

CHAPTER 11 -HUMAN RIGHTS IN ATHLETICS – ASA Rules and Regulations

1. INTRODUCTION

- 1.1. To be a member of Athletics South Africa (ASA), ASA requires an individual to obtain a license. The license application form includes an indemnity from that requires the individual, to amongst other conditions, to abide by the ASA Constitution, rules and regulations.
- 1.2. Obtaining a license is not limited to athletes only. All individuals serving athletics, e.g. Office Bearers, Officials, Technical Officials, Coaches, Athletes Representatives etc., operating at national, provincial and club level, are required to obtain an ASA Permanent License.
- 1.3. Furthermore, athletics representative structures such as clubs, provinces, associates and areas, are required to register at the various levels of governance, and in doing so confirm that such governance and administrative structures will abide by the ASA Constitution, its rules and regulations.
- 1.4. Lastly, governance and administrative structures at the various levels e.g. club, province and national, have an obligation to monitor and discipline, where applicable, licensed and registered members, defined in the ASA Constitution.
- 1.5. Such monitoring and disciplining, where necessary, must always take place in a manner and environment so that the human rights of the individual are protected.

2. THE RELATION BETWEEN HUMAN RIGHTS AND THE ASA CONSTITUTION, ITS RULES AND REGULATIONS

- 2.1. Human rights include the rights to life and liberty, freedom of opinion and expression, the right to work and education, amongst many others. All are entitled to these rights without discrimination.
- 2.2. Human rights law in South Africa, including the ASA Constitution, its rules and regulations, lays down obligations of governance to act in certain ways or to refrain from certain acts in order to promote and protect human rights and freedoms of individuals or groups.
- 2.3. The individual must also take note that the human rights of individuals are not unlimited.
- 2.4. In particular Article 29 of “The Universal Declaration of Human Rights” reminds all individuals that everyone has duties to the community, in this case Athletics South Africa, in which alone the free and full development of his/her personality is possible.
- 2.5. In the exercise of his/her rights and freedoms, everyone shall be subject only to such limitations as are determined by law, in this case the ASA Constitution, its Rules and Regulations, solely for securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
- 2.6. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations. Article 29 of “The Universal Declaration of Human Rights” which reminds all Members of ASA that the individual has not only rights, but also duties, and that limitations on rights must be respected.
- 2.7. It is obviously necessary to balance the exercise of rights with the interests of the world community which the United Nations claims to represent.

3. HOW WILL ASA AND ALL ITS MEMBERS PRACTICE HUMAN RIGHTS

With the above in mind ASA will exercise human rights as follows:

- 3.1. Practise and compete in ASA activities without being subject to discrimination on the basis of race, colour, religion, age, sex, sexual orientation, disability, language, political or other opinion, national or social origin, property, birth or other immutable status.
- 3.2. Be part of a transparent, fair and clean sporting environment, particularly one that fights against doping and competition manipulation, and provides for transparent judging/refereeing, selection and qualification processes, and appropriate competition schedules, including training schedules at such competitions.
- 3.3. Access general information on athlete and competition-related matters in a timely and clear manner.
- 3.4. Provide access to education on sports-related matters as well as to work or study while actively training and competing, should the athlete choose to do so and where practicable.
- 3.5. Leverage opportunities to generate income in relation to a sporting career, while recognising the intellectual property or other rights, rules of the sport and of organisations related to athletics.
- 3.6. Fair and equal gender opportunity and representation.
- 3.7. The protection of mental and physical health, including a safe governance, administrative, competition and training environment and protection from abuse and harassment.
- 3.8. Elected representation of Office Bearers, Coaches, Technical Officials and Athletes within ASA
- 3.9. Report unethical behaviour without fear of retaliation.
- 3.10. Privacy, including protection of personal information.
- 3.11. Freedom of expression.
- 3.12. Due process, including the right to a fair hearing within a reasonable time by an independent and impartial panel, the right to request a public hearing and the right to an effective remedy.

4. THE RESPONSIBILITY OF ALL MEMBERS INDIVIDUALLY AND/OR COLLECTIVELY ARE TO:

- 4.1. Abide by the laws of the Republic of South Africa.
- 4.2. Uphold ASA values and adhere to the fundamental principles set out in the ASA Constitution, its rules and regulations.
- 4.3. Respect the integrity of ASA, its governing structures, administration, officials, coaches, and compete as a clean athlete, in particular by not doping and not manipulating competitions.
- 4.4. To act in accordance with the ASA Integrity Code and be encouraged to report unethical behaviour, including instances of doping, competition manipulation, prohibited discrimination, abuse and harassment.

- 4.5. Comply with the rules of the qualification processes and competitions of the IAAF, ASA, and any relevant sporting organisation.
- 4.6. Respect the rights and well-being of, and not discriminate against other athletes, their entourage, volunteers and all others within the sporting environment, and refrain from political demonstration in competitions, competition venues and ceremonies.
- 4.7. Respect the solidarity and universality principles of ASA, which allow assistance and support to be provided among athletes and members of ASA
- 4.8. Act as a role model, including by promoting clean sport.
- 4.9. Be aware of the responsibilities of each individual.
- 4.10. Participate in hearings when requested to do so and provide truthful testimony in such proceedings.
- 4.11. Not publicly slander ASA or any of its affiliates without first exhausting all internal remedies.