

OCA Guidelines

For Safeguarding against sexual harassment, abuse and exploitation





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1. General:

Harassment and abuse can occur in sport 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 and abuse are greater when there is a lack of protection or implementation of policies, codes of conduct, whistleblowing channels and response mechanisms. The risk is further increased by high perpetrator motivation, such as being in a leading position, and high athlete vulnerability, especially with young athletes or those coming from a socially disadvantaged background.

Several research studies have investigated this area and have shown that harassment and abuse involve all sports, at all levels. The impact of harassment and abuse on the victims is devastating. The consequences for the victim include sports drop-out, psychosomatic illnesses, disordered eating, anxiety, depression, self-harm and, in worst cases, suicide. Consequences for the perpetrators are also very serious. They can be of a legal nature, since most jurisdictions classify abuse and harassment as a crime; reputational with a lasting negative effect on the person's social status; professional due to sanctions leading an ineligibility to work in the field; and personal with a severe impact on family life.

Prevention of all forms of harassment and abuse represent a major public health priority and the prevention of these behaviors within OCA sport events is a major concern for the OCA.



2. Definition:

“Harassment” as stated in Article 1.4 of the IOC Code of Ethics or **“harassment and abuse”** includes psychological abuse, physical abuse, sexual harassment and neglect. These forms of harassment and abuse may occur in combination or in 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.

“Definition of hazing” involves abusive initiation rituals that often have sexual components and in which Newcomers are targeted.

“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.

“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.

“Sexual abuse” involves forcing or enticing another person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the person is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving individuals in looking at, or in the production of, sexual images, watching sexual activities, encouraging to

behave in sexually inappropriate ways, or grooming a person in preparation for abuse (including via the internet). Sexual abuse can be perpetrated by both males and females. It is usually committed by individuals in position of power and trust, such as coaches and members of the athlete entourage, as well as family and friends, peer athletes and sports fans.



Applicability:

The Guideline applies to:

- The OCA Parties
- Any individual, who is or has been accredited to attend Asian Games/OCA Sport Events.
- Any member of an organizing committee of Asian Games/OCA Sport Events.
- Any individual, who acts or is entitled to act for or on behalf of a candidate or host NOC for Asian Games/OCA Sport Events and any member of the local organizing committee of such an event.

3- OCA Responsibilities to sexual harassing and abusing behavior:

The OCA will take all reasonable and practicable steps to prevent and treat sexual harassment and abuse within the OCA Athlete Department.

The OCA takes a comprehensive approach to this and wishes to involve all OCA stakeholders (NOCs, AFs/IFs, Officials, Athletes, Coaches, Referees, Volunteers, Media...) at all levels and engaging everyone, the set of actions may include:

- Assess the prevalence of sexual harassment and abuse in OCA sport events through tailored designed scientific surveys.
- Integrate a culture of respect and the prevention of sexual harassment, abuse and violence into Asian Games/OCA event's policy plan.
- Raise awareness for the topic through information sharing.
- Offer education programs for athletes, coaches and other athletes' support staff of the OCA members.
- Develop procedures for dealing with complaints and concerns.
- Establish and implement rules for sanctioning people who engage in sexual harassment or abuse.
- Collaborate with other stakeholders from within and outside the sport domain, including law enforcement and entities in charge of the safeguarding of vulnerable populations (children, young women for example).



**SEXUAL
EXPLOITATION
AND ABUSE**





4- OCA Responsibilities in preventing and tackling sexual harassment and abuse during Asian Games/OCA Sport Events:

A) Guidelines for Sport Organizations (NOCs,AFs/IFs):

- Through the promotion and implementation of this Position Statement, all sports organizations (NOCs, AFs/IFs) should ensure that all athletes, staff members, officials and any other concerned person are aware of confidential reporting mechanisms to raise their concerns. Disseminating, promoting and explaining rules and practices, setting up whistleblowing channels will decrease the risk of impunity for the perpetrators.
- Everyone who is involved at any level in Asian Games/OCA Sport Events has the responsibility to contribute to the creation of a safe and enjoyable environment for others to work, compete, assist and participate in the sport. Everyone contributes to the culture of sport; this includes OCA staff, Sports organizations (NOCs, AFs/IFs, athletes, coaches and spectators).
- Anyone actively involved in OCA should be aware of the expected standards of behavior and what to do when they become aware of behavior's that all short of these expectations.
- Every allegation of sexual harassment or abuse should be properly assessed, and if the case warrants it, investigated and treated. The OCA and local organizing Committee (LOC) are responsible for providing a safe and inclusive environment, and it must be clear that sexual harassment and abuse will not be tolerated.
- All Members need to be willing to take formal action when informal steps have not worked or are not suitable because of the seriousness of the issue. They also need to be able to provide people with support and by referring them to external support services.

B) Guidelines for Athletes, coaches, supporting staff, volunteers, officials:

- People in positions of trust are responsible for acting as good role models and for recognizing and praising positive achievements and behaviors, as well as taking appropriate actions when there are negative behaviors.
- Athletes need to know whom to talk to about any concerns, should feel confident that they will be listened to and actions can be taken. Speaking out can put the athlete at risk of repercussions, both personally and in terms of sport career. Therefore, it is crucial that once this step has been taken, the person reporting on the issue (be it the victim or a witness) feels safe and the

response is prompt. Furthermore, they should be assured of a safe environment in which they can carry on practicing athletics and should not feel excluded from the sport at any time.

- Athletes need to know what will happen if they raise a concern and should be supported throughout the process. They should be provided with referrals to support lines and other sources of external help. Victims should be kept informed during the process and the way the issue is dealt with.
- All raised concerns will be investigated to verify their authenticity and to ensure a fair treatment of all parts involved. False accusations made in bad faith will be treated as breaches of the Rules.

C) Guidelines for Sports medicine and allied health practitioners:

Ensure that you are adequately trained to:

- Recognize the signs and indicators of non-accidental violence;
- Effectively and appropriately respond to disclosures of non-accidental violence.
- Ensure that you have access to a multidisciplinary professional support team prior to initiating any treatment plan for athletes who are survivors of non-accidental violence.
- Know where and how to refer disclosures or suspicions





5- OCA Safeguarding Policy:

When adopting and implementing a safeguarding policy, the OCA recommends taking the following into consideration during Asian Games/OCA Sport Events.

A) Scope of Application:

Apply the safeguarding policy to all persons affiliated with the NOCs/ AFs/IFs, including athletes.

B) Education and Prevention:

Inform all athletes, their entourages, coaches, officials as well as other relevant persons on what may constitute sexual harassment and abuse and where they may seek further information, advice and support, e.g. by organizing conferences or by making available educational material.

C) Reporting Procedure:

Establish a reporting procedure for alleged incidents of sexual harassment and abuse, specifying the different reporting channels and designated persons through which an alleged incident of sexual harassment and abuse may be reported to the OCA as well as the information that should be included in the report.

D) Investigation Procedure:

Establish an investigation procedure to respond to alleged incidents of sexual harassment and abuse which aims to assemble comprehensive information on the alleged incident.

The victim may seek the assistance of witnesses, provided that all testimonies are recorded in the session minutes.

E) Support of Concerned Persons:

Establish appropriate mechanisms to provide support and information to persons involved in an alleged incident of sexual harassment and abuse (“concerned persons”) including the appointment of someone who is responsible for following up on all alleged incidents of sexual harassment and abuse (e.g. a “Welfare/Support Officer”). Such person should be trained and experienced in the field of safeguarding from sexual harassment and abuse (e.g. medically and/or legally), and his/her responsibilities should, in particular, include playing a central role in: the reporting and investigation procedures, determining whether information of a case should be disclosed to the competent local authorities, and providing support to any concerned persons throughout the reporting and investigation procedures.



F) Disciplinary Procedure:

Establish a disciplinary procedure for alleged incidents of abuse and sexual harassment, which includes, in particular, disciplinary decisions, measures and sanctions.

G) Measures and Sanctions:

Establish guidelines within the OCA Ethic Committee on measures and sanctions detailing how incidents of sexual harassment and abuse should be sanctioned. Measures and sanctions must respect the principle of proportionality, be in proportion to the severity of the behavior and consistent with applicable laws. The following factors should be taken into consideration when determining proportionality: the nature and severity of the violations; the number of violations; any other relevant circumstances (e.g. when the abused or harassed person is a minor).

OCA shall apply sanction/Penalty after investigation by OCA Ethics committee and the result of the investigation is confirmed that the person convicted violation.

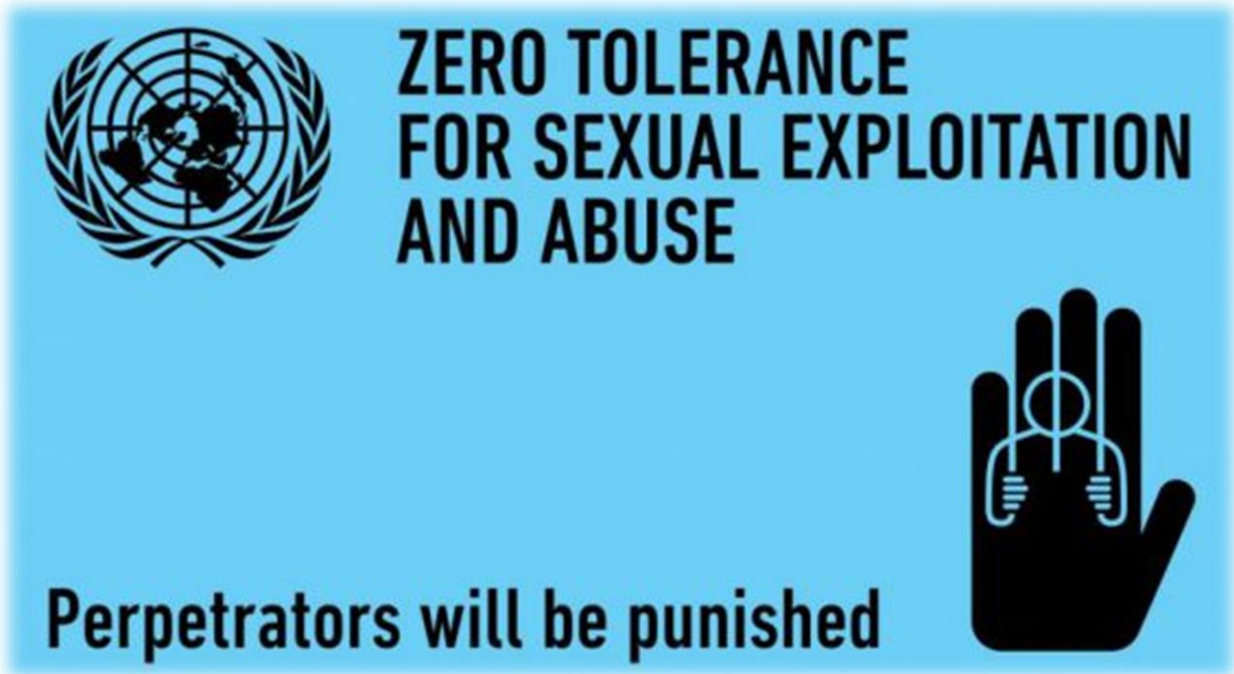
In case of a violation under the OCA Code and Guidelines, the measures and sanctions, which may be imposed by the OCA, are the following:

- **To caution or censure.**
- **To issue fines.**
- **To suspend or ban an individual from taking part in Asian Games/OCA Sport Events.**
- **To remove any medal, prize, award or other honor bestowed on the individual by the OCA.**
- **To impose any other measure or sanction may otherwise deem appropriate.**

The OCA may impose provisional measures or sanctions at any time pending the outcome of the case.

H) Fair Process:

Provide the responding party with fair process, including notice and the right/opportunity to be heard before applying any measure or sanction.



I) Involvement of Relevant Public Authorities and Other Organizations:

When cases of sexual harassment occur outside of Asian Games and OCA sport events, it is the responsibility of the Respective National Authority/the NOC.

The NOC may inform the relevant public authorities about potential Harassment and abuse cases.

OCA shall apply sanction or Penalty for the accused or charged person by the Respective National Authority/the NOC.



J) Confidentiality

Establish a confidentiality policy, which states the following:

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.
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, or (ii) such information relates to a potential criminal act that comes to the attention of the OCA.
3. Notwithstanding Section 2. Above, decisions pursuant to Section 5-F shall, in principle, include Confidential Information and shall be publically disclosed by the OCA. When disclosing such decisions, the OCA shall: (i) not include any personal information of the victim without obtaining the victim’s consent, and (ii) anonymous personal information of other concerned persons in certain cases, taking into consideration the privacy interests of such concerned persons.

The OCA has prepared these Guidelines, which are intended to serve as minimum standards when adopting and implementing safeguarding policies related to sexual harassment and abuse in Asian Games/OCA Sport Events.

It is the responsibility of NOCs/AFs/IFs to adopt and implement such safeguarding policies.

The OCA will also develop and make available educational material, best case studies as well as other practical information to further assist NOCs and AFs.

