

OLYMPIC COUNCIL OF ASIA
FRAMEWORK FOR SAFEGUARDING ATHLETES AND OTHER
PARTICIPANTS FROM HARASSMENT AND ABUSE IN SPORT
(OCA ASIAN GAMES- TIME PERIOD)



OLYMPIC COUNCIL OF ASIA

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INTRODUCTION

This framework has been established by the OCA based on the OCA guidelines for safeguarding against sexual harassment, abuse, and exploitation.

This Framework is pursuant to the OCA constitution and the International Olympic Committee Agenda 2020 +5, Recommendation 5: Further strengthen safe sport and the protection of clean athletes.

The development of this framework has been supported by the medical, ethics, athletes', gender equity, and entourage committees of the Olympic Council of Asia.

This framework will be implemented taking into consideration the law of the Host Country for each edition of the Asian Games, the Asian Winter Games, the Asian Indoor and Martial Arts Games, the Asian Beach Games, and the Asian Youth Games.

OBJECTIVES

This framework is intended to help safeguard athletes and other participants from harassment and abuse during the Asian Games, the Asian Winter Games, the Asian Indoor and Martial Arts Games, the Asian Beach Games, and the Asian Youth Games- time Periods (hereinafter “the OCA ASIAN GAMES- Time Period”) by providing additional information and guidance regarding the OCA guidelines for safeguarding against sexual harassment, abuse, and exploitation and the OCA constitution and rules.

This framework does not replace any laws or regulations of the host country, IF or NOC, or any other OCA Code and regulations such as the OCA constitution and rules. Instead, this framework is intended to supplement these with further specific information and guidance during all the OCA ASIAN games, to ensure a safe and supportive environment for all accredited participants.

SCOPE OF APPLICATION

3.1 This Framework applies:

- i. To all participants in the Asian Games, the Asian Winter Games, the Asian Indoor and Martial Arts Games, the Asian Beach Games, and the Asian Youth Games.
- ii. To all participants accredited in all OCA ASIAN Games time-period.
- iii. Specifically for the OCA ASIAN Games time-period.
- iv. To alleged incidents of Harassment and Abuse.

3.2 For the purpose of this Framework:

- i. “Participants” shall mean all those holding an accreditation issued by OCA/organizing committee for all the OCA ASIAN Games.
- ii. “Athletes” shall mean all individual competing during the OCA ASIAN Games.
- iii. The “OCA ASIAN Games-time period” shall mean the time between the opening and the closing of the Athletes’ Village (s).
- iv. “Child” shall mean “every human being below the age of eighteen” (as per the United Nations Convention on the Rights of the Child (UNCRC)) at the time of the opening of the Athletes’ Village(s).
- v. “Harassment” as stated in Article 1.4 of the IOC Code of Ethics or “harassment and abuse” and OCA guidelines for safeguarding against sexual harassment, abuse and exploitation includes psychological abuse, physical abuse, sexual harassment, and neglect. These forms of harassment and abuse may occur in combination or isolation.

“Psychological abuse” means any unwelcome act including confinement, isolation, verbal assault, humiliation, intimidation, or any other treatment which may diminish the sense of identity, dignity and self- worth.

“Physical abuse” means any deliberate and unwelcome act- such as for example punching, beating, kicking, biting, and burning- that causes physical trauma or injury. Such act can also consist of forced or inappropriate physical activity (e.g., age-, or physique-inappropriate training loads; when injured or in pain), forced alcohol consumption, or forced doping practices.

“Sexual harassment” means any verbal or physical conduct of a sexual nature, which is unwelcome, or where consent is coerced, manipulated, or cannot be given. Sexual harassment can take the form of sexual abuse.

“Neglect” within the meaning of these guidelines means the failure of a coach, or another person with a duty of care towards the athlete to provide a minimum level of care to the athlete, which is causing harm, allowing harm to be caused, or creating an imminent danger of harm.

Harassment and abuse can be based on any grounds including race, religion, color, creed, ethnic origin, physical attributes, gender, sexual orientation, age, disability, socio-economic status, and athletic ability. It can include a one-off incident or a series of incidents. It may be in person or online. Harassment may be deliberate, unsolicited, and coercive.

Harassment and abuse often result from an abuse of authority, meaning the improper use of a position of influence, power, or authority by an individual against another person.

Further details and examples of what can constitute harassment and abuse can be found in the OCA guidelines for safeguarding against sexual harassment, abuse, and exploitation.

PREVENTIVE MEASURES

OCA/IOC educational materials and other information regarding harassment and abuse in sport will be available to Athletes and other Participants including their respective entourages explaining what may constitute harassment and abuse, and where Athletes and other participants and their respective entourages may seek further information, advice, and support.

THE NOC ACCREDITED SAFEGUARDING OFFICER

Safeguarding Officer accreditations are available for NOC delegations participating in the OCA ASIAN Games. The safeguarding officer accreditation will be added to the total NOC delegation quota.

All NOC Safeguarding officers are required to be:

- i. A national or international certified safeguarding officer;
- ii. or in the process of getting his/her certification (proof of enrollment to be presented by a formal letter from the NOC)

NOC Safeguarding officers are responsible for:

- i. taking all reasonable steps to ensure that athletes' mental and physical well-being are prioritized and properly addressed;
- ii. acting as the specific point of contact for all safeguarding matters within the national team delegation during the OCA ASIAN Games-time period from the opening until the closing of the Athletes' Village;
- iii. liaising with OCA Safeguarding officer on duty should a concern or an allegation of harassment should arise; and
- iv. knowing the specific safeguarding measures implemented for the OCA ASIAN Games time, and the available reporting mechanism.

THE OCA SAFEGUARDING OFFICER

OCA safeguarding officer (s) (or a delegate designated by the OCA Safeguarding officer) will be present in the Athletes' Village(s) or in the OCA family hotel throughout the OCA ASIAN Games- Time Period shall be responsible for:

- i. Liaising with the NOC accredited safeguarding officer, the OCA ASIAN Games organizing committee;
- ii. documenting all reports of harassment and abuse during the OCA ASIAN Games- time period;
- iii. determining whether a follow-up is warranted, and if so, following up accordingly;
- iv. **Recommending whether a case should be:**
 - a. Submitted to the OCA Director General;
 - b. Notification to local authorities will be taken into consideration, as appropriate and necessary pursuant to local law will also be taken into consideration.

REPORTING AND PROCEDURE FOR ADDRESSING INCIDENTS OF HARASSMENT AND ABUSE

7.1 Reporting

7.1.1 Anyone may report an incident of harassment and abuse.

7.1.2 Reporting channels through which an alleged incident of harassment and abuse may be reported will be in place during the OCA ASIAN Games-time period. Reporting channels may include, in particular:

- i. The OCA Safeguarding Officer email address (Official OCA reporting mechanism: safeguarding@oca.asia)
- ii. The OCA Safeguarding Officer.

7.1.3 Reports of harassment and abuse may be made in writing or verbally. The OCA Safeguarding officer shall ensure that such reports are documented. This documentation should include the name, title, address, contact information and signature of the reporting person. The documentation should also include information pertaining to the reasons and basis for the report, including any evidence which might suggest that harassment and abuse has occurred. Based on the particular facts as detailed reports, the OCA Safeguarding Officer will determine how to proceed with each case.

7.2 Procedure

7.2.1 If an alleged incident of harassment or abuse has occurred between persons belonging to the same International Federation (“IF”) or National Olympic Committee (“NOC”), the incident shall be resolved by such IF or NOC, provided that it has an appropriate procedure for safeguarding Athletes/Participants.

7.2.2 In all other cases, including in the event that:

- i. An alleged incident of harassment or abuse has occurred between two people belonging to other organizations or to different organizations.
- ii. An IF or NOC, which has an appropriate procedure for safeguarding Athletes/Participants (e.g. by taking any disciplinary action) or
- iii. Does not have an appropriate procedure for safeguarding Athletes/Participants, the OCA shall act within its own competence to safeguard the concerned Athlete/Participant, including taking any disciplinary action, if necessary.

7.2.3 When a report is documented through the OCA Safeguarding Officer, the OCA safeguarding officer and the OCA Chief Compliance Officer are allowed to cease/withdraw the accreditation of the participant(s) involved in the incident until the investigation is over.

DISCIPLINARY PROCEDURE

Any alleged incident of harassment and abuse during the OCA ASIAN Games-time period may constitute a breach of Article 1.4 of the IOC Code of Ethics and the OCA Guidelines for safeguarding against sexual harassment, abuse, and exploitation, may give rise to the OCA initiating disciplinary proceedings.

CONFIDENTIALITY

- 9.1 All matters pertaining to an alleged incident of harassment and abuse, in particular reports of harassment and abuse, personal information of the concerned persons, other information gathered during investigations and results of investigations (“Confidential Information”) shall be regarded as confidential.
- 9.2 The OCA may disclose Confidential Information to appropriate persons or authorities if:
- i. A failure to disclose such information may cause harm to someone.
 - ii. Such information relates to a potential criminal act that comes to the attention of the OCA.
- 9.3 Notwithstanding Section 9.2 above, decisions pursuant to Section 8 shall, in principle, include Confidential Information and shall be publicly disclosed by the OCA. When disclosing such decision, the OCA shall:
- i. Not include any personal information of the victim without obtaining the victim’s consent.
 - ii. Anonymize personal information of other concerned persons in certain cases, taking into consideration the privacy interests of such concerned persons.