

Date: 2 February 2023

Place: Lausanne

## Q&A on solidarity with Ukraine, sanctions against Russia and Belarus, and the status of athletes from these countries

The following Q&A addresses the current situation following the Olympic Summit on 9 December 2022, the consultation calls with the Olympic Movement stakeholders in January 2023, and the IOC Executive Board statement on "Solidarity with Ukraine, sanctions against Russia and Belarus, and the status of athletes from these countries".

It was last updated on 2 February 2023.

# Why can't the IOC just ban Russian and Belarusian athletes until further notice? Why does the IOC consider changing its recommendations now?

On 1 February 2023, two Special Rapporteurs of the United Nations Human Rights Council (the Special Rapporteur in the field of cultural rights and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance) issued a press release, saying: "UN experts\* (today) commended the International Olympic Committee for considering allowing individual athletes from Russia and Belarus to take part in international sports competitions as neutral athletes. 'We urge the IOC to adopt a decision in that direction, and to go further, ensuring the non-discrimination of any athlete on the basis of their nationality.'"

It went on: "We understand the desire to support Ukrainian athletes and the Ukrainian Olympic community, who suffer terribly from the war, together with all other Ukrainians,' the experts said. 'But the Olympic Committee and more widely the Olympic community have also the compelling obligation to abide by the Olympic Charter, and more widely international human rights norms prohibiting discrimination. When States so flagrantly ignore human rights, we have a greater obligation to stand in support of our common values," the experts added.

The two Special Rapporteurs had already <u>written to the IOC in September 2022</u> to "express serious concern, however, about the recommendation to ban Russian and Belarusian athletes and officials such as judges from international competitions, based solely on their nationality, as a matter of principle. This raises serious issues of non-discrimination."

There is also widespread support from the international community for the unifying Olympic mission. In this respect, the recent adoption of the "Sport as an enabler of sustainable development" resolution (A/77L.28) by the United Nations General Assembly on 1 December 2022 stands out. This resolution recognises that "major



international sports events should be organised in the spirit of peace, mutual understanding and international cooperation, friendship and tolerance, and without discrimination of any kind, and that the unifying and conciliative nature of such events should be respected".

The resolution is specifically "acknowledging the Olympic Charter, and that any form of discrimination is incompatible with belonging to the Olympic Movement". This resolution was passed by consensus by all UN Member States, including the governments of Ukraine and Russia.

These two reasons – the UN resolution and concerns about discrimination – were a major motivation for the Olympic Summit and the subsequent consultation calls.

At the Olympic Summit and in the consultations with the athlete representatives, the IOC Members, the National Olympic Committees (NOCs) and the International Federations (IFs), the participants reiterated their commitment to the Olympic Charter and the unifying mission of the Olympic Movement. These values form the *raison d'être* of the Olympic Movement: to unite the entire world in peaceful competition.

# There are different views in the Olympic Movement on the way forward. How do you view dissenting voices?

It is natural that there are dissenting voices coming mainly from neighbouring countries of Ukraine, given their specific situation, but the IOC's exploration enjoys the overwhelming support of the International Federations, their umbrella body (the Association of Summer Olympic International Federations (ASOIF)), the National Olympic Committees (NOCs), including all the five Continental Associations (Association of NOCs of Africa, European Olympic Committees, Olympic Council of Asia, Oceania National Olympic Committees and Panam Sports) plus the Association of National Olympic Committees (ANOC), representing all 206 National Olympic Committees.

Ukrainian President Zelensky and the Ukrainian NOC are criticising the IOC for the current exploration and are requesting that no Russian or Belarusian athletes should compete in Paris 2024. The NOC of Ukraine is even threatening to boycott the Games. What are you saying to them?

It is extremely regretful to escalate this discussion with a threat of a boycott at this premature stage. The participation of individual, neutral athletes with a Russian or Belarusian passport at the Olympic Games Paris 2024 has not been discussed yet.

The IOC has to take into account the "serious concerns" expressed by two Special Rapporteurs of the UN Human Rights Council. On 1 February 2023, the Special Rapporteur in the field of cultural rights and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance) issued a press release, saying: "UN experts\* (today) commended the International Olympic Committee for considering allowing individual athletes from Russia and Belarus to take part in international sports competitions as neutral athletes. 'We urge the IOC to



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It is also important to note that all other NOCs are following the principles of the Olympic Charter, including those whose athletes are impacted by conflicts and wars in their territory. Despite the immeasurable human suffering caused by the far too many wars around the world today, none of the other NOCs are questioning their commitment to the Olympic principles and to the unifying mission of the Olympic Movement. These other NOCs, also impacted by conflicts and wars, never call the participation of their athletes in international sports competitions into question.

Threatening a boycott of the Olympic Games, which the NOC of Ukraine is currently considering, goes against the fundamentals of the Olympic Movement and the principles it stands for. A boycott is a violation of the Olympic Charter, which obliges all NOCs to "participate in the Games of the Olympiad by sending athletes". As history has shown, previous boycotts did not achieve their political ends and served only to punish the athletes of the boycotting NOCs.

There have been precedents in the past when you have excluded complete teams from the Olympic Games, like South Africa in the 1970s and 1980s.

There are no UN sanctions in place against Russia and Belarus at this moment in time.



At the Olympic Games Barcelona 1992, individual athletes from the former Yugoslavia participated. At the time – contrary to the situation today – there were United Nations sanctions in place against the Federal Republic of Yugoslavia, calling on all Member States to: "Take the necessary steps to prevent the participation in sporting events on their territory of persons or groups representing the Federal Republic of Yugoslavia." However, even under this UN sanctions regime, the participation of "independent athletes" was eventually allowed at the Olympic Games Barcelona 1992 and agreed with the UN.

The exclusion of South Africa was based on UN sanctions. Apartheid was also practised in South African sport. These UN sanctions applied to all walks of life. The IOC followed the United Nations with this decision.

The IOC is, of course, always respecting UN sanctions, also now. Because of such sanctions we are currently unable to support athletes from a number of NOCs.

What is your comment about Ukrainian officials accusing the IOC of being a "promoter of war, murder and destruction"?

The IOC rejects in the strongest possible terms defamatory statements of this kind made by some Ukrainian officials. They are totally unacceptable and cannot serve as a basis for any constructive discussion.

# Does IOC President Thomas Bach intend to respond to Volodymyr Zelensky's invitation to go to the front line?

The IOC President visited Ukraine in summer 2022 at the invitation of the NOC. During this visit, he met athletes who are impacted by the war, he witnessed destroyed sports infrastructure and he also met President Zelensky for an extensive discussion. After this visit they also exchanged via phone. Currently there are no plans for another visit to Ukraine.

### A number of Ukrainian athletes have died in this war already, how do you comment on that?

The IOC is deeply saddened to hear of the death of members of the Olympic Community in Ukraine who have lost their lives in this war. The IOC extends its most sincere condolences to their families and friends and the Ukrainian people.

The IOC took a very strong stance against the war, strongly condemning it, issuing sanctions against the Russian and Belarusian States and Governments hours after it started on 24 February 2022. The IOC firmly stands with this crystal clear position. And this position is guided by the solidarity with the Olympic Community of Ukraine, which the Olympic Movement has supported since the very beginning of the war and will continue to do so.



# Do the current deliberations mean the IOC will allow athletes with a Russian and Belarusian passport at the Olympic Games Paris 2024?

This is premature. No decision has been taken on the participation of athletes with a Russian or Belarusian passport at the Olympic Games Paris 2024. The topic under discussion is about their participation in international competitions in Asia in the forthcoming summer sport season. In none of the documents published by the IOC will you find a reference to the Olympic Games Paris 2024 for athletes with a Russian or Belarusian passport. With regard to the Ukrainian athletes, however, there is the full commitment to undertake all the solidarity efforts to have a strong team from the NOC of Ukraine in Paris 2024 and Milano Cortina 2026.

### This means potentially there could be Russian and Belarusian athletes at the Olympic Games Paris 2024?

We cannot speculate about this question, not even knowing whether or how the first step will be taken. But one thing is very clear: We are not talking about Russian or Belarusian athletes, we are talking about neutral athletes respecting the strict conditions we have set, including no identification with their country and NOC whatsoever, and full compliance with the anti-doping regulations.

# Who will be responsible for determining whether a Russian or Belarussian athlete actively supports the war? What are the criteria to determine this?

Currently, an exploration of a primary concept for conditions of participation is underway. No decision has been taken. What the details could look like will have to be worked out and decided on. It is premature to try to answer this question at this stage.

### What role will the International Federations play in the concept? Can you clarify?

The IOC will continue the exploration of the concept, by way of bilateral consultation with each International Federation, which is the sole authority for its international competitions.

# The IOC says athletes will participate as "neutral and individual" – how can this term apply to team sports?

This forms part of the discussions in the exploration phase. However, what is clear is that neutral athletes cannot associate themselves with the flag, anthem, colours or any kind of identification of their countries and NOCs.

When will a decision be taken on the participation of athletes from Russia and Belarus at Paris 2024 and, before that, for their qualification pathways?



The IOC will continue the exploration of the concept, by way of bilateral consultation, with each International Federation, which is the sole authority for its international competitions. Further details and a timeline can be defined only after these consultations have taken place.

The Olympic Council of Asia (OCA) Acting President Randhir Singh has said a qualification system is being created to enable Russian and Belarusian athletes to qualify for Paris 2024. Will this take away quota places from Asian athletes, especially in sports with a knock-out qualification system?

The Olympic Council of Asia has outlined a possible qualification pathway for athletes with a Russian or Belarusian passport.

The OCA has also clearly allayed any fears that Asian athletes would lose quota places. While the details are still being considered, in collaboration with the International Federations, it is clear that Asian athletes will not lose out on either qualification spots or medal prospects.

# What will happen in the case of athletes from Russia and Belarus who have already missed out on qualification?

Some qualification events in several sports have already taken place. The IOC will not ask IFs to adapt their qualification systems retroactively to allocate additional quota to athletes with a Russian or Belarussian passport that have missed out on qualification opportunities due to the war.

# What is the IOC's reaction to the ROC President Pozdnyakov saying that Russian athletes must compete without restrictions?

The sanctions against the Russian and Belarusian States and Governments are not negotiable. They were confirmed by the recent Olympic Summit meeting on 9 December 2022. They are:

- No international sports events being organised or supported by an IF or NOC in Russia or Belarus.
- No flag, anthem, colours or any other identifications whatsoever of these countries being displayed at any sports event or meeting, including the entire venue.
- No Russian and Belarusian Government or State official should be invited to or accredited for any international sports event or meeting.

### What if some athletes express their views on the field of play?

Rule 50.2 of the <u>Olympic Charter</u> and its <u>Guidelines</u> apply to all Olympic Games participants. As outlined in the applicable Guidelines, athlete expressions are not permitted in the following instances:



- During official ceremonies (including Olympic medal ceremonies, opening and closing ceremonies)
- During competition on the field of play
- o In the Olympic Village.

### What if an athlete expresses support for the Russian invasion before or during the Olympic Games?

As outlined in the primary concept for conditions of participation, only athletes who fully respect the Olympic Charter would participate. Such behaviour is not compatible with the Olympic Charter

### What if some athletes refuse to compete against Russian or Belarusian athletes?

We have seen Ukrainian athletes competing against neutral athletes with a Russian or Belarusian passport in the past weeks and months. Just in January 2023, the Australian Open was won by a neutral athlete with Belarusian passport.

In the first round, there was even a match between a Ukrainian and a player with a Russian passport. Professional sports leagues and tours across Europe and North America are following such a concept, e.g. tennis and cycling.

We expect that all NOCs and their athletes participating at the Olympic Games will comply fully with the Olympic Charter.

### Are athletes with a Russian or Belarussian passport subject to doping tests right now?

The President of the World Anti-Doping Agency (WADA) informed the Olympic Summit last December that 31,112 anti-doping tests had been conducted in- and out-of-competition on Russian athletes between 1 January 2021 and December 2022. These tests have been coordinated by different entities under their respective authority, and all samples have been and continue to be analysed in WADA-accredited laboratories outside Russia. The programme continues.

In the primary concept for conditions of participation, the IOC has outlined that only athletes who fully comply with the World Anti-Doping Code and all relevant anti-doping rules and regulations would be eligible. There must be individual checks carried out for all entered athletes.

# Will athletes with Russian or Belarussian passports potentially returning to competitions be subject to doping tests prior to and during competitions?

As said in the concept which is currently under discussion, only athletes who fully comply with the World Anti-Doping Code and all relevant anti-doping rules and regulations would be potentially eligible to return to international competitions. There must be individual doping controls carried out by relevant authorities (IFs and National Anti-Doping Organisations) for all potentially entered athletes.

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Since the doping scandal, there is a commonly held perception that the IOC is siding with Russia. What can you say on that?

In all its decisions, the IOC is following the Word Anti-Doping Code and the Olympic Charter, and is trying to uphold individual justice to the best possible extent in line with human rights principles.

With regard to the systemic doping scheme in Russia around the Olympic Winter Games Sochi 2014, the IOC issued the toughest sanction available by excluding the Russian Olympic Committee from participation at PyeongChang 2018, and imposing a USD 15 million fine.

The subsequent violations of the World Anti-Doping Code were under the sole authority of the World Anti-Doping Agency, which had to experience that its sanctions have been weakened by a judgement of the Court of Arbitration for Sport (CAS). At the Olympic Winter Games Beijing 2022, both the IOC and WADA requested that the decision by the Disciplinary Anti-Doping Committee of RUSADA to lift the provisional suspension in respect of the then 15-year old Russian figure skater be set aside, but such requests were rejected by the CAS.

Given this history of doping in Russia, the IOC has in the ongoing discussion established strict anti-doping conditions for each individual athlete with a Russian or Belarusian passport who would want to compete as a neutral athlete.

What is the IOC's current position with regard to the Russian invasion supported by Belarus in Ukraine and on the participation of athletes from Russia and Belarus in international competitions?

The IOC has to take into account the "serious concerns" expressed by two Special Rapporteurs of the UN Human Rights Council. On 1 February 2023, the Special Rapporteur in the field of cultural rights and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance) issued a press release, saying: "UN experts\* (today) commended the International Olympic Committee for considering allowing individual athletes from Russia and Belarus to take part in international sports competitions as neutral athletes. 'We urge the IOC to adopt a decision in that direction, and to go further, ensuring the non-discrimination of any athlete on the basis of their nationality."

It went on: "We understand the desire to support Ukrainian athletes and the Ukrainian Olympic community, who suffer terribly from the war, together with all other Ukrainians,' the experts said. 'But the Olympic Committee and more widely the Olympic community have also the compelling obligation to abide by the Olympic Charter, and more widely international human rights norms prohibiting discrimination. When States so flagrantly ignore human rights, we have a greater obligation to stand in support of our common values," the experts added.

The two Special Rapporteurs had already <u>written to the IOC in September 2022</u> to "express serious concern, however, about the recommendation to ban Russian and



Belarusian athletes and officials such as judges from international competitions, based solely on their nationality, as a matter of principle. This raises serious issues of non-discrimination."

There is also widespread support from the international community for the unifying Olympic mission. In this respect, the recent adoption of the "Sport as an enabler of sustainable development" resolution (A/77L.28) by the United Nations General Assembly on 1 December 2022 stands out. This resolution recognises that "major international sports events should be organised in the spirit of peace, mutual understanding and international cooperation, friendship and tolerance, and without discrimination of any kind, and that the unifying and conciliative nature of such events should be respected".

The resolution is specifically "acknowledging the Olympic Charter, and that any form of discrimination is incompatible with belonging to the Olympic Movement". This resolution was passed by consensus by all UN Member States, including the governments of Ukraine and Russia.

### a) Sanctions:

There are IOC sanctions in place against the Russian and Belarusian governments and states, and these are not negotiable. The sanctions are:

- 1. No international sports events being organised or supported by an IF or NOC in Russia or Belarus.
- 2. No flag, anthem, colours or any other identifications whatsoever of these countries being displayed at any sports event or meeting, including the entire venue.
- 3. No Russian and Belarusian Government or State official should be invited to or accredited for any international sports event or meeting.

#### b) Solidarity

There is unprecedented solidarity of the Olympic Movement with Ukrainian athletes and the Ukrainian Olympic Community in order to have a strong team from the NOC of Ukraine at the Olympic Games Paris 2024 and the Olympic Winter Games Milano Cortina 2026. The <a href="IOC set up a Solidarity Fund">IOC set up a Solidarity Fund</a> to help the Olympic Community in Ukraine. This aid fund now stands at well over USD 7.5 million, and over 3,000 athletes are benefiting from the support.

### c) Participation of athletes with a Russian or Belarusian passport

With regard to the individual athletes with Russian or Belarusian passports, there is a strong commitment by the Olympic Movement to the unifying mission of the Olympic Movement, particularly in these times of division, confrontation and war.

All athletes should be treated without any discrimination, in accordance with the Olympic Charter. Governments must not decide which athletes can participate in which competition and which athletes cannot.



No athlete should be prevented from competing just because of their passport.

A pathway for participation in competition of individual athletes with Russian or Belarusian passports under strict conditions should therefore be further explored.

These strict conditions are the following:

- Athletes would participate in competitions as "neutral athletes" and in no way represent their state or any other organisation in their country, as we saw in January 2023 at the Australian Tennis Open, where athletes from Ukraine, and athletes with a Russian and a Belarusian passport competed together. The women's tournament was won by a player with a Belarusian passport. In the first round, there was even a match between a Ukrainian and a player with a Russian passport. Professional sports leagues and tours across Europe and North America are following a similar concept, e.g. tennis and cycling.
- Only athletes who fully respect the Olympic Charter would participate. This means in particular:
  - o First, only those who have not acted against the IOC's peace mission by actively supporting the war in Ukraine could compete.
  - Second, only athletes who fully comply with the World Anti-Doping Code and all relevant anti-doping rules and regulations would be eligible. There must be individual checks carried out for all entered athletes.

In the event of any athlete failing to respect the eligibility criteria or failing to respect the strict participation conditions as set out above, the IF and/or the sports event organiser concerned should immediately remove them from the competition, suspend them from further competitions and report the incident to the IOC for its consideration for further measures and sanctions.

This concept is currently being explored, in particular for competitions in Asia. The Olympic Council of Asia has offered athletes with a Russian and Belarusian passport access to Asian competitions.

However, no decision has been taken at this moment in time, and the recommendations from February 2022 remain in place.

Also see the <u>declaration of the 11<sup>th</sup> Olympic Summit</u> from 9 December 2022 and the <u>Statement on solidarity with Ukraine, sanctions against Russia and Belarus, and the status of athletes from these countries</u> from 25 January 2023.

### What decision did the IOC take in February 2022 and why?

In February 2022, the IOC and the Olympic Movement reacted immediately after Russia, supported by Belarus, started the war in Ukraine. The IOC issued three statements:

24 February 2022: IOC strongly condemns the breach of the Olympic Truce.

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<u>25 February 2022</u>: IOC EB urges all International Federations to relocate or cancel their sports events currently planned in Russia or Belarus.

<u>28 February 2022</u>: IOC EB recommends no participation of Russian and Belarusian athletes and officials.

Our actions were two-fold: sanctions on the one hand and protective measures on the other.

The IOC condemned the blatant violation of the Olympic Truce on the day of the invasion. The IOC sanctioned the Russian and Belarusian states and governments responsible for this war. At the same time, the IOC also had to take protective measures to ensure the integrity of international competitions and the security of athletes and officials, including that of Russian and Belarusian athletes.

The situation was that governments were deciding who could take part in international competitions in different ways. There were governments who prohibited athletes from their country to take part in any competition with Russian or Belarusian athletes. There were other governments who were threatening to withdraw funding from any athlete who would participate in such a competition. There were also governments who were putting public and political pressure on National Olympic Committees and national sports federations.

This situation put the IOC and the International Federations in an unsolvable dilemma. The IOC had to realise that its mission to unite the entire world in a peaceful competition could no longer be fulfilled. For this reason, the IOC had to recommend not to allow Russian and Belarusian athletes and officials to take part in international competitions, or to at least prohibit any identification of their nationality.

These recommendations were welcomed and followed by the Olympic Movement.