

Guidelines Human Rights in Sports



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The Charter on Human Rights in Sport



Preamble

After weathering the storms of poverty and dictatorship in the 20th century, the Republic of Korea has developed into a modern industrial nation enjoying political democracy, economic growth and cultural diversity. With such invaluable accomplishments as milestones to the future, Koreans are striving to improve inconsistencies and outdated practices in all aspects of the society.

Sport is no exception to such favorable climate change in Korea. In the last century, elite sport in Korea experienced unprecedented growth in line with the nation's rapid economic growth. Remarkable success in major international competitions, such as the Olympics and the FIFA World Cup, served as a motivational driving force behind the nation's development and a symbol of success for overcoming hardships. Yet, the sport sector is still perceived as lagging behind in terms of democratization.

The Constitution of Korea and the International Covenant on Human Rights clearly state that everyone has the right to a dignified life, liberty, education, and pursuit of happiness. These fundamental rights apply equally to the sport sector.

Sport is a way of demonstrating strong will to overcome the limitations of human abilities, self-realization aimed at cultivating our fullest potential, and a way of learning communication and harmonization through fair play. Furthermore, sport is a cultural activity for all in the sense that it is a physical group activity and a leisure activity which enriches our lives.

Thus, sport is a universal right that all human beings are entitled to. Furthermore, States and societies, as entities for protecting human rights, are responsible for encouraging sport and promoting sport participation.

Accordingly, we would like to redefine the true meaning of sport. We declare that the true kind of sport that we should aim for in the future is sport that is free from violations of human rights, open to all to take part and express themselves, enables participants to discover themselves, communicate with others, and enrich their lives.

Section 1. Sport as a human right

Article 1. Sport is a physical activity to realize and express ourselves.

Article 2. Through sport, every person can develop his physical abilities, enhance his self-confidence and self-esteem, and socially become more respectful and considerate of the physical activities of others.

Section 2. Every person has the right to participate in sport

Article 3. Every person has the right to participate equally in sport.

(1) Participation in sport is a basic human right required for a dignified life. Every person has the right to participate freely and equally in sport at a level commensurate with his or her preference and ability, regardless of gender, race, age or disability.

(2) The State should strive for 'sport for all citizens' and, in particular, make persistent efforts to ensure that women, persons with disabilities, and young people are able to take part in a sport that is suitable for them.

(3) The State and local governments should ensure a minimum of hours of sports participation for all citizens, so that they can lead a balanced and enjoyable life.

(4) The State and local governments should set minimum standards on sport facilities and establish sports facilities based on them so that citizens can take part in sport in local communities.

(5) The State and local governments should try to recruit qualified coaches so that citizens can receive necessary assistance while participating in sport in local communities.

Article 4. The right to participate in sport should be guaranteed equally for women.

(1) The State should promote women's participation in sport and make positive efforts to ensure their participation starting from their childhood and adolescence, without suffering from gender-based discrimination.

(2) Parties involved in education, including schools and parents, should take special care to ensure that the curriculum poses no obstacles to women's sport.

(3) Sports-related sites, including schools and sport clubs, should be equipped with adequate facilities that enable women to participate freely in sport.

Article 5. Schools should guarantee children's and young people's participation in sport.

(1) A school is a place where children and young people develop physical and mental balance. Thus, schools should take responsibility to motivate children and young people to participate in sport and help them acquire relevant skills.

(2) Schools should ensure that a minimum of hours of sport is included in the curriculum in light of the maturity and development stage of children or young people.

(3) Schools should be equipped with sports facilities so that children and young people can enjoy various sports. Also, proper rules for using these facilities should be set in order to facilitate equal access.

Article 6. The right to participate in sport should be guaranteed equally for persons with disabilities.

(1) Persons with disabilities can increase opportunities for social exchange or integration through sport.

(2) The State should encourage sports participation of persons with disabilities and provide them with opportunities to take part in sport commensurate with their type and level of disability and preference.

(3) Sports-related settings, including schools and sport clubs, should be adequately equipped so that people with disabilities can participate freely in sport.

Section 3. Sport provides opportunities to learn about democratic citizenship

Article 7. Sport as education

(1) Every person can enhance endurance, self-confidence, and leadership through participation in sport.

(2) Sport offers opportunities for participants to learn about the spirit of team work, consideration, and respect for others.

Article 8. The educational aspect of sport should be emphasized for sport for children and young people.

(1) For children and young people, sports participation is an integral part of education. Child and young people should be able to enjoy sport in a free environment that fosters interest and helps them grow as individuals.

(2) The purpose of evaluating the performance of children and young people in sport should be to increase their participation by finding an adequate education method based on measuring their physical development.

(3) Since coaches are educators who not only teach sporting skills for children and young people but also encourage them to build upright character, they should have the required qualifications to carry out their role.

(4) The degree of enhancement in students' capacity and interest in sport should be the benchmark for evaluating the performance of coaches and physical education teachers at school. An evaluation simply based on game performance is flawed.

(5) While taking into account the influence of sport in the stages of human development, parties involved in sports education should be provided with a stable environment in which they can carry out their jobs effectively.

Article 9. Sport provides opportunities to learn about democracy.

(1) Participants can learn the values of unity and teamwork by playing sport since it is a form of training of accomplishing goals as a team.

(2) Sport provides opportunities to learn about fair play and accepting the results of games.

Article 10. Sport contributes to social integration.

(1) Due to the collective identity formed through group activities, participants feel a strong sense of group affiliation.

(2) Socially disadvantaged groups, such as seniors and persons with disabilities, can actively participate in social activities by enhancing their self-confidence and self-esteem through sports participation.

(3) Members of the society become connected by a bond of sympathy based on exchanging common experiences through sport, which serves

as a building block for creating a community spirit in the society.

Section 4. Sports participation promotes individual happiness

Article 11. Sports participation is essential for leading a healthy and enjoyable life.

- (1) Every person can maintain physical health and well-being by participating in sport.
- (2) Sport, which is an enjoyable physical activity, enhances the mental health and happiness of participants by providing opportunities to focus on something delightful and to enjoy their leisure time.

Article 12. Sports participation should be aimed at ensuring the well-balanced development of people.

- (1) Every person should be able to participate in diverse sports commensurate with their physical and mental development for an appropriate length of time. Thus, guidelines on this subject should be established and implemented.
- (2) Those who have talent and interest in sport should be given sufficient opportunities of self-realization through sport.
- (3) Sports participation should not undermine the personal development and educational opportunities of student athletes by guaranteeing their right to learn.

Section 5. Sport is diverse

Article 13. All areas of sport should be treated equally.

- (1) The State, local governments, and sports organizations should encourage individuals to participate in diverse sports commensurate with

their personal interest or preference.

(2) The State and local governments should provide adequate facilities to ensure that those who enjoy diverse sport activities are not discriminated.

Article 14. Sports participation should be of participants' own free will.

(1) Every person should be able to choose a type of sport and team of their own free will.

(2) No person may face disadvantages for deciding whether or not to participate in a particular sport.

Section 6. Sport as a universal language

Article 15. Sport promotes peaceful coexistence throughout the world.

(1) Sport is a universal language spoken by almost everyone in the world, regardless of race, ethnicity, nationality, gender, generation and disability, since the same rules are applied worldwide.

(2) Sport motivates participants to feel a sense of belonging to one human family and to live together in peace.

Article 16. Sport is a crucial channel for international exchange and communication.

(1) Citizens should be provided ample opportunities to exchange with citizens of other countries in various ways through sports.

(2) It should be ensured that opportunities for sports exchange is not confined to certain parties.

Article 17. The purpose of international sports exchange should be to promote mutual understanding and friendship.

(1) During international sports exchange, actions that instigate excessive competition or hostility due to a strong desire to win should be restrained.

(2) Media coverage of sport should help facilitate international sports exchange.

(3) In the event of international sports exchange, all parties involved in sport should not use discriminatory or improper language or treat others unfairly on the ground of gender, race, age, religion, disability, etc.

Section 7. Human rights in sport should be protected.

Article 18. Violations of human rights should be prevented in all sports-related settings.

(1) The principles of 'human rights and democracy and rule of law,' which are the foundations of modern society, should also be applied to the sport sector.

(2) Measures for preventing verbal, physical, emotional violence, child abuse and protecting human rights in the sport sector should be established.

(3) Measures for preventing sexual harassment, sexual assault, sexual violence and protecting women in sport should be established.

(4) The State, local governments, sports institutions, and other relevant organizations should be cognizant of human rights violations that occur in various parts of the sport sector, such as violence and sexual violence, and should try to prevent them so that every person can participate in sport in a safe environment.

Article 19. Systems and measures for protecting athletes should be established.

(1) Rational standards should be developed for the length of training

and the number of competitions permitted for athletes to compete in so that athletes do not face potential risks of ending their athletic career earlier due to excessive training and competition.

(2) Coaches and athletes should be educated and tested on a regular basis in order to prevent the use of performance enhancing drugs or other harmful substances.

(3) Considering that children and young people are still at the growth stage in their life and that sports participation is part of their education, careful concern should be given when providing them opportunities to compete in competitions so that they can fulfill their potential.

(4) During training sessions or competitions, medical professionals should be present and an emergency medical care system should be established in order to provide adequate and prompt treatment in cases of injuries.

(5) Coaches of children and young people should have detailed information on the athletes' body conditions and, upon finding any abnormal symptoms, should ensure that medical professionals provide adequate and immediate treatment.

(6) When injured athletes seek to compete in a competition again, they should obtain prior consent from a qualified medical professional.

(7) Proper counseling services, guidance, vocational training should be provided for athletes who have ended their athletic career due to injuries, retirement, or for any other reason, in order to help them find a new career.

Article 20. Systems and programs for protecting human rights in school sports should be designed.

(1) Schools should appoint officials responsible for monitoring human rights violation during sports education for children and young people.

(2) Schools should set explicit remedial procedures in cases of human rights violations in school sports and assign roles for officials in charge.

Furthermore, they should appoint qualified counselors for children and youth victims or provide a counseling channel for them.

(3) Schools should take special care during the support process for human rights violations that occurred during sports education in order to prevent secondary damage for children and young people.

Article 21. Research and studies should be conducted on the actual conditions of human rights in sport and education on human rights in sport should be provided.

(1) Research and studies should be conducted consistently on the actual conditions of human rights among the participants in sport and supported by sufficient budget and a system.

(2) Based on the results of such research and studies, effective and human rights-friendly sport policies should be developed and implemented.

(3) Education on human rights in sport should be provided for all parties involved in sport, including student athletes, coaches, parents, teachers, and athletic officials.

(4) Education on human rights in sport should be offered in the form of a systematic human rights-friendly program.

Article 22. The State and other parties involved in sport should be responsible for protecting human rights in sport.

(1) The State, local governments and other sport-related institutions should take proactive measures to prevent child abuse and sexual violence, to guarantee the right to learn of student athletes, and to facilitate their growth and development.

(2) Educational institutions, including schools, have the responsibility to protect human rights of their student athletes and to ensure that other students play sport in a safe and healthy environment.

(3) An institutional framework should be established to ensure parents

and local communities to participate in the process of sport education at school as central parties protecting human rights.

(4) Local communities should monitor and prevent cases of human rights violations that occur during sports participation of citizens, and strive to protect victims when such cases occur.

Section 8. Concerted efforts should be made to realize the ultimate goal of sport

Article 23. Systematic sport policies should be established at a national level.

(1) The basic objective of national sport policies should be to ensure that, under the banner of 'sports for all,' every citizen leads a happy and enjoyable life by participating freely in sport.

(2) The State should become fully aware that sport is a universal human right and should devise sport policies which increase participation in sport and prevent violations of human rights during sports participation.

(3) Sport policies should be flexible enough to predict and reflect possible changes, such as technical innovations and expansion of athletic activities.

Article 24. Laws, regulations and systems should be reformed to carry out sport policies successfully.

(1) The State and local governments should improve and reform current laws, regulations and systems to adequately reflect the spirit of 'sports for all.'

(2) Sport policies, relevant laws and regulations should focus on addressing violations of human rights that are committed in the sport sector.

(3) Sport policies, relevant laws and regulations concerning children and young people should ensure that the principle of voluntarism is fulfilled in sport, under the premise that sport is an important means of education and its purpose is to facilitate a balanced development of body and mind.

(4) The State and local governments should establish a realistic framework that monitors explicit steps and implementation of human rights-oriented sport policies.

Article 25. All relevant parties should work together to promote human rights in sport.

(1) A mechanism for close cooperation and communication should be established among the State, local governments, educational institutions, sport institutions, organizations, professional groups, and all parties involved in sport to promote human rights in sport.

(2) The media, instead of focusing on a select few sports that enjoy popularity, should respect the diversity of sports, promote human rights in sport, and cooperate in realizing the ultimate goal of 'sports for all.'

(3) All parties involved in sport should increase their cooperation with international organizations, including the United Nations (UN), the United Nations Children's Fund (UNICEF) and the International Olympic Committee (IOC), as well as international non-governmental organizations (NGOs), international groups for human rights in sport, and relevant professionals abroad, in order to protect and promote human rights in sport.

Human Rights Guidelines for Violence Prevention in Sport

2

Human Rights Guidelines for Violence Prevention in Sport



I. Why is it important to have guidelines?

1. Background and Objectives of the Guidelines

Violence in sport is counteractive to the advancement of sport, causing severe physical and mental distress to individual athletes and stirring negative public sentiments against the sport community.

Due to the efforts made by the government and sports authorities, there have been some signs of improvement in fighting against violence in sport. Nevertheless, violence is still considered tolerable to a certain extent in the sport sector or regarded as corporal punishment necessary for enhancing athletes' performance and mental strength. Accordingly, additional measures should be taken to prevent these flawed and misguided practices from being perpetuated and to raise public awareness about violence in sport.

In response, the National Human Rights Commission of Korea has developed the following guidelines to provide the government and sports organizations with necessary standards and guidelines for developing and implementing effective prevention policies.

2. Definition and Characteristics of Violence in Sport

Violence in sport is defined as the act of inflicting physical damage on another person through methods like injuring, assaulting, detaining, or luring in a sport-related environment as well as the act of inflicting mental damage on another person by means such as defaming, humiliating, intimidating, threatening, coercing or ostracizing.

Violence in sport encompasses violence that occurs among all parties involved in sport, such as sports authorities, officials, volunteers, as well as coaches, peer athletes, or colleagues.

Due to the common misconception within the sport community that 'violence or corporal punishment to some degree is acceptable as a form of training required to enhance athletes' performance and mental strength,' violence in sport can be masked as a form of training.

Violence in sport can easily become a daily routine as it may occur not only during various such as training sessions, competitions, training camps, but also throughout the day in sport-related settings such as playing fields, training sites, and in cars to sports events.

Furthermore, violence in sport is used as a means of controlling athletes under hierarchical power structures that exist between coaches and athletes or between colleagues. Because this type of violence can be easily learned, it leads to a so-called 'reproduction of violence'—a vicious cycle in which today's victims become the perpetrators of tomorrow.

Due to the collective and closed nature of sports organizations, little is known to the outside world about violence in sport, and individual athletes who are accustomed to hierarchical power structures have a hard time responding to violence on their own.

Examples of Violence in Sport

Physical Violence Committed against the Human Body:

- Corporal punishment or any other form of physical violence performed under the pretext of enhancing performance or mental strength;
- Corporal punishment or any other form of physical violence performed due to bad training behaviors, poor performance or unsatisfactory competition results;
- Corporal punishment or any other form of physical violence committed under the

framework of hierarchical discipline and control;

- An act of coercion for excessive training, without prior planning or consent or consideration of the individual athlete's physical condition;
- An act of detaining or secluding athletes from their team for a certain period of time;
- Corporal punishment or any other form of physical violence resulting from coaches' anger, frustration or display of power

Emotional and Verbal Abuse:

- An act of hurting self-esteem of an individual or a whole group of athletes by making derogatory or insulting remarks;
 - An act of taking advantage of one's authority or hierarchical position to threaten or coerce athletes, with the intent of restraining them from choosing a certain career path or participating in a certain competition;
 - An act of insulting or humiliating athletes in public;
 - An act of unilaterally changing or rearranging free time or length of training sessions, without prior planning or consent
 - An act of intimidating others and creating an atmosphere of terror with abusive remarks or behaviors
-

3. Negative Impacts and Consequences of Violence in Sport

Violence in sport causes not only physical harm but also mental harm, such as anger, anxiety, fear, depression to the victim. It can have a devastating impact on the victim, and in some cases affect all aspects of their life, resulting in destroyed identity or pride or ultimately, cause them to give up their athletic career and even have trouble in adapting in school or social life. In extreme circumstances, exposures to recurring acts of violence can lead to devastating situations, including mental disorder, physical disability, and even suicides.

Violence in sport also undermines athletes' potential, creativity, and their

potential for long-term growth, as well as the development of sport in general. Furthermore, it can undermine team spirit and jeopardize teamwork. In addition, the reproduction of violence would create a negative image of the sport sector for being a violent community.

Violence in sport will continue to prevent sport from developing into a more scientific and specialized field with reasonable systems and methods of sport instruction as long as it is perceived as an acceptable and tolerable means of punishment for short-term improvement in performance.

Current Laws Applicable to Violence in Sport

Article 29 of the Child Welfare Act

- The article bans physical or mental abuse of children, sexual abuse of children, including sexual harassment and violence, abandonment or neglect to provide protection, care, or medical treatment to children under his/her protection or supervision.

Act on the Punishment of Violent Acts

- The Act provides punishment of those who commit a violent act (assaulting, threatening, intimidating, etc.) collectively, habitually or by using a dangerous object such as a weapon.

School Violence Prevention and Countermeasure Act

- The Act requires schools to take violence prevention measures and, in cases where school violence occur, to take the necessary measures toward the perpetrator and the victim student.

Article 18 of the Elementary and Secondary Education Act

- The founders, officials, and principals of schools should guarantee the human rights of students as specified in the Constitution and International Covenants on Human Rights.

Article 19 of the Convention on the Rights of the Child

- States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, etc.

II. Guidelines

1. Prevention Policy

1.1 Sport organizations must develop a prevention policy for violence in sport, while taking into account the characteristics of the type of sport and field, physical development stages of athletes, and their gender composition. The policy must encompass information and understanding on violence in sport, preventive measures, education and training, policy implementation and evaluation.

1.2 The prevention policy must be applicable to all parties involved in sport, including coaches, athletes, parents, sports managers, officials, and volunteers.

1.3 The prevention policy must be available at any time, in any place for all parties involved in sport in easily accessible and understandable formats (regulation, code of conduct, guideline, etc.).

1.4 The prevention policy must be developed by a representative body, such as an objective and transparent council, and the body must be responsible for designing and approving policies as well as monitoring, evaluating, modifying, and revising them to reflect current social changes.

2. Education and Awareness Raising

2.1 Schools with a sports organization and team must provide education on violence prevention in sport to student athletes and their coaches on a regular basis.

2.2 Education must cover the definition and characteristics of violence in sport, the codes of conduct for coaches and athletes. Also, the characteristics of the type of sport, age of the participants, gender composition must be taken into account when structuring the content of the course.

2.3 Student athletes and their parents have the right to demand the school or sports organization to provide education, and they also have the obligation to take active participation in such education.

2.4 Administrative agencies must supervise whether the schools and sports organizations are offering education and provide administrative support to help them deliver effective education.

3. Codes of Conduct

3.1 Sport organizations, including sports councils and associations, must adopt a code of conduct to prevent and resolve acts of violence in sport while taking into account the characteristics of each type of sport.

3.2 The code of conduct must include the definition and characteristics of violence in sport, cases of violence, and support measures for each party (including coaches, athletes, parents, schools, agencies, administrative agencies, and volunteers, etc.).

3.3 The code of conduct must provide an explicit description for coaches, athletes, and other actors involved in sport of what 'should be done' or 'should not be done,' during sports-related activities such as competition, training, or training camp.

Code of Conduct for Coaches (Example)

- It should be acknowledged that coaches are held primarily responsible for protecting athletes.
- Violence is not permitted under any circumstance, including disciplinary group punishment purposes.
- Corporal punishment using instruments, hands or feet is prohibited.
- Coaches should not force athletes to leave the team for personal reasons, unless a justifiable procedure is followed.
- Coaches should not threaten or punish athletes by taking advantage of their power to choose who will get to play in competitions.
- Coaches should not seclude athletes from their team without reasonable justification.
- Coaches should not force overwhelmingly excessive exercise or training to athletes.
- Coaches should refrain from speaking or acting in a abusive, insulting, defaming way
- Corporal punishment given by relatively older athletes to younger athletes is unacceptable, even tacitly.
- Coaches should not arbitrarily adjust class time, free time, or training time.
- When an act of violence occurs, coaches should never condone or overlook it and resolve it while following the set guidelines and procedures.
- When an act of violence occurs, coaches must always report it to their authorities or central organizations.
- When an act of violence occurs, coaches should provide full support to the victim and is responsible for preventing the incident from recurring.
- Coaches should try to enhance the skills of individual athletes and the team as a whole by using an effective coaching method that is free of corporal punishment or abusive language
- Coaches should train athletes and supervise competitions with a mindset of enhancing their performance, facilitating sound development of their physical and emotional well-being.
- Coaches should inform athletes in advance about their goals, methods, and process of training and ask for their opinion.

Codes of Conduct for Other Sports-related Groups (Examples)

Sports Organizations and Education Offices

- Sports organizations and education offices are responsible for providing information and education to prevent violence in sport, formulating prevention policies, and

supervising the implementation of the codes of conduct.

Schools with Sports Teams

- School principals are accountable for acts of violence in sport.
- When an act of violence in sport has occurred or is likely to occur, the school should resolve the incident in a transparent manner by following the set procedures and system.
- It should be ensured that the prevention policy and code of conduct are easily accessible to student athletes and other relevant parties in school, at any time, in any place.

Student Athletes

- Student athletes should be well informed about the different types and cases of violence and ways to prevent and respond to these incidents.
- Student athletes have the right to access the 'prevention policies' and 'code of conduct' at any time, in any place.
- Students should be aware that violence, which undermines the spirit of the sport community and jeopardizes teamwork, is not tolerable under any circumstances.

Parents

- Parents should ensure that their children receive education on violence prevention so that they do not become perpetrators and should be aware that they have full responsibility to protect them from such incidents.
 - Parents have the right to exchange opinions and share information regarding the safety of their children with the heads of sports organizations or coaches.
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4. Recruitment and Selection Process of Qualified Coaches

When recruiting school coaches, sports organizations and their supervisory authorities must screen candidates and run background checks to find out whether they have violated any kind of laws and regulations on violence and if so, should carefully consider whether or not the person is suitable and qualified to work in sport. In cases where a coach with a history of committing acts of violence is employed, it should be ensured that the coach receives appropriate training and education and is well-informed of the content in the Guidelines on Human Rights in Sport.

5. Complaint and Support Mechanisms

5.1 When an incident of violence in sport occurs, all relevant parties must first provide immediate protection and support for the victim and then follow the set procedure, such as reporting the incident to their higher authorities and calling for disciplinary actions or legal measures against the perpetrator.

5.2 Given the characteristics of violence in sport, schools and sport organizations should setup a representative body which can resolve cases of violence in an objective manner by conducting legally sound investigations and promoting support mechanisms. Furthermore, the representative body must include external specialists.

5.3 Sports organizations must design a manual (guideline) for coaches, athletes, parents, and other relevant parties which provides appropriate procedures and steps for responding to violence, and have it available for them at all times.

5.4 The resolution manual must include primary steps for supporting victims, including counseling service, as well as psychological, medical and legal support mechanisms. It should also provide an explicit description on the specific investigation procedures and legal support systems.

5.5 Sport organizations must appoint professional counselors for athletes in order to prevent violence or provide immediate support in cases where violence occurs. In schools, counselors may be replaced by teachers in charge of human rights education or counseling. Professional counselors are required to complete a certain number of hours of special education on violence in sport.

5.6 Protecting and supporting the victims and their human rights must be placed above all other considerations for every step of processing a case of violence, such as reporting, counseling, investigating.

6. Monitoring and Evaluation System

6.1 Sports institutions must implement a prevention policy consistently and also introduce a system and a set of criteria for monitoring and evaluation. The criteria for evaluation should be specific enough to be able to check whether sports organizations under all institutions have adopted and implemented a prevention policy in an appropriate manner.

6.2 Supervisory institutions must monitor and evaluate prevention policies of their institutions under their supervision on a regular basis, and all institutions must self-monitor and self-evaluate the progress of their policy implementation.

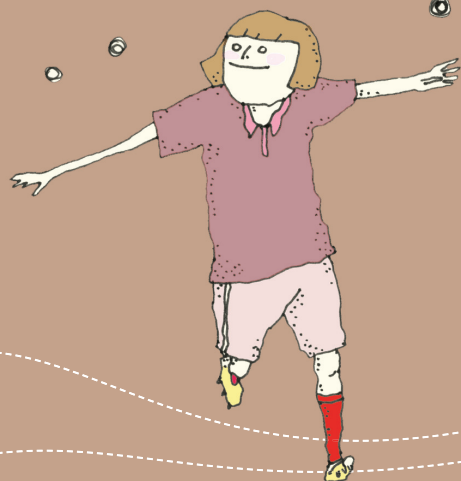
6.3 When monitoring and evaluating the implementation of prevention policies, a comprehensive review must be made on prevention measures, education, and support mechanisms and careful considerations must be given on whether sufficient budget is allocated for policy implementation.

6.4 Monitoring and evaluation of policy implementation must be conducted by a representative body, such as a council, which must include external specialists.

6.5 Monitoring and evaluation of policy implementation must be based on specific criteria, including but not limited to the following:

Item	Content	Checklist	Yes /No
Policy	Are there step-by-step procedures and systems for implementing prevention and resolution policies for violence in sport?	<ul style="list-style-type: none"> · There are policies to prevent and handle violence · There is a manual that provides step-by-step procedures and systems 	
Prevention	Are prevention measures being taken to minimize the occurrence of violence?	<ul style="list-style-type: none"> · Specific codes of conduct for all parties are developed and distributed · Education for prevention is provided on a regular basis · When recruiting coaches, checking whether they have the required qualifications 	
Education	Are all parties involved in sport, including coaches, athletes, parents, medical professionals, and volunteers provided with learning and training opportunities for preventing and handling sexual harassment and abuse in sport and the code of conduct?	<ul style="list-style-type: none"> · Education on preventing violence is provided to each party on a regular basis · Whether education on this subject has been conducted is supervised 	
Resolution	Are victims of violence and their guardians provided with sufficient information on various programs and procedures so that they can easily know where to go for specialized counseling and support?	<ul style="list-style-type: none"> · Professional counselors are available to provide immediate counseling and support for the victims · There is an explicit manual on how to respond to violence, which provides guidelines for counseling, investigation, and support · The resolution manual is distributed to all relevant parties 	
Evaluation	Is there a well-structured system for monitoring policy implementation?	<ul style="list-style-type: none"> · There are standards for monitoring and evaluating policy implementation · Monitoring and evaluation of policy implementation has been conducted periodically 	

Human Rights Guidelines for Prevention of Sexual Harassment and Abuse in Sport



I. Why is it important to have guidelines?

1. Background and Objectives of the Guidelines

Sexual harassment and abuse in sport is a violation of human rights for all individuals, regardless of gender. Such actions cause severe mental and physical distress for individual athletes and undermine their athletic development and participation in sport.

Sexual harassment and abuse in sport is usually deeply associated with the male-dominated culture of sport or the authoritarian hierarchy within the sports community. In the history of modern sports, women's participation in sport was restricted and leadership positions in the sports community, such as heads of sports organizations or head coaches, were predominantly occupied by men. Such male-centered culture and gender inequality in sport are key reasons for tolerance of sexual harassment and abuse in the sports community.

Violations of human rights, such as sexual harassment and abuse, must be eradicated by all means in order for the ideals and values of sport to be recognized and for sport to be a driving force for the development and happiness of all participants. In order to do so, keen attention and concerted efforts of the whole society is required.

The International Olympic Committee's Executive Committee adopted a consensus position statement on "Sexual Harassment and Abuse in Sport" in February 2007. The statement includes that all sports organizations and institutions must take actions to prevent sexual harassment and abuse through effective prevention strategies, education, complaint

mechanisms, and monitoring and evaluation systems.

The government and the sports community in Korea have also embarked on efforts to resolve acts of sexual harassment and abuse in sport. For these efforts to bear fruit, it is essential to develop an efficient prevention policy and resolution system.

In response, the National Human Rights Commission of Korea has developed the following guidelines to provide the government and sports organizations with necessary standards and guidelines for developing and implementing an efficient prevention policy and resolution system for sexual harassment and abuse in sport.

2. Definition and Examples of Sexual Harassment and Abuse in Sport

Sexual harassment and abuse in sport refer to all kinds of sexually abusive behavior and activities that occur in sports-related spaces and among varied relationships in sport.

Thus, sexual harassment and abuse in sport encompass all incidents that occur in sport-related settings, such as playing fields, training camps, and buses to sports events, and among all parties involved in sport, such as peer athletes, colleagues, coaches, psychological or medical professionals, officials, sports authorities, and volunteers, as well as among heterosexual and homosexual relationships.

Sexual harassment and abuse can take many different forms other than rape and sexual assault, including all types of sexualized physical, verbal and emotional behavior and sexual activities that are committed against a person's will, such as unwanted physical contact, inappropriate touching,

sexually oriented jokes, and violate ‘the right to sexual autonomy.’

In determining whether and to what extent sexual harassment and abuse were committed, it is crucial to take into account whether the alleged victim wanted to be involved in the incident and felt coerced, uncomfortable, insulted, humiliated, physically threatened by it.

Examples of Sexual Harassment and Abuse in Sport

Sexually oriented jokes, sexual comparisons or evaluations regarding appearances during training, breaks or in accommodations;

Non-verbal behavior such as whistling, sexual staring, and leering;

Sex-based insults, bullying, name-calling, or offensive remarks;

Inappropriate sexual questions or acts of intentionally disseminating sexual information;

Acts of sending unpleasant sexual contents that are noticeably one-sided by phone text message, e-mail, mail or phone;

Acts of displaying sexually explicit or offensive material (advertisements, photos, etc) in public settings (training sites, locker rooms, lounges, accommodations, etc);

Acts of intentionally showing or touching private body parts;

Acts of demanding others to expose their private body parts or touching them without their consent;

Coerced or unwelcome kissing, lap sitting, back-hugging, inappropriate body contact, whispering, fondling or massaging all disguised as training or closeness;

Unwanted physical contacts, sexually-oriented jokes or coercing athletes into pouring drinks or dancing together during group dinners, etc.

Cases in which coaches coerce athletes to meet up in a private setting or to go out for a date;

Acts of coercing or attempting sexual intercourse or sexual activity involving violence

3. Characteristics of Sexual Harassment and Abuse in Sport

Sexual harassment and abuse in sport stem from a hierarchical system of “command and obedience” that exists between coaches and athletes or between colleague athletes. Because perpetrators and victims spend a significant amount of time together in a close-knit, family-like environment, acts of sexual harassment and abuse are often easily masked, overlooked or repeated.

Characteristics of Sexual Harassment and Abuse in Sport

Sexual harassment and abuse in sport usually stem from an authoritarian hierarchy within the sport sector.

- The main perpetrators of sexual harassment and abuse in sport are coaches or relatively older athletes. Thus, sexual harassment and abuse in sport originate from a culture of obedience based on hierarchical power relations and gender, and occur in the form of abuse of power by virtue of authority.

Elite sport systems offer risk factors of sexual harassment and abuse in sport.

- The characteristics of elite sport, such as long-held ties between coaches and athletes, power and authority of coaches, closed and isolated nature, and lack of alternatives to sport, causes or perpetuate acts of sexual harassment and abuse.

Acts of sexual harassment and abuse are misinterpreted as or confused with training, education or treatment.

- In the sport sector, courses of training, education, and medical treatment require many intended or unintended physical contacts due to the physical aspect of sport. Perpetrators of sexual harassment and abuse often disguise or distort their acts as training or education. Thus, victims may face confusion and difficulty in recognizing, deciding, resisting, or proving whether the act is indeed a form of sexual harassment and abuse.

Acts of sexual harassment and abuse are distorted as or confused with discipline, corporal punishment, pranks or jokes.

- Sexual harassment and abuse committed by coaches or relatively older athletes usually take the form of discipline or corporal punishment (pinching the chest, taking off clothes, etc.), or arise alongside other common violent acts. Perpetrators argue

that their acts of sexual harassment and abuse (touching others' genitals, making sexual jokes, etc.) are pranks and expression of closeness, leaving victims perplexed in recognizing whether the act is a form of sexual harassment and abuse.

Sexual harassment and abuse committed by 'male coaches' to 'female athletes' is a typical form of sexual harassment and abuse in sport, which stem from gender discrimination and authoritarianism.

- The fact that coaches and heads of sports organizations who exercise authority and control over athletes are predominantly male reflects the gender-discriminatory and authoritarian structure of the sports community in Korea. Thus, sexual harassment and abuse occurring between 'male coaches' and 'female athletes' is a typical form of sexual harassment and abuse coming from this structure.

Sexual harassment and abuse occurring between 'male coaches' and 'female athletes' may have the nature of 'sexual taming.'

- Male coaches, who may at times take over the role and authority as a 'guardian' or 'father,' build emotionally and physically close relationships with young female athletes over a long period of time and may commit sexual harassment and abuse in the form of 'sexual taming.' Female athletes can often misinterpret such relationships as 'parental love' or 'protection.' For such reasons, 'sexual taming' may be seen as though the victim gave consent or remained masked for a long period of time.

The closed nature and family-like bond within the sports community mask sexual harassment and abuse.

- Sports organizations, institutions or school sports teams enjoy a strong inner bond just like families which share the characteristics of affection, care, control, and hierarchy among their members. Thus, coaches protect and control athletes in equal status and role of their parents, while athletes trust and obey coaches. This kind of family-like bond also reflects a closed nature. Due to such aspect in the sports community, when sexual harassment and abuse occur, members tend to cover up the incident in order to maintain the solidarity and reputation of the community, instead of focusing on protecting the victim and resolving the problem. Moreover, they even lead to secondary victimization such as blaming the victim for the incident or causing the victim to feel guilty for breaking the trust and bond within the community.

4. Negative Impacts and Consequences of Sexual Harassment and Abuse in Sport

Victims of sexual harassment and abuse in sport may suffer from stress, psychological or physical injuries, as well as serious secondary damages, such as facing difficulty in exercising or training or even dropping out of sport. Furthermore, sexual harassment and abuse in sport may undermine team spirit or jeopardize teamwork in the sports community.

However, the fact that the act of sexual harassment and abuse itself, and not its disclosure, is the cause of such individual or institutional damage should not be overlooked.

Examples of Individual and Social Harms

Individual harms such as stress, psychological injuries, and physical losses;

Post sexual abuse trauma for victims (psychiatric disorder, anxiety, depression, substance abuse, self-harm, suicide, etc.);

Secondary damages for victims, such as reduced performance and dropping out of sport;

Undermined teamwork and loss of trust;

Loss of human resources in an organization due to members leaving

Organizations and agencies' loss of public credibility

Loss resulting from legal proceedings, etc.

5. Sexual Harassment and Abuse in Sport under Current Legal System

Various terms associated with sexual harassment and abuse, such as sexual assault, sexual molestation, sexual violence, are not clearly dis-

tinguished from one another in practice. 'Sexual harassment and abuse' was first used in the 'Act on Punishment of Sexual Harassment and Abuse Crimes and Protection of Victims' of 1994 as a legal term. However, the Act did not provide an explicit definition of the term and simply referred to the relevant provisions of Criminal Law.

There are various regulations governing sexual harassment and abuse in a broad sense, including the 'Act on the Protection of Children and Juvenile from Sexual Abuse,' the 'Child Welfare Act,' the 'National Human Rights Commission Act,' as well as 'Criminal Law' and the 'Act on Punishment of Sexual Harassment and Abuse Crimes, Protection of Victims.' Thus, depending on the different forms of sexual harassment and abuse in sport, perpetrators may be subject to under these laws.

Under the current legal system, every person may report an alleged sexual crime performed against a child or a young person to an investigative agency. However, when heads and staff of educational institutions or facilities with a sports organization become aware of potential cases of sexual harassment and abuse committed against young student athletes (aged 19 or below), they have the obligation to report them.

Legal Terms Related to Sexual Violence

Rape

The crime, committed by a man, of forcing a woman to have non-consensual sexual intercourse with him, especially by physical force or threat of injury. Also, the act of coercing sexual intercourse to a young woman under the age of 19 under a fraudulent (deceptive) plan or by imposing authority (powerful enough to suppress that person's will).

Indecent assault

Sexual offenses, other than rape, that are forced upon people against their will for the purpose of raising, stimulating or satisfying one's sexual drive, as well as the act of assaulting men or women by physical force or threat of injury. Also, the act

of assaulting girls under of the age of 10 under a fraudulent plan or by imposing authority.

Sexual harassment

This term usually refers to sexual harassment occurring at school or work. An act of sexual harassment committed by a public official, employer or employee by using his/her position to make the victim feel sexually humiliated or disgusted, with sexually-oriented remarks or action in relation to work, or placing disadvantages to the victim with respect to employment for refusing to accept sexual requests. It also includes physical, visual or verbal sexual harassment and coerced sexual favors.

II. Guidelines

1. Prevention Policies

1.1 Sports organizations and institutions must develop policies to prevent and respond to sexual harassment and abuse in sport based on the characteristics of the type of sport and field, gender composition of athletes, and organizational background and also allocate sufficient budget to implement these policies. The policies must include information and understanding on sexual harassment and abuse in sport, preventive measures, education and training, resolution mechanisms, policy implementation and evaluation.

1.2 Prevention policies must be applicable not only to victims of sexual harassment and but also to all parties involved in sport, including officials, medical professionals, and volunteers.

1.3 Prevention policies must be available for all parties involved in sports

at any time, in any place in easily accessible and comprehensible formats.

1.4 Prevention policies must be developed by a representative body, and the body must be accountable for designing and approving the policies as well as monitoring, evaluating, modifying, and revising them to reflect current social changes.

2. Codes of Conduct

2.1 Sports institutions must adopt and distribute a code of conduct to prevent and resolve acts of sexual harassment and abuse in sport, while taking into account the characteristics of each type of sport and their nature as an institution. The code of conduct must cover the definition and different types of sexual harassment and abuse in sport as well as prevention and resolution mechanisms. In particular, the code of conduct must reflect the characteristics of all parties (including athletes, coaches, parents, administrative or medical officials, volunteers, etc.), different age groups of athletes, and different types of sport. Furthermore, sports institutions must ensure that the adopted code of conduct provides an explicit description on what 'should be done' and 'should not be done' during sports-related activities such as competitions, training or team activities, and that all actors involved in sport adhere to it.

2.2 Code of Conduct for Student Athletes

2.2.1 Student athletes must be well informed about the different types and cases of sexual harassment and abuse and ways to prevent and respond to these incidents.

2.2.2 The code of conduct must appropriately reflect the characteristics of

student athletes in all areas and at all levels of sport. Also it needs to be devised while taking into account the possible locations where incidents of sexual harassment and abuse may occur and the characteristics of perpetrators and victims based on different relationships.

2.2.3 The code of conduct must be available for student athletes at any time, in any place in an easily accessible format (online, brochure, etc.).

2.3 Code of Conduct for Parents

2.3.1 The code of conduct for parents must state parents play a major role in educating and preventing their children from becoming victims or perpetrators of sexual harassment and abuse and that they have full responsibility to safeguard their children during such incidents.

2.3.2 The code of conduct must specify that parents have the right to exchange opinions and share information regarding the safety of their children with heads of sports organizations or coaches.

2.4 Code of Conduct for Coaches

2.4.1 The code of conduct for coaches must state that coaches, along with the heads of sports organizations or institutions, are responsible for providing a safe environment for athletes. It must provide explicit guidelines to follow so that coaches do not become perpetrators of sexual harassment and abuse and also specify that coaches are held primarily responsible when a case of sexual harassment and abuse occurs in between a coach and an athlete.

2.4.2 The code of conduct must indicate that coaches have the obligation to prevent sexual harassment and abuse from occurring within the

sports team or sports organization. Also, it must state that when coaches become aware of cases of sexual harassment and abuse, they have the responsibility to make their best efforts to provide support to the victim, resolve the case, and prevent its recurrence.

Code of Conduct for Coaches (Example)

Coaches' responsibility for preventing and resolving acts of sexual harassment and abuse

- Coaches have the responsibility to provide a safe environment for athletes to exercise. If and when sexual harassment and abuse occur between athletes or between athletes and other parties involved in sports, they must not condone, overlook or evade the incident, provide full support for the victim, and make their best efforts to prevent its recurrence.

No or minimized physical contacts during training

- Physical contacts between coaches and athletes during training must be banned or, if unavoidable, be minimized. Even in cases where physical contacts are inevitable for training purposes, coaches must explain to athletes about the necessity and scope of physical contacts in advance and obtain their consent.

No sexual jokes

- Coaches should refrain from using sexually oriented expressions, sexually implied language or making explicit sexual jokes to athletes during training, as well as in private meetings

No sexually oriented comments about bodies or appearances

- Coaches should refrain from making sexually oriented comments about an athlete's body or appearance.

No display of sexually explicit material

- Coaches should neither show sexually explicit photos, materials to athletes nor display them in public places.

Restriction on unauthorized visits to athletes' rooms

- Coaches should make a prior notice to athletes or obtain their prior consent when visiting their room, and keep the door open while staying inside.

No meetings in closed spaces

- Coaches should not stay alone with an athlete in a closed space, such as

accommodations, houses, and cars, for meeting or training purposes.

Separate rooms for coaches and athletes during team trips or away training

- Coaches should not use the same room with athletes for reasons such as saving budget, etc.

No private dates

- Coaches should not have private dates with athletes.

No sexual intercourse

- Under no circumstances may a coach have sexual intercourse with a student athlete, and upon violation, the coach must bear full ethical and legal responsibility.

Guardians' approval for team trips, including training away from home

- When coaches go on a team trip with student athletes for a competition or training away from home, they should provide the name and contact information of the person in charge, list of participants, itinerary, contact information of training camp, room arrangement plans to parents or guardians of student athletes in advance and obtain their prior consent.

3. Education and Awareness Raising

3.1 The purpose of education is to ensure that members of the sport community become well-informed and trained about ways to prevent and resolve cases of sexual harassment and abuse in sport and the code of conduct.

3.2 Sport organizations must provide education on gender equality and prevention on sexual harassment and abuse to all parties involved in sport, such as athletes, coaches, parents, officials, medical professionals, and volunteers.

3.3 Education must be focused on informing participants about each sports organization's prevention policies on sexual harassment and

abuse. A teacher who has completed a certain set of hours of special education on sex education or education for prevention of sexual harassment and abuse, or a specialist in sex education (school health teacher or counseling teacher, etc.) must be in charge of teaching. Central organizations or supervisory institutions must check or monitor their subordinate organizations to see whether they have provided appropriate education.

4. Recruitment and Process of Qualified Coaches

4.1. When recruiting coaches, sports organizations must screen candidates and run background checks to find out whether they have violated any kind of laws and regulations on sexual harassment and abuse or have records of sexual crimes against children or young people and if so, must carefully consider whether or not the person is suitable and qualified to work in sport.

4.2. When employing coaches, volunteers, officials or medical professionals, sports organizations must inform them about the guidelines for preventing cases of sexual harassment and abuse or make them take a course on this subject.

5. Promotion and Support Female Coaches

5.1 In an effort to address and challenge gender inequality and male-oriented culture within the sport community, female coaches must be promoted and supported.

5.2. In areas of sport where the athletes are predominantly female, female coaches must be given priority for recruitment.

5.3. Female coaches can prevent sexual harassment and abuse in relationships between coaches and athletes, minimize uncomfortable situations that female athletes face from physical contacts with male coaches during training, and promote gender equality in the sport community by serving as positive role models for female athletes.

6. Prevention and Resolution Mechanisms

When an incident of sexual harassment and abuse in sport occurs, sports organizations or institutions must:

6.1. Fully protect and support the victim and follow the set guidelines for educating, disciplining or penalizing the perpetrator. The manual must include step-by-step and case-by-case procedures and systems to guide athletes, coaches, parents and relevant organizations or institutions to take appropriate measures.

6.2. Take the responsibility to protect and support the victim, resolve the case impartially, implement appropriate measures, including disciplinary actions or legal measures against the perpetrator, and reinforce prevention education. In order to effectively respond to the cases of sexual harassment and abuse, sports organization or institutions must develop a resolution system which encompasses creating a manual, setting up and operating a representative body such as a council, and appointing professional counselors.

6.3. The resolution manual for sexual harassment and abuse cases must include primary steps for supporting victims, including counseling service, and provide an explicit description on specific investigation procedures and support systems. It must also include psychological, medical, and le-

gal support mechanisms for the victims.

6.4. Given the characteristics of sexual harassment and abuse in sport, sport organizations and institutions must set up a representational body which can resolve cases in an objective manner by conducting legally sound investigations. Furthermore, the representative body must include external specialists.

6.5. Sport organizations must appoint professional counselors in order to prevent sexual harassment and abuse or provide immediate support when such incidents occur. In schools, counselors may be replaced by teachers in charge of human rights education or counseling. Professional counselors are required to complete a certain number of hours of special education on this subject.

6.6. The independent status of special counselors must be guaranteed so that they freely process a case of sexual harassment and abuse without facing internal or external intervention or pressure. When professional counselors become aware of incidents that are likely to occur or have occurred, they must not ignore or overlook them and immediately seek for proactive approaches.

6.7. Protecting and supporting the victims and their rights must be first priority in every step of resolving an incident of sexual harassment and abuse (reporting, counseling, investigating, etc.). In addition, victims must be informed that they have the right to receive recognition of the effects of the incident and the right to receive necessary and adequate support with respect to their suffering.

7. Monitoring and Evaluation System

7.1. Sports organizations must create a system and an explicit set of standards for monitoring and evaluation in order to check whether prevention policies for sexual harassment and abuse in sport have been implemented successfully and consistently.

7.2. All sports organization and related institutions must self-monitor and self-evaluate the progress of their policy implementation and supervisory institutions must monitor and evaluate the prevention policies of institutions under their supervision on a regular basis.

7.3. When monitoring and evaluating the implementation of prevention policies, a comprehensive review must be made on prevention measures, education, and support mechanisms and careful considerations must be given on whether there is sufficient budget allocated for policy implementation.

7.4. Monitoring and evaluation of policy implementation must be conducted by a representative body, such as a council, which must include external specialists.

7.5. Monitoring and evaluation of policy implementation must be based on specific criteria, including but not limited to the following:

Item	Content	Checklist	Yes /No
Policy	Are there step-by-step procedures and systems for implementing prevention and support policies for sexual harassment and abuse in sport?	<ul style="list-style-type: none"> · There are policies to prevent and handle violence · There is a manual that provides step-by-step procedures and systems · Sufficient budget is allocated for policy implementation 	
Prevention	Are preventive measures being taken to minimize the occurrence of violence?	<ul style="list-style-type: none"> · Specific codes of conduct or guidelines for all parties are developed and distributed · When recruiting coaches, check whether they have the required qualifications · Recruited coaches have signed a written statement and completed education on preventing sexual harassment and abuse · There are various initiatives and support policies to promote and support female coaches, such as "the policy of giving priority to female coaches in the hiring process" · There are various initiatives and support policies to promote and support female coaches, such as "the policy of giving priority to female coaches in the hiring process" 	
Education	Are all parties involved in sport, including coaches, athletes, parents, officials, medical professionals, and volunteers provided with learning and training opportunities for preventing and handling sexual harassment and abuse in sport and the code of conduct?	<ul style="list-style-type: none"> · Education on preventing sexual harassment and abuse is provided to each party on a regular basis · Whether education on this subject has been conducted is supervised. 	

<p>Resolution</p>	<p>Are victims and their guardians provided with sufficient information on various programs and procedures so that they can easily know where to go for specialized counseling and support?</p>	<ul style="list-style-type: none"> · There is an explicit manual on how to respond to sexual harassment and abuse, which provides guidelines for counseling, investigation, and support · There is a representative body, such as a council, which can resolve cases of sexual harassment and abuse in an impartial manner · Professional counselors are available for providing immediate, appropriate counseling and support for the victims · Counselors have specialties and are guaranteed independence · The resolution manual is distributed to all relevant parties 	
<p>Evaluation</p>	<p>Is there a well-structured system for monitoring and implementing policies?</p>	<ul style="list-style-type: none"> · There are standards for monitoring and evaluating policy implementation · Monitoring and evaluation of policy implementation has been conducted periodically 	

Human Rights Guidelines for Protecting Student Athletes' Right to Learn



I. Why is it important to have guidelines?

1. Background and Objectives

Young athletes attending elementary, junior high or high school (herein-after referred to as 'student athletes'), aside from being athletes are also students and thus have the right to receive adequate education.

In general, student athletes may face difficulty fulfilling their academic commitments due to their demanding schedule of on and off field sporting commitments such as practice sessions, training sessions, group training camps, as well as university level, national or international competitions. As the number of academic commitments that are not satisfied accumulates over time, student athletes experience a serious decline in their academic performance as they advance to the next grade.

Moreover, due to a marked increase in opportunities for student athletes to easily gain college admission without studying hard through various special admissions programs which only require strong athletic ability, much more emphasis is being placed on enhancing their athletic performance, while further neglecting their regular academic training.

In reality, not all student athletes can enjoy successful athletic careers. They may face risks of dropping out due to poor performance, injury, uncertainty of the future, dire financial condition, or discord with coaches. In cases of such athlete dropouts, their unfulfilled academic commitments which accumulated over time lead them to face difficulty in adapting to society and to become socially disadvantaged.

Thus, we should stop leaving student athletes in a structure where they are forced to pursue only sport. The systems and practices of school sport teams which only focus on sport poses a serious barrier to the social and intellectual growth of student athletes who are at a crucial period of self-concept development, character building, self-improvement and further blurs the future of student athletes with boundless potential.

Indeed, it is vital to ensure that all children and young people with talents and abilities in sport are allowed to develop their capabilities to their full potential in a safe and free environment. Nevertheless, it is equally essential to protect the right to learn of student athletes so that they receive regular academic training and develop into healthy and mature individuals.

In response, the National Human Rights Commission of Korea has developed the following guidelines to stress the roles and responsibilities of the government, educational institutions, and other relevant organizations for protecting the student athletes' right to learn, and to offer necessary standards and guidelines for devising and implementing policies for providing a learning environment for student athletes based on adequate understanding on the right to learn.

2. Definition of the Right to Learn

The right to learn is the right that people have to learn and be educated so that they can experience growth and development while building their character and realizing human dignity and value.

Since providing opportunities and environment for education significantly influences the maturity and development of individuals, the right to learn

is essential, especially for children and young people who are at the growth stage in their life.

Student athletes also have the right to be educated as students and fulfill their personal, intellectual, and physical development through education.

II. Guidelines

1. Policy for Protecting the Right to Learn

1.1. The policy applies to the government, educational institutions, and other relevant organizations, as well as student athletes and all other related parties (coaches, parents, professional counselors, officials, and volunteers).

The policy must include the following:

1.2. A list of actions and a set of standards for the government, educational institutions, and all relevant parties to abide by to ensure that student athletes do not miss educational and learning opportunities.

1.3. The definition of the right to learn, protection measures, examples of violations of the right to learn, and measures to prevent and handle violations, and a code of conduct which takes into account the characteristics of all parties (student athletes, coaches, parents, teachers, officials, and volunteers).

1.4. The policy must be written in a clear and comprehensible way so that it can be easily followed, promoted, and checked by all relevant parties.

1.5. The policy must be formulated by a representative body which is open and transparent and includes external specialists. Also, the representative body must be accountable for devising, as well as monitoring, evaluating, modifying, and revising the policy to reflect current social changes.

2. Codes of Conduct

2.1. Codes of conduct must include the definition of the right to learn, protection measures, examples of violations of the right to learn, and measures to prevent and handle violations, while taking into account the characteristics of all parties (studentathletes, coaches, parents, teachers, officials, and volunteers).

2.2. Code of Conduct for Student Athletes

2.2.1. The code of conduct must be written in a clear, easily comprehensible way and available in an easily accessible format (online, brochure, etc.).

The code of conduct must cover the following:

2.2.2. Standards for duration of daily, weekly training sessions, or training away from home, the number of competitions permitted for athletes to compete in, along with sanctions applicable in cases of violation.

2.2.3. Measures aimed at improving the learning environment and conditions for student athletes which enable them to successfully juggle both

academic and athletic commitments.

2.2.4. Detailed description on possible circumstances in which a student athlete's right to learn may be violated due to various athletic commitments including practice sessions, training away from home, competitions, and other team activities, along with measures to prevent such incidents from occurring.

2.3. Code of Conduct for Parents

2.3.1. The code of conduct must enable parents to recognize that the right to learn is essential for the balanced growth and development of student athletes.

2.3.2. The code of conduct must clearly state that parents, along with school authorities and coaches, are responsible for protecting the right to learn of student athletes.

2.3.3. The code of conduct must specify that parents have the right to exchange opinions and share information regarding the protection of student athletes' right to learn with school authorities and coaches.

2.4. Code of Conduct for Coaches

The code of conduct must state the following:

2.4.1. Responsibilities and obligations of coaches on protecting the right to learn of student athletes

2.4.2. Coaches are held primarily responsible for cases of violations of student athletes' right to learn due to team activities in school sports

2.4.3. Coaches must serve as educators who encourage and promote student athletes to realize that academic learning is essential for their self-improvement, self-development, and effectively balancing academics and athletics

2.4.4. Coaches have the responsibility to take measures which prevent student athletes' team activities in school sports, including training sessions, competitions, and training away from home, from interfering with their academics, and to seek for solutions through close collaboration with the school and other relevant institutions.

3. Measures and Mechanisms for Protecting the Right to Learn

3.1. The government and educational institutions must set up an organization aimed at protecting the right to learn of student athletes and supporting their academic progress (Academic Support Center for Student Athletes, etc). Furthermore, they should develop appropriate measures and mechanisms for protecting the right to learn which facilitate the organization to provide academic support and counseling services.

The measures and mechanisms must:

3.2. Provide support for student athletes starting from the early stages of their athletic career and include procedures and systems for offering comprehensive diagnostic services which identify possible risk factors that influence their academic performance

3.3. Include academic motivational enhancement and academic management services for student athletes

3.4. Include explicit procedures for effectively protecting and supporting student athletes in cases of violation of their right to learn, impartial case management, disciplinary measures or sanctions against perpetrators, and education

4. Responsibilities and Recruitment of Coaches

4.1. Coaches must carry out their role as educators by protecting the right to learn of student athletes, creating a favorable environment that encourages academic achievement, ensuring that they are not excluded from opportunities to learn, and motivating them academically.

Educational institutions and other relevant organizations which recruit coaches must:

4.2. Not evaluate coaches solely on their game performance and ensure their status and position so that they can safeguard the right to learn of student athletes

4.3. Stress that coaches' role extends far beyond an instructor of sport and that they also have a role as an educator to provide guidance and support for student athletes to develop into well-balanced individuals; furthermore, educational institutions and other relevant organizations should ensure and support coaches so that they can effectively carry out such role

4.4. Take into account their coaching skills, as well as their qualifications as an educator, level of education, and their view and attitude toward academic performance of student athletes

4.5. Present guidelines for protecting the right to learn of student athletes to coaches, volunteers, officials during their recruitment, providing them education on this subject, and ensuring that they comply with the guidelines

5. Education

5.1. Educating coaches is essential for protecting the right to learn of student athletes and promoting their academic success. Accordingly, coaches, staff, and heads of sports organizations must be educated to understand the importance of protecting the right to learn and adhering to codes of conduct.

5.2. Central organizations or supervisory institutions must check or monitor their subordinate organizations to see whether they have implemented a policy to protect the right to learn of student athletes and provided education to prevent violations.

5.3. The government, educational institutions, and other relevant organizations must encourage and urge cooperating institutions involved in educating student athletes to adopt and implement a policy to protect the right to learn of student athletes.

6. Monitoring and Evaluation

6.1. The government must create a set of standards for monitoring and evaluation in order to check whether a policy for protecting the right to learn has been implemented successfully and consistently in the sport sector.

6.2. The set of standards for monitoring and evaluation must include explicit standards which can serve as benchmarks for checking whether educational institutions and other relevant organizations have designed and implemented an effective policy for protecting the right to learn.

6.3. Supervisory institutions must monitor and evaluate the policy implementation of institutions under their supervision on a regular basis, while self-monitoring and self-assessing the progress of their policy implementation.

6.4. Monitoring and evaluation must be conducted by a representative body which open and transparent and includes external specialists.

6.5. The school with a sports team must establish a representative body composed of coaches, student athletes, parents, and teachers which can monitor the school's policy for protecting the right to learn and collaborate for a more effective policy implementation.

6.6. Monitoring and evaluation must be carried out for the policy to protect the right to learn, procedures and systems, education, and assessment based on explicit criteria, including but not be limited to the following:

Item	Content	Checklist	Yes / No
<p>Policy; procedure; and system</p>	<ul style="list-style-type: none"> · Is there a policy to protect the right to learn? Are there procedures and systems to implement the policy and codes of conduct for each party? · Are there procedures and systems to respond to violations of the right to learn? 	<ul style="list-style-type: none"> · There is a policy for protecting the right to learn · There are step-by-step procedures and systems · There are specific codes of conduct available for all relevant parties · When recruiting coaches, check whether they have the required qualifications and what their view toward academic performance of student athletes is · There is an explicit manual on how to respond to violations, which provides guidelines for counseling, investigation, and support 	
<p>Education</p>	<ul style="list-style-type: none"> · Are all related parties of student athletes provided with opportunities to learn about information on protecting the right to learn and the code of conduct? 	<ul style="list-style-type: none"> · Education on protecting the right to learn is provided to each party on a regular basis · Whether education on this subject has been conducted is supervised 	
<p>Evaluation</p>	<ul style="list-style-type: none"> · Are there procedures and systems for monitoring and evaluating policy implementation? 	<ul style="list-style-type: none"> · There are standards for monitoring and evaluating policy implementation · Monitoring and evaluation of policy implementation has been conducted regularly 	

Guidelines
Human Rights
in Sports

영문 판권
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