1 June 2023

CONSULTATION ON THE ESTABLISHMENT OF AN INDEPENDENT GLOBAL SAFE SPORT ENTITY FINAL REPORT



Interim Steering Group on the establishment of an Independent Global Safe Sport Entity

This report is the result of a thorough and inclusive consultation process launched and funded by FIFA to consider the establishment of an Independent Global Multisport Safe Sport Entity. The report was approved by the Interim Steering Group, a consultative multi-stakeholder group with its members generously giving their time and expertise to identify challenges and possible solutions to interpersonal violence in sport.

FIFA wishes to thank the many outstanding experts involved in the consultation, in particular the survivors that helped the group focus on aiming at trauma-informed and victim-sensitive solutions.

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Executive Summary

Sexual, emotional, and physical violence against athletes and other participants in sport is a widespread problem with a serious impact on the victims, sports, and society as a whole. Such violence, in particular sexual abuse, is serious and widespread

Confronted with an increase in the number and complexity of cases concerning sexual and other forms of violence, FIFA realised that the lack of access to trauma-informed investigators and to trusted support and care services for victims/survivors¹, was an important obstacle to an efficient and victim-sensitive response to incidents of violence. Furthermore, it became obvious that most incidents were not reported because of lack of trust in the sport justice system, a system designed to deal with other integrity breaches, and because of the prevailing gaps in sports and justice systems at a local level. Other International Sport Federations (IFs) reported being confronted with the same situation.

In 2021, FIFA launched a thorough consultation process with critical stakeholders on the possible mission, scope and governance of an independent, global, multi-sport Entity that would adequately respond to cases falling within the jurisdiction of International Sport Federations. The process included the creation in 2022 of a multi-stakeholder Interim Steering Group, advice provided by around 40 experts through thematic expert groups, as well as engagement with survivors of abuse in sport through a dedicated, trauma-informed advisory group.

This report describes the process, its main findings and 25 of the high-level recommendations extracted from the discussions. Further insights can be found in its appendices.

Consensus was reached on the importance of setting up an independent, multisport, global entity focusing on a) the provision of support and care for victims/survivors and b) trauma-informed investigations of cases falling within the jurisdiction of the International Federations joining the Entity. Although the need for stronger safeguarding policies was identified, it was considered that efforts in this regard were being deployed by International Sport Federations, the IOC, and other organisations.

The Recommendations in this report cover critical areas such as:

- The principles and values that the new Entity should uphold;
- the commitments of IFs joining the Entity, including commitment to improve their safeguarding policies, to follow up to the Entity's recommendations and to fund it;
- the governance model (that should, in particular, guarantee independence, impartiality, transparency, and accountability);
- measures to provide adequate care support and to minimize the risk of further harm to the victims;
- criteria and elements for efficient, trauma-informed investigations;
- a funding model that ensures the sustainability of the Entity and follows a solidarity approach so that no IFs are financially prohibited from joining.

¹ Writers of this report recognise that "victim" is the term most often used in criminal legal systems and "survivor" is a term most often used in support and advocacy areas. The terms are used indistinctively, acknowledging the importance of respecting the choice that each person with lived experience makes to identify themselves.

An independent international safe sport entity can only be viable with the backing of the IOC and a range of founding IFs. As it may be too soon for others to commit to both national and international solutions based on similar specialist models that have been adopted to tackle other crimes in sport, FIFA announced in April 2023 that it will focus its efforts on the creation of a dedicated solution to tackle abuse cases in football. FIFA remains open to the creation of a multisport entity in the future. In the meantime, it stressed its wish to continue to work together in solidarity with its members, confederations, expert stakeholders, the IOC, fellow IFs, and organisations globally that are committed to ending violence in sport.

Introduction

Sexual, emotional, and physical violence against athletes and other participants in sport is a widespread problem with a serious impact on the victims, sports, and society as a whole. Such violence, in particular sexual abuse, is serious and widespread. More and more athletes denounce emotional abuse as being part of their "sport culture."

- For the victims/survivors, the consequences of violence can be devastating and long lasting.
 Negative outcomes include injuries and impaired physical development, loss of self-esteem,
 poor academic and sporting performance, distorted body image, eating disorders, self-harm,
 depression, anxiety, and substance use disorders. In extreme cases, abuse can lead to death
 (including suicide). Very often, victims may be forced or compelled to stop practicing their
 sport.
- For sports organisations, violence may result in criminal and other sanctions, expose poor governance, seriously damage their reputation and lead to a loss of talent and income because of a lack of people's trust in their ability and willingness to create a safe environment for all participants in sport.
- States that fail to address violence in sport are accountable for human rights violations that weaken the rule of law and result in huge individual, social and economic costs.

Despite the high prevalence exposed by research, violence in sport is largely underreported. Reasons include feelings of guilt, shame and fear of reprisals and other negative outcomes. Victims also lack access to or trust in reporting systems. Many victims having reported violence in sport denounce being exposed to threats and revictimization because of the absence of trauma-informed professionals and support.

Ending violence is a human rights imperative. International law requires public authorities to respect, promote and protect human rights, which also includes positive obligations to protect the rights of individuals from violations by non-State actors, such as sport organisations, by judicial and other means. Sport organisations also have an obligation to respect and protect human rights (especially children's rights), meaning that they should avoid infringing on the human rights of others and should address adverse human rights impacts when they occur. They should also carry out human rights due diligence and provide for or cooperate in their remediation through legitimate processes.

Acting upon its commitment towards the protection of the human rights of all participants in sport and determined to protect the most vulnerable, FIFA launched an ambitious Safeguarding Programme (the FIFA Guardians) in July 2019. This was a first and critical step towards a broader safeguarding strategy to prevent and respond to abuse both in the context of FIFA's operations (such as international competitions) and at national level through its 211 member associations.

Confronted with an increase in the number and complexity of cases concerning sexual and other forms of violence, FIFA realised that the lack of access to trauma-informed investigators and to trusted support and care services for victims/survivors, was an important obstacle to an efficient and victim-sensitive response to incidents of violence. Furthermore, it became obvious that most incidents were not reported because of lack of trust in a sport justice system designed to deal with other integrity

breaches and because of the prevailing gaps in sports and justice systems at a local level. Other International Sport Federations (IFs) reported being confronted with the same situation.

The idea of the creation on an independent, multi-sport and global safe sport Entity (the Entity) emerged as a possible response to the needs identified. To test this idea, and in the spirit of Principle 7.2 of the Basic Universal Principles of Good Governance within the Olympic movement², FIFA launched a thorough, multi-stakeholder consultation process including a broad consultation with 230 participants and the setting up of an Interim Steering Group (ISG) with participation of key stakeholders (including victims/survivors) and eminent experts.

This report describes the consultation process and captures its outcome, focusing in particular on a number of key high-level recommendations from the ISG to the founders of the future Entity.

I. The Consultation Process

A. A first, broad consultation

In October 2020, FIFA commissioned a broad multi-stakeholder consultation to consider the establishment of an independent, specialist, multi-stakeholder, international safe sport entity. This first consultation took place over a 7-month period and involved both primary and secondary research methods. The aim of the consultation was to assess the feasibility, mission, mandate, and scope of operations needed by sports to appropriately investigate cases of abuse and to take action, and to provide care support to those affected. In total, over 230 individual stakeholder inputs were received into the Consultation Process.

Extensive research, analysis of existing institutional mechanisms, good practice, oral (conducted virtually due to the global COVID-19 pandemic) and written consultation was undertaken³. A Draft Report was circulated to all those involved in the Consultation Process in June 2021 to provide an opportunity for further detailed input. The consideration and integration of all proposed comments and revisions was made in July-August 2021, and the final report was published in November 2021.

The findings of this consultation were compelling with the <u>final report</u>⁴ highlighting the imperative need to ensure an independent victim/survivor-sensitive approach with trusted and accessible

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² "Harmonious relations and constructive partnerships between sports organisations and governmental or non-governmental organisations should be encouraged in the interest of sport and in order to help sports organisations fulfil their mission, provided however that the principle of autonomy is fully respected and that the sports organisations do not associate themselves with any activity which would be at odds with the Olympic Charter. In particular, sports organisations and government authorities should work closely together and coordinate their actions, with mutual respect for each other's jurisdiction and responsibilities, and without any undue interference, in order to: – contribute to the development of sport at their respective levels, – support and protect the athletes, and fight against doping and any form of manipulation, corruption in sport, and harassment, abuse or violence in sport, and – protect youth from crime through sport."

³ Participants included UN Agencies, inter-governmental and multi-lateral entities, governmental entities, International Sports Federations, international sports related organisations, survivors' groups and individuals with lived experience of abuse in sport, human rights specialists and civil society organisations, security sector organisations and ombudspersons, child protection experts, national safe sport centres and sport integrity units, academics, investigative journalists, health professionals and independent experts. A conscious effort was made to ensure geographical representation and international as well as local stakeholders.

⁴ The final report includes appendices with definitions, key applicable standards, and an extensive bibliography.

reporting mechanisms, expert case management, culturally sensitive investigations, and trauma-informed care support for those affected around the world. Furthermore, the report identified the urgent need to strengthen and to build trusted, expert national networks and frameworks to support both victims and sports organisations in dealing with such cases.

The International Olympic Committee (IOC) and International Sports Federations (IFs) have launched a range of initiatives to promote safeguarding. This includes the development of policies, training, procedures, and programmes to help prevent and to address abuse in sport when it occurs. However, this work is still at a relatively early stage and the expert national networks and multi-stakeholder systems required to ensure access to safe reporting and remedy in many parts of the world are yet to be established, may not be trusted, or simply do not currently work. Sports organisations, governments (statutory authorities including law enforcement, social services, child and other victims' protection systems), expert local NGOs, and other professionals will need to work together at a national and an international level to address violence in sport as these cases require specialist expertise and services that often fall beyond the capacities and competencies of sports alone.

The independence and impartiality of the Entity were considered as being fundamental to its success.

B. Deepening the engagement

To further deepening the engagement with critical stakeholders, an Interim Steering Group for the Safe Sport Entity (ISG) was established in October 2022 with the mandate of proposing high level recommendations to the founders of the future entity.

It included representatives from international sports federations, inter-governmental entities, civil society organisations and experts in the fields of sport and human rights and children's rights, athletes' unions and alliances, independent ethics and integrity experts, and survivors of abuse in sport; all of whom committed to addressing violence in sport. The ISG was assisted by an Interim Secretariat.

The Interim Steering Group first met on 4 November 2022 and subsequently met on a further five occasions. The meetings were held virtually, with one in-person meeting which took place at the Home of FIFA, in Zurich, on 21 February 2023. The meeting notes documenting the proceedings of each meeting were circulated via email to all its members.

To allow for more in-depth discussions around critical issues, the ISG counted on the advice of four Groups of Experts on the following themes:

- Governance
- Intelligence and investigations
- Care support for victims
- Funding, partnerships, and service providers.

The Expert Groups adopted their own working methods, received, and integrated input from survivors and had the opportunity to compare notes at an all-experts meeting before finalising their reports. The Expert Groups' mandates, composition and reports are included in Appendix 2.

INTERIM STEERING GROUP (ISG) COMPOSITION		
Name	Title	Organisation
Joyce Cook (Chair)	Senior Advisor to the President's Office (Safe Sport Entity)	FIFA
Greg McKenna	Head of Biathlon Integrity Unit	International Biathlon Union
Sally Clark	Senior Legal Counsel - Integrity and Regulatory	International Cricket Council
Fanny Bellier	Safeguarding / Integrity and Education Manager	International Cycling Union
Mario Gallavotti	Senior Advisor to the President's Office	FIFA
Ashley Ehlert	Deputy Secretary General & Legal Director	International Ice Hockey Federation
Patricia St. Peter	Council Member	International Skating Union
Stuart Miller	Senior Executive Director, Integrity	International Tennis Federation
Dr Najat Maalla M'jid	UN Special Representative of the Secretary General on Violence Against Children	United Nations
Irena Guidikova	Head of the Children's Rights and Sport Values Department	Council of Europe
David Lega	MEP and Co-chair of Child Rights Working Group	European Parliament
Jonas Baer-Hoffmann	Secretary General	FiFPro
Andrea Florence	Director	Sports and Rights Alliance
Julie Ann Rivers-Cochran	Chief Executive	The Army of Survivors
Maud de Boer- Buquicchio	Independent Expert President of ECPAT International, Former UN rapporteur on the sale and sexual exploitation of children, former Deputy Secretary General of the Council of Europe CoE	Independent Expert
Kat Craig	Independent Expert	Athlead UK
Peter Nicholson	Independent Expert ICC Ethics Officer & Head of I&I, Athletics Integrity Unit	Independent Expert
INTERIM SECRETARIAT		
Elda Moreno	Lead consultant. Human Rights lawyer with expertise on sport policies, violence prevention and response, children's rights.	Independent expert

C. Survivors' engagement in the process

From the outset, FIFA considered it critical to engage with survivors of violence in sport as their lived experience and acquired expertise could help to identify the current gaps very concretely, as well as the action needed to address them. Individual survivors and survivors-led organisations were first consulted in the context of the broad consultation. On 6 September 2022, a survivor-focused meeting was held, following which it was decided that the best way to create a safe and trauma-informed environment for survivors to engage in the next phase of the consultation process was through an organisation outside FIFA.

The Army of Survivors (TAOS) was then commissioned to create that space and act as the "nexus" between a group of survivors, an Ad-Hoc Survivors in Sport Advisory Group (ASAG), and the Interim Steering Group. The CEO of the Army of Survivors (Julie Ann Rivers-Cochran) was a member of the ISG and ensured the link with survivors, informing them of the works of the ISG and giving the ASAG the

opportunity to guide and influence its considerations. Survivors were financially compensated and offered access to counselling services if needed.

In November 2022, TAOS reached out to 12 athlete survivors and practitioners from around the world representing different sports and different experiences with abuse in sports and institutions. Participants were invited based on their lived experiences, their expertise and engagement in consultation processes on violence in sport. TAOS Team members assigned to this initiative included two trauma-informed crisis interventionists (Masters in Social Work) and two attorney advocates that all specialize in trauma and sexual abuse. The TAOS Team facilitated ASAG meetings and provided mental health first aid support throughout the project period, including meeting content that brought up ASAG-member trauma histories. Additional mental health support referrals were shared with ASAG members throughout the process. The ASAG included ten female identified participants and two male identified participants. Participants were from eight countries (Argentina, Australia, Brazil, France, Italy, Kenya, South Africa, and the United States) and had experienced abuse in one of the following sports: American football, Basketball, Football, Judo, Gymnastics, Swimming, Taekwondo and Tennis. The ASAG met five times across a six-month period.

The ASAG received all the documents circulated to ISG members prior to and after ISG meetings. They also received the draft reports from the four Expert Groups and provided very valuable input to their works. In addition to their on-going engagement with the ISG, ASAG prepared a report with key recommendations on how to integrate the voices of survivors in the future entity's governance and operations (attached as Appendix 1). Moreover, in order to capture the voices of other survivors, they circulated a survey that integrated the views of 31 respondents. Survivors' recommendations have also been integrated in this report.

In their report, ASAG and TAOS acknowledged FIFA's ground-breaking approach to engaging with survivors with lived experience of abuse in sport with the goal of survivors being at the center of all planning, decision making, implementation, and evaluation. They applauded the rich learnings of the process and celebrated the meaningful trauma-informed engagement as a critical first step in creating the systems that will interrupt and end abuse in sports around the world. They also welcomed the efforts to consult with and engage trauma-informed professionals, as well as paying survivors for their participation and expertise.

ASAG and TAOS noted that although well-intentioned, the work of the ISG lacked sufficient time and space for broader trauma-informed consultation and input from stakeholders. The timeline created some barriers in relationship development and offered limited time to process information gathered during meetings and via the survey and to review the final report. ASAG members also experienced barriers in accommodating meetings given the different time zones, different primary languages, and different levels of access to technology. Going forward, the ASAG recommends trauma-informed expertise in the design of these processes be given precedence. This would include ample time for feedback, less arbitrary and stringent timelines, and more inclusive and timely communications. ASAG also recommended trauma-informed training for all participants in the decision-making process and the provision of in-person/face-to-face meetings for members to build trust and strengthen collaboration.

The recommendations highlighted in Chapter II.B of this report integrate survivors' input and feedback. Some issues of particular concern for survivors have been highlighted in the report and a number of survivors' quotes have also been included to illustrate their views. At ASAG's request, its report is attached and made publicly available for international review across sports, countries, and systems.

I. CONSIDERATIONS AND RECOMMENDATIONS

Introduction

All experts involved in the process worked under the following assumptions:

- a. Their guidance was sought to help the founders of the future Entity to decide the scope, mandate, governance, and other key features of the future Entity.
- b. They were invited to provide the founders with high level recommendations, with more in-depth analysis and discussions anticipated at a later stage.
- c. Survivors' opinions would be sought and integrated in the outcome documents.
- d. The project timeframe aimed at registering the Entity in May 2023.
- e. The ISG, the Expert Groups and ASAG identified a number of challenges pertaining to the consultation process itself. These were:
 - 1) The timeline: the limited time available during meetings and for reviewing/preparing documents between meetings was a challenge given the complexity of issues at stake, and the full agendas of the participating experts.
 - 2) Unknown factors: Experts considered it difficult to advise while some aspects that they considered critical were still to be confirmed such as the number of IFs that would join the Entity and the available budget.
 - 3) Complexity of the issues to address: Some of the issues that were considered particularly complex included: the different ways in which the various IFs establish jurisdiction⁵, the interplay between sport disciplinary proceedings and the criminal (and other) justice systems at national level, the absence of benchmarks for care support, the absence of easily accessible mappings of services and resources at national level; the absence of networks of trauma-informed investigators.

A. Key considerations

The ISG and ASAG started their work by discussing the scope and mandate of the future Safe Sport Entity. The discussions were based on several background documents prepared by the Secretariat, some of which (such as the Theory of change⁶), evolved to reflect the outcome of the exchanges.

About the Scope

The ISG considered that the International Sports Federations joining the Entity would have to delegate the investigation of the cases falling under their jurisdiction and that the Entity would intervene only as a matter of last resort. Ideally, the Entity should only intervene when the systems at national level had either failed to act, or their response was considered inadequate by the victims/survivors or their representatives. Although this "subsidiarity principle approach" would reduce the number of cases

⁵ See Table of the seven participating IF codes and jurisdictions in Appendix 4

⁶ The final version of the Theory of change is included as Appendix 3

falling within the future Entity's jurisdiction, the unpredictability of the amount and nature of cases that might reach the Entity remained a concern.

The ISG therefore discussed at length ways to minimize the risks of the Entity being overwhelmed and unable to respond promptly and adequately to the communications brought to its attention. Several options aiming at reducing the scope were considered, including limiting it to incidents of sexual violence only (versus including all forms of violence), to cases concerning children or to cases of a particularly serious or egregious nature. The possibility to adopt a phased approach starting by limiting the scope and then enlarging it, was also discussed.

The Expert Groups further discussed these issues and agreed on a number of recommendations highlighted under Chapter II.B. Members of the ASAG could not reach consensus on the scope, in particular, whether the Entity should prioritize children, but they highlighted the importance of taking into account the continuum of violence and of making sure that the Entity is resourced and prepared before it starts operating. They suggested that starting by a football-only Entity could be a way to better prepare the ground for a multi-sport entity.

Having considered the pros and cons of the various options, the ISG could not reach consensus on the best approach, although many members were of the opinion that the Entity should aim at protecting all victims from all forms of violence and that particular attention should be paid to vulnerable victims/survivors (such as children). They all agreed that, for the Entity to be trusted, it should be ready and able to deal with a potentially high volume of reports in all parts of the world, while ensuring the safety of victims.

Another concern expressed repeatedly was what would the Entity do when approached by victims of violence in the context of sports that have not joined the Entity. The ISG agreed that the Entity should respond to all communications and refer out of scope cases to services or systems which could help.

On the mandate

The consultation report and the members of the ISG confirmed that, in order to prevent and respond to violence in sport, important issues had to be addressed at both national and international level.

They included the absence/inadequacy of safeguarding policies, safe reporting mechanisms and duly trained professionals; the limited cooperation between statutory authorities and sport bodies; the lack of access to trauma-informed support for victims/survivors; and the harm inflicted on victims by investigations that neglect their rights and needs. The ISG considered that, while all those issues were connected and important, the Entity should focus on two primary objectives: 1) support to victims/survivors; and 2) conducting investigations using independent and trauma-informed investigators and issuing sanctioning recommendations to participating IFs. These significant gaps, at both national and international levels, were not considered to be adequately addressed by any Organisation at the moment, whilst most Organisations (including the IOC and the International Federations) were primarily focusing on safeguarding training and capacity building.

B. Recommendations

This chapter includes 25 key high-level recommendations extracted from the considerations of the ISG, the Expert Groups and the ASAG (ad-hoc survivors' advisory group).

Recommendation 1: The Entity's **core focus** should be the investigation of cases within the jurisdiction of the IFs (as a measure of last resort) that have delegated this power to the Entity. The Entity should also aim at supporting the victims coming forward and to ensure that all its operations are victim-sensitive and trauma-informed.

Recommendation 2: The Entity's governance, mission and operations should comply with international **human rights standards** and apply the highest quality standards in the way it assesses risk, designs reporting systems, conducts investigations and engages with victims/survivors. **Key principles and values** include:

- Independence and impartiality, including being free of conflict of interest, having structural, operational and financial independence, and in-built firewalls between its various functions.
- Ethics and integrity.
- Transparency and accessibility.
- Legal certainty.
- Confidentiality, safety, and adherence to the Do No Harm principle.
- Meaningful, risk-informed, and trauma-informed consultation and engagement with victims/survivors.
- Gender- and child-sensitive approaches.
- Attention to diversity and vulnerable communities.

"This theme of a lack of trust continued where participants were asked about their perceptions of the current ability of sports to interrupt abuse and investigate. There was very little confidence in their sports' ability to respond to abuse in sport. 90% disagreed that their sport had the appropriate support resources for victims/survivors. 80% disagreed that their sport has the appropriate response to victims/survivors. And 80% disagreed that an individual will be treated fairly in an investigation about abuse in sport. Similarly, participants did not feel confident that a person that abuses will be held accountable. (Over 89.7% disagreed that the current systems would hold persons that abuse to account, and 79.3% disagreed that systems/institutions/organizations that cause harm will be held to account.)"

ASAG's Report

Recommendation 3: The Entity should use **internationally agreed definitions**, such as those included in UN treaties and other relevant texts. The relevance of regional treaties such as the Council of Europe Conventions on action against violence against women and domestic violence (the Istanbul Convention) and on the protection of children against sexual exploitation and sexual abuse (the Lanzarote Convention) was also stressed, in particular, when they provide guidance on victims' rights

and protection. Decisions, processes, and policies of the Entity should be informed by/based on scientific evidence, and best practices for trauma-informed investigation, and be informed by existing research.

Recommendation 4: Promote the establishment of an **International Safe Sport Code (focusing on interpersonal violence)** to be adopted by the whole Olympic Movement to harmonize safeguarding and ethics policies, rules, and regulations within sport organizations and among public authorities around the world.⁷

Recommendation 5: The Entity should continue to **centralise the voices of victims/survivors** throughout its creation and operations.

"There is a critical need for a central role for athlete-survivors in the Entity formation council/founding board. We recommend at least two seats on the founding board and continued communications and coordination with an athlete survivor advisory group. It is also important to include allies and supporters of survivors on the board, such as survivor/victims' advocates and human rights experts. Also a critical consideration is representation from the global north and south"

ASAG's report

Recommendation 6: The Entity should be very **clear on its mandate, scope, operations, and processes**.

Recommendation 7: The IFs joining the Entity should be invited to do so only if they are willing and able to commit to supporting their national federations/member associations in building their domestic capacity to implement appropriate safeguarding policies and practices and to implement remedial (safeguarding) measures to address gaps identified by the entity. IF's membership should

"ASAG recommends an articulated commitment to building an Entity that represents the diversity of athlete experiences. This includes attention to those countries facing multiple and intersecting vulnerabilities and lacking national structures of investigation and remedy. This needs to include recognition of particular minority groups, histories of oppression, people with a disability, and other factors that complicate vulnerability and access to resources."

ASAG's report

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⁷ This could be similar to the <u>World Anti-Doping Code</u> and the <u>Olympic Movement Code on the Prevention of Manipulation of Competitions</u> that are both included in the Olympic Charter article 43: "Compliance with the World Anti-Doping Code and the Olympic Movement Code on the Prevention of Manipulation of Competitions is mandatory for the whole Olympic Movement."

also be contingent on a **commitment to engage with global and regional efforts**, for example working with the IOC and national authorities to map legal and policy frameworks at local and national level, as well reporting obligations, practices and procedures and victim support services (including legal aid providers). Consideration should be given to the drafting of a Charter that partner IFs should commit to respect when joining the Entity.

Recommendation 8: The Entity should **seek to cooperate** with States authorities, intergovernmental organisations, service providers, survivors' groups, human rights organisations, trade unions and other key stakeholders when carrying on its mission. The Entity should not replace statutory systems and particular attention should be provided to the interplay between sport justice and the national justice systems, recognising that many abusers in sport use their power to exert improper influence over the criminal justice system.

Recommendation 9: The Entity's mission should also reinforce accountability and include some form of supervision, and/or **monitoring and evaluation of commitments** made by IFs when joining the Entity and of the measures taken to implement the entity's recommendations. An **annual report** should contain information about the type and number of cases, the profile of victims and perpetrators, how the Entity handled them, their outcome and follow-up, together with other forms of reporting associated with the entity's work, including its funding.

"By providing pressure on an international level, it makes it more difficult for the federations to self-preserve. We will never eradicate abuse in sport but the net is definitely closing in on the predators/abusers. I think it's important for the group to make the world a very small place with very few places to hide."

ASAG member

Recommendation 10: To secure the support and confidence of the international sport community and the victim-survivor community, these stakeholders should be involved in the decision-making structures and processes of the Entity. Engagement through partnerships with relevant stakeholders in politics, policy, advocacy, programming, and research should also aim at developing the Entity's outreach and capacity to engage with trusted service providers and experts at national level. The Entity should also establish minimum compliance standards for service providers with a system of annual monitoring.

Recommendation 11: Consider a governance model including representatives from a constellation of assemblies/stakeholders in the higher body or overarching governing body of the entity (a Council or Board). The Council/Board should be composed of a core group of individuals representing International Sport Federations (Olympic or Paralympic sport), survivors, unions, and other civil society representatives. Engagement with survivors could in addition take place through the setting up of a consultative body (similar to ASAG).

"[Any new Entity] must have transparency of process and organization - conflict of interest, governance demonstration, and charter/rights need to be clearly stated and accessible."

ASAG member

Recommendation 12: The **Roles and Responsibilities of the Council/Board** should include the setting of the overarching strategy, policies, and priorities, identifying resources and ensuring fiduciary responsibility for the overall budget, agreeing on its own working methods and decision-making processes, set rules for the recruitment process of the Secretary General/CEO, and providing sufficient oversight. The Secretary General / CEO should be responsible for day-to-day operations and hiring staff (the Council should not have any day-do-day operational responsibility or get involved in operational policies of case management, investigation, etc.).

Recommendation 13: The Founders should set up a multi-stakeholder group (similar to the ISG) with the mandate of establishing the **criteria for the selection and nomination process for the Founding Council/Board members**, and to review applications and conduct vetting of applicants who meet the criteria. Criteria should aim at ensuring diversity and complementarity background and expertise, integrity, independence, and impartiality.

Recommendation 14: Firewalls need to be built to protect and preserve independence of the various functions of the Entity. This includes a firewall between governance and any investigations or case management, which is a day-to-day responsibility of the staff of the entity.

"There needs to be a powerful firewall/confidential protections for survivors, witnesses, and whistle-blowers between the investigation and the provision of care and support. The Entity must have a clear protective strategy to prevent conflicts of interest, guard against criminal threats and actions, and provide culturally-responsive and meaningful survivor/witness/whistle-blower safety planning."

ASAG's report

Recommendation 15: When carrying out investigations, the Entity must ensure that cases are developed to the appropriate national and international legal standards and that the means and methods of evidence collection satisfy the elements of the violations alleged. As part of that approach, managing whistle-blower, witnesses' and victims'/survivors' testimony must be in accordance with 'best-practice' legal and trauma-informed procedures and practices. Specific measures should be taken to address the needs and rights of child victims. Some harmonisation of the applicable rules in each IF is recommended to avoid divergence in the interpretations of key concepts (such as the definition of violence) and in the application of sanctions.

Recommendation 16: A robust triage system should be put in place. Establishing the Entity's jurisdiction over a case may sometimes require preliminary investigations. The criteria to accept a case may evolve with time, but a narrow scope is recommended at the beginning. Once the triage team has made an assessment on whether the Entity has jurisdiction, a senior Committee should review the

assessment and decide. For cases that the Entity cannot investigate, the triage team should engage with the submitter for possible referral.

Recommendation 17: Information, evidence, intelligence, and data collected during the investigation should aim at establishing the facts of the matters/cases, and also document any possible failures in the safeguarding, reporting and other systems, so that (remedial) measures to address those failures can be proposed.

"For the investigations, the priority is to understand that the whole process feels like repeating the abuse. No matter how brave or strong you are as an athlete, constantly repeating the worst things will make you walk away--even when you are determined to protect other young players."

ASAG Member

Recommendation 18: The Entity's "permanent" Investigation's team must be supported by a **pool of vetted experts from various disciplines** (including child protection, gender issues, legal and health professionals) and sport-specific expertise. Diversity in gender, nationality, regions of the world represented, and linguistic skills should also guide the composition of the pool. Experts should have certified training on trauma-informed investigations which includes:

- Knowledge on causes, forms, and dynamics of violence in the context of sports, in particular gender-based violence and violence against children, symptoms of trauma as well as its impact on a person's ability to safely and effectively engage with an investigation.
- Ability to assess and manage the impact that investigations may have on a person's trauma, on a case-by-case basis and being in a position to refer the person to support services.
- Ability to adapt techniques and times to the survivor/victim needs, being transparent and realistic in advance of the limitations of what can be achieved; protecting confidentiality and allowing the informant to keep control over the information shared (unless a legal requirement imposes reporting).

Recommendation 19: Safe recruitment and vetting procedures should be part of the Entity's and the partner IF's safeguarding policies. To help to promote safe recruitment and sound vetting procedures in its own staff recruitment and in the hiring of service providers, the Entity should:

- Identify and use where possible criminal record systems, require "good conduct certificates" or "working with children certificates" and use national vetting capacity.
- Identify commercial vetting providers for best-practice services.
- Use of specialists to support recruitment.
- Deliver (virtual or physical) training to relevant staff and ensure that investigators and care support providers used by the entity are trauma-informed trained.
- Undertake basic due diligence (OSINT/Interview/CV checks).
- Require signed declarations of staff and those representing the Entity.

The Entity should foster cooperation across sports, with intergovernmental organisations (such as INTERPOL and EUROPOL) and with statutory authorities regarding human rights-compliant systems to

share information on the outcome of disciplinary and criminal procedures following incidents of violence.

"ASAG members voiced concerns about how to track and maintain a database of bad actors that prevents them from participation in sports. It is recommended that a protocol for creating and maintaining a database on disciplinary actions be examined, and there be a review of how disciplinary registers in sport are working well and which are not. ASAG members voiced concerns about the need for investigative outcomes to be transparent and be communicated in a timely fashion with victims/survivors."

ASAG's report

Recommendation 20: The Entity should be **ready and able to receive reports directly** from victims/survivors/whistle-blowers and their representatives, as well as from sports bodies and as a measure of last resort. It must be able to respond in a safe, timely human rights-respecting and trauma-informed manner. Absolute **clarity about the Entity's powers and the reporting to the Entity system** are required. This includes:

- Clarity about the Entity's jurisdiction (sports and behaviours concerned, persons covered, possible statute of limitations...).
- Clarity about the Entity's obligations following applicable national and international law (in particular, possible obligation to report to/cooperate with statutory authorities).
- A clearly explained triage system (for instance, if priority is given to specific situations).
- how can persons safely approach the Entity and know their options (participate in an investigation, report anonymously, disengage...) and keep some control on the process.
- what kind of support the Entity can offer to the victims/survivors and other eligible persons (so that risks are assessed and expectations properly managed).
- information on the limitations of its powers in regard to sanctioning, and the limitations of what forms of remedy it can and can't offer so that victims/survivors can make an informed decision (with the support of independent and confidential advice) about whether to engage with the Entity's processes.
- for those cases for which the Entity has no jurisdiction, the possibility to refer to reliable support services/reporting mechanisms. Considerable quality assurance/due diligence is needed before onward referral to local reporting mechanisms/services.

"In poor countries we are not safe when you're reporting. And at the same time, they threaten us and even your parents. . . When someone reports there needs to be a way that person will be protected." – ASAG Member

Recommendation 21: The Entity should **explicitly acknowledge and mitigate the significant risks associated with reporting.** Mitigation includes, for example, abiding by the highest standards of data

protection and confidentiality concerning the reporting persons, the victims, and the circumstances of the case. It should mitigate any risk of leaks, in particular, to the media and to individuals/sports bodies that are the subject of investigations (tipping off).

Recommendation 22: Care and support should be available at the point of reporting, and not only to those who have agreed to engage with an investigation, or whose evidence is of material value. Support to victims and witnesses must be trauma-informed, gender- and child-sensitive. It must address the specific needs of persons in vulnerable situations and must be provided in a way that minimizes risks of secondary victimisation. Benchmarks for package of care should be established taking into account victims' needs, other stakeholders' responsibilities, clearly communicating the level of care support that can be provided from the outset, and the importance of ensuring the Entity's sustainability.

Recommendation 23: The Entity should establish a network of adequate service providers and trusted experts and accommodate contextual and geographical differences. The Entity should only refer where it is confident that capacity exists in those local partners. It should be willing and able to deal with cases where localised services are not available and may require culturally-sensitive care support from outside of the local area. When developing its capacity to support victims, the Entity should engage with key stakeholders and establish partnerships to benefit from work carried by others and to augment it and complement it.

"Athlete survivors need connections to confidential advocates to understand the processes as well as understand the choices and options. Confidential and independent consultation during the investigation process is essential to keeping survivors and witnesses aware of their rights and options, as well as being a trauma-informed principle of supporting meaningful choice for survivors. Comprehensive and independent investigations: Athlete survivors deserve fair and unbiased investigations. Independent investigation teams must be properly trained, adequately resourced, trauma-informed, and represent the diversity of experience and expertise across sports, countries, and cultures. The investigators must be free from both perceived and actual conflicts of interest. Further, there must be a safe and trauma-informed mechanism/way for persons to report conflicts of interest."

ASAG's report

Recommendation 24: The Entity should have the capacity to deal with the cases. The IFs should commit to a funding model that ensures the sustainability of the Entity and follows a solidarity approach to ensure that no IFs are financially prohibited from joining. Resources should be secured to sustain the efforts of the entity year-on-year and until such time as national systems are in place to address cases currently falling to IFs due to lack of capacity and competency at national levels. A forecast of the numbers of cases and their cost could be prepared taking as a reference the situation in the concerned sports today. The first priority for funding should be the securing of financial commitments from a sufficient number of IFs (both summer and winter Olympic sports), and the

sharing of resources and know-how through a multisport approach, with each committing for a minimum of, at least, 4 years.

"If sports governing bodies are the ones who failed to protect the athletes, the financial burden could be on them. Furthermore, try to look for funders that will allow a certain degree of independence (100% of independence is utopia) and that are aligned with the Entity's mission and its values"

ASAG member

Recommendation 25: Two funding streams could be created by the entity, one to cover operational and programmatic costs and a separate fund for victim/survivor care and support. This could serve two purposes: to protect overarching revenues and to provide a firewall between the provision of care.

"The Entity must be sufficiently resourced to conduct trauma-informed investigations and deliver adequate care and support for the expected number of cases it takes on. The variables of complexity of cases, safety for survivors/witnesses/whistle-blowers, and the need for local and cultural expertise must be accounted for. The number of cases accepted must be comparable with the budget for a trauma-informed system. It is important that a realistic budget be created and shared with the international sports community more broadly to inspire trust that care and support can be resourced along with investigations."

ASAG's report

II. NEXT STEPS

Key messages

The ISG members, ASAG and the experts involved in the various Expert Groups repeatedly stressed a number of messages that will determine the steps ahead:

- It was critical for IFs to further strengthen safeguarding at national level, improving reporting
 mechanisms and responses including through trauma-informed approaches, so that
 incidents are prevented and, when they occur, victims are adequately supported,
 investigations properly conducted, and issues promptly addressed.
- As more and more cases could not be adequately solved at national level, International Sports
 Federations were increasingly required to act as a measure of last resort whilst experiencing
 challenges in providing care support and conducting trauma-informed investigations. There
 was a clear need for an independent multi-sport Entity focusing on victim care support and
 on trauma-informed investigation of violence-related cases falling within the jurisdiction of
 International Federations.
- The Entity should **ideally benefit all participants in all sports** and cover all forms of violence (sexual, physical, and psychological). It was understood however that the Entity's scope would have to be limited to those sports joining the Entity and that the sport community should work towards a solidarity model to ensure that no IFs are financially prohibited from joining.
- The Entity should be **properly funded** to guarantee its sustainability, the adequacy of its responses and the quality of its services. The Entity should only open its doors when ready.
- The complexity of the issues linked to the various ways in which IFs Ethics Codes and regulations establish jurisdiction, and define violence and sanctions, called for the development of a Safe Sport Code focusing on interpersonal violence.

IOC's announcement on strengthening safeguarding at national level

The IOC has been provided with regular updates on the progress of the ISG and its Expert Groups but decided not to take part in this process whilst undertaking a safe sport survey of 36 summer and winter Olympic IFs. The conclusions of this survey were presented to the IFs on 31 March 2023 at a conference in Lausanne that was also attended by the Association of Summer Olympic International Federations (ASOIF) and the Association of International Olympic Winter Sports Federations (AIOWF).

As part of its ongoing effort to promote athletes' safety, the IOC President announced the creation of a USD 10 million per Olympiad fund to strengthen the prevention and response to harassment and abuse in sport at the local level. In addition, a working group chaired by Executive Board member and Deputy Chair of the IOC's Gender Equality, Diversity and Inclusion Commission, HRH Prince Feisal Al Hussein is being set up with a 90 day mandate to consider the best approach to establish independent safeguarding systems and structures at the national level, which will ensure that resources are directed to where they are most needed to support athletes and build safeguarding capacity in sports organisations.

The IOC commitment to work together with IFs and NOCs to strengthen multisport frameworks and systems at national level is an important step in the sport movement's efforts to end violence in sport. However, such systems will take time to develop globally, certainly in the short to medium term

(estimated to take 10-15+ years based on the wider sector), whilst an increasing number of abuse cases are falling to IFs to investigate around the world (e.g., cases involving an abuse of power, lack of local capacity and expertise, gaps in existing sport and criminal justice systems).

Seven International Sports Federations (FIFA, IIHF, ICC, ITC, ISU, ICU, and IBU) joined forces with external stakeholders and experts to form the Interim Steering Group. FIFA and the IIHF have expressed their commitment to becoming founding partner sports of the new independent entity and would aim to provide the new entity with the mandate to investigate abuse cases and provide care support to victims. The other five IFs involved would consider agreements with the new entity that would enable them to use the specialist investigation and care support services of the entity on an adhoc basis but could not commit as founding partner sports at this time without the backing of the IOC.

Starting with football...

FIFA is convinced of the need for a dedicated independent international multisport entity that would enable IFs to pool their resources and to provide impartial trauma-informed services and care support to victims and whistle-blowers that come forward. The new independent entity would build trust and help tackle impunity in sport around the world (as a measure of last resort and where local sports and justice systems and competencies are still lacking or not trusted).

An independent multisport global safe sport entity can only be viable with the backing of the IOC and a range of founding IFs. However, it may be too soon for others to commit to both national and international solutions based on similar specialist models that have been adopted to tackle other crimes in sport.

FIFA has pledged seed funding to establish the new international safe sport entity and has a duty to invest these funds accordingly and to move forward. Whilst embracing the solidarity of sport and the shared safeguarding efforts, FIFA's primary responsibility remains to its own game, and to ensuring that football is a safe and fun space for everyone around the world.

While continuing to build safeguarding capacity across FIFA's 211 member associations through the FIFA Guardians programme and helping to build national victim-sensitive frameworks and multi-stakeholder solutions everywhere, FIFA will now focus its efforts on the creation of a dedicated solution to tackle abuse cases in football. FIFA remains open to the creation of a multisport entity in the future. In the meantime, it has announced that it will continue to work together in solidarity with its members, confederations, expert stakeholders, the IOC, fellow IFs, and organisations globally that are committed to ending violence in sport.

The considered works and concluding reports of the Ad-hoc Survivors Advisory Group, the four Expert Groups, and the Interim Steering Group will provide a timely reference to sports bodies everywhere, and they will also inspire FIFA's next steps. It has also been agreed that these reports will be presented to the IOC working group to assist its deliberations and efforts.

Appendices

- Survivors' report
 Expert groups reports
 Theory of change
- 4. Table with notes on jurisdiction and codes of the seven participating IFs