

# IBA ANTI-HARASSMENT POLICY





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## INTRODUCTION

Article 30.1 of the IBA Constitution provides that the IBA Board of Directors has the authority to enact regulations and undertake all other acts that do not fall within the specific competence of another body.

In line with articles 3 and 4 of the IBA Constitution and the IOC Consensus Statement (2016), these Regulations are intended to safeguard anyone related to or affiliated with IBA (including notably employees, Boxers, and Officials) from harassment and abuse. These Regulations are intended to clarify in a more comprehensive manner the concepts that were already included in the (A)IBA Anti-Harassment Policy of 30 June 2021.

For the sake of clarity, everything that will not be defined or for purposes of complementing definitions herein, these Regulations will be interpreted together with the International Labour Organization C190 – Violence and Harassment Convention 190 (“[ILO C190](#)”), which remarks that violence and harassment in the world of work can constitute a human rights violation or abuse, and that violence and harassment is a threat to equal opportunities, which is unacceptable and incompatible with decent work.

### 1. INTERPRETATION

- 1.1 Capitalized terms used in these Regulations shall have the meaning ascribed to them in the Constitution.
- 1.2 The following terms – used in these Regulations only – have the meanings ascribed to them in this article:

“**Boxers with Disabilities**” means those who have long-term physical, mental, intellectual or sensory impairments that, in interaction with certain barriers, may hinder their full and effective participation in society on an equal basis with others.

“**Bullying**” (or cyberbullying if conducted online) means unwanted, repeated and intentional, aggressive behaviour usually among peers, and can involve a real or perceived power imbalance. Bullying can include actions such as making threats, spreading rumours or falsehoods, attacking someone physically or verbally and deliberately excluding someone from any field, including the official site of work, among others.





“**Child and Adolescent**” means human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier. Early childhood relates to those below 8 years of age. Juvenile or young person and adolescents are 10–19 years of age.

“**Constitution**” means the IBA Constitution adopted on 11 December 2022, together with all subsequent amendments.

“**Harassment and Violence**” means a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment. These behaviour and practices includes but is not limited to, bullying, threats, abuse, mobbing, insulting, excluding someone, sending offensive words or images, use of offensive language, use of inappropriate tone in person and/or in correspondence, or displaying offensive words or images, making sarcastic or snide remarks, humiliating, unwanted physical contact, circulating offensive words or images, abusing a position of power, inappropriate jokes or banter, making suggestive behaviour, making unwelcome sexual advances, etc.

“**Hazing**” means organised, usually team-based, form of bullying in sport, involving degrading and hazardous initiation of new team members by veteran team members.

“**Investigation and Prosecution Officer**” or “**IPO**” means a person appointed by the Board to investigate and prosecute any breach of the Regulations before the Tribunal.

“**Negligence**” means acts of omission regarding athlete safety. For example, depriving an athlete of food/or drink; insufficient rest and recovery; failure to provide a safe physical training environment; or developmental age-inappropriate or physique-inappropriate training methods.

“**Safe Sport**” means an athletic environment that is respectful, equitable and free from all forms of non-accidental violence to Boxers.

1.3 In these Regulations, unless otherwise specified:

- a) references to articles are references to articles in these Regulations;
- b) a reference to any of the regulations, or to any provision or provisions in a regulation, shall be construed, unless the context otherwise requires, as including a reference to any amendment or replacement made to the same from time to time-;





and

- c) in the event of any inconsistency between these Regulations and the Constitution, the Constitution shall prevail.

1.4 All headings and titles in these Regulations have been inserted for ease of reference only and may not be considered as an aid to its interpretation.

## **2. OBJECTIVES**

The purpose of these Regulations is to:

- i. Set out the legal framework for safeguarding IBA employees, Boxers and other persons related to or affiliated with IBA from any Harassment, in line with the IOC Consensus Statement (2016) and the ILO C190;
- ii. Clearly define Harassment and Abuse;
- iii. Establish a reporting and an investigation procedure;
- iv. Establish a procedure in case of infringement;
- v. Serve as a guideline for National Federations to establish their own Anti-Harassment Policy;
- vi. Develop a policy commitment to respect human rights, including zero tolerance for harassment, abuse and exploitation, and approve it at the most senior level of the company;
- vii. Encourage employees / individuals to report behaviours and communications that could lead to violence and harassment;
- viii. Provide information on complaint and investigation procedures and commit to deal with any incidents in a timely and effective manner;
- ix. Commit to protecting individuals' right not to be victimized or retaliated against.

## **3. SCOPE OF APPLICATION**

3.1 These Regulations apply to all persons subject to IBA Constitution, bylaws, regulations, constitutions of IBA Confederations and National Federations, namely Officials, Coaches and Boxers, as well as, Referees and Judges, Technical Delegates and International Technical Officials, IBA Board of Directors members, committees' members, directors, officers, other organization volunteers, as well as IBA staff, part-time, temporary and





contract employees.

3.2 These Regulations shall apply to alleged incidents which occur:

- i. in the workplace, including public and private spaces where they are a place of work such as during IBA Events; while conducting IBA business;
- ii. in places where the worker is paid, takes a rest break or a meal, or uses sanitary, washing and changing facilities;
- iii. during work-related trips, travel, training, events or social activities;
- iv. through work-related communications, including those enabled by information and communication technologies;
- v. in employer-provided accommodation;
- vi. when commuting to and from work; and
- vii. Outside of IBA, if IBA's reputation or the reputation of a person bound by this Code is harmed by said conduct.

3.3 IBA shall have jurisdiction to deal with any case of alleged harassment or abuse which occurs between persons of different National Federations.

3.4 In cases of an alleged incident of harassment or abuse which has occurred between persons belonging to the same National Federation, IBA shall take action to safeguard the concerned Boxer/person, including by taking any disciplinary action, if necessary, if:

- i. the relevant National Federation does not have an appropriate procedure to safeguard its members, namely Boxers, from abuse;
- ii. the relevant National Federation fails to act within a reasonable time to safeguard the concerned Boxer/person.

#### 4. DEFINITIONS OF HARASSEMENT

4.1 Harassment and abuse can be expressed in 6 (six) principal, but not unique, forms which may occur in combination or in isolation, namely:

- i) **Psychological abuse**, i.e. a pattern of deliberate, prolonged, repeated non-contact behaviours within a power differentiated relationship. The behaviours that constitute psychological abuse target a person's inner life in all its profound scope.
- ii) **Physical abuse**, i.e. non-accidental trauma or physical injury caused by punching,





beating, kicking, biting, burning or otherwise harming an athlete or a person bound by these Regulations. This could include forced or mandated inappropriate physical activity (eg, age-inappropriate or physique-inappropriate training loads; when injured or in pain); forced alcohol consumption; or systematic doping practices.

- iii) **Sexual harassment**, i.e. any unwanted and unwelcome conduct of a sexual nature, whether verbal, non-verbal or physical.
- iv) **Sexual abuse**, i.e. any conduct of a sexual nature, whether non-contact, contact or penetrative, where consent is coerced/manipulated or is not or cannot be given.
- v) **Neglect**, i.e. the failure of Coaches and Boxers entourages to meet a child's physical and emotional needs or failure to protect a child from exposure to danger. This is also applicable and extended to a direct relative of a person bound by these Regulations as far as it is proven.
- vi) **Hostile work environment**, i.e. conduct that creates an intimidating, hostile or humiliating working environment for the recipient.

4.2 Harassment and abuse can be based on any grounds including race, religion, colour, creed, ethnic origin, physical attributes, gender, sexual orientation, age disability, socio-economic status and athletic ability.

4.3 It can include a one-off incident or a series of incidents.

4.4 It can take the form of Bullying, Hazing or Negligence, among others.

4.5 It may be in person or online.

4.6 Harassment may be deliberate, unsolicited, and/or coercive.

## 5. KEY INDICATORS OF ABUSE

5.1 The following indicators may suggest that an individual is the victim of physical abuse:

- a. injuries not consistent with the explanation given for them;
- b. injuries that occur to the body in places which are not normally exposed to falls or directly related to boxing-activities;
- c. injuries that seem not to have received medical attention;





- d. reluctance to change for, or participate in, bouts or training;
- e. bruises, bites, burns and fractures that do not have an accidental or boxing explanation;
- f. inconsistent accounts for the cause of the injury;
- g. signs of restraint;
- h. damage to equipment and personal effects of the individual;
- i. use of medications (e.g. excessive use or lack of needed use); and
- j. withdrawal or lack of engagement with peers or other persons.

5.2 The following behavioural indicators may suggest that an individual is the victim of sexual abuse:

- a. any allegations made concerning sexual abuse;
- b. a Young Boxer's excessive preoccupation with sexual matters or inappropriate knowledge of adult sexual behaviour inconsistent for their age;
- c. a Young Boxer engages in sexual play inappropriate for their age;
- d. a Young Boxer is sexually provocative or seductive with adults;
- e. other inappropriate sexual behaviour;
- f. consistent use of inappropriate sexual language;
- g. reluctance of the individual to be touched; and
- h. withdrawal or lack of engagement with peers or other persons.

5.3 The following physical or external indicators may suggest that an individual is the victim of sexual abuse:

- a. pregnancy in someone unable to consent to sexual contact;
- b. damage, constant pain or itching in the genital area or difficulty walking or sitting;
- c. repeated urinary infections or unexplained stomach pains;
- d. infections or sexually transmitted diseases;
- e. torn, stained or bloody underwear;







- f. fear and withdrawal from relationships;
- g. inappropriate bed-sharing arrangements at home;
- h. severe sleep disturbances with fears, phobias, vivid dreams or nightmares which sometimes have overt or veiled sexual connotations; and
- i. changes in appearance and eating disorders such as anorexia or bulimia.

5.4 The following indicators may suggest that an individual is the victim of emotional abuse:

- a. depression, aggression, extreme anxiety, changes or regression in mood or behaviour, particularly where a Young Boxer withdraws or becomes clingy;
- b. compulsive behaviour, obsessions or phobias;
- c. sudden underachievement or lack of concentration;
- d. seeking adult attention and not mixing well with other Young Boxer of their same age;
- e. sleep or speech disorders;
- f. negative statements about self;
- g. struggle to control their emotions;
- h. extreme shyness or passivity and being withdrawn;
- i. running away, stealing, lying and cruelty to others;
- j. too eager to do everything they are asked;
- k. excessive general anxiety or heightened anxiety around specific persons; and
- l. inexplicable withdrawal or lack of engagement with peers or other persons.

5.5 The following indicators may suggest that an individual is the victim of neglect:

- a. dirty skin, body smells, unwashed, uncombed hair, and untreated lice;
- b. clothing that is dirty, too big or small, or inappropriate for weather conditions;
- c. frequently left unsupervised or alone;
- d. recurrent or untreated injuries;





- e. frequent diarrhoea;
- f. frequent tiredness;
- g. untreated illnesses, infected cuts, or physical complaints which the carer does not respond to;
- h. frequently hungry;
- i. overeating junk food;
- j. sudden behaviour changes; and
- k. withdrawal or lack of engagement with peers or other persons

## **6. PREVENTIVE MEASURES**

- 6.1 IBA undertakes to raise awareness and educate its stakeholders and employees on the importance of Safe sport and the strict prohibition of any kind of harassment and abuse.
- 6.2 In particular, IBA will conduct a risk assessment from time to time *ex officio* or under suggestion of HR or any employee, if such request is made under sufficient grounds, i.e. identify and assess actual and potential impacts related to harassment, abuse and exploitation that the business may cause or contribute to through its own activities, or which may be directly linked to its operations, products or services by its business relationships.
- 6.3 IBA undertakes to take appropriate measures to prevent, mitigate or end the identified risks and negative impacts as well as to ensure and promote access to grievance mechanisms for people affected by (potential) cases of harassment, abuse and exploitation.
- 6.4 IBA will make available educational materials and other information on what may constitute harassment and abuse and on where National Federations, Confederations and their members may seek further information, advice and support.
- 6.5 When possible, IBA will perform pre-employment screening such as criminal record checks to determine whether a prospective IBA employee/person being screened has a relevant criminal history which should be taken into consideration in the recruitment process.
- 6.6 Every National Federation, Confederation, Boxer, employee and Officials of IBA has a





responsibility to play a part in ensuring that the boxing environment is free from harassment and abuse.

## **7. IBA SAFEGUARDING OFFICERS**

7.1 The IBA Head Office shall designate, from its own Staff, one (1) male and/or one (1) female IBA Safeguarding Officer.

7.2 Such person(s) should be trained and experienced in the field of safeguarding from harassment and abuse (e.g. medically and/or legally), and his/her responsibilities should include:

- i. receiving reports of alleged incidents, either directly from the victim, the whistleblower, or any other person, and keeping such reports safe;
- ii. handling the reporting and the investigation procedures (case management);
- iii. determining whether information of a case should be disclosed to the competent local authorities and/or referred to the IBA Tribunal, and
- iv. providing support to any concerned persons throughout the reporting and investigation procedures.

7.3 The IBA Safeguarding Officer shall be designated for an undetermined term.

7.4 The IBA Board of Directors can revoke an IBA Safeguarding Officer if the latter fails to perform its duties with diligence and care.

## **8. REPORTING AND INVESTIGATION PROCEDURE**

8.1 IBA encourages all incidents of harassment and abuse to be reported, regardless of who the offender may be. In order to encourage these reports and avoid retaliation by the person reported, upon *prima facie* analysis and determining there are sufficient grounds, IBA together with the BIIU Tribunal will implement provisional measures to protect the affected individual as well as any potential witnesses and, if necessary, even provisional measures to temporarily suspend the reported person from its activities.

8.2 Reports may be made in writing, including by email, or verbally.

8.3 Alleged incident of harassment and abuse may be reported to the following persons:

- i. The IBA Safeguarding Officer(s);
- ii. The IBA IPO(s);





- iii. Any IBA staff/organ.
- 8.4 All reports through any reporting channel will be referred to one (1) of the IBA Safeguarding Officers.
- 8.5 The IBA Safeguarding Officer who receives the report directly from the concerned person shall be competent to manage the case and shall keep the report strictly confidential, except when required to act according to article 7.2 (iii) above. If the case is referred to the Safeguarding Officer(s) through another channel, the IBA Safeguarding Officer(s) shall decide among themselves who will manage the case, taking into consideration their availability, experience, specific knowledge, the gender of the alleged victim and any potential conflict of interests.
- 8.6 The IBA Safeguarding Officer shall ensure that the 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.
- 8.7 Based on the particular facts as detailed in the reports, the IBA Safeguarding Officer will determine how to proceed with each case, namely:
- i. Investigate the case, namely by requesting the production of documents to any relevant entity/person and questioning any relevant person, in compliance with the principle of confidentiality set out at Section 11;
  - ii. If the report is manifestly arbitrary or false, or in the absence of conclusive evidence, close the case against the accused person;
  - iii. If the IBA Safeguarding Officer has reason to believe that the author of the report knew his report was false, it can refer the case to the Integrity Officer and/or the IBA Tribunal in compliance with Section.
  - iv. Refer the case to the IBA Tribunal
- 8.8 In any event, if the IBA Safeguarding Officer believes that the case could constitute a criminal offence, it should report it immediately to the relevant local authorities before undertaking any type of internal investigation.





## **9. DISCIPLINARY PROCEDURE**

- 9.1 If the IBA Safeguarding Officer believes, for whatever reason, that a case of harassment and/or abuse is likely to have occur, it shall refer the matter to the IPO and/or the IBA Tribunal.
- 9.2 The IBA Tribunal shall comply with the BIIU Procedural Rules.
- 9.3 If the author of the report is not the victim, it shall not have a right to participate in the proceedings.
- 9.4 Where the IBA Tribunal have determined that a case of harassment and/or abuse is confirmed to have taken place, it may:
- a. impose a reprimand on the person found responsible for such harassment;
  - b. impose a fine of up to CHF 75'000 (seventy-five thousand Swiss francs);
  - c. suspend the person from all boxing activities for up to four (4) years, including administrative and executive functions);
  - d. take any other measures it deems appropriate in the circumstances to safeguard the safety of the victim and the reputation of IBA, including permanent ban from taking part in all boxing activities and imposing the obligation to pay compensation to the victim.
- 9.5 All disciplinary measures may be imposed individually or in combination with any other disciplinary measure.
- 9.6 When determining the sanction, the IBA Tribunal shall take into consideration the following factors:
- i. the nature and severity of the violations;
  - ii. the number of violations;
  - iii. any other relevant circumstances (e.g. when the abused or harassed person is a Child or adolescent or a Boxer with Disability).

## **10. FALSE ACCUSATION**

- 10.1 If the IBA Safeguarding Officer believes, for whatever reason, that the author of the report knew his report was false and did it with the view to having investigative and ethics or





disciplinary proceedings opened by IBA against the accused person, it can refer the case to the IPO and/or to the IBA Tribunal.

10.2 The IBA Tribunal shall comply with the BIIU Procedural Rules.

10.3 Where the IBA Tribunal have determined that the intentional false accusation is confirmed to have taken place with the aim to harm the reputation of the accused person, it may impose on the author of the false report disciplinary sanctions in compliance with Section 9, including any other measures to safeguard the rights of the unjustly accused person.

## **11. CONFIDENTIALITY**

11.1 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 shall be regarded as confidential.

11.2 The personal information should not be disclosed, except:

- i. if the concerned person gives his/her prior consent
- ii. if disclosure is necessary to protect someone from harm, or if a potential criminal act comes to the attention of IBA.

11.3 Notwithstanding the above, decisions pursuant to Section 9 and Section 10 could, in principle, include confidential information and be publicly disclosed by IBA. When disclosing such decisions, IBA shall:

- i. not include any personal information of the victim without obtaining the victim's consent,
- ii. anonymise personal information of other concerned persons in certain cases, taking into consideration the privacy interests of such concerned persons.

## **12. FINAL PROVISIONS**

12.1 In the event these Regulations are translated into a different language or languages, the English version shall prevail.

12.2 This document has been adopted by the IBA Board of Directors at its meeting on 15 July 2023. It comes into force with immediate effect.

