

OPERATIONAL PRINCIPLES



Centre for Sport
& Human Rights

OPERATIONAL PRINCIPLES

A. About the Operational Principles

CSHR's *Operational Principles* is a living document that informs our *approach* to implementing *Convergence 2025* Strategic Plan. These principles were reviewed by CSHR's Board in 2021 and:

- Determine our approach to undertaking activities in accordance with the strategy;
- Provide a conceptual framework that sits behind the strategy and its implementation;
- Set out the basis for how management determine day-to-day priorities and plan activities, including:
 - Pro-active annual business planning processes; and
 - Responsive decision-making, where our leadership and team are called to make on to respond to situations on a regular basis in line with events;
- Guide our approach to internal and external communications; and
- Articulate our *modus operandi*.

The *Operational Principles*, like *Convergence 2025* and the *Sporting Chance Principles*, are rooted in CSHR's commitment to a human rights-based approach, specifically the core human rights principles of participation, accountability, non-discrimination, empowerment, legality, and transparency. This document has also been prepared to help induct new recruits to the CSHR team, and familiarise partners with how we work.

B. Business and Human Rights Origins

CSHR is a human rights organisation that emerged from the Business and Human Rights movement. These origins continue to shape us to this day.

Collective action is a central tenet of Business and Human Rights and it informs CSHR's mission, how we work and how we interact within the sport ecosystem. CSHR believes complex challenges are often addressed most effectively when diverse groups come together for better. By bringing together a range of skills and expertise to the task of achieving our common goal we collectively stand a better chance of success.

CSHR follows the approach of "Principled Pragmatism" to how we set priorities. Professor John Ruggie - the architect of the UN Guiding Principles on Business and Human Rights - recognised that it often takes time to agree and effect positive human rights change through the international system and coined the term he defined as:

"An unflinching commitment to the principle of strengthening the promotion and protection of human rights as it relates to businesses, coupled with a pragmatic attachment to what works best in creating change where it matters most—in the daily lives of people."

CSHR sees the value of legal or policy solutions, but balances these with pragmatic approaches to producing quick, **tangible positive results in people's lives**. "Principled Pragmatism" is in the CSHR's DNA and helps us deliver in the interests of affected people. This lies at the heart of everything we do.



C. Starting Positions

There are many legitimate pressure points and tactics towards achieving positive and lasting change in sport. In *Convergence 2025*, we consider:

- **Where do we add the greatest value given the limited resources at our disposal?**
- **What produces quick and enduring results for affected groups?**

CSHR accepts that to transform the world of sport we cannot succeed on our own. This is why we invest in and maintain a multi-stakeholder Advisory Council representative of our diverse sport and human rights ecosystem. The work can be sensitive, diplomatic and labour-intensive but enrolling stakeholders to collaborate with each other in practical action is non-negotiable. To achieve systemic impact, we have to model the meaningful stakeholder engagement we seek.

Nurturing, maintaining and expanding our multi-stakeholder Advisory Council helps us build legitimacy across stakeholder groups. We take strength from the diversity of our membership, and the fact that each one has committed to the Sporting Chance Principles. Everyone in the ecosystem stands to gain from the smart mix of tactics and expertise the Advisory Council offers the sport and human rights movement.

Using principled pragmatism and directing our energy to where we can deliver most effectively for people means being clear about what we do and what we don't do. These positions apply to CSHR's activities and differentiate us from our partners.

1. CSHR is not neutral when it comes to human rights and in the face of abuses. Where harms arise linked to sport and sporting events, we are solutions-oriented and focus on corrective action, remedy, and ways to strengthen human rights procedures to prevent recurrences of harm.
2. We recognise that human rights violations arise from power imbalances and to treat all stakeholders equally fails to acknowledge pre-existing inequities. The Sporting Chance Principles explicitly underscore the importance that affected groups have a voice in decision-making in matters that affect them, parity of information and access to effective remedy where their human rights are negatively impacted.
3. We value constructive engagement and position ourselves as equidistant from all stakeholders in the ecosystem and are careful in how we communicate. This enables us to have difficult but honest conversations with all parties, including with sport entities and others in the sport ecosystem that show commitment to positive human rights change.
4. To preserve the CSHR's independence we do not directly work on active or acute human rights cases. The reason for this is that:
 - a. We convene solutions-focused conversations and conduct capacity-building initiatives with sports bodies. This work is not viable if we are also directly or indirectly representing affected people, and such mutual exclusivities should not be reconciled within one organization.



- b. We seek to have constructive dialogue with all stakeholders on systemic solutions and cannot take a partisan role in ongoing legal/quasi-legal matters at the same time.
 - c. We are well positioned to learn from the experience of affected persons and cases. We can generate learning derived from remedy processes, develop tools, and push for systemic change, without engaging directly in investigations, complaints or disputes.
 - d. Our networks - individually or collectively - may have leverage and influence that can increase opportunities for a positive outcome in certain cases. Where a case has strategic value then CSHR can play a convening role in bringing stakeholders together to explore solutions, but we do not need to be active ourselves.
 - e. We are not established, governed or licenced to provide legal advice or direct assistance to affected persons.
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5. We have a mandate for collective action, encouraging the creative deployment of different skill sets and types of interventions to tackle human rights risks and to leverage opportunities. Where gaps need to be filled we assist by co-designing solutions . Where Advisory Council members and others are better positioned to achieve quick wins for people than us, we avoid duplication and instead amplify their work where it is appropriate and safe for affected people for us to do so.
 6. We work with sports bodies as a priority because they have a responsibility to respect human rights which most do not yet acknowledge or implement. Sport's potential to deliver quick results for people makes working with sport bodies imperative. The calls we make for sport to harness opportunities, promote human rights, and create lasting value should never be at the expense of, or as a substitute to, first avoiding harm.¹
 7. We position ourselves as stewards of responsible sport. Our role is sport specific, we do not campaign for human rights changes outside the context of sport, sport events and their legacies, or pursue sport for development and peace efforts. Yet we have a symbiotic relationship with other actors in the sport ecosystem many of whom have mandates to advance social agendas beyond but linked to sport. We respect that our partners - on the Advisory Council and across the sport ecosystem - are often better positioned to act in these areas and have greater resources and expertise to contribute.
 8. We do not actively advocate for new international standards at the governmental or intergovernmental level linked to sport. We keep across such initiatives where they relate to our strategic priorities and participate in relevant processes through submissions or other contributions, but advocacy is not our priority and do not instigate such work, instead allowing expert partners in the ecosystem to lead.

¹ The UN Guiding Principles on Business and Human Rights say that: "Business enterprises may undertake other commitments or activities to support and promote human rights, which may contribute to the enjoyment of rights. But this does not offset a failure to respect human rights throughout their operations."



D. Prioritising our activities

We plan activities in support of the 5 Strategic Priorities set out in *Convergence 2025* and prioritise them based on the following scoping criteria. Human rights challenges linked to the world of sport cover a wide range of issues and affected groups, and the scope of potential activities to address them is vast. To maximize our effectiveness based on our limited resources, we need to be selective about how, when and where we engage with specific stakeholders and on specific projects.

Scoping Criteria

We prioritise activities where:

1 Systemic change is possible

We focus on achieving impact at scale and addressing issues where systemic learning and knowledge-sharing is possible. This means we prioritise activities where there is a realistic chance of each activity enabling us to meet our strategic priorities and deliver on the Sporting Chance Principles. Important factors are:

- **Human rights commitment** – we work with those committing to human rights, including existing Advisory Council members or Engaged Organisations and those who have otherwise shown serious intent to address sport-linked human rights issues.
- **Knowledge capture and sharing opportunity** - we work where CSHR can gather and disseminate learning that resonates across the sport ecosystem or key targeted sections of the ecosystem.
- **Leverage** – we engage partners that allow us to deliver on our theory of change, working with those with leverage to affect change at scale, including across:
 - i) the whole ecosystem
 - ii) a whole sport
 - iii) targeted sections of the ecosystem, e.g. where we lack traction
 - iv) particular contexts.

2 Egregiousness and chances of impact are high

To deploy our resources we assess the seriousness of the potential, actual or ongoing human rights abuses linked to sport or sports events, and the extent to which there is a realistic/high probability of achieving impact. In making our assessment we consider:

- Gravity (aka “scale”) – where the human rights harms are severe, e.g. child labour, forced labour and human trafficking, physical abuse and violence.
- Scope – large numbers of people are affected or a particular type of abuse is widespread e.g. in a particular sport globally or in a given country.
- Urgency – where there is a diminishing chance of righting wrongs or an intense push may yield results, e.g. workers having life-altering accidents in numbers.
- Potential for impact – we cannot solve all egregious human rights issues in / around sport and need to be confident of a realistic chance of success. To do this we ask:
 - i) Can we bring force of numbers to a problem? (e.g. members of the Advisory Council from different segments of the ecosystem are prepared to act)
 - ii) Is there a coalition of the willing, beyond AC members, ready work with us?



iii) Is there leadership and commitment from key stakeholders involved that we can build upon or catalyse? By working with a range of sports bodies and other actors to shape our activities and approaches, we seek to encourage human rights leaders across the ecosystem, by building human rights capacities to foster individual and joint leverage with partners to achieve measurable progress, demonstrate good practice, and help set standards in specific areas.

3 Value is added

Collective action is at the heart of what we do and we are committed to practical, collaborative ways of working that achieve results for people. A key deciding factor is where we can deploy our skills and network to address issues or problems that no other actor could take on alone.

4 Operational factors are conducive

Sometimes choices need to be made on the basis of internal considerations such as where an activity:

- Significantly reinforces or conversely duplicates another Advisory Council member piece of work;
- Is in conflict with other CSHR work;
- Is not viable based on available resources, staff capacity and existing priorities.

Key Drivers

In setting priorities, we believe that key drivers catalyse greater change overall, and respond to the scoping criteria above. These include:

Elite and professional sport

The focus of our activities is on elite and professional sport, versus the broader recreational or participatory level. This is because the power differential elite athletes face, combined with governance and remedy challenges endemic to elite sports bodies, make these athletes extremely vulnerable. Barriers to exit from an abusive or unhealthy situation are often significantly higher for elite athletes, as much more is at stake. Progress made to prevent, mitigate and ensure access to remedy for elite athletes is also likely to cascade to wider sports participation and recreational sport everywhere, because of the way sports federations are structured at the global and national level. Our work is focussed on the international level and we believe that many of the challenges in grassroots sport are context and location specific so should be led by specialists in the relevant locations.

Specific sports and governments

Certain sports have great global footprint, such as football (soccer), particularly in the global south, and to a lesser extent rugby and cricket. Other sports have been forced to confront widespread egregious cases of abuse against athletes, such as the sport of gymnastics. Some sports bodies are key influencers in professional or Olympic sports, where positive actions relating to human rights will pave the way for more widespread adoption of similar approaches by others. We stand ready to advise and build capacity of all sport bodies wishing to embed human rights due diligence into their activities and operations, but proactively engage with sport bodies where impact is highest. In parallel, some pathfinder States are already demonstrating commitment, e.g. through endorsing the Sporting Chance Principles, or developing rights-based approaches in their sports policy making. We focus our energies where headway has already been made.



Hosts of mega-sporting-events

As hosts bid for the rights to organise mega-sporting-events, they increasingly do so in the presence of human rights bidding and hosting requirements. Accordingly, host actors are asked to dedicate themselves to identifying and mitigating risks, engaging stakeholders in solutions and ensuring opportunities for lasting change. We are committed to working with proposed and confirmed states, local organisers and stakeholders of upcoming mega-sporting-events to ensure that rights are protected and effective remedies for any abuses are provided.

At-risk groups

Advancing the rights of persons and groups whose rights are potentially most at-risk to being violated, and for whom international human rights instruments provide specific protections, is a priority and driver of change. Focusing on those most at risk - including children, women and girls, the LGBTI+ community, human rights defenders, persons with disabilities, as well as migrants, refugees, indigenous persons and historically disadvantaged or exploited groups – advances the rights of all.

E. How we work - CSHR's Modus Operandi

Key features of the way we work and achieve results are that we:

1. Build strong networks
2. Identify, support and amplify the work of willing champions and partners
3. Invest in patient trust-building
4. Use champions and the diversity of our networks to unlock access to decision-makers
5. Convene those capable of, and committed to, delivering results
6. Use high-profile events to draw people into dialogue and build & maintain momentum
7. Identify where there is common ground between parties that appear far apart and build upwards from there
8. Consistently make the case for collective action and have a mandate to do so
9. Demonstrate the benefits of collective action, and
10. Remain agile to circumvent normal bureaucratic channels to produce fast results.

F. The Sporting Chance Principles root us in the UN Guiding Principles on Business and Human Rights

The Sporting Chance Principles are:

- Central to our Theory of Change;
- Bind the Advisory Council together under a common framework;
- Provide a starting point for accountability across the movement.



Sporting Chance Principles - Preamble:

“Sport relies on a rules-based system, fair play, respect and the courage, cohesion, support and goodwill of society in all its facets, including athletes, fans, workers, volunteers and local communities, as well as governments, businesses large and small, the media and sports bodies. The foundational principles of the world’s preeminent sports bodies speak to universal humanitarian values, harmony among nations, solidarity and fair play, the preservation of human dignity, and commitment to non-discrimination. These values have much in common with international human rights instruments, principles and standards.”

SPORTING CHANCE PRINCIPLES

1	Sport has inherent power to create positive change.
2	Internationally recognised human rights apply.
3	All actors involved in sport commit to internationally recognised human rights.
4	Human rights are taken into account at all times.
5	Affected groups have a voice in decision-making.
6	Access to remedy is available.
7	Lessons are captured and shared.
8	Stakeholder human rights capacity is strengthened.
9	Collective action is harnessed to realise human rights.
10	Bidding to host mega-sporting events is open to all.



The Sporting Chance Principles are pivotal to the CSHR's activities. They root us in The UN Guiding Principles on Business and Human Rights:

The three pillars of the UNGPs:

- The State Duty to Protect,
- The Corporate Responsibility to Respect, and
- Access to Effective Remedy for victims of human rights abuse

SCP#2:

“The **governance and delivery of sport should at all times be based on international human rights instruments, principles and standards**, including those expressed in the UN Guiding Principles on Business and Human Rights [...].

SCP#3:

All actors involved in sport should **commit to protecting and respecting internationally recognised human rights through their activities and business relationships**. [...]

The Concept of human rights due diligence

SCP#4:

All actors involved in sport should **identify, prevent, mitigate, and account for how they address their impacts on human rights through a robust and ongoing process of human rights due diligence**. [...]

A Human Rights Based-Approach.

SCP#5:

“**Principled and practical ways should be found to strengthen the voice of all those affected by sport** [...]. Special efforts should be made to engage with vulnerable and hard to reach groups, and address any discrimination or failure to protect, respect and uphold enabling rights.

SCP#6:

“**Effective remedy should be available to those whose human rights are negatively impacted by the activities or business relationships of the actors involved in sport** [...].”



G. A human rights-based approach to sport

A “Human Rights-Based Approach” is a conceptual framework² based on international human rights standards and operationally directed to promote and protect human rights, that roots institutional activity in human rights principles.

The approach requires:

1. Duty-bearers to meet their obligations

States (including all public sector entities) are the primary human rights duty-bearers with an obligation to “protect” people from abuse, “respect” people’s rights from harm or curtailment and “fulfil” people’s rights through positive action to facilitate the enjoyment of basic human rights. At the same time, non-state actors including sports bodies and other private actors - via the Universal Declaration of Human Rights, UN Guiding Principles and other instruments - have a “responsibility to respect human rights” through policies, human rights due diligence and efforts to ensure access to effective remedy for victims.

CSHR approach

In line with SCP#3 we work with governments, MSE public authorities (from national to the city/local level), sports bodies, public or privately run LOCs, and sponsors, broadcasters and other commercial partners to **generate awareness, build capacity and create lasting value**.

2. Rights-holders having the capacity to claim their rights

(H)uman rights-holders, also called affected people, should be able to claim their human rights, with special attention given to vulnerable or hard to reach groups, and addressing any discrimination or failure to protect, respect and uphold enabling rights.

CSHR approach

In line with SCP#5 we work to strengthen the stakeholder engagement processes of sports bodies, host public authorities, event organisers and corporate partners to consult with rights-holders, and, with (human) rights holders or their representatives to strengthen their voice in decision-making in sport in matters that affect them, and support ways to empower them to demand their rights and have access to parity of information and remedy.

² See video for more context: <https://www.youtube.com/watch?v=8Qa6GXaZgA>



3. Being international human rights principles-led³

Institutions should uphold international human rights principles in all their activities. The central principles are outlined below..

CSHR approach

In line with *SCP#2* we work in accordance with international human rights principles and to make them practically relevant across the sport ecosystem. CSHR's strategy, activities and communications are all grounded in these human rights principles.

³ See https://www.youtube.com/watch?v=_8Qa6GXaZgA



The PANEL and other core principles for a Human Rights Based Approach

P*articipation* – people have a right to participate in decisions that affect their enjoyment of their rights in a way that is objective, fair and inclusive. This means having a voice.

A*ccountability* – duty-bearers in sport and sports events (including public bodies, sports bodies, LOCs) are held accountable if they fail to meet their obligations towards rights-holders, with access to justice and effective remedies in place when human rights breaches occur.

N*on-discrimination and equality* – all individuals are equally entitled to enjoy their rights, without discrimination on the basis of nationality, race, religion, age, disability, sex, gender, diverse sexual orientation, gender identity and expression and sex characteristics, ethnicity, language, political affiliation and any other characteristic. All types of discrimination should be prohibited, prevented and eliminated. This includes purposeful discrimination, and omissions or practices that have a discriminatory effect.

E*mpowerment* – everyone is entitled to be able to claim, defend and exercise their human rights. The focus is on (human) rights-holders rather than victims. Individuals, groups of people and communities need to be able understand their rights, have parity of access to information, and where necessary be supported in claiming and exercising their rights and voicing their opinions (e.g. children).

L*egitimacy & Legality* – practices should be in line with and gain legitimacy from international human rights laws, as agreed by the international community and endorsed by sovereign states. Human rights are universal and rooted in most of the world's cultures, religions and value-systems, and are not an imposed Western construct. International human rights standards offer guidance even when national laws or weak law enforcement undermine people's rights at the domestic level. Human rights laws provide a baseline that is consistent and predictable, and can be used to resist illegitimate restrictions or demands by governments, sports bodies or others.

I*ndivisibility* – all rights have equal status and are necessary to protect human dignity without hierarchy. All human rights are complementary, mutually reinforcing and no set of rights can be enjoyed fully without the others whether they are civil, political, economic, social or cultural rights.

T*ransparency* – all stakeholders should have access to relevant information on decision-making that affects their rights, and affected people should know and understand how major decisions affecting rights are made.

U*niversality* – all people's inherent dignity entitles them to a set of human rights that are universal, cannot be given or taken away, and are afforded to everyone without exception.



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