

**File No. R-55/1/2022 PRPP (RU-1)**  
**National Human Rights Commission**  
**PRP&P Division; Research Unit-I**

**Minutes of the Open House Discussion on ‘Sports and Human Rights’ held in collaboration with Sports Authority of India, Netaji Subhas National Institute of Sports, Patiala on 16<sup>th</sup> October, 2023.**

The Commission organized Open House Discussion on ‘Sports and Human Rights’ held in collaboration with Sports Authority of India, Netaji Subhas National Institute of Sports, Patiala on 16<sup>th</sup> October, 2023, under the Chairpersonship of Dr. Dnyaneshwar Manohar Mulay, Hon’ble Member. The meeting was attended by NHRC, NS-NIS, Sports Federation, etc. The list of participants is placed at **Annexure-1**.



**2. Shri Devendra Kumar Nim, Joint Secretary, NHRC**, while extending a hearty welcome to all the participants, mentioned that the potential of sports to champion fundamental human rights values, such as equality, non-discrimination, and inclusivity is immense. He further briefed about two pressing themes of the Open House Discussion which are very important for protecting human rights in the world of sports, *"Addressing Sexual Harassment in Sports"* and *"Fair Selection in Sports: Ensuring the Right for All to Participate in the Selection Process"*. He also highlighted that, one of the prime functions of the NHRC under the Protection of Human Rights Act, of 1993, is the promotion of human rights and the Commission has been very active in dealing with the issues of Sports and Human Rights and mentioned about the previous meetings organized by the Commission on sports and human rights. Lastly, he suggested sports

federations, civil society organizations, ministries concerned and the NHRC can work collaboratively to create a sports culture that is free from harassment and offers equal opportunities for all, ensuring that the principles of human rights are upheld in the world of sports.

**3. Prof. Kalpana Sharma, Director (Academics), SAI, NS NIS, Patiala,** in her address focused on the importance of education of athletes and the need of a systematized approach. She also highlighted the general principle of safe sport quoting the International Olympic Committee (IOC) for protection of athletes. She advocated that athlete should have right to be treated equally, should be free from non-accidental violence and welfare of athlete is paramount. She further added that only proper education can bring sensitization among athletes, community and make the sport a safe space. She suggested that there is a need to create 'educative modules' for all levels, starting from the young athletes, for adult athletes, for training of coaches to teach and develop a better understanding of Human Rights values in Sports. Lastly, she advocated for the 'education of coaches' and 'sensitization of young athletes'.

**4. Shri Vineet Kumar, Executive Director, SAI, NS NIS, Patiala,** in his address restated the core principle of equality and further mentioned that all the athletes deserve equal treatment regardless of race, caste, ethnicity and gender. He suggested that it is important to focus on the psychological impact of sexual harassment on athletes, sports person and the adverse impact on his/ her performance, impact on confidence & self-esteem of the athlete, impact on parents & family of the victim and adversely impact the education of athlete. He mentioned that all these adverse impacts act as psychological barrier for athletes to grow in future.

Further, he mentioned the positive steps taken by Sports Authority of India (SAI), such as, they strictly follow the mandated and created a strong and effective Internal Complaint Committee (ICC), the institution also ensures that the female staff/ female coach should always accompany the female athletes while going for national and international competitions and camps and for the welfare of children, there is a 12-hours call center for actively listening and resolving the grievances of students. There are ICCs in all the SAI centers he added. Shri Kumar also briefly talked about the fair selection process and highlighted the issue of favoritism & biasness in sports, which should be eliminated.

**5. Dr Dnyaneshwar Manohar Mulay, Hon'ble Member, NHRC, in his Keynote & Inaugural Address** mentioned that the Constitution of India guarantees and provide us the fundamental rights and every citizen of this country to be able to access & enjoy these rights equally. He said that it is not only the responsibility of Government Organizations, Sports Federations, sports organization, but also of the players themselves to protect the rights for each other. He highlighted the importance of international norms which serve as the guiding principles, like, the International Olympic Committee Charter, Code of Conduct of International organizations. Further, he briefed on the issues dealt by the Commission, such as rights of

women, children, older persons, disabled persons, widow, farmers and recommended that there is need to bring more focus on the subject area of Sports and Human Rights.

He mentioned that playing sport is necessary for the overall development of children but he also expressed his concern regarding the psychological pressure on the athletes by the society & their family. He said that the sports culture needs to change, medals in sports are important, but there is need for sportsmanship, we need to have a healthy society and a healthy environment for our children to grow and prosper. He further iterated upon the importance of Good Governance in protecting human rights, and the principle of Good Governance should be followed by the sports federations, schools and colleges for the betterment of the athletes and sports persons. He highlighted that the systematic institutional efforts is very important. Lastly, he highlighted how sports can bring joy and empower people by quoting the example from newspaper of half-marathon in Delhi (15<sup>th</sup> October, 2023) where people with disabilities shared their experiences and said that ‘marathon had given them zeal and made them happy’. Dr D. M. Mulay requested that all stakeholders should join hands and make sports an inclusive space for everyone.

### **TECHNICAL SESSION - I**

#### **The issues of Sexual Harassment in Sports and the Preventive Role of Sports Federation**

This technical session was **Chaired by Dr. Dnyaneshwar Manohar Mulay**, Member, National Human Rights Commission, and the **Co-Chair of the session was Prof. Kalpana Sharma**, Director (Academics), SAI, NSNIS, Patiala.

#### **Shri Inderpreet Singh, President, Human Rights Organization**

- i. He quoted that in past 10 years 45 sexual harassment cases were reported, wherein, 29 of them were against coaches and many of the cases often go unreported.
- ii. He mentioned the adverse impacts of incident of sexual harassment on female athletes, such as they change their sports, quit playing, adverse impact on mental health.
- iii. He highlighted the issue of lack of awareness among athletes as they are not completely aware about the procedure to file/ report complaint of sexual harassment.
- iv. He explained in depth about the different kinds/ instances of sexual harassment (such as unwelcoming remarks both verbal and non-verbal); the rules, procedure to file complain & the rights available under the POSH Act 2013; and the Composition of ICC.
- v. He also mentioned that the information given in the ICC is not under the ambit of RTI Act, and the women can report the cases without any fear.
- vi. He suggested that more seminar and workshops need to be conducted to spread awareness. There are laws, but awareness is not there.



**Shri Jagdeep Singh Kahlon, Convener, Athletes Commission, Cycling Federation of India in his address highlighted that**

- i. There is need to make the athletes more aware about their human rights in sports and the NHRC is taking a lead in spreading awareness.
- ii. The Sports Federations plays a very important role in creating a safe environment for athletes and they are relentlessly working in this direction.
- iii. Presently, all Sports Federations have an ICC and these federations also ensure that a female staff/ female coach should always accompany the female athletes while going for national and international competitions and camps.
- iv. A wider awareness program about POSH Act, its rules, procedure and rights of athletes should be conducted in all federations. He also suggested that the numbers and email of



- NHRC, other helpline number, and details about the complaint procedure of ICC should be displayed/ pasted in all the sports camps and in all sports federations.
- v. The district federations, State Federations and National Federations need to work more closely to tackle the issues in a more efficient manner.
  - vi. There is a need to make a documentary/ short movie on Sports awareness among public and to enhance participation in sports, to build trust among parents to send their kids into the field of sports.

**Prof. Sarita Tyagi, Professor, Indira Gandhi Institute of Physical Education and Sports Sciences in her address highlighted that**

- i. There are multiple laws and committee for protection of rights, but issue lies in the implementation of Laws/ rules/ guidelines.
- ii. Discussed the open letter of Ms. Mary Kom which, addressed to her sons about sexual harassment instances faced by her.
- iii. There are unreported cases of sexual harassment by athletes, she also added probable reasons of women vulnerable to sexual harassment, such as, unquestionable compliance with coaching methods, long training periods away from public scrutiny and long & continuous association with coaches.
- iv. The entire sports institute is a workplace under the POSH Act, 2013 under Section 2(o) (iv) of the Act.
- v. All National Sports Federations that women coach to mandatorily be a part of the contingent, Compliance Officer to be appointed in all National Coaching Camps, Pre-Camp Sensitization modules to be designed and presented to all athletes, coaches and support staffs.
- vi. There is a need to Develop a complaint procedure for reporting sexual harassment, the International Olympic Committee must help boost safeguards for athletes against sexual and to eliminate the use of sexist language degrades women athletes and leads to their exploitation.

### **Open House Discussion on Technical session I**

It was highlighted by **Shri Satyanarayan M**, Deputy Secretary General, All India Football Federation that the cases of sexual harassment with both male and female athlete need equal attention by the authorities. He further mentioned that there is a need to bring awareness about the sexual harassment of male athletes by male or female coaches and harassment of female athletes by female coaches.

## TECHNICAL SESSION – II



### **Fair Selection in Sports: Right for All to Appear in Selection Process**

The session was **Chaired by Shri Devendra Kumar Nim**, Joint Secretary, National Human Rights Commission, and **Co-Chaired by Shri Vineet Kumar**, Executive Director, SAI, NS NIS, Patiala

**Shri Devendra Kumar Nim**, Joint Secretary, National Human Rights Commission in his address said that;

- i. There needs to be a predefined criteria at every step of the selection process which should be based on skills and performance.
- ii. There shouldn't be any gaps left while selecting the athletes which gives discretion and leaves room for discrimination by the Sports Federations and selecting agencies. Criteria should be consistent and uniformly applied to all the athletes.
- iii. The Sports Organisations, governing bodies, and athletes themselves have a shared responsibility to uphold fair selection practices and to ensure that there exists a right for all to participate in the selection process without bias or discrimination.

- iv. It is important to develop standardized assessment tools, increase awareness about their rights, and SOP for fair selections so that no discrimination on the basis of gender, caste, religion and race can be done, and all sportspersons should get an equal chance for selection in sports.

**Shri Shivam Sharma, Director, NS NIS, Sports Authority of India,** Commission in his address said that;

- i. Selection in sports is a complex decision-making process, where the coaches, administrators use a device methodology to decide who will be selected.
- ii. There is a link between the selection process and good governance. He said Good Governance is based on 4 pillars, i.e., transparency, accountability, participation and predictability, and these pillars can be applied on while doing selections process to make it fair.
- iii. Transparency ensures that the athlete is selected on the basis of merit and not subject to any discrimination. It ensures established criteria to be followed.
- iv. The Article 14, 15, and 21, of the Constitution of India, these three Articles are the cardinal principle from where the fair selections can be derived.
- v. Participation and selection should be at grassroots level so that the voice of all athletes can be heard. He further highlighted the need to have grievance redressal mechanism which should be accessible for all.



**Lt. Gen Dr. J.S. Cheema, PVSM, AVSM, VSM, Vice-Chancellor, Maharaja Bhupinder Singh Punjab Sports University, Patiala,** in his address said that;

- i. We need to have an eco-system starting from the beginning. The selection process does not start at the selection of the team for a tournament but it actually starts at the talent hunt stage.
- ii. Pre-defined eligibility criteria need to be there and suggested that only merit and performance should be the core criteria for selection.
- iii. Distinction between the selection process for individual games and selection process for team games. He also mentioned that psychological and mental condition needs to be strong for athletes in order to handle pressure during competitions.
- iv. There is need to have transparent eligibility criteria, scientific process as well as pre-defined criteria, which can help in fair selection in sports.
- v. Advancement of technology and the Artificial Intelligence can definitely play an active role in making the selection a fair and transparent process.

**Shri Neeraj Kumar, CEO, Dr. B.R. Ambedkar Sports Foundation**

- i. Shared his personal experience, how he was not given fair chance to participate and how discrimination starts from small issues and it's difficult for athletes to take up the matter with the sports federations.
- ii. He mentioned the difference between 'sports' and 'games' by citing the International Olympic Committee.
- iii. He also mentioned about the 'Right to Play' as a human right and the non-active role played by the National Federations for safeguarding the sports.
- iv. Discussed the International Olympic Charter and the rules for fair selection process and the problems faced during selection trials by the athletes.

**Shri Satyanarayan M, Deputy Secretary General, All India Football Federation**

- i. He highlighted the distinctions between two selection processes, first one for the Team Games and second one for the Individual Games.
- ii. He mentioned the problem faced by Federations during the selection process, such as the pressure from parents, pressure from coaches, and accusation of being biased.
- iii. He suggested having 'skilled spotters', it is not coaching of an athlete but spotting of athlete on the basis of potential. He said these 'Spotters' may be appointed at district and state level. He also advocated for having a clear selection procedure.
- iv. He also highlighted the issue of 'Conflict of Interest', with coaches, there is underlying biasness, and it is difficult to resolve as selection is a very subjective process.
- v. He suggested that the National Federations should take steps to create timelines well in advance and the administration will play an active role in this so that the young talent will get fair selection process.



## **Open House Discussion on Technical session II**

During the discussion, **Dr. Dnyaneshwar Manohar Mulay, Hon'ble Member, NHRC**, while responding to a question on lesser opportunities in the field of sports, mentioned that there is a need to create more opportunity for athletes, this is shared responsibility on the federations and the ministry concerned to increase the numbers of competitions across different sports, and create more categories so that more talented sportsperson gets a fair chance to represent himself/herself on National and International platforms.

While responding to another question on the ways to tackle the case of sexual harassment more efficiently, **Prof. Sarita Tyagi**, suggested educating & sensitizing children at a young age, providing moral education and awareness about these sensitive issues. She also suggested referring the preventive guidelines given in International Olympic Charter to develop better understanding.

**Dr. D.M. Mulay**, Hon'ble Member, NHRC, in his concluding remarks stressed upon the need to create a safe environment for athletes which is free from any kind of harassment. Further, he said that there is a need to provide a fair selection process and opportunity to all the athletes; they should get adequate time for preparations. He also mentioned that the player should be adequately compensated in case of injury or after retirement as everyone has the right to live with dignity and equality. Hon'ble Member thanked all the participating experts, representatives from SAI, NS NIS, sports federations and NHRC officials for their valuable inputs during the deliberations.

### **Suggestions and Way Forward Emanated from the Meeting**

1. **Sensitization of sports persons:** The sports persons aren't well aware about factors amounting to sexual harassment, as well as recourse mechanisms and the provisions of POSH Act. Therefore, workshops, seminar and awareness camps may be organized for the same. **(Ministry of Youth and Sports Affairs, Sports Authority of India, NHRC, NS NIS)**
3. **Establishment of Internal Complaints Committee:** Establishment and effective running of the Internal Complaints Committee (ICC), as mandated under the POSH Act needs to be ensured and Numbers and email of NHRC, other helpline number, and details about the complaint procedure of ICC should be displayed in all the sports camps and in all sports federations. **(Sports Federations)**
4. **Other measures to prevent sexual harassment:** Probable reasons of women being vulnerable to sexual harassment include unquestionable compliance with coaching methods, long training periods away from public scrutiny and long & continuous association with coaches. Therefore, women coaches and Compliance Officer should be necessarily appointed in all National Coaching Camps.

**(Sports Authority of India)**

4. Pre-Camp Sensitization modules should be designed and presented to all sports persons, coaches and support staffs. (**Ministry of Youth Affairs and Sports**)
5. A complaint procedure needs to be developed for reporting sexual harassment at the International Olympic Committee. ( **Ministry of Youth Affairs and Sports**)
6. **Selection Criteria:** There needs to be predefined criteria for selection procedures and a standardized assessment tool for the same that have to be transparent. This can be achieved by notifying such criteria on the website of Sports Authority of India or Ministry of Youth Affairs and Sports. (**Ministry of Youth Affairs and Sports**)
7. **Grievance Redressal:** A mechanism for redressal of grievances needs to be made effective and accessible to all the sports persons, especially at the grassroots. (**Ministry of Youth Affairs and Sports**)
9. **Appointment of skilled spotters:** Since spotting of a sports person at the talent hunt stage need to be based on potential, appointment of skilled spotters at district and state level need to be ensured. (**Sports Authority of India**)
10. **Development of timelines of selection process:** Steps to be taken to create timelines well in advance and play an active role in this so that the young talent gets a fair chance at the selection process. (**National Sporting Federations**)

**List of Participants:**

**NHRC**

1. Dr. Dnyaneshwar Manohar Mulay, Member, – Chair
2. Shri Devendra Kumar Nim, Joint Secretary
3. Shri Deepansh Tripathi, JRC
4. Smt. Arpita Sinha, JRC

**SAI, NS NIS**

5. Shri Vineet Kumar, Executive Director, SAI, NS NIS, Patiala
6. Prof. Kalpana Sharma, Director (Academics), SAI, NS NIS, Patiala
7. Coaches
8. Officials
9. Support Staff

**Other Domain Experts**

10. Lt. Gen (Dr.) J.S. Cheema, PVSM, AVSM, VSM, Vice Chancellor, The Maharaja Bhupinder Singh Punjab Sports University, Patiala
11. Shri Shivam Sharma, Director, NS NIS, Sports Authority of India
12. Shri Inderpreet Singh, President, Human Rights Organization
13. Prof. Sarita Tyagi, Professor, Indira Gandhi Institute of Physical Education and Sports Sciences
14. Shri Jagdeep Singh Kahlon, Convener, Athletes Commission, Cycling Federation of India
15. Shri Satyanarayan M, Deputy Secretary General, All India Football Federation
16. Shri Neeraj Kumar, CEO, Dr. B.R. Ambedkar Sports Foundation

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