



## **IFI - Policy Statement protection against discrimination, harassment and abuse**

### **Introduction**

Any form of discrimination, sexual abuse and sexual harassment is completely incompatible with the intrinsic values of sport. Within the INTERNATIONAL FEDERATION ICESTOCKSPORT (IFI), there is zero tolerance for discrimination and harassment, regardless of gender, ethnic origin, religious beliefs, sexual orientation and disability.

— In its role of promoting and protecting the health of the athlete, their environment and all officials, the IFI recognizes all the rights of athletes, including the right to a safe and supportive sports environment. In such conditions, athletes are most likely to thrive and optimize their athletic performance.

Sexual harassment and abuse are violations of human rights, regardless of their cultural environment, that harm both the health of the individual and the organization. While it is well known that exercise offers significant potential for personal and social benefits, this potential is undermined when such problems arise. Abuse of power or trust can occur by any person at any level of the organization and must therefore be considered.

— These guidelines are aimed at sexual harassment but can also be applied in cases of discrimination or abuse of any kind.

Zero tolerance means that sexual harassment and sexual abuse must not take place. Therefore, all organizations within the IFI have a responsibility to prevent sexual harassment and abuse. The prerequisite is that both staff and volunteers in sports follow the guidelines on sexual harassment and abuse and that the suspicion of sexual harassment and abuse is reported and/or dealt with if a situation arises.

Sexual harassment and abuse occur worldwide. In sport, they lead to suffering for athletes



and others, as well as legal, financial and moral obligations for sports organisations. No sport is immune to these problems, which occur at every level of performance. Sports organizations are gatekeepers for safety and should take a strong leadership role in identifying and eliminating these practices.

Everyone in sport has a responsibility to recognise and prevent sexual harassment and abuse and to develop a culture of dignity, respect and safety in sport.

The IFI will do its best to protect any person who has been harassed/discriminated against and/or reported.

## **1. Discrimination, Harassment and Abuse Policy Statement**

### **1.1 Purpose**

The purpose of this policy statement and the Discrimination and Harassment Guidelines is to:

- set out the IFI Sexual Harassment and Abuse Policy, including the persons to whom the Policy applies and where it applies, and the definitions of the practices covered
- Describe the processes put in place to prevent these behaviours and the responsibility of IFI participants to create a work and sports environment free from sexual harassment and abuse
- Defining the procedures available to IFI participants to lodge a complaint
- describe the consequences of a breach of this Directive, including interim measures and specific sanctions
- set out the procedures for keeping records upon receipt of a complaint; and
- Provide a statement of confidentiality when dealing with complaints and other matters related to this Policy and these Guidelines.

The IFI recognises that bullying, harassment and discrimination can poison the work/sports environment for the whole group as well as for the members of the group who are affected by bullying, harassment or discrimination. All IFI participants are expected to support a work environment that promotes respect and promotes each other's dignity and self-esteem.

The IFI is committed to creating and maintaining a work and sports environment that is free of:

- personal harassment and bullying, and
- Discriminate or harass on any prohibited grounds, including race, ancestry, place of origin, color, ethnic origin, citizenship, political opinion, creed, gender, sexual orientation, disability, age, marital status, language, and any other discrimination or harassment prohibited by applicable law.



## 1.2 Guidelines

IFI has adopted policies against sexual harassment and abuse to be applied in all parts of the organization. The Executive Board has the primary responsibility for publicizing the policies within the organization, and IFI staff, IFI officials, and IFI event participants are responsible for adhering to them.

The following guidelines apply within the IFI:

- Treat everyone with respect and refrain from any form of communication, action, or behaviour that could be perceived as offensive
- Avoid physical contact that can be perceived as undesirable
- Avoid all kinds of verbal intimacy that can be perceived as sexually charged
- Avoid expressions, jokes, and opinions that refer negatively to the person's gender or sexual orientation
- Try to ensure that both genders are represented in the support network.
- Do not offer any form of reward to demand or expect sexual services in return
- Act and inform if a violation of these rules is found

The IFI leadership (IFI staff, IFI officials, IFI Board of Directors, IFI event organizers, etc.) has the primary responsibility for ensuring that these rules are known in the organization/sporting environment and that they are observed.

## 1.3 Definitions

### IFI Participants

This policy and guidelines apply to all IFI participants, including anyone who works in a paid or volunteer capacity with IFI or is otherwise subject to IFI's jurisdiction. Without limiting the scope of the guidelines, IFI participants include:

- IFI officers, members and volunteers
- IFI employees and persons under contract with IFI
- all athletes who are eligible for a nomination in a team or are part of a team participating in sports competitions for which the IFI is responsible
- all persons working with these teams or athletes, including coaches, medical and paramedical personnel, representatives of sports federations and other support persons



## Work in sports

The IFI Policy and these Guidelines always apply to IFI Participants during their work, in sports and in other activities where their behaviour may affect the work and sports environment, whether in the IFI offices, at IFI meetings, other institutions or at IFI events.

## Person in Authority

An authority figure is any IFI participant who holds or trusts a position of authority over an individual who may be experiencing harassment, and may include individuals such as team leaders, coaches, medical or paramedical personnel, parents, or other volunteers.

Within the IFI workplaces, an authority figure includes all supervisors and managers, as well as all members of the IFI Executive Committee.

## Harassment

Harassment is a form of discrimination and refers to unlawful conduct, whether the conduct is related to a prohibited reason that negatively affects the work and sports environment, or to adverse consequences in that environment for the person(s) affected by the harassment of which the perpetrator was aware or reasonably should have known that they would be unwanted.

Harassment includes bullying and can take many forms, but often involves behaviour, comment, or display that is offensive, intimidating, humiliating, hurtful, degrading, disparaging, malicious, or otherwise causes insults, discomfort, or personal humiliation, or embarrassment to a person or group of people.

## Examples of harassment include:

- unwanted remarks, jokes, nicknames, innuendos, or taunts that may or may not be associated with a prohibited reason, such as age, sexual orientation, race, ancestry, political opinions, etc.
- written or verbal abuse or threats that may or may not be associated with a prohibited reason
- racial, ethnic, or other slurs
- Depictions that may be offensive and that may or may not relate to prohibited reasons, such as sexual, racial, ethnic or religious posters or graffiti
- Use of terms that reinforce stereotypes that may or may not be based on prohibited grounds
- Vandalism or physical assault that may or may not be motivated by prohibited reasons
- Condescension, paternalism or patronising behaviour, which may or may not be associated with prohibited reasons, undermines self-respect, or impairs performance, or working conditions.



## Personal harassment

Personal harassment is inappropriate behaviour toward a person that the perpetrator knew, or reasonably should have known, would be unwanted. The behaviour repeats itself over time or has the potential to repeat itself.

Examples of personal harassment include disparaging jokes, insults, nicknames, inappropriate teasing, taunts, and condescension.

## Bullying

Bullying is unwanted verbal, physical, or social behaviour that aims to hurt or inappropriately control another person. Often it is about a real or perceived power imbalance. The behaviour repeats itself over time or has the potential to repeat itself.

Examples of bullying include acts such as threats, spreading rumours, physical or verbal attacks on someone, and intentionally excluding a person from a group.

## Sexual harassment

Sexual harassment is unwanted sexual advances, requests for sexual favors, or other verbal or physical behaviours of a sexual nature, or related to a person's gender, when:

- The submission or rejection of this behaviour may influence decisions about the individual
- the conduct has the purpose or effect of impairing the individual's performance
- The behaviour has a detrimental effect on the work and sports environment.

## Concrete examples can be:

- criminal behaviour, such as stalking and physical or sexual assault, or abuse
- inappropriate comments about a person's body or appearance
- Inquiries or comments about a person's sex life, sexual preferences, etc.
- Staring or other obscene suggestive gestures
- Promises or threats that are made conditional on the fulfilment of sexual favors
- sexual/sexist graffiti or showing sexually explicit material or images
- unwanted physical contact such as touching, kissing, caressing and pinching
- unwanted flirtation, sexual remarks, invitations or solicitations, whether indirect or explicit
- Use of inappropriate or derogatory sexual terms.



## Sexual abuse

Abuse implies that one person violates the rights of another person. By sexual abuse, we mean inducing or coercing a person into a sexual act that they do not want or who is not mature enough to consent to. Such abuse can be punished under the Penal Code, which also defines sexual abuse of varying degrees of severity.

### This type of abuse can include, but is not limited to:

- Pornography screening
- indecent exposure
- Scanning touches
- sexual penetration retribution

## Reprisal

Reprisals or threats of reprisals are an aggravating factor in any situation involving bullying, especially if the reprisals or threats of reprisals come from an authority figure.

### Examples of retaliation include:

- Retaliation aimed at punishing a person who has reported discrimination or harassment, and threats of retaliation aimed at preventing a person from reporting discrimination or harassment.
- In sexual harassment situations, retaliation may also include:
- retaliation to punish a person who has rejected sexual advances
- Threats of retaliation if sexual advances are rejected.

For the purposes of these guidelines, the submission of an intentionally unfounded complaint is also considered a retaliatory measure.

## Toleration

If an authority figure knows, or reasonably should have known, that harassment or sexual abuse may have taken place and does not take appropriate action, the authority figure has condoned the action and may be subject to sanctions under these guidelines.

### What is not considered harassment:

- Appropriate action or behaviour by an IFI person with authority that is part of their normal function, even if it may have unpleasant consequences (e.g., disciplinary action, performance management, changes to schedules or tasks, implementation of policies, etc.).
- Disagreements or disagreements between co-participants.



## It is crucial that public authorities:

- establish non-discriminatory performance standards, selection criteria, rules and regulations and communicate this to all participants
- be consistent in taking remedial or punitive measures without discrimination on prohibited grounds or harassment
- Use non-discriminatory terminology, address people by name, and avoid using derogatory slang or offensive terms.

## **1.4 Prevention and intervention**

Prevention and intervention are key to a work and sports environment that is free from discrimination and harassment. The IFI must be a positive role model. IFI participants should communicate IFI's objective of creating and maintaining a work and sports environment free from discrimination and harassment, and they are expected to intervene if it appears that discrimination or harassment may have occurred.

### Integrity Officer

The IFI shall appoint a person who shall be appointed as the IFI Integrity Officer for the purposes of these Guidelines. The role of the Integrity Officer is to

- Receive information about reported reports related to discrimination and harassment
- Facilitating the procedure for submitting reports
- Support for people who have questions or concerns about the application of these guidelines
- Report regularly to the Ethics Committee and the Executive Committee

### Reporting obligation

All IFI participants are expected to promptly report any conduct of which they become aware that may constitute harassment or discrimination, as described below. This includes situations where discrimination or harassment is suspected or rumoured, bearing in mind that people who experience discrimination or harassment are often reluctant to report it.

There is no obligation to report in cases where the person who has been harassed/discriminated against could or would be put at risk by the report and/or does not want the case to be disclosed for reasonable reasons. To protect sport, the IFI and other people, an attempt should always be made to make a report in the future.

### Receiving Reports

Reports of alleged discrimination or harassment can be directed to the IFI Integrity Officer, the President or any other authority figure within the IFI.



All such reports shall be brought to the attention of the Integrity Officer and the President without delay, by the person receiving the report (unless the report concerns one of them, in which case it will be brought to the attention of the other, or in the case where both are concerned, the President).

Any reports resulting from the behaviour of a participant (athlete, official or volunteer) at an IFI event will also be brought to the attention of the Jury Chair without delay, unless the complaint relates to the behaviour of the Jury Chairman.

## 1.5 Appeal proceedings

### Assisting the complainants

A complainant may request the assistance of the Integrity Officer in understanding these guidelines, finding a solution without filing a complaint, and drafting the written complaint.

If a complainant chooses to seek legal assistance at any stage of a complaint or appeal, it will be at the complainant's own expense.

### The complaint

Although anyone can report discrimination or harassment, a complaint can only be made by (I) persons affected by the alleged discrimination or harassment, (II) the President or the Integrity Officer on behalf of the IFI.

A complaint must be in writing and signed by the complainant or by the President or Integrity Officer (as the case may be) if the complaint is filed on behalf of the IFI. The complaint shall be submitted to the President and/or the Chair of the Ethics Committee, and a copy shall be made available to the Integrity Officer.

The complaint should include details about the discrimination or harassment, including details of the incident or incidents, including the date, time, location, description of the act, report of the dialogue, the name of the alleged perpetrator(s), and any witnesses or names of other people who may have also experienced discrimination or harassment. The complaint should list all corrective actions taken so far.

The parties to a complaint are the IFI, the respondent(s) and, if any, the complainant(s). If there is a complainant, the complainant may withdraw the complaint at any time. However, such a complaint may be taken forward as a complaint by the Secretary-General on behalf of the IFI if the IFI does not agree to the revocation.

### Handling of the complaint

The person responsible for handling the complaint (hereinafter referred to as the "IFI officer") may vary as follows: (a) where a complaint concerns the conduct of an employee of the IFI or a person under contract with the IFI, with the exception of the President, the President shall be the IFI official; and b) in all other cases, the Chair of the Ethics Committee (or, if a complaint concerns the conduct of the Chair of the Ethics Committee, an alternate member of the Ethics Committee) shall be the IFI official. The Chair of the Ethics Committee or, in the event of a complaint involving the Chair of the Ethics Committee, the Deputy, may





delegate all or part of the responsibilities of the Chair of the Ethics Committee (or his deputy) to the President under these Guidelines, unless a complaint is lodged by or against the President.

## Investigation of complaints

The IFI official may decide not to deal with a complaint:

- a) if, in the opinion of the IFI official, the facts alleged in the complaint would not be sufficient, if proven, to justify discrimination or harassment in accordance with the IFI policy and these guidelines
- b) if, in the opinion of the IFI official, the investigation of the complaint would not further the purpose of the IFI policy in the circumstances, either because of the impossibility of investigating the case, due to a significant delay between the alleged events and the time of the complaint, or for any other reason. The IFI officer must set out in writing the reasons for the decision not to deal with it, or why it is not possible or does not make sense.

If the IFI official decides not to deal with the complaint, the complainant may file a complaint to refer the case to the IFI Complaints Committee in accordance with the IFI Complaints Committee.

In all other cases, the IFI officer investigates the complaint or appoints an investigator to investigate the complaint and make findings of fact and gives him a mandate.

Prior to the commencement of the investigation, the IFI officer shall notify each respondent of the complaint and shall provide each complainant and respondent with a copy of the written complaint, the IFI Policy and these Guidelines, and, if applicable, the investigator's terms of reference.

Before the publication of the investigation report, each defendant has a reasonable opportunity to comment on the allegations. If an interviewee refuses to do so, or does not respond within the specified period, the investigation report can still be issued. A defendant can invoke all legal defences recognized under applicable human rights law.

All IFI participants, including respondents, must cooperate fully in all investigations under these guidelines.

The IFI officer may consult the investigator during the investigation, review the draft investigation report and provide additional guidance or request clarification.

The chairman of the jury will be consulted during any investigation concerning conduct at an IFI event, unless the complaint concerns conduct of the chairman of the jury.

A copy of the investigation report will be provided to the IFI, the complainant(s) and the respondent(s), and the jury chairman, if the complaint concerns conduct at an IFI event.



## Respondent support

An interviewee may request the Integrity Officer's assistance in understanding these policies. If a defendant chooses to appoint legal counsel at any stage of a complaint or appeal, it will be at the defendant's own expense.

## Findings after the examination

The IFI officer shall determine, considering the findings of fact contained in the investigation report, whether discrimination or harassment has been established and, if so, the nature and details of the discrimination and/or harassment. The findings of the IFI officer are communicated to the IFI, the complainant(s), the respondent(s) and the integrity officer, as well as the jury chairman, if the complaint concerns conduct at an IFI event.

## Settlement

A complaint can be settled at any time. A settlement agreement should be in writing and signed by all parties. A copy of the resolution agreement will be made available to the integrity officer and the IFI.

## Arbitration

The IFI may provide an arbitrator if the IFI official deems mediation appropriate and if the complainant and respondent are willing to enter into an arbitration agreement.

## **1.6 Sanctions**

The IFI officer has the power to impose sanctions if justified. If the complaint arises from conduct at an IFI event, the IFI officer shall consult the chairman of the jury before imposing sanctions, unless the complaint concerns conduct of the Chef de Mission/Team Leader.

The IFI, the complainant(s) and the respondent(s) will be given a reasonable opportunity to submit comments to the IFI official prior to the imposition of sanctions.

### Sanctions include, but are not limited to:

- a) the issuance of a warning and/or a reprimand
- b) the imposition of such temporary or permanent conditions for continued employment with IFI or participation in IFI activities as the IFI officer deems appropriate
- c) temporary suspension from employment or contract with IFI (with or without pay) or from participation in any or all the activities for which IFI is competent, including the Olympic Games or any sporting event (hereinafter collectively referred to as "IFI Activities")
- d) the recommendation to revoke the membership of an individual in accordance with the Articles of Association of the IFI, or, in the case of an employee or contractor of the IFI, to terminate the employment relationship or contract.



The IFI officer shall provide the complainant(s) with the information on the sanctions imposed that is appropriate in the circumstances. The IFI and the Integrity Officer will be informed of the sanctions imposed.

Should a sanction that the IFI officer deems appropriate require the adoption of a resolution by the IFI Board, the IFI officer shall take the appropriate measures to submit the matter to the Board of Directors for consideration, but the matter shall not be considered prior to an appeal or the expiration of the right of appeal under these guidelines.

## 1.7 Interim measures

The IFI officer may impose interim measures pending the investigation and settlement of a complaint if he considers that the imposition of such measures is in the best interests of the complainant(s), the respondent and/or the IFI.

Interim measures are not sanctions and can take many forms, including but not limited to:

- a) the imposition of conditions for the defendant's continued participation in the activities or work of the IFI
- b) suspension of the defendant from participating in the activities or work of the IFI, with or without pay in the case of employees or under other conditions deemed appropriate
- c) Safety precautions.

The IFI and the Integrity Officer shall be informed of interim measures.

The IFI officer shall consult the chairman of the jury before imposing interim measures that may affect a participant in an IFI event.

## 1.8 Remedies

An appeal under these guidelines will be heard and determined by the IFI Appeal Committee.

None of the people hearing the appeal must have been involved in the matter before.

### Grounds for appeal by the defendant

A defendant may challenge the IFI officer's decision(s) only on the following grounds:

- a) that the investigation was conducted in an unfair or biased manner contrary to the rules of natural justice; or
- b) that the findings of fact contained in the investigation report are not sufficient to support the finding that discrimination or harassment has been established.

In the event of an appeal by the respondent against the decision(s) of the IFI official, the complainant is entitled to participate in the complaint as a respondent.



If the respondent appeals against the decision(s) of the IFI official, the complainant is entitled to participate in the appeal as a defendant.

A Respondent may also appeal against the sanction(s) imposed or recommended based on a complaint. In this case, the complainant will be informed by the IFI official that a complaint has been lodged and will be entitled to make a written statement; however, he is not entitled to participate in the appeal as a respondent. No appeal may be lodged against the findings of fact contained in the investigation report.

### Grounds for complaint by the complainants or the IFI

A complainant or the IFI may object to the IFI officer's decision(s) only on the following grounds:

- a) that the investigation was conducted in an unfair or biased manner, which violates the rules of natural justice
- b) that the findings of fact contained in the investigation report should have led to the conclusion that discrimination or harassment had been established.

If the complainant or the IFI appeals against the decision(s) of the IFI official, the respondent is entitled to participate in the appeal as a defendant.

A complainant or the IFI may also appeal against the IFI officer's decision not to deal with a complaint.

In such a case, the Respondent is not named in the Complaint and is not entitled to participate as a Respondent.

There is no right of appeal against the findings of fact contained in the investigation report.

### Information on legal remedies

The objection must be made in writing to the IFI Secretary-General within fourteen days of the objector becoming aware of the IFI official's decision on the sanctions and must state the specific reasons for the appeal.

A copy of the Notice of Appeal shall be served immediately on the President, the IFI Official, the Integrity Officer, the Team Leader if the appeal relates to conduct in games, and any person eligible to participate as an Appellant.

### The hearing

The following persons may appear before the appeal committee at its hearing in camera and comment on the complaint:

- a) the IFI
- b) the complainant(s)



- c) any person entitled to participate in the complaint as a respondent
- d) the IFI official who may make representations in relation to the investigation of the objection, the findings and the sanctions imposed and/or recommended
- e) the Chef de Mission/Team Leader, who can issue opinions if the objection concerns conduct at the Games
- f) any other person invited by the appeal committee to submit opinions.

No member of the Appeals Committee who has previously been involved in the complaint or is otherwise in a conflict of interest may participate in the deliberations or the decision on the complaint.

### Settlement of an appeal

The deliberations of the appeal committee take place behind closed doors. No other person may be present at the consultations.

The appeal committee may, by a majority of the votes cast:

- a) dismiss the complain
- b) replace the contested decision with its own decision
- c) replace the contested sanction with a penalty
- d) refer the complaint back for further investigation and/or redetermination in accordance with its instructions.

The Appeals Committee shall give reasons for its decision. Reasons for minorities and dissenting opinions can also be given.

A copy of the statement of reasons will be sent to the IFI, the complainant, the respondent and the team leader if the complaint concerns conduct at games. In the event of an appeal against sanctions, the IFI official shall inform the complainant(s) of the decision on the appeal, to the extent appropriate in the circumstances.

### Published summaries

It is desirable to publish a summary of each decision and the reasons for the decision in a timely manner, in a form that protects the identity of the data subjects.

## **1.9 Record keeping**

The Secretary-General shall keep a secure record of every report and complaint under these guidelines. These records must include all relevant documentation, including:

- a) Details of the report(s) and/or a copy of the complaint(s)
- b) the answer(s), if applicable
- c) the mandate of the investigator, if applicable
- d) the interim measures, if applicable



- e) all witness statements
- f) the investigation report, if applicable
- g) the terms of an informal solution or a written solution agreement
- (h) the findings of the IFI official, if applicable
- i) the sanctions imposed, if any
- j) all other correspondence
- k) all appeals filed
- l) any documents submitted in an appeal
- m) all minutes of the IFI Executive Committee.

## SOURCES:

Canadian Olympic Committee - Discrimination and Harassment Policy Statement and Guidelines.

Adopted by the Board of Directors on May 21, 2012 (updated April 14, 2016)

IOC adopts Consensus Declaration on "Sexual Harassment and Abuse in Sport" (2007)

Norwegian Olympic and Paralympic Committee and Sports Federation (adopted in 2010 by the Executive Board of the Norwegian Olympic and Paralympic Committee and the Sports Federation (NIF))

Guidelines for the prevention of sexual harassment and abuse in sport

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## 2. IFI recommendations to national member associations

The IFI recommends that all member associations do not:

1. Develop policies and procedures to prevent sexual harassment and abuse
2. Monitor the implementation of these policies and procedures
3. Assess the impact of these strategies in detecting and reducing sexual harassment and abuse
4. Development of an educational and training programme on sexual harassment and sexual abuse
5. Promoting and setting an example for just, respectful and ethical leadership; and
6. Promoting strong partnerships with parents/carers in the prevention of sexual harassment and abuse.

Sexual harassment and abuse policy should:

- Identify and address these issues
- be clear and easy to understand
- Include a consultation with the athletes
- Be widely publicized through publication and training
- approved by the relevant governing body (e.g. board of directors or executive committee) and incorporated its statutes and/or regulations
- apply to all those involved in the organization
- supported by a comprehensive education and training strategy
- regularly reviewed and updated, especially in the event of major changes in the organization's statutes or legislation.

Politicians should:

- Establish that all members have a right to respect, safety and protection
- declare that the well-being of the members comes first
- determine who is responsible for implementing and complying with the Directive
- determine what constitutes a violation
- define the range of consequences for such violations
- Establish procedures for reporting and handling complaints
- Information on where all parties involved in a complaint can get advice and support.
- Establish Record-Keeping Procedures
- Providing guidance on how to report whistleblowing.
- Codes of Conduct on sexual abuse and sexual harassment should be in place for specific member roles in a sports organisation.

The Code of Conduct on Sexual Harassment and Abuse should:

- Include a guide to appropriate/expected standards of conduct for all members
- establish clear procedures for dealing with unacceptable behaviour, including guidelines for disciplinary measures and sanctions.

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