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THE ROLE OF SPORTS GOVERNING BODIES IN EMBEDDING RESPECT FOR HUMAN RIGHTS INTO MEGA-SPORTING EVENTS

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Introduction

This chapter focuses on the sport governing bodies (SGBs) that own the largest mega-sporting events (MSEs) in the world: the International Olympic Committee (IOC) and the Fédération Internationale de Football Association (FIFA). The Summer and Winter Olympic Games, together with the associated Paralympic Games (OPGs), and the FIFA World Cup (FWC) have been the focus of significant human rights concerns and critique but also for growing innovation in recent years in how human rights risks are managed throughout the lifecycle of an MSE. To understand these developments, it is helpful to briefly explore the structure and main activities of these SGBs. This chapter then unpacks the role of these bodies in the context of the MSEs that they own and co-organise – specifically how they came to integrate human rights requirements into their bidding processes and hosting agreements. It also assesses their progress in developing their human rights due diligence approaches to ongoing risk management once an event has been awarded.

General structure and main activities of sports governing bodies

Legal basis

The vast majority of SGBs are headquartered in Switzerland and registered as associations under Article 60ff of the Swiss Civil Code. Designed for membership-based organisations that have a non-commercial or non-profit purpose, this legal framework allows such associations significant freedom in setting their own rules, including with regard to their internal structure, conditions of membership and the settlement of disputes (Baddeley, 2020). Associations registered under this part of the Swiss Civil Code can carry out commercial activities where those activities provide the means to help achieve their overall non-profit purpose.

This legal framework is reflected in the ‘constitutional’ documents of both the International Olympic Committee and the Fédération Internationale de Football Association – the Olympic Charter and the FIFA Statutes, respectively (IOC, 2021; FIFA, 2022). These documents make clear that the primary purpose of each organisation is to promote sport (in the context of the Olympic movement and of football, respectively), which includes organising and supporting competitions in that regard. In the case of MSEs like the Olympic Games and the FWC, the funds raised through the sale of broadcast and other rights relating to those competitions are distributed by the IOC and FIFA back across their members or constituents, regardless of the extent to which individual members/constituents contributed to the conduct or success of those events. This redistributive model is central to SGBs’ argument that they have a primarily non-profit purpose.

At the same time, these bodies have significant budgets, carry out global operations and wield considerable formal power and informal influence within their respective remits. Like many other organisations, they have historically done so without due attention to potential negative impacts on the rights of individuals and communities who may be most affected by their operations. In the case of SGBs, that means those who are at the very centre of sport – namely athletes (particularly those who may be more vulnerable or marginalised) – as well as others who may be impacted by MSEs, including workers, fans and spectators, journalists and local communities in host countries.

Other chapters in this Handbook explain the growing pressures on SGBs to reform their own governance arrangements and to address human rights impacts connected to their global events (see Rook, Chapter 4; Schenk, Chapter 7). Here, it is sufficient to note that the unanimous endorsement in 2011 by member states in the United Nations (UN) Human Rights Council of the UN Guiding Principles on Business and Human Rights (UNGPs) in 2011 for the first time provided all stakeholders with a framework for understanding the responsibility of any organisation in relation to negative impacts on people connected to its operations or relationships, regardless of the organisation’s legal form or sector of activity (UN OHCHR, 2011). The UNGPs apply to all kinds of organisations, including those with a non-profit purpose, where they are engaged in significant commercial activities. It is therefore not surprising that the UNGPs initially had greatest traction with SGBs in relation to their organisation of MSEs, as these involve significant commercial contracts and business relationships in order to deliver them at the scale at which they now occur. However, it is important to note that both FIFA’s statutory human rights commitment, adopted in 2016 (FIFA, 2022, art. 3), and the IOC’s 2022 Strategic Framework on Human Rights (IOC, 2022b) recognise that their responsibility to respect human rights applies right across their activities and operations and is not limited to their role as owners of MSEs.

Membership and organisation

The IOC is organised differently to FIFA given its role as head of the Olympic movement and not only of an individual sport. Here, FIFA’s structure is briefly described first, as it is more typical of other international SGBs that are responsible for their own sports and related competitions (see Gibbs, Chapter 21).

FIFA’s objectives include to ‘improve the game of football constantly and promote it globally’. FIFA has 211 affiliated Member Associations (MAs), which also make up six continental federations. FIFA’s ‘supreme and legislative body’ is the Congress, which is composed

of the individual MAs. It meets once a year, and among other roles, since 2016 it decides which bidder will host the FIFA World Cup. The FIFA Council is the ‘executive and oversight body’. The president chairs the Council and Congress (but can only vote in the Council). The general secretariat is the ‘executive, operational and administrative’ arm of FIFA and is headed by the secretary-general.

FIFA has several ‘independent committees’ responsible for governance, ethics and disciplinary matters, with a majority of independent members. FIFA’s ‘judicial’ bodies are the Ethics, Disciplinary and Appeal Committees, with both the Ethics and Appeal Committees composed of independent members. Appeals are heard by the Appeal Committee, with further appeals to the Court of Arbitration for Sport (CAS). The Governance, Audit and Compliance Committee reports to the Congress, and its responsibilities include human rights. The Football Tribunal decides on football-related disputes (FIFA, 2022).

The IOC is the ‘supreme authority’ and leader of the Olympic movement, which aims to build a better world through the practice of sport in line with ‘Olympism and its values’. The three main constituents of the movement are the IOC itself, International Federations (IFs), and the 206 National Olympic Committees (NOCs). The movement also encompasses Organising Committees for Olympic Games (OCOGs), and the national clubs, associations and persons (particularly athletes) belonging to IFs or NOCs as well as a number of other ‘recognised organisations’, including continental associations of NOCs and associations of summer and winter IFs. The International Paralympic Committee (IPC) and Special Olympics are also recognised organisations.

The IOC, in contrast to FIFA, has 115 individual members who are elected for an eight-year term that can be renewed indefinitely. IOC members often come from political or sporting backgrounds, and their stated role is to promote the IOC and its interests in their respective countries. Their general meeting is the Session, which is the IOC’s ‘supreme organ’ whose ‘decisions are final’. It awards hosting rights to the Olympic Games and Paralympic Games. The Executive Board has ‘general overall responsibility for the administration of the IOC and the management of its affairs’ and is the main decision-making entity of the IOC. The Session elects the president from among its own members, and the president chairs both the Session and the Executive Board and votes in both. The president is empowered to take any action or decision on behalf of the IOC when ‘circumstances prevent it from being taken’ by the Session or Executive Board (IOC, 2021).

The IOC’s Congress (which includes representatives of all the movement constituents) is consultative only. The IOC has a number of commissions, chaired by IOC members. The IOC Ethics Commission has a majority of independent members and is responsible for analysing complaints about breaches of the Code of Ethics and proposing sanctions to the Executive Board (IOC, 2022).

It is important to also mention the structure of the IPC, which governs the Paralympic movement – the world sports movement for athletes with disabilities (see Karageorgos, Wolff & Legg, Chapter 28). It brings together National Paralympic Committees, IFs, regional organisations and International Organisations of Sports for the Disabled (IOSD) to enable Paralympic athletes to achieve sporting excellence and inspire the world. The Summer and Winter Paralympic Games are held directly after editions of the relevant Olympic Games in the same host city, and the IOC and IPC work closely together on delivery of both MSEs. The IPC is also led by a president and has individual members; the General Assembly and Governing Board are the key decision-making bodies (IPC, 2020).

Main activities

It can be helpful to distinguish between SGBs' three main areas of activity:

- (1) The operations of their own administration, which includes activities such as human resources, finance and direct procurement of services or branded merchandise;
- (2) Their role as owner of MSEs, which includes all activities related to selecting hosts and overseeing the preparation and delivery of events in collaboration with those hosts; and
- (3) Their leadership and governance role with respect to a specific sport or wider group of sports, which includes setting and enforcing rules for their members/constituents and providing financing and other forms of support for the development of their sport/movement.

Human rights responsibilities under the UNGPs apply across all three spheres. In the first sphere, the issues SGBs face are not particularly different from those faced by other similarly sized private sector organisations, and there are clear precedents for them to follow. In the third sphere, the application of the UNGPs requires some care recognising that both the purposes and membership composition of SGBs, distinguishes them from multinational companies. At the same time, the general concepts of human rights due diligence and the expectations of action depending on how an SGB may be involved with an impact remain the same – and indeed are already helping to guide the actions of FIFA and the IOC.

The focus of this chapter is on the second sphere of activity and how the IOC and FIFA in particular have integrated the expectations of the UNGPs into their formal requirements of MSE hosts and how they are working to integrate human rights due diligence into their own role as co-organisers of these events.

Integrating human rights into bidding and hosting requirements

The decision to award the hosting of an MSE is often made between six and eight or even ten years in advance of the actual event (see Amis & Biscoe, Chapter 13). In the case of the FIFA World Cup Qatar 2022, it was awarded 12 years in advance. This means that at any one time, an SGB may be dealing with a number of upcoming hosts that are subject to a wide range of contractual requirements reflecting different understandings of sustainability-related risks, particularly when it comes to human rights. Until the last decade, both the IOC and FIFA were managing relationships with host cities and countries that did not include a contractual requirement to respect human rights. From 2023, future hosts of the major MSEs that the IOC and FIFA oversee will all have made commitments to respect internationally recognised human rights in line with the UNGPs as part of their host contract (IOC, 2017, p. 16; FIFA, 2017, pp. 53–54).

Importantly, the UNGPs expect SGBs and their local partners in organising MSEs to prevent and address risks that are connected to the event – meaning risks that are caused or contributed to by the activities of those parties or which are linked to the event through relationships with other entities at various points in the value chain (UN OHCHR, 2011, Principles 17 and 19). They do not make organisers of MSEs responsible for *all* human rights impacts occurring in a country, but they do expect a close mapping of how contextual risks could be connected to an event and how they could heighten risks to already vulnerable or marginalised groups, for example, how denial of trade union rights could be connected

to impacts on workers in the procurement supply chain or how severe discrimination against minorities in law or in fact could influence how peaceful protests in connection with the event are handled (see generally CSHR, 2018).

This section briefly summarises the history of the integration of human rights requirements in the bidding and hosting processes of the IOC and FIFA as part of their broader evolution on recognising their human rights responsibilities. Notably, both organisations have changed their broader hosting processes in recent years. FIFA's has become more formal and transparent with bids and their evaluations made public and with open voting in the Congress. The IOC has adopted a flexible process of consultation with potential hosts to enable them to more fully understand the implications of hosting an edition of the Games before investing resources in a formal bid. This section focuses on developments since 2014, since that was when human rights became a particular focus of stakeholder pressure and engagement and a more explicit consideration for the organisations themselves.

FIFA

In 2014, ahead of the FWC 2014 in Brazil, Mary Robinson (former UN high commissioner for human rights) and John Ruggie (former UN special representative on business and human rights and the author of the UNGPs) wrote an open letter to FIFA in their respective capacities as patron and chair of the Institute for Human Rights and Business (IHRB) urging it to integrate the UNGPs into its operations (Robinson and Ruggie, 2014). In early 2015, FIFA sought technical assistance from the Office of the UN high commissioner for human rights (OHCHR) on applying the UNGPs to the bidding criteria for the FWC 2026 and, in July, committed to integrating human rights into the hosting requirements.

That same year, FIFA went through 'the worst crisis of its history', necessitating major reforms to its institutional structure and processes to address corruption and related abuses (FIFA Reform Committee, 2015). In February 2016, an Extraordinary FIFA Congress adopted revised Statutes, including a new Article 3 which states 'FIFA is committed to respecting all internationally recognised human rights and shall strive to promote the protection of these rights'. Following a request from FIFA, in April 2016, Ruggie, together with the non-profit organisation Shift, published an independent report with recommendations on how FIFA should embed respect for human rights across its operations and relationships (Ruggie, 2016). The report provides a blueprint for applying the UNGPs to the activities of other IFs.

In 2017, FIFA adopted a detailed human rights policy commitment and established an independent Human Rights Advisory Board, composed of eight experts in human rights, including labour rights and anti-corruption issues from the UN, trade unions (including FIFPRO which represents professional footballers), NGOs and business.¹ FIFA then finalised the integration of human rights requirements into its hosting requirements for the FWC 2026 based on input from the Board and other expert civil society stakeholders. This included a requirement that hosts commit to respecting human rights in line with the UNGPs and adopt a strategy to identify and address negative impacts in connection with the tournament, informed by an independent expert study and by engagement with local human rights stakeholders (FIFA, 2017, pp. 53–54).

Importantly, human rights requirements were also included for the first time in the 'government guarantees' by federal and local authorities submitted as part of the bid, as well as in agreements with other entities involved in the management of stadia, training sites, hotels

and airports. These included a commitment to support the staging of the competition in alignment with the UNGPs (FIFA, 2017a). Similar government guarantees are now required across all FIFA's tournaments.

In 2018, the FIFA Council shortlisted Morocco's bid and the joint bid by Canada, Mexico and the United States ('United bid') for voting by the FIFA Congress. Congress chose the United bid as the host of the FWC 2026. FIFA published the bid books submitted by each candidate, as well as FIFA's own assessment – including an evaluation of the human rights risks associated with each bid, informed by a report from an external expert organisation as well as a 'traffic light' rating of the overall risk as low, medium or high (FIFA, 2018). Following the decision, work has continued on the integration of human rights due diligence expectations into the process to select among the various candidate cities vying to host specific matches (FIFA, 2022a; CSHR and Clifford Chance, 2022).

Historically, FIFA's contractual counter-party was the local organising committee (LOC) established by the relevant MA (or MAs) for the purposes of the bid, and this remains the case for FIFA's smaller tournaments. However, for the FIFA Men's and Women's World Cups for 2026 and 2023, respectively, FIFA's practice has evolved. It now creates a new legal entity as a local company wholly owned by FIFA, with offices in multiple jurisdictions where relevant.

The FIFA Women's World Cup has been growing in size and impact but had not attracted the same attention in terms of managing human rights risks until the approach adopted for the 2023 FIFA Women's World Cup in Australia and New Zealand. This was the first time that human rights requirements similar to the men's tournament were included in the bidding and hosting requirements (FIFA, 2019). Expert national human rights institutions took the lead in both countries, working with local stakeholders to conduct a comprehensive risk assessment to inform the development a human rights strategy (AHRC, 2021).

While the significant progress FIFA has made on both the formal and practical integration of human rights requirements in the FWC bidding process can be recognised, serious questions remain about whether FIFA's governance structures are up to the task of ensuring that the organisation adheres to its human rights responsibilities in all strategic decisions related to hosting'. In 2019, the FIFA Human Rights Advisory Board strongly critiqued the apparent intention of FIFA's leadership to propose to Congress that FIFA should expand Qatar 2022 to include other neighbouring states, without adequate human rights due diligence or evidence that predictable human rights risks could be adequately mitigated in the short time remaining (FIFA HRAB, 2019, pp. 12–13). The proposal was also strongly critiqued by the Sports and Rights Alliance (SRA) and other stakeholders.² In the end, the decision did not proceed, and this was welcomed by human rights stakeholders (see, for example, Harvey and Rook, 2019). The decision did not proceed, but the episode highlighted the significant governance gaps that still need to be addressed to ensure that FIFA is accountable for its human rights commitments, which the Human Rights Advisory Board emphasised in its final recommendations to FIFA (FIFA HRAB, 2021, pp. 18–19).³

IOC

In late 2014, the IOC launched 'Olympic Agenda 2020' – a strategic road map for the future of the Olympic movement (IOC, 2014). It introduced changes seeking to make hosting the Olympic Games more attractive for potential bidders, including the integration of sustainability in all aspects of the Games. In 2015, the IOC published an initial version of the Host

City Contract for the 2024 Olympic Games, which included some elements relevant to human rights, such as protection of media freedoms, although they were not labelled explicitly as such. It also adopted a new approach to host elections to try to address growing challenges with the process, including cities trying to outbid each other with exorbitant budgets, aggressive lobbying of IOC members leading to ethical issues and cities being discouraged from bidding again if they were unsuccessful on a first try. The IOC committed to work closely with prospective hosts to better adapt the Games to their local context, including alignment with existing, long-term development plans and the minimisation of new venue construction.

In early 2017, following consultation with the SRA, the IOC published an updated version of the Host City Contract for 2024 containing high-level human rights expectations in line with the UNGPs (IOC, 2017, p. 16). That year, the IOC Session awarded Paris the 2024 Olympic Games and Los Angeles the 2028 Olympic Games with these new human rights provisions in both contracts (IOC, 2017; 2017a). In 2018, the IOC adopted an updated version of the Operational Requirements (ORs) that accompany the (renamed) Host Contract (IOC, 2018).⁴ These integrated more detailed human rights requirements for hosts drawn from the UNGPs. The IOC's approach is to negotiate with existing hosts on how updated versions of the ORs will apply to their edition of the Games in line with existing budget commitments. The IOC entered into discussions about the implementation of the 2018 ORs with the hosts of the Beijing, Paris and Los Angeles editions of the Games. The ORs were held not to apply to the delayed Tokyo 2020 Olympic Games.

In 2019, the IOC introduced its new approach to engaging with future hosts of the Olympic and Paralympic Games, as well as the Youth Olympic Games. This includes an informal exchange with interested parties, a no-obligation 'continuous dialogue' stage with potential hosts in which the IOC provides technical support to them to develop a concept for an edition of the Games and a 'targeted dialogue' stage with preferred hosts for specific editions (opened after a decision by the Executive Board) (IOC, 2021c). Candidates (comprising the local NOCs and NPCs together with the relevant local/national public authorities) submit their bids based on the publicly available questionnaire and contractual framework for hosting the Games. The government guarantees include broadly the same elements as FIFA's, including adherence to the UNGPs. The IOC's Future Host Commission provides an evaluation of preferred hosts to the Executive Board, which can then recommend candidates for election by the Session, at which point the Commission's report is made public along with the candidates' own submissions.

The first examples of this new approach were the election of Milano-Cortina for the 2026 Winter Olympic Games and Brisbane for the 2032 Summer Olympic Games. The Evaluation Commission report that assessed the 2026 Winter Games bidders (Milano-Cortina and Stockholm-Åre) included some high-level information on human rights risks (IOC, 2019), as did the Future Host Commission report for Brisbane 2032 (IOC, 2021a). However, they did not reflect detailed assessments by the hosts themselves about predictable human rights risks and proposals to mitigate them; impacts were described mostly in terms of positive legacy and the contribution of sport to social development. This shows the need for the IOC to strengthen how it implements these new human rights expectations as part of its new approach, including through capacity-building for future hosts – a specific objective in its new Human Rights Strategic Framework on Human Rights (discussed further in the following).

According to the Host Contract, a local Organising Committee for the Olympic Games must normally be established within five months of its execution. The OCOG is the lead

entity for delivery of the Olympic and Paralympic Games and responsible for meeting the human rights requirements outlined in the Host Contract and ORs. The IOC and IPC work together in a Games Management Team which provides both leadership and support for Games delivery.

Ongoing human rights due diligence by sports governing bodies

While there has been significant progress by the IOC and FIFA in the integration of human rights requirements aligned with the UNGPs into the agreements for bidding and hosting their MSEs, the picture regarding their own ongoing human rights due diligence to manage human rights risks during the development and delivery of their events is more mixed. This section briefly discusses the efforts of both organisations to strengthen their internal resources to complement the new requirements they have set for their MSE partners but does not seek to provide a comprehensive list of steps taken.

A common trend among other organisations working to implement the UNGPs is to put a heavy focus on the first stages of human rights due diligence – risk assessment and prioritisation of the most severe issues to take action on – while giving more limited attention both to monitoring the effectiveness of what they are doing against outcomes for affected stakeholders and to communicating about their approach. This is, not surprisingly, true of current efforts by SGBs as well.

IOC

Prior to adopting new bidding and hosting requirements, the IOC had developed some management systems for specific human rights risks during Games time, for example, its system for safeguarding athletes from abuse in sport, first deployed in the 2016 Olympic Games in Rio with a dedicated safeguarding officer and hotline, and a reporting mechanism for alerting the IOC to breaches of press freedom developed with input from the Committee to Protect Journalists. The IOC had also used leverage with its partners on an ad hoc basis to seek to address some human rights risks in prior editions of the Games – for example, responding to campaigning led by Human Rights Watch to ensure the payment of wages to migrant workers in the construction of venues for the 2014 Winter Olympic Games in Sochi (Human Rights Watch, 2014).

However, human rights stakeholders had criticised the IOC for not being able to show what steps it took to use its leverage in relation to construction workers' rights in connection with Tokyo 2020 (BWI, 2019) or on a number of predictable, severe human rights risks connected to Beijing 2022 that were not identified in the OCOG's own sustainability strategy (SRA, 2020). The IOC did publish its first-ever report on the human rights due diligence that it carried out in relation to its own procurement of uniforms and other branded goods in connection with Beijing (IOC, 2022a). But stakeholders critiqued the effort as too little too late given the severity of impacts, particularly the violations of the rights of Uyghur and other Muslim minorities connected to domestic textile and manufacturing supply chains (HRW, 2022).

In 2020, at the IOC's request, Prince Zeid Ra'ad Al Hussein (former UN high commissioner for human Rights) and this author presented expert recommendations on the core content of a strategic framework on human rights for the organisation, informed by consultation with expert civil society stakeholders, including members of the SRA and the Centre

for Sport and Human Rights (Al Hussein and Davis, 2020). This included recommendations on how to strengthen the IOC's own human rights due diligence in the organisation and delivery of the Games, including in events that were already on foot, particularly through the use of its leverage with OCOG partners.

In Olympic Agenda 2020 + 5, the IOC committed to adopt an overarching human rights framework with action plans for each of the organisation's three spheres of activity (IOC, 2021b, recommendation 13). In September 2022, the IOC for the first time publicly affirmed its commitment to respecting human rights in accordance with the UNGPs, including in its role as owner of the Olympic Games. It became the first SGB to adopt a comprehensive Strategic Framework on Human Rights, which includes a commitment to amend the Olympic Charter by 2023 as well as specific commitments with regard to the preparation and delivery of the Olympic Games (IOC, 2022b). These include engaging with future hosts about their human rights responsibilities and strengthening the independent risk assessment that informs those discussions; engaging with expert stakeholders to inform the IOC and OCOG's due diligence for specific editions of the Games and supporting OCOGs with local engagement with affected stakeholders and with independent risk assessments; and strengthening current Games-time safeguarding measures particularly for vulnerable athletes, including children. The IOC also announced the composition of a new Human Rights Advisory Committee with a majority of independent members.

FIFA

FIFA began its formal efforts to embed the UNGPs into its management of risks in connection with MSEs earlier than the IOC, having also been criticised by human rights stakeholders for failing to deal appropriately with human rights impacts in connection with past FWCs in South Africa and Brazil and upcoming FWCs in Russia and Qatar. Like the IOC, FIFA also had some specific systems in place for managing Games-time risks, notably in the area of anti-discrimination, with an increasingly sophisticated system for monitoring and responding to instances of discrimination during matches. It also launched a reporting mechanism for human rights defenders and media representatives in 2018 and tested a Games-time safeguarding system during the FIFA Women's World Cup France in 2019.

However, as for other SGBs, the main challenge in implementing the UNGPs involved looking beyond the risks over which FIFA had the most control (notably those occurring during the weeks of the competition itself and in competition venues) to those that require FIFA to use its leverage with its partners, including the LOC, and relevant government authorities. The independent FIFA Human Rights Advisory Board catalogued in its public reports a range of steps that FIFA took to use leverage with its partners on MSE-related human rights risks between 2017–20, as well as numerous areas where more work was needed. In terms of positive examples, during Russia 2018, FIFA took steps to protect the rights of Iranian women protestors and individual LGBTQI+ fans and spectators in and around the stadia. It also used its leverage in cases involving human rights defenders carrying out work related to the tournament (Human Rights Watch, 2018). The joint sustainability strategy developed for Qatar 2022 was informed by a comprehensive engagement with human rights stakeholders and was the first MSE strategy to fully align with the UNGPs in terms of acknowledging FIFA's responsibility for human rights impacts linked to the event, particularly the rights of migrant construction workers involved in projects related to the tournament but beyond the stadia themselves (FIFA, 2019a).

However, despite the work of FIFA's partner, the Supreme Committee for Delivery and Legacy, to advance protection of workers' rights on the stadia sites – particularly through its ground-breaking partnership with the global trade union BWI – and the adoption of significant reforms to Qatar's labour laws to better align them with ILO standards, hard questions remain about the real legacy for workers' rights in Qatar beyond those working on the stadia for the tournament. This is particularly true for workers involved in projects that were linked to the tournament – and so were within the scope of FIFA's responsibility under both the UNGPs and its own sustainability strategy – but which lacked systems like those in place on the stadia sites, as well as for the thousands of migrant workers more generally in the country as part of the Qatari government's own human rights duties (BWI and FIFPRO, 2022; Amnesty et al., 2022). While FIFA committed to direct some of its legacy funding in Qatar following the tournament to workers' rights (rather than the usual focus on development of the sport), it remains to be seen how FIFA will use its leverage to seek to enable remedy for these workers in practice in line with its UNGPs responsibility.

Conclusion

As this chapter has shown, there has been significant progress in the last decade to integrate human rights requirements into SGBs' formal expectations of the hosts of the world's largest MSEs and – gradually – into their ongoing risk management systems. Although much more remains to be done, the direction of travel, and of stakeholders' expectations, is clear. Other SGBs like the Commonwealth Games have also been early movers on this agenda, and other IFs may now be starting down similar paths in regards to their own competitions.

SGBs may initially find the argument that they should integrate respect for human rights into their operations in line with the UNGPs challenging for a number of reasons. One is that they do not directly control many of the impacts that they may be connected to through their MSEs, though in this they do not differ from any other major organisation subject to the same responsibility throughout its value chain or networks of relationships. Another reason is that their primary purpose is a positive one to advance the benefits of sport, and thus a framework focused on preventing and addressing 'negative' impacts may seem not to resonate with their core purpose, though in fact it is not possible to maximise positive outcomes for people without preventing harm at the same time. A third reason is that 'human rights' are often seen as a political issue that sport should stay away from rather than as a set of internationally recognised standards that provide a common set of expectations; this will require more time and engagement to socialise what the UNGPs are really asking of sports bodies and the reasonableness of these expectations.

The pressures to change how MSEs are run and to demonstrate that they have a tangible social benefit beyond sport will only increase. Meanwhile, the value of the proactive risk management approach in the UNGPs is being recognised by more and more SGBs – including through the leadership of the CSHR to promote their practical implementation. As the IOC and FIFA's trajectories on human rights demonstrate, the UNGPs are the only framework with the legitimacy accepted by all stakeholders – governments, sponsors, NGOs, trade unions and athletes alike – to inform the way forward, and to do so in a way that prioritises attention to impacts on the most vulnerable stakeholders in connection with MSEs.

Notes

- 1 The Board, of which this author was the chair, served two two-year terms from 2017–20 during which it made nearly 90 public recommendations to FIFA on a wide range of human rights topics, including risks connected to the FIFA World Cup Russia 2018 and FIFA World Cup Qatar 2022 (particularly to the rights of migrant workers and LGBTQ+ individuals). All the Board's reports and FIFA's responses are available at www.business-humanrights.org/en/big-issues/major-sporting-events/fifa-human-rights-advisory-board/.
- 2 Founded in 2015, the Sports and Rights Alliance is a global coalition of leading NGOs and trade unions working to embed human rights and anti-corruption across world sport. It includes Amnesty International, The Army of Survivors, the Committee to Protect Journalists, Football Supporters Europe, Human Rights Watch, ILGA World, International Trade Union Confederation, Transparency International and World Players Association.
- 3 FIFA has stated that it intends to create a sub-committee of the Governance, Audit and Compliance Committee with specific responsibility for human rights, but at the time of writing, this had not been established under the FIFA Governance Regulations.
- 4 In 2018, the IOC also began working with Shift to strengthen its overall human rights approach.

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