

Human Rights Abuses Among Sportsperson

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‘The Easiest and the most spontaneous thing that came to my mind was to pick it up and eat it, I think a negative attitude has to be met with a positive one, that makes more difference than trying to fight in a different way.’ - Dani Alves (When a banana was thrown at him from the stands during a match between Barcelona and Villareal.)

INTRODUCTION

Human Rights basically refers to the most basic and the most fundamental rights that are thought to be inherent to all human beings, whatever be their nationality, sex, race etc. These Rights are the most basic rights that enable a man to lead a life with dignity and self respect and are hence indivisible¹. However, it is a well known fact that human rights are, and have been abused over a period of time in many different ways and it is a sad and unfortunate truth that until stern measures are not taken by the international community, they shall continue to be violated.

Human Rights abuses in sports have been recorded as far back as the 1936 Summer Olympics in the City of Berlin, the capital of Nazi Germany. Even though there was a big hue and cry raised because of the games being organized in such a country where offences against minorities were rampant, nevertheless the games were organized and were the first such games in which racist comments and actions came into worldwide attention. With the development in sports, race relations between different races also grew at a comparable rate. The people were more aware of their identities now and hence the period just after the World War II saw racism hit its peak in the society and this had to reflect in sports as well.

¹ <http://www.ohchr.org/EN/Issues/Pages/WhatareHumanRights.aspx> (Last Accessed on: 13.05.2015)

The violation of human rights of sportsperson are not restricted to any particular force and can be easily witnessed in the sports history of the world in sports like football, cricket, athletics and basketball.

SPORTSPERSON AND RACISM

On 30th November, players of the St. Louis Rams, in the National Football League, took to the field in the ‘‘Hands up, don’t shoot’’ pose, which was used by the protesters who took to the streets in the aftermath of the racially motivated killings on Eric Garner and Michael Brown.

Radio talk show host Don Imus was suspended for two weeks then fired by CBS after allegedly racially disparaging comments about the Rutgers women's basketball team. This incident occurred on April 11, 2007, with remarks calling the team "nappy headed hoes" the day following the team losing in the NCAA Women's National Championship game against the University of Tennessee.²

In another event that can be noted as a noble gesture, Kevin Prince Boateng while playing in Italy for AC Milan kicked the ball towards the crowd when they hurled racist abuses at him and this was followed by him leaving the ground followed by his entire team³.

Point to be noted: Thus, Sports can itself be used as a powerful measure to curb any abuse of human rights that may take place in the course of the event and whereby bringing players of different race together on a common ground for combating such a menace.

SEXUAL ABUSE COMMITTED ON SPORTS PERSONS

Another Major form of human rights abuse committed on sports persons is sexual abuse⁴. Sexual abuse by coaches on young sports persons on the pretext of granting them certain kinds of favors are not a new occurrence in the field of sports and although rare, are still a form of human rights

² New York Times, "Radio Host Suspended on Racial Remarks"
<http://www.nytimes.com/2007/04/10/business/media/10imus.html?adxnnl=1&adxnnlx=1323700181-EmplinvgQjCB633Oz89N3g&r=0> (Last Accessed on: 13.05.2015)

³ http://en.wikipedia.org/wiki/Racism_in_association_football (Last Accessed on: 13.05.2015)

⁴ <http://safe4athletes.org/blog/item/15-confronting-sexual-abuse-and-harassment-by-sport-coaches-a-need-for-a-national-effort> (Last Accessed on: 14.05.2015)

abuse directed towards sports persons. Certain incidents where such abuse has been committed are listed as below-

- Sheldon Kennedy, Canadian Ice hockey player who testified against his coach Graham James, the coach of the Canadian Ice hockey team, was not the only person sexually abused by his coach as police on investigation found out that some 75-150 other boys too had been molested by James when he was a manager, coach and scout.⁵
- Even The NCAA (National Collegiate Athletic Association)⁶ has developed a policy in order to curb any kind of sexual relationship that may develop between a student athlete and a coach, in order to keep a safe and healthy environment for the athletes and any kind of sexual remark or leud comment, sex related vandalism, sexual bullying, fondling or kissing shall be sternly punished, even if such relationships are found to be consensual.

MEASURES TAKEN BY MAJOR SPORTING ORGANISATIONS

The FIFA (Federation Internationale De football Association), in order to curb any kind of racist practice and to hold the spirit of the game in high esteem, came up with a resolution to do away with any kind of racist practice that was prevalent in the sport and some of the major provisions of this resolution that was presented in the 63rd FIFA Congress held on 30th and 31st of may 2013 in Mauritius have been listed as follows-

- Competition organizers shall establish a concrete action plan, showing their intention to fight all sorts of racism and discrimination among their players and organizers and supporters.
- Competition organizers shall foresee a specialized official in the stadium to identify potential acts of racism and discrimination with the aim of easing the pressure on referees and facilitating the availability of evidence for judicial bodies to take decisions.
- The sanctions provided for in the FIFA disciplinary code to which all member associations are a signatory, offer all the relevant judicial bodies the necessary discretion when deciding on specific cases of supporter misconduct. For minor offences, the sanctions of a warning, a fine and/or playing the match behind closed doors shall be

⁵ <http://www.momsteam.com/health-safety/sexual-abuse-of-boys-in-sports-does-the-sports-culture-itself-play-a-role?page=0%2C2> (Last Accessed on: 14.05.2015)

⁶ <http://www.ncaa.org/sites/default/files/Staying+in+Bounds+Final.pdf> (Last Accessed on: 14.05.2015)

applied, whereas for major offences, sanctions such as deductions of a point or relegation of the team shall be applied in order to provide a credible deterrent for such offences to not take place again. Furthermore, any person (player, official, match official, etc.) who commits such an offence shall be suspended for at least five matches combined with a stadium ban as foreseen in the FDC.⁷

- The National Basketball Association (NBA) which is the world's biggest organization controlling the sport of basketball in the United States of America, on hearing the racist comments of the owner of the Los Angeles Clippers(Donald Sterling) banned him for life along with fining him 2.5 million US Dollars(the highest possible allowed in the NBA). The Association also removed him from being the CEO of the Team and appointed an interim CEO in his stead. In a statement released by the team (LA Clippers) they said they wholeheartedly supported the NBA's decision and further mentioned that the 'healing process' now begins.⁸

These measures are necessary, as one would realize, in order to stop this abuse of a very basic human right. When the basic human dignity that a man carries with himself whilst stepping onto the playing field is threatened, it is an insult of humanity and under such a scenario it is possible that down the line the whole concept of 'sports for all' will be endangered.

ANALYSIS

Human rights abuse in case of sports persons do exist and one cannot turn a blind eye to such a grave problem. This not only endangers the whole concept of playing and taking part in sporting activities, but also on the whole makes it impossible for any person playing in a particular sport to give his all in the game without being conscious about the colour of skin. It should be understood that such practices not only harm the spirit of the game but are also in contravention of the basic rights that are dear to every man, without which he/she cannot live a life of dignity. The steps taken by **The FIFA** are a credible deterrent to prevent any kind of racially motivated activity that can happen in a football field or in the stands where the supporters cheer their cherished teams.

⁷ http://www.fifa.com/mm/document/afsocial/anti-racism/02/08/56/92/fifa-paper-against-racism-en-def_neutral.pdf (Last Accessed on: 14.05.2015)

⁸ <http://www.reuters.com/article/2014/04/30/us-nba-clippers-idUSBREA3S0UU20140430> (Last Accessed on: 15.05.2015)

SUGGESTIONS

It is worth mentioning that even after such resolutions have taken place, certain mishaps **still take part** in sports including the recent racial abuse by John Terry aimed at Anton Ferdinand while taking part in a English Premier League game as well the Luis Suarez racially abusing Patrice Evra. These incidents can be credited to the fact that even though certain international sporting organisations like FIFA, do have a strict no tolerance rule towards racial comments, majority of the incidents are taken too lightly and go unreported. The system **lacks uniformity**. The need of the hour is to **develop awareness** regarding these racial attacks that are a serious threat of human rights. Every sport should have an organisation to deal with the gross human rights violations that take place, regardless of which country the sports person belongs to i.e., an **independent organisation for every sport** that should specifically be dealing with human rights violations of sports person, be it because of racial comments, discrimination, or sexual abuse.

Thus, in order to further strengthen this resolution to stop human rights abuses in sports, sterner steps should be taken by the organizations so as to effectively control free flowing behaviour that derogates the human rights of sports persons at such sporting events. Such incidents call for steps which may include **increasing the penalties** for any offence in this particular regard, or by **banning** the sports persons or **relegating the clubs** where such offences are recorded. Only then can the world be united through sports, something which sports truly stand for.