



SPORT, BROADCASTING AND HUMAN RIGHTS

GUIDING QUESTIONS



**MEGA
SPORTING
EVENTS**
Platform for Human Rights



IHRB

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AUTHORS

This document has been produced as an output from the Broadcasters task force of the Mega-Sporting Events Platform for Human Rights (MSE Platform), coordinated by Haley St. Dennis and Alison Biscoe (IHRB). It has been developed for the MSE Platform, with four major international broadcasting companies providing input: BT plc, Discovery, Sky, and ITV. It does not necessarily reflect the views of all the broadcasters involved, nor any other MSE Platform members.

ABOUT

The Mega-Sporting Events Platform for Human Rights is an emerging multi-stakeholder coalition of international and intergovernmental organisations, governments, sports governing bodies, athletes, unions, employers, sponsors, broadcasters, and civil society groups. The MSE Platform is chaired by Mary Robinson, and facilitated by IHRB.

MSE Platform members are working together to develop more comprehensive, consistent, and accountable approaches to managing social risks and adverse human rights impacts arising from MSEs, and overcome the barriers to better knowledge transfer and good practice within and between sport traditions and events. The MSE Platform will formally launch the Centre for Sport and Human Rights in June 2018 and will develop support and guidance for all actors responsible for delivering MSEs.

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Founded in 2009, IHRB is the leading international think tank on business and human rights. IHRB’s mission is to shape policy, advance practice and strengthen accountability in order to make respect for human rights part of everyday business.

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TABLE OF CONTENTS

FOREWORD	5
INSTRUCTIONS	7
SECTION 1: IDENTIFYING HUMAN RIGHTS RISKS	8
SECTION 2: ASSESSING THE DEGREE OF RISK TO HUMAN RIGHTS	10
SECTION 3: MITIGATING HUMAN RIGHTS RISKS	12

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FOREWORD

This tool is intended to help broadcasters identify and, if necessary, mitigate any potential human rights impacts that may occur when broadcasting a sporting event.

All companies have a responsibility to respect human rights when they carry out their business. The [UN Guiding Principles on Business and Human Rights](#) guide companies in how to meet their responsibilities, and due diligence is a critical component.

This tool builds on the white paper “[Broadcasters and Human Rights in the Sports Context](#)”, which identified potential risks to people and their rights arising from broadcasting a sporting event. Section 4.1 of the White Paper identifies possible ways to mitigate these risks, including conducting risk assessments as part of the planning for the broadcast of a sporting event.

This due diligence tool builds on that approach. It can be used alongside existing planning and risk processes, such as health and safety assessments, and is intended to be practical, flexible, and to help identify ways to address the particular risks identified.

Broadcasters organise their internal compliance and risk teams in different ways. This tool can be used by the compliance, regulatory, production, editorial or legal functions, either by one person, or a combination of people using their specific expertise.

Each case is likely to be different – there is no singular approach.

However, all good risk management tools – whatever the risk – should encourage continuous improvement. This tool similarly encourages broadcast teams to learn from previous events and anticipate future risks as they plan ahead in their calendar, and develop mitigations in advance.



Moira Oliver
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INSTRUCTIONS

Background

While usually legitimate and consistent with human rights standards, some sporting events can create higher risks to human rights and require further scrutiny.

Such events are likely to be those taking place in a high-risk country and/or those events with a prominent profile. This tool can be used to help assess the risk of any sporting event.

As a broadcaster, it is your responsibility under the [UN Guiding Principles on Business and Human Rights](#) to respect human rights. So if your business could cause, contribute to, or be directly linked to an adverse human rights impact, you must take appropriate action.¹ This tool is intended to support those efforts.



SECTION 1

Fill in Section 1 of this tool for every sporting event you as a broadcaster are involved with. Where the Section 1 assessment identifies an event that is potentially high risk, go to Section 2.

SECTION 2

Use Section 2 to investigate the risks identified in Section 1 more deeply and to help you decide whether Section 3 should be used to raise the risks to a more senior level.

SECTION 3

Where the Section 2 assessment identifies that the event should be escalated further internally, use Section 3 to help develop a mitigation plan for the identified risks.

¹ Under the UN Guiding Principles on Business & Human Rights, companies can be involved in a human rights risk or impact in one of three ways, and the appropriate action depends on which: i) Where a business causes or may cause an adverse human rights impact, it should take the necessary steps to cease or prevent the impact. ii) Where a business contributes or may contribute to an adverse human rights impact, it should take the necessary steps to cease or prevent its contribution and use its leverage to mitigate any remaining impact to the greatest extent possible. iii) Where a business has neither caused nor contributed to the impact, but is involved because the impact is caused by an entity with which it has a business relationship and is linked to its own operations, products, or services, the business should use its leverage to encourage the entity that caused or contributed to the impact to prevent or mitigate its recurrence.



SECTION 1: IDENTIFYING HUMAN RIGHTS RISKS

Fill in this section to determine if your involvement in the event should be looked at in more detail.²

SPORTING EVENT AND DATE

HOST COUNTRY

BROADCASTER'S ROLE IN THE EVENT

E.g. Are you taking a feed? Are you the host broadcaster? Are you supporting the event in any other way e.g. sponsorship?

COULD ANY HUMAN RIGHTS ISSUES BE RAISED ABOUT THE SPORTING EVENT SPECIFICALLY?

Eg. Conduct a search of news stories to get an understanding of any increases in protests or political crackdowns.

² This form can be used to include human rights considerations into existing due diligence processes, such as health and safety, and security, or can be used independently to identify human rights risks of upcoming sporting events

PUBLIC PROFILE OF EVENT

Consider audience size (both physically present and the number of people the event is being broadcast to), frequency of the event and prestige within the host country, and provide reasons.

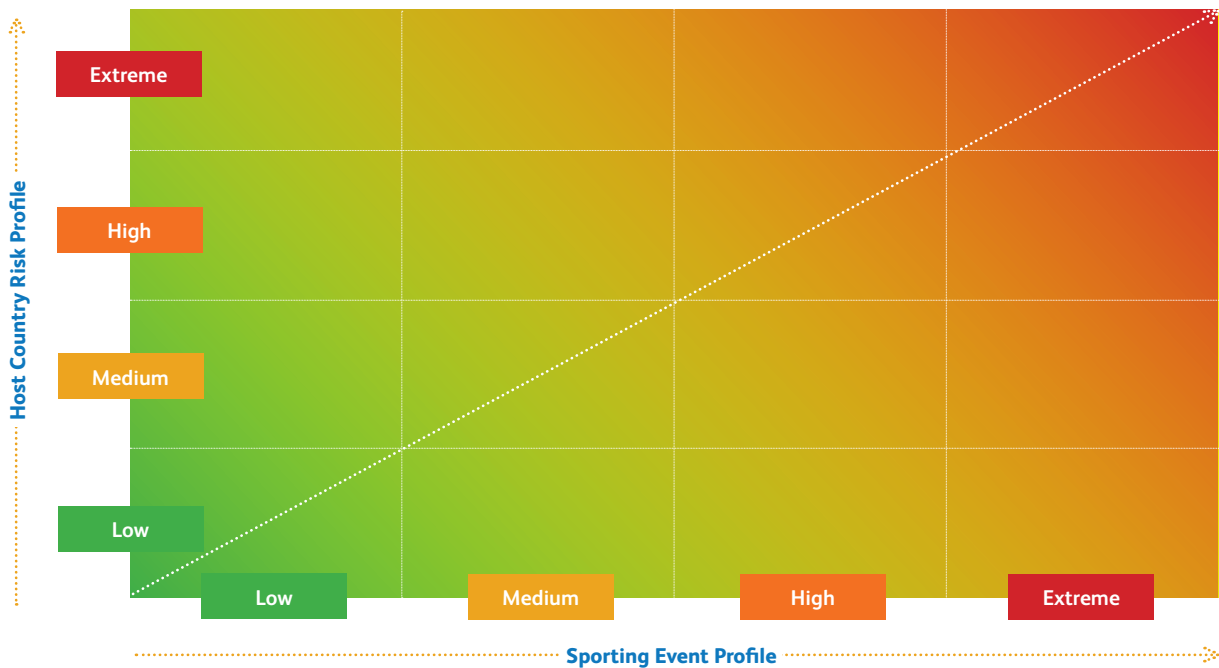
OVERALL ASSESSMENT

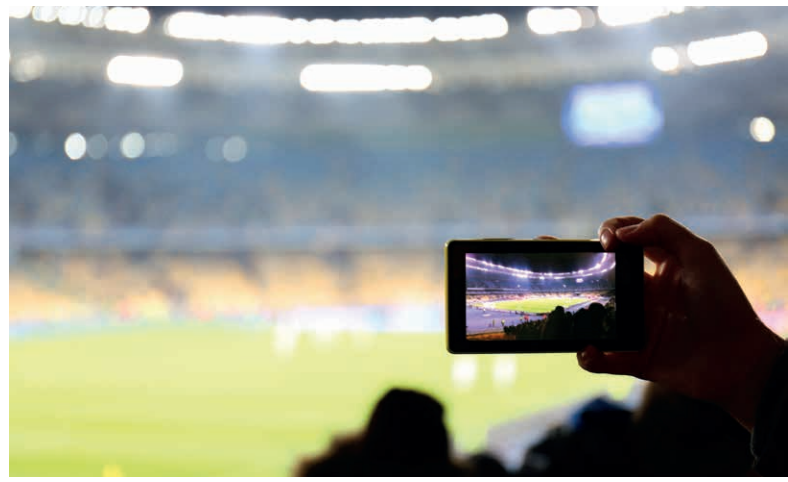
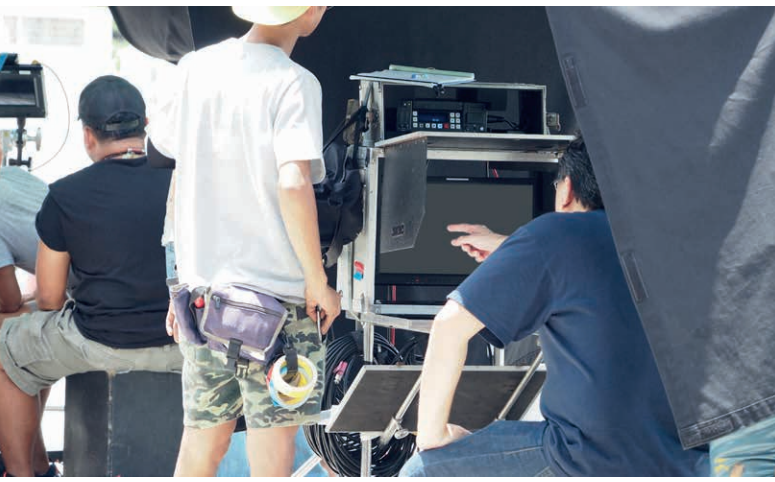
See Figure 1 below.

Low risk: Does not require further assessment (OR) Potential high risk: Requires further assessment (see Section 2).

FIGURE 1. RISK IDENTIFICATION MATRIX

Consider things you have read in the news about the host country's human rights situation, the profile of the sporting event, and any experience you have with previous events, to roughly plot this event's risk profile on the below heat map. For any event plotting outside the low-low grid area, consider whether the potential risks merit further assessment.





SECTION 2: ASSESSING THE DEGREE OF RISK TO HUMAN RIGHTS

You have identified in Section 1 that the sporting event you are working on requires further assessment. Now identify the relevant department within your organisation to answer the questions below.

SPORTING EVENT, DATE AND LOCATION

IF RETURNING TO A COUNTRY WHERE YOU HAVE WORKED PREVIOUSLY: HAS A RISK ASSESSMENT BEEN COMPLETED IN THE LAST 12 MONTHS?

If yes, have the risks changed since your last assessment?

WHAT ARE THE TYPES OF HUMAN RIGHTS IMPACTS OCCURRING IN THE HOST COUNTRY GENERALLY? (PLEASE PROVIDE DETAILS)

A snapshot of local human rights issues can be identified from recognised UN and ILO public sources (see MSE Platform White Paper 1.1) as well as from the Amnesty International Country Profiles, Human Rights Watch Country Reports, Freedom House annual reports, and/or country reports from your Foreign Office.

COULD THE EVENT BECOME “POLITICISED”?

E.g. Have events of a similar nature been reported negatively in the media previously?

COULD THE BROADCASTER’S OPERATIONS BE CONNECTED TO ANY HUMAN RIGHTS ISSUES?

*E.g. Are you being pushed to portray local conditions in a particularly favourable light?
Could there be a risk of a “live incident” (e.g. racist chanting or violent crackdown on peaceful protests in/around the event)?
If you are the host broadcaster, how are you sourcing staff or contractors? Could workers have been recruited through illegal recruitment agencies?*

IS THE RISK SIGNIFICANT ENOUGH TO BE FLAGGED TO A MORE SENIOR LEVEL? (YES/NO)

If the answer to this is “yes”, see Section 3 for further information.



SECTION 3: MITIGATING HUMAN RIGHTS RISKS

Where the relevant department has identified that an upcoming sporting event is potentially higher risk, a mitigation plan should be developed in line with internal policies and procedures.

The purpose of this section is to provide some guiding questions that can help you understand in more detail both what human rights risks are involved, as well as what steps your organisation could take to eliminate or reduce the extent of the impact.

By completing this section, your organisation will have the outline of a Human Rights Mitigation Plan that can supplement or be integrated into existing contingency plans. The approach outlined in this section is intended to be a flexible tool that can be applied and adapted to each broadcaster's unique role and approach in managing their involvement in the sporting event.

LIST THE POTENTIAL HUMAN RIGHTS RISKS THE BROADCASTER COULD BE INVOLVED IN / LINKED TO:

These can be pulled from the assessment in Section 2.

--

ARE THERE EXTERNAL EXPERTS OR GROUPS THAT COULD BE ENGAGED TO HELP ADDRESS THE PROBLEM?

Consider all the potentially affected people, their representatives, external experts, and NGOs.

HOW SEVERE IS / ARE THE IMPACT(S) ON HUMAN RIGHTS?³

E.g. Someone stopped from protesting vs someone killed or seriously injured.

HOW LIKELY IS IT THAT THESE IMPACTS WILL OCCUR?

Consider the local conditions and relationships involved.

WHAT IS THE BROADCASTER'S ROLE RELATING TO THE IMPACT?

[THIS WILL DEPEND ON THE ROLE OF THE BROADCASTER, AND MAY REQUIRE EXPERT INPUT]

E.g. Are you, the broadcaster, directly causing the problem? Is someone else causing it, but you could be contributing to it or encouraging or facilitating it? If not, could your operations, products, or services still be said to be associated or linked with it?

DOES THE BROADCASTER HAVE ANY EXISTING POLICIES OR PROCESSES THAT CAN BE USED TO ADDRESS THESE RISKS?

[WHERE RISKS ARE PARTICULARLY SEVERE, PRODUCTION TEAMS SHOULD RAISE THE ISSUE WITH THEIR NEWS TEAMS (IF APPLICABLE) OF HUMAN RIGHTS AND CSR EXPERTS AT HEADQUARTER LEVEL]

E.g. Do you have a contingency plan? Does this plan cover human rights? What mitigation procedures are in place to address these types of risks?

³ Review the [UN Guiding Principles on Business and Human Rights](#), which explain that "severity of impacts will be judged by their scale, scope and irremediable character."

ARE THERE ANY OTHER PROTECTIONS IN PLACE TO ADDRESS THE PROBLEM?

E.g., Sports governing body policies or statutes, local organising committee codes of conduct or grievance mechanisms, or national laws or mechanisms.

Empty text box for response.

WHAT COULD THE BROADCASTER DO TO HELP FIX THE PROBLEM?

[THIS WILL DEPEND ON THE ROLE OF THE BROADCASTER, AND MAY REQUIRE EXPERT INPUT]

E.g., You could highlight the issue to the event organiser and ask how they are responding, or review their policies and procedures to make sure they anticipate the kinds of risks identified.

Empty text box for response.

HOW WILL THE BOADCASTER MONITOR FOR POTENTIAL HUMAN RIGHTS ISSUES DURING THE EVENT?

Empty text box for response.

WHAT CAN THE BROADCASTER LEARN FROM THIS FOR FUTURE EVENTS?

Empty text box for response.

COMPLETED BY: _____

SIGNED OFF BY: [if applicable] _____

DATE: _____



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