

# The new 'Sport and Human Rights Dispute Resolution Mechanism'

## Essentials at a glance

### Procedural elements:



#### 1) *Mediation and arbitration*

- Time and cost-efficient, including through an expedited procedure
- Human rights compatible, both procedurally and substantively
- Reflecting the public interest in sport and human rights disputes
- Provides for flexibility to tailor the procedure to the rights and needs of, and challenges faced by, affected individuals and groups

#### 2) *Advisory opinion*

- Provide sports bodies and other business enterprises with expert advice on how to comply with their responsibility to respect human rights, including how to exercise their leverage to prevent harms from realising
- Provides civil society organisations, including player associations, with access to independent expert assessment on adverse impacts and effective responses
- Designed to respond to situations of human rights crisis and to be part of human rights due diligence frameworks
- Outcomes are non-binding

## Uniquely legitimate:



- Developed with the technical assistance of the Permanent Court of Arbitration (PCA)
- Based on 'The Hague Business and Human Rights Arbitration Rules' and other leading standards
- PCA will serve as registry and administer any proceedings under the mechanism

## Further elements include:



- The ongoing development of an eminent list of mediators, arbitrators and dispute resolution professionals
- Establishment of a fund to provide financial support and access for mechanism users

## Relationship to existing grievance mechanisms:



- PCA mechanism is not intended to replace existing effective and rights compatible mechanisms, but rather to complement them and to strengthen the remedy ecosystem
- While some of the existing mechanisms may have limited mandates or are restricted to specific formats of dispute resolution, the 'Sport and Human Rights Dispute Resolution Mechanism'
  - o offers different procedural avenues, including binding and enforceable arbitration
  - o encompasses human rights and labour related disputes
  - o is open to rights-holders, trade unions, civil society organisations and affected individuals and groups
  - o can involve sports bodies, businesses and other private actors as parties well as (in principle) states