

OCA Guidelines

亞洲奧林匹克理事會 (OCA)

For Safeguarding against sexual harassment, abuse and exploitation
防範性騷擾、性侵害及性剝削準則





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1. 通則：

騷擾與虐待可能會因為任何理由而在運動活動中發生，包括種族、宗教、膚色、信念、族群、身體素質、性別、性傾向、年齡、身心障礙、社經地位和運動能力等，可能是單次事件或多次事件，可能於人與人實際接觸時發生，亦可能發生於網路上。

如果缺乏保護措施，或是未能確立相關政策、行為守則、舉報管道和因應機制，騷擾和虐待情況只會更加嚴重。而當加害者擁有強烈動機（例如位居主導地位）或運動員處於高度弱勢狀態（特別是年輕或具有社會弱勢背景的運動員），風險還會進一步提高。

與此領域有關的幾項研究調查結果已經出爐，並顯示所有運動項目的所有層面都可能發生騷擾及虐待情事。騷擾與虐待會嚴重破壞受害者的身心健康，後果包括運動生涯中斷、身心疾病、飲食失調、焦慮、抑鬱、自殘，最嚴重會導致運動員自殺。加害者也可能面臨極為嚴重的後果，例如法律制裁（大部分司法機關都將虐待和騷擾行為視為犯罪）；名譽受損（對個人的社會地位造成長期負面影響）；職業損害（遭受制裁而喪失在運動界任職的資格）以及個人損害（嚴重影響家庭生活）等。

因此，亞洲奧會將預防各種形式的騷擾和虐待列為重大公共衛生優先事項，並全力防範這類行為在亞洲奧會運動賽事期間發生。



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

2. 定義：

如《國際奧會倫理守則》第 1.4 條所述，「騷擾」或「騷擾與虐待」包括精神虐待、身體虐待、性騷擾及疏忽。上述騷擾與虐待形式有時是單獨發生，有時則是多項合併發生。

「精神虐待」是指任何不當的行為，包括監禁、疏離、言語攻擊、羞辱、恐嚇，或任何貶低身分、尊嚴和自我價值的其他對待方式。

「身體虐待」是指任何會造成身體創傷或傷害、蓄意且不當的行為，例如揮拳、毆打、腳踢、啃咬和火燒等。這類行為也包括強迫性或不適當的身體活動（例如不符年齡或身體狀況的訓練量；受傷或疼痛時要求身體活動）、強迫飲酒或強迫使用禁藥。

「欺辱的定義」涉及帶有凌辱性質的入會儀式，通常包含性要素，並且以新進者為目標。

「疏忽」在本準則中是指教練或對運動員負有照護責任的其他人士，未能提供運動員最低限度的照護，因此造成傷害、使傷害因而發生，或產生受到傷害的迫切危險。

「性騷擾」是指造成當事人不舒服，或以強迫/操控等方式取得合意或無法合意之情況下，任何帶有性意味的言行舉止。性騷擾也能以性侵害的形式表現。

「性侵害」涉及強迫或引誘他人參與性活動，過程中不見得會發生嚴重暴力，且當事人不見得理解當下正在發生的事。這類活動可能涉及肢體接觸，包括插入式攻擊（例如強暴或口交）或非插入行為（例如手淫、親吻、摩擦和碰觸衣物外部）。此外，性侵害也可能以未涉及肢體接觸的形式發生，例如讓當事人觀看或參與製作色情影像、觀看性活動、鼓勵當事人從事不正當的性行為，或培養當事人成為受虐對象（包括透過網際網路）。

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.

性侵害可由男性或女性實施，通常是由掌權者或受信任者發起，例如教練和運動員後勤成員，以及親朋好友、同輩運動員和運動迷等。



適用對象：

本準則適用於：

- 亞洲奧會相關單位
- 註冊參加亞運會/亞洲奧會運動賽事的個人。
- 亞運會/亞洲奧會運動賽事的籌備委員會成員。
- 代表或有權代表亞運會/亞洲奧會運動賽事之國家奧會候選人或主辦人者，以及此類賽事的任何當地籌備委員會成員。

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**



3- 亞洲奧會防範性騷擾與性侵害行為的責任：

亞洲奧會將採取一切合理可行步驟，來預防並懲治在亞洲奧會運動員部門內發生的性騷擾及性侵害情事。

為達成此目標，亞洲奧會將全面動員，讓亞洲奧會各個層級的相關人員（國家奧會、亞洲運動總會/國際運動總會、代表團職員、運動員、教練、裁判、志工、媒體等）都參與防範工作。相關行動可能包括：

- 透過精心設計的科學調查，評估性騷擾與性侵害在亞洲奧會運動賽事中的發生率。
- 透過亞運會/亞洲奧會活動的政策計畫，建立相互尊重以及反性騷擾、性侵害及暴力的文化。
- 分享資訊，提高大眾對於相關主題的意識。
- 為亞奧會會員轄下的運動員、教練和其他運動員支援人員提供教育計畫。
- 建立申訴及疑慮處理程序。
- 制定並實施相關規定，制裁性騷擾或性侵害的加害者。
- 與運動界及非運動界的利害相關單位合作，包括執法機關及致力於保護弱勢族群（例如兒童及年輕女性）的機構。



性剝削與
性侵害



聯合國



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

4- 亞洲奧會於亞運會/亞洲奧會運動賽事期間，在性騷擾與性侵害防治領域上的責任：

A) 運動組織(國家奧會、亞洲運動總會/國際運動總會)適用的準則：

- 所有運動組織(國家奧會、亞洲運動總會/國際運動總會)應宣傳並實施本《立場聲明》，確保所有運動員、工作人員、代表團職員和其他當事人了解保密通報機制，並瞭解自己可以運用這項機制通報疑慮。宣傳、推廣並說明相關規定和措施，以及建立舉報管道，可降低加害者逃避懲處的風險。
- 亞運會/亞洲奧會運動賽事任何層級的參與者，都有責任打造安全愉快的環境，讓他人可以安心工作、競賽、互助合作並參與運動活動。從亞洲奧會的工作人員到所有運動組織(國家奧會、亞洲運動總會/國際運動總會、運動員、教練和觀眾)，每個人都必須為營造良好的運動文化做出貢獻。
- 所有積極參與亞洲奧會相關活動的人員，都應了解預期的行為標準，也應該了解發現他人的行為嚴重悖離這些期望時，應採取哪些因應作為。
- 每起性騷擾或性侵害指控都應接受審慎評估，如查證屬實，相關人員應接受進一步調查和審理。亞洲奧會和當地籌備委員會(LOC)有責任提供安全包容的環境，且須表明絕不容忍性騷擾和性侵害的立場。
- 若情節嚴重，導致非正式措施不適用或無法發揮作用時，所有成員均應配合採取正式措施，並為當事人提供必要支援，包括將他們引薦至外部支援服務。

B) 運動員、教練、支援人員、志工和代表團職員適用的準則：

- 受信任者應以身作則並勇於擔當楷模，肯定並表揚正面行為與成就，並針對惡劣行為採取適當作為。
- 運動員需要知道誰是能夠傾訴問題的對象，並相信對方願意傾聽自己的問題，同時協助自己採取適當行動。舉報揭弊有可能會讓運動員個人及其的運動生涯面臨風險。因此，請務必在當事人(無論是受害者或證人)舉報問題的當下，提供當事人足夠的安全感，並承諾立即採取因應作為。

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



此外，請確保當事人可繼續在安全的環境中進行運動訓練，「並」絕對不會因為舉報問題而遭受排擠。

- 運動員需要知道自己在舉報問題之後可能面臨的情況，並應全程受到支持。必要時應將運動員引薦至其他支援管道和外部協助資源。受害者應能全程掌握最新進展，以及問題的處置方式。
- 調查所有呈報問題的真實性，並務必對所有涉案人做出公正處置。惡意的不實指控將視同於違反本規定。

C) 運動醫學與醫療相關人員適用的準則：

確保您受過的訓練足以應對以下狀況：

- 辨識非意外暴力的跡象與信號；
- 有效並適當地回應他人揭發的非意外暴力。
- 「在」為遭到非意外暴力的受害運動員展開治療計畫前，確保可以獲得跨領域專業支持團隊的支援。
- 收到揭露或疑慮通報時，知道該向何處尋求必要協助





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.

5- 亞洲奧會保護政策：

亞洲奧會建議，在亞運會/亞洲奧會運動賽事期間採行與實施保護政策時，應將以下事項列入考慮。

A) 適用範圍：

保護政策應包含國家奧會/亞洲運動總會/國際運動總會的所有相關成員（包括運動員）。

B) 教育與防範措施：

告知所有運動員、後勤成員、教練、代表團職員及其他相關人員，哪些行為可能構成性騷擾和性侵害，以及他們應如何尋求進一步的資訊、建議與支援（例如透過召開會議或提供相關教材）。

C) 通報程序：

建立疑似性騷擾和性侵害事件的通報程序，具體說明向亞洲奧會檢舉疑似性騷擾和性侵害事件的不同通報管道與受理人員，以及通報時所應提供的資訊。

D) 調查程序：

建立調查程序，藉此完整收集有關疑似性騷擾和性侵害事件的資訊，進而採取因應作為。

受害者可尋求證人協助，前提是所有證詞都會載明於會議記錄中。

E) 提供當事人支持：

建立適當的機制，為涉及性騷擾與性侵害疑似事件的人（以下稱「當事人」）提供支持與資訊，包括指派人員負責追蹤所有性騷擾與性侵害疑似事件的處理（例如「社福官員/支持官員」）。這類人員在性騷擾與性侵害防治領域（例如在醫學和/或法律方面）必須受過訓練且有相關經驗，而其職責更應該在以下事項扮演重要角色：通報與調查程序、決定是否應向合適的地方主管機關揭露案件資訊，以及在整個通報與調查程序中為任何當事人提供支持。



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.

F) 懲戒程序：

建立針對疑似性侵害和性騷擾事件的懲戒程序，其中應包含並著重於懲戒裁定、處置與處分。

G) 懲戒與處分：

在亞洲奧會倫理委員會內部制定有關性騷擾和性侵害事件的懲戒與處分準則，詳細闡述此類案件的懲處措施。懲戒與處分必須符合比例原則（亦即必須根據違規行為的嚴重程度裁量）以及適用法律的規定。在決定懲處的比例原則時，應考慮以下因素：違規行為的本質與嚴重程度；違規次數；任何其他相關事實（例如侵害或騷擾未成年受害者等）。

經亞洲奧會倫理委員會調查，確認加害人之違規行為屬實之後，亞洲奧會即應實施懲處。

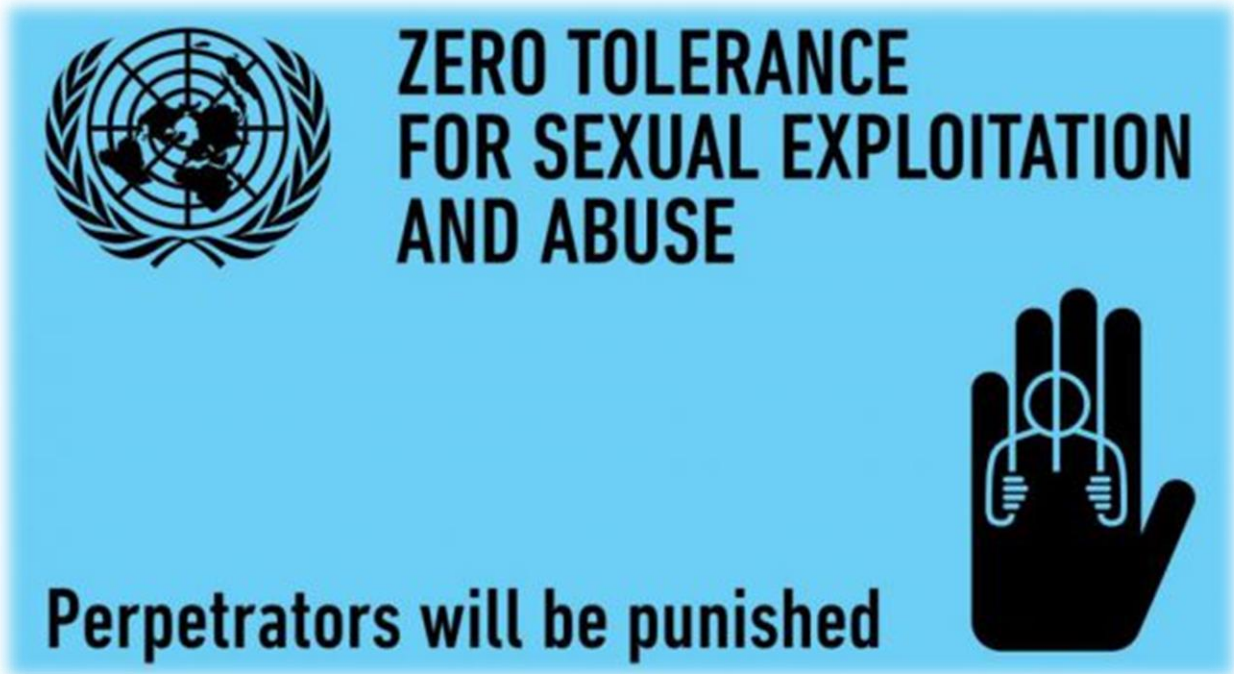
違反亞洲奧會守則及準則者可能面臨的懲處措施包括：

- 告誡或訓斥。
- 罰款。
- 暫停或禁止參加亞運會/亞洲奧會運動賽事。
- 收回亞洲奧會先前授予的任何獎章、獎品、獎勵或其他榮譽。
- 任何其他可能合適的懲處措施。

亞洲奧會得於案件調查結果出爐前，隨時做出臨時處置或處分。

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.

H) 公平程序：

施行任何懲處措施之前，應提供被訴方公平程序，包括接獲通知及發聲的權利/機會。



對性剝削和性侵害 採取零容忍態度



加害者將受到懲罰

I) 相關公家機關和其他組織之參與：

在亞運會和亞洲奧會運動賽事以外發生的性騷擾案件，應由相關的國家當局/國家奧會負責處理。

國家奧會可能會向相關公家機關通報疑似騷擾及虐待的案件。

亞洲奧會應透過相關國家當局/國家奧會，針對被告或遭指控者實施懲處。



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.

J) 保密義務

制定保密政策，並載明以下規定：

1. 與疑似騷擾及虐待事件有關的一切資訊均屬機密(以下稱「機密資訊」)，特別是通報紀錄、當事人個資、在調查期間收集到的其他資訊以及調查結果。
2. 如符合以下情況，亞洲奧會得向相關人員或當局揭露機密資訊：(i) 為保護某人受到傷害而有揭露之必要；(ii) 發現有疑似犯罪行為時。
3. 儘管有前文第 2 節之規定，依據第 5-F 節做出的裁決原則上應包含機密資訊，並應由亞洲奧會公開揭露。揭露這類裁決時，亞洲奧會應遵守以下：
 - (i) 未經受害者同意，不得列入受害者的任何個人資訊；以及
 - (ii) 如有其他當事人涉入案件，則應顧及此等當事人之隱私權益，將其個人資訊予以匿名處理。

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.



這份由亞洲奧會制定之準則，將做為亞運會/亞洲奧會運動賽事期間，採行與實施性騷擾和性侵害相關之保護政策時的最低標準。

國家奧會/亞洲運動總會/國際運動總會有責任採行並實施此類保護政策。

為提供國家奧會和亞洲運動總會進一步的協助，亞洲奧會將另外著手開發製作相關教材、最佳個案研究及其他實用資訊。



停止
性騷擾