

Strasbourg, 10 December 2019

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Enlarged Partial Agreement on Sport

Seminar on human rights in sport

Wednesday, 20 November 2019

9:00 – 12:00 // 14:00 – 18:00

Morning

European Court of Human Rights
Human Rights Building
Seminar room (ground floor)
Allée des Droits de l'Homme, Strasbourg, France

Afternoon

Palais de l'Europe, meeting room no.5
Workshops in rooms 5, 6, 7 and 17
Avenue de l'Europe, Strasbourg, France

Report

Introduction

Owing to sport's long tradition of independence and autonomy, national and international jurisdictions only intervene in sporting affairs in a limited way. This does not mean, however, that questions are not to be asked, particularly when it comes to protecting athletes' fundamental rights. The theme of "human rights in Sport" has been addressed by case law, has gained prominence on the political agenda and was promoted by projects and initiatives.

It was one of the two main topics of the 15th Council of Europe Conference of Ministers responsible for Sport, organised in October 2018 in Tbilisi, Georgia, by the Enlarged Partial Agreement on Sport (EPAS).

The EPAS Bureau considered that despite several articles, publications and initiatives being developed by various bodies, the topic has not yet been fully addressed by specialists from sports ministries and sports organisations. The Bureau therefore proposed to organise a seminar to sum up the situation, to take stock of progress and to fine-tune the follow-up of the Tbilisi Conference.

Following this decision, EPAS organised a seminar on "Human Rights in Sport" on 20 November 2019, with the support of various entities such as the Secretariat of the Anti-doping Convention, the European Programme for Human Rights Education for Legal Professionals (HELP) and the European Court of Human Rights, bringing together a group of academics, specialists from sports ministries and sports organisations, and human rights experts from across Europe.

The seminar included discussions and exchanges over four differently themed panels on the most pertinent issues facing human rights in sport and gave participants an opportunity to interact with one another. The workshop themes were as follows:

- How to tackle discrimination against LGBTI people in sports competitions?
- Are athletes denied economic and social rights?
- Is the freedom of the sports press in danger?
- Should the right to physical activity and sport be promoted as a legally-enforceable right?

The following report aims to give an overview of the "Human Rights in Sport" Seminar and to extract and underline the fundamental ideas raised by the different speakers during the workshops.

Panel 1: How to tackle discrimination against LGBTI people in sports competitions?

Moderator	: Ms Ilknur Yuksek
Rapporteur	: Mr Alain Chablais
Speakers	: Ms Emma Smith, Ms Carlien Scheele, Mr Hugh Torrance

Introductory presentations were made by the experts in order to launch discussions on several key issues such as:

- Modalities to organise competitions and design categories for participants
- Criteria used for differential treatment of athletes
- Applicable international standards and legal avenues, including rights of athletes
- Best practices in designing governmental policies, both at national and local level

Referring to the case of the South African athlete, Caster Semenya, who unsuccessfully challenged the validity of the IAAF's new DSD regulations ("Differences of Sex Development" Regulations) before the Court of Arbitration of Sport in Lausanne and subsequently lodged an appeal - which is still pending - with the Federal Tribunal of Switzerland, an interesting discussion took place on the fundamental rights of athletes and the interests which may serve to justify an interference with these.

It was widely considered that this case gives rise to serious concerns regarding human rights. Bearing in mind that several female athletes may naturally present certain physiological characteristics traditionally associated with male features - such as high testosterone rate - and tend to be stigmatised in the public debate, even though they do not suffer from any pathology. These athletes are de facto forced to undergo heavy medical treatment if they want to be eligible to take part in certain competitions. Such treatment, however, may have significant negative side effects on their health, as noted by CAS in its ruling on the Semenya case, and which is underlined by the World Medical Association which has recommended to doctors around the world that they take no part in such interventions. The example of Ugandan runner Annet Negesa demonstrates one such example and starkly highlights the physical and mental costs involved.

Public interests used by sports federations and associations to justify a restriction of some athletes' rights are mostly linked to the need for fair and loyal competition, a top-class sports basic principle which many female athletes also want to be respected. For example, the "46 XY DSD" characteristic was considered by the IAAF and CAS to have a direct impact on performance in sport, which could never be achieved by other women. The correlation of specific physiological characteristics and enhanced performance was, however, questioned on the basis of scarce existing scientific evidence. In the absence of representatives from the sports movement as well as medical experts in the audience, this aspect was, however, not discussed further.

The Semenya case has also led to the IAAF issuing a statement that, as a private body, it is not bound or regulated by human rights frameworks and instruments.

Recalling that a number of pertinent, non-binding instruments already exist at international level, - such as recommendations by the CoE Human Rights Commissioner and PACE - it was also noted that legal, complex issues such as those raised by the Semenya case were new and have so far not been dealt with by the European Court of Human Rights following an individual application. There is therefore an expectation that the ECHR case-law will continue to develop in the future.

There is concern that the impact of high-level policies from bodies such as the IOC and the IAAF have a trickledown effect and, in the absence of clear robust national and localised guidance, policies designed for elite sports are governing access to grassroots sport.

Widening the debate so as to encompass not only professional competition but also daily sport practices by everyone, several participants regretted that existing categories to compete were often too rigid, inasmuch as a binary distinction is made between male and female participants. The question is therefore how to eliminate such barriers with a view to easing the expression of sexual identity in the sport context. Creating new, more neutral categories to widen eligibility criteria may be an option to consider.

Regarding existing negative stereotypes within the community of sports practitioners, especially in relation to the perception of LGBTI people, it was mentioned that a high prevalence of hostility was still present. Almost all high-level sporting competitions are based on the idea of an exclusive norm with two sex categories based entirely on sex- and gender stereotypes. Homophobia, transphobia and other sorts of anti-gender behaviours are reported by a high proportion of practitioners, which leads many to hide their gender identity and/or sexual orientation. Structural and cultural bias also play a role in perpetuating such stereotypes.

Against this background, it was considered that developing and strengthening public policies to raise awareness on the consequences of existing discrimination and stereotypes was necessary. Further action is also needed by the sports federations and associations. It was reminded that when designing policies aiming to increase social inclusion, particular care should be taken to systematically do a gender impact assessment to assess the effects of policies on women and men, taking other characteristics into account as well (intersectional approach) Indeed, past examples show that policies pursuing laudable goals sometimes entail negative side effects such as worsening equality, which may lead to indirect discrimination including against LGBTI people.

Panel 2: Are athletes denied economic and social rights?

Moderator	: Mr Michael Trinker
Rapporteur	: Mr Onur Oksan
Speakers	: Ms Kristine Dupate, Mr Folker Hellmund and Mr Matthew Graham

Michael Trinker opened the discussions by noting that sports had become, over the past few years, more and more commercialised and professional. As a result, new issues such as transfer windows, image and sponsorship rights, which have an impact on the economic and social rights of athletes, emerge. In the meantime, efforts to promote the right of all athletes, whether professional or amateur, to a safe and healthy work environment, fair remuneration, and humane working conditions continue. The starting point to determine the scope of economic and social rights of athletes is whether athletes should be qualified as workers or service providers. There is no straightforward answer to this question, as athletes do not form part of a monolithic group. Some athletes practice team sports in a professional capacity and have employment contracts with their club. Others, in particular those who practice individual sports which do not generate significant amounts of revenue, find themselves in a completely different and often vulnerable situation.

Kristine Dupate noted that the European Social Charter protected and guaranteed second-generation human rights, which encompass economic and social rights. The European Committee of Social Rights ensures compliance with the Charter. The term “employee” is not defined in the Charter. Accordingly, the Committee examines the status of a person in light of the facts of the case and depending on the article of the Charter invoked to determine whether he or she can be considered as an “employee”. The main factor that the Committee takes into account in its assessment is the level of dependence. The Committee is, therefore, not bound by the qualification of the employment relationship under national law.

The Charter enshrines several rights which are particularly relevant for athletes: right to work (Article 1), right to just conditions of work (Article 2), right to safe and healthy working conditions (Article 3), right to fair remuneration (Article 4), right to organise (Article 5), right to collective bargaining (Article 6), right of children and young persons to protection (Article 7), right to vocational training (Article 10) and right to social security (Article 12).

Matthew Graham drew attention to the fact that even professional athletes do not fully enjoy and have access to many of those rights. For instance, according to a report prepared by FIFPro, a majority of footballers receive their salary with delay, are transferred to other clubs against their will and put into situations of forced labour. The risk of concussion in sports and issues such as doping underline the importance of athletes benefiting from the right to safe and healthy working conditions. As concerns collective bargaining, different sports organisations have adopted different approaches; however, there is a general reluctance on their part to engage in discussions with players associations or trade unions, which are established to protect the rights of athletes. In gymnastics and football, there are still troubling instances of abusive practices which do not conform with the right of children to protection, which is guaranteed by the Charter. Finally, women’s football revealed the existence of a large gap between the remuneration of men and women athletes and illustrated the significant difference between the prize money awarded to women’s football teams and men’s.

Kristine Dupate stated that there were two ways in which the Charter can be enforced. The reporting system monitors the compliance of the States Parties with the Charter through national reports, which are published immediately. Non-governmental organisations and Ombudspersons are allowed to comment on these reports which are also made public. Until now, there has not been any report on the economic and social rights of athletes. The collective complaint procedure allows non-governmental organisations to raise questions concerning non-compliance of a State's law or practice with one of the provisions of the Charter. So far, no such collective complaint regarding athletes has been lodged.

According to Matthew Graham, one of the most important international instruments is the United Nations Guiding Principles in Business and Human Rights. Under these principles, the States are first and foremost responsible for ensuring respect for human rights. Then, sports organisations are also required to protect the rights of athletes.

Moreover, the International Labour Organisation ("ILO") initiated the first global dialogue on "decent work in the world of sport." The ILO issued a paper where it identified a number of shortcomings in sport regarding the economic and social rights of athletes. It also laid out a number of criteria to assist national federations or sports organisations in identifying the status of athletes. Many of the rights underlined in the ILO paper are also guaranteed by the Charter. The ILO will hold a conference in January 2020, where many of these issues will be discussed. He also stated that there were several other regional and international instruments that could be relied on to promote the economic and social rights of athletes.

Kristine Dupate emphasised that protection had to be first afforded to athletes on a national level. The laws of the State have to provide for adequate provisions that protect the economic and social rights of athletes. If the laws are not correctly applied, proceedings may be brought before national courts. Should the decisions of national courts or legal bodies not be satisfactory, then the dispute could be referred to international bodies.

As States are primarily responsible for safeguarding the implementation of the Charter, their responsibility can be invoked before the Committee. While the national sports organisations enjoy a certain level of independence and autonomy, this does not preclude athletes from bringing complaints before international bodies. That said, the relation between the federation and the State and the federation and the athlete may be important in certain disputes.

Folker Hellmund noted that sports organisations nowadays faced a number of challenges as a result of the commercialisation of sports activities. New issues such as sustainability and workers' rights started to emerge in the context of big sports events, and the number of stakeholders significantly increased through social media and with the involvement of third-party institutions, which provide financing for these events.

At both national and international level, federations have neither the legal expertise nor the human resources to deal with all of these challenges. As a result of these constraints, federations have a hard time managing problems faced by athletes, which then gives rise to litigation. The complaint filed by two Dutch speed skaters against the International Skating Union perfectly illustrates how an issue, which could have been easily dealt with, turned into a complicated legal dispute due to lack of good governance. For this purpose, the European Union is now providing funding for projects which aim to enhance good governance practices in sports organisations.

Athletes face problems in safeguarding their economic interests because they are often not represented in the decision-making bodies of national or international sports organisations. Such low level of representation is partly due to structural issues and partly due to the athletes' lack of awareness about their rights. The World Anti-Doping Agency ("WADA") is a perfect example of how athletes can be better represented in sports organisations. WADA recently adopted the Athletes Anti-Doping Rights Act which aims to protect the rights of athletes in anti-doping procedures.

Matthew Graham and Kristine Dupate pointed out that one significant issue that concerned almost all athletes was the transition from sports to other professional activities. Athletes now abandon sports early due to fear of not finding a new job. For student athletes, there are attempts in different countries to put in place arrangements with universities to ensure that those playing at top-level can take their exams at suitable dates and are not prevented from participating in competitions. These efforts, however, proved to be difficult and demonstrated that these kinds of accommodations require time and resources. Athletes also often need support for pursuing a dual career. The level of support that is afforded to athletes varies significantly from country to country, depending on the type of sport. One major issue is the lack of transparency on the spending of resources allocated to organisations for supporting the transition of athletes to a normal professional life.

In matters such as social security, the level of protection enjoyed by athletes depends on whether a State has the necessary financial means. Folker Hellmund gave the example of Germany where certain categories of athletes receive a pension from the State.

In some instances, athletes may choose not to speak of their disability out of fear of losing their economic and social rights. Ms. Kathryn Albany-Ward, who was a member of the audience representing an association named "Colour Blind Awareness," mentioned that footballers, who suffer from colour blindness often choose not to mention their condition, even though it qualifies as a "disability," due to fear of being benched. She argued that there was not a sufficiently robust legal framework that requires sports organisations to anticipate similar problems and make reasonable accommodations without exposing athletes and thus rendering them economically and socially vulnerable.

Panel 3: Is the freedom of the sports press in danger?

Moderator	: Ms Maja Cappello
Rapporteur	: Mr Florent Duplouy
Speakers	: Mr Mark Lichtenhein, Mr Christian Stamm and Mr Andrew Moger

Maja Cappello welcomed participants to the workshop and introduced the speakers. She then explained the Observatory's involvement in freedom of expression; she underlined that Article 10 of the European Convention of Human Rights provides for a two-way communication, including the right to a) receive, and b) impart information. Broadcasting consumer options in the EU digital single market come under the Audiovisual Media Services Directive (EU) (AVMS), especially Article 15 on the conditions for extracting short extracts for general news programmes and for compensation of the rightsholders. Research by the Observatory shows that, whereas maximum duration varies, consumers usually get access to 90 seconds or less of short extracts of sport events in news reporting. Article 14 of the AVMS directive requires that events of major importance to society, such as finals in a national championship, be broadcast free to air. Whereas many EU member states have notified national lists of events of major importance, others refrained from doing so.

Mark Lichtenhein introduced the SROC, that manages intellectual property rights on sports events, that are mainly with event organisers, and monetises them for about 15 rights owners from a wide spectrum of sports. Currently, most jurisdictions lack a legal framework for copyright protection of sports event, and the management of rights on sports events draws on various parts of the law. SROC advocates such legal frameworks, which should include good governance, to allow organisers to benefit from the events they organise; to organise the relations with the media, to protect organisers against unauthorised streaming and distribution; to regulate the relations between organisers and the gambling industry, to preserve the integrity of competitions; and the funding of professional and grassroots sport. Currently, access to sport events, thus to news and reporting, is governed by accreditation agreements under the organisers' "house" rights. SROC retains the freedom to grant or shape access to competitions e.g. through exclusivity agreements. It is aware that in a single market, demand goes beyond national events, yet broadcasting should reflect the cultural specificities of sports.

Christian Stamm introduced the monitoring of human rights that are at stake in FIFA's activities. Media and news add an additional level of scrutiny to monitoring by FIFA, yet sports journalists face professional risks, to a degree that varies from country to country. FIFA seeks to make sure sports journalists are safe. In 2017, it adopted a Human Rights Policy; strengthened reporting requirements for bidders for FIFA World Cups; included press freedom as a requirement in its review of accreditation agreements; and provided ways and remedies to adequately address complaints. In the last FIFA World Cup, authorities of the Russian Federation co-operated to the satisfaction of both journalists and players. In reply to a question from Andrew Moger on what free access to information means in practice, he specified that the Policy intends to cover any needs of the media, including access to the event, interviews, photos, reports, etc.

Andrew Moger explained that, whereas the media love sports, sports reporting is in danger and points of contention have appeared: news media are prevented from being on-site and telling the whole story where event organisers contract and market the access to sport events. A distinction should be drawn between in-stadium (crucial to report xenophobia, match-fixing, etc.) and out-of-stadium access. He criticised that, as accreditation terms vary, over-regulation is non-

transparent and blurs the limits of allowed behaviour, a consequence of which reporters will tend to take the safe route and report less. News Media Coalition (NMC) respects intellectual property rights, but identifies risks of theft or misuse of content, to the detriment of the public: they get less independent in-stadium news, and more content issued by organisers.

Panel 4: Should the right to physical activity and sport be promoted as a legally-enforceable right?

Moderator : Mr Stanislas Frossard
Rapporteur : Ms Madeleine Delaperrière
Speakers : Mr Mogens Kirkeby, Ms Irene Suominen, Mr Antonio Di Marco, Mr Roberto Fasino

Stanislas Frossard introduced the subject of whether there is a justiciable right to sport in international treaties. Although the notion is rooted in the European Sports Charter updated in 2001, there is a modesty to refer directly to a right to sport justiciable by international treaties. The Tbilisi conference (2018) made it possible to be more enterprising, culminating in a declaration on human rights and sport. Moreover, a new revision of the European Sports Charter begs the question of whether it should be transformed into a convention, although this remains hypothetical given the results of the first seminar held on the Charter's revision. It is worth pursuing this idea especially when it comes to monitoring.

The experts who spoke presented the following ideas:

Mogens Kirkeby picked up on the right to sport and physical activity and more generally the right to move: if the aim is to have a legally enforceable right to sport, it has to appeal to the citizens. If this is the case, it should be up to the State to encourage citizens to "move" by providing the necessary policies, infrastructure and environment, that boost civil society and culture; Associations could then target the highest priorities and allow citizens to take responsibility to "move".

The law can be applied to some countries but not to all: municipal initiatives play a key role here. The legal expertise of the Council of Europe, Irene Suominen, highlighted that if the intention was to place obligations, then they should be incorporated into a treaty. On the other hand, one could also encourage states to draft a recommendation, because although a convention can be opened to states across the globe, it is nevertheless binding on states compared to a recommendation which is not. This therefore becomes a strategic choice for the member states.

To Antonio di Marco, lecturer at the University of Strasbourg, another school of thought was that, if the right to sport should be imposed, this would then become a constraint, and in reality, the right to sport does not exist. If a declaratory act is made, it would require an act of legal source to protect individuals within the legal context. Here, the following question arises: what does it mean to own the right to sport? Under what conditions can it be enforced by the courts?

Finally, Roberto Fasino from the Parliamentary Assembly, said that the recognition of any right must allow for the development of the individual and be for the common good and that an enforceable right should stem from social demand. Having said that, he noted two existing texts which already contained legal protection in this regard:

- art. 8 of the European Convention on Human Rights, as it can be argued that individual freedom to engage in sport is part of the right to respect for private life guaranteed by this provision; and
- art. 11 of the Revised European Social Charter, on the right to protection of health, as this provision requires, inter alia, States to take "appropriate measures to (...) eliminate, as far as possible, the causes of deficient health "; and the lack of regular physical activity is one of those causes.

According to Mr Fasino, the Parliamentary Assembly has not discussed the question of whether states must ensure that every person can exercise or do sport and what the limits of such a positive obligation would be, the violation of which could be sanctioned by a judge. However, a report adopted by the Committee on Culture, Science, Education and the Media in August 2016 on "**Sport for all: a bridge to equality, integration and social inclusion**" ([Doc 14127](#)) encouraged a more integrated and dynamic approach to promoting access to sport.

On the basis of this report, PACE adopted [Resolution 2131](#) (2016) on 12 October 2016. Some of the key ideas contained in this resolution are as follows:

First of all, the Assembly states that "In addition to improvement in physical and mental well-being brought about by engaging in physical activity, sport plays an important role for social cohesion by providing opportunities for people of different gender, abilities and nationality or from different cultures to meet and exchange ideas, thereby strengthening the culture of 'living together'".

Next, the Assembly outlines **the concrete steps** that states should take to promote sport for all; this approach is essentially based on three pillars:

- **an integrated approach**, better integration between the development of sport and the achievement of the objectives of other public policies, including health and social cohesion, but also education, youth and the reception and integration of migrants, for example;
- **an increased co-operation between stakeholders and**
- **the fight against all forms of discrimination**

According to Mr Fasino, for the Parliamentary Assembly, the State has the duty to fight against discrimination, including when it comes to access to sport. He recalled - and concluded - some of the lines of thought that Resolution 2131 (2016) proposed:

- involve school and university sports to a greater extent in the promotion of "sport for all".
- take measures in rural and disadvantaged urban areas to provide accessible, affordable and youth-friendly public services in the field of sport, as requested by Committee of Ministers Recommendation CM/Rec(2015)3 on the access of young people from disadvantaged neighbourhoods to social rights.
- establish, in close co-operation with sports organisations, mechanisms for regular and systematic monitoring of discrimination in the field of sport, including incidents of discrimination based on a person's disability, racial, cultural or ethnic identity, age, religion, sexual orientation, gender identity, gender expression or sexual characteristics, in order to improve risk analysis in this area, explore targeted prevention strategies, facilitate the lodging of individual complaints and ensure that they are properly investigated.
- involve anti-discrimination groups in the combat against discrimination in sport, promote their co-operation in running awareness-raising activities, and authorise these bodies to participate in legal actions brought against perpetrators of discrimination.

Conclusions presented by Stanislas Frossard, Executive Secretary of EPAS

I am pleased to share the following conclusions from the seminar which I will transmit to the Bureau of the EPAS Governing Board, as they may impact the EPAS programme of activities.

The main activities which the EPAS Governing Board could reflect upon are to:

1. develop and share knowledge
2. develop an outreach strategy to promote the use of existing tools
3. facilitate networking and synergy

1. Firstly, I would like to highlight the role that EPAS can play in **completing and disseminating information on human rights to sports officials**, including the factsheet on the ECtHR's case law relating to sport and the EPAS handbooks no. 5 and 6 on sports and human rights. The Tbilisi network (countries and organisations whose leaders have signed the Tbilisi Declaration) would be reminded of them and kept up to date on the available relevant documents.

Secondly, the mapping of existing human rights, existing standards, relevant monitoring mechanisms and sport-related human rights issues should be made available as a working document.

Also, the Seminar showed that that it would be worth updating the handbooks no. 5 and 6 to reflect the Mutu-Peschtein case-law, and if possible, to present the set of principles for disciplinary decisions in anti-doping matters that are compliant with the "Right to fair trial".

2. In order to mainstream human rights in sport, available tools such as the online HELP course and the EPAS handbooks should be promoted in co-operation with institutes in charge of Magistrate Training and Education Programmes, as well as schools or organisations running training courses for sports managers. Such institutions could set-up a tutored training programme and/or use these tools in existing curricula and vocational trainings. Calls for translations into other languages could be transmitted to EPAS member states and partner organisations.

Moreover, EPAS could identify a pool of experts and encourage sports organisations to use this pool when making presentations on human rights in sport to their General Assemblies.

3. Additionally, EPAS should continue to **network and build bridges** between departments and institutions whose actions could complement one other.

- For instance, contact should be sought with the monitoring mechanisms identified which could help collect data on human rights compliance in sport. It is important to present sport issues to the human rights monitoring bodies (to make sure that sports-related human rights issues do not stay in the blind spot of the existing monitoring bodies and remedies). It is also important to present the existing monitoring bodies and remedies to the world of sport, to make sure they can take advantage of them (e.g. individual or collective complaint mechanisms, visits) to address issues and defend their rights.
- Another area that merits enhanced co-ordination and networking is that of whistle-blowers protection, which is addressed by the Monitoring Group of the Anti-doping Convention, promoted in the Unesco "Kazan Action Plan" Sports Integrity Guidelines and is also part of the IPACS requirements for good governance.
- Networks such as the Sports Rights Alliance and the International Centre for Sport and Human Rights could be better used to collect information from NGOs on the impact of major sports events on human rights, and to share information with governmental authorities and specialised monitoring bodies. Also, the studies, research and initiatives of the Council of Europe could be shared and promoted via these platforms.

The conclusions of the four workshops should be looked at carefully, and where appropriate, completed with follow up and implementation actions. These topics constitute key substantial issues that are extremely relevant to sport and may be developed further through dialogue and co-operation with the sports movement and NGOs. EPAS is committed to keeping the momentum going when it comes to human rights in sport. This topic was selected as one of the two main topics for the 16th Conference of Ministers responsible for Sport (Slovenia, 5 November 2020) and will also be included in the draft of the revised European Sports Charter.

Appendix I

Programme

09:00-09:20 **Opening**

- Jeroen Schokkenbroek, Director of Anti-Discrimination, Council of Europe

09:20-10:00 **Recent developments on human rights in sport**

- from the governmental side
 - Madeleine Delaperrière, Chair of the EPAS Governing Board
- from the sports movement's side
 - Katia Mascagni, Head of Public Affairs of IOC

10:00-10:30 **Break**

10:30-12:00 **General overview from the Council of Europe bodies**

- Conceptual framework: human rights, sport-related cases and possible remedies
 - Stanislas Frossard, EPAS Executive Secretary
- ECHR case law
 - Marko Bosnjak, Judge at the European Court of Human Rights
 - Pavlo Pushkar, Head of the Department for the Execution of Judgments of the ECHR
- Monitoring Group of the Anti-Doping Convention on right to a fair trial in anti-doping cases and protection of whistle-blowers
 - Anders Solheim, Chair of ad-hoc group of the T-DO Convention on Human Rights (T-DO HR)
 - Margarita Pakhnotskaya, Chair of ad-hoc Group of the T-DO Convention on Whistle-blowers protection in anti-doping (T-DO WbP)

12:00-14:00 **Lunch break**

- The Portuguese Gallery, Palais de l'Europe

14:00-15:00 **Existing tools and initiatives**

- HELP course
 - Eva Pastrana, Head of the HELP unit of the Council of Europe
- EPAS handbooks on sport and human rights
 - Pierre Cornu, Judge at the cantonal court of Neuchâtel, Switzerland
- Sport and Rights Alliance campaign
 - Matthew Graham, Legal & Player Relations, World Players Association

- Centre for sport and human rights
 - Guido Battaglia, Head of Policy and Outreach

15:00-15:30 **Panel: what could be the role of EPAS and the Council of Europe in promoting these existing tools more widely?**

15:30-15:45 **Break**

15:45-17:30 **Parallel workshops on topical human rights questions**

- These four topics will be discussed during the workshops:
 - How to tackle discrimination against LGBTI people in sports competitions? (room 6)
 - Are athletes denied economic and social rights? (room 5)
 - Is the freedom of the sports press in danger? (room 17)
 - Should the right to physical activity and sport be promoted as a legally-enforceable right? (room 7)

17:30-17:50 **Reports from the workshops (4 rapporteurs)**

17:50-18:00 **Conclusions and closing**

- Stanislas Frossard, EPAS Executive Secretary
- Irakli Giviashvili, Ambassador, Permanent Representative of Georgia to the Council of Europe

Appendix II

List of participants



Final List of
participants.pdf