



ASOIF Governance Support and Monitoring Unit (GSMU)

Notes on anti-discrimination regulations for International Federations

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1. Context

This document provides a list of suggested components for International Federations (IFs) to consider including in their regulations both to demonstrate a strong anti-discrimination stance and to ensure that they can deal with allegations of discrimination when they arise. The material is based on an analysis of various existing regulations and on some recently documented cases.

2. Components for IF anti-discrimination rules and procedures for dealing with cases

The GSMU has the objective of steering International Federations (IFs) towards better governance.

One of the projects identified by the GSMU is to provide guidance on the components for anti-discrimination regulations and measures for IFs.

Discrimination is a topical issue in sport, with several high-profile cases and allegations of discrimination occurring in sport in recent times.

All 33 IFs in the 2017-18 ASOIF Governance Assessment had some form of anti-discrimination reference(s) in their policies, but 14 of the IFs studied only had a brief reference to anti-discrimination in their Constitution/Statutes or Code of Ethics.

The suggested components are designed as reference material and do not constitute legal advice. Updating or developing regulations relating to anti-discrimination is obviously an important step for an IF to take and those which wish to do so are encouraged to seek appropriate advice.

The components are intended for rules and policies that apply to those persons covered by the IF Constitution/Statutes. It may be the case that there are other IF internal regulations on anti-discrimination for staff members. Relevant national laws will also apply.

3. Suggested components for IF regulations on anti-discrimination

3.1. Constitution/Statutes and Code of Ethics

Anti-discrimination references should be included in both an IF's Constitution/Statutes and the Code of Ethics or equivalent documents. It is recommended that the listed characteristics in the two documents should be identical to avoid any risk of confusion.

Constitution / Statutes

The IF does not advocate, support or practice any form of discrimination on any grounds such as¹: age; race; skin colour; ethnic, national or social origin; gender; disability; language; religion; political opinion or any other opinion; wealth, birth or any other status; sexual orientation; or any other reason.

Code of Ethics

Persons bound by this Code must not discriminate on any grounds such as age; race; skin colour; ethnic, national or social origin; gender; disability; language; religion; political opinion or any other opinion; wealth, birth or any other status; sexual orientation; or any other reason.

3.2. Event bidding and hosting rules

Before a hosting decision is confirmed by an IF for a sanctioned competition, the planned hosts must provide a written guarantee that all athletes and sporting delegations eligible to participate, as determined by the IF concerned, can do so without any discrimination from the host country.

3.3. Competition rule clauses

All participants (athletes, officials and others involved in the event) must abide by the IF Constitution/Statutes and Code of Ethics or a specific Code of Conduct (or equivalent). There may also be a declaration for participants to sign.

3.4. Disciplinary procedures

There should be a clause in disciplinary rules or elsewhere explaining that breaches of the anti-discrimination regulations in the Constitution/Statutes or Code of Ethics will result in disciplinary procedures.

¹ The question of which characteristics to include is complex and should be given careful consideration. The list here is more extensive than is found in Fundamental Principle 6 of the 2018 Olympic Charter (see appendix) but does not include all characteristics covered in national legislation in different countries.

4. Suggested process for dealing with breaches of anti-discrimination policies and regulations (most often included in disciplinary rules)

- Anti-discrimination regulations are in place
- Disciplinary rules explain that a breach of the Constitution/Statutes or Code of Ethics will result in disciplinary procedures
- Take action to raise awareness of the firm stance of the organisation against any form of discrimination
- Define one or more procedures to follow if a breach of anti-discrimination regulations is alleged; there may be separate procedures depending on the nature/context of the breach (e.g. a breach at a major IF event may be handled differently from an allegation away from an event)
- Set out how an alleged breach should be reported, and to whom
- Describe a procedure for investigations and the decision-making process to proceed with a charge
- Describe the procedure for hearings if a charge is made, including how evidence is gathered and submitted
- Describe the decision-making process for sanctions
- Describe how the decision is communicated
- Explain any appeals process

Appendix

5. Relevant content from the [2018 Olympic Charter](#)

Fundamental Principles of Olympism

6) The enjoyment of the rights and freedoms set forth in this Olympic Charter shall be secured without discrimination of any kind, such as race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status.

6. IOC Code of Ethics, Article 1, paragraph 1.4

A. Fundamental Principles

Article 1

Respect for the universal fundamental ethical principles is the foundation of Olympism.

These include :

...

1.4 Respect for international conventions on protecting human rights insofar as they apply to the Olympic Games' activities and which ensure in particular:

- respect for human dignity;
- rejection of discrimination of any kind on whatever grounds, be it race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status;
- rejection of all forms of harassment and abuse, be it physical, professional or sexual, and any physical or mental injuries;

7. IOC position on discrimination based on nationality

A statement from the [Olympic Summit in 2015](#):

"...the Summit agreed that for all competitions taking place under the auspices of an International Federation or National Olympic Committee or their continental or regional associations, it has to be ensured that all athletes from all their members can enter a country to compete and are treated equally. It was agreed that should this rule not be respected, the event in question cannot serve as a qualification event for the Olympic Games or any other championship."

This point was reiterated in a [letter](#) sent to all IFs in November 2018, following several cases that year. Key sections:

"The IOC has today again underlined that, before allocating any international sports events to a country, all international sports organisations concerned must make sure that all the necessary written guarantees are obtained from the local authorities/organisers. This is to

ensure equal treatment for the participating athletes and sporting delegations, in accordance with the basic principles of autonomy and non-discrimination which govern the Olympic Movement. Should this not be possible, or should there be any doubt, the IOC has made it clear that any country unable to guarantee these principles would exclude itself from the right to host international sporting events. International sports organisations concerned should not allocate any international sports event to such a country until the issue is resolved and all the necessary guarantees are provided and implemented.”

“...when a national sports organisation/country decides to bid for, and host, an international sports event, it equally agrees to abide by the rules of the Olympic Movement and must guarantee that all athletes and sporting delegations eligible to participate, as determined by the international sports organisation concerned, can do so without any undue discrimination or political interference from the host country.”

8. Examples of IF anti-discrimination regulations

8.1. Example references to anti-discrimination policies in Constitution/Statutes and Code of Ethics

- ITTF
[Constitution](#) – Principles 1.3.1
The principles of the ITTF shall be general unity of action, mutual respect of Associations in their dealings with one another and the inadmissibility of discrimination against Associations or individuals on racial, political, religious, gender or other grounds;

[Code of Ethics](#) – 6.1.4.2
rejection of discrimination of any kind on whatever grounds, be it race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status;
- UCI
[Constitution](#) – Article 3, Principle (a)
equality between all the members and all the athletes, licence holders and officials, without racial, political, religious, gender-related or other discrimination;

[Code of Ethics](#) – 6.1
The persons bound by the Code shall not undertake any action, use any denigratory words, or any other means, that offend the human dignity of a person or group of persons, on any grounds including but not limited to skin colour, race, religion, ethnic or social origin, political opinion, sexual orientation, disability or any other reason contrary to human dignity.

8.2. Example of policies that go beyond a reference in the Constitution/Statutes and Code of Ethics

FIE

- Reference to member federations being sanctioned if they refuse to compete or discriminate against participants in [Statutes](#) 1.2.4 and 1.2.5

IGF

- The IGF has a standalone [anti-discrimination policy](#):
The IGF endorses diversity, supports equal rights, and does not advocate, support or practice discrimination based on race, religion, age, national origin, language, sex, sexual orientation, or mental or physical handicap, whether covered by applicable legislation or not, except where affirmative action may be required to redress individual or social handicaps of people from disadvantaged groups.
- The policy sets out:
 - The IGF's policy against such discrimination
 - The governance structures, responsibilities and processes that have been established to give effect to that policy