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INTRODUCING HUMAN RIGHTS TO THE MEGA-SPORTING EVENT LIFECYCLE

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Introduction

A lifecycle approach is used in many sectors to make sense of a complex web of interconnected actors and phases. In the field of sustainable development, for example, a lifecycle can begin at the sourcing of raw materials and end with the disposal of a product. The United Nations (UN) Environment Programme (UNEP) defines a lifecycle approach as ‘a way of thinking which helps us recognise how our selections . . . are one part of a whole system of events’ (UNEP, 2004): in other words, recognising that decisions made at one stage can have an effect (positively or negatively) later on.

Such a model has several advantages for human rights analysis. It makes it possible to break down highly complex processes involving myriad stakeholders into something both clearer and more manageable. A lifecycle model can also take account of shifting landscapes and delineate the particular responsibilities of various stakeholders at each stage. This provides a starting point for mapping out relationships and shedding light on where accountability sits while offering civil society a tool to help navigate large high-impact projects such as mega-sporting events (MSEs).

MSEs lend themselves to a lifecycle approach – starting with the vision of a small group of actors, to the operational activities involving huge numbers of stakeholders across multiple sectors, to the competition itself before eventually disbanding with the hope of having left a positive legacy, the lifecycle of an MSE is both complex and multifaceted. Across this cycle, these pinnacles of global sport and culture have long made headlines for reasons other than sporting excellence. MSEs have become lightning rods for campaigners and media calling attention to prevailing human rights challenges in host countries and human rights violations among workers, local residents, fans, athletes and others through the preparation, delivery, competition and aftermath of the event. Raising awareness about these human rights impacts and the often-overlapping responsibilities of different agencies was, and remains, a challenge. To help bring clarity to that challenge, an MSE lifecycle model was developed by the Institute for Human Rights and Business (IHRB) in 2013 to explore the human rights risks and opportunities at each stage of the event.¹

Subsequent chapters provide deep dives into the human rights picture of each stage of the MSE lifecycle. To set the scene and provide context to that analysis, this introductory chapter briefly gives some insights into how the MSE lifecycle model (as it applies to human rights) evolved and the implications of that going forward.

The initial choice to apply a human rights lens to the MSE lifecycle was part of a larger purpose to illustrate how the United Nations Guiding Principles on Business and Human Rights (UNGPs) might serve as a roadmap for MSE owners and delivery partners that could better equip them to assess, prevent, mitigate, address and remedy the broad spectrum of human rights abuses linked to MSEs (IHRB, 2013). This made sense because the UNGPs themselves call out the need to assess human rights risks ‘periodically throughout the life of an activity or relationship’ and reflected the fact that IHRB’s report coincided with the UNGPs’ emergence as a soft-law standard (having been endorsed by the UN Human Rights Council in 2011). Against this backdrop, the lifecycle afforded a chance to highlight the breadth of human rights risks and opportunities arising at each stage, analyse common challenges surfacing at MSEs and promote the UNGPs’ risk management approach to a new audience, especially by highlighting the imperative of stakeholder engagement. Once governments, sport bodies, commercial partners and others in the sport ecosystem became more aware of the UNGPs as a way of managing MSE-related human rights risks, IHRB formalised this collective interest by convening a multi-stakeholder initiative called the MSE Platform for Human Rights (MSE Platform) (see Rook & Morrison, Chapter 30). One of this coalition’s first acts was to produce updated guidance and to recommend that the initial four-step MSE lifecycle concept be revised and expanded to a new eight-stage model accompanied by guidance for each step. This would facilitate scrutiny of some facets of MSE planning with human rights implications in more detail and respond to deepening knowledge among sport bodies, governments, civil society, trade unions, UN agencies and corporates as they came together to share their collective experience and insights.

The revised MSE lifecycle, published in 2018, also reflected changing realities of MSEs. Rio de Janeiro had just hosted the 2016 Summer Olympic and Paralympic Games (OPGs), which were shrouded in allegations of forced evictions, corruption and already failing infrastructure (Drehs and Lajolo, 2017). Russia was also preparing to host the FIFA World Cup 2018 amidst efforts from campaigning groups to effect change on the country’s controversial so-called ‘gay propaganda’ law (HRW, 2018). MSEs were in crisis – local populations in various contexts, including Norway, were voting in referendums against what they considered the excessive costs and burdens of hosting, whilst the 2022 Winter OPGs were awarded to Beijing, in no small part because the only other contender, Almaty in Kazakhstan, withdrew (Abend, 2014). Organisations involved in the MSE Platform, which by this time included sports bodies such as the Commonwealth Games Federation (CGF) and FIFA, felt that sport urgently needed both a framework and guidance for what a truly rights-respecting MSE should look like.

The remainder of this chapter introduces the stages of the MSE lifecycle as they appear in Part III of this Handbook, including an evolution of the model and outlining what some of the key principles of best practice are in each stage.

Bidding, planning and design

The bidding and planning stage of preparing an MSE (see St. Dennis, Chapter 14) needs to take account of the housing rights-related risks associated with land acquisition, forced evictions, resettlement and livelihood restoration, with intersecting roles and responsibilities for

sports governing bodies (SGBs), host governments, bid and organising committees, designers, developers, financiers and constructors. IHRB's early work in 2013 called out the challenges of dependence on responsible governmental processes, which had been shown to be misplaced in the run up to multiple OPGs, including Atlanta 1996, Beijing 2008 and London 2012, as well as other events, including the Delhi 2010 Commonwealth Games and the FIFA World Cup 2010 in South Africa (Heerdt, 2021). All of these events demonstrated repeated failures to adequately consult, rehome and compensate local residents and users of public spaces.

The lifecycle framework published in 2018 placed greater emphasis at the start of the lifecycle on the vision of a major event and the social and policy goals of hosts, including key considerations when preparing to host an event, among them preliminary plans for an event legacy promoting human rights considerations from the start. To strengthen the legitimacy of MSEs, it was seen as crucial that human rights be integrated into the long-term vision and planning stage to ensure the lives of local communities be enhanced by the hosting of events (MSE Platform, 2018) and live up to the opportunity MSEs have to promote both sporting values and human rights.

To succeed in delivering the positive outcomes to which event hosts claim to aspire, it is increasingly well understood that local communities and other relevant stakeholders should take part in shaping that vision from the outset. This is because many of the negative impacts associated with major events – from overspending on infrastructure projects to forcibly removing people from their homes – have most acutely affected the most vulnerable members of society, such as children, women, elderly people, disabled persons and indigenous peoples, as well as disadvantaged communities, such as minorities, migrants and homeless populations.

While this phase redefined how to integrate human rights, it also recognised the importance of clearly defining the responsibilities of all the different actors involved. Staging an MSE is a complex task that requires alignment of national governments; state, municipal and local authorities; international federations and national sports bodies; the private sector; worker representatives; and civil society. To ensure human rights are respected and upheld, the roles and responsibilities of each party need to be well defined and communicated, and areas of overlapping responsibility clearly mapped and understood (MSE Platform, 2018).

Following controversial MSE awards, including FIFA World Cups to Russia and Qatar, shrouded in allegations of corruption (Panja and Draper, 2020), greater emphasis on the importance of transparency and accountability in bidding and decision-making was needed.

The MSE bidding process presents an opportunity to not only set the overall tone for the event but also to place respect for human rights at the heart of an MSE. Through bid books, SGBs evaluate and select a host city or country for an upcoming event. Increasingly, sport federations are integrating human rights into their bid requirements – this has been the case for events running from 2024 for OPGs (IOC, 2017) and UEFA European Championships (UEFA, 2017) and from 2026 for FIFA World Cups (FIFA, n.d.). To solidify potential hosts' bid commitments and ensure promises are kept, human rights analysis of this stage therefore needs to emphasise the need to integrate human rights into contracts and partnership agreements prior to signing hosting contracts and for newly formed organising committees to publicly commit to internationally recognised human rights as soon as possible (see Amis, Chapter 19). This is something that the Commonwealth Games have been doing since 2013, when Glasgow 2014 became the first MSE to develop a bespoke approach to human rights (CGF, 2013). However, as fewer cities and countries are prepared risk millions on the costs of a bid they are not guaranteed to win and as sporting events pivot towards a more

dialogue-based model (IOC, n.d.), with events like the Brisbane 2032 OPGs being awarded not through open tender but after dialogue with the IOC, it is likely that the ‘bid and design’ lifecycle phase could evolve and focus more on ‘feasibility’ and ‘dialogue’ processes and how human rights are integrated.

Preparation, construction, income generation and procurement

Once an event has been awarded, the next steps in an MSE’s lifecycle relate to planning, procurement, tendering, venue construction and infrastructure development (see Heerdt and Jain, Chapter 15). Human rights assessments at this stage focus on working conditions, fatalities and injuries on construction sites, migrant worker recruitment and employment conditions and union recognition, as well as potential adverse development-related impacts on local community access to water and energy. This phase of the lifecycle highlights the responsibilities of SGBs, public authorities (see Battaglia, Chapter 20), organising committees and delivery authorities, alongside delivery partners including consultancies, construction firms, recruitment agencies and public and private security providers. The need to discuss these aspects arose in response to the construction-related incidents during preparations for Athens 2004 (ISHN, 2004), Beijing 2008 (Yardley, 2008) and Delhi 2010 (Inside The Games, 2010) and the emerging recognition in 2013 of migrant worker deaths in high temperatures on building projects for Qatar 2022.

Beyond the development on physical infrastructure, commercial partnerships and income generation are another critical stage in the development of an MSEs. MSEs can bring multiple financial opportunities, including new jobs, additional tourism, improved infrastructure and urban renewal. Ideally, bids reinforce ongoing urban development plans, foster domestic skill development and employability and, where possible, use of local contractors and suppliers.

MSE sponsorships happen at both the global and local level (see Wilton & Biscoe, Chapter 22). The most prestigious sporting events involve multi-million-dollar and multi-year partnerships between the awarding sports body and a few global brands. Independently, local organising committees typically sell various tiers of sponsorship and licensing deals enabling them to deliver a more cost-effective event and reduce reliance on government financing and taxpayer money. Broadcasters also pay significant sums for the privilege of disseminating events to audiences worldwide (see Oliver, Chapter 23).

There are opportunities for both SGBs and host actors to ensure that their commercial partners are subject to due diligence. Part of this process should include measures to make sure that corporates have a track record of conducting their own human rights due diligence, exerting leverage over partners and remediating grievances. Sponsors and broadcasters must also conduct their own due diligence and identify the human rights risks of an event. These can include human and labour rights risks in their own supply chains, as well as links by association to human rights abuses with the host government (MSE Platform, 2018). For example, sponsors of Beijing 2022 called to testify before the US Congressional Executive Committee on China answered questions linked to their sponsorship and subsequent responsibilities related to human rights abuses in the host nation (CECC, 2021).

Human rights analyses of MSE procurement and sustainable sourcing activities have highlighted recurrent allegations of poor working conditions in event supply chains. These have included child and forced labour and union intimidation, as well as exploitation of migrant and contract workers in supply chains for construction materials, sporting goods and event merchandise. These were issues identified ahead of Beijing 2008, South Africa 2010 and

London 2012 (Play Fair, 2012). Growing attention on sustainable sourcing reflects growing recognition that suppliers and licensees have a responsibility to conduct robust due diligence, including via audits, and develop human rights capacity among manufacturers, compliance with sustainable sourcing codes aligned to international labour standards and disclosure of factory locations to strengthen transparency and raise workplace practices. Over the years, there has been a call for human rights to be embedded within third-party contracts to better prevent abuses, such as forced labour, illegal child labour, health and safety breaches, low or unpaid wages and the denial of freedom of association and collective bargaining in production processes.

The increasingly complex nature of global supply chains, with vast networks of suppliers across many tiers, can create a lack of visibility that increases the risk of abuses. Recognition of this is evidenced in the growing trend of events with bespoke sustainable sourcing codes and accompanying grievance processes. Almost every OPG since Vancouver 2010 has developed sustainable sourcing codes, with the IOC itself developing bespoke guidance (IOC, 2019). However, given the possibility of code breaches and abuses still occurring, the MSE Platform's 2018 guidance stressed the need to provide access to remedy for affected groups in the supply chain and for effective complaint and dispute resolution mechanisms to be established to apply any codes and standards put in place by local organising committees (MSE Platform, 2018).

MSEs have historically led to a boom in construction of venues and supporting infrastructure, such as hotels and transport. These undertakings often demand a significant volume of low-wage work within a time-bound project lifecycle. In many parts of the world, construction jobs are performed by migrant workers vulnerable to exploitation. Addressing the human rights issues facing migrant workers can be complex and international in scope, meaning hosts need specific policies and systems in place to ensure worker rights, including a decent wage, reasonable working hours, overtime compensation and health and safety protections.

While MSE construction can provide local business opportunities, compressed timelines can lead to lax enforcement of labour standards – a particular risk if local labour laws are weaker than international standards. This makes it imperative that trade unions and other stakeholders be able to participate in joint site inspections with games-awarding bodies and local organising committees (MSE Platform, 2018), as happened from late 2016 after global construction union Building and Woodworkers International (BWI) agreed with the Qatar 2022 Supreme Committee for Delivery and Legacy to conduct joint inspections (BWI, 2020).

Another example of the changing nature of MSEs is the fact that fewer such events are requiring the extensive building of new event facilities. The 2026 FIFA World Cup will require no new stadium construction, and both Paris 2024 and Los Angeles 2028 only require upgrades and temporary infrastructure. This significantly reduces risks and could reduce the scope of the 'construction' phase if trends continue. Nevertheless, the chance to build new supporting infrastructure is likely to remain part of the appeal of MSE hosting for the foreseeable future, especially for governments in emerging markets and cities keen on regeneration, meaning the human rights risks tied to the building sector are unlikely to disappear completely.

Games time

Analysis of the games time of an MSE should focus on human rights risks during the actual event (see Biscoe, Chapter 16). These include criminalisation and removal of homeless populations and street vendors during 'clean the streets' operations, community intimidation by

police and private security forces, incidents of forced labour and human trafficking in the hospitality sector, clampdowns on sex workers and human rights-related reputational and supply chain issues linked to MSE sponsors and partners as well as overzealous enforcement of so-called ‘brand-policing’ with repercussions for local small businesses.

The delivery and operations phase of an MSE includes human rights dimensions in several areas, such as freedom of the press and freedom of expression. MSEs attract press and scrutiny from all over the world. In some contexts, journalists have experienced restrictions, including at the Beijing 2022 OPGs, where the Foreign Correspondents’ Club of China cited issues with foreign press gaining accreditation for coverage of Olympic test events (Foreign Correspondents’ Club of China, 2021). In the worst cases, the press have even been arbitrarily detained for reporting on politically sensitive issues. Similar issues have been experienced by protesters, who have become a recurring feature at many MSEs. Some MSEs have cracked down on these protestors, such as ahead of F1 races in Bahrain, while others have managed to integrate them in event planning, as was the case with including indigenous protestors at the Gold Coast 2018 Commonwealth Games (Reuters, 2018). Protestors are often met with excessive use of force. This was one of the main criticisms in relation to the 2013 FIFA Confederations Cup, 2014 FIFA World Cup and 2016 OPGs, all in Brazil, where police used military force to disband peaceful protestors (Amnesty, 2016).

Another area of concern is security – a crucial element of any major event. With the need for effective counter-terrorism, policing, surveillance and crowd control come human rights risks (see Cardell & Harris Rimmer, Chapter 38). In the past, risks have ranged from harassment and discrimination to arbitrary detention and repression of peaceful protestors and confiscation of banners. The need for extra security measures can risk exacerbating prevailing conflicts in host cities and countries. All policing and security operations must be in line with international principles and standards, with forces trained on human rights (see Williamson, Scirocco & Galvin, Chapter 34).

MSEs also rely upon a large number of workers and volunteers involved in merchandise sale, ticketing, staffing food kiosks, providing public information and so on. Host actors must ensure that all workers, including volunteers, are aware of the risks their job might pose to human rights and how to effectively minimise them. Another risk during this stage is that of human trafficking and modern slavery, which, whilst not unique to MSEs, can be exacerbated by the need for temporary and migrant workers to fill jobs in high-risk sectors, including hospitality and security. The large influx of spectators attending also presents challenges around increased criminality, such as sex trafficking, including of minors. Host governments should have measures in place to tackle these issues and develop mechanisms that encourage compliance with international standards (MSE Platform, 2018).

When events themselves kick off, the rights of athletes during the competition phase come into view. Athletes can face human rights challenges, such as discrimination or harassment of various forms, including from abusive fans, and invasions of their right to privacy arising from issues such as disclosures of private medical data, as in the case of South African middle distance runner Caster Semenya, whose private medical history was leaked ahead of her being withdrawn from the Berlin 2009 Athletics World Championships (Karzakis et al., 2012). Athletes’ physical and mental health can also be at risk from excessive training, doping or impacts of social media trolling. Some sports bodies, in an attempt to ‘depoliticise’ their event, have placed restraints on athletes’ right to peaceful protest and freedom of expression (see James, Chapter 39). Perhaps most notably in recent years is the case of Colin Kaepernick, who started taking the knee (now a fairly common practice) to protest police brutality in

2016 and who has not played in the NFL since (Jacobs, 2021). Athletes also have a vested interest in sport being played fairly. The integrity of sport is compromised when anti-doping measures fail to protect clean athletes and when athletes' rights are not adequately protected from unscrupulous third parties, such as those involved in match fixing.

These risks are further exacerbated when it comes to child athletes. Any athlete under the age of 18 is considered a child according to the UN Convention on the Rights of the Child (UNCRC), and special consideration needs to be given to ensure their protection and wellbeing. Many of the risks other athletes face can have particularly damaging effects on child athletes, including increased risk of exploitation, harassment and abuse (including sexual), overtraining, doping and undue pressure to perform. Despite numerous accounts of child abuse and mental health risks linked with MSEs, these issues are often overlooked (see Twyford & Grant, Chapter 26; MSE Platform, 2018).

One shortcoming in existing analysis to date that needs addressing is that the competition stage impacts many more stakeholders than just athletes. Spectators, officials, journalists, staff and volunteers can all be impacted during games time and may be placed at greater risk by discriminatory laws and practices in host countries, particularly with regard to freedom of expression, access to healthcare and restrictions on the rights of LGBTQI+ people. Looking ahead, it may be increasingly important to focus on human rights risks and good practice during 'test and readiness' events and potentially add this as a stage to future lifecycle analysis. Qatar, for example, hosted the Arab Cup in December 2021 as part of its preparations for the 2022 World Cup. These test events are increasingly common and move forward the timeline by which event infrastructure needs to be completed but also offer valuable insight into potential risks and opportunities and how things can be strengthened or improved for the main event.

Legacy

Legacy is the final stage of an MSE and refers to the lasting impact an event has on its host city or country (see Spalding, Chapter 17). Traditionally, legacy referred to the physical infrastructure of the event, but increasingly it relates to legislative, economic, social or other positive changes. An example of negative legacy includes the proliferation and waste of public funds on venues that are no longer being used or maintained. These include a basketball court from Athens 2004 and golf, swimming and other facilities from Rio 2016 (Flamer, 2017). It has been reported, for example, that only 15 of 27 venues developed had hosted some kind of event a year after Rio 2016 (Drehs and Lajolo, 2017). Positive examples include Vancouver 2010's comprehensive Sustainable Sourcing Code, which has continued to be built on for subsequent MSEs to this day, or the repurposed London 2012 Olympic Hockey Centre, which reopened as a major hockey and tennis venue (Andersen, 2021). Stadium 974 from Qatar 2022 is designed to be dismantled and exported overseas for reuse, and follow through on this commitment will be watched with interest (Deutsche Welle, 2022).

Legacy today also presents a chance to advance human rights in the host community and globally. Governments, local authorities and organising committees often invest in campaigns for the host community. Examples include (often unsuccessful) attempts to inspire people to get more involved in sport (Dowling and Harris, 2022). There has been a recent shift to aligning with more tangible development agendas. For example, Los Angeles 2028 is using the Games as an opportunity to upgrade the city's subway system (IOC, 2017)

and both Morocco's (unsuccessful) bid for the 2026 World Cup and Qatar 2022 were fully aligned with national development goals (Morocco 2026, 2018; Mahmood, 2022). FIFA meanwhile launched a Human Rights Volunteers initiative designed to monitor games-time human rights issues and build the capacity of a band of international and Qatari resident volunteers able to replicate this at future MSEs (FIFA, 2022). This is an increasing trend and an important part of a sustainable, meaningful legacy.

Finally, it is important to ensure that lessons are captured and shared. Host actors deliver on a huge scale during their short but intense operations and tend to be disbanded very quickly after the tournament. This means institutional knowledge, learning and best practice are lost and rarely transferred between different types of events, such as a World Cup and an Olympics, or from one event to the next. London 2012, for example, developed a Learning Legacy as a repository for its learning, only for sections of it now to be only accessible via the UK National Archive (LOCOG, 2013). It is essential that the lessons from hosting MSEs, particularly with regard to human rights – still a relatively new area in the world of sport – be captured and transferred between hosts and sporting traditions and good practice disseminated (MSE Platform, 2018). It is a promising sign that Qatar's Supreme Committee for Delivery and Legacy looks to be maintained in some form for at least a year after the 2022 World Cup.

As previous hosts have been criticised for not delivering a clear and long-lasting legacy and as organising committees get disbanded following the event and international attention moves on, accountability or follow-up on legacy goals often comes down to the efforts and interest of the host city or community itself. A 'dissolution' phase could therefore be envisioned within future lifecycle analysis. This would ensure that human rights considerations are included in post-event planning and legacies are meaningfully implemented independent of the changing priorities of different political administrations.

Conclusion

Understanding of the MSE lifecycle has evolved over the past decade to better fit the new realities within MSEs and human rights. As circumstances in and outside sport continue to move on, the MSE lifecycle will also need to evolve if it is to stay current, capture new learning on human rights risks and opportunities linked to MSEs and signpost emerging good practice. This Part III of the Handbook will now explore several of the elements summarised across each stage of the lifecycle.

Note

- 1 Note: The lead author for this chapter was the lead author on *Striving for Excellence*, a report that developed the initial lifecycle model, and both authors were involved in the development of the subsequent eight-stage lifecycle model. They will also both be involved in future iterations of this model.

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