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“The Copenhagen Principle on Sport”

Everyone has the right to participate freely in sport, regardless of sexual orientation or gender identity, and to express, through participation, the diversity of sexual orientation and gender identity.

Principle on the application of international human rights law in relation to sexual orientation and gender identity in sport

“the European Gay & Lesbian Sport Federation (EGLSF),”

“Arising from discussions during the Outgames conference about international human rights on sexual orientation and gender equality in sport, “

“Hereby propose an addendum to the existing Yogyakarta Principles,

29 July 2009 in Copenhagen.”

“ **recalling** the United Nations Resolution Sport (60/1, par.145) on the World Summit Outcome of world leaders stated that “ Sport for All” is better recognized as a national priority” and the Internal Olympic Charter (Chapter 1, articles 4 and 5) on the practice of sport is a human right and the incompatibility of any form of discrimination to the Olympic Movement.”

“ **disturbed** by the phenomenon of homophobia, transphobia and discrimination in sports”.

“ **aware** that many LGBT’s in sport do not feel free to come out for their sexual orientation or gender identity”.

“ **understanding** that discrimination on the ground of sexual orientation and gender identity could prevent active participation in sport and physical development.”

“ **observing** that this principle of international human rights is not included in the Yogyakarta Principles.”

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“ **recognizing** that practicing sport is an elementary right for all citizens and that sport can contribute to an atmosphere of tolerance and understanding”;

“ **acknowledging** every citizens’ right to take part in sports, without discrimination on the basis of sexual orientation or gender identity”;

Therefore States should: (including Governmental Sport Organisations)

- A. Review, amend and enact legislation to ensure full enjoyment of the right to participate in sport, without discrimination.
- B. Take all appropriate measure to eliminate stereotypes and prejudices regarding sexual orientation and gender identity that prevent or restrict participation in sports.

Therefore Non Governmental International Sport Associations should:

- C. Review, amend and enact rules and regulations to ensure full enjoyment of the right to participate in sport, without discrimination.
- D. Take all appropriate measure to eliminate stereotypes and prejudices regarding sexual orientation and gender identity that prevent or restrict participation of LGBT’s in sports.

Therefore Non Governmental National Sport Associations should:

- E. Review, amend and enact rules and regulations to ensure full enjoyment of the right to participate in sport, without discrimination.
- F. Take all appropriate measure to eliminate stereotypes and prejudices regarding sexual orientation and gender identity that prevent or restrict participation in sport, for example by ‘all inclusive’ policy and practical measures.

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Annotations:

- IOC Olympic Charter; Chapter 1, Art. 4. & 5 and Chapter 4, Art. 28.
- UN Resolution 60th General Assembly 60/9, date: 3 November 2005, 17 January 2006 (60/9).
- UN Sport for Development and Peace: *the way forward*; Resolution 60/1 par. 145.
- UN World Conference on Women and Sport, Japan, 11-14 May 2006, Kumamoto Commitment.
- UN declaration on the Rights of women, 18 December 1979, Art. 3, 10 & 13.
- UN International Charter of Human Rights (ICHR).
- UN Convention on the Rights of the Child; article 31.
- Council of Europe European Sports Charter (R (92) 13 revised); Art. 1 & 4.
- Council of Europe Statement on Sport, Tolerance and Fair Play, 27 April 2001, Cyprus (CDDS/2001/12final).
- Council of Europe European Social Charter, 3 May 1996; § V, Article E. Non-discrimination.
- Council of Europe - European Convention on Human Rights; Art. 5, 8, 10, 11, 14.
- Council of Europe Committee of Ministers, 17 November 2004 (doc 10366/2004).
- Council of Europe Committee of Ministers on the role of sport in furthering social cohesion, 22 April 1999 (R (99) 9).
- Council of Europe – ECRI general policy recommendation no.12 on combating racism and racial discrimination in the field of sport, March 2009.
- UEFA ten point Plan of Action to fight racism; Art. 9 & 10.
- EU Treaty of Lisbon; Article 149.
- EU Charter of Fundamental Right of the European Union, 18 December 2000 (3000/c364/01); Art. 21.
- EU Joint declaration of the European Council on sport, Treaty of Nice, 7-9 December 2000, §4.
- EU Treaty of Amsterdam, 1994; Art. 13.
- EU White paper on sport, 11 July 2007 (com 2000/391def); § 2.6.

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