

A Study on Athletes Rights: Find Out the Position of Sports in Total Surroundings of Human Rights

Dr. Swapna Ray Barma, Assistant Professor

Govt. College of Physical Education for Women, Dinhata, Cooch Behar, West Bengal.

Abstract: Sports have the unrivalled ability to set standards where dignity, equality, and excellence rooted in diversity prevail. Most sporting events have a huge impact on human rights. These rights belong to justify every person. In this way, my article inspired me to identify the position of sports in total surroundings of Human Rights. Which are closely connected to the definition of many human rights such as rights to life, rights to education, rights to health and well-being, and so on. As the athlete rights movement grows, more of these independent associations are being developed to provide athletes with a voice to represent their interests and a seat at the decision-making tables of sport. We believe that the Universal Declaration of Player Rights is a foundational piece necessary in achieving the objective and the International Olympic Committee plays a central leadership role in the World of sport. However, sport is among the ecosystems encountering the challenges of today's World. The conclusions reveal ways in which the universality of sport allows encompassing several different rights. Because sport can be easily used as a means to advance and further human rights in general.

Keywords: Sports, Athlete rights, Human rights, United Nations, Universal Declaration of Human Rights.

I. Introduction

Sport is one of the best ambassadors to promote human rights. It is now paramount to build stronger bridges to advocate for sport as a Human Right – to pledge, defend, and promote it. Sport and physical activity were first specifically recognized as a human right in the International Charter of Physical Education and Sport which was adopted in 1978 by the United Nations Educational, Scientific and Cultural Organization (UNESCO). The Convention on the Rights of the Child, adopted in 1989, also supports the notion of sport and physical education as a human right. In 1994, it requested that the Olympic Charter be amended to include an explicit reference to the need for action on women and sport. Furthermore, sports authorities have taken a step forward in promoting rights by integrating Human Rights bodies within their structures (for example, FIFA's Human Rights Advisory Board, UEFA's Human Rights, and anti-corruption criteria into bidding requirements). For those sports and human rights are gradually becoming parts of International Sports Policy, as well as the Sports Movement.

Henry I.P. (2013), 'Every athlete has the right to play free from any physical, emotional, or verbal abuse or violence from the opposition, teammates, coaching staff, spectators, grounds staff, or officials.' In 2017, the World Players Association (WPA) launched the Universal Declaration of Player Rights. Recent highlights of this work include the World Player Development, Wellbeing, Transition, and Retirement Standard, the Declaration on Safeguarding the Rights of Child Athletes, the World Player Rights Policy, and the Gender Equality Principles. A year later, the International Olympic Committee (IOC) developed their Athletes' Rights and Responsibilities Declaration. These two documents codify benchmarks 'for international sporting organizations to meet their obligations to protect, respect, and guarantee the fundamental rights of players'. So, the rights of athletes need to be recognized in the administration, participation, and delivery of sport.

This paper aims to assess the athlete rights in total surroundings of human rights for the mega sports events locally and globally.

II. Mega Sporting Events

Sport is an activity involving physical exertion and skill in which an individual or team competes against another or others for entertainment. According to the World Sports Encyclopaedia (2003) 8,000 indigenous sports and sporting games were played around the World. There are many more sports to be added as individual sports or team games which include some names of sports groups, styles, and codes. In that way, so many regional sports, modified rules, and new sports are being developed every day.

In our sports field, the World base competitions are Summer Olympic, Winter Olympic, Para-Olympic and Youth Olympic, and World Championship of different games. At the first Olympic Games in 1896, there were nine sports contested - Athletics, Cycling, Swimming, Gymnastics, Weightlifting, Wrestling, Fencing, Shooting, and Tennis. Since that time many sports have been added (and removed too) from the program. Later on, in 2012 there were 26 sports contested, and in 2016 there were 28, and 33 are scheduled for 2021 in different Modern Olympics. The 2024 Summer Olympics will be organized from 26 July to 11 August in 32 sports held in Paris, France. Besides these, at the Pyeongchang Winter Olympic (2018) the 15 sports disciplines are categorized into three main categories: (1) ice sports, (2) alpine, skiing, and snowboarding events, and (3) Nordic events. The Tokyo 2021 Para-Olympic Games will feature 22 sports. Buenos Aires, Argentina has to celebrate the tradition of the first Summer Youth Olympic Games 2018 on 6 –18 October in 32 events. The 3rd Winter Youth Olympic Games would organize by Lausanne, Switzerland on and from 09 to 22 January 2020 in 8 sports, 16 disciplines, and 81 events. The IV Winter Youth Olympic Games to be held between 19 January and 2 February 2024 in Gangwon, South Korea will feature 7 sports 15 disciplines and 81 events.

III. Athletes Rights

Elite athletes and sports players have to begin training early - in most cases before they are considered old enough to make their own decisions. To help them as Athletes' Rights on behalf of the Olympic Movement some declaration has been presented to and adopted by the 133rd IOC Session in Buenos Aires on 2018.10.09. This Declaration aspires to promote the ability and opportunity of athletes to:

1. Practise sport and compete without being subject to discrimination based on race, color, religion, age, sex, sexual orientation, disability, language, political or other opinions, national or social origin, property, birth, or another immutable status.
2. Be part of a transparent, fair, and clean sporting environment, particularly one that fights against doping and competition manipulation, and provides for transparent judging/refereeing, selection and qualification processes, and appropriate competition schedules, including training schedules at such competitions.
3. Access general information on the athlete and competition-related matters in a timely and clear manner.
4. Access education on sports-related matters as well as to work or study while actively training and competing, should the athlete choose to do so and where practicable.
5. Leverage opportunities to generate income about their sporting career, name and likeness, while recognizing the intellectual property or other rights, rules of the event and sports organizations as well as the Olympic Charter.
6. Fair and equal gender representation.
7. The protection of mental and physical health, including a safe competition and training environment and protection from abuse and harassment.
8. Elected athlete representation within sporting organizations of the Olympic Movement.
9. Report unethical behavior without fear of retaliation.
10. Privacy, including protection of personal information.
11. Freedom of expression.
12. Due process, including the right to a fair hearing within a reasonable time by an independent and impartial panel, the right to request a public hearing, and the right to an effective remedy.

IV. Sport as a Human Right

When the UDHR or the European Charter were adopted, in 1948 and 1950, respectively, the right of access to and participation in sport and play did not receive as much attention as it does today, when scientific knowledge apprehended the importance of sports and physical activities for the individual and the society. However, international law also developed to suit the concern with sports and physical activities. If on one hand, the main human rights instruments have failed in expressly protecting sports, physical activities, and play, later instruments have incorporated them as a right, as will be noticed from the analysis that follows.

The most straightforward document when it comes to defining sports as a right is UNESCO's International Charter of Physical Education and Sport, adopted in 1978. UNESCO's International Charter, in its first article, summarizes the current legal understanding of the international community on sports and physical

activities.

Sport is a Fundamental Right for All

Article 1: The practice of physical education is a fundamental right for all

1.1. Every human being has a fundamental right of access to physical education and sport, which are essential for the full development of his personality. The freedom to develop physical, intellectual, and moral powers through physical education and sport must be guaranteed both within the educational system and in other aspects of social life.

1.2. Everyone must have full opportunities, by his national tradition of sport, for practicing physical education and sport, developing his physical fitness, and attaining a level of achievement in the sport which corresponds to his gifts.

1.3. Special opportunities must be made available for young people, including children of preschool age, for the aged, and for the handicapped to develop their personalities to the full through physical education and sports programs suited to their requirements.

The express recognition of sports and physical education as fundamental rights can also be found in the CEDAW, on articles 10 and 13.

Equality of opportunities for men and women to participate in sports and physical education -

Article 10: States Parties shall take all appropriate measures to eliminate discrimination against women to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women. The same opportunities to participate actively in sports and physical education.

Women's rights to participate in recreational activities, sports, and all aspects of Cultural-life -

Article 13: States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life to ensure, on a basis of equality of men and women, the same rights, in particular. The right to participate in recreational activities, sports, and all aspects of cultural life.

When the CEDAW, in article 10, recognizes women's rights to participate actively in sports and physical education, it of course does not exclude men's right to participate in sports. On the contrary, it presumes men are entitled to such rights and assures women the same opportunities as men. This becomes even clearer when, in article 13, the CEDAW convention guarantees the same rights between men and women "to participate in recreational activities, sports and all aspects of cultural life".

V. Conclusions

Sport can easily transmit many positive values such as fairness, team building, equality, discipline, inclusion, perseverance, and respect, all of which can be found in the Olympic Charter, the Universal Declaration of Human Rights, and the European Charter for Fundamental Rights.

The mega sporting events (MGS) are largely covered by the UN guiding principles on Human Rights which contribute to the state's duty to protect Human Rights, the corporate responsibility to respect Human Rights, and the access to remedy.

Athletes should not have to accept violations of their basic rights just because of their profession.

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