



**BROKEN  
CHALK**

Submission to the United Nations OFFICE OF THE HIGH  
COMMISSIONER FOR HUMAN RIGHTS

CALL FOR INPUT | SPECIAL PROCEDURES  
ISSUED BY Special Procedures

Call for Inputs to the Report of the Special Rapporteur on Violence  
Against Women and Girls to the UN General Assembly on Violence  
Against Women and Girls in Sport

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**Submitting Organization: BROKEN CHALK**

April 2024

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**Broken Chalk** is an Amsterdam-based non-governmental organisation (NGO) committed to addressing human rights violations in the education sector. It was established in October 2020. A multinational team of dedicated human rights advocates collaborates extensively on researching violations in every corner of the world.

The organisation's primary activities include removing obstacles to education, promoting peace and tranquillity in society through intercultural tolerance, preventing radicalism and polarisation, and eliminating educational opportunity gaps across different demographics.

Broken Chalk works hard in advocacy and lobbying on behalf of these educational victims, engaging with international organisations to prompt action. Additionally, the volunteers and interns working remotely worldwide at Broken Chalk prepare comprehensive reports for international organisations, stakeholders, and governments, highlighting human rights violations in education. These reports aim to draw attention to the often-overlooked aspects of human rights violations, providing stakeholders with a complete understanding and calling for the international community to act in cases where conflict halts access to education and endangers civilians' lives. This approach ensures that awareness is raised and necessary actions are taken to address these violations. Broken Chalk is genuinely international, achieving a local and global perspective in its work.

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## 1. Different Forms of Violence that women and Girls in Sports May Experience

In the United States, women and girls in sports encounter various forms of violence, including physical, psychological, economic, online, coercive control, and extreme discrimination<sup>1</sup>. Physically, they may face harassment, assault, or sexual abuse from teammates, coaches, or other authority figures<sup>2</sup>. One notable example is the case of Larry Nassar, the former USA Gymnastics team doctor convicted of sexually abusing young female athletes, which shed light on the prevalence of sexual abuse within elite sports environments<sup>3</sup>.

Psychologically, female athletes endure bullying, body shaming, and pressure to conform to gender norms, leading to anxiety and low self-esteem<sup>4</sup>. For instance, tennis star Serena Williams has faced criticism and body shaming throughout her career, highlighting the pervasive nature of gender-based discrimination in sports and its impact on mental health<sup>5</sup>.

Economic disparities persist, with female athletes receiving less funding, lower salaries, and fewer sponsorship opportunities compared to their male counterparts<sup>6</sup>. The gender wage gap in professional sports, exemplified by the disparity in prize money between men's and women's tournaments in tennis, serves as a stark illustration of this inequality<sup>7</sup>.

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<sup>1</sup> Forsdike, K., & O'Sullivan, G. (2022). Interpersonal gendered violence against adult women participating in sport: A scoping review. *Managing Sport and Leisure*, 1-23. Available at:<https://www.tandfonline.com/doi/full/10.1080/23750472.2022.2116089>

<sup>2</sup> Ibid.

<sup>3</sup> Denhollander, R. (2019). *What is a Girl Worth?: My Story of Breaking the Silence and Exposing the Truth about Larry Nassar and USA Gymnastics*. Tyndale House Publishers, Inc.

<sup>4</sup> Cassidy, L. (2019). Body shaming in the era of social media. *Interdisciplinary Perspectives on Shame: Methods, Theories, Norms, Cultures, and Politics*, 157, 396

<sup>5</sup> Ibid.

<sup>6</sup> Staurowsky, E. J., Watanabe, N., Cooper, J., Cooky, C., Lough, N., Paule-Koba, A., Snyder, M. (2020). Chasing Equity: The Triumphs, Challenges, and Opportunities in Sports for Girls and Women. *Women's Sports Foundation*.

<sup>7</sup> Wicker, P., Breuer, C., & Dallmeyer, S. (2023). The gender earnings gap among elite athletes in semi-professional sports. *Managing Sport and Leisure*, 28(6), 583-600. Available at:<https://www.tandfonline.com/doi/abs/10.1080/23750472.2021.1944819>

Online violence, such as cyberbullying and harassment on social media, compounds these challenges, impacting mental health and well-being<sup>8</sup>. Female athletes often become targets of online abuse, as seen in the case of Olympic gymnast Gabby Douglas, who faced racist attacks on social media during the 2016 Olympics, highlighting the intersectionality of gender and race in experiences of violence<sup>9</sup>.

Education is critical in addressing and preventing these forms of violence. Programs like the NCAA's "It's On Us" campaign raise awareness and promote bystander intervention to prevent sexual assault in college sports<sup>10</sup>. Additionally, initiatives like the Women's Sports Foundation provide resources and advocacy to advance gender equity in sports, addressing issues of intersectionality by recognizing the compounded challenges faced by women of color and those from marginalized communities<sup>11</sup>.

## 2. Women's Human Rights Violations in Sport

Violence against women in sport settings breaches several human rights of women. Under the Convention on the Elimination Of All Forms of Discrimination Against Women, women have the right to **protection of health and safety in working conditions**<sup>12</sup>, together with the commitment of the State to **take all appropriate measures to ensure the elimination of discrimination of women by any person, organization or enterprise**<sup>13</sup>. Under the CEDAW and under the premise of **equality between men and women**, the latter enjoy the right to **participate in recreational activities, sports and all aspects of cultural life**<sup>14</sup>. Moreover,

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<sup>8</sup> Kavanagh, E., Litchfield, C., & Osborne, J. (2019). Sporting women and social media: Sexualization, misogyny, and gender-based violence in online spaces. *International Journal of Sport Communication*, 12(4), 552-572. Available at: <https://journals.humankinetics.com/view/journals/ijsc/12/4/article-p552.xml>

<sup>9</sup> Bialowas, A., & Corbin, N. A. (2018). A Failure to Defend Against Cyberbullying: Examining the Organization's Competency in Standing Up for Its Members. In *Case Studies in Sport Communication* (pp. 149-158). Routledge.

<sup>10</sup> Meyer, Jayma M. "It's on the NCAA: a playbook for eliminating sexual assault." *Syracuse L. Rev.* 67 (2017): 357. Available at: <https://heinonline.org/HOL/LandingPage?handle=hein.journals/syrlr67&div=18&id=&page=>

<sup>11</sup> Zarrett, N., Veliz, P., & Sabo, D. (2018). Teen Sport in America: Why Participation Matters. A Women's Sports Foundation Report. *Women's Sports Foundation*.

<sup>12</sup> CEDAW, Article 11 (f).

<sup>13</sup> CEDAW, Article 2 (e).

<sup>14</sup> CEDAW, Article 13 (c).

everyone has the right to physical and mental health<sup>15</sup>, as provided by the International Covenant on Economic, Social and Cultural Rights.

Despite significant progress in encouraging girls and women to participate in sports, the sports landscape continues to be predominantly male-dominated, especially in leadership roles. This prevailing culture, along with a lack of transparency and a prioritization of the integrity and profitability of sports over individual well-being, has created an environment conducive to violence against women and girls.<sup>16</sup> According to the 2021 Census of Athlete Rights Experiences (CARE) by the World Players Association, 31.8% of female respondents reported being subjected to excessive training or exercise as punishment, 10.6% experienced physical assault with an object, and 7.6% were forcibly pushed or knocked to the ground. In comparison, for male respondents, these figures were 26.0%, 6.5%, and 7.4%, respectively.<sup>17</sup>

These acts of violence have profound effects on the physical, sexual, mental, and psychological health of women. Survivors of violence against women and girls are at heightened risk of early and unintended pregnancies, HIV, and other sexually transmitted infections, as well as depression, anxiety, eating disorders, chronic pain, gastrointestinal issues, homicide, and suicide.<sup>18</sup>

The impact of violence against women and girls varies depending on their individual circumstances. It's evident that women and girls experiencing multiple forms of disadvantage are at a heightened risk of violence. Addressing and addressing violence against women and girls necessitates an intersectional approach that considers various identities and experiences, encompassing individuals from rural and/or indigenous backgrounds, women of color, those in impoverished conditions, women with disabilities, and those who are (or perceived to be) LGBTQIA+.<sup>19</sup>

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<sup>15</sup> ICESCR, Article 12 (1)

<sup>16</sup> UNESCO & UN Women, (2023), Tackling Violence Against Women and Girls in Sport- A Handbook for Policy Makers and Sports Practitioners, 11-12. Available at: [https://www.unwomen.org/sites/default/files/2023-07/3343\\_unwomen\\_unesco\\_vawg\\_handbook\\_6a\\_singlepage.pdf](https://www.unwomen.org/sites/default/files/2023-07/3343_unwomen_unesco_vawg_handbook_6a_singlepage.pdf).

<sup>17</sup> Ibid.

<sup>18</sup> Ibid, 18.

<sup>19</sup> Ibid.

### 3. Actors responsible for Committing Acts of Violence Against Women and Girls in Sport

In the USA, numerous high-profile incidents and allegations of abuse have surfaced across various college sports such as hockey, gymnastics, and swimming, as well as in professional sports like the NFL and Major League Baseball (MLB).<sup>20</sup>

Gender-based violence pervades the world of sports for several reasons. Sports serve as a reflection of broader societal norms, often endorsing traditional ideals of masculinity characterized by aggression and sexual conquest. A significant contributing factor to gender-based violence in the realm of sports is the failure of sports institutions and individuals to hold perpetrators accountable. This failure extends to players, coaches, physicians, and trainers.<sup>21</sup> Some examples of the most famous names among the offenders are: John Geddert, a gymnastic coach; Mike McBain, coach at the Las Vegas Wranglers; Scott Shaw, coach at San Jose State University; and Larry Nassar, a doctor at the Michigan State University and US Gymnastics.<sup>22</sup> In particular, Dr. Larry Nassar was one of the most prolific abusers. As a team doctor and a senior official of the US Gymnastic team, he used his authority and position of power to sexually assault many women and girls athletes, forcing them to submit to internal pelvic examinations and to partake in mandatory training camps where the athletes would be far and isolated from their families.<sup>23</sup>

Even when acts of violence are reported, often accompanied by substantial evidence, perpetrators are frequently allowed to continue coaching, participating in games, or providing medical care. Shockingly, in over 75% of cases, regardless of whether the perpetrator faced

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<sup>20</sup> Hattery A.J., Smith E., Foltz K., and Kiss M., (2023) Ineffective policies for gender-based violence in sports result in a lack of accountability, Available at: <https://www.brookings.edu/articles/ineffective-policies-for-gender-based-violence-in-sports-result-in-lack-of-accountability/>

<sup>21</sup> Hattery A.J., Smith E., Foltz K., and Kiss M., (2023) Ineffective policies for gender-based violence in sports result in a lack of accountability, Available at: <https://www.brookings.edu/articles/ineffective-policies-for-gender-based-violence-in-sports-result-in-lack-of-accountability/>

<sup>22</sup> Gender-based Violence in Sports Database, Available at: <https://smithandhattery.com/gbv/>

<sup>23</sup> UNESCO & UN Women, (2023), Tackling Violence Against Women and Girls in Sport- A Handbook for Policy Makers and Sports Practitioners, 45. Available at: [https://www.unwomen.org/sites/default/files/2023-07/3343\\_unwomen\\_unesco\\_vawg\\_handbook\\_6a\\_sing](https://www.unwomen.org/sites/default/files/2023-07/3343_unwomen_unesco_vawg_handbook_6a_sing)

charges, arrest, or conviction, they were permitted to remain part of the team and continue their roles. It is alarming that many of these individuals who continued to play or coach had been charged, arrested, and/or convicted of serious violent crimes.<sup>24</sup>

In recent years, numerous instances have surfaced of coaches, medical professionals, and senior federation staff betraying the trust vested in them and abusing their authority. Athletes, often lacking significant leverage compared to their coaches or other prominent figures in the sporting realm, may hesitate to report instances of harassment or abuse, fearing the potential repercussions on their opportunities for advancement.

Additionally, teams, schools, and sports organizations have, on occasion, downplayed, ignored, or concealed instances of misconduct to avoid negative publicity that could tarnish the reputation of athletes, teams, or lucrative sports programs. For instance, in January 2023, a female student-athlete at Houston Christian University in the United States reported that the institution inadequately addressed her allegations of sexual assault and grooming by her track coach. This lack of accountability perpetuates notions of toxic masculinity and reinforces the belief in men's entitlement to women's bodies.<sup>25</sup>

#### **4. Principal causes of the Violence that Women and Girls Experience in Sports**

Women and individuals facing additional forms of disadvantage, such as racial or ethnic background, ability, gender identity, sexual orientation, and/or socioeconomic status, are at particularly heightened risk of abuse. Violence against women and girls in sports stems from various factors, including power imbalances, the endorsement of abusive methods under a "no pain, no gain" philosophy, the normalization of damaging gender stereotypes, the pervasive male-dominated culture within the sports industry, and inadequate governance of sporting institutions that allows power dynamics to solidify.<sup>26</sup>

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<sup>24</sup> Hattery A.J., Smith E., Foltz K., and Kiss M., (2023) Ineffective policies for gender-based violence in sports result in a lack of accountability, Available at: <https://www.brookings.edu/articles/ineffective-policies-for-gender-based-violence-in-sports-result-in-lack-of-accountability/>

<sup>25</sup> Ibid.

<sup>26</sup> UNESCO & UN Women, (2023), Tackling Violence Against Women and Girls in Sport- A Handbook for Policy Makers and Sports Practitioners, 35. Available at: [https://www.unwomen.org/sites/default/files/2023-07/3343\\_unwomen\\_unesco\\_vawg\\_handbook\\_6a\\_sing](https://www.unwomen.org/sites/default/files/2023-07/3343_unwomen_unesco_vawg_handbook_6a_sing)



Violence against women and girls originates from gender inequality and is sustained by an unfair distribution of power and resources. Women's sport and female athletes are often relegated to a secondary status compared to men's sport: they receive lower pay, fewer resources, and less prize money than their male counterparts. Sport, being gender-segregated, not only reinforces hierarchical gender norms but also carries a strong cultural association with masculinity, thereby perpetuating ideas of male superiority. Despite advancements, the sports industry remains predominantly male-dominated, with women (especially women of color) being underrepresented in leadership positions.<sup>27</sup>

An example illustrating the connection between gender-segregation and violence against women and girls is the reported instances of abusive behavior in US Women's Professional Soccer. Athletes lamented a system wherein abusive and predatory coaches could move freely between teams at the highest levels of women's soccer. "Our investigation has revealed a league in which abuse and misconduct—verbal, emotional, and sexual—had become systemic, spanning multiple teams, coaches, and victims," wrote Sally Q. Yates, the lead investigator, in the executive summary of the report. "Abuse in the N.W.S.L. is rooted in a deeper culture in women's soccer, beginning in youth leagues, that normalizes verbally abusive coaching and blurs boundaries between coaches and players."<sup>28</sup>

An Intersectional approach is necessary not only for identifying risks and crafting prevention strategies but also for assessing whether these frameworks effectively safeguard all women and girls. As previously mentioned, the sporting environment already exerts significant control over the bodies of women and girls, especially concerning weight and body image. This coercive control is often magnified for athletes of color, with natural Black hair being a specific target of violence and control.

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<sup>27</sup> Ibid, 36-37.

<sup>28</sup> Draper K. (2022), Report Details 'Systemic' Abuse of Players in Women's Soccer

A yearlong investigation found U.S. Soccer executives, N.W.S.L. owners and coaches at all levels of American soccer had turned a blind eye toward years of reports of abuse from players, The New York Times. Available at: <https://www.nytimes.com/2022/10/03/sports/soccer/us-soccer-abuse-nwsl.html>

The obstacles confronting women and girls of colour also manifest in explicit regulations and inflexible requirements, such as the international Swimming Federation's prohibition of swim caps designed for natural Black hair, as well as more insidious forms of discrimination.<sup>29</sup>

### 5. Most Exposed Groups of Women and Girls to violence in Sports

All female athletes are vulnerable to experiencing violence, but LGBTQIA+ athletes, athletes with disabilities, and athletes from marginalized racial, ethnic, migrant, and/or socioeconomic backgrounds face heightened risks. Recognizing the intersectional vulnerabilities of women and girls is crucial to ensuring tailored prevention measures are in place. Anecdotal evidence from recent cases suggests that prevention efforts would benefit from an intersectional analysis of broader factors.<sup>30</sup>

### 6. State and non-State actors' Responsibilities in Preventing Violence

When it comes to the protection of health and safety for women and girls, the obligation to protect requires states to protect individuals and groups against human rights abuses committed by third parties.<sup>31</sup> The duty to protect is often defined as an obligation inherent to due diligence.<sup>32</sup> States' due diligence obligations have been established to be crucial in human rights violations regarding gender-based violence, human trafficking, deprivation of liberty, and other related matters.<sup>33</sup> The duty to protect implies two other very important aspects that states must implement. The first one is prevention, and so create provisions or action plans that would avert the violation from occurring in the first place. The second one is reactive, so

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<sup>29</sup> UNESCO & UN Women, (2023), Tackling Violence Against Women and Girls in Sport- A Handbook for Policy Makers and Sports Practitioners, 46. Available at: [https://www.unwomen.org/sites/default/files/2023-07/3343\\_unwomen\\_unesco\\_vawg\\_handbook\\_6a\\_sing](https://www.unwomen.org/sites/default/files/2023-07/3343_unwomen_unesco_vawg_handbook_6a_sing)

<sup>30</sup> UNESCO & UN Women, (2023), Tackling Violence Against Women and Girls in Sport- A Handbook for Policy Makers and Sports Practitioners, 46. Available at: [https://www.unwomen.org/sites/default/files/2023-07/3343\\_unwomen\\_unesco\\_vawg\\_handbook\\_6a\\_sing](https://www.unwomen.org/sites/default/files/2023-07/3343_unwomen_unesco_vawg_handbook_6a_sing)

<sup>31</sup> United Nations Human Rights Office of the High Commissioner, *International Human Rights Law*, Available at: <https://www.ohchr.org/en/instruments-and-mechanisms/international-human-rights-law#:~:text=The%20obligation%20to%20protect%20requires,enjoyment%20of%20basic%20human%20rights.>

<sup>32</sup> B. BJÖRNSTJERN, *Due Diligence and the Duty to Protect Human Rights*, in Heike Krieger, Anne Peters, and Leonhard Kreuzer (eds), *Due Diligence in the International Legal Order* (Oxford, 2020; online edn, Oxford Academic, 18 Feb. 2021), p. 92.

<sup>33</sup> *Ibid*, 93-94.

more procedural, and consists in taking remedial actions once the violation has already occurred<sup>34</sup>, and so to investigate and prosecute<sup>35</sup> the human rights violations.

One appropriate ways to ensure the elimination of discrimination of women and girls in sports would be to be able to support the reporting of the abuse from the victims rather than ignoring it and continuing to perpetrate the issues by simply moving the alleged abuser from one team or organization to another, without even performing an investigation, whether it would be internal or with the assistance of an external agency.

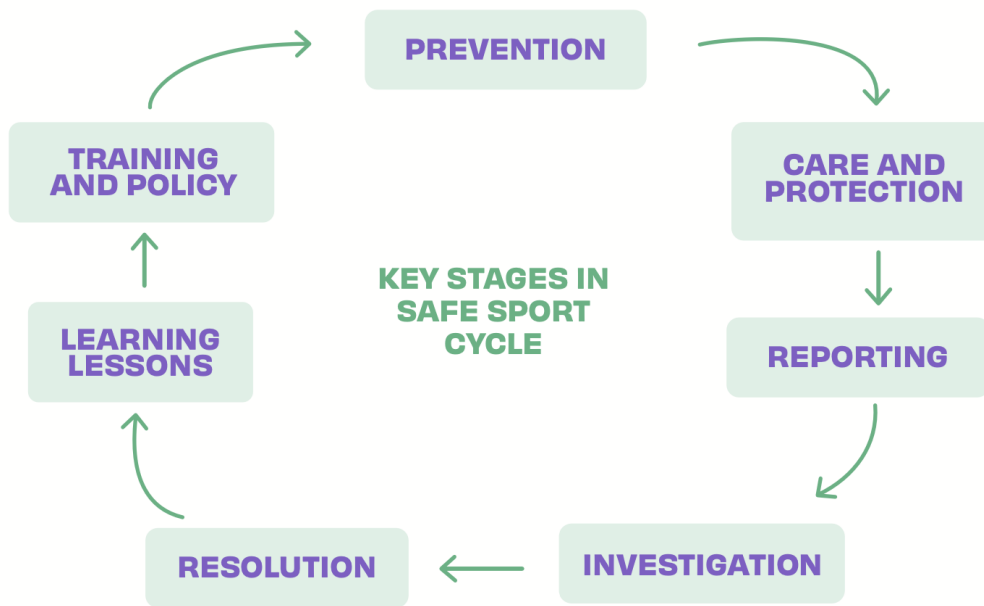
Most importantly though, prevention is the key to try and eradicate the culture of abuse that is widespread in sports and so that people can more easily recognise violence. With prevention and education on the matter, we create a new generation of athletes and staff that is able to care and protect the young generations from abuse and violence. However, in case some forms of abuse took place, the education on the matter will help the victims to report to the superior that some kind of violence took place, so that the organization can start an investigation on the matter. Upon resolution of the investigation, the organization would have learned an important lesson in increasing the training and drafting a policy that will put prevention in the first place. [see fig.1]

**Fig. 1:** The key stages in safe sport cycle

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<sup>34</sup> Ibid, 93.

<sup>35</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children supplementing the United Nations Convention against Transnational Organized Crime, 2003, Article 4.



**Source:** [https://www.unwomen.org/sites/default/files/2023-07/3343\\_unwomen\\_unesco\\_vawg\\_handbook\\_6a\\_sing](https://www.unwomen.org/sites/default/files/2023-07/3343_unwomen_unesco_vawg_handbook_6a_sing)

In recent years, sports organizations have developed programs and guidelines focused on 'safeguarding' or 'safe sport,' aiming to ensure the safety of all participants. Effective prevention efforts necessitate capable leaders who can foster a culture of safety and well-being while advocating for the importance of preventing and eliminating abuse. This approach acknowledges that violence against women and girls stems from systemic issues and cannot be solely attributed to the actions of isolated 'bad actors.'

Typical components of safeguarding policies address various aspects, including establishing codes of behavior for coaches, delineating procedures for reporting abuse, overseeing the recruitment of coaches and other personnel interacting with children, addressing social media and online safety concerns, regulating the use of images and recordings, as well as managing transportation and overnight travel. Additionally, such policies incorporate guidelines aimed

at minimizing private, unobserved interactions between athletes and individuals in positions of authority.<sup>36</sup>

## 7. Measures in place to Ensure that Violence in Sport is Reported

At the national level, the USA promulgated two important pieces of legislation on the protection of children and young victims from sexual abuse: the Child Abuse Prevention and Treatment Act (2023) and the Protecting Young Victims From Sexual Abuse and Safe Sport Authorization Act (2017). While the first one does not talk specifically about prevention of abuse in sports, this act is still very important because it authorizes grants to states for the implementation of child abuse or neglect prevention and treatment programs. These grants are aimed at supporting initiatives designed to prevent and address instances of child abuse and neglect within states.<sup>37</sup> Moreover, Section 107 of the Child Abuse Prevention and Treatment Act (2023) authorizes grants to states for programs related to the investigation and prosecution of child abuse and neglect cases. These grants are intended to support states in enhancing their capacity to effectively investigate and prosecute cases of child abuse and neglect, thereby ensuring the protection and welfare of children within their jurisdictions.<sup>38</sup> On the other hand, the Protecting Young Victims From Sexual Abuse and Safe Sport Authorization Act of 2017 focuses more on the specifics of abuse against minors in sports. In particular it deals with the reporting of child and sexual abuse<sup>39</sup>, together with providing the parameters for civil remedy in case of personal injuries<sup>40</sup>. Moreover, it covers the designation

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<sup>36</sup> UNESCO & UN Women, (2023), Tackling Violence Against Women and Girls in Sport- A Handbook for Policy Makers and Sports Practitioners, 73. Available at: [https://www.unwomen.org/sites/default/files/2023-07/3343\\_unwomen\\_unesco\\_vawg\\_handbook\\_6a\\_sing](https://www.unwomen.org/sites/default/files/2023-07/3343_unwomen_unesco_vawg_handbook_6a_sing)

<sup>37</sup> United States Congress, Child Abuse Prevention and Treatment Act (2023), Section 106. Available at: <https://www.govinfo.gov/content/pkg/COMPS-805/pdf/COMPS-805.pdf>

<sup>38</sup> Ibid, Section 107

<sup>39</sup> United States Congress, Protecting Young Victims From Sexual Abuse and Safe Sport Authorization Act (2017), Section 101. Available at: <https://www.congress.gov/bill/115th-congress/senate-bill/534/text>

<sup>40</sup> Ibid, Section 102.

of a US Center for Safe Sport and provides additional sanctions in case of abuse at the amateur level, as well as some general requirements for amateur sports organizations.<sup>41</sup>

When it comes to non-State actors, some of the national teams or sports associations included sections regarding child and sexual abuse in the policies or rulebooks. Some examples are the Rules and Policies of the USA Gymnastics for 2022 and 2023, which include a section on the obligation to report case of abuse or violence.<sup>42</sup> Similarly, the USA Swimming team enacted several articles in its rulebook on the matter, drafting an article on minor athlete abuse prevention policies<sup>43</sup>, one on child abuse reporting requirements<sup>44</sup> and one more on the prohibitions against retaliation for good faith reporting of abuse<sup>45</sup>.

In addition the Major League Baseball Players Associations formulated a joint policy focused on domestic violence, sexual assault and child abuse with the intention to create a policy and program on these matters.<sup>46</sup>

## 8. Women and Girls' Involvement in the Design and Implementation of Policies

In the United States, women's sports organizations like the Women's Sports Foundation advocate for gender equality in sports, notably through Title IX, enacted in 1972<sup>47</sup>. Title IX

<sup>41</sup> United States Congress, Child Abuse Prevention and Treatment Act (2023), Title II-United States Center for Safe Sport Authorization. Available at: <https://www.govinfo.gov/content/pkg/COMPS-805/pdf/COMPS-805.pdf>

<sup>42</sup> USA Women's Artistics (2022-2023), Rules and Policies, 12-15. Available at: [https://static.usagym.org/PDFs/Women/Rules/Rules%20and%20Policies/2022/2022\\_2023\\_w\\_rulespolicies.pdf](https://static.usagym.org/PDFs/Women/Rules/Rules%20and%20Policies/2022/2022_2023_w_rulespolicies.pdf)

<sup>43</sup> USA Swimming, Rulebook (2023), Article 305. Available at: [https://www.usaswimming.org/docs/default-source/governance/governance-lsc-website/rules\\_policies/rulebooks/2023-rulebook.pdf](https://www.usaswimming.org/docs/default-source/governance/governance-lsc-website/rules_policies/rulebooks/2023-rulebook.pdf)

<sup>44</sup> Ibid, Article 306.

<sup>45</sup> Ibid, Article 307.

<sup>46</sup> Joint Domestic Violence, Sexual Assault and Child Abuse Policy, Major League Baseball and the Major League Baseball Players Association (herein "the Parties") desire to formulate a Domestic Violence, Sexual Assault and Child Abuse Policy and Program. Available at: [https://content.mlb.com/documents/2/9/2/296982292/Major\\_League\\_Player\\_Joint\\_DV\\_SA\\_CA\\_Policy\\_English\\_2018.pdf](https://content.mlb.com/documents/2/9/2/296982292/Major_League_Player_Joint_DV_SA_CA_Policy_English_2018.pdf)

<sup>47</sup> Barnes, C. M. (2023). Fighting to be Illini: Title IX, Women's Basketball, and the Struggle for Gender Equity at the University of Illinois. *Journal of the Illinois State Historical Society (1998-)*, 116(4), 84-121. Available at: <https://scholarlypublishingcollective.org/uip/jshs/article-abstract/116/4/84/383356/Fighting-to-be-Illini-Title-IX-Women-s-Basketball?redirectedFrom=fulltext>

mandates equal opportunities for both genders in educational programs receiving federal funding, including sports<sup>48</sup>. While Title IX has significantly increased female participation in sports, disparities persist in funding and media coverage between men's and women's sports<sup>49</sup>. For example, data from the Tucker Center for Research on Girls & Women in Sport shows that women's sports receive only 4% of sports media coverage despite representing nearly 40% of all athletes<sup>50</sup>.

Regionally, Title IX has improved gender equality in educational sports programs, but enforcement varies across institutions, leading to unequal opportunities<sup>51</sup>. According to a study by the Women's Sports Foundation, while Title IX has increased female participation in high school sports, disparities in access to resources and facilities still exist, especially in low-income communities<sup>52</sup>.

Internationally, the U.S. supports gender equality in sports through bodies like the IOC Women in Sport Commission<sup>53</sup>. However, women remain underrepresented in sports governance roles globally<sup>54</sup>. Only about 10% of sports organizations worldwide have female presidents or chairs, according to research by the Institute for Diversity and Ethics in Sport<sup>55</sup>. Effective involvement of women and girls in policy-making is seen in negotiated maternity leave policies in leagues

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<sup>48</sup> Ibid.

<sup>49</sup> Bowes, A., Lomax, L., & Piasecki, J. (2021). A losing battle? Women's sport pre-and post-COVID-19. *European Sport Management Quarterly*, 21(3), 443-461. Available at:<https://www.tandfonline.com/doi/abs/10.1080/16184742.2021.1904267>

<sup>50</sup> Roper, E. A., & Polasek, K. M. (2019). Girls and women in sport. Available at:<https://psycnet.apa.org/record/2019-05400-018>

<sup>51</sup> Miller, A. J. (2021). *Women's College Sports: Redefining Amateurism through the Institutionalization of Title IX at the University of Michigan, 1898-1978*. The University of Toledo.

<sup>52</sup> Barnes, C. M. (2023). Fighting to be Illini: Title IX, Women's Basketball, and the Struggle for Gender Equity at the University of Illinois. *Journal of the Illinois State Historical Society (1998-)*, 116(4), 84-121. Available at:<https://scholarlypublishingcollective.org/uip/jihs/article-abstract/116/4/84/383356/Fighting-to-be-Illini-Title-IX-Women-s-Basketball?redirectedFrom=fulltext>

<sup>53</sup> Gaston, L., Blundell, M., & Fletcher, T. (2020). Gender diversity in sport leadership: an investigation of United States of America National Governing Bodies of Sport. *Managing Sport and Leisure*, 25(6), 402-417. Available at:<https://www.tandfonline.com/doi/abs/10.1080/23750472.2020.1719189>

<sup>54</sup> Ibid.

<sup>55</sup> Ibid.

like the WNBA and increased funding for women's sports programs<sup>56</sup>. Challenges include systemic biases hindering women's leadership opportunities and persistent disparities in resources, particularly for women of color<sup>57</sup>.

Solutions involve promoting diversity and inclusion in decision-making processes, strengthening enforcement mechanisms for existing laws like Title IX, and fostering mentorship programs for aspiring female leaders in sports. Despite progress, ongoing efforts are needed for meaningful participation of women and girls in sports policy-making at all levels of governance.

## 9. Examples of Good Practice

Various good practices have been adopted to address violence against women and girls in sports by both State and non-State actors. One such practice is the establishment of SafeSport programs, like the U.S. Center for SafeSport, which focuses on preventing and addressing abuse in sports<sup>58</sup>. Athlete education and empowerment initiatives, such as the #Athletes4Impact campaign by Athlete Ally, empower athletes to speak out against violence and advocate for policy changes<sup>59</sup>. Implementation of confidential reporting mechanisms, like the International Olympic Committee's Integrity Hotline, allows individuals to report concerns safely<sup>60</sup>.

Additionally, support services tailored to athletes, like those offered by the United States Olympic & Paralympic Committee, provide counseling and assistance to those who have

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<sup>56</sup> Zipp, S., & Sutherland, S. (2024). The "motherhood penalty" and sport leadership. In *Research Handbook on Gender and Diversity in Sport Management* (pp. 110-123). Edward Elgar Publishing. Available at: <https://www.elgaronline.com/edcollchap/book/9781802203691/book-part-9781802203691-17.xml>

<sup>57</sup> Ibid.

<sup>58</sup> Johnson, N., Hanna, K., Novak, J., & Giardino, A. P. (2020). US center for SafeSport: Preventing abuse in sports. *Women in sport and physical activity journal*, 28(1), 66-71. Available at: <https://journals.humankinetics.com/view/journals/wspaj/28/1/article-p66.xml>

<sup>59</sup> Ibid.

<sup>60</sup> Grell, T. (2018). The International Olympic Committee and human rights reforms: game changer or mere window dressing?. *The International Sports Law Journal*, 17, 160-169. Available at: <https://link.springer.com/article/10.1007/s40318-018-0127-x>



experienced abuse<sup>61</sup>. Legal reforms, such as the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 in the United States, expand protections for young athletes and mandate reporting of abuse allegations<sup>62</sup>.

On the other hand, non-State actors, such as advocacy groups like Athlete Ally and the Women's Sports Foundation, play a significant role in addressing violence against women and girls in sports. They empower athletes to speak out against violence, conduct awareness campaigns, and advocate for policy changes. Intersectional approaches, exemplified by initiatives like the Women's Sports Foundation's "Keep Her in the Game" campaign, address the unique experiences of marginalized groups within sports. These practices highlight the importance of multi-faceted approaches involving education, reporting mechanisms, support services, legal reforms, and intersectional perspectives to effectively combat violence against women and girls in sports.

## 10. Lessons Learned from Policies and Legislations

The implementation of policies and legislations regarding women and girls in sports in the United States has provided valuable lessons for future initiatives. For instance, Title IX, enacted in 1972, has been instrumental in promoting gender equality in sports by mandating equal opportunities for both genders in educational programs receiving federal funding<sup>63</sup>. This policy has significantly increased female participation in sports, but challenges remain in ensuring equal resources and media coverage for female athletes.

SafeSport programs, such as the U.S. Center for SafeSport, have been established to address harassment and abuse in sports. These initiatives have improved athlete safety by providing

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<sup>61</sup> raub, M. (2020). United States Olympic & Paralympic Committee. *Sports Travel*, 24(2), 4-5. Available at: <https://go.gale.com/ps/i.do?p=HRCA&sw=w&issn=&v=2.1&it=r&id=GALE%7CA776354564&sid=googleScholar&linkaccess=abs&userGroupName=anon%7Ed462589f&aty=open-web-entry>

<sup>62</sup> Burke, A. M. (2021). Raising the bar: Increasing protection for athletes in the Olympic movement from sexual harassment and abuse. *J. Legal Aspects Sport*, 31, 60. Available at: <https://heinonline.org/HOL/LandingPage?handle=hein.journals/jlas31&div=4&id=&page=>

<sup>63</sup> Barnes, C. M. (2023). Fighting to be Illini: Title IX, Women's Basketball, and the Struggle for Gender Equity at the University of Illinois. *Journal of the Illinois State Historical Society (1998-)*, 116(4), 84-121. Available at: <https://scholarlypublishingcollective.org/uip/jishs/article-abstract/116/4/84/383356/Fighting-to-be-Illini-Title-IX-Women-s-Basketball?redirectedFrom=fulltext>

confidential reporting mechanisms and educational resources<sup>64</sup>. However, cases like the Larry Nassar scandal have highlighted the need for continued vigilance in safeguarding the well-being of athletes.

Despite advancements, challenges persist, such as unequal funding and media coverage. For example, women's sports receive only a small fraction of sports media coverage compared to men's sports, limiting the visibility and recognition of female athletes<sup>65</sup>.

Successes in policy implementation include the promotion of gender equality in sports governance. Organizations like the Women's Sports Foundation have advocated for greater representation of women in leadership roles within sports organizations. However, disparities in leadership positions still exist, indicating the need for ongoing efforts to address systemic biases.

To improve future policies and legislations, it is crucial to strengthen enforcement mechanisms, address funding disparities, and promote diversity in leadership roles.

## 11. Recommendations

- **Mandatory Educational Programs:** Implement compulsory educational programs for athletes, coaches, and staff to promote awareness of consent, respectful behavior, and recognizing signs of abuse.
- **Clear Policies and Procedures:** Establish transparent policies and procedures for reporting, investigating, and addressing incidents of violence, ensuring accountability and swift action.
- **Comprehensive Training:** Provide comprehensive training for coaches and staff on how to respond appropriately to disclosures of violence, emphasizing support for survivors and creating a safe environment.

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<sup>64</sup> Gurgis, J. J., & Kerr, G. A. (2021). Sport administrators' perspectives on advancing safe sport. *Frontiers in sports and active living*, 3, 630071.

<sup>65</sup> Bowes, A., Lomax, L., & Piasecki, J. (2021). A losing battle? Women's sport pre-and post-COVID-19. *European Sport Management Quarterly*, 21(3), 443-461 Available at:<https://www.tandfonline.com/doi/full/10.1080/16184742.2021.1904267>

- **Accessible Support Services:** Ensure survivors have access to confidential and specialized support services, including counseling and legal assistance, to facilitate their recovery and pursuit of justice.
- **Empowerment Initiatives:** Implement programs that empower athletes to speak out against violence and foster a culture of respect and accountability within their teams and organizations.
- **Mandatory Background Checks:** Require thorough background checks for all personnel involved in sports organizations to prevent individuals with a history of violence from working with athletes.
- **Collaborative Efforts:** Foster collaboration among sports organizations, government agencies, law enforcement, and community-based organizations to share resources and expertise in addressing violence against women and girls in sports.
- **Research and Evaluation:** Invest in research and data collection to understand the prevalence and dynamics of violence and evaluate the effectiveness of prevention strategies, informing evidence-based approaches.
- **Public Awareness Campaigns:** Launch targeted public awareness campaigns to challenge harmful stereotypes and attitudes that perpetuate violence against women and promote gender equality and respect within the sports community.



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