

R-55/1/2022-PRPP (RU-1)

National Human Rights Commission

Minutes of the Open House Discussion on Sports and Human Rights

Held on 1st November 2022 at 11:00 am

1. An **'Open House Discussion on Sports and Human Rights'** was organised in hybrid mode at 11:00 AM on 1st November, 2022 in Room No. 508, Manav Adhikar Bhawan, the office premises of the National Human Rights Commission. The Discussion was chaired by Dr. D.M. Mulay, Hon'ble Member, National Human Rights Commission (NHRC). List of participants is **annexed**.

Inaugural Session

2. **Shri H.C. Chaudhary, Joint Secretary, NHRC**, extended welcome to all the participants and stated that 'Sports' is an integral part of human civilization and non-discrimination and inclusivity are the main features of any sport. He further stated that through sport and its principles of respect and fair play, we can unite people across borders and can bridge social, cultural, and economic divides. However, he mentioned that there are certain issues that impact the enjoyment of human rights of those involved in sport, at every level from athletes and fans, to workers and the media. Gender inequality, sexual abuse, inadequate accessibility for differently abled persons to name a few. In addition, he pointed out the poor representation of India at international sports events. He acknowledged that India has the highest number of youth but is not able to nurture the talent. He stated that it is the responsibility of the National Sports Federation to make sports more inclusive. He explained that sports federations play a very important role in organizing and promoting the practice of their discipline, from leisure activities to high-level sport. National Sports Federations are fully responsible and accountable for the overall management, direction, control, regulation, promotion, development and sponsorship of the discipline for which they are recognized by the concerned International Federation. He concluded by hoping that based on the discussions to be held, key human rights issues in the sports sector will be identified and an attempt will be made to recommend pragmatic and implementable solutions to address these issues.
3. **Shri Devendra Kumar Singh, Secretary General, NHRC** in his address highlighted the relevance of sports in our life. He stated that sport plays a very important role in

the society towards promoting human rights. Through sports, not only the human rights principles of respect and fair play get promoted. While pointing out the role that NHRC can play in the area of sports and human rights, he said that in 2018, the Commonwealth Forum of National Human Rights Institutions (CFNHRI) adopted the London Declaration on Sport and Human Rights which sets out how NHRIs can protect human rights within sports, and drive progress in society by promoting human rights through sports. He further mentioned that in the last 5 years NHRC, India has received 55 cases concerning human rights violations in the sports sector. He stated that number of cases may not correctly reflect the actual extent of the problem in the sector. He hoped that, NHRC can play an important role in the protection of human rights by identifying policy gaps, by protecting life and liberty, by ensuring that no discrimination on the basis of caste and creed happens and by providing justice to all. He stated that though a number of platforms and initiatives focusing on sports integrity, corruption, safeguarding rights and related issues has recently emerged; there is a need for making joint efforts by all stakeholders in coordination with each other.

4. Shri Devendra Kumar Singh further stated that the three technical sessions of this discussion will guide us tell how to create a more inclusive environment in the sports sector. He also said that in sports we never really loose, we should give respect to every individual. Sports provide a different mindset to the players. He stated that non-merit based selection and discrimination in sports amounts to serious human rights violations. He concluded by saying that we all hope to first accept and acknowledge that there are issues and concerns in the sports sector that impact human rights. We therefore need to identify human rights issues along with infrastructural & structural challenges, find remedies, fix accountability and embed respect for human rights in all the Sports Bodies.
5. **Dr. D.M. Mulay, Hon'ble Member, NHRC** in his opening remarks acknowledged that it is the first meeting of its kind, connecting Human Rights and Sports. He stated that the concepts of Life, Liberty, Dignity and Equality, as the four pillars of Human rights, are also applicable in the context of sports. He stated that though we have International Charters, Constitution of India and plethora of other Legislations, Schemes and Policies but their implementation is still a matter of concern. His prime question was, "what can be done to bring Human Rights in the arena of Sports?"
6. Dr. Mulay made references to iconic movies like *Lagaan*, *Chak de India*, *Bhag Milkha Bhag*, *M.S Dhoni*, *Jhund*, etc. He stated that in the movie *Lagaan*, it was depicted how sports can protect the exploitation of people? In the movie *Chak de India*, it was shown that talent must be recognised and equal opportunities should be given to everyone. In the recent movie *Jhund*, it was depicted that sports empower people and by this, there is a positive change in the environment. Problems were also highlighted in the movie *Bhag Milkha Bhag*, where it was shown, how the athletes were deprived of basic equipment such as running shoes. He noted with concern the lack of proper facilities for athletes in rural area. He posed a question – "why indigenous sports like *Kabaddi* cannot be included in the Olympics?"
7. Dr. Mulay highlighted that, in the successes of the athletes be it Dutee Chand or PT Usha what comes out very clearly is that, the background can either facilitate or hinder the growth of any sportsperson. He also stressed upon the basic facilities

which are required to enhance the performance in sports. He highlighted some important points such as, before joining the competition there is a struggle to enter the main-stream, and in case he/she succeeds, they again face number of issues. On an optimistic note he acknowledged the value of the presence of all the participants.

Technical Session-1: Human Rights Issues in Sports Industries and Solutions Thereof

8. **Shri Kunal, Joint Secretary (Sports-Development), Department of Sports, Ministry of Youth Affairs and Sports** initiated the discussion by congratulating the NHRC for their initiative to organize the Open House Discussion on Sports and Human Rights. He stated that sport is an integral part of the Human Rights system from birth to death of an individual. Sport is an inalienable component of the human life as it facilitates development of the personality and the character of a child. He mentioned that sports signify human rights as it incorporates the principle of fairness, ensures the promotion of talent, provide opportunities and avoiding discrimination. He stated that Olympics were introduced to promote peace and solidarity between different races. He stated that the five rings in logo of the Olympic signify that all five continents are on an equal platform. He stated that Olympic values include the principles of excellence, respect and friendship. He talked about 'olympism' as a concept, which is also to be followed as a philosophy of life as it promotes the principles of brotherhood, equality and respect for all.
9. Speaking about the issue in hand, *i.e.*, "Human Rights in sports industries and solution thereof", Shri Kunal stated that Federations are the main Bodies, as far as sports are concerned. Sports-bodies in India are affiliated to the international bodies, which in turn are affiliated to the International Olympic Committee. Thus, this whole system of sports management flows from the concept of olympism. He differed from the general perception of the existence of discrimination in sports and stated that it is factually not correct. He stated that the selection in sports are based purely on the performance and merit and therefore, cannot be interfered with. Performance in sports is measured on real-time basis, thereby avoiding any chance of discrimination or manipulation. The Federation are also fully accountable for the protection of rights of athletes. Besides, the Olympic Charter, our Sports Code is in full alignment with the concept of olympism and the concept of human rights.
10. Shri Kunal informed that the Sports Authority of India maintains a 24x 7 helpline (1800-258-5155) to receive and monitor all types of complaints, including those relating to human rights violation. He assured that the Union of India has a policy of zero tolerance towards the sexual harassment in sports. Presently mere 2 such cases were pending for action. Whenever any such complaint is received, prompt and exemplary action is taken. Six officials have lost their jobs on account of sexual harassment. He also informed the house that keeping in view a recent incident of the sexual harassment of a women sportsperson by a coach, it has been decided that a lone women athlete/player in a sport contingent is always accompanied by a female companion during the foreign visit.

11. Shri Kunal brought to notice of the House that issues relating to human rights violations in sports management are generally overlooked. It particularly these issues include human rights of labourers, management of crowd and law and order and the manner in which the events are organized. He noted that the India as a country is much ahead in these aspects. For sportspersons particularly, the Olympic Association itself plays important role. Four Commissions of IOC namely; Athlete Commission, Ethics Commission, Members Election Commission and Arbitration Commission are important pillars of prompting and protecting fair play and human rights in the sports sector. The concept of 'Sports Safeguarding Officer' has been introduced to address physical and mental issues of the sportspersons. He assured that the Olympic Committee, Government of India and Olympic Association and sports bodies are working together to create a system which is aligned with the need of the hour and serves the needs of all.
12. Shri Kunal stated that several initiatives have been taken to promote sports opportunities for masses, which includes- *Khelo India*, *Fit India Movement* which culminated into an *Ekta Run* organized on 31st October 2022. Awareness on the importance of physical fitness is being raised through slogans like *'fitness ka dose, adha ghanta roz'*. Lastly, he stated that the Union Government is aligned to the growing needs of the society and is focussed to ensure that human rights of sportspersons and stakeholders are rightfully addressed.
13. **Dr. Sudershan Pathak, Chairperson, Hockey India Sexual Harassment Committee**, shared in brief her 50 years experience in sports as a hockey player and the development which has happened in sport sector over the years. She acknowledged that though physical infrastructure and other facilities for the sports sector have substantially improved over the years, certain human rights issues in the sector still exists. These issues include sexual harassment, neglect of players at grassroots level and preferential treatment to Olympic players in terms of facilities and other amenities. She suggested that for long term development of sports in the country, we need to focus from the school level itself. She recommended that sport values, such as fairness and non-discrimination may be part of the school curriculum. She suggested that a robust sport infrastructure needs to be established in schools to ensure that the students are able to contribute to this area as we have abundant talent in India.
14. **Dr. Padmini Chennapragada, Founder-Director of Adapted Sports India Foundation (ASIF)**, stated that Federations-Ministry-Athlete Triad, which is interplay of all three critical stakeholders, makes the sports industry. She stated that the government needs to look beyond the compliance of financial norms by the National Sports Foundations (NSFs) and to concentrate more on advancement of human rights values by NSFs. She stated that on examinations of the audit report of 8 to 9 NSFs taken up the Comptroller and Auditor General (CAG) on initiative of the Government, she realized that there is a need to create awareness about the fair use of funds allocated to NSFs. She suggested to establish an independent Division or a Cell, either in the NHRC or in the Ministry of Youth Affairs and Sports, to deal exclusively with human rights issues in the sports sector. She highlighted the importance of safe sport. She also suggested to review the actions taken so far in

compliance of sports related international covenants and declarations such as Berlin Declarations or the Kazan Action Plan.

Technical Session 2 : Infrastructural and Structural Challenges and Solution Thereof:

15. **Shri Rohit Bhardwaj, Secretary, Sports Authority of India** initiated the discussion by highlighting the need to promote '*Safe Sports*' where each sportsperson get equal opportunity to participate without any interference and discrimination. On this, he stated that, it's easier said than done. Though in 1996 itself, the Olympic Committee (IOC) had recognized practice of Sports as a Human Rights, they took almost 26 years to establish the Human Rights Strategic Framework. He explained in brief the salient features of the Human Rights Strategic Framework and the National Sports Code of India. He stated that, the Framework and the Code, if implemented properly, will resolve all the human rights related problems of the sports sector. He stated that strict timelines supported by concrete action plans needs to be formulated to achieve the targets and goals set in the Framework. He stated that non-discrimination, safety and well-being, livelihood and decent work, voice (to be heard), and privacy are the key human rights issues of the sports sector.
16. While highlighting peculiarity of the sports ecosystem, Shri Rohit Bhardwaj stated that unlike other ecosystems, grantee in the Sports ecosystem is at higher pedestal as there is always a fear that in case a grant is not allocated in time or strict terms and conditions are imposed, productivity of players and India's representation at international events may be affected adversely. The Authorities therefore cannot afford to take a risk of losing an opportunity for a player who has put his/her entire life for sports.
17. Shri Bhardwaj informed the house that to protect the sport rights of the refugees, for the first time in history of Olympic, a team from the Olympic Refugee Foundation was allowed to participate in the Rio Olympics held in 2016. He shared with the House the example of a player from the South Sudan, who got separated from his family in 2005 while he was 10 years old. He joined the Olympic Refugee Foundation from a refugee camp of Kenya, through which in 2016 he participated in Olympics and then was sent to Iowa Community College for education. After he came back, he became the member of Olympic Refugee Foundation Board.
18. **Shri Abhijeet Barse, CEO of Slum Soccer organization, Nagpur** stated that sports can be effectively used to wean away the youth from the drug addictions. He also highlighted that sports can be used as a tool to promote human rights, and we need to re-imagine and use the power of sports in an efficient manner.
19. **Dr. Kanishka Pandey, Head- Centre for Sports Research, IMT Ghaziabad & Founder Chairman, 'Sports: A Way of Life'** started his conversation by stating that in our country the understanding of sports is very myopic, for most of us it's a form of entertainment or organising events and distributing medals. Sport however is much more than what has been understood. Based on a PIL filed by him in 2018, Supreme Court has sought the opinion of the Centre and state governments on a suggestion that physical literacy or sports be recognised as a fundamental right. He explained in

brief mentions 16 values in the sport sector including fighting spirit, team spirit, decision making ability, ability to convert negative energy to positive energy, and ability to support the weak. Apart from that, he stated that sports can play a crucial role in helping the people to come out of depression, resolve labour management disputes, promote communal harmony in the society and overcome radicalism and terrorism. To highlight the importance of sports in human rights he stated that apart from the food, cloth and shelter, sports is the basic need of a human being. The first activity a child performs after his birth is to play. Natural instinct of every child/human being is to play. As the child grows, this activity gradually takes a back seat.

20. To highlight the need to establish and expand sport infrastructure in the Country, Dr. Pandey stated during the 120 years of participation in Olympic games since their inception in 1900, the India having a population of 135 crore could win only 35 medals. USA has so far won 2,500 medals. All this has happened due to lack of sports culture in the country. As per the India's first sports literacy survey conducted by him, India's sports literacy is mere 5.56 %. For women, the same is even much lower (around 2%). He stated that, this is where the real problem lies. He stated that increase in sports culture leads to sports literacy, which leads to increase in participation, which increases the competition which ultimately improves the results. Hence, by increasing the sports culture, he stated, we can bring out the talent pool of this country and produce better olympians and sport persons. Systematic awareness campaigns need to be launched to promote sports culture in the country. Sports needs to be promoted in each and every level of education. To create the awareness among the children when they are still young, basic alphabetical sports booklets needs to be developed and promoted. He suggested that a course on 'Sports Philosophy' which has already been introduced in 'Rajasthan University', needs to be introduced in school curriculum.
21. Dr. Pandey drew the attention of the house to the 'Model Sports Village' initiative taken up in Uttarakhand and Rajasthan. The concept aims to provide give opportunity to every child to discover his/her love for sports. The emphasis is not to promote sports to be olympians rather to focus on personality development and character building. He stated that it is a matter of great satisfaction that these children have started to win medals in various events. He stated that Indian are very talented, they just need right opportunity.

Technical Session- 3: Remedies, Accountability and Embedding Respect for Human Rights in Sports Federation

22. **Col. Raj Singh Bishnoi, Senior Executive Director Head of the Institute, Netaji Subhas National Institute of Sports, Patiala** stated that every year about 10,000 coaches are trained in their institute. At their centres in Trivandrum and Gwalior, physical education and training is given to athletes, youngsters under the scheme of STC (SAI Training Centre) and coaches. He said that training, webinar and

conferences are organised for training physical education teachers and athletes of priority sports. He suggested to use curriculum as a tool for knowledge upgradation. He stated that the Institute has a zero-tolerance policy towards human rights abuses. He suggested that to create awareness about various human rights and the measures to be taken to prevent and minimize human rights abuses and to punish the preparatory of such abuses, a module on human rights needs to be incorporated in curriculum of the courses offered by the Institute. Such module, may apart from the core human rights topics, include topics such as personality development, sports ethics, sports law, coaching philosophy, coach-athlete relationship, authority and approach of a coach and role of a coach as a mentor, guide, parent, psychiatrist, etc. He requested that the Commission may guide the Institute in design of the module.

23. **Shri Suheil Tandon, Founder cum Director of Pro sport development** stated remedies, accountability and respect for human rights in sports should be everybody's business. He stated that both the bottom up and top-down approaches are required to deal with the matter. He stated that Right to Play is recognized by all organizations and validated in UN Charter and UNESCO Charter. He mentioned that access to sports is not the issue of prime concern but the challenges faced in there are. While on the ground there is lack of infrastructure and socio-economic differences are vivid, sports can help overcome these barriers. Education on the Rights of Sports is required especially from the athlete's perspective. To substantiate this, he gave an example of table-tennis, calling it 'ping-pong diplomacy'.
24. Shri Tandon suggested to have athlete-centric policies. He suggested that implementation plans should include grass root and district sports federations. He highlighted the gender pay parity and suggested that decision of BCCI to grant equal pay to members of female team at par their counterparts in the male team may be emulated and implemented by all NSFs. He also suggested to have an independent player association who can get athletes from all backgrounds to ensure fair representation. He stated that pointed safety of women and child needs special attention as majority of the players are below 18 years of age. He added that safety and policy audits should be conducted to implement policies on ground.

Interactive Session

25. **Dr. Mittal Kumar, Hon'ble Member, NHRC** stated that implementation of recommendation of Justice Lodha Committee has revolutionized the functioning of the Board of Control for Cricket In India (BCCI). He also briefed the house about the appointment of Institutional Ombudsman and Ethical Officer in each Cricket Association to look into the grievances of every sportsperson. He posed a question - "Can these recommendations be universalized for all the Sports Bodies?". He also suggested that the recent decision of the BCCI regarding equal match fees for male and female players needs to be extended to all other sports. He concluded his remarks by stating that provisions of the Sexual Harassment of Women at

Workplace Act, 2013 need to be implemented in their true spirit to protect women athletes and players from sexual exploitation.

26. **Shri Rajiv Jain, Hon'ble Member, NHRC** posed an important hypothetical question before the panelist i.e., in case one wishes to develop an index of compliance on Human Rights issues with all sports stakeholders, including NSF, Ministry of Youth Affairs and Sports, State Federations, etc. what would be the parameter and the weightage for each parameter?
27. **Dr. D.M. Mulay, Hon'ble Member, NHRC** in his concluding remarks summarized the deliberations held during the discussion and extended his heartfelt thanks to all participants to the Discussion.
28. The Meeting ended with Vote of Thanks by Consultant (Research).

Recommendations

29. The following recommendations emerged from the Discussion:

- i. Three principal of safe sport, privacy and voice (right to raise), shall be followed by concerned authorities in sports sector all the time.
- ii. Union Government shall undertake periodic audit by an independent expert agency of repute to assess adherence to 'National Sports Development Code of India' and 'Human Rights Strategic Framework' by all National Sports Federation and place report thereof in public domain.
- iii. Union Government shall initiate measures to promote sports literacy. These measures may include, among others, development and promotion of basic alphabetical sports booklets, inclusion of module of sports in school curriculum.
- iv. The NHRC may develop a "Handbook on Human Rights in Sports" and translate the same in all 22 recognized languages.
- v. NHRC shall develop a module on "Human Rights in Sports" for incorporation in training courses for coaches organised by the Netaji Subhas National Institute of Sports and its Centres and similar courses run at the State level institutions for coaches and the share the same with the Union and State Government for implementation. The NHRC in collaboration with Netaji Subhas National Institute of Sports may organize Training of Trainers (ToT) on these modules.
- vi. Union and State Government shall take measures to create awareness among various stakeholders about the Human Rights Framework established by the International Olympic Committee
- vii. NHRC may sponsor a study to develop an index of adherence on human rights issues by various National Sports Federations.
- viii. The NHRC and the Union Ministry of Youth Affairs and Sports may endeavor to enlist a renowned sport celebrity to work (on pro-bono

basis) as Ambassadors of the NHRC for protection and promotion human rights in sports sector.

- ix. The NHRC may organize such Discussions at regular intervals. Representatives of National Sports Federations, State Sports Federations and State Government may also be invited to these Discussions.
- x. The Union Government shall explore the feasibility for appointment of Institutional Ombudsman and Ethical Officer in sport body at National, State and District level to look into the grievances of sportsperson.
- xi. The Union Government may explore the feasibility to earmark minimum 10% (ten percent) Corporate Social Responsibility (CSR) funds for promotion of sports sector.

Annexure
List of Participants
NHRC Officials

1. Mr. Justice Arun Mishra, Hon'ble Chairperson, NHRC
2. Mr. Justice M.M. Kumar, Hon'ble Member, NHRC
3. Dr. D.M. Mulay, Hon'ble Member, NHRC
4. Shri Rajiv Jain, Hon'ble Member, NHRC
5. Shri Devendra Kumar Singh, Secretary General, NHRC
6. Shri Manoj Yadava, Director General (I), NHRC
7. Shri Surajit Dey, Registrar (Law), NHRC
8. Shri H.C. Chaudhary, Joint Secretary, NHRC
9. Smt. Anita Sinha, Joint Secretary, NHRC
10. Dr. M.D.S. Tyagi, Consultant (Research), NHRC
11. Ms. Smriti Pandey, Junior Research Consultant, NHRC
12. Ms. Prabnoor Kaur, Junior Research Consultant, NHRC
13. Mr. Jha Pranav Kumar, Junior Research Consultant, NHRC
14. Mr. Deepansh Tripathi, Junior Research Consultant, NHRC

Representatives from Ministries.

1. Shri Shri Kunal, Joint Secretary (Sports – Development), Dpt. of Sports, Ministry of Youth Affairs and Sports.
2. Shri Rohit Bhardwaj, Secretary, Sports Authority of India.
3. Col. Raj Singh Bishnoi, Senior Executive Director & Head, Netaji Subhash National Institute of Sports, Patiala;
4. Dr. Sudarshan Pathak, Chairperson, Hockey India Sexual Harassment Committee.

Special Invitees

1. Shri Abjhijit Barse, CEO, Slum Soccer Organization;
2. Dr. Padmini Chennapragada, Founder Director of the Adapted Sports India Foundation;
3. Shri Suheil Tandon, Founder cum Director of Pro-Sport Development, Ananatpur Sports Academy;
4. Dr. Kanishka Pandey, Head- Centre for Sports Research IMT Ghaziabad & Founder Chairman Sports: A Way of Life
