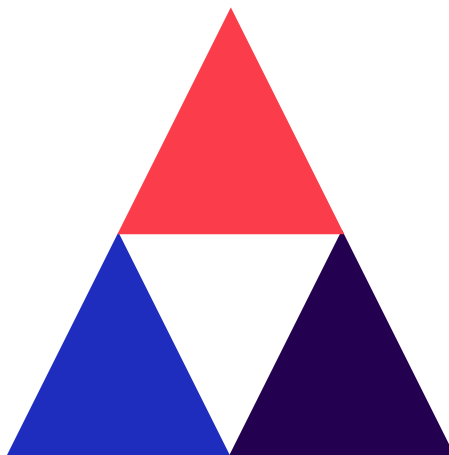




## ► Record of Proceedings

Report for the Meeting of Experts on the Application of the Fundamental Principles and Rights at Work and on Violence and Harassment in the World of Sport  
(Geneva, 2–6 March 2026)



## ► Contents

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|                                                                                                                                                                                                                      | <b>Page</b> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| I. Introduction .....                                                                                                                                                                                                | 5           |
| II. General discussion.....                                                                                                                                                                                          | 6           |
| General statements – observer organizations .....                                                                                                                                                                    | 8           |
| Other organizations, speaking at the invitation of the Office.....                                                                                                                                                   | 10          |
| III. Consideration and adoption of the draft Guidelines for the promotion of fundamental principles and rights at work and the prevention and elimination of violence and harassment for professional athletes ..... | 11          |
| 1. Introduction .....                                                                                                                                                                                                | 11          |
| 2. Scope .....                                                                                                                                                                                                       | 11          |
| 3. Intended users.....                                                                                                                                                                                               | 13          |
| 4. General principles .....                                                                                                                                                                                          | 14          |
| 5. Ensuring freedom of association and the effective recognition of the right to collective bargaining.....                                                                                                          | 23          |
| 6. Elimination of all forms of forced or compulsory labour .....                                                                                                                                                     | 27          |
| 7. Abolition of child labour .....                                                                                                                                                                                   | 28          |
| 8. Promoting equality and non-discrimination .....                                                                                                                                                                   | 33          |
| 9. A safe and healthy working environment .....                                                                                                                                                                      | 41          |
| 10. Prevention and elimination of violence and harassment for professional athletes .....                                                                                                                            | 45          |
| 11. Follow-up to the Guidelines .....                                                                                                                                                                                | 46          |
| Adoption of the Guidelines .....                                                                                                                                                                                     | 47          |
| Closure of the meeting .....                                                                                                                                                                                         | 47          |

## ► I. Introduction

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1. In accordance with the decision taken by the Governing Body at its 352nd Session (October–November 2024),<sup>1</sup> a meeting of experts was convened in Geneva, from 2 to 6 March 2026, to devise and adopt guidelines on the application of the fundamental principles and rights at work in the professional sports sector, as well as on violence and harassment in the world of sport.
2. The Officers of the meeting were:
 

|                           |                                                  |
|---------------------------|--------------------------------------------------|
| <b>Chairperson:</b>       | Ambassador Nikola Gillhoff (Government, Germany) |
| <b>Vice-Chairpersons:</b> | Ms Murna Joy Loma (Government, Nigeria)          |
|                           | Ms Inmaculada Benito (Employer, Spain)           |
|                           | Mr Brendan Schwab (Worker, Australia)            |
3. The meeting was attended by 7 experts from Governments, 8 experts and 3 advisers nominated by the Employers' group and 8 experts and 6 advisers nominated by the Workers' group of the Governing Body, as well as by 53 Government observers. There were 23 participants from 8 international governmental and international non-governmental organizations as observers.
4. The Chairperson welcomed participants and stressed the significance of the sporting world, its high visibility and impact beyond stadiums and arenas. Respect for the fundamental principles and rights at work in that field, therefore, could influence society's understanding of the concepts of fairness, respect and equality. Sport was an important social and cultural domain. It fulfilled the human need for recreation, play and health through physical activity. Sport was a highly competitive field, governed by concepts of fair competition, rules of play and mutual respect. In that sense, it stood as a metaphor for social justice, which should also apply to those working in that field. The proposed draft guidelines would not only contribute to improving conditions for athletes, but also promote values such as fair play, equal opportunities and respect for human dignity, and influence how the sporting world was organized and governed. Her own country had a long and illustrious history of sporting prowess, with a track record of excellence in team and individual sports. Her country had also promoted human rights as well as respect for fundamental principles and rights at work in sporting events it hosted. As the evolving programme of the most recent Olympic Games had shown, organized sport was becoming more diverse and inclusive. It was therefore even more important to keep pace with developments. She expressed the hope that, through social dialogue, guidelines would be adopted that would inspire ILO constituents to implement policies and take action to ensure respect for fundamental principles and rights at work for professional athletes.
5. The Secretary-General of the meeting noted that the ILO had adopted a number of standards to promote sports and sports facilities for workers, participated in the fight against child labour in the sports apparel and equipment supply chains and promoted sports as a means to promote skills development. It also promoted labour rights and sustainability in the context of large-scale sporting events, including football championships and the Olympic and Paralympic Games. In 2020, the Organization had convened the groundbreaking Global Dialogue Forum on Decent Work in the World of Sport to address decent work for professional athletes. It had supported the Global Labour Agreement (GLA) in football, giving rise to a new international bargaining framework, published policy briefs on the sports sector and on professional athletes and

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<sup>1</sup> GB.352/POL/2.

fundamental principles and rights at work. Moreover, the Organization had supported a campaign against fake football recruiting agents. One of the points of consensus at the 2020 Global Dialogue Forum on Decent Work in the World of Sport had been that “all workers, including athletes, regardless of the type of employment relationship, require, as a minimum, to be protected by the fundamental principles and rights at work.” In line with the decision taken by the Governing Body at its 352nd Session (October–November 2024), the present meeting would further explore that point of consensus in the context of the proposed guidelines. The topic was challenging and covered a diverse range of sports and occupational situations. Those challenges could, however, be overcome through robust social dialogue, providing an excellent opportunity to develop practical guidance to ensure that athletes enjoyed fundamental principles and rights at work.

6. The Executive Secretary of the meeting presented the draft guidelines, which drew on ILO standards, in particular the ten fundamental Conventions linked to the ILO Declaration on Fundamental Principles and Rights at Work (1998), as amended in 2022; other ILO documents adopted by the International Labour Conference and Governing Body, including the points of consensus of the tripartite Global Dialogue Forum on Decent Work in the World of Sport, held in 2020; and a growing body of international texts relating to the human and labour rights of athletes. The subject matter was relatively new to the Organization: sport was a diverse and unique sector, subject to its own legal space and growing national and international regulation. The guidelines, aspirational and not legally binding, would apply to professional athletes as defined solely for the purposes of the guidelines, recognizing that no international definition of a “professional athlete” currently existed. Their scope attempted to reconcile two important points of consensus from the 2020 Global Dialogue Forum on Decent Work in the World of Sport, namely that “all workers, including athletes, regardless of the type of employment relationship, require, as a minimum, to be protected by the fundamental principles and rights at work”, and that “the working conditions of athletes vary across regions and sport disciplines, between team and individual sports, and within a wide spectrum. Policies to address decent work in sport need an innovative approach to reflect the diversity of sport. There is no one-size-fits-all approach.” The guidelines were intended for the use of the ILO’s tripartite constituents, while recognizing that other groups could also draw on them for inspiration and guidance. The general principles set out in the text related to contextual principles with a bearing on labour rights, focusing on sport integrity and access to remedy framing the enjoyment of fundamental principles and rights at work. The subsequent sections outlined areas where the five fundamental principles and rights at work were relevant to the specific conditions of athletes, as well as in relation to the Violence and Harassment Convention (No. 190), and Recommendation No. 206, 2019.

## ► II. General discussion

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7. The Employer Vice-Chairperson said that she looked forward to balanced and constructive discussions, in the spirit of fair play. She recalled the meeting’s clear mandate to examine labour issues relating to fundamental principles and rights at work and the standards on preventing violence and harassment in a prominent economic sector and driver of economic growth. She expressed concerns that the draft document was not consistent with the meeting mandate and did not adequately reflect the diversity of the sector: the text adopted a negative approach, ventured beyond the mandate defined by the Governing Body, incorporated concepts not rooted in agreed tripartite language and addressed broader governance issues outside the remit of the Organization. It did not fall to the ILO to regulate sport in its entirety or reshape governance

structures; its role was limited to labour matters – the fundamental principles and rights at work and standards relating to violence and harassment – within a tripartite framework. That clear mandate provided legitimacy and credibility. Her group, reaffirming its commitment to the ILO Declaration on Fundamental Principles and Rights at Work (1998), as amended in 2022, recognized the importance of safe and respectful workplaces, including in the context of Convention No. 190, where ratified and applied within its agreed scope. The sport sector was complex and diverse, spanning a wide range of sports, levels of competition and relationships, and could not be reduced to a single employment paradigm. Many athletes operated under alternative arrangements, regulated under distinct legal frameworks beyond the remit of the ILO. The sport sector also included federations, leagues, sponsors, event organizers, broadcasters and public authorities, many of whom fulfilled regulatory or commercial roles, rather than those of “employers”, and operated under separate legal frameworks, which should not be conflated with labour obligations. The draft text risked blurring distinctions by transferring responsibilities across the wider sports ecosystem, including to areas beyond the mandate of the ILO or the competence of the constituents represented at the meeting. Without clear alignment of responsibilities and institutional mandates, effective and credible implementation of the guidelines could not be ensured.

8. The Worker Vice-Chairperson said that the sporting world could set an example in promoting justice, fairness and dignity at work. Athletes’ work was global, short-term, precarious, highly skilled and visible. While discussions on the application of international labour standards to athletes had begun in earnest at the 2020 Global Dialogue Forum on Decent Work in the World of Sport, athletes had been recognized as workers under national legislation as early as 1908. They had historically sought recognition of their status as workers, their trade union rights, their right to work free from unreasonable restraints and forced labour, and their right to pursue work consistent with internationally recognized human rights. In cases where those issues had been addressed through social dialogue and collective bargaining, the outcomes had been positive, both economically and socially. He emphasized that recognition of freedom of association and collective bargaining enabled workers to share in the wealth they created. While his group acknowledged the diversity of the sector, trade union action, including the introduction of collective bargaining, had changed labour conditions in a range of sports, including professional football. He drew attention to the 1995 Bosman ruling and collective bargaining at the European and international levels, as well as the establishment of the Centre for Sport and Human Rights through cooperation involving the ILO, the International Trade Union Confederation, the World Players Association and the International Organisation of Employers. The latter initiative reflected a broad consensus that internationally recognized human rights applied in sport and that sport had a role in setting an example beyond its own sector: the work of player associations and trade unions was becoming increasingly sophisticated, addressing economic matters and complex human issues, including short career spans, education, integrity, occupational safety and health, and career transition. Collective bargaining in sport addressed both economic and social issues and supported athletes during and after the end of their careers. Turning to the draft guidelines, his group sought the application of the fundamental principles and rights at work to athletes and wished to engage constructively in discussions on Convention No. 190. He referred to risks linked to imbalances of power, noting that athletes’ passion and commitment could create environments conducive to abuse. The world of sport had, at times, been slow to apply basic standards, including with respect to gender equality. Drawing attention to efforts by athlete unions and activists in that regard, he noted that collective bargaining had contributed to improved pay and recognition. Respect for decent work and fair pay supported the enjoyment of rights and fostered commercial growth. He stressed the need to build on the consensus points of the 2020 Global Dialogue Forum on Decent Work in the World of Sport and subsequent initiatives, including the Sporting Chance

Principles of the Centre for Sport and Human Rights, and to recognize that internationally recognized human rights and the fundamental principles and rights at work applied to athletes. Welcoming the draft guidelines, he expressed his group's readiness to work with Governments and Employers to ensure that clear guidance was adopted at international, regional and national levels, to improve the world of sport.

9. The Government Vice-Chairperson said that her group, which comprised experts with labour and sports backgrounds from countries with diverse sporting traditions, was committed to working towards the review and adoption of the proposed guidelines. The convening of the meeting underscored the importance of the sectoral dimension of the ILO's work and the particular relevance of the sport sector. She expressed the hope that the outcome of the meeting would contribute to advancing decent work in sport, consistent with the ILO's mandate. Particular concerns included obstacles to the enjoyment of fundamental principles and rights at work by athletes and their exposure to violence and harassment. Sporting occupations were diverse, covering different levels of competition and forms of employment, in both formal and informal settings, who might face risks linked to their sporting activities. The proposed draft guidelines should take account of that diversity, including emerging employment relationships not explicitly addressed in the text. The draft document provided a useful starting point for discussions on applying the fundamental principles and rights at work in sport and developing international guidance to protect athletes. Through robust discussions and social dialogue, innovative and consensual solutions could be found to benefit all stakeholders in the world of sport.
10. The Government expert from Slovenia welcomed the draft guidelines and strongly supported the promotion of fundamental principles and rights at work for professional athletes. She stressed that violence and harassment, including gender-based violence, amounted to human rights violations and were incompatible with decent work. The issue was particularly pertinent given the nature of the sports sector and the involvement of many young people, including children, in sports. Athletes were workers and their human dignity and labour rights must be protected. Sport was not merely an economic sector; it also had important public interest functions, relating – inter alia – to health promotion, social inclusion, education, community cohesion and youth development. Labour policies in sport should aim to preserve those functions. The draft guidelines needed to take into account the specific nature of sport and its organizational models, linking professional and grassroots sports, solidarity mechanisms and principles of open competitions based on sporting merit. Autonomy in the sector must be understood as functional and conditional, not absolute. Respect for labour rights and sport autonomy were not contradictory and could be mutually reinforcing.

## General statements – observer organizations

11. An observer from the Office of the United Nations High Commissioner for Human Rights said that the draft guidelines rightly referred to human rights, including freedom of association and expression, abolition of child labour and safe and healthy working conditions, grounded in international human rights instruments, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the Convention on the Rights of the Child. Other important instruments relevant to the guidelines included the Convention on the Elimination of All Forms of Discrimination Against Women, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Rights of Persons with Disabilities, as well as the United Nations Guiding Principles on Business and Human Rights, which clarified both State duties and business responsibilities. She emphasized the importance of collecting data disaggregated on the basis of race, colour, descent, national or ethnic origin, sex, gender, disability and other relevant characteristics to identify

disparities and design targeted policies, and to evaluate the effectiveness of those policies to ensure meaningful protection. She underscored racism and other forms of discrimination as priority concerns in sport. She referred to the High Commissioner's recent report concluding that racism in sport was systemic and structural, requiring coordinated action by multiple stakeholders. Human Rights Council Resolution A/HRC/RES/60/24 on a world of sports free from racism, racial discrimination, xenophobia and related intolerance, which had been adopted by consensus, reflected international recognition of the urgency of addressing that problem.

12. An observer from the International Olympic Committee drew attention to the importance of athletes' dignity and fundamental rights, given their role at the heart of sport and deserving of respect, protection and a safe working environment. She recalled that these principles are reflected in the Olympic Charter, the IOC Code of Ethics, and the IOC Strategic Framework on Human Rights. She stated that the guidelines should apply where genuine employment relationships existed. The vast majority of elite athletes operated under diverse arrangements: as students, independent contractors, scholarship holders or participants in competitions governed by sporting regulations, rather than employment contracts. She recommended that a "professional athlete" should be defined as an athlete in a contractual relationship with an organization for an agreed period, subject to organizational control and deriving a regular, predictable income. In simple terms, a professional athlete was an individual with a formal employment contract with an entity, in their capacity as an athlete. She emphasized that the sports sector had specific structural characteristics safeguarded through responsible autonomy and fulfilled important public interest functions. That autonomy was not a shield against accountability but enabled consistent rules, fair competition and integrity. She noted that aspects of sports integrity including anti-doping and corruption prevention were governed by international Conventions falling outside the remit of the ILO. Finally, she encouraged recognition of diverse forms of social dialogue in sport, highlighting that, in elite sport, mechanisms such as Athletes' Commissions provide structured and meaningful channels for athlete participation and representation.
13. An observer from UNI Global Union noted that athletes, though often revered, provided some of the most visible examples of the challenges that workers faced, including denial of freedom of association and collective bargaining, dangerous workplaces, violence and abuse, and discrimination. Since 2020 – when the Global Dialogue Forum on Decent Work in the World of Sport had taken place – regulatory gaps and decent work deficits had grown as the sector has rapidly expanded. The proposed draft guidelines could serve as a practical instrument to support social dialogue and deliver enhanced protection throughout the sports sector.
14. An observer from the World Players Association highlighted the remarkable tripartite consensus built to date and said that adopting the groundbreaking draft guidelines would mark a significant milestone. Drawing on his experience as a former basketball player, classified as amateur and professional at different points in his career, he recommended moving beyond the circular logic that denied athletes pay and rights on the basis of the "amateur" label. Sporting workplace rules must respect the rule of law; applying international labour standards to athletes providing economically important services was aligned with the values of international sport. Too much effort went into lobbying for exceptions, rather than adhering to internationally recognized standards. Athletes' commissions – which were internal management committees – could not replace the role of independent player unions. Where collective bargaining agreements existed, sport flourished, legal certainty improved and power imbalances were reduced.
15. An observer from the Centre for Sport and Human Rights shared her lived experience as a member of the United States Women's National Soccer Team (football), from 1989 to 1996. She described a range of challenges, including federation claims over athletes' bodies, inadequate

health insurance, lack of maternity support, and unequal prize money compared to men's teams. When core members had refused to compete until those issues were addressed, they had faced repercussions and a damaged relationship with the national federation, culminating – decades later – in an equal pay lawsuit and settlement. That outcome had become possible only after the federation had elected its first female president, who had instituted major reforms. She also recounted her experience as chief operating officer of a professional women's football league where the absence of a players' union had left the league exposed to antitrust risks and pressure to lower safety standards, jeopardizing players' safety. That league had ultimately folded in 2012, and meaningful change occurred only after serious incidents of harm, rather than through dialogue. The lesson learned was that social dialogue, rooted in common standards, should take place before any harm occurred and must not be taken for granted. Under new leadership and commitment to human and labour rights, the league was now an employer of choice. She highlighted the importance of the United Nations Guiding Principles on Business and Human Rights as a recognized framework in the sector. The draft guidelines provided an opportunity to build on progress, articulating State duties and sports organizations' responsibilities, as well as the importance of access to remedy, while taking into account athletes' lived experiences.

16. An observer from the Sport and Rights Alliance stated that the proposed guidelines were particularly meaningful to her because they spoke to her lived experience of severe sexual abuse and lack of protection as an athlete. She emphasized the importance of focusing on athletes, their needs and expertise in policy development and implementation. Many issues in sport reflected broader societal issues, sometimes exacerbated by the nature of competitive sport, requiring specific and tailored approaches. To ensure success, the guidelines needed to consider the impact on affected stakeholders, specifically athletes themselves. Citing research indicating that one in three athletes experienced some type of interpersonal violence while engaged in sports, she stressed the urgent need to ensure coordinated approaches, involving United Nations agencies, advocacy groups, impacted athletes, athletes' unions, civil society organizations and other stakeholders, including through stronger collaboration around the safe sport agenda. She commended the ILO for introducing a labour approach to sport and engaging in UNESCO's work on Global Policy Standards for Inclusive, Equitable and Safe Sport and Physical Education.

## Other organizations, speaking at the invitation of the Office

17. An observer from the Association of Summer Olympic International Federations (ASOIF) said that while the Olympic Games showcased sporting excellence, they provided only a brief snapshot of athletes' work; once the Olympic Games concluded, a new four-year preparation cycle began, which varied significantly across different sports. While some athletes, such as indoor volleyball players, worked as employees under club contracts, most operated outside traditional employment relationships, managing their own schedules and securing funding from a range of stakeholders. For example, beach volleyball players generally worked as self-employed independent contractors, and individual sports such as athletics or aquatic sports followed yet different models. That level of diversity made the sport sector unsuited to a one-size-fits-all approach. His organization fully supported and respected fundamental rights in sport, through the Olympic Charter and related regulations. He stressed the need for responsible governance while respecting the role of international sports governing bodies. Expressing concern that the definition of professional athlete in the draft guidelines did not reflect the varied realities across sports, or the respective and distinct roles of governing bodies and employers, he said that the guidelines should focus on employer–employee relationships. His organization fully supported protecting all athletes – as a governing body, not an employer – through its extensive stakeholder consultation process, tailored to the realities of each sport.

### ► III. Consideration and adoption of the draft Guidelines for the promotion of fundamental principles and rights at work and the prevention and elimination of violence and harassment for professional athletes

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#### 1. Introduction

##### Proposed paragraphs 1–4

18. Paragraphs 1–4 were adopted, as proposed.

#### 2. Scope

##### Proposed paragraph 5

19. The Government Vice-Chairperson proposed to add a reference to young athletes, women athletes and those with disabilities, to draw attention to vulnerable groups who might experience discriminatory treatment.
20. The Employer Vice-Chairperson said that while she agreed with the intentions behind the amendment, it fell outside of the scope of the guidelines. She added that the proposed content could potentially be integrated elsewhere in the text.
21. Paragraph 5 was adopted, as proposed.

##### Proposed paragraph 6

22. Paragraph 6 was adopted, as proposed.

##### Proposed paragraph 7

23. The Worker Vice-Chairperson proposed the following definition of an athlete: “for the purposes of these guidelines, a professional athlete is an athlete who is a worker”. In very simple terms, the guidelines would apply to workers who were athletes.
24. The Employer Vice-Chairperson wished to emphasize that there was “currently no universal definition of a “professional athlete” and proposed that the remainder of the paragraph would read as follows: “For the purpose of these guidelines, a professional athlete is considered as a worker who is in an employment relationship who receives remuneration for their participation in competition in competitive sport and whose activities are governed directly by an employer. This general description may include, according to national laws and practices, athletes that compete as team players, and athletes who compete on an individual basis in competitions receiving compensation for their participation but excluding those who compete under commercial agreements or as independent contractors.”
25. The Worker Chairperson expressed his disappointment at the proposed narrowing of the definition of a worker and invited the meeting to consider the overall purpose of the paragraph. His group’s proposed amendment was based on ILO standards and jurisprudence on the rights of workers: a professional athlete was an athlete who was a worker. Whether an individual qualified as a worker would be determined when applying the guidelines. The points of consensus of the 2020 Global Dialogue Forum on Decent Work in the World of Sport had underscored that

“all workers, including athletes, regardless of the type of employment relationship require as a minimum to be protected by the fundamental principles and rights at work.” Logically, the guidelines only applied to athletes who qualified as workers, and it was acknowledged that some did not. He cautioned against restricting the scope of the document and encouraged the Employers to adhere to the consensus reached in 2020.

26. The Employer Vice-Chairperson said that the scope of the 2020 consensus had been broader, extending to sports in general. Her group maintained that “professional athletes” must receive remuneration for their sporting activities.
27. The Government Vice-Chairperson agreed that consensus reached on the issue in 2020.
28. The Government expert from Chile said that in many contexts, sporting events were not directly organized by employers, so there was no employment relationship for athletes.
29. The Worker Vice-Chairperson said that, under the definition proposed by the Employers, certain groups of athletes would not be recognized as workers, denying them the right to organize and engage in collective bargaining or address injustices. The definition proposed by his group was designed to build on the consensus of 2020.
30. The Employer Vice-Chairperson insisted that her group did not aim to deny workers’ rights. The remit of the meeting covered labour relations and did not extend to sports governance. Governance structures in the sports sector varied significantly from country to country, and from sport to sport.
31. The Government Vice-Chairperson said that the Employers’ amendments, including the proposed deletion of the reference to “formal and informal settings”, risked diverging from the aim of the guidelines and losing focus on the rights of workers. She proposed to include references to “high-level sports” and “advisory groups”, and to add the phrase “and taking into consideration the national context”. Those amendments aimed to broaden the scope of the paragraph, ensure alignment with national goals and priorities, and promote good governance.
32. The Employer Vice-Chairperson supported the inclusion of a reference to national contexts and emphasized the need to take into account national law and practices. Her group sought to respect and reflect the reality of sports systems at the national and international levels, and to ensure the applicability of the guidelines, taking into account that they needed to align with national laws and practices. The aim was to ensure legal certainty.
33. Further amendments were proposed by the Workers, relating to the status of athletes, and the Employers, to emphasize the existence of complex and diverse employment relationships in the world of sport, and the need to distinguish between commercial and labour relations.
34. The Government expert from Slovenia advised against narrowing the scope of the guidelines, which aimed to provide broad guidance, and said that the fundamental rights under discussion applied to all workers, not just those in employment relationships.
35. The Employer Vice-Chairperson said that tripartite dialogue was based on respect for differing points of view. Her group’s proposals sought to respect the reality of the sports sector in different national and international contexts, to ensure coherence with national labour laws and norms, and to ensure applicability and legal certainty.
36. Following extensive discussions over the rest of the meeting, a compromise text was proposed for paragraph 7, to read as follows:

“All workers, including athletes, should be protected by fundamental principles and rights at work, in line with the 1998 Declaration (as amended in 2022). There is no universal definition of

professional athletes. These Guidelines apply to professional athletes as well as to athletes engaged in high-level sports, hereafter referred to as “athletes”. Particular attention should be given to promoting equality of treatment and opportunities in respect of employment and occupation for athletes, notably women.”

Furthermore, it was agreed that the remainder of the text would refer simply to “athletes” rather than “professional athletes”.

37. Paragraph 7 was adopted, as amended.

### Proposed paragraph 8

38. The Employer Vice-Chairperson said that while indigenous people or those with disabilities participated in various kinds of sports, “indigenous sports” and “sports for people with disabilities” did not constitute viable categories in themselves.
39. The Worker Vice-Chairperson said that a specific reference to vulnerable groups should be integrated into the text, to ensure respect for their rights.
40. The Government Vice-Chairperson agreed to the deletion and proposed to include a reference to “high-level sports”.
41. Paragraph 8 was adopted, as amended.

## 3. Intended users

### Proposed paragraph 9

42. The Worker Vice-Chairperson proposed, in subparagraph (b) to add an explicit reference to “social dialogue”.
43. Paragraph 9 was adopted, as amended.

### Proposed paragraph 10

44. The Employer Vice-Chairperson proposed to delete the list in the paragraph, to avoid missing out any important actors, and to ensure coherence.
45. The Worker Vice-Chairperson said that the list was important, so that relevant actors knew that they were called on to apply the guidelines. He advised against revisiting the consensus reached in 2020 or narrowing the scope of the guidelines. He proposed to restructure the paragraph, noting that, “sporting event organizing bodies” and “athletes’ commissions” were not independent entities, but formed part of the broader category of “governing bodies”.
46. The Government Vice-Chairperson supported the inclusion of the list, particularly enterprises and sponsors, who contributed vast proportion of resources to the sports industry. They had a significant impact on the labour relations of athletes.
47. The Government expert from Chile recalled that the guidelines under discussion were non-binding and the present paragraph merely proposed a non-exhaustive list of relevant actors who could draw on the guidelines.
48. The Employer Vice-Chairperson stressed the need to maintain coherence, ensure legal certainty, and take into account existing realities. The paragraph related to sports governance and other sectors, such as infrastructure and commerce. To retain the list, it would be necessary to delete subparagraphs (h), (i), (j) and (m). She also proposed to insert a new subparagraph, referring to “other relevant actors in the world of sport”.

- 49. The Chairperson said that while sponsors and enterprises would be deleted from the list, such entities still could, if they considered themselves “relevant actors”, make use of the guidelines.
- 50. A compromise text was agreed, incorporating the outlined proposals.
- 51. Paragraph 10 was adopted, as amended.

## 4. General principles

### Proposed paragraph 11

- 52. The Employer Vice-Chairperson proposed to open the paragraph as follows: “To realize health, well-being, education, development, peace and decent work, and its pursuit enjoyed by athletes worldwide”. She further proposed to delete the text after the word “harassment” until the end of the paragraph, and to replace it with the following formulation, incorporating the last sentence from paragraph 12: “applies to athletes, access to universal social protection. Sport, overall, is a key enabler for the achievement of the 2030 Agenda for Sustainable Development, and it is an important contributor to social justice.
- 53. The Government Vice-Chairperson proposed to include references to “inclusion” and “education and social security”, to emphasize the human rights dimension and draw attention to the importance of inclusivity to the promotion of fundamental principles and rights at work.
- 54. Paragraph 11 was adopted, as amended.

### Paragraph 11 *bis*

- 55. The Government Vice-Chairperson proposed to insert a new paragraph, to read: “Sport fulfils an important public interest function, including health promotion, social inclusion, education, community cohesion and youth development. Labour policies in sports should be designed in a manner that preserves these public interest functions and decent work.”
- 56. Paragraph 11 *bis* was adopted, as proposed.

### Proposed paragraph 12

- 57. As agreed, the final sentence of paragraph 12 was deleted and moved to the end of paragraph 11.
- 58. The Government Vice-Chairperson proposed to highlight sport as an economic activity “that may contribute significantly to areas of national development, including health, education, social security, tourism and entertainment, to name a few.”.
- 59. A short discussion took place regarding the reference to social security. The Secretary of the Employers’ group said that the wording commonly used in ILO documents, was “universal social protection”.
- 60. Paragraph 12 was adopted, as amended.

### Proposed paragraph 13

- 61. The Employer Vice-Chairperson proposed to delete the first sentence and to replace the reference to “human and labour rights” with “fundamental principles and right at work”, to ensure that the focus remained on labour rights, and to ensure the applicability of the guidelines.
- 62. The Government expert from Slovenia argued that fundamental principles and rights at work were also human rights.

63. The Executive Secretary of the meeting noted that the third recurrent discussion on fundamental principles and rights at work had concluded that fundamental principles and rights at work were universal human rights and immutable in nature.
64. The Chairperson proposed alternative wording, namely a reference to “the protection of and respect for labour rights as human rights of professional athletes”.
65. The Employer Vice-Chairperson did not support that proposal and maintained that while the fundamental principles were also labour rights, not all labour rights were human rights. She stressed the need to respect the scope of the guidelines and focus on labour rights.
66. The Worker Vice-Chairperson drew attention to the United Nations Guiding Principles for Business and Human Rights, which acknowledged that internationally recognized human rights included fundamental principles and rights at work. He also recalled the 2020 Global Dialogue Forum on Decent Work in the World of Sport consensus point noting that Governments, employers’ and workers’ organizations, and other relevant stakeholders should promote the principles set out in the United Nations Guiding Principles on Business and Human Rights and engage collectively to bring about the realization of those rights. Moreover, a range of international sports bodies also recognized human rights, including labour rights.
67. After further discussions, including within the working group, the following compromise wording was proposed:  
“The promotion, protection of, and respect for fundamental principles and rights at work of athletes should be recognized by domestic legislation and embedded within the governance and operations of sport, and in the policies, systems and practices of professional sport.”
68. Paragraph 13 was adopted, as amended.

#### 4.1. Particularities of sport (“the sporting exception”)

69. The Employer Vice-Chairperson proposed to amend the subsection heading, to read “Governance of sport”.
70. It was so agreed.

#### Proposed paragraph 14

71. The Employer Vice-Chairperson proposed several minor amendments to the paragraph, including deleting the reference to the “autonomy” or “specificity” of sport. She also proposed to delete the last sentence in the paragraph. The reasoning behind the proposals related to the pyramid structure of the sports system, with many sports taking place at the grassroots level rather than at the professional level.
72. The Worker Vice-Chairperson said that the deletion of “autonomy” and “specificity” removed the protective element of the paragraph, potentially enabling those notions to be used to erode the rights of athletes, placing them in a vulnerable position. He proposed to retain the last sentence in the paragraph, amended to “it should not provide a basis to undermine the rights of athletes, in particular the promotion of or the realization of the fundamental principles and rights at work and the prevention and elimination of violence and harassment.”.
73. The Government Vice-Chairperson noting the importance of the paragraph, proposed several amendments, including a reference to “safeguarding policies”, as applicable legislation may not necessarily have a safeguarding function. She also proposed to insert a reference to “the rights of athletes, in particular, the promotion of fundamental principles and rights at work, the prevention and elimination of violence and harassment, and the attainment of human rights in the sector”,

linking back to earlier references to human and labour rights. At the end of the paragraph, she proposed to add: “Respect for labour rights and sports autonomy are not contradictory and they should be mutually supporting”, clarifying the earlier point raised with regard to “autonomy”.

74. The Employer Vice-Chairperson encouraged the use of more positive language in the guidelines, rather than a negative framing that did not reflect the reality of the sports sector and proposed several amendments in that regard. She also proposed wording to clarify that actions should be taken “in line with national law and practice and taking into account the nature of the relationship”, to ensure implementation of the guidelines.
75. The Worker Vice-Chairperson stressed the need to avoid restricting the application of the guidelines through the use of adverbial clauses, such as “in accordance with national law. His group’s proposed wording, namely to “promote, respect and realize”, was based on well-established ILO language.
76. Following further discussions, a compromise text was proposed:  
“Sports organizations can independently organize and regulate sporting activities, competitions and their internal affairs, provided this is done in line with applicable laws, safeguarding policies, and grounded in principles of good governance, transparency, and inclusiveness. This should be done in a manner that supports the promotion and effective implementation of fundamental principles and rights at work and the prevention and elimination of violence and harassment in the sector. Respect for labour rights and sports autonomy are not contradictory, and they should be mutually supporting.”
77. Paragraph 14 was adopted, as amended.

### Proposed paragraph 15

78. The Employer Vice-Chairperson proposed to add wording to clarify that working conditions varied not only across regions, but also within countries.
79. The Government Vice-Chairperson proposed to clarify that policies on working conditions “should be best practice, innovative and adapted to different contexts and laws”.
80. The Worker Vice-Chairperson noted that the issue of national law arose regularly during the discussions. The opening paragraph of the guidelines set out their purpose, namely that they “can be implemented progressively to take into account different national settings, cultures and social, economic, environmental and political contexts”. It was important to avoid situations that created a potential conflict between international standards and the guidelines, and national law. He expressed concerns regarding a tendency to introduce references to national legislation into various paragraphs, noting the Employers’ reliance on national law, making the application of each paragraph potentially contested and the language difficult to follow. Moreover, in certain cultures, prevailing contexts were not conducive to the enjoyment of fundamental principles and rights of work, including freedom of association. In those cases, if the national context were to be “taken into account”, the enjoyment of those rights could be subject to national conditions that were potentially prejudicial towards those rights. Using a phrase previously proposed by the Government group, namely “taking into consideration the national context”, provided for a flexible understanding that could accommodate the interests of Employers, Governments and Workers, would not be applied in a way which undermined the enjoyment of athletes’ rights, and would avoid confusion regarding the potential incompatibility of fundamental principles and rights at work and national law.
81. The Government and Employers’ groups proposed alternative wording for the segment under discussion.

82. The Employer Vice-Chairperson drew attention to the particular nature of the sports ecosystem and argued that a reference to national laws and practices was necessary to avoid legal uncertainty and facilitate implementation.
83. Further amendments were proposed by all three groups, particularly with regard to the concept of “national contexts”.
84. The Employer Vice-Chairperson stressed the need for legal certainty, as the guidelines could potentially be used to settle conflicts. She also stressed the need to focus on labour legislation.
85. Following further discussions, the following formulation was proposed:  
 “The working conditions of athletes, including their access to social protection and social security, vary across regions and within countries and sports disciplines, between team and individual sports, and between different types of employment relationships. Policies to address the working conditions of athletes should be best practice, innovative and adapted to the different national contexts.”
86. Paragraph 15 was adopted, as amended.

## 4.2. Fundamental principles and rights at work

### Proposed paragraph 16

87. The Employer Vice-Chairperson proposed a minor amendment to align the text with the ILO Declaration on Fundamental Principles and Rights at Work (1998), as amended in 2022.
88. Paragraph 16 was adopted, as amended.

### Proposed paragraph 17

89. In line with amendments agreed during discussions on other sections of the draft guidelines, it was agreed that the paragraph was redundant and should be deleted.
90. Paragraph 17 was deleted.

### Proposed paragraph 18

91. The Employer Vice-Chairperson proposed to delete the paragraph, as its contents were already reflected in the ILO Declaration on Fundamental Principles and Rights at Work (1998), as amended in 2022.
92. The Worker Vice-Chairperson said that the Employers’ proposal created the risk that athletes could be denied access to fundamental rights and principles. It was important to recognize that athletes were workers, so that governments, sport governing bodies and other key stakeholders could take appropriate action.
93. The Government Vice-Chairperson stressed that governments had a responsibility to protect workers, including athletes. In the same vein, she proposed introducing a reference to “safeguarding regulations”, to ensure consistency and emphasize that governments had a duty to adopt, implement and effectively enforce national laws, including safeguarding regulations, to ensure that the fundamental principles and rights at work were respected.
94. The Government expert from Chile said that the paragraph set out duties for governments to protect the fundamental rights of athletes. Deleting it would undermine the Governments’ role, given their obligation to protect the rights of workers, including athletes.

95. The Government expert from Slovenia noted that the guidelines would be read and used for different purposes by different groups, including beyond the framework of the ILO. Repetition was not inherently harmful, and it was unrealistic to expect all potential actors to have a thorough knowledge of all ILO instruments.
96. Following further discussions, with minor agreements proposed by the Employer and Worker Vice-Chairpersons, the meeting agreed to retain the paragraph, which would read:  
“In line with the 1998 Declaration (as amended in 2022), all Members, even if they have not ratified the fundamental Conventions, have an obligation, arising from the very fact of membership in the Organization, to respect, to promote and to realize, in good faith and in accordance with the Constitution, the principles concerning the fundamental rights that are the subject of these Conventions.”
97. Paragraph 18 was adopted, as amended.

### 4.3. Social dialogue

#### Proposed paragraph 19

98. The Employer Vice-Chairperson proposed a minor editorial amendment to align with language used in other ILO documents.
99. Paragraph 19 was adopted, as amended.

#### Proposed paragraph 20

100. The Employer Vice-Chairperson proposed to add “where there is an employment relationship”, on the basis that Article 4 of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), stipulated that collective bargaining took place as part of an employment relationship.
101. The Worker Vice-Chairperson proposed to add “create an enabling environment to”, to highlight that such an environment was important to the fulfilment of rights, and to realize the benefits of collective bargaining. He stressed that fundamental rights at work did not depend on an employment relationship.
102. Following additional discussions, the following text was proposed:  
“Governments should create an enabling environment through meaningful social dialogue for the respect, promotion and realization of fundamental principles and rights at work for athletes, in line with the ILO Declaration on Fundamental Principles and Rights at Work (1998), as amended in 2022.”
103. Paragraph 20 was adopted, as amended.

#### Proposed paragraph 21

104. The Employer Vice-Chairperson proposed to insert a reference to “national or international sports bodies” and to delete “including through collective bargaining at enterprise, national, regional and global levels”.
105. The Worker Vice-Chairperson said that the proposed amendment was not consistent with practice in, and the realities of, the world of sport. Independent contractors also engaged in collective bargaining, for example in the context of professional football.
106. The Worker expert from Colombia added that without access to collective bargaining, the collective agreement negotiated under the Collective Bargaining Convention, 1981 (No. 154), in

Colombia in the football sector, achieved with ILO support and the participation of a FIFA legal representative, would not have been possible, as there was no direct employment relationship between the federation, the league and the football players.

107. The Employer Vice-Chairperson said that football players usually had a relationship with the club, if not the league. Her group's amendments aimed to ensure legal certainty. She also proposed to add "voluntary" to qualify "collective bargaining" and to delete "at enterprise, national, regional and global level", which blurred the line between sports governance and labour. She added that "as appropriate" already covered the concept of levels.
108. The Government expert from Chile recalled that governments had an obligation to promote collective bargaining. He raised concerns about eliminating the reference to bargaining at different levels, which did not reflect the reality of collective bargaining in the world of sport.
109. The Worker Vice-Chairperson suggested returning to the language used in the points of consensus of the 2020 Global Dialogue Forum on Decent Work in the World of Sport, reflecting well-researched and considered negotiations. The guidelines were designed to provide guidance, rather than eliminate risk, to offer opportunities rather than mere legal certainty. The FIFA transfer system provided an example of how labour disputes could be resolved through transnational bargaining. Referring to that concept did not infringe on the work of sports governing bodies.
110. The Employer Vice-Chairperson said that her group could not accept the references to multiple levels of bargaining or transnational agreements. Collective bargaining and social dialogue at the national level functioned differently across countries and regions. It was also important to avoid confusing collective bargaining with social dialogue.
111. A Worker adviser from Chile provided examples of collective bargaining at the transnational and regional levels, including in the field of women's football. The reference was not redundant and replacing it with "at all levels" would not suffice.
112. Further amendments were proposed to take into account the positions and priorities of the three groups; the compromise text read as follows:  

"Governments and employers' and workers' organizations should support and promote all forms of effective social dialogue to advance decent work in sport, which may include engagement with national, regional or international sports governing bodies, as appropriate. As sport varies greatly across regions and disciplines, social dialogue should be promoted through innovative approaches."
113. Paragraph 21 was adopted, as amended.

#### 4.4. Sport integrity

##### Proposed paragraphs 22, 23 and 24

114. The Government Vice-Chairperson proposed to reformulate the paragraph to include a reference to the World Anti-Doping Code and the 2014 Council of Europe Convention on the Manipulation of Sports Competitions. She stated that the respect for fundamental principles and rights at work in sport as well as prevention and elimination of violence and harassment for professional athletes and the growth and sustainability of the sport sector depended on safety, fairness and integrity.
115. The Government expert from France added that the 2014 Council of Europe Convention on the Manipulation of Sports Competitions was the only international Convention on governance of sports competitions.

116. The Employer Vice-Chairperson proposed to delete the paragraph. While her group condemned abuses of any kind, the issues raised did not relate to labour rights or the tripartite system. Anti-corruption measures, sports institutional structures and economic models, governance of federations and audiovisual rights should be dealt with by other bodies, structures and frameworks. Moreover, she did not agree with references to the World Anti-Doping Code or the Council of Europe Convention.
117. The Worker Vice-Chairperson noted that sports integrity was commonly the subject of collective bargaining and was also mentioned in athletes' employment contracts. A substantial number of player associations collectively bargained anti-doping rules and regulations, in accordance with national labour law, and outside of the scope of the World Anti-Doping Code. The present document sought to provide guidelines in relation to collective bargaining; called for consistency with the fundamental principles and rights at work and advised against including references to the Code or the Council of Europe Convention.
118. The meeting extended its discussion to paragraphs 23 and 24, with the Workers' and Government groups proposing a series of amendments to both paragraphs.
119. The Employer Vice-Chairperson proposed to delete paragraphs 22, 23 and 24, as they fell outside the scope of the ILO framework, and of bipartite and tripartite dialogue.
120. The wording of all three paragraphs was subsequently discussed within the working group, to draft a compromise text for the paragraph.
121. The Worker Vice-Chairperson presented a condensed text, to replace paragraphs 22, 23 and 24, drafted in a manner consistent with the industrial relations issues raised.
122. The Employer Vice-Chairperson also presented her group's proposal for a combined text to replace paragraphs 22, 23 and 24.
123. The Chairperson suggested that the two proposals could be merged into one and that the text put forward by the Employers' group could serve as the chapeau for the merged paragraph, followed by the text proposed by the Workers' group. The combined amended text would read as follows:

"The respect for fundamental principles and rights at work in sport, as well as the prevention and elimination of violence and harassment for professional athletes, and the growth and sustainability of the sport sector, together with sport integrity, require mutual trust and effective collaboration between government, employers, employers' organizations, workers' organizations, and athletes; these factors are mutually reinforcing and essential for advancing decent work in the world of sport.

To strengthen the integrity of sport, ILO constituents, in collaboration with relevant actors should:

- (a) promote decent work in the world of sport;
  - (b) engage in effective social dialogue to develop and foster a culture of respect for rights and responsibilities;
  - (c) provide access to effective remedy."
124. Paragraphs 22, 23 and 24 were merged into two paragraphs and adopted, as amended.

## 4.5. Effective remedy

### Proposed paragraph 25

125. The Employer Vice-Chairperson stated that her group was taking part in the discussions in a constructive spirit. Nonetheless, the negotiations demanded mutual respect and joint effort to make progress. Her group recognized the important social function of sport and the participation of all the people who worked in this sector, and she affirmed that her group was not against such rights. It was important for the work of the meeting to remain within the mandate of the ILO. The text should reflect the reality in the sector, respect the ILO's mandate and that of the Governing Body, and ensure that these guidelines could be applied from a practical standpoint. The credibility of the guidelines and the credibility of the meeting would depend on their clarity, applicability and their consistency with the Organization's mandate.
126. The Employer Vice-Chairperson proposed to redraft the text to include "alternative dispute resolution mechanisms", delete the reference to the ILO "diagnostic tool", and to delete the latter section of the paragraph, which contained too many details. She stressed the need to ensure clarity and alignment with existing legislation.
127. The Government Vice-Chairperson proposed to insert a reference to "transparency", to ensure all parties were clear on the processes involved, as well as to "trauma-informed and people-centred" processes, in line with the people-centred approach outlined in the ILO Centenary Declaration for the Future of Work (2019). She also proposed to add a reference to the role of "effective labour inspection systems", drawing attention to the mandate of the ILO to ensure respect for the terms and conditions of work.
128. The Worker Vice-Chairperson said that while some of the amendments proposed by the Employers' group clarified certain points, the proposed deletions were problematic. The work of professional athletes was short-term, precarious and time critical. Therefore, references to "efficiency, speed and accessibility" were important. Indeed, they had been the subject of disputes before the Court of Arbitration for Sport. The language used was also in accordance with international best practice and accurately reflected the reality of work in the sector.
129. Alternatives to problematic terms were proposed. Following further discussion on the exact wording of the paragraph, including proposals from all groups, an agreed text was drafted, to read:  

"The promotion of fundamental principles and rights at work and the prevention and elimination of violence and harassment for athletes should be based on effective labour dispute prevention and resolution mechanisms within and outside the sport sector. Complaint and appeals mechanisms can be handled through judicial and non-judicial institutions, including alternative dispute resolution mechanisms, and should be based on the principles of transparency, efficiency, timeliness, accessibility, fairness, equality, accountability, independence, impartiality, professionalism and enforcement, and should be a trauma-informed and people-centred process, as appropriate. Effective labour inspection systems can play an important role in this process."
130. Paragraph 25 was adopted, as amended.

### Proposed paragraph 26

131. The Employer Vice-Chairperson said that the paragraph was complex and beyond the scope of the guidelines. She proposed the following wording, consistent with the meeting mandate and wording used in ILO texts: "Members should take appropriate measures, in accordance with

national law and practice, to ensure (delete “through ... to any”) effective protection of professional athletes’ rights and provide access to effective remedy in case of violation”.

132. The Government Vice-Chairperson stressed that the paragraph addressed the responsibilities and duties of Governments, including relating to mediation, as well as the judicial and legislative functions. She also stressed the importance of referring to “Governments” rather than “Members”.
133. The Employer Vice-Chairperson wished to retain the term “Members”, which covered entities other than governments, as well as the reference to “measures in accordance with national law and practice”, noting the diversity of legislative frameworks, practices and systems in different countries.
134. The Worker Vice-Chairperson noted that national laws and practices sometimes conflicted with the duty of the State to protect the fundamental principles and rights at work, and that the Employers’ proposal could allow governments to interpret their duties in a way that, while consistent with national law, would deny some athletes the right to freedom of association.
135. Several alternative proposals were made, with the Government Vice-Chairperson insisting on the fact that the paragraph related to government prerogatives, sovereignty and jurisdiction; and the Employer Vice-Chairperson wishing to include references to legislation in force, national contexts and legislative frameworks.
136. Following further discussions on the issues, a compromise text was proposed. Additional amendments were proposed by the Workers’ group and the Employers’ group, including on how to refer to ILO Member States and the concept of “national circumstances”. A compromise text was subsequently proposed, after additional deliberations, to read:  
“As part of their duty to protect the labour rights of athletes, Governments should take appropriate steps, to ensure, through judicial, administrative, legislative or other appropriate means, that when non-respect of labour rights occur within their territory and/or jurisdiction, any affected athlete has access to effective remedy.”
137. Paragraph 26 was adopted, as amended.

### Proposed paragraph 27

138. The Employer Vice-Chairperson proposed an alternative text: “The ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, as amended in 2022 (MNE declaration) and the United Nations Guiding Principles on Business and Human Rights provide useful information on access to remedy and effective grievance mechanisms.” The proposed text reflected the essence of the original paragraph, with wording taken from a Council of Europe declaration, as well as the extensive tripartite discussions in 2025. Making use of an existing tripartite text provided more legal certainty and enhanced the applicability of the guidelines.
139. The Government Vice-Chairperson stated that the original wording was specific and pertinent, giving athletes recourse to grievance mechanisms. Replacing it with the proposed text would undermine the agency of the athlete.
140. The Worker Vice-Chairperson welcomed the additional paragraph proposed by the Employers’ group, but not at the expense of the original text, which dealt with a separate, important issue, namely the potential victimization of athletes seeking redress. Athletes in many countries faced repercussions for seeking remedy or invoking a grievance mechanism.
141. The Employer Vice-Chairperson stressed the need for clarity and insisted that her amendment added value to the guidelines.

142. Paragraph 27 was adopted, as amended.

#### **4.6. Data and knowledge-sharing**

143. An extensive debate was held on the scope and applicability of paragraphs 28 and 29; the Employers' group argued that the topics covered fell outside the scope of the guidelines and involved other sectors and commercial interests, such as events organization and security, while the Workers' and Government groups stressed the importance of protecting athletes' data.

144. Following discussions on other sections of the guidelines, a decision was made to delete section 4.6 as a whole.

#### **Proposed paragraphs 28 and 29**

145. Paragraphs 28 and 29 were deleted.

146. Section 4.6, as a whole, was deleted.

#### **4.7. Other general principles**

#### **Proposed paragraph 30**

147. A discussion took place on the relevance and applicability of the section, during which the Employers' group argued that the section covered issues beyond the remit of the meeting, including audiovisual rights and the platform economy. The Workers' group drew attention to the importance of informed consent, the collection, storage and sharing of athlete's personal data, and its use to monitor performance, as well as safeguards relating to artificial intelligence and the protection of image rights. The Government group focused on data governance for wearables and other technologies, including risks relating to the use of artificial intelligence, access to medical records and data protection, legal protection and equality before the law.

148. Following discussions relating to other sections of the guidelines, including paragraph 95, a decision was made to delete section 4.7 in its entirety.

149. Paragraph 30 was deleted.

150. Section 4.7, as a whole, was deleted.

### **5. Ensuring freedom of association and the effective recognition of the right to collective bargaining**

151. The Employer Vice-Chairperson proposed to amend the section heading to "The right to freedom of association and the effective recognition of the right to collective bargaining".

152. It was so agreed.

#### **Proposed paragraphs 31 and 32**

153. Paragraphs 31 and 32 were adopted, as proposed.

#### **Proposed paragraph 33**

154. The Employer Vice-Chairperson proposed to insert "who are employed and employers" after the word "athletes", to stress the professional nature of their work, and to delete redundant wording.

155. The Worker Vice-Chairperson welcomed the proposed deletion but could not accept the insertion of "who are employed and employers", as it was not consistent with the fundamental principles

and rights at work, or with industry practice. ILO labour standards clearly stipulated that all workers, without distinction, should have the right to establish and join organizations of their own choosing. While athletes belonging to clubs were employees, and participated in collective bargaining in those environments, successful bargaining also took place on behalf of athletes who were independent contractors.

- 156.** A Worker expert from Australia said that, in the world of cricket, collective bargaining took place without the existence of a direct employment relationship. Both workers with direct employment relationships and independent contractors were involved in collective bargaining. Associations bargained on behalf of athletes – including contractors and those with short-term contracts, including at the global level – on a wide range of issues.
- 157.** The Chief of the Freedom of Association Branch, International Labour Standards Department provided additional information on the participation of self-employed workers in collective bargaining. In a 2024 decision, the Committee on Freedom of Association urged governments to “take the necessary measures to ensure that workers who are self-employed could fully enjoy trade union rights for the purpose of furthering and defending their interest, including by the means of collective bargaining; and to identify, in consultation with the social partners concerned, the particularities of self-employed workers that have a bearing on collective bargaining so as to develop specific collective bargaining mechanisms relevant to self-employed workers, if appropriate”.<sup>2</sup> Similar language had been used in earlier cases. Within the broader United Nations context, United Nations Principles on Business and Human Rights clearly stated that the responsibility to respect human rights referred to internationally recognized human rights understood at a minimum as those expressed in the international bill of human rights and the principles concerning fundamental rights, as set out in the ILO Declaration on Fundamental Principles and Rights at Work (1998), as amended in 2022. The only categories for which Convention No. 98 permitted an exclusion were the armed forces, the police and public administration services. The Convention also recognized that collective bargaining was something to be actively promoted and realized over time. Thus, while in specific national contexts there would often be very extensive consultations to take into account the specific particularities of self-employed workers, it was clear that any text that would seek to categorically restrict the scope of collective bargaining to workers with an employment status, and therefore exclude self-employed workers, would not be compatible with ILO standards and principles.
- 158.** The Employer Vice-Chairperson welcomed the clarification, but maintained her position, stressing the need for a tripartite rather than bipartite approach, in line with Article 4 of Convention No. 98. She reiterated that it was essential to adhere to the meeting mandate and indicated that the matter at hand related to the governance of sport, beyond the scope of the guidelines.
- 159.** The Worker Vice-Chairperson said that the text drafted by the Office supported established principles and aligned with best practices in the sector.
- 160.** A Worker expert from Colombia argued that limiting the right to collective bargaining to workers in employment relationships would disenfranchise vulnerable groups and undermine gender equality, as many female players did not play under an employment contract.
- 161.** Following further discussions, including within the working group convened to draft compromise proposals, the meeting agreed on the following text:

“Governments should respect, promote and realize the fundamental principles and rights at work, including freedom of association and collective bargaining, for athletes, in line with the ILO

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<sup>2</sup> See ILO Committee on Freedom of Association, 376th Report, Case No. 2786, para. 349.

Declaration on Fundamental Principles and Rights at Work (1998), as amended in 2022. They should create an enabling environment for this purpose, through meaningful social dialogue.”

**162.** Paragraph 33 was adopted, as amended.

#### **Proposed paragraph 34**

**163.** Paragraph 34 was adopted, as proposed.

#### **Proposed paragraph 35**

**164.** The Employer Vice-Chairperson proposed to delete the paragraph, which related to matters outside of the meeting mandate.

**165.** The Worker Vice-Chairperson proposed, with a view to addressing the Employers’ concerns, alternative wording to reflect the broad range of employment arrangements, in addition to part-time and seasonal work, in the sports sector – and to emphasize the right of athletes to freedom of association.

**166.** The Employer Vice-Chairperson proposed using wording similar to that in paragraph 32, namely “regardless of their classification of status in employment”.

**167.** Further discussions took place, during which the Employer Vice-Chairperson stressed that workers also had the right *not* to belong to a trade union.

**168.** The following compromise text, drafted by the working group, was proposed for adoption:

“Athletes should enjoy the rights of freedom of association and the effective recognition of the right to collective bargaining.”

**169.** Paragraph 35 was adopted, as amended.

#### **Proposed paragraph 36**

**170.** The Employer Vice-Chairperson proposed to insert wording to emphasize that athletes should have the right to join, not join and withdraw from a union, without fear of retaliation. She drew attention to reports of workers being targeted for not being members of a union and stressed that abusive practices existed.

**171.** The Worker Vice-Chairperson suggested the following formulation: “all athletes should be protected against acts of anti-union discrimination, including acts intended to make their work as athletes contingent upon not joining or relinquishing membership in a trade union”. He could not agree to the Employers’ proposal, as the guidelines must not provide grounds for anti-union activity. While the abusive practices mentioned might occur in other sectors, he was not aware of any cases of athletes being victimized for not joining a union.

**172.** Following further discussions, a compromise was proposed that retained the first sentence of the paragraph: “all athletes should be protected against acts of anti-union discrimination”.

**173.** Paragraph 36 was adopted, as amended.

#### **Proposed paragraph 37**

**174.** The Employer Vice-Chairperson proposed to retain only the first sentence of the paragraph, as the remaining text moved beyond the mandate of the meeting and the scope of the guidelines, and referred to financing by employers’ organizations.

175. The Worker Vice-Chairperson emphasized that athlete commissions were not independent entities, but were structures within sports governing bodies. He proposed the following wording: "Sport governing bodies may establish advisory bodies such as athlete commissions, provided that is done in a way which does not substitute for or undermine the right to freedom of association or collective bargaining". He noted that it was common for sports governing bodies to control appointments to athletes' bodies or to interfere with the actions of player associations.
176. The Employer Vice-Chairperson said that the Workers' proposal did not reflect the diverse realities and contexts in sport. She suggested drawing a distinction between the entities mentioned: "athlete commissions, that may be different from athlete unions". She added that the organizations and commissions under discussion were not represented in the meeting room, with the exception of the fact that some meeting participants also belonged to some of those bodies.
177. Following further discussions, a compromise text was proposed, which retained the first sentence of the original paragraph:
- "Sports employers, athletes and their organizations should enjoy adequate protection against any acts of interference by each other or each other's agents or members in their establishment, functioning or administration."
178. Paragraph 37 was adopted, as amended.

#### **Proposed paragraph 38**

179. The Employer Vice-Chairperson proposed several minor amendments to improve consistency and coherence.
180. Paragraph 38 was adopted, as amended.

#### **Proposed paragraph 39**

181. The Employer Vice-Chairperson proposed to acknowledge the role of employers and to strengthen the wording of the paragraph by amending the chapeau to read: "To promote, respect and realize the right to freedom of association and the effective recognition of the right to collective bargaining for athletes and employers, Governments in consultation with employers' and workers' organizations should:".
182. The Worker Vice-Chairperson and Employer Vice-Chairperson proposed amendments to improve the wording of subparagraph (a), to avoid repetition and add clarity.
183. Paragraph 39 was adopted, as amended.

#### **Proposed paragraph 40**

184. The Employer Vice-Chairperson proposed two amendments to improve the logic and coherence of the text to align wording with standard usage within the Organization.
185. Paragraph 40, as a whole, was adopted as amended.

#### **Proposed paragraph 41**

186. The Worker Vice-Chairperson proposed to insert a new subparagraph immediately after the chapeau, to read: "organize athletes and promote effective recognition of the right to collective bargaining".
187. Paragraph 41 was adopted, as amended.

## 6. Elimination of all forms of forced or compulsory labour

### Proposed paragraph 42

188. Paragraph 42 was adopted, as proposed.

### Proposed paragraph 43

189. Paragraph 43 was adopted, as proposed.

### Proposed paragraph 44

190. The Employer Vice-Chairperson proposed to delete the last part of the paragraph, from “including” to the end, as the text included an excessive level of detail.

191. The Worker Vice-Chairperson recommended retaining the text slated for deletion by the Employers and proposed a series of amendments to the first three sentences of the paragraph. The aim was to highlight the existence of challenges and constraints on free labour – prevalent in the sports sector – associated risks and the impact on fundamental principles and rights at work. In the opening sentence, he suggested that the addition of “from time to time” would make the clause less permissive.

192. The Government Vice-Chairperson said that in the text drafted by the Office, the last sentence assigned roles to governments and social partners to collaborate to protect rights, providing clarity on the issue of free labour.

193. The Employer Vice-Chairperson insisted that the text encroached into the sphere of sports governance and that existing jurisprudence covered the issues raised. It was a matter for sports organizations, as they organized competitions. She rejected the inclusion of a reference to transfer fees or training time schedules, which did not fall within the scope of the guidelines.

194. Following further discussions, in particular on examples of constraints, a compromise text was proposed, retaining the final sentence of the paragraph and including one example of constraints on free labour, to read as follows:

“Governments and social partners should develop policies and provisions through social dialogue to prevent any practice that may result in undue constraints on free labour, including disproportionate penalties.”

195. Paragraph 44 was adopted, as amended.

### Proposed paragraph 45

196. Paragraph 45 was adopted, as proposed.

### Proposed paragraph 46

197. The Worker Vice-Chairperson proposed several minor changes to simplify the paragraph and make it more inclusive, and to delete references to transfer systems and changes of national allegiance.

198. Paragraph 46 was adopted, as amended.

### Proposed paragraphs 47–50

199. Paragraphs 47–50 were adopted, as proposed.

### Proposed paragraph 51

- 200. The Employer Vice-Chairperson proposed, in subparagraph (b), to insert “and raise awareness on these principles” and delete the remainder of the subparagraph, and to delete subparagraph (c) in its entirety. She advised against long lists or references to practices involving intermediaries, beyond the scope of the guidelines.
- 201. The Worker Vice-Chairperson proposed in subparagraph (c) to insert after “raise awareness” the wording “on information pertaining to false agents is readily available”, stressing the importance of combating the activities of such agents.
- 202. The Employer Vice-Chairperson said that while she acknowledged the problem of false agents, the issue fell outside the scope of the guidelines.
- 203. The Government Vice-Chairperson noted that the text prepared by the Office set out roles and responsibilities and reflected good practice. She noted that intermediate or third-party recruiters were also employers. She also noted, with regard to the migration status of workers, that sending countries, transiting countries or receiving countries should guarantee workers’ basic rights relating to their work status in the receiving country. Having citizens’ rights would protect them in their new country of allegiance.
- 204. The Worker Vice-Chairperson said that employers had a responsibility to respect internationally recognized human rights, which included acting outside of their own domain and exercising leverage over others, including intermediaries.
- 205. The Employer Vice-Chairperson proposed adapted wording for subparagraph (c): “raise awareness on any information pertaining to fake agents that is readily available”.
- 206. Paragraph 51 was adopted, as amended.

### Proposed paragraph 52

- 207. Paragraph 52 was adopted, as proposed.

## 7. Abolition of child labour

### Proposed paragraph 53

- 208. The Employer Vice-Chairperson proposed to delete the reference to the United Nations Convention on the Rights of the Child, as it lay beyond the scope of the meeting, and to add a definition of a child athlete.
- 209. The Worker Vice-Chairperson objected to the proposed deletion of the reference to the United Nations Convention on the Rights of the Child, adding it clearly related to the application of international labour standards, which fell squarely within the scope of the guidelines. He also stressed that the paragraph concerned protection for all children, not merely those who happened to be workers.
- 210. The Government Vice-Chairperson proposed to add “and ensures that children’s participation in sports does not compromise their health, safety, education or development”, for emphasis, clarity, and to ensure consistency with the provisions of the Worst Forms of Child Labour Convention, 1999 (No. 182).
- 211. Following further discussions, it was agreed to specify that the Preamble of the ILO Worst Forms of Child Labour Convention, 1999 (No. 182), referred to the United Nations Convention on the

Rights of the Child, to delete the latter part of that sentence, and to modify the wording of the paragraph accordingly.

**212.** Paragraph 53 was adopted, as amended.

#### **Proposed paragraph 54**

**213.** The Employer Vice-Chairperson proposed to delete “deprivation of educational opportunities”, as the wording was confusing and abstract, and each country had its own rules and legislation on education.

**214.** The Government Vice-Chairperson proposed several amendments, including to insert “in position of trust” after the words “other adults”, as the majority of people interacting with child athletes were indeed persons of trust, including family members. She also proposed to include a reference to “gender-based violence”, for clarity and added emphasis.

**215.** The Worker Vice-Chairperson stressed that deprivation of educational opportunities was a major issue, given that sports careers were short, precarious and involved specializing at a young age. If the Employers favoured a more positive framing, he proposed: “and ensure their full access to education”.

**216.** Paragraph 54 was adopted, as amended.

#### **Proposed paragraph 55**

**217.** The Employer Vice-Chairperson proposed to add “by their nature or the circumstances in which they are carried out” to qualify “sports”, to reflect the language used in Article 3(d) of Convention No. 182.

**218.** The Worker Vice-Chairperson said that using the language of Convention No. 182, made it clear that some sports – by their nature – carried a risk. He drew attention to the “professionalization” of children in sports such as gymnastics, where revelations of abuse had resulted in governments and sports bodies expanding their integrity initiatives to include the protection of minors. Governments had a basic responsibility to protect athletes from such risks. He recommended adhering to the language of the Convention.

**219.** After further discussions on the wording of the paragraph, it was agreed that the text would read as follows: “Types of sports may, by their nature or the circumstances in which they are carried out, harm the health, safety or morals of a child athlete and may, in extreme cases, constitute the worst forms of child labour.”

**220.** Paragraph 55 was adopted, as amended.

#### **Proposed paragraph 56**

**221.** The Employer Vice-Chairperson proposed to merge paragraphs 56 and 57.

**222.** The Worker Vice-Chairperson proposed to add a reference to “meaningful participation”, a fundamental element of the rights of the child, and to mitigate the risk associated with abuse of the concept of “best interests”. Some of the most oppressive and abusive environments for children, particularly minority and vulnerable groups, had been imposed purportedly created “in their best interests”.

**223.** The Government Vice-Chairperson proposed to insert the following wording: “in particular children in sports should be protected from exploitation and unsafe practices and against all

forms of violence and harassment” and to add “and those entrusted with their care and development” after the word “sport”.

224. After further discussions, during which the Employer Vice-Chairperson stressed her group’s desire to simplify the text and frame the contribution of sport to society in a positive light, an agreement was reached on the wording of the paragraph.
225. Paragraph 56 was adopted, as amended.

#### **Proposed paragraph 57**

226. Paragraph 57 was deleted and moved to the beginning of paragraph 56.

#### **Proposed paragraph 58**

227. The Government and Worker Vice-Chairpersons proposed minor editorial amendments to ensure alignment and consistency.
228. Paragraph 58 was adopted, as amended.

#### **Proposed paragraph 59**

229. The Government Vice-Chairperson proposed to insert a reference to “recruitment and selection” before “vetting and training”. Due diligence should start at the recruitment and selection stage.
230. The Worker Vice-Chairperson proposed to delete, in subparagraph (b), the word “criminal” with reference to “background checks”, as child safeguarding checks were broader than basic criminal background checks, and to insert the wording “on any criminal or administrative proceeding”.
231. Paragraph 59 was adopted, as amended.

#### **Proposed paragraph 60**

232. The Employer Vice-Chairperson proposed to replace “ensure” with “promote” in the opening section of the paragraph, and to insert the wording “where applicable”, as not all countries had the same governance structures.
233. The Government Vice-Chairperson proposed to add a reference to “other sports stakeholders”, to emphasize that the world of sports was dynamic, and no single group was responsible for its governance.
234. The Worker Vice-Chairperson said that the paragraph addressed a significant issue relating to child labour, namely the right of children to access education while in the professional academy system. Children had a fundamental right to education, so it was important to ensure, not merely promote, access to education. Athletes retired at a young age, either voluntarily or involuntarily, and needed to transition into active labour market participation. In line with WHO and ILO guidelines, it was important to ensure their physical, mental and social well-being. The proposed amendment risked robbing the guidelines of their relevance to the sports industry. The professionalization of children placed their education at risk.
235. The Employer Vice-Chairperson noted that, given the existence of both public and private academies, it was not always possible to “ensure” appropriate education for athletes. With respect to the proposed insertion of “where applicable”, while her group was aware of the need to access education during and after sports careers, her amendment reflected the reality on the ground, namely that many countries did not have the appropriate structures in place.

- 236.** Following further discussions and minor amendments to the wording of the text, including on additional proposals by the Government and Workers' groups, the meeting agreed on the following compromise text:

"Professional sports academies should respect and promote the fundamental importance of appropriate education for students and other sports stakeholders which develops their sporting excellence but also, where applicable, having regard to the interests of the students should prepare them for active labour market participation after a sport career."

- 237.** Paragraph 60 was adopted, as amended.

### Proposed paragraph 61

- 238.** Several amendments were proposed, similar to those put forward in paragraph 60.
- 239.** The Worker Vice-Chairperson, echoing comments relating to the previous paragraph, stressed that sports academies had a duty not only to promote, but also to respect athletes' rights to education. While they may not have the required capacity themselves, they could procure services and facilitate access to education. He proposed wording to that effect.
- 240.** A Worker adviser from the United States of America said that promising young players were taken out of school at an early age to train in academies; only a very small percentage made it to the major leagues. It was therefore imperative to provide educational opportunities for athletes.
- 241.** The Government Vice-Chairperson proposed to add a reference to the guardians of child athletes, noting that families were closely involved in their education and development, and should receive the same information on rights, opportunities and challenges relating to a child's sporting career. She also suggested including a specific reference to "online bullying and abuse" given the significant risks posed by contemporary technology and social media.
- 242.** The Employer Vice-Chairperson argued that "bullying and abuse" should be deleted, as it was not directly related to the fundamental principles and rights at work. She added that image rights and the use of social media were issues related to other sectors, beyond the scope of the guidelines.
- 243.** Following further discussions on the wording of the paragraph, the following compromise text was agreed:

"Sports employers and sports organizations, as well as other relevant sports stakeholders, in cooperation with sports academies and centres of excellence, should respect and promote the fundamental importance of child athletes being provided with tailored educational programmes that inform them and their guardians of their rights, the opportunities and challenges associated with a sporting career, the importance of education and social protection, integrity in sport, protection against violence and harassment, including online harassment, image rights, occupational safety and health, and responsible use of technologies and social media."

- 244.** Paragraph 61 was adopted, as amended.

### Proposed paragraph 62

- 245.** The Government Vice-Chairperson proposed to insert a reference to "public sensitization processes" and "thorough and confidential investigative systems", to ensure that safeguarding mechanisms were established by governments and, where relevant, social partners and other stakeholders.
- 246.** The Worker Vice-Chairperson suggested an alternative formulation, including the addition of "independent" to qualify "reporting processes".

**247.** Following additional discussions on the wording of the paragraph, the text was redrafted to read:

“All sports organizations dealing with children should, in consultation with Governments, social partners and relevant stakeholders, develop safeguarding policies and procedures specific to children. Such policies should set out in a clear and understandable manner the organization’s understanding and definitions of all forms of harm to children and the organization’s commitment to safeguarding children in all aspects of its work and be endorsed by the highest level of the organization. These policies should also establish effective, independent and confidential reporting, investigative and remedy mechanisms, including public sensitization processes.”

**248.** Paragraph 62 was adopted, as amended.

### **Proposed paragraph 63**

**249.** The Employer Vice-Chairperson, stressing the importance of the Minimum Age Convention, 1973 (No. 138), and Convention No. 182, proposed to strengthen the language in subparagraph (a) to read “ratify and effectively implement the Minimum Age Convention, 1973 (No. 138), and effectively implement the Worst Forms of Child Labour Convention, 1999 (No. 182), which has been universally ratified”.

**250.** The Employer Vice-Chairperson and the Government Vice-Chairperson proposed several amendments to subparagraph (c), to improve clarity and coherence.

**251.** The Worker Vice-Chairperson suggested including, in subparagraph (e), the wording “respect and promote”, as adopted elsewhere in the guidelines.

**252.** The Government Vice-Chairperson stressed that the paragraph addressed government prerogatives, obligations and duties, including to ensure good governance, with the help of the social partners.

**253.** A short discussion followed, during which the Worker Vice-Chairperson explained that the subparagraph did not ask governments to guarantee a specific outcome, but to ensure appropriate regulation. The meeting subsequently decided to retain the Office draft of subparagraph (d).

**254.** The Employer Vice-Chairperson proposed to delete subparagraph (f), as transfers were not regulated by governments but by the market.

**255.** A discussion followed on cross-border jurisdiction, the regulatory role of governments and sports governance, during which several additional proposals were made. The Worker Vice-Chairperson pointed out that the text concerned regulating – not banning – the cross-border transfer of minors, while the Government Vice-Chairperson stressed that the subparagraph promoted good governance and was limited in scope to the cross-border recruitment of minors, rather than cross-border recruitment in general. A consensus text was drafted, which read “regulate cross-border recruitment of minors, where applicable;”.

**256.** The Government expert from Slovenia noted that as the application of the text would ultimately be defined by governments, her group agreed to the consensus wording.

**257.** Paragraph 63 was adopted, as amended.

### **Proposed paragraph 64**

**258.** The Employer Vice-Chairperson proposed several minor amendments for clarification purposes, in line with employers’ competences and realities in different countries.

**259.** Paragraph 64 was adopted, as amended.

### Proposed paragraph 65

- 260. The Worker Vice-Chairperson proposed to add a new subparagraph, before subparagraph (a), to read as follows: “organize child athletes and provide for their meaningful participation in workers’ organizations”. Noting that all workers had the right to organize, he explained that child athletes were important to the sports ecosystem and it was essential to ensure their meaningful participation. Noting that anyone under the age of 18 classified as a minor, he noted that player associations members included many young athletes. One of the capacity-building measures adopted by associations involved taking steps to ensure that child athletes could participate meaningfully in their activities, that they were protected and that they had agency within the organization. Those were challenging tasks, and guidance was needed in that area. The subparagraph addressed workers’ organizations and had no impact on the activities of governments or employers.
- 261. The Employer Vice-Chairperson requested clarification on how that participation would come about and what form it would take, including the ethical implications.
- 262. Following further adjustments to the wording of the paragraph, the meeting agreed on a consensus text, which incorporated the Workers’ proposed text into subparagraph (b), focusing on building capacity to organize child athletes and provide for their meaningful participation.
- 263. Paragraph 65 was adopted, as amended.

## 8. Promoting equality and non-discrimination

- 264. The Employer Vice-Chairperson proposed the following section title: “Promoting equal remuneration and non-discrimination in employment and occupation”
- 265. The Government Vice-Chairperson expressed a preference for “Promoting equality”.
- 266. The Worker Vice-Chairperson proposed to resolve the issue by turning to the language of the relevant ILO Conventions. On that basis, he expressed support for the wording proposed by the Employers’ group.
- 267. The heading of the section was adopted, as amended.

### 8.1. General principles

- 268. The Worker Vice-Chairperson proposed to delete all the subsection headings in section 8, on the basis that they were redundant and could create confusion.
- 269. It was so agreed.

### Proposed paragraph 66

- 270. The paragraph was redrafted and split into two separate paragraphs, with a view to improving coherence.
- 271. Paragraph 66 was adopted, as amended.

### Proposed paragraph 67

- 272. The Government Vice-Chairperson recommended adding a reference to “education”, as not all training was vocational, and formal education should also be acknowledged.
- 273. The Worker Vice-Chairperson argued that “education” did not belong in that paragraph.
- 274. Paragraph 67 was adopted, as amended.

**Paragraph 67 bis**

275. The Government Vice-Chairperson proposed to insert a new paragraph to read: “These challenges can be further shaped by intersectionality – the overlapping and compounding experiences of discrimination or exclusion.”
276. Paragraph 67 *bis* was adopted, as proposed.

**8.2. Gender equality**

277. In line with the agreement under section 8, the subsection heading was deleted.

**Proposed paragraph 68**

278. The Employer Vice-Chairperson proposed several amendments, including replacing “provide” with “promote” and deleting the reference to gender equality, to improve grammatical coherence and add legal certainty.
279. The Government Vice-Chairperson expressed a preference for the Office text, stressing that the paragraph addressed government duties.
280. The Worker Vice-Chairperson argued that the reference to gender equality was a positive affirmation of non-discrimination against women and girls, and recommended maintaining explicit references to gender equality, equal pay and investment in women’s sport. A “compelling business case” was a broader concept than investment, and included broadcasting rights, sponsorship and the right entrepreneurial approach.
281. The Employer Vice-Chairperson stated the amendments were not intended to restrict equal pay, but rather to maintain textual coherence.
282. Following further discussions, wording was drafted for the paragraph that reflected the emerging consensus:
- “Governments should promote equal terms and conditions of work for female athletes, including through establishing strategies and policies that promote gender equality and related monitoring, evaluation and accountability, and promoting an enabling environment for sustainable enterprises, to advance the business case for and investment in women’s sport.”
283. Paragraph 68 was adopted, as amended.

**Proposed paragraph 69**

284. The Employer Vice-Chairperson proposed a minor editorial amendment and suggested deleting “including in relation to prize money, image rights, promotional fees and benefits” as it fell outside of the scope of the guidelines.
285. Paragraph 69 was adopted, as amended.

**Proposed paragraph 70**

286. Paragraph 70 was adopted, as proposed.

**Proposed paragraph 71**

287. The Employer Vice-Chairperson proposed that the chapeau should read: “Constituents should take steps to advance the implementation of equal remuneration and non-discrimination”.

- 288. A short discussion followed, during which a further change was proposed, and the meeting agreed to align the wording of the chapeau with the language used in core international labour standards, and the decision taken under section 8 of the draft guidelines.
- 289. The Government Vice-Chairperson proposed to add “leadership and” after the words “women in”.
- 290. Paragraph 71 was adopted, as amended.

### Proposed paragraph 72

- 291. The Employer Vice-Chairperson proposed to insert, in the chapeau, wording to clarify the scope of the paragraph.
- 292. The Government Vice-Chairperson proposed to insert, after subparagraph (a), a new subparagraph, to read: “increased promotion of women’s sport, including through media”. She argued that the wording of subparagraph (c) related specifically and exclusively to equal pay in prize money, while her group’s proposal was broader.
- 293. The Employer Vice-Chairperson said that she would accept that proposal if the Government group agreed to delete “including through media”.
- 294. The Worker Vice-Chairperson proposed to insert a further subparagraph after subparagraph (a), to read: “increased transparency in the allocation of financial resources between men’s and women’s sport”.
- 295. Further amendments were proposed to improve clarity and coherence, and to align to the wording of the paragraph, relating to – inter alia – promoting investment in women’s sport, public and private grants and sponsorship, access to lifelong learning and skills development, and access to education adapted to athletes’ needs.
- 296. Paragraph 72 was adopted, as amended.

### Proposed paragraph 73

- 297. The Government Vice-Chairperson, acknowledging that there were divergent positions within her group regarding the matter, proposed to delete the first sentence of the paragraph and insert the word “and sex” after the reference to “gender”.
- 298. The Government expert from Slovenia stated that on her own behalf, and on behalf of her colleagues from Belgium, France, Spain, Colombia, Chile and Mexico, they attached the utmost importance to combating all forms of discrimination which was a fundamental principle and right at work, including discrimination based on gender identity. As such, they would have preferred to retain paragraph 73 as proposed by the Office which reflected the reality of the situation and would have made this issue visible to readers of the text. Nevertheless, they supported the consensus position of the Governments put forward by the Vice-Chairperson.
- 299. The Worker Vice-Chairperson stated that his group supported the amended text but wanted to reaffirm the position of the Workers’ group of the ILO that questioning equality on any ground risks undermining the ILO’s very constitutional principles. The commitment to non-discrimination must be upheld for all workers without exception. This must include looking into additional and emerging grounds for discrimination such as age, disability, sexual orientation and gender identity. As such, his group would have preferred to have kept the original text of paragraph 73 as proposed by the Office. However, in the spirit of consensus, they agreed to the position of the Governments put forward by the Vice-Chairperson of the Government group.
- 300. Paragraph 73 was adopted, as amended.

**Proposed paragraph 73 *bis***

- 301.** The Government Vice-Chairperson proposed to insert a new paragraph, to follow paragraph 73, to read as follows: “Gender equality for athletes requires consideration of gender specificities, including menstrual cycles or menopause as an important issue.”
- 302.** Following a short discussion, the proposed new paragraph was reframed to read: “Non-discrimination in employment and occupation for athletes requires consideration of gender specificities.”
- 303.** Paragraph 73 *bis* was adopted, as amended.

**Proposed paragraph 74**

- 304.** The Employer Vice-Chairperson proposed to reformulate the paragraph as follows: “Adequate maternity protection and parental leave, in line with the Maternity Protection Convention, 2000 (No. 183), should also be promoted.”
- 305.** Paragraph 74 was adopted, as amended.

**Proposed paragraph 75**

- 306.** The Employer Vice-Chairperson proposed to include in the chapeau a reference to social protection and to add “where appropriate” after “family leave”.
- 307.** The Worker Vice-Chairperson objected to the repeated insertion by the Employers’ group of adverbial phrases, such as “where appropriate”, in a text relating to fundamental principles and rights.
- 308.** The Employer Vice-Chairperson noted that actions implemented under the guidelines would always be subject to national legislation and stressed that the guidance provided had to be legally viable at the national level. She agreed to the alternative wording suggested by the Worker Vice-Chairperson, namely “where applicable”.
- 309.** The Worker Vice-Chairperson proposed to add, in subparagraph (a), the phrase “promote protection and extension of contracts”. He stressed that the proposed provision only applied in relation to pregnancy, adoption or family leave, and addressed a specific issue that materially impacted athletes due to the prevalence of fixed-term contracts. The aim was to extend contracts to ensure that athletes did not lose their jobs when they returned from leave, to prevent discrimination.
- 310.** The Employer Vice-Chairperson proposed to delete, in subparagraph (b), the reference to the “preservation of sport rankings”.
- 311.** The Worker Vice-Chairperson proposed to replace, in subparagraph (d), “where appropriate” with “minimum”. That proposal was based on Article 4 of the Maternity Protection Convention, 2000 (No. 183). While focusing on the application of the fundamental principles and rights at work, and the prevention of violence and harassment in the world of work, the meeting had agreed to also consider other ILO instruments. It was not a prescriptive subparagraph.
- 312.** The Employer Vice-Chairperson proposed to remove, in subparagraph (f), the word “social” from “medical and social support”.
- 313.** The Worker Vice-Chairperson noted that support was not confined to medical care.
- 314.** After a brief exchange, the Chairperson suggested the term “health support”.

- 315. The Worker Vice-Chairperson proposed to add a new subparagraph after subparagraph (g), stating: “provision of access to paternity leave, where applicable”.
- 316. The Employer Vice-Chairperson agreed, on the condition that a reference to national legislation would be included.
- 317. The Government Vice-Chairperson noted that some countries provided protection that exceeded the minimum maternity provisions set out in ILO Conventions, without having ratified those instruments. Good practice did not always depend on formal ratification. She thus saw no need to insist on references to national legislation.
- 318. Following further discussion on appropriate wording, the following compromise text was proposed: “provision of access to paternity leave, where appropriate in national legislation”.
- 319. Paragraph 75 was adopted, as amended.

### **8.3. Racism, sexism, and other forms of discrimination**

- 320. In line with the agreement under section 8, the subsection heading was deleted.

#### **Proposed paragraph 76**

- 321. A recurring amendment, agreed under paragraph 76, was inserted, and the Employer Vice-Chairperson proposed minor amendments to improve the coherence of the text.
- 322. Paragraph 76 was adopted, as amended.

#### **Proposed paragraph 77**

- 323. Amendments were proposed by the Employer and Worker Vice-Chairpersons, with a view to improving readability and coherence, to avoid repetition and to align the wording with language used elsewhere in the guidelines.
- 324. Paragraph 77 was adopted, as amended.

#### **Proposed paragraph 78**

- 325. The Employer Vice-Chairperson proposed to reformulate the chapeau, to read “All Constituents should, in collaboration with other stakeholders and when appropriate, advance prevention strategies, which can include”. She clarified that “when appropriate” aimed to make the guidelines applicable and useful, as there were always exceptions and, at times, it was not possible to collaborate on certain tasks.
- 326. A recurring amendment, agreed under paragraph 76, was inserted in subparagraphs (a), (b), (c) and (d), and several amendments proposed to the wording of subparagraphs (d) and (e), to ensure coherence and alignment.
- 327. The Worker Vice-Chairperson proposed that disciplinary action, mentioned in subparagraph (d), should be taken against “anyone”. The sports sector was currently focusing on addressing abusive behaviour, including by fans, and efforts were under way to create a platform to prevent abuse. In response to a query on enforcement of disciplinary measures, he explained that potential punishments included loss of access to grounds, withdrawal of tickets, restorative justice and educational measures.
- 328. The relevant sentence was reformulated to reflect that proposal.

- 329.** The Employer Vice-Chairperson proposed to replace, in subparagraph (e) “clubs, teams and security” with “relevant stakeholders”, an all-encompassing term that would also cover, for example, security staff.
- 330.** The Employer Vice-Chairperson proposed to delete the first section of subparagraph (f), so that the text would read: “develop a common stance against racism, sexism and other kinds of discrimination”. The aim was to simplify the drafting and ensure it provided added value, as guidelines needed to be applicable, clear and logical.
- 331.** The Worker Vice-Chairperson said that subparagraph (g) should mention both judicial and non-judicial measures to combat discrimination. Moreover, he proposed new text to provide additional guidance, calling on constituents to undertake ongoing due diligence to identify risks of discrimination, and to provide access to effective remedy. His proposals reflected best practice, in compliance with ILO standards, the fundamental principles and rights at work and internationally recognized human rights. Following further discussions, and in response to concerns raised by the Employer Vice-Chairperson, he proposed alternative wording, covering the concept of due diligence, to be incorporated into existing subparagraph (g): “such as ongoing assessments in relation to racism, sexism and other forms of discrimination”.
- 332.** Paragraph 78 was adopted, as amended.

### Proposed paragraph 79

- 333.** The Employer Vice-Chairperson proposed to insert, in the chapeau, the wording: “Constituents should, when appropriate, promote”.
- 334.** The Government Vice-Chairperson argued that it was always “appropriate” to counter racism and discrimination.
- 335.** The Worker Vice-Chairperson warned that the perennial argument that “sport was different” could be used as an excuse for avoiding duties and responsibilities. As discussed previously, the repeated insertion of “when appropriate” in the text was problematic. He suggested using “where applicable” instead.
- 336.** Following a short discussion, it was agreed that the following formulation would be used (to be split into two sentences, as suggested by the Employers’ group): “Constituents should, when applicable, promote support measures for athletes that encounter racism, sexism and other forms of discrimination. These can include:”.
- 337.** The Employer Vice-Chairperson proposed to delete the reference to “media regulators” in subparagraph (d).
- 338.** The Government Vice-Chairperson stressed that regulators played a key role, including in guiding other stakeholders, and noted that media companies were stakeholders but not regulators.
- 339.** The Worker Vice-Chairperson suggested the broader wording “engaging media to combat discrimination, violence and harassment”.
- 340.** Following a discussion on the framing of the subparagraph, during which several amendments were proposed, the meeting agreed on the following broad formulation – which could also cover regulators: “engaging media to combat discrimination, violence and harassment on media platforms”.
- 341.** The Government Vice-Chairperson proposed to insert a new subparagraph after subparagraph (d), to read: “increasing the awareness of the long-term dangers and harm of

racism, sexism and other forms of discrimination among athletes, federations, clubs and other relevant actors in the sport sector”.

342. Proposed paragraph 79 was adopted, as amended.

#### **Proposed paragraph 80**

343. The Employer Vice-Chairperson proposed to delete the entire paragraph, as well as paragraphs 81 and 82, arguing that they were entirely outside the remit of the discussion.

344. The Government Vice-Chairperson, noting the provisions concerned establishing grievance mechanisms enabling victims to report incidents and have their voices heard, supported retaining the text. She proposed several amendments, aimed to strengthen emphasis and ensure consistency, and to insert a new subparagraph on establishing a reporting mechanism, as well as additional text on safeguarding, to ensure that issues relating to discrimination were handled in a professional and confidential manner.

345. The Worker Vice-Chairperson preferred to retain the three paragraphs under discussion, as they highlighted several key issues, and it was important to provide guidance beyond merely restating the fundamental principles.

346. The Employer Vice-Chairperson reiterated her proposal to delete paragraphs 80 and 81, noting that paragraphs 25–27 already covered the issues raised and that further detail was unnecessary.

347. The Worker Vice-Chairperson agreed there was merit in that request, observing that provisions on access to effective remedy, particularly in paragraph 77 and the sections on violence and harassment, already covered the matters raised in paragraphs 80 and 81, and that avoiding duplication would enhance coherence. He therefore supported the proposal to delete paragraphs 80, 81 and 82.

348. Paragraph 80 was deleted.

#### **Proposed paragraph 81**

349. In line with the decisions made under paragraph 80, paragraph 81 was deleted.

#### **Proposed paragraph 82**

350. In line with the decisions made under paragraph 80, paragraph 82 was deleted.

#### **Proposed paragraph 83**

351. The Government Vice-Chairperson proposed to mention “volunteers” after “athletes” in the second sentence of the paragraph.

352. The Employer Vice-Chairperson said that she could not support that proposal, as there was no established labour relationship with volunteers. She also proposed to delete the reference to stakeholders at the start of the paragraph and to insert the wording “and in collaboration with other relevant stakeholders, where appropriate”. Volunteers were not part of the sport economic ecosystem.

353. The Worker Vice-Chairperson said the sports sector had extensive experience of working with volunteers in delivering sporting events. Their role was well-established and part of a sophisticated system. He noted that the Sporting Chance Principles recognized the role of volunteers.

- 354. The Employer Vice-Chairperson insisted that the focus must remain on labour relations. In her view, volunteers at sports events belonged to a separate economic sector, namely event organization, and did not form part of the core business of sports.
- 355. The Government Vice-Chairperson suggested that the term “other sport officials” could be used, and would implicitly also cover volunteers.
- 356. Paragraph 83 was adopted, as amended.

#### 8.4. Disability and sport

- 357. In line with the decision made under section 8, the subsection heading was deleted.

##### Proposed paragraph 84

- 358. The Employer Vice-Chairperson proposed to open the paragraph with: “Athletes with disabilities and adapted sports for athletes with disabilities”. She proposed to eliminate references to “special” protection and preferred “adapted”.
- 359. Paragraph 84 was adopted, as amended.

#### 8.5. Actions for constituents

- 360. In line with the decision made under section 8, the subsection heading was deleted.

##### Proposed paragraph 85

- 361. A recurring amendment, agreed under paragraph 76, was inserted in subparagraph (a). Several other amendments were also introduced, to enhance the cohesion and clarity of the text.
- 362. The Employer Vice-Chairperson proposed, in subparagraph (b), to replace “from under-represented groups” with “without discrimination of any form”.
- 363. Paragraph 85 was adopted, as amended.

##### Proposed paragraph 86

- 364. The Employer Vice-Chairperson proposed, in subparagraph (b) to replace “migration” with “origin” when referring to status.
- 365. The Worker Vice-Chairperson supported the amendment, as “origin” was the correct term and proposed a minor editorial amendment, namely to delete “status”.
- 366. The Employer Vice-Chairperson proposed in subparagraph (c) to insert after the word “promote” the following language: “diversity, through”.
- 367. The Government Vice-Chairperson proposed, in subparagraph (d), to insert a recurring amendment, namely “racism, sexism and other forms of discrimination”.
- 368. The Employer Vice-Chairperson proposed to delete subparagraph (e) “ensure safe, fair and” and to replace it with “take appropriate steps”. She also suggested that “easy” should be deleted with reference to “access”.
- 369. Several other amendments were proposed by the Employer, Government and Worker Vice-Chairpersons, to clarify wording and ensure alignment with other sections of the guidelines.
- 370. Paragraph 86 was adopted, as amended.

**Proposed paragraph 87**

371. A recurring amendment, agreed under paragraph 76, was inserted in subparagraph (c).

372. Paragraph 87 was adopted, as amended.

**9. A safe and healthy working environment****Proposed paragraph 88**

373. Paragraph 88 was adopted as proposed.

**Proposed paragraph 89**

374. The Employer and the Worker Vice-Chairpersons proposed minor amendments to enhance the cohesion and clarity of the text.

375. Paragraph 89 was adopted, as amended.

**Proposed paragraph 90**

376. The Employer Vice-Chairperson proposed to redraft the paragraph to read: "Athletes and workers' organizations are important partners in the implementation and promotion of measures necessary to ensure their safety and health in the working environment".

377. Paragraph 90 was adopted, as amended.

**Proposed paragraph 91**

378. Paragraph 91 was adopted, as proposed.

**Proposed paragraph 92**

379. The Employer Vice-Chairperson proposed to redraft the first section of the paragraph as follows: "Measures to ensure workplace safety, including personal protective equipment (PPE) and protective athletic gear, should be fit appropriate". She proposed to delete the remainder of the paragraph.

380. The Government Vice-Chairperson said that she did not support the proposed deletion, as that section illustrated the objective of the paragraph.

381. The Worker Vice-Chairperson proposed, in line with previously agreed text, to open the paragraph as follows: "Measures to ensure a safe working environment should include the provision of". Although he would have preferred to retain the section the Employers wished to delete, he recommended adding the following to the reference to protective gear: "that is adequate, properly fitted and tailored to the needs of the athlete". He further proposed, turning to the language of Article 21 of the Occupational Safety and Health Convention, 1981 (No. 155), to insert at the end of the paragraph the wording "occupational safety and health measures shall not involve any expenditure for workers".

382. Paragraph 92 was adopted, as amended.

**Proposed paragraph 93**

383. The Employer Vice-Chairperson proposed to replace "in sport" with "for athletes in the workplace" and to replace "making available" with "access to". She further proposed to add "sport" to qualify

“injuries” and the insert “be provided with adequate information and” after the words “Athletes should “in the second sentence.

**384.** The Worker Vice-Chairperson proposed the wording “working environment” rather than “workplace”, in line with Employers’ group priorities.

**385.** Paragraph 93 was adopted, as amended.

#### **Proposed paragraph 94**

**386.** The Worker Vice-Chairperson emphasized the need to ensure free and informed consent and proposed wording to that effect: “Medical information and biometric data obtained through health or training services in sport relating to an athlete should be afforded the same protection as any medical information, unless the athlete has provided their free and informed consent.”

**387.** Paragraph 94 was adopted, as amended.

#### **Proposed paragraph 95**

**388.** The Worker Vice-Chairperson proposed to insert in subparagraph (b) the following wording: “and ensuring that such research and risk assessment are responsive to gender-related differences”. The aim was to avoid creating an unsafe and discriminatory workplace, tailored to male athletes’ needs. He stressed the need for research and risk assessments relating to women’s and girls’ needs, as well as a gender-sensitive approach to occupational safety and health.

**389.** The Government Vice-Chairperson stressed the importance of post-injury rehabilitation and ensuring that athletes recovered fully before returning to sport. She proposed to insert, after subparagraph (d), a new subparagraph, which would read: “providing adequate rehabilitation services to facilitate the recovery (and reintegration) of injured or ill athletes and ensure that athletes return to sport and competition only after they are fit to do so, as determined by a competent medical practitioner”.

**390.** The Employer Vice-Chairperson said that she could not accept the text proposed by the Government group, as it addressed medical matters and the guidelines were not the appropriate forum for such issues. While she would have preferred, in subparagraph (e), to delete “and online harassment”, she could accept that term if the word “bullying”, proposed by the Workers’ group, were deleted.

**391.** The Worker Vice-Chairperson, noting that excessive cumulative workloads, along with excessive match play and scheduling, posed significant risks to athletes, proposed to insert a new subparagraph after subparagraph (e), to read: “addressing workload and scheduling risks, including competition calendars, cumulative match exposure, travel demands and ensuring minimum rest and recovery periods”.

**392.** The Employer Vice-Chairperson said that the issues raised by the Workers’ group fell within the sphere of sports governance, beyond the scope of the guidelines.

**393.** The Worker Vice-Chairperson insisted that athletes’ medical care was relevant to the guidelines, closely linked to occupational safety and health, and in line with Article 7 of the Occupational Safety and Health Convention, 1981 (No. 155), which called on parties to identify major problems, as part of an active, ongoing process. It was therefore appropriate to provide guidance on those key areas.

**394.** Following a brief discussion, the following compromise text was drafted for subparagraph (e): “addressing psychosocial risks as integral elements of occupational health and safety in sport”.

- 395.** The Employer Vice-Chairperson proposed to delete, in subparagraph (g), “to manage public health crises, including pandemics”, as those issues fell outside of the scope of the guidelines.
- 396.** The Worker Vice-Chairperson said that, having initially proposed a new paragraph to follow paragraph 94, to address the risks posed by the deployment of AI-based technologies in professional sport, his group wished instead to introduce a new subparagraph to follow subparagraph (g), to read: “evolving effective methods for dealing with identified occupational safety and health problems in the world of sport, including the collection and use of data, athlete monitoring, algorithmic management, workload and scheduling, risks arising out of sports betting, the impact of head injury and climate change”. The proposal aimed to expedite the review and adoption process and was well within the scope of the guidelines, as it concerned identifying salient occupational safety and health issues. The aim was merely to identify problems, without any follow-on obligations. The proposed text would replace his group’s proposal relating to workloads in subparagraph (e) and cover other contentious issues, including climate change. It would provide a way forward and facilitate final agreement on the guidelines. Given the broad scope of the proposed subparagraph, his group would, in the spirit of negotiation, agree to delete paragraphs 30 and 98 in their entirety, to merge paragraphs 100 and 101, and to retain only the first sentences of paragraphs 102 and 104.
- 397.** The Employer Vice-Chairperson reiterated that the issues raised fell beyond the scope of the guidelines, and touched on other sectors. However, she could accept the wording “evolving effective methods for dealing with identified occupational safety and health problems in the world of sport”.
- 398.** The Worker Vice-Chairperson said that the proposed text meant a lot to his group as it identified salient risks facing athletes. It was also important with respect to collective bargaining rights. The guidelines should be forward-looking, showing awareness of the most pressing current challenges. The proposed solution would enable the meeting to resolve several thorny issues and conclude its deliberations expeditiously.
- 399.** The Employer Vice-Chairperson submitted her group’s proposed solution for the subparagraph. Split into two sections, the text would read:
- “evolving effective methods for dealing with identified occupational safety and health risks in the world of sport
- assessing other potential impacts linked to the collection and use of data, athlete monitoring, workload and scheduling, and the impact of head injury and climate change, amongst others.”
- 400.** The Worker Vice-Chairperson proposed to insert a reference to “security” as a risk arising from sports betting, to provide clearer guidance. He also recommended using the term “risks” rather than “potential impacts”.
- 401.** The Employer Vice-Chairperson argued that not all potential impacts were risks, but was willing to accept the term “security”.
- 402.** The Worker Vice-Chairperson stressed that head injuries, and associated neurological diseases, were serious concerns and constituted an emerging risk, along with excessive workloads, the use of artificial intelligence and data management issues. He proposed to insert an additional subparagraph after subparagraph (f) to address the serious issue of head injuries in sport: “If neurological diseases, osteoarthritis, or any other adverse health concerns were confirmed as a prescribed occupational disease in any professional sport, workplace exposure limits should be included as part of a gold standard management approach.”

- 403. The Employer Vice-Chairperson insisted that such technical matters were beyond the remit of the meeting.
- 404. The Worker Vice-Chairperson stated that his group wished to reach consensus on language relating to data, workload and head-injury risks, so that the guidelines would be forward-looking and well-received in the sector. He recalled the lessons learned during the pandemic, when all parties had worked together to ensure a safe return to play, demonstrating the sector's capacity to manage emerging risks.
- 405. The Employer Vice-Chairperson responded that those had been exceptional circumstances. The proposed text related to interdisciplinary matters, governed under other frameworks.
- 406. The paragraph was redrafted, incorporating proposals by all three groups.
- 407. Paragraph 95 was adopted, as amended.

#### **Proposed paragraph 96**

- 408. Paragraph 96 was adopted, as proposed.

#### **Proposed paragraph 97**

- 409. Several minor amendments were proposed.
- 410. The Worker Vice-Chairperson proposed to insert a new subparagraph, after subparagraph (c), to read: "developing innovative personal development and lifelong learning programmes through engagement with athletes to protect and advance their physical, mental and social well-being".
- 411. The Employer Vice-Chairperson agreed with the Workers' proposal to replace "social well-being" with "health and well-being".
- 412. Paragraph 97 was adopted, as amended.

#### **Proposed paragraph 98**

- 413. The Employer Vice-Chairperson proposed – as agreed under paragraph 95 – to delete the paragraph, noting that existing legislation on data protection covered the issues raised.
- 414. The Worker Vice-Chairperson said that regulations such as the General Data Protection Regulation (GDPR) did not apply outside Europe, and that the proposed guidelines aimed to have a global scope.
- 415. Paragraph 98 was deleted.

#### **Proposed paragraph 99**

- 416. Paragraph 99 was adopted, as proposed.

#### **Proposed paragraph 100**

- 417. In line with decisions made under paragraph 95, paragraph 101 was merged with paragraph 100.

#### **Proposed paragraph 101**

- 418. In line with decisions made under paragraph 95, it was agreed that paragraph 101 would be merged with paragraph 100.
- 419. Paragraphs 100 and 101 were merged and adopted, as amended.

**Proposed paragraph 102**

420. The Employer Vice-Chairperson proposed to delete the paragraph, as it fell outside the scope of the guidelines.
421. Following further discussions, and in the interest of reaching consensus, the opening sentence of the paragraph would be retained and the remainder deleted.
422. Paragraph 102 was adopted, as amended.

**Proposed paragraph 103**

423. Paragraph 103 was adopted, as proposed.

**Proposed paragraph 104**

424. Following a short discussion on the contents of the paragraph, their relevance and whether the issues raised were addressed elsewhere in the guidelines, it was decided that the first sentence of the paragraph would be retained, and the remainder of the text would be deleted.
425. Paragraph 104 was adopted, as amended.

## **10. Prevention and elimination of violence and harassment for professional athletes**

**Proposed paragraph 105**

426. Paragraph 105 was adopted, as proposed.

**Proposed paragraph 106**

427. The Worker Vice-Chairperson proposed to add a reference to “acts that aim at, or may result in, economic harm”, to cover issues such as failure to pay athletes or to meet work obligations. The proposed amendment addressed an important gap, as athletes’ commitment to honouring their contractual obligations could be subject to abuse. The proposed language had been taken from Convention No. 190.
428. The Employer Vice-Chairperson said that if the meeting agreed to delete paragraph 107, she could support the proposed amendments to paragraph 106.
429. Paragraph 106 was adopted, as amended.

**Proposed paragraph 107**

430. The Employer Vice-Chairperson proposed to delete the paragraph, given that sports betting related to a different economic sector, outside the scope of the proposed guidelines.
431. The Worker Vice-Chairperson agreed that there was merit in the argument that the problem of betting would be better addressed elsewhere. In line with discussions under paragraph 95, the matter of betting would be treated as a security-related risk in that paragraph.
432. Following a discussion on the content of the paragraph, given the lack of consensus, it was agreed that the whole paragraph would be deleted.
433. Paragraph 107 was deleted.

**Proposed paragraph 108**

434. A recurring amendment, agreed under paragraph 76, was inserted.

435. Paragraph 108 was adopted, as amended.

**Proposed paragraph 109**

436. The Worker Vice-Chairperson proposed to insert in subparagraph (a) the wording “trauma informed” and suggested a minor deletion in subparagraph (b).

437. The Employer Vice-Chairperson proposed to delete “non-accidental” and to insert “and harassment” after “violence”.

438. Paragraph 109 was adopted, as amended.

**Proposed paragraph 110**

439. Following discussions on the scope of the guidelines and in the interest of reaching consensus, the meeting agreed to delete subparagraph (c).

440. Paragraph 110 was adopted, as amended.

**Proposed paragraph 111**

441. Paragraph 111 was adopted, as proposed.

**Proposed paragraph 112**

442. The Worker Vice-Chairperson proposed a minor amendment to the wording of the paragraph.

443. Paragraph 112 was adopted, as amended.

## 11. Follow-up to the Guidelines

**Proposed paragraph 113**

444. The Worker Vice-Chairperson supported the text proposed by the Office, including the reference to data and statistical capacity.

445. The Employer Vice-Chairperson agreed to accept the original text if the meeting agreed to delete subparagraph (f) and remove the reference to “other relevant stakeholders”.

446. After a short discussion, it was agreed that subparagraph (c) would be deleted and a reference to capacity-building included under subparagraph (b), using the following formulation: “including through capacity-building and other activities”.

447. The Government Vice-Chairperson proposed additional wording to reflect the challenges experienced by developing and least developed countries. The specific needs of those countries were not addressed elsewhere in the guidelines.

448. Following a discussion on the exact wording and placement of any additional text, it was agreed that a reference to developing and least developed countries would replace deleted subparagraph (f). A compromise text was drafted to that end, which was then discussed and amended by the meeting, to read: “Promote, in particular with organizations representing employers and athletes from developing and least developed countries, transparent, equitable and sustainable support mechanisms that contribute to the development of athletes from developing countries.”

449. Paragraph 113 was adopted, as amended.

## ► Adoption of the Guidelines

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450. The Guidelines, as a whole, were adopted as amended.

## ► Closure of the meeting

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451. The Secretary-General of the meeting thanked all participants, singling out the Chairperson, for her excellent and fair stewardship of a challenging meeting, and the three Vice-Chairpersons, who had sought to faithfully convey the diverse views within their groups with nuance and commitment to consensus.
452. The Employer Vice-Chairperson thanked the Chairperson, the Secretary-General of the meeting and her fellow Vice-Chairpersons, acknowledging their dedication to the world of sport. She expressed the hope that the Guidelines would prove both useful and a source of pride. She further extended her gratitude to the secretary of her group, as well as those of the Government and Workers' groups, for their invaluable work, and commended her group's efforts to achieve consensus.
453. The Worker Vice-Chairperson thanked the Chairperson, the Secretary-General of the meeting, his fellow Vice-Chairpersons, the coordinator and the ILO secretariat for their extraordinary efforts. The negotiations, while challenging, had been driven by passion and commitment. He looked forward to seeing the impact of the Guidelines.
454. The Government Vice-Chairperson thanked the Chairperson for leading the discussions with emotional intelligence, composure and encouragement. She thanked the Office and its staff for their guidance and for facilitating the meeting. She also expressed her gratitude to her fellow Vice-Chairpersons, the members of her group and other colleagues.