



## THE DEVELOPMENT OF THE UNIVERSAL DECLARATION OF PLAYER RIGHTS

On 14 December 2017, the world's leading player associations unveiled the **Universal Declaration of Player Rights** (the Declaration) to protect players from ongoing and systemic human rights violations in global sport. The Declaration, the first comprehensive articulation of athletes' rights, sets a benchmark for international sporting organisations to meet their obligations to protect, respect and guarantee the fundamental rights of players.

The Declaration is grounded in: (1) internationally recognised human rights; and (2) the real-life experiences of athletes. This document explains how.

The Declaration was developed over two years by the more than 100 player associations affiliated to the **World Players Association** (World Players). It underwent a thorough review process by human and labour rights experts to ensure it accords with international human rights law and core International Labour Organization standards. It also reflects generations of organised players' experiences and incorporates recent feedback from thousands of players provided through wide-ranging surveys conducted by player associations.

### **I. The internationally recognised human and labour rights of players**

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Respect for the internationally recognised human rights of players set out in the Declaration will introduce long overdue reforms to the governance of sport. Some examples include:

- Every player is entitled to equality of opportunity in the pursuit of sport without distinction of any kind and free of discrimination, harassment and violence.
- Every player has the right to freedom of opinion and expression.

- The rights of every child athlete must be protected.
- Every player has the right to share fairly in the economic activity and wealth of his or her sport which players have helped generate, underpinned by fair and just pay and working conditions.
- Every player has the right to organise and collectively bargain.
- Every player is entitled to have his or her name, image and performance protected. A player's name, image and performance may only be commercially utilised with his or her consent, voluntarily given.
- Every player has the right to a private life, privacy and protection in relation to the collection, storage and transfer of personal data.
- Every player must be able to access an effective remedy when his or her human rights are not respected and upheld. This is particularly crucial given the highly skilled yet short term and precarious nature of the athletic career.

“The [United Nations Guiding Principles on Business and Human Rights](#) establish a global responsibility for business enterprises of all kinds, including sports governing bodies, to respect human rights,” said **Rachel Davis, Managing Director of SHIFT, the leading voice on putting into practice the UN Guiding Principles on Business and Human Rights (UNGPs)**. “The Declaration builds on the UN Guiding Principles in highlighting the roles of sports bodies and states in preventing and addressing impacts on players' human rights. It confirms that players' rights are central to advancing the broader sports and human rights agenda, and that athletes should have a meaningful say in the matter.”

The World Players Association's mission is to embed the fundamental human rights in world sport. The Declaration builds on the UNGPs which have been adopted already by major sporting bodies such as the International Olympic Committee (IOC), the Federation International de Football Association (FIFA), Union of European Football Associations (UEFA) and the Commonwealth Games Federation following sustained advocacy by the Sport and Rights Alliance (SRA), of which the World Players Association is a committed partner.

“Athletes' rights are human rights. We shouldn't even have to say it, but players are workers and all too often face abuse and discrimination,” said **Minky Worden, Director of Global Initiatives at Human Rights Watch, which is a member of the SRA**. “This declaration of players' rights is a timely reminder that many athletes start their careers as children and some have to fight for the right to play. All players have a right to freely express their political views, and to fair working conditions and pay.”

## II. The phased development of the Declaration

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The announcement of the Declaration fulfils a commitment made by the inaugural World Assembly of World Players held in Cape Town, South Africa in December 2014 to develop an “*international declaration of athletes’ rights*”.

The development of the Declaration firstly involved an extensive period of research:

- Comprehensively understanding the experiences and needs of players from many sources, including:
  - The leadership and staff of the player associations affiliated to World Players
  - Reviewing the history and experience of player associations over generations (especially since the 1960s) in representing players in key collective bargaining negotiations and in cases before courts and industrial and sporting tribunals
- A thorough examination of international human rights law, principles and standards
- Extensive stakeholder consultation with international sporting organisations and human rights experts, including through the SRA and in the forum of the Mega-Sporting Events Platform for Human Rights
- A detailed review of comprehensive surveys and case studies involving thousands of players conducted by player associations and independent researchers.

Secondly, the drafting of the Declaration entailed:

- The preparation of a series of papers on athlete rights including under international law
- The development and refinement of a series of policies dealing with matters such as gender equality, anti-doping, child rights and player development, health, wellbeing, transition and retirement
- Drafting of several versions of the of the Declaration, which culminated in April 2017 when the Executive Committee of World Players approved a version for submission to the affiliated player associations for their consideration
- The adoption of the approved text by the more than 100 player and athlete associations affiliated to World Players, commonly in their general assemblies
- The making of final modifications to the approved text based on final feedback from affiliates
- The adoption of the final text of the Declaration by the Executive Committee of World Players on 13 December 2017
- The signing and announcement of the Declaration on 14 December 2017 in Washington DC, USA.

### III. Understanding the players

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The legitimacy of the Declaration is drawn from the representation and deep understanding of the players coupled with the document's respect for internationally recognised human rights.

The table below provides a summary of research into the rights, development, wellbeing, safety and careers of professional and elite athletes undertaken and published since 2010, which helped inform the shaping of the Declaration. It highlights international experiences by focusing on sports with global dimensions (such as football and cricket) and issues of cross-cutting relevance including the protection of minors, sport's duty of care, and health and safety matters. It reveals:

- The economic pressures that many athletes (especially women) are feeling which undermine their capacity to sustain the intense demands of an elite career
- The importance of sport putting in place effective player development, health, wellbeing, transition and retirement programs, especially in partnership with players and their legitimate representatives
- A lack of respect for contracts and non-conformity with international and national level labour standards. Players and athletes are frequently paid late, and in some instances not at all, with concerns extending to forced labour and human trafficking
- Issues relating to racism and gender discrimination continue at alarming levels
- Deficiencies in relation to arbitration bodies within the world of sport, especially in ensuring that athletes whose rights have been violated can access an effective remedy
- The continuation of alarming cultures of bullying, including horrific instances of child abuse and exploitation (including sexual abuse) in several sports
- Whilst improvements are being made in relation to on-field player health and safety, there remains much more research and policy work to be done in this field
- The correlation between a lack of respect for the rights of players and threats to the integrity of sport.

	Report	Year	Key Findings
1.	<a href="#">Protecting children from violence in sport: a Unicef report</a> , Unicef	July 2010	<i>"During recent years, however, it has become evident that sport is not always a safe space for children, and that the same types of violence and abuse sometimes found in families and communities can also occur in sport and play programmes. Child athletes are rarely consulted</i>

			<i>about their sporting experiences, and awareness of and education on child protection issues among sport teachers, coaches and other stakeholders is too often lacking.”</i>
2.	<a href="#">The Experiences of Children Participating in Organised Sport in the UK</a> , Child Protection Research Centre	October 2011	<i>“Despite the absence of definitive data <u>there is some indication that the level of abuse in sport settings is at least as high and may be higher than in the population as a whole.</u>”</i>
3.	<a href="#">Black Book Eastern Europe: the problems professional footballers encounter</a> , FIFPro	February 2012	<p>Identified the following as sources of risk for players:</p> <ul style="list-style-type: none"> <li>• 41.4% of players do not have their salaries paid on time</li> <li>• 5.5% of all players wait more than 6 months to receive their salary. 2.2% have even had to wait more than a year for their salary arrears to be paid or are still waiting for that to happen</li> <li>• 15% of players were forced to train alone (separate from the team)</li> <li>• 11.7% of the players were victims of violence (of which 33% was club initiated)</li> <li>• 10.2% of the players were victims of bullying and harassment (in other words, bullying players with the aim of making them cave in, either physically or mentally).</li> </ul>
4.	<a href="#">Findings From a Study of the Mental, Physical and Financial Wellbeing of</a>	September 2013	<i>“32% did not feel in control of their lives two years after finishing; 24% admit to ongoing physical, mental, addiction or financial problems (we suspect others have problems but aren’t prepared to admit it). Problems in the first year</i>

	<a href="#">Retired Professional Sportsmen</a> , Professional Players Federation (UK) (an affiliate of EU Athletes)		<i>after retirement from sport are common; 17% admit to high levels of anxiety/stress; 16% admit to loss of self esteem and confidence; 16% admit to depression and feelings of despair.”</i>
5.	<a href="#">Mental Illness in Professional Football</a> , Dr Vincent Gouttebarge (FIFPro Chief Medical Officer)	April 2014	<i>“<u>Five to 42% of the former professional footballers reported to have some mental health problems.</u> Especially, signs of anxiety/depression and adverse nutritional behavior were the most reported, namely by 2 out of 5 players.”</i>
6.	<a href="#">Don't Fix it</a> , Birkbeck University of London - Project supported by FIFPro, UEFA, and the European Commission Sport Unit	May 2014	<i>“<u>This report is the product of a number of different research methods, including a detailed literature review, interviews with key stakeholders and project partners, and a large scale survey of player's knowledge, beliefs and practices around match-fixing and betting.</u>”</i>
7.	<a href="#">Player Health, Safety &amp; Security Overview</a> , FICA	May 2015	<i>“<u>This report has drawn on the input from players and key team officials to identify the main risk factors in the game...It is clear from this first report that whilst there are some areas of high quality provision, there are many areas where the game falls short, provision is either poor quality, inconsistent or in fact non-existent.</u>”</i>

8.	<a href="#">Independent Commission WADA Investigation,</a> Richard Pound QC, Richard McLaren OC & Gunter Younger	November 2015	<i>“...it would be naïve in the extreme to conclude that activities on the scale discovered could have occurred without the explicit or tacit approval of Russian governmental authorities.”</i>
9.	<a href="#">The IOC Consensus Statement: harassment and abuse (non-accidental violence) in sport,</a> British Journal of Sports Medicine	April 2016	<i>“What is clear is that the risk of experiencing psychological, physical and sexual violence rises as the athlete progresses up the talent ladder and performance pathway, and that exposure to an abusive elite sport culture can lead to a range of mental health difficulties and other negative impacts.”</i>
10.	<a href="#">Concussion: a special report on the latest science,</a> Australian Athletes’ Alliance & Queensland Brain Institute	June 2016	<i>“We still need to be able to assess in a more objective way the impact that concussion is having, both immediately after the incident, but also with respect to the recovery and treatment required to rehabilitate a player...finding answers to the unknowns about concussion is crucial. “Research is key because knowledge is power,” he [Chief Executive of the Rugby League Players Association, Ian Prendergast] says, “and the more information we discover, the better informed our approach can be.”</i>
11.	<a href="#">For the Game for the World: FIFA &amp; human rights,</a> Professor John Ruggie	June 2016	Identified the following as sources of risk for players: <ul style="list-style-type: none"> <li>• Racial and gender discrimination</li> <li>• Abuses related to the transfer system including suggestions that ‘human trafficking in football continues at significant rates’</li> </ul>

			<ul style="list-style-type: none"> <li>Concerns about player access to remedy in human rights related matters (including concerns about human rights expertise of CAS arbitrators) noting that this must <i>“be a real and not merely a theoretical possibility.”</i></li> </ul>
12.	<a href="#">International Cricket Structural Review 2016</a> , FICA	June 2016	<ul style="list-style-type: none"> <li><i>“Players around the world frequently do not receive their full contractual entitlements</i></li> <li><i>Players’ rights are not protected adequately around the world and current recourse in cases of dispute is not adequate</i></li> <li><i>Player contracts are often unbalanced, and do not afford players adequate protections, taking advantage of the relative strength/weakness of negotiating parties</i></li> <li><i>There are no arbitrators chosen by players or their representatives in relation to disputes, under code of conduct, illegal actions, anti-doping, anti-corruption regulations</i></li> <li><i>There is no central arbitration body to hear employment related disputes of an international nature between players and boards/clubs/franchises</i></li> <li><i>There is often little recourse other than legal action in overseas territories.”</i></li> </ul>
13.	<a href="#">Independent Person WADA Investigation of Sochi Allegations (Part 1 &amp; Part 2)</a> , Professor	June & December 2016	<p><i>“The Ministry of Sport directed, controlled and oversaw the manipulation of athlete’s analytical results or sample swapping, with the active participation and assistance of the FSB, CSP, and both Moscow and Sochi Laboratories. [part 1].”</i></p>



	Richard McLaren, O.C		<i>“An institutional conspiracy existed across summer and winter sports athletes who participated with Russian officials within the Ministry of Sport and its infrastructure, such as the RUSADA, CSP and the Moscow Laboratory, along with the FSB for the purposes of manipulating doping controls. The summer and winter sports athletes were not acting individually but within an organised infrastructure. [part 2]”</i>
14.	<a href="#">Global Employment Report</a> , FIFPro	December 2016	<p>Identified the following as sources of risk for players:</p> <ul style="list-style-type: none"> <li>• 41% of players had delayed payments</li> <li>• 29% of transferred players moved against their will</li> <li>• 22% of players are aware of forced training</li> <li>• 9% of players suffer from violence, 8% from discrimination and 16% harassment</li> <li>• 72% had not completed education beyond high school, with 10% not even beyond primary</li> <li>• 17.2 percent of players who play for clubs abroad have experienced racism, xenophobia or other forms of discrimination.</li> </ul>
15.	<a href="#">Sporting Chance White Papers</a> , Mega-Sporting Events Platform for Human Rights	January 2017	The Mega-Sporting Events Platform for Sport and Human Rights is a multi-stakeholder coalition (including World Players and the IOC) that has the mission of ensuring all actors <i>“embrace and operationalise their respective human rights duties and responsibilities...”</i> . In January 2017, it published a series of White Papers that incorporated case studies, exchanged views on best practice and monitoring, and detailed various human rights issues that pertinently noted:

			<ul style="list-style-type: none"><li>• Concerning <a href="#">Sports Governing Bodies and Human Rights Due Diligence</a> - <i>“International Federations – which are responsible for the rights to host major sports events (referred to throughout this paper as awarding bodies) – have long highlighted the positive impacts of sport on people’s lives and the ability to make a lasting difference to communities. Yet sport in general has arguably been slower than the wider business community to appreciate that positive social action starts with understanding and addressing, and where necessary remedying, the negative impacts on people’s human rights caused by or linked to an organisation and its operations.”</i></li><li>• Concerning <a href="#">Remedy Mechanisms for Human Rights in the Sports Context</a> - <i>“There is presently an absence of a binding and standing human rights policy and capacity across international sport within major international sports organisations (ISOs) and, as a consequence, no recourse to dispute resolution through such channels can be had for cases related to human rights.”</i></li><li>• Concerning <a href="#">Children's Rights in the Sports Context</a> - <i>“Child athletes are particularly vulnerable to violence and abuse, and there are some risks to children which are unique to sport, in particular the increased risks for elite young athletes, such as exploitation, abuse (including sexual), over-training and doping. In particular, a closer look in this perspective should be taken at Youth</i></li></ul>
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			<p>or U18 MSE, given their increased number over the last decades.”</p> <ul style="list-style-type: none"> <li>Concerning <a href="#">Athletes' Rights and Mega-Sporting Events</a> – “The relatively low status afforded athletes’ rights, especially in the context of increasingly complex and far-reaching sporting regulation. This is commonly reflected in the absence of a human rights due diligence process to identify, prevent, mitigate and account for the human rights impacts of decisions being made by ISOs which govern the involvement of athletes in sport.”</li> </ul>
16.	<a href="#">Duty of Care in Sport Review</a> , Baroness Tanni Grey-Thompson	April 2017	<p><i>“[It is] timely for the sport sector to consider Duty of Care in its fullest sense. The sector is arguably under more scrutiny than ever before, with allegations of non-recent child sexual abuse in football, and accusations of a culture of bullying in some sports. Questions are being asked about the price being paid for success. It is clear that the drive for success and desire to win should not be at the cost of the individuals involved.”</i></p>
17.	<a href="#">Report to USA Gymnastics on Proposed Policy and Procedural Changes for the Protection of Young Athletes</a> , Ms. D Daniels (Krieg Devault)	June 2017	<p><i>“...over a 20-year period, 368 gymnasts had alleged sexual abuse or exploitation by coaches and other authority figures, at least some of whom were alleged to have been associated with USA Gymnastics as members; and that many of the allegations against members had not been pursued, or had not been promptly reported by USA Gymnastics.”</i></p>
18.	<a href="#">2016 Annual Review</a> , FICA	June 2017	<p><i>“FICA has concerns with the continued systemic non-payment of players across both international</i></p>

			<i>and domestic cricket...There is still substantial variation in the employment rights, terms and conditions provided to players around the world..."</i>
19.	<a href="#">2017 Paris World Player Development Standard</a> , World Players	September 2017	Identifies eight goals and actions to maximise the development of players as people as well as athletes: (1) education; (2) inclusion; (3) health and wellbeing; (4) player development agreements; (5) player rights; (6) research; (7) transition; and work environment.
20.	<a href="#">Global Employment Report: working conditions in professional women's football</a> , FIFPro	December 2017	Identified the following as sources of risk for players: <ul style="list-style-type: none"> <li>• 49.5% of respondents are not paid by their clubs, and most of those paid receive low wages</li> <li>• More than 60% of paid players take home less than \$600 a month, only a tiny few make more than \$4,000 a month. 37% are paid late</li> <li>• Only 53% of players say they have a written contract with their club, and of these, 15% do not know what type of contract they have. At national level, only 9% of capped players say they have a written contract</li> <li>• 66% of respondents say they are disappointed with the prize money in women's football tournaments. The prizes for men's and women's events are not equal, in both absolute terms and in terms of revenue share</li> <li>• 17.5% of players report gender discrimination, 5.4% report homophobia and 4.5% report racism. 3.5% say they have been sexually harassed.</li> </ul>