFA, the International Paralympic Committee, the Commonwealth Games Federation and Rugby World Cup Limited – set the parameters for each event. In doing so they exert considerable leverage over the process as a whole. But translating plans into reality and making good on sustainability pledges relies on the host governments and municipal authorities, and local organising committees like LOCOG, the Glasgow 2014 Organising Committee, or the Supreme Committee for Qatar 2022. International sporting federations (e.g. the International Association of Athletics Federations (IAAF)), and National Olympic Committees or FIFA Member Associations also play a key role. Add to this the throng of businesses, among them worldwide and domestic sponsors, official licensees, media and other commercial partners that take an active part in each MSE, and a myriad other business enterprises - such as hoteliers - that benefit from the event being hosted in their locale.

It is hardly surprising therefore that when it comes to preparing and staging MSEs, lines of authority and responsibility can seem blurred - particularly on issues like human rights and sustainability. Yet the capacity and receptiveness, and willingness to collaborate, of each of these players is critical if adverse human rights impacts are to be minimised effectively.

4) Human rights risks and impacts across the MSE life-cycle

Critics tend to highlight the adverse impacts associated with major events, but it would be misleading to dismiss economic and social benefits allied to MSEs, or overlook examples of emerging good practice profiled later in this report. The intricate web of public and private actors involved in MSEs undoubtedly helps raise public and private investment, and thereby creates jobs, improves infrastructure such as public transport and digital access, develops housing, enhances domestic / regional employability, promotes healthy life styles, increases tourism and makes possible new public municipal sports facilities. Each brings often lasting, positive social impacts. For example:

- Over 46,000 people were employed on London 2012's Olympic Park and Village construction, 10 per cent of whom were previously unemployed.³⁰ The organisers predicted 60,000 new long-term jobs,³¹ including 8,500 at a purpose-built new retail centre in a once deprived area. In South Africa an estimated 130,000 jobs, most in the lead up to the 2010 World Cup, were created in the construction, roads and transport and hospitality industries.³²
- In Athens, the 2004 Olympic village translated into 3,000 new units of subsidized housing, said to benefit 10,000 residents. London's Olympic village is to be transformed into 2,818 homes including 1,379 affordable homes³³ with a further 11,000 housing units to be built nearby.

30 <http://www.olympic.org/news/london-2012-to-provide-long-lasting-economic-benefits/207219>

31 Commission for a Sustainable London 2012, Breaking the tape – Annual Review 2011, © 2012.

32 <http://www.southafrica.info/2010/benefits-020710.htm#.Ujz7H4Ux8y4>

33 <http://www.london2012.com/media-centre/article=locog-and-the-london-legacy-development-corporation-begin-olympic-park-handover.html>

- Beijing and London reported shifts in public attitudes towards disability as a result of their successful Paralympics,³⁴
- London has thus far enjoyed an immediate boost in sports participation³⁵, and
- In Sydney and London large tracts of once industrial, polluted land, were decontaminated and remediated to create new urban public Olympic parks. The inclusion of floodwater spaces and improved defences in London's Olympic Park has reduced the flood-risk to 4,000 nearby properties.³⁶

As recent events in Brazil show, however, where actual or potential negative impacts are not adequately factored into risk-management and planning across the entire MSE life-cycle from the bid stage onwards, it can have profound consequences for the rights of workers, local residents, small-businesses, communities, athletes and other stakeholders.

The following sections briefly describe each phase of the MSE life-cycle and highlight some of the human rights related issues that have been faced.

Stage 1: Bidding and Planning

Potential Human Rights Impacts: Land acquisition / Resettlement / livelihood restoration / forced evictions

Key actors: Governing bodies / host authorities / organising committees / designers / developers / financiers / constructors.

Examples of human rights relevant impacts associated with this stage:

- 30,000 people were forcibly evicted in Atlanta before the 1996 Olympics³⁷, with 1,200 public housing units lost, and 15,000 low-income residents priced out of the city.³⁸
- About 1.5 million people were displaced to prepare for the Beijing 2008 Olympics. Human Rights Watch alleged inadequate compensation and lack of due process, with reports of unannounced night raids.³⁹
- Some 35,000 families were evicted from public lands in New Delhi for the 2010 Commonwealth Games.⁴⁰
- As many as 20,000 residents were removed from the Joe Slovo informal settlement in Cape Town to impoverished areas at the city's edge prior to the FIFA 2010 South Africa World Cup.⁴¹

³⁴ <http://www.independent.co.uk/sport/olympics/paralympics/how-the-beijing-paralympics-brought-chinas-disabled-population-in-from-the-cold-8079314.html>

³⁵ http://www.local.gov.uk/web/guest/media-releases/-/journal_content/56/10171/3708318/NEWS-TEMPLATE

³⁶ http://www.sopa.nsw.gov.au/our_park/environment; <http://www.guardian.co.uk/sport/2012/feb/06/olympic-site-stratford-urban-park> and [http://www.forestry.gov.uk/pdf/urgp_case_study_028_Olympic_park.pdf/\\$file/urgp_case_study_028_Olympic_park.pdf](http://www.forestry.gov.uk/pdf/urgp_case_study_028_Olympic_park.pdf/$file/urgp_case_study_028_Olympic_park.pdf).

³⁷ Enhancing Urban Safety and Security: Global Report on Human Settlements 2007, © United Nations Human Settlements Programme (UN-Habitat).

³⁸ Report of the Special Rapporteur on adequate housing, Op cit., p.8.

³⁹ Fair Play for Housing Rights, Op cit., p.28.

⁴⁰ Ibid.

⁴¹ Report of the Special Rapporteur on adequate housing, Op cit., p.7.

- The planned demolition of up to 450 social housing units at London's Clays Lane Estate went ahead amidst claims by some residents of delays in rehousing and inadequate compensation.^{42 43}
- Civil rights group, Witness, alleges that 170,000 Brazilians are at risk of losing – or have already lost – their homes in forced evictions tied to preparations for the World Cup and Olympics.⁴⁴

Designers, developers, financiers and constructors all risk reputational damage, fines or legal action, in cases where project design, compensation schemes, and resettlement and livelihood restoration – or the community engagement that should accompany these actions - do not adequately, or explicitly, take account of and address potential human rights impacts. Relying solely on government to provide land for MSE venues is not always adequate to ensure that there are no negative human rights impacts from the land acquisition or eminent domain process and all that flows from such governmental actions.

Through careful and appropriate planning, these potential human rights impacts should be addressed early on in the MSE life cycle. Problems do not always arise at the project's outset however. For example in London the construction in early 2012 of a last-minute temporary basketball facility on London Metropolitan Open Land (i.e. a public green space) in Leyton Marsh, prompted community protests and legal action in the final weeks and months before the London Games.⁴⁵

Stage 2: Design, tendering, venue construction and infrastructure development

Potential Human Rights Impacts: Working conditions / inclusivity / contract workers' rights / union rights / access to natural resources

Key actors: Governing bodies / host authorities / organising committees / delivery partners / construction / recruitment agencies / public or private security providers

Examples of human rights relevant issues associated with this stage:

Construction of MSE sites work on tight deadlines. In some cases this has led to tragic consequences.

- Fourteen people died⁴⁶ and over 1,000 were seriously injured on Olympic sites for Athens 2004. These sites were mainly non-unionised, and most of the workers were migrants,

⁴² <http://www.guardian.co.uk/uk/2008/jun/02/olympics2012>. See also Residents Survey Report, Commissioned by London Development Agency, 'Moving on from Clays Lane Survey of Former Tenants: Final Report', © Safe Neighbourhoods Unit (SNU), May 2008. SNU was appointed as the Independent Tenants Advisor. http://www.snu.co.uk/uploaded_files/Survey%20of%20former%20residents%20of%20Clays%20Lane%20Housing%20Cooperative.pdf

⁴³ Report of the Special Rapporteur on adequate housing, Op cit., p.8/9. According to information supplied by the IOC and the London Development Agency, the site did not meet the Government's Decent Homes Standard.

⁴⁴ <http://www.guardian.co.uk/global-development/2013/jun/18/brazil-protests-peoples-cup-evictions>

⁴⁵ <http://www.bbc.co.uk/news/uk-england-london-17764028> and <http://saveleytonmarsh.wordpress.com>. First hand interviews with Save Leyton Marsh campaigners in June-July 2012.

⁴⁶ http://enr.construction.com/business_management/safety_health/2012/0730-london-olympics-construction-is-safest-in-recent-times.asp

from Albania, Romania, and Syria; many were denied injury compensation.⁴⁷

- At the height of Beijing Olympics construction at least 10 people were reported to have died in industrial accidents⁴⁸, and some 17,000 workers complained of wage exploitation and contract denial. These workers were mainly migrants from other Chinese provinces.⁴⁹
- Nearly 50 workers were killed on construction sites for the New Delhi 2010 Commonwealth Games⁵⁰, with reports of additional fatalities and injuries on associated projects - including on Delhi Metro Rail Corporation sites - where some suggest work was accelerated to meet the Games deadline.^{51 52}
- According to the Building and Wood Workers' International union, there were 20 deaths in construction for the UEFA⁵³ Euro 2012 event in Poland and the Ukraine.⁵⁴
- From June to August 2013, 44 Nepalese migrant workers reportedly died, many from workplace accidents or heart failure in intense heat, on building projects in the run up to Qatar 2022 World Cup.⁵⁵

As with any major construction and infrastructure project, there is a risk that people may suffer unnecessarily if proper due diligence and human rights awareness are not factored into planning from the initial conception.

As well as workplace accidents, risks include workplace discrimination, denial of union rights, the exploitation of temporary workers (e.g. migrant workers who may be in debt bondage or lack legal protection), and human trafficking. Communities living near any large-scale construction and infrastructure projects are often affected. Common complaints include adverse impacts on access to energy, potable water, and housing, and concerns around public and private security.

There are opportunities to include potential human rights impacts in multiple ways at this stage: in designs (for example to ensure disability access), project management, contract tendering, the selection of delivery and construction partners, as well as recruitment practices for temporary workers, site security, and energy and water consumption.

47 <http://www.independent.co.uk/news/world/europe/thirteen-workers-die-as-safety-standards-are-ignored-in-race-to-build-olympic-sites-558698.html>

48 <http://www.reuters.com/article/2008/01/21/us-olympics-beijing-deaths-idUSSP8764420080121>

49 "One Year of My Blood" Exploitation of Migrant Construction Workers in Beijing, © Human Rights Watch, March 2008.

50 <http://www.telegraph.co.uk/sport/othersports/commonwealthgames/8016654/Commonwealth-Games-2010-disastrous-build-up-has-killed-off-Indias-Olympic-dream.html>

51 http://articles.timesofindia.indiatimes.com/2010-10-23/india/28252326_1_labour-commissioner-labour-department-bridge-collapse

52 <http://www.hindustantimes.com/India-news/NewDelhi/A-chronology-of-Delhi-Metro-accidents/Article1-431402.aspx> [and] <http://www.hindu.com/thehindu/thscrip/print.pl?file=20090814261604200.htm&date=f12616/&prd=fline&>

53 The UEFA European Football Championship is held every four years among national men's teams in the Union of European Football Associations.

54 <http://www.bwint.org/default.asp?index=4240>

55 <http://www.theguardian.com/global-development/2013/sep/26/qatar-migrant-labour-abuse>

Stage 3: Procurement and Sustainable sourcing

Issues: Poor working conditions / child labour / union intimidation / exploitation of contract and migrant workers

Key actors: Governing bodies / host authorities / organising committees / suppliers / licensees / recruitment agencies

Allegations of human rights abuses in MSE supply chains – including in the procuring of construction materials, fixtures and fittings, technology, sporting goods, uniforms (i.e. for squads and officials), merchandise, medals and food production – have surfaced repeatedly at Olympic Games and FIFA World Cups. Some examples:

- In 2006-2007, Playfair⁵⁶ published findings of instances of child labour, employees working excessive hours, and disregard for health and safety, in the supply chains of several official Olympic licensees.⁵⁷
- Clean Clothes Campaign highlighted reports of low wages and labour rights violations in football production in Pakistan, India, Thailand, and China ahead of FIFA World Cup 2010 in South Africa.⁵⁸
- In 2010, International Textile, Garment, and Leatherworkers Federation published instances of contract workers being denied written contracts, intimidation of union members, and sexual harassment in 83 factories in Indonesia, Sri Lanka and the Philippines said to supply branded kit for London 2012 teams.⁵⁹
- In April 2012 the British newspaper Independent reported cases such including low pay, long hours, and problems with union recognition at nine Indonesian factories used by Adidas, a London 2012 sportswear partner. Adidas and LOCOG investigated separately. They found some claims (notably on low pay) could not be substantiated, but where problems were confirmed remedial steps were put in place, subject to monitoring and review by LOCOG.⁶⁰

As more companies source goods and raw materials for MSEs globally, human rights risks multiply if they are sourcing from countries with weak or non-existent labour laws. Official MSE suppliers and licensees are thus likely to face pressure from stakeholders to exhibit human rights good practice. For example, in recent years suppliers have been asked to apply sourcing standards (e.g. the Ethical Trading Initiative Base Code or Fair Labor Association Workplace Code), and put in place robust assurance arrangements – including conducting independent

56 Playfair is a union and NGO consortium comprising the International Trade Union Congress, International Textile, Garment and Leather Workers' Federation (which merged to form the IndustriALL Global Union in 2012), and the Clean Clothes Campaign. It has campaigned since 2003 for sports governing bodies to act to ensure respect for workers' human rights. Before the FIFA 2010 World Cup Playfair joined with the Building and Wood Workers' International to campaign on construction working conditions. For details see: <http://www.playfair2012.org.uk/>

57 PlayFair 2008 – No medal for the Olympics on human rights report.

58 <http://www.cleanclothes.org/media-inquiries/press-releases/world-cup-soccer-balls-exploitation-still-the-norm>

59 An Overview of Working Conditions in Sportswear Factories in Indonesia, Sri Lanka & the Philippines, © ITGLWF, 2011. The report was released as part of the Play Fair campaign (ITGLWF is now part of IndustriALL). Some of the brands implicated in the report vigorously denied the allegations.

60 <http://www.independent.co.uk/news/world/asia/exposed-the-reality-behind-londons-ethical-olympics-7644013.html>; http://www.adidas-group.com/en/sustainability/News/2012/Update_Indonesia_Locog_Sept_2012.aspx; and <http://learninglegacy.independent.gov.uk/documents/pdfs/sustainability/cs-sustainable-sourcing-code-complaints-mechanism.pdf>

audits, developing human rights know-how within the management systems of factories and suppliers, and providing access to grievance mechanisms.

Governing bodies, host governments and local organisers may also face requests to ensure that all event suppliers comply with national regulation at a minimum (such as on minimum or living wage pay), and demands for human and labour rights criteria based on international standards to be included within tendering evaluations and the terms of commercial contracts. During London 2012, for example, LOCOG faced calls from Playfair, Traidcraft and others for suppliers to be required to disclose factory locations in their extended supply chain.⁶¹

Stage 4: During the Event

Issues: Criminalisation, harassment or removal of homeless people and street vendors / human trafficking and forced labour / temporary contract worker exploitation

Key actors: Host authorities / organising committees / police and security providers / hospitality sector / recruitment agencies /

A number of human rights related concerns have arisen immediately before or during recent MSEs. For example:

- Before the Atlanta 1996 Olympics, a programme entitled “Clean the Streets” saw 9,000 arrest citations issued to homeless people, most of them African-Americans.⁶²
- In 2010, prior to the World Cup in South Africa, local campaigners⁶³ and Amnesty International⁶⁴ reported police harassment of the homeless and squatters, and the forced removal of street vendors from commercial exclusion zones, including in Johannesburg, leading to loss of livelihoods.
- Drawing on the work of the Staff Wanted Initiative,⁶⁵ a BBC Newsnight report revealed allegations of migrant worker exploitation among agency staff working at two hotels - one that hosted the Chinese Olympic delegation, and one that hosted Olympic referees - during London 2012.⁶⁶ Among other allegations, workers claimed hourly wage rates were cut without warning.

⁶¹ According to the Commission for a Sustainable London 2012, [Breaking the tape – Annual Review 2011, © 2012, p.20] LOCOG called on its partners to pledge to voluntarily disclose their factory supply chains in early 2012. By June 2012, ten of LOCOG’s licensees had agreed to do so.

⁶² Fair Play for Housing Rights: Mega-events, Olympic Games and Housing Rights, © Centre on Housing Rights and Evictions (COHRE), 2007.

⁶³ <http://www.cnn.co.uk/2010/SPORT/football/06/29/world.cup.traders.fifa/index.html>

⁶⁴ <http://www.guardian.co.uk/world/feedarticle/9120192>

⁶⁵ The Staff Wanted Initiative is jointly managed by the Institute for Human Rights and Business and Anti-Slavery International and seeks to raise awareness within the UK hospitality industry of the steps needed to combat the exploitation of vulnerable workers, trafficking and forced labour.

⁶⁶ A BBC Newsnight report (26 & 27/9/12) claimed that Jani-king, the agency used by the Hilton Waldorf, altered workers’ hourly rates without warning, and threatened them with unfair dismissal. Calibre, the agency used by St Ermin’s Hotel (an Accor hotel), was reported to pay workers piece-rates of pay below the minimum wage. St Ermin’s said it had ceased working with Calibre over related irregularities. Calibre maintained it paid hourly pay rates and complied with government requirements. See footnote 7 for detail of the company responses and the remedial steps taken.

- A clampdown on prostitution in the five Olympic London boroughs put vulnerable women at risk, according to sex worker charities, which said actions by the authorities were likely an over-reaction to an anticipated influx of trafficked sex workers.⁶⁷

Contract workers⁶⁸, many of whom may be migrant workers lacking legal protection, are in high demand both during the construction phase, and around the time of the event itself in the hospitality, cleaning, catering, transport and security sectors. Some contract workers are recruited directly by the local organisers or agencies acting on their behalf for work on official sites. Others are hired by businesses, such as hotels and restaurants that may have no formal or official involvement. Irrespective, stakeholders are demanding new approaches to ensure the rights of these workers are protected.

Governing bodies and sponsors that, for example, have contracts with hotels for the duration of the MSE, have faced requests to use their influence with the hotels in question to encourage responsible workplace and recruitment practices. Ahead of London 2012 a coalition of UK and US investors and NGOs wrote to the IOC, twenty London 2012 sponsors and 33 hospitality chains, urging them to train staff and suppliers to recognise and combat the risk of human trafficking and forced labour in their hiring and recruitment practices for workers and in their supply chains. The campaign unearthed good practice on training of staff and suppliers on human rights and combating child sex tourism, but less evidence of fair and responsible recruitment.⁶⁹

A. Human rights issues linked to MSE sponsors and commercial partners

Since the unprecedented financial success of the 1984 Los Angeles Olympics, MSEs have not only increased massively in scale and in levels of public scrutiny, they have also seen an upsurge in the involvement of business in virtually every aspect of their preparation and staging. Official sponsorship and commercial partnering are no exceptions, and encompass both FIFA and Olympic sponsoring⁷⁰, and the national level sponsoring and partnerships, which are typically the purview of the local organisers rather than the sports governing body. In recent years, some media and civil society groups have concentrated on human rights concerns specifically in relation to companies in their capacity as an MSE supporter or formal supplier. For example, 'The Independent'⁷¹ and NGO coalition Greenwash Gold⁷² reported allegations against the mining firm Rio Tinto - a London 2012 'third-tier supplier' – over air pollution in Utah, USA,⁷³ and adverse impacts on water use in the Mongolian desert; both locations from which it sourced metal ore for Olympic medals.⁷⁴ The company denied the allegations, saying it

⁶⁷ <http://www.telegraph.co.uk/news/uknews/law-and-order/9180739/Prostitutes-cleaned-off-the-streets-ahead-of-the-Olympics.html>

⁶⁸ A contract worker is an employee who works under contract for an employer. A contract employee does not become a regular addition to the staff and is not considered a permanent employee, and is not usually entitled to the same benefits, such as employee pensions or sick pay.

⁶⁹ Corporate Strategies to Address Human Trafficking: Investor Recommendations for London Olympic Sponsors and Hospitality Companies, Christian Brothers Investment Service, the Interfaith Center on Corporate Responsibility and Ecumenical Council for Corporate Responsibility, 2012.

⁷⁰ These principal worldwide sponsors are known as the FIFA partners and Worldwide The Olympic Partner (TOP) sponsors respectively.

⁷¹ <http://www.independent.co.uk/environment/green-living/pollution-row-hits-mining-firm-supplying-olympic-medals-2267944.html>

⁷² Greenwash Gold 2012 was a joint campaign developed by: London Mining Network, Bhopal Medical Appeal and UK Tar Sands Network.

⁷³ http://www.huffingtonpost.co.uk/2012/06/19/olympics-2012-rio-tinto-medal-environment_n_1608522.html

⁷⁴ http://www.riotinto.com/london2012/20461_rio_tinto_sponsors_two_of_mongolias_top_olympians.asp

complies with strict air quality regulations in the USA,⁷⁵ and is committed to zero-water impact around the Oyu Tolgoi mine in Mongolia.⁷⁶

A number of campaigners have also targeted major sponsors, based on perceptions over their potential leverage. Ahead of the Beijing Olympics, corporate sponsors GE and Coca-Cola were targeted in the hope they could persuade the Chinese government to stop repression in Tibet or halt crimes against humanity (e.g. the Save Darfur Coalition's Dream for Darfur: Olympic Torch Relay campaign).⁷⁷ Other groups have focused on the sponsors' alleged complicity in human rights abuses unrelated to the MSE itself, notably over a former Dow subsidiary Union Carbide (India)'s role in the 1984 Bhopal tragedy⁷⁸, or London 2012 'Sustainability Partner' BP's role in the 2010 Deepwater Horizon disaster.⁷⁹ On the eve of the London 2012 Paralympics, protestors from Disabled People Against the Cuts clashed with police over Olympic sponsor Atos's role in controversial UK "fitness-to-work" tests on incapacity benefit claimants.⁸⁰

Such examples may be seen to reflect badly on the governing body or local organisers that invited these companies to be sponsors, as was highlighted by London's Commission for a Sustainable London 2012 as an area of particular stakeholder concern. In its final 'Beyond 2012 - Outcomes Report',⁸¹ the Commission recorded calls by key constituents for an ethical framework or set of ethical criteria for commercial backers.

Also indirectly linked to sponsors are concerns surrounding so-called 'brand-policing', where host city and organisers' efforts to protect official sponsors' commercial rights from 'ambush marketing' by competitors have led infringement of free speech and the right to protest. For example:

- British Columbia's Civil Liberties Association (BCCLA) and Liberty raised concerns over broadly framed legislation introduced in Canada and London ahead of Vancouver 2010 and London 2012 Olympics respectively, under Olympic Host City Contracts.⁸² These contracts create specific institutions and powers, and curb unauthorised advertising and street vending in prime locations. Liberty highlighted sweeping powers under the London Olympic Games and Paralympic Games Act (2006) – which among other things forbade the use of terms like 'London', '2012', and 'Games' being used together on any public materials,

75 Rio Tinto's response to Independent article:

http://business-humanrights.org/Search/SearchResults?SearchableText=Olympics&sort_on=publication&batch_size=10&batch_start=2

76 <http://www.independent.co.uk/news/uk/politics/greenest-ever-olympics-claims-dismissed-as-corporate-spin-7647995.html>

77 http://www.savedarfur.org/pages/dream_for_darfur_olympic_torch_relay. Neither company was directly involved in the abuses themselves.

78 Amnesty International UK and the Indian Olympic Association were among those lobbying the IOC to end Dow's sponsorship of the London Games. This prompted Action Aid executive Meredith Alexander's resignation from the independent oversight body, the Commission for a Sustainable London 2012. The Bhopal gas plant was operated by Union Carbide in 1984. Union Carbide completed a merger with Dow Chemical in 2001. Union Carbide had sold its Indian assets in 1994 to McLeod Russel (India) Ltd. (later renamed Eveready Industries India Ltd.) and it funded the building of a hospital in Bhopal.

79 <http://www.ft.com/cms/s/0/149de3ce-ad9b-11e2-a2c7-00144feabdc0.html#axzz2co5Hfodu>

80 <http://www.guardian.co.uk/society/2012/aug/31/atos-protest-paralympics-sponsor>

81 <http://www.cs london.org/publications/?did=111>

82 The IOC and FIFA's Host City Contract/Agreement requires host authorities to introduce legislation or by-laws to prohibit ambush marketing, and control or eliminate street vending. FIFA expects FIFA authorised representatives, or public officials of the Host City acting in close coordination with FIFA, to be given the powers to immediately confiscate any materials and/or halt any activities which constitute acts of Ambush Marketing.

even where the purpose was non-commercial or educational.⁸³

- During London 2012, UK journalists highlighted concerns around over-zealous policing of public protests during the Olympics, including multiple arrests at London's longstanding monthly Critical Mass pro-cycling ride.⁸⁴ Several of those detained during the pro-cycle rally, which coincided with the Olympic opening ceremony, alleged they were subject to indiscriminate police tactics.

Heavy-handed 'brand policing' risks unwarranted constraints on free speech. It also risks adversely impacting the livelihoods of small-business owners and street vendors within commercial exclusion zones; groups which arguably present no clear commercial threat to official sponsors or suppliers.⁸⁵

B. Human rights challenges and MSE sporting competition

Both the IOC and FIFA have clear rules governing non-discrimination and respect for individual integrity. For example, the IOC's Fundamental Principles of Olympism explicitly encourages: "the promotion of women in sport at all levels and in all structures." Yet discrimination against women in sport remains a concern. Examples include:

- London 2012 was the first Olympics to see female athletes compete for all national teams. But gender inequality persists. There were 30 fewer gold medal-awarding events available to women than men in 2012. And though a few women represented Saudi Arabia, Qatar and Brunei in 2012, Human Rights Watch has urged the IOC to consider imposing a ban on future Saudi involvement in the Olympics (as it did with Taliban Afghanistan in 1999) until the Kingdom does more to expand opportunities for women and girls in sport⁸⁶, and allows girls to participate in physical education in Saudi public schools.⁸⁷
- British campaigner Peter Tatchell claims gay athletes in over 150 countries are forced to hide their sexuality in order to be selected for their respective Olympic teams. He has called on the IOC to enforce its policy outlawing discrimination on grounds of sexual orientation and gender identity.⁸⁸
- FIFA and UEFA have faced difficulties when it comes to enforcing anti-discrimination policies in football.⁸⁹ Ahead of UEFA's Euro 2012 in Poland and Ukraine, media reports created alarm among visiting players and fans over the risk of possible racial abuse and attacks based on earlier incidents of racially motivated abuse by neo-Nazi groups in Ukraine towards visiting teams.⁹⁰ And in December 2012, Serbia was fined £65,000 and sanctioned over on-the-pitch incidents triggered by racist chanting directed towards

⁸³ <http://www.liberty-human-rights.org.uk/campaigns/olympics/freedom-games-.php> London employed nearly 300 enforcement officers. See also <http://www.guardian.co.uk/sport/2012/apr/13/olympics-2012-branding-police-sponsors>,

⁸⁴ The police said 182 arrests were made. Three persons were charged. <http://www.guardian.co.uk/uk/2012/jul/29/critical-mass-police-arrest-three>

⁸⁵ The Independent, "Britain flooded with 'brand police' to protect sponsors" 16/7/12, claims restaurants told not to prepare food that could be construed to have an Olympic association.

⁸⁶ Steps of the Devil - Denial of Women and Girls' Right to Sport in Saudi Arabia, © Human Rights Watch 2012.

⁸⁷ In May 2013 Saudi Arabia's press agency, SPA, announced that Saudi girls would be able to play sport in private schools for the first time. The move is being seen as part of an incremental Saudi response to intense pressure from the IOC ahead of London 2012 for the kingdom to end its practice of sending only male teams to the games [<http://www.guardian.co.uk/world/2013/may/05/saudi-arabia-allows-women-sport>].

⁸⁸ <http://www.petertatchell.net/sport/London-Olympic-protesters-urge-No-discrimination.html>

⁸⁹ In March 2013, FIFA announced plans to set up a FIFA Anti-Racism and Discrimination Taskforce. See section on FIFA below for recent details.

⁹⁰ <http://www.chathamhouse.org/media/comment/view/183825>

- opposing Black English players during a Euro2013 Under-21 match held in Serbia.⁹¹
- Right to privacy and medical confidentiality issues arose in the cases of Indian athlete, Santhi Soundarajan, at the Asian Games 2006, and South African, Caster Semenya, at the 2009 IAAF World Championships, both of whom discovered the results of sensitive gender tests linked to potential performance enhancement via the public news media.⁹²

Although these issues are not directly connected with business, commercial sponsors and broadcasters are part of the wider picture when it comes to addressing racism and discrimination at MSEs and in sport more broadly. The UK's Women's Sport and Fitness Foundation found, for example, that women's sports get 0.5% of commercial sports sponsorship and only 5% of media coverage.⁹³ Tennis player Martina Navratilova claimed that she lost \$12million in sponsorship deals when she came out as a Lesbian.⁹⁴ Such patterns point to deep gender-based discrimination, suggesting the need for greater dialogue and collective action involving governing bodies, governments and business, including sponsors and commercial partners. It is in the interest of sport governing bodies, sports federations and MSE organisers to demonstrate how they live up to their own ethical principles, and respond to calls from the UN and others to redouble efforts around discrimination, racism and xenophobia in sport.⁹⁵

5) The sports governing bodies: sustainability and human rights

The sports governing bodies can play an active role in advancing respect for human rights and in reducing adverse rights impacts associated with MSEs. These authorities set the rules that all other actors are expected to follow in delivering an MSE. High ideals are often associated with MSEs in the public imagination. In the case of the two preeminent sports governing bodies, the IOC and FIFA,⁹⁶ principles of human dignity, integrity and participation are cemented in their respective constitutions (see below). Some have gone so far as to suggest that the Olympic Movement is different from other sports events and sport bodies by being officially linked to an ideology.⁹⁷ And both the IOC and FIFA in their respective ways are actively working to embed integrity and sustainability safeguards - including some that are human rights-related - into their internal processes. Yet when it comes to ensuring that respect for human rights is built into MSEs from the bidding stage onwards, the picture currently seems incomplete and with scope for greater coherence.

⁹¹ <http://www.bbc.co.uk/sport/0/football/21899989>

⁹² <http://edition.cnn.com/2009/WORLD/asiapcf/09/14/Semenya.India.Athlete/index.html>

⁹³ <http://www.reuters.com/london-olympics-2012/articles/boxing/2012/08/12/women-warriors-urged-keep-fight>

⁹⁴ <http://observer.guardian.co.uk/osm/story/0,,946699,00.html>

⁹⁵ Major sports governing bodies are encouraged to follow UN Human Right Council Resolution "A world of sports free from racism, racial discrimination, xenophobia and related intolerance," A/HRC/Res/13/27 (15 April 2010), and draft the resolution, A/HRC/18/L.18/Rev.1

⁹⁶ The IOC and FIFA are international non-governmental organisations. Affiliated units at the national level may be under governmental control.

⁹⁷ Such as Sigmund Loland, Associate Professor of Physical Education at the Norwegian State University for Sport and Physical Education, Oslo in 'Coubertin's Ideology of Olympism from the Perspective of the History of Ideas', *Olympika: The International Journal of Olympic Studies* Volume IV, 1995, pp. 49-78.

IOC and FIFA – Core Principles

The Olympic Charter (the Charter) is the Olympic Movement's constitution.⁹⁸ It sets out basic rules, such as the formalities for opening and closing ceremonies, but also contains the ideological core of the Olympic Movement: namely the 'Fundamental Principles of Olympism'. These reveal that human rights-related principles are in many ways woven into the fabric of the Olympics. The Fundamental Principles proclaim that: 'Olympism is a philosophy of life', and encourage 'social responsibility and respect for universal fundamental ethical principles', 'the harmonious development of humankind', and 'the preservation of human dignity'. A 1996 revision further decreed: 'The practice of sport is a human right,' and for every individual to 'have the possibility of practising sport, without discrimination of any kind'. It also urged 'the promotion of women in sport at all levels,' and for the Olympic Movement 'to demonstrate a responsible concern for environmental issues, [and] takes measures to reflect such concern in its activities and educate all those connected with the Olympic Movement as to the importance of sustainable development.'

The Charter should be observed by the local organising committees responsible for staging an Olympic Games, as well as National Olympic Committees in the way they manage and promote sport domestically.

In tandem, the IOC's Code of Ethics is regarded as an integral part of the Olympic Charter. It comprises rules on dignity, integrity, non-discrimination, against harassment, confidentiality, and the conduct of candidate cities.⁹⁹ The IOC's Ethics Commission (created in the wake of the 1998 corruption controversy surrounding Salt Lake City's bid for the Winter Olympics) is responsible for the IOC's Code of Ethics, including for investigating complaints. While severe sanctions have not been applied to date, the IOC expects all the Olympic Movement's constituent 25 International Sporting Federations, including FIFA, to 'adopt a code of ethics based on the principles and rules of the IOC Code of Ethics or adopt the IOC Code of Ethics in a written declaration', and as such the Code of Ethics has substantial reach in the orbit of MSEs.

However, the IOC's efforts to ensure that the Olympic Games are not subverted for political ends, which are comprised within Rule 50 of the Olympic Charter¹⁰⁰, tread a fine line with regard to limiting respect for free speech. Rule 50 stipulates that: 'No kind of demonstration or political, religious or racial propaganda is permitted in any Olympic sites, venues or other areas' and that 'any violation of the provisions ... may result in disqualification or withdrawal of the accreditation of the person concerned. The decisions of the IOC Executive Board regarding this matter shall be final'.

⁹⁸ The Olympic Charters is revised approximately every two years. See: http://www.olympic.org/Documents/olympic_charter_en.pdf

⁹⁹ The IOC Code of Ethics section on 'Dignity' includes the rules that: 'There shall be no discrimination between the participants on the basis of race, gender, ethnic origin, religion, philosophical or political opinion, marital status or other grounds' and that 'All forms of harassment of participants, be it physical, professional or sexual, and any physical or mental injuries to participants, are prohibited'.

¹⁰⁰ For details on Rule 50 its bye-laws, see pages 91-94 of the Olympic Charter: http://www.olympic.org/Documents/olympic_charter_en.pdf

FIFA's constitution, the FIFA Statutes (the Statutes)¹⁰¹, bind FIFA's 208 national Member Associations. Like the IOC's Charter, these Statutes are similarly infused with human rights-related concepts. They comprise a commitment to 'promote [football] globally in the light of its unifying, educational, cultural and humanitarian values, particularly through youth and development programmes'; to 'non-discrimination and stance against racism' and to 'promote friendly relations ...in society for humanitarian objectives'. FIFA's Our Commitment document also explicitly recognises that parts of the world are 'still deprived of their basic rights' and highlights the need to use the power of football for 'social and human development' and as 'a symbol of hope and integration'.¹⁰² In June 2011, FIFA's Congress voted to strengthen its Ethics Committee, leading to a new FIFA Code of Conduct in May 2012. The Code addresses non-discrimination and includes a section on anti-harassment.

IOC and FIFA – Practice

Both lead sports governing bodies have begun factoring sustainability considerations into the way they do business. The IOC's Sport and Environment Commission - which advises on environmental protection, has put in place internal processes like the Olympic Movement's Agenda 21: Sport for Sustainable Development (1999). This was the upshot of a 1994 IOC-UN-EP cooperation agreement to develop joint initiatives.¹⁰³ The Agenda encompasses several human rights relevant themes, like fighting social exclusion, health protection, and advancing the role of women, young people¹⁰⁴ and indigenous peoples. On education too, IOC's Teaching Values: An Olympic Education Toolkit (2007) has a complete chapter on 'Respect for others', and a full-page introduction to the Universal Declaration of Human Rights and a youth human rights role-play exercise.

In parallel, FIFA has also entered into strategic alliances with UN bodies including the UN Children's Fund (UNICEF), the International Labour Organisation (ILO) and the UN High Commissioner for Refugees (UNHCR).¹⁰⁵ In 2013, following a series of race-related incidents on and off the pitch, FIFA convened a new Anti-Racism and Discrimination Taskforce to address racist and discriminatory acts in football; the UN Office of the High Commissioner for Human Rights is represented.¹⁰⁶

Crucially, with respect to IOC bid requirements for MSEs, its 2020 Candidature Procedure and Questionnaire requires candidate cities bidding to host the Summer Olympics and Paralympics to submit an initial environmental impact assessment, to describe their stakeholder engagement plans on environmental issues, and to explain their accessibility proposals and legacy plans for the Paralympics and to spell out how these "can contribute to sporting and social development..."

101 <http://www.fifa.com/mm/document/affederation/generic/01/66/54/21/fifastatutes2012e.pdf>

102 http://www.fifa.com/mm/document/footballdevelopment/education/55/95/17/fifa_brandbroschuere_23x23_e_13324%5B1%5D.pdf

103 The UN Environment Programme has collaborated with the various OCOGs, including Athens (2004), Torino (2006), Beijing (2008), Vancouver (2010), London (2012), Sochi (2014) and has recently has been invited by the Rio de Janeiro organisers to assist in its preparations for Rio 2016.

104 A goal of OM Agenda 21 includes: "to declare its endorsement of the United Nations Convention (Resolution 44/25) on children's rights".

105 FIFA Partners and Supporters - <http://www.fifa.com/aboutfifa/socialresponsibility/fifapartners/index.html>

106 <http://www.fifa.com/aboutfifa/socialresponsibility/news/newsid=2074776/index.html>

But it has yet to demand social or human rights impact assessments, to call for stakeholder consultation on social issues, or to prioritise, or even explicitly use the term, “human rights” within the 2020 Candidate Procedure and Questionnaire; aside from one stipulation for cities to outline their selection criteria for procuring goods and services, encompassing the steps that will be taken to “ensure that social and environmental factors (specifically with regard to labour standards) are taken into account”.¹⁰⁷

FIFA’s Bidding Agreement for the 2018 and 2022 World Cups¹⁰⁸ similarly called for an environmental impact assessment and comprehensive stakeholder outreach. And although FIFA does ask prospective host candidates to give a general explanation of how their bid can contribute to ‘sustainable social and human development’, including regarding ‘tolerance, equality and social integration’ and improving health standards, no formal social impact assessment or stakeholder outreach on social matters is required, nor is there any explicit reference to “human rights” within the bid literature.

In general, FIFA does not appear to ask as much as the IOC in its bid-city requirements on matters of disability access, socially sustainable sourcing or procurement.¹⁰⁹ Interestingly though, FIFA and the Brazilian organisers have made unambiguous and explicit commitments around human rights (including on labour rights and human trafficking) in the 2014 FIFA World Cup Sustainability Strategy – Concept.¹¹⁰ This strategy is built around social responsibility standard ISO 26000, and as such is aligned with the 2011 UN Guiding Principles on Business and Human Rights on the need for corporate human rights due diligence and the resolution of grievances. Moreover, in November 2011, FIFA publicly committed to supporting workers’ rights, including those of migrant workers, ahead of Qatar 2022; and has pledged to work with the International Trade Union Confederation (ITUC) to “add labour-related criteria to the bidding process for future FIFA World Cups.”¹¹¹

Both the IOC and FIFA may be reaching a turning point when it comes to treating human rights on par with environmental concerns in staging MSEs. Following the 2009 XIII Olympic Congress¹¹², for example, the IOC began a process of integrating Recommendation 30 by which the IOC pledged:

- a) “to intervene at the OCOG [organising committee] level in the event of serious abuse, such as:
- mistreatment of people displaced due to Olympic venue construction;
 - abuse of migrant workers at Olympic venue construction sites;

107 See 2020 Candidature Procedure and Questionnaire, © IOC May 2012. The initial environmental impact assessment and other related studies must be submitted during the IOC Evaluation Commission’s visit which takes place several months ahead of the IOC host city vote.

108 The FIFA Bidding Agreement: regarding the submission of bids for the rights to host and stage the 2018 FIFA World Cup™ and 2022 FIFA World Cup™ can be found at www.transparencyinsport.org

109 The 2007 Brazil Bid Inspection Report for the 2014 FIFA World Cup™ made no reference to social or environmental issues unlike the later 2018 and 2022 FIFA World Cup™ bid evaluation reports.

110 http://www.fifa.com/mm/document/fifaworldcup/generic/02/11/18/55/sustainabilitystrategyconcept_neutral.pdf

111 See for further information: Building a Better World Cup Protecting Migrant Workers in Qatar Ahead of FIFA 2022, ©Human Rights Watch 2012.

112 The Congress is an occasional meeting bringing together all members of the Olympic Family, which comprises IOC members, representatives of National Olympic Committee, International Sporting Federations, the Organising Committees of the Olympic Games (OCOGs), athletes, coaches, media, sponsors and other stakeholders) to discuss issues of importance to the entire Olympic Movement. UN Secretary General Ban Ki-moon was keynote speaker at the 2009 Congress. In late 2009 the IOC was granted official observer status by the UN.

- child labour;
 - improper restrictions on the media’s freedom to cover the Games, including cultural aspects”;
- b) “[to] establish a system for correctly identifying and dealing with “legitimate complaints” from official sources;
- c) “not intervene in non-sport human rights issues”; and,
- d) to determine the “leverage that the IOC has towards the OCOGs” which “might lead to amendments to the Host City Contract and documentation for Bid Cities.”¹¹³

According to a 2013 Human Rights Watch report¹¹⁴, since this was agreed, the IOC has begun raising Human Rights Watch’s concerns over migrant worker exploitation in the run up to the Sochi 2014 Winter Olympics with the Sochi Organising Committee, and has sought responses from them and Olympstroy (the state-run delivery company) in relation to a number of complaints. At the time of publication, Human Rights Watch had residual concerns over the level of specificity in those responses. It will be interesting to see if the mass protests in Brazil and controversy over homosexual rights in Russia prompt a review of the “Host City Contract and documentation for Bid Cities” suggested in point (d) above.

In summary, both the IOC and FIFA’s ethos and existing processes lend themselves to clearer prioritisation of human rights concerns. Both bodies have embedded environmental protection within their bid process and agreements with Host Cities. The IOC in fact talks with pride of having been “one of the first organisations to pick up” the baton following the 1992 Rio Earth Summit¹¹⁵ at which three ground-breaking multilateral environmental agreements were agreed.¹¹⁶ This raises the question as to whether there is now an opportunity for sports governing bodies to champion respect for human rights, given the advent in 2011 of the similarly groundbreaking UN Guiding Principles on Business and Human Rights (Guiding Principles). In light of the unrest in Brazil over the social impacts of the World Cup and Olympics, and the fact that many major MSE commercial partners have themselves begun to develop human rights due diligence processes the Guiding Principles advocate (see Fig 2, page 25), the argument is all the more compelling.

6) What can the UN Guiding Principles on Business and Human Rights contribute to MSEs?

If MSEs are to reduce the risk of negative human rights impacts, which inevitably lead to critical media coverage, a new approach is needed. The Guiding Principles are the authoritative global standard for averting and confronting adverse human rights impacts linked to busi-

¹¹³ http://www.olympic.org/Documents/Congress_2009/XIII-Olympic-Congress_Follow-up_EN.pdf

¹¹⁴ Race to the Bottom: Exploitation of Migrant Workers Ahead of Russia’s 2014 Winter Olympics in Sochi, © 2013 Human Rights Watch, p58-60.

¹¹⁵ Source: Sustainability Through Sport - Implementing The Olympic Movement’s Agenda 21, © IOC 2012, p.9..

¹¹⁶ The UN Conference on Environment and Development (UNCED) of 1992, established the UN Framework Convention on Climate Change; the Convention on Biological Diversity, and the Convention to Combat Desertification, and resulted in Agenda 21, a non-binding UN action plan.

ness activity. They are the result of a six-year multi-stakeholder process led by the UN Secretary-General's Special Representative, Professor John Ruggie of Harvard University, and were unanimously endorsed by the 47 member States of the UN Human Rights Council in 2011.

The Guiding Principles¹¹⁷ not only reaffirm State duties to protect people from human rights abuses involving third parties, including businesses, but also provide a blueprint for companies to know and show that they respect human rights, and reduce the risk of causing or contributing to human rights harm. They also constitute a benchmark by which stakeholders can gauge company human rights performance, and the effectiveness of governments in holding companies to account.¹¹⁸ As such they can be invaluable to MSEs, which depend upon public-private collaboration.

The Guiding Principles apply across the full MSE life-cycle and to all types of relationships because they apply to governments and government-run bodies, public-private-partnerships, and companies. The Guiding Principles reaffirm the duties of governments (including host federal, state or municipal authorities) to protect human rights and make clear these obligations apply irrespective of whether their activities are carried out under direct government control or outsourced to private companies.¹¹⁹

In some cases, delivery of MSEs is divided between a public body responsible for physical construction that is accountable to government, and a private event organising company.¹²⁰ Under the Guiding Principles, host governments have a duty to ensure that human rights are protected when public and private bodies are entrusted with any aspect of delivering a MSE.

The Guiding Principles comprise three key pillars:

- The state duty to protect against human rights abuses by non-state actors, including business enterprises, through policies, regulation and adjudication;
- The corporate responsibility to respect human rights, which means all businesses should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved;
- The need for greater access to effective remedy by victims, both judicial and non-judicial.

¹¹⁷ Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework, HR/PUB/11/04, © 2011 United Nations.

¹¹⁸ Press release by the Special Representative of the United Nations Secretary-General for business & human rights on the publication of the UN Guiding Principles for business & human rights, 24 March 2011 (Geneva and New York).

¹¹⁹ According to the Commentary to UN Guiding Principle #5 "States do not relinquish their international human rights law obligations when they privatize the delivery of services that may impact upon the enjoyment of human rights."

¹²⁰ Ahead of the Sydney 2000 Olympics, the Olympic Coordination Authority was a statutory authority of the NSW government responsible for physical preparation, while SOCOG was a corporation set up by the NSW government responsible for planning and staging the games. In London the Olympic Delivery Authority (ODA) was responsible for developing and building new venues and infrastructure for the Games and accountable to Government, the GLA and other stakeholders, while LOCOG was as a private limited company, responsible for preparing and staging London 2012. By contrast the Vancouver 2010 Winter Olympics, Vancouver's Organizing Committee (VANOC) was a non-profit organisation.

Under the Guiding Principles, all companies irrespective of size or sector, including privately run event-organisers, have a responsibility to respect all international human rights standards.

¹²¹ In practice this means each company should:

- a) make a public commitment to respect human rights;
- b) put in place human rights due diligence processes to identify, prevent, mitigate and account for any adverse impacts on human rights. This includes conducting stakeholder consultation, assessing actual and potential human rights impacts, integrating and acting upon the findings, tracking responses, and communicating how impacts are addressed;
- c) ensure remediation is available for any adverse human rights impacts they cause or to which they contribute.¹²²

The Guiding Principles are not just relevant to companies that have a contractual relationship with the sports governing body, the MSE host authorities, or local organisers. They would also apply, for example, to companies involved in the construction, servicing or staffing of hotels that are not part of an official MSE hospitality programme. If mismanaged it can tarnish the image of the event itself. Sponsors, licensees, media and other commercial partners are covered too. In short, all companies have the same responsibility to respect human rights, and all host authorities have a duty to hold companies to account.

Sports governing bodies and their affiliates could also be said to have a moral and reputational incentive to promote the Guiding Principles with the host authorities and companies with whom they do business. Commercial sponsors are themselves taking reputational concerns more seriously, and are showing a greater willingness to act where they believe such concerns could hurt their investment. This is evident, for example, from the decision of Thomson Reuters and Vodafone to limit their sponsorship at the 2013 Bahrain F1 Grand Prix over that country's ongoing human rights crisis.¹²³

The Guiding Principles are not a panacea. They will not bring a definitive end to negative human rights impacts or adverse media publicity. They do however, if implemented from the outset of the MSE life-cycle, reaffirm state duties with respect to protecting individuals from rights abuses involving non-state actors, as well as offer a process to mitigate and effectively manage business-related human rights risks. They also enable companies to respond to stakeholder concerns in a timely way, potentially halting problems before they escalate.

121 According to the UN Guiding Principle #12, "The responsibility of business enterprises to respect human rights refers to internationally recognized human rights – understood, at a minimum, as those expressed in the International Bill of Human Rights [i.e. the Universal Declaration of Human Rights, and the two International Conventions on Economic, Social and Cultural Rights, and Civil and Political Rights] and the principles concerning fundamental rights set out in the International Labour Organization's Declaration on Fundamental Principles and Rights at Work

122 The commentary to Guiding Principle 14 explains: "The means through which a business enterprise meets its responsibility to respect human rights will be proportional to, among other factors, its size. Small and medium-sized enterprises may have less capacity as well as more informal processes and management structures than larger companies, so their respective policies and processes will take on different forms. But some small and medium-sized enterprises can have severe human rights impacts, which will require corresponding measures regardless of their size."

123 <http://www.pesstv.ir/detail/2013/04/14/298172/f1-sponsors-to-limit-activities-in-bahrain/> and <http://www.scotsman.com/the-scotsman/business/vodafone-mclaren-f1-sponsorship-deal-to-end-1-2837597>

7) Emerging good practice to advance human rights at MSEs

Good practice from worldwide sponsors

Another persuasive reason for sports governing bodies and MSE host authorities to align their bidding and MSE hosting procedures with the UN Guiding Principles, is that a large number of the principal Olympic and FIFA sponsors are already comfortable with human rights concepts and are starting to adopt human rights due diligence approaches. Strong state backing for the Guiding Principles at the UN in 2011, and subsequent uptake of the 'corporate responsibility to respect' human rights principle into other widely used international standards and corporate management guidance systems¹²⁴, has continued to develop, including among small-to-medium-sized enterprises (SMEs).

Fig. 2 (right) shows the principal sponsors of the Olympics and FIFA World Cups and their public human rights commitments.¹²⁵ These findings mirror those identified by a US and UK coalition of investors and civil society organisations who looked into corporate strategies to address human rights ahead of the London 2012 Olympics.¹²⁶ In a survey of twenty London 2012 Olympic and Paralympic sponsors and partners¹²⁷, they found that 63% of Olympic sponsors and partners mentioned the Guiding Principles. In parallel, national governments – including some preparing, or bidding, to host MSEs - are seeing value in the human rights due diligence approach advocated by the Guiding Principles. The US Dodd-Frank Act on conflict minerals (Section 1502), for example, requires companies to conduct due diligence on their supply chain and report to the Securities and Exchange Commission. European Union and ASEAN (Association of Southeast Asian Nations) members are also developing implementation plans for the Guiding Principles.

Good practice from sports governing bodies

Organising an MSE is a gargantuan task. It poses many challenges, including with respect to human rights. The tests and lessons to be learnt in staging an MSE inevitably vary from one context to the next, but as outlined above, certain issues and patterns recur over time. Encouragingly, experiences from recent MSEs show the emergence of a number of good practices to help guide the future conduct of such events. The challenge will lie in putting systems in place so that these can be replicated in multiple settings.

124 The corporate responsibility to respect, and concepts of human rights due diligence and need for remedial mechanisms, also feature, for example, in the OECD Guidelines for Multinational Enterprises (updated 2011), the International Finance Corporation's revised Sustainability Framework and Performance Standards of and ISO 26,000's Guidance on Social Responsibility.

125 This research was undertaken by IHRB based on information published on the corporate website of each company included in the list.

126 Corporate Strategies to Address Human Trafficking: Investor Recommendations for London Olympic Sponsors and Hospitality Companies, Christian Brothers Investment Service, the Interfaith Center on Corporate Responsibility and Ecumenical Council for Corporate Responsibility, 2012.

127 The UK/US Coalition of investors and NGOs led by the Christian Brother Investment Service found in the aforementioned survey that of the 20 Olympic sponsors and 33 hospitality companies approached, that Adidas, ArcelorMittal, and GE were among the sponsors who referred to the use of human rights risk assessments in their responses to the coalition and/or in their public reporting. Those surveyed included Acer, Adidas, ArcelorMittal, BMW, Cadbury/Kraft Foods, Cisco, Coca-Cola, Dow Chemicals, Freshfields, GE, John Lewis, McDonald's, Next, Omega/Swatch, Panasonic, P&G, Rio Tinto, Sainsbury's, Samsung, and UPS.

Fig. 2: Human Rights Commitments for Olympic TOP Sponsors and FIFA Partners

	Worldwide Olympic Partners (TOP)	FIFA Partners	Human Rights Policy *	Reference to UDHR**	Reference to UN Guiding Principles ***	Application to suppliers / business partners****
Adidas		Yes	Yes	Yes	Yes	Yes
Atos	Yes		Yes	Yes		Yes
Dow	Yes		Yes	Yes		Yes
Emirates		Yes				
GE	Yes		Yes	Yes	Yes	Yes
Hyundai-Kia Motors		Yes	Yes	Yes		Yes
McDonald's	Yes		Yes	Yes		Yes
Omega	Yes					
Panasonic	Yes		Yes	Yes	Yes	Yes
P&G	Yes		Yes		Yes	Yes
Samsung	Yes		Yes			Yes
Sony		Yes	Yes	Yes		Yes
The Coca-Cola Company	Yes	Yes	Yes	Yes	Yes	Yes
Visa International	Yes	Yes				

* Explicitly use the term human rights in their public corporate policy statements.

** Reference to the Universal Declaration of Human Rights (1948)

*** Reference to UN Protect, Respect, and Remedy Framework (2008) / UN Guiding Principles of Business and Human Rights (2011)

**** The company states that it applies its human rights commitments to its suppliers and other business partners.

NOTE: This table is based on information from publicly available sources.

In 2003 the IOC identified the need to add the promotion of “positive legacy” to the Olympic Charter. The IOC recognised that the complexities and impacts of staging an MSE upon a host city warranted a greater transfer of knowledge to help bid cities and future organising committees to hit the ground running. Although the Olympic Movement did not have much sustainability-related knowledge to transfer to London when it won the bid for the 2012 Olympics in 2005, the IOC has since established an Olympic Games Knowledge Management Programme, through which it collects and transfers lessons and best practices for future host cities, and the Olympic Games Impact studies.¹²⁸

128 Since 2003, the IOC has asked all OCOGs to conduct the OGI study. These encompass economic, socio-cultural and environmental impacts, and cover a span of 12-years from two years prior to the host city’s election At present, the OCOGs from London 2012, Sochi 2014, Rio 2016 and PyeongChang 2018 are doing so.

The IOC's legacy systems are not yet in the public domain and are relatively new. But they have the potential to help perpetuate new human rights good practice and risk management strategies in Olympic planning and execution, and to be a model for other MSEs.

FIFA meanwhile demonstrated that it is prepared to set mandatory labour rights standards for companies with whom it does business. The World Federation of the Sporting Goods Industry (WFSGI) introduced the WFSGI Pledge for the FIFA Quality Programme for football manufacturers in 1997. 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. Since an update in 2010, this Code covers the core conventions of the ILO, which set standards on child labour, forced labour, non-discrimination and freedom of association and collective bargaining rights.¹²⁹ Licensees additionally have to provide the WFSGI 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.¹³⁰

Lessons and good practice from recent Olympics and FIFA World Cups

Sydney 2000 Olympics and Paralympic Games

- The Sydney Olympic Park Authority adopted a Protocol for Homeless People and Public Places, to guide public officials on how to relate to homeless people in public spaces.¹³¹ It was introduced to ensure that homeless people at "Olympics Live Sites" in Sydney's business district and nearby precincts were treated sensitively and received services where needed. An underlying principle of the Protocol was that people should "not be harassed or moved on from public places unless there [was] a threat to general security, their personal safety or if they [were] causing a disturbance [that constituted] a breach of the peace". The Protocol was endorsed by NGOs and government agencies of New South Wales, and has since been revised three times, most recently in 2010.¹³²

2006 FIFA World Cup in Germany

- Ahead of the World Cup, the International Organization for Migration joined forces with MTV Europe Foundation and the Swedish Development Agency to raise awareness of human trafficking and forced prostitution. Public-service announcements directed viewers to a website on how to report concerns.¹³³

Beijing 2008 Olympics and Paralympic Games

- In UNEP's 2009 independent assessment of the Beijing 2008 Olympics' environmental performance, UNEP proposed that for forthcoming Olympics: "selection criteria for future sponsors and OCOG [Organising Committees of the Olympic Games] partners include mandatory or baseline environmental requirements, and that future OCOGs develop

¹²⁹ <http://www.ilo.org/global/standards/introduction-to-international-labour-standards/conventions-and-recommendations/lang--en/index.htm>

¹³⁰ Information based on direct correspondence with the WFSGI. See also <http://www.wfsgi.org/committees/csr-committee/wfsgi-pledge-for-fifa>

¹³¹ <http://www.docstoc.com/docs/5726523/Protocol-for-Homeless-People-FACT-SHEET-July-What-is>

¹³² http://www.sopa.nsw.gov.au/_data/assets/pdf_file/0003/345981/Homeless_People_Policy.pdf

¹³³ <http://www.rferl.org/content/article/1069191.html>

mandatory environmental guidelines for suppliers, merchandisers, caterers and accommodation.”¹³⁴ The WFSGI Pledge for the FIFA Quality Programme (see page 20), which demands mandatory labour standards commitments from FIFA licensees, could be a model to introduce selection criteria for sponsors and develop mandatory guidelines for commercial partners in the human rights sphere.

Vancouver 2010 Winter Olympic and Paralympic Games

- During its bid, the Vancouver Organising Committee (VANOC) committed to the participation of the First Nations, on whose shared traditional ancestral land the event was held, and signed formal agreements with the four host First Nations, recognizing the First Nations’ title and providing for their involvement in all aspects of the Games, including planning, delivery and legacy. This led to IOC recognition of Aboriginal peoples as Games partners, a C\$59 million boost to Aboriginal business opportunities, and profiling Aboriginal culture and athletic success.¹³⁵ Some tribes did however oppose two ski resorts built on their land over concerns about levels of tourism and real estate development.¹³⁶
- VANOC’s six corporate sustainability performance objectives included an explicit commitment “to care for our workforce, protect human rights and ensure health and safety.” To help achieve this, VANOC introduced a Licensee Code of Conduct (modelled on sponsor Hudson Bay Company’s code), which defined criteria for producing official merchandise. In response to stakeholder input, the VANOC also 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 2006-2010, 100% of its suppliers met Canadian human rights standards. Both codes were shared with the IOC and future Olympic hosts.¹³⁷

London 2012 Olympic and Paralympic Games

- London 2012 was the first candidate city to commit, as part of its bid document, to setting up an independent body to monitor and assure sustainability of the 2012 Games. The Commission for a Sustainable London 2012 created in 2007 actively engaged with external stakeholders and provided assurance on many social and human rights issues including diversity, health and safety, and supply chain standards.¹³⁸ It conveyed stakeholder concerns over the ethical standards of several sponsors.
- London’s Olympic Delivery Authority (ODA) established operating priorities that included accessible design; equality and inclusion; health, safety and security; jobs access and career opportunities. These were embedded within the ODA’s Procurement Policy and backed up by a ‘Balanced Scorecard’ against which all bidding companies were tested. These policy objectives and reporting regimes were built into resulting contracts. The ODA also put in place specialist assurance teams to bolster the process, and provided local business support to help SMEs meet sustainability standards where needed.¹³⁹

¹³⁴ The UN Environment Programme quoted in: Sustainability Through Sport - Implementing The Olympic Movement’s Agenda 21, © IOC 2012, p.27.

¹³⁵ Vancouver 2010 Sustainability Report, <http://www.olympic.org/news/vanoc-releases-final-sustainability-report/110042>

¹³⁶ Two tribes feareded unwelcome levels of tourism and real estate. <http://www.dominionpaper.ca/articles/1738>

¹³⁷ Vancouver 2010 Sustainability Report, <http://www.olympic.org/news/vanoc-releases-final-sustainability-report/110042>

¹³⁸ <http://www.cs london.org/>

¹³⁹ <http://learninglegacy.independent.gov.uk/publications/sustainable-procurement.php>

- The ODA set a new bar by completing construction of the Olympic Park and Village with zero fatalities and by surpassing the construction industry's health and safety performance average.¹⁴⁰ Principles of Cooperation agreed in 2008 between Trades Union Congress (TUC), ODA and LOCOG¹⁴¹, included health and safety provisions, and - according to the TUC - on-site union health and safety representation, and health and safety training contributed to the good practice ODA achieved.
- Event organiser, LOCOG, put in place a Sustainable Sourcing Code to help address the ethical procurement challenges linked to Games merchandise.¹⁴² This covered all contracts with suppliers and licensees and was updated periodically. On stakeholder advice, led by Playfair, the Ethical Trading Initiative's Base Code was incorporated into the LOCOG's Sourcing Code to protect labour rights. Factory disclosure - which arguably increases accountability - was not included as a contractual requirement for suppliers, but a number of companies voluntarily revealed details of their supply chains.¹⁴³ In February 2012, LOCOG and the TUC signed an agreement providing for production site disclosure. This saw LOCOG agreeing to urge further voluntary factory disclosure.
- LOCOG put in place a Complaint and Dispute Resolution Mechanism to complement the Sustainable Sourcing Code and provide potential victims with access to remedy. This mechanism was backed up by a panel of expert stakeholders who helped to ensure that the mechanism was accessible to, and served, those in need. There were challenges over training and alerting workers to the mechanism, and it was not fully operational until April 2012. But after the Olympics, LOCOG made public many findings of how the Mechanism performed in practice.¹⁴⁴ In parallel, a games-time grievance resolution protocol was developed with the TUC and the Advisory, Conciliation and Arbitration Service (ACAS) to help ensure that grievances arising during the Games were dealt with quickly, fairly, and consistently.¹⁴⁵
- To minimise the risk of contract workers being exploited, LOCOG asked firms using temporary or agency staff to ensure that agencies/brokers were either members of the Recruitment and Employment Confederation, or licensed by the Gangmasters' Licensing Authority, as appropriate.
- The ODA and LOCOG - on the advice of the Commission for a Sustainable London 2012 - developed a major web-based learning platform designed to raise the bar for major construction projects, and sustainability in the event sector. This 'Learning Legacy' catalogues reports and related information under themes that include: equality, inclusion, and employment skills; health and safety; procurement; and sustainability. Each section features tools, case studies and other reports documenting how challenges were approached and where lessons were learned and could be replicated in the future.¹⁴⁶

¹⁴⁰ Commission for a Sustainable London 2012 | Fit for purpose | March 2011

¹⁴¹ <http://www.tuc.org.uk/tucfiles/349/POC%20Master.pdf>

¹⁴² <http://www.london2012.com/about-us/publications/publication=locog-sustainable-sourcing-code/>

¹⁴³ For example, Adidas committed to disclose its London Olympic suppliers in 2011 having done so previously at the 2010 South Africa World Cup. By the February 2012 agreement, ten licensees (representing 72% of licensed products being produced for London 2012) had volunteered this data. Details of the TUC-LOCOG agreement, see: http://www.playfair2012.org.uk/wp-content/uploads/2012/07/LOCOG_TUC_Playfair2012agreement.pdf

¹⁴⁴ <http://learninglegacy.independent.gov.uk/publications/complaint-and-dispute-resolution-process-to-deal-with-br.php>

¹⁴⁵ LOCOG 2012 Pre-Games Sustainability Report, Delivering Change, © LOCOG, April 2012. Page: 167

¹⁴⁶ <http://learninglegacy.independent.gov.uk/about/index.php>

Raising standards within event organising sector

- In January 2012, the Global Reporting Initiative (GRI) released public reporting guidance for Event Organisers after a 2-year consultation; informed by the experiences of the Vancouver and London Olympic event organisers. It aims to enable reporting of sustainability performance against a checklist of indicators.
- LOCOG's sustainability commitments served as a catalyst for the creation of the ISO 20121, an International Sustainable Event Management System Standard designed to help organisations in the events industry improve the sustainability of their event related activities, products and services.

8) On the horizon - business and human rights issues at forthcoming MSEs

Despite the growing body of emerging good practice highlighted in the previous section, many challenges remain. Difficult issues are already coming to light as forthcoming MSE hosts prepare. It is more than likely that campaigns will intensify as each event nears, or the concerns themselves escalate. A number of human rights-related concerns already gaining media and campaigning attention are summarised below.

Sochi 2014 Winter Olympics, Russia

- Human Rights Watch has catalogued instances of non-payment of wages, passport confiscation, and failure to provide employment contracts among migrant workers, including from Serbia, Ukraine, and Uzbekistan, working to prepare venues and facilities in the lead-up to the Sochi Games.¹⁴⁷ In one case an Uzbek migrant worker alleged being unlawfully detained for seeking to file complaints.¹⁴⁸
- Gay rights campaign groups have lobbied the IOC, political leaders, and pledged to apply pressure on Olympic sponsors, over an anti-gay propaganda law adopted in June 2013 which bans the public discussion of gay rights and relationships in front of children and teenagers. Amnesty International has condemned it as an "affront to freedom of expression and an attack on minority rights." Some activists have called for a boycott of the Sochi Olympics over the law and concerns that authorities routinely turn a blind eye to assaults on Russia's LGBT citizens.¹⁴⁹
- Several villagers have been charged for protesting the construction of a large natural gas-power station near a Sochi residential area, amidst fears over emissions and other adverse health effects. There are concerns that preparatory construction work was allowed to proceed before new Olympic legal requirements for an environmental impact assessment and public consultation had been met.¹⁵⁰

¹⁴⁷ Race to the Bottom: Exploitation of Migrant Workers Ahead of Russia's 2014 Winter Olympics in Sochi, © 2013 Human Rights Watch.

¹⁴⁸ <http://www.hrw.org/news/2013/04/11/russia-worker-exploited-olympic-venues-detained>

¹⁴⁹ <http://edition.cnn.com/2013/08/10/world/europe/russia-gay-rights-controversy/index.html> and http://articles.washingtonpost.com/2013-09-29/world/42510859_1_sochi-russia-anti-gay-law-olympic-boycott

¹⁵⁰ http://www.ifex.org/russia/2012/09/11/russia_arrests_intimidation/

- Claims have been made that 1,500 homeowners have been forcibly resettled. One family, which was promised resettlement, has had its house demolished. According to Human Rights Watch, the family is being sued for an illegal dwelling, and denied compensation, even though a regional prosecutor found the family's use of land to be legal.¹⁵¹
- Journalists and civil society activists have given accounts of intimidation, harassment and censorship when raising concerns about the Olympics and related housing problems.¹⁵²
- Security concerns and terrorism fears exist due to Sochi's proximity to the unstable North Caucasus, where Russia lost 296 soldiers and civilians in 2012 to the civil conflict.¹⁵³ The concerns come against a backdrop of historical grievances from the Circassian indigenous group, once expelled from Sochi.¹⁵⁴

Glasgow 2014 Commonwealth Games, Scotland

- Disability rights campaigners have pledged direct action against Atos, official sponsor of the Glasgow 2014 Organising Committee, over its role in controversial assessments on disability benefit claimants.¹⁵⁵
- The Church and Society Council of the Church of Scotland is investigating the risk of human trafficking ahead of the Games, and is preparing a strategy to support potential victims.¹⁵⁶

Brazil FIFA 2014 World Cup and Rio de Janeiro 2016 Olympics

- In July 2013, tens of thousands of workers – including from construction and metalworker unions - joined a general strike across Brazil demanding better working conditions. Some saw this as an attempt to reignite the public protests that swept Brazil in June.¹⁵⁷ But it builds on several earlier union walkouts linked to MSEs. For example, in November 2012, nearly 1,500 construction workers at a World Cup arena site in Natal city went on strike for the third time in the year, over wages and conditions.¹⁵⁸
- The UN Special Rapporteur on the right to adequate housing, Raquel Rolnik, has raised concerns over cases of displacement and evictions in several cities including Sao Paulo, Rio de Janeiro, and Belo Horizonte involved in the World Cup and Olympics. She has spoken to authorities about the lack of transparency and consultation with affected communities, limited compensation levels and risks of homelessness.¹⁵⁹
- Amnesty International and Witness have reported that bulldozers demolished homes and small shops in 2010 at a 20 year-old community in Rio to make way for Olympic related construction, which, it was claimed, resulted in loss of livelihoods. Children were reportedly unable to transfer to new schools for several months.¹⁶⁰
- An Association of Bahian Female Acaraje vendors has petitioned FIFA demanding that it relax its commercial exclusion zone and allow street vendors space inside stadiums to

¹⁵¹ <http://www.hrw.org/news/2012/10/02/olympic-demolition>

¹⁵² <http://www.hrw.org/news/2012/07/17/russia-olympics-launch-sochi-abuses-loom>

¹⁵³ <http://www.economist.com/news/europe/21581764-most-expensive-olympic-games-history-offer-rich-pickings-select-few-castles>

¹⁵⁴ <http://www.cbc.ca/news/world/story/2012/08/09/f-sochi-olympics-russia-circassians.html>

¹⁵⁵ <http://www.heraldsotland.com/news/home-news/disabled-protest-atos-games-sponsorship.18893119>

¹⁵⁶ http://www.churchofscotland.org.uk/speak_out/social_issues/human_trafficking

¹⁵⁷ <http://www.reuters.com/article/2013/07/11/us-brazil-strike-idUSBRE96A15920130711>

¹⁵⁸ <http://brazil.bwint.org/?p=1045>

¹⁵⁹ <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=10960>

¹⁶⁰ <http://www.amnesty.org/en/news/brazil-forced-evictions-must-not-mar-rio-olympics-2011-11-14>

serve a national sandwich from Bahia state which was declared a cultural heritage of Brazil in 2005.¹⁶¹

- Protests escalated in March 2013 when police used rubber bullets and tear gas to dislodge a group of indigenous Brazilians from a former indigenous museum – historically used by Brazilian Indian tribes as a cultural centre. Rio authorities had been granted an eviction order to proceed with developments linked to the Maracana football stadium for new Olympic museum.¹⁶²

Russia FIFA 2018 World Cup

- There are concerns over racism and racial chanting during the Russia 2018 World Cup. In December 2012, the main supporters' group of Russian champions, Zenit St Petersburg, lobbied against the club signing non-white or homosexual players.¹⁶³ Anti-racism campaign Kick-it-Out, and the UEFA-funded East European Monitoring Centre concede the risk but hope the World Cup will precipitate change.¹⁶⁴

Qatar FIFA 2022 World Cup

- The ITUC claims that 4,000 migrant workers could die ahead of the Qatar 2022 World Cup as part of the massive construction and infrastructure programme projected to cost \$100bn.¹⁶⁵ A report in the Guardian alleged that 44 Nepalese workers died from 4 June to 8 August 2013 in Qatar, many as a result of heart failure after having been denied their most basic human rights and forced to work in 50 C heat without access to drinking water.¹⁶⁶
- Human Rights Watch has also catalogued concerns over passport confiscation, illegal salary deductions, and deception in recruitment faced by migrant workers in Qatar. The Qatari authorities have also come under scrutiny over a law that bans migrant workers from joining unions, and the 'kafala' (sponsorship) system which prevents foreign workers from changing jobs or leaving the country without their employer's permission.¹⁶⁷ The Qatar 2022 Supreme Committee organising the event says it is committed to improving working conditions and that it is implementing a Migrant Workers' Welfare Charter.¹⁶⁸ Qatar's labour ministry has also pledged a crackdown on private building companies who exploit migrant workers.¹⁶⁹
- There are concerns over the potential treatment of openly gay players and fans during the Qatar World Cup. Homosexuality remains illegal in Qatar. In May 2013 FIFA President Sepp Blatter responded to questions over how FIFA would address that matter, by conceding it was a moral and ethical issue.¹⁷⁰

¹⁶¹ <http://www.globaltimes.cn/content/742216.shtml>

¹⁶² http://www.nytimes.com/2013/03/23/world/americas/brazilian-police-storm-indigenous-squatters-at-maracana.html?_r=0

¹⁶³ <http://www.independent.co.uk/sport/football/european/liverpool-worried-about-racist-abuse-in-russia-when-they-play-zenit-st-petersburg-8492442.html>

¹⁶⁴ <http://www.guardian.co.uk/world/2010/dec/03/world-cup-2018-russian-racism>

¹⁶⁵ In April 2013, the ITUC called on FIFA to rerun the vote for the 2022 World Cup and establish workers rights as a criteria for any future bid, <http://www.ituc-csi.org/international-unions-call-on-fifa>

¹⁶⁶ <http://www.theguardian.com/world/2013/sep/25/revealed-qatars-world-cup-slaves>

¹⁶⁷ See Human Rights Watch's report: Building a Better World Cup – Protecting Migrant Workers in Qatar Ahead of FIFA 2022,.

¹⁶⁸ The Charter was enacted in October 2012. <http://edition.cnn.com/2013/04/30/sport/football/football-qatar-world-cup-2022-worker-rights>

¹⁶⁹ <http://www.theguardian.com/world/2013/sep/30/qatar-crackdown-deaths-world-cup-construction>

¹⁷⁰ <http://www.bbc.co.uk/sport/0/football/22740113>

9) Next Steps and Recommendations

Despite the many valuable initiatives outlined in this paper, things can and have gone wrong at various stages of MSEs. The short timescales for venue preparation and event organising, and high volume demands for merchandise, create special pressures. And opportunities for continuous improvement and leveraging change with suppliers are made more difficult by the fact that the event organizers responsible for overseeing standards are themselves short-lived operations each typically with their own, often unique, suppliers, and codes of practice. What is needed is leadership over the long-term.

“As with sporting records, excellence in prioritising sustainable development is a moving target.”

– The International Olympic Committee¹⁷¹

MSEs aspire to operate in an exemplary manner. To do this, human rights due diligence across the full life-cycle of these events becomes imperative. This must occur across all stages of the event, and should address the full spectrum of human rights related issues. It cannot be selective. In that way MSEs will be better placed to confront the human rights concerns they face.

MSE organisers will not be able to please all stakeholders. Given its recent choices – Beijing, Sochi, and Qatar – it is unrealistic to expect that sports governing bodies will vote for or against future hosts solely on human rights grounds. Yet there is mounting pressure to take human rights concerns more systematically into account. The UN Guiding Principles on Business and Human Rights can provide a catalyst to build a more positive human rights legacy for all MSEs. Experience to date shows that concern for human rights principles and standards can benefit all concerned. However, this requires co-ordinated action, and, above all, leadership from the governing bodies who set the parameters. Using the IOC’s Olympic legacy model as a starting point could provide much needed continuity.

Recommendations

For sports governing bodies

- 1) Make an explicit public commitment to respect human rights as enshrined in the Universal Declaration of Human Rights, within the sports governing body’s constitutional document or codes of ethics. Establish a strategy for integrating a human rights-approach based on the UN Guiding Principles on Business and Human Rights into the sports governing body’s relevant operating procedures, for example the candidate city / country requirements, host city agreements, impact studies, legacy/knowledge management transfer processes.
- 2) Require lead worldwide sponsors and media partners, to respect human rights in line with the Guiding Principles. This includes adopting a human rights policy statement, and to publicly disclose information on their efforts to implement human rights due diligence, and to remediate adverse human rights impacts.¹⁷² This requirement should be manda-

¹⁷¹ Sustainability Through Sport: Implementing the Olympic Movement’s Agenda 21 (p15), ©IOC, 2020.

¹⁷² The California Transparency in Supply Chain Act for example requires retail sellers and manufacturers doing business in the state to disclose their efforts to eradicate slavery and human trafficking from their direct supply chains for tangible goods offered for sale.,

tory, and form part of the contract between the sponsor/broadcast partner and the sports governing body.¹⁷³

- 3) Revise existing candidate city / country requirements so that bid cities / countries conduct a social impact assessment that includes human rights relevant issues, in addition to the current environmental impact assessment requirement. Stipulate the need to consult with potentially affected groups and other stakeholders, as outlined in the Guiding Principles.
- 4) Require local organising committees, in line with the Guiding Principles, to adopt a human rights statement, and to publicly disclose information on their efforts to implement human rights due diligence, and to remediate adverse human rights impacts. Local organising committees should also be required to include in their contracts with commercial sponsors and partners a stipulation for those sponsors / partners to do likewise.
- 5) Establish the office of an ombudsman under the authority of the sports governing body, to receive human rights complaints pertaining to MSEs, the operations of local organising committees, and their delivery and commercial partners, and for that body to independently investigate allegations of human rights abuses related to the MSE.

For host authorities (national/federal, state and municipal government)

- 1) During the bid phase, commit the local organising committee (in the event of a winning bid), in line with the Guiding Principles, to adopt a human rights statement, and to publicly disclose information on their efforts to implement human rights due diligence, and to remediate adverse human rights impacts. Commit the local organising committee to setting up a domestic independent assurance body¹⁷⁴ to oversee sustainability and human rights-related issues associated with the MSE; and a Code of Conduct on labour standards to be included in contracts with suppliers, licensees and other commercial partners, that is backed up by a grievance and dispute resolution mechanisms.
- 2) Set out and promote general human rights guidelines in line with the Guiding Principles for business activities linked with the MSE but which are not within the remit of the local organising committee.
- 3) Ensure that nothing in the bid process or host city agreement is inconsistent with the host government's international human rights obligations, for example in the enforcement of commercial property rights (see pX details on brand policing).
- 4) Urge sports governing bodies to commit explicitly to respecting human rights, to integrate the Guiding Principles within candidate city / country requirements and host city agreements, and to ensure they enforce any existing commitments to combat discrimination and to promote the rights of women and other marginalised or vulnerable groups.

¹⁷³ The mandatory requirements outlined in the WFSGI Pledge for the FIFA Quality Programme outlined above could serve as a model.

¹⁷⁴ The Commission for a Sustainable London 2012 could serve as a basic model.

For local organising committees

- 1)** Make an explicit public commitment to respect human rights as enshrined in the Universal Declaration of Human Rights, and in line with the Guiding Principles publicly disclose information on their efforts to implement human rights due diligence, and to remediate adverse human rights impacts.
- 2)** Establish a strategy for integrating a human rights-approach based on the Guiding Principles across the full lifecycle of the MSE and for consultation with key stakeholders. Seek out good practice available from the sports governing body, former local organising committees and other key stakeholders.
- 3)** Set up a domestic independent assurance body to oversee sustainability and human rights-related issues associated with the MSE, and a Code of Conduct on labour standards to be included in contracts with suppliers, licensees and other commercial partners, that is backed up by grievance and dispute resolution mechanisms.
- 4)** Contractually require all commercial partners (e.g. sponsors, contractors, suppliers and broadcasters, hoteliers) in line with the Guiding Principles to adopt a human rights policy statement, and to publicly disclose information on their efforts to implement human rights due diligence, and to remediate adverse human rights impacts. Suppliers should be required to disclose factory locations in their supply chain.

For worldwide Olympic sponsors and FIFA partners

- 1)** In line with the Guiding Principles, adopt a human rights policy statement, and publicly disclose information on efforts to implement human rights due diligence, and to remediate adverse human rights impacts.
- 2)** Contractually require all commercial partners (e.g. governments, suppliers, sub-contractors and joint-venture partners) to adopt a human rights policy statement in line with the Guiding Principles, and to publicly disclose information on their efforts to implement human rights due diligence, and to remediate adverse human rights impacts. Urge other business associates with whom there is no direct contract to do the same.
- 3)** Urge sports governing bodies to commit explicitly to respecting human rights, to integrate the Guiding Principles within candidate city bidding requirements and host city agreements, and to ensure they enforce any existing commitments to combat discrimination and to promote of the rights of women and other marginalised or vulnerable groups.

10) Conclusion

Mega Sporting Events offer a unique opportunity to spark transformations in the culture of human rights in a society.

Unlike irrigation schemes, power plants, roads or airports, which are essential for a nation to function, hosting an MSE is an optional activity. No government is required to host an MSE – they choose to do so. No company is compelled to sponsor an MSE – they decide to do so. From its conception, selection of cities, and initiation of construction, hosting an MSE is a planned activity, with a finite date when the event ends. From its beginning to its end, it remains an enormous industrial and construction effort of choice. Governments therefore have no excuse for not putting in place safeguards to ensure that human rights are respected at every stage. Every activity – from procurement to selection of contractors to holding the event – is underpinned by the obligation to regulate operators.

Sports organizing bodies too are committed, at least in principle, to uphold the ideals of sport – a competition among equals, without discrimination, and a quest for excellence, so that the best individual or team may win, and celebrating camaraderie and physical prowess. They have no reason to undermine international standards. They have an obligation to uphold them.

And companies that seek to benefit from the goodwill that the games generate – through the spirit of the sport – must therefore be prepared to ensure that at no stage of their core activities have they acted in ways that undermined human rights. Companies cannot claim credit by placing their logos over stadiums but wash their hands off accidents in constructing the stadium where workers have died or been maimed.

There are no gold medals to be won in this race. To paraphrase Baron Pierre de Coubertin, the father of the modern Olympic movement, the important thing is not the final outcome alone, but how we get there; the essential thing is not to have reached the summit, but to have ascended the correct, safe way. What he said then, applies to MSEs today as well:

“The important thing in the Olympic Games is not to win, but to take part; the important thing in life is not triumph, but the struggle; the essential thing is not to have conquered but to have fought well. To spread these principles is to build up a strong and more valiant and, above all, more scrupulous and more generous humanity.”



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