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The Olympics' evolving relationship with human rights: an ongoing affair

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ABSTRACT

Human rights have become an increasingly important topic for mega sports events since the start of the 21st century, and the issue will undoubtedly make the headlines again in relation to Beijing hosting the XXIV Winter Olympic Games in February 2022 and Qatar hosting the Men's Football World Cup in November 2022. The present review shows that the modern Olympic Games' relationship with human rights has evolved in step with society's evolving conception of human rights. This evolution is clearly illustrated by the Olympic system's attitude toward human rights at four key periods, centred round the 1936 Olympics, the Games of the 1960s and 1970s, the Games in China (2008, 2014 and 2022) and future editions of the Games (from 2024). Each moment required the Olympic Games to consider human rights that it had rarely had to attend to before. Indeed, given society's increasing concern for human rights, the Olympic system and host countries will undoubtedly have to pay ever-greater attention to the issue when attributing and staging Olympic Games.

KEYWORDS

Berlin 1936; Mexico 1968; Beijing 2008; Beijing 2022; Guiding principles

In 2022 China will host the XXIV Winter Olympic Games (in Beijing), while Qatar will stage the 22nd Men's Football World Cup. The 11th Gay Games, originally scheduled for 2021, will also take place in China (Hong Kong) in 2022. The organisations responsible for attributing these events—the International Olympic Committee (IOC), the Fédération Internationale de Football Association (FIFA) and the Federation of Gay Games—chase these countries despite frequent criticism of their human rights records and society's increasing demands that sports events respect human rights.

In step with society, scholars have devoted a lot of attention to the issue of human rights and sport since the beginning of the 21st century (e.g. Kidd and Donnelly 2000; Taylor 2000; Giulianotti and McArdle 2006; Donnelly 2009; Palmer 2013; Harvey et al. 2014; Adams and Piekarczyk 2015; Horne 2018; McGillivray et al. 2019; Duval and Heerdts 2020; Latty, et al. 2020; Ross 2021). Whereas football has come under intense scrutiny, few analyses have focused entirely on the Olympic Games, even though the century-long history of the world's largest sports event illustrates the gradual convergence of the two ideals and their reciprocal influences. The present paper helps fill this gap in the literature by examining the Olympic Games' relationship with human rights, which have long haunted the Olympic ideal. Indeed, the goal of the Olympic Games, as defined by the Olympic Charter—the 'basic instrument

of a constitutional nature' for the Olympic system—is to 'place sport at the service of the harmonious development of humankind, with a view to promoting a peaceful society concerned with the preservation of *human dignity*' (IOC 2020a: 11, my italics). As this paper shows, the Olympic Games' relationship with human rights parallels the evolution of international human rights law and of society's conception of human rights and the way they are respected and promoted.

Drawing on previous research by historians and other scholars, and on documents produced by the IOC, intergovernmental organisations (UN, ILO, UNESCO, OECD, Council of Europe, etc.) and specialists in international law, I identify four key periods in the Olympic Games' evolving relationship with human rights. Despite the difficulty of establishing a comprehensive definition of what human rights entail, the need to respect human rights has gained ever-greater prominence with each passing Olympiad, in line with the ideals of peace and fair-play proclaimed since the renaissance of the Olympic Games. Section 1 describes the Games' first explicit encounter with human rights, in the run up to and during the 1936 Berlin Olympics, before these rights were recognised as universal in the aftermath of World War II. The most important human rights issue for the Olympic Games in the decades following the war was race relations, especially the fight against apartheid in southern Africa and the civil rights struggle in America in the 1960s and 1970s (Sec. 2). The IOC's decisions to attribute the 2008 Summer Olympics and 2022 Winter Olympics to Beijing (and 2016 Youth Olympic Games to Nanjing) at the turn of the 21st century resulted in China becoming the focus of demands for the IOC to move the Games out of China or otherwise face the threat of boycotts (Sec. 3). Sections 4 and 5 look at the latest developments in the Olympics' relationship with human rights, most notably the IOC's espousal of the idea that businesses have responsibilities toward human rights and athletes' growing demands for their individual rights to be respected. The conclusion discusses the need for Olympic Games and the whole Olympic system to continue paying more attention to human rights, in tune with today's evolving political and social context.

The 1936 Berlin Olympics and antisemitism

The concept of human rights first emerged in 17th and 18th century Europe and gradually led to the drafting of the Declaration of the Rights of Man and of the Citizen, a landmark document adopted in 1789, at the start of the French Revolution. Although this declaration was a major step forward, it is highly flawed from a modern point of view (Lauren 2003). The IOC and the Olympic system were founded more than a century later (in 1894) with the ideal of using international sports competitions to build understanding between peoples and thereby promote peace (Coubertin 1892 [1994]: 78).

Early editions of the modern Olympic Games were modest affairs (Keys 2016: 71) and had no geopolitical dimension. This changed with the 1936 Berlin Olympics, which the IOC had attributed to Germany's capital in 1931, before the Nazi party came to power in 1933. Although the Nazis had initially opposed hosting the Olympics, they came to see the event as an excellent opportunity to promote the 'new Germany'. However, concern over the Nazis' antisemitic policies quickly led some Americans to call for a United States boycott of the Games and to a long debate at the IOC's 1933 annual meeting on the divergences between the Nazi doctrine and the Olympic spirit of non-discrimination,

notably with respect to the German team's failure to include Jewish athletes (Guttman Allen 1984: 65).

Scepticism over the Nazis' promises that Jewish athletes would be selected on merit led the American Olympic Association (AOC), the body responsible for organising the American team, to send its president, Avery Brundage, to Germany on a fact-finding mission in the summer of 1934. On his return, Brundage convinced the AOC that the Nazis would keep their word and that America should send a team to Berlin. Despite an increasingly vociferous campaign for a boycott in New York, Brundage vigorously defended his position throughout 1935 on the grounds that sport should remain aloof from politics (Guttman Allen 1984: 72), an idea he defended tooth and nail during his tenure as IOC president (from 1952 to 1972). In October 1935 the AOC narrowly voted to support their president's position (Guttman Allen 1984: 74) and at the end of the year the IOC co-opted Brundage to replace his fellow American, Ernest L. Jahncke, who had been expelled for supporting the boycott in an article in the *New York Times*. There were also calls for a boycott in several European countries, most notably from France's communist newspaper *L'Humanité*, but they were not heeded. Some opponents of the Berlin Olympics heralded the People's Olympiad as a possible alternative, but the event, due to be held in Barcelona a month before the Games in Berlin, was cancelled when the Spanish Civil War broke out in July 1936 (Gounot 2007).

The United States did send a team to the 1936 Berlin Olympics, where the triumphs of several African American athletes (including Jesse Owen, who won four gold medals) rebutted the Nazi theory of Aryan supremacy (even though the United States was itself racially segregated). Not one country boycotted the Games, despite the Nazis' anti-semitic laws and policies. Admittedly, the anti-Jewish slogans disappeared from Berlin during the Games (as in Garmisch-Partenkirchen, which had hosted the Winter Olympics six months earlier) (Berlioux 2007) and the German team included a 'half-Jewish' athlete—the fencer Helene Mayer, who was studying in the United States—but several Jewish athletes who should have been selected were not chosen (Guttman Allen 1984: 73).

The Olympic Games of the 1960s and 1970s and the fight against racism

World War II brought an end to the Nazis' atrocities and paved the way for a new international system overseen by the United Nations (UN), which was founded in 1945. Just three years later, in 1948, the UN's General Assembly, meeting in Paris, adopted the Universal Declaration of Human Rights (UDHR), whose 38 articles set out the 'basic rights and fundamental freedoms' inherent to all human beings, notably dignity, liberty and equality before the law independent of a person's status, origin, nationality, gender, religion, ethnicity, or language. Articles 18 to 21 established the rights to freedom of opinion, expression and religion and the right of peaceful association (especially important for sport organisations, which are mostly non-profit associations). Adams and Piekarczyk (2015) categorised these rights into five themes, which they named freedom (of movement, association, etc.), protection (from the state in relation to torture, detention, etc.), access (to an impartial legal system with presumption of innocence), equality (of treatment for all, non-discrimination), and ability (to maintain wellbeing). Harvey and colleagues (2014) provide a detailed discussion of these rights and the social movements to which they gave rise during the 20th century.

Although sport was never mentioned during the months spent preparing the UDHR (Keys 2019: 9) and is referred to only indirectly via the right to rest and leisure (article 24), human rights concern all people, including athletes, irrespective of their age, gender or social background, etc. Specific games for workers and for women were created during the early decades of the 20th century and briefly competed with the Olympics but disappeared when these categories of people were fully accepted into the Olympic Games. The first Paralympic Games (for athletes with disabilities) took place in 1960, while young athletes can compete at the International Children's Games (for athletes aged 12 to 15 years) and Youth Olympic Games (for athletes aged 14 to 18 years).

The UDHR is a landmark in human history, even though it constitutes only soft law, not international (public) law. In fact, it is not an international treaty that countries can sign and then ratify (or access) and incorporate into their national legislation. Nevertheless, during the decades following the adoption of the UDHR, many of the rights it describes were enshrined in global or continental treaties, conventions and covenants, through which states have committed themselves to respecting some or all of these rights. The website of the Office of the United Nations High Commissioner for Human Rights (OHCHR)—an intergovernmental organisation founded in 1993—lists UN member states that have signed and ratified one or more of 18 international human rights treaties that cover sectors the OHCHR considers fundamental (OHCHR 2021), notably racial discrimination; civil and political rights; economic, social and cultural rights; discrimination against women; torture and other inhuman or degrading treatments; and forced disappearances, etc.

Human rights now cover many more domains than those considered before World War II, when antisemitism was the predominant human rights issue in a still largely colonial world. Moreover, the treaties referred to in the previous paragraph sit alongside other treaties and conventions concerning workers' rights that were drawn up during the same period by the International Labour Organization (ILO, created in 1919, prior to the UN's existence, but now part of the UN system). The rights set out in these treaties are included in the ILO's Declaration on Fundamental Principles and Rights at Work, which was adopted in 1998 (ILO 1998) as a counterpart to the UDHR. An ILO website lists the countries that have signed and ratified eight fundamental conventions covering issues such as forced labour, freedom of association, discrimination at work and child labour, some of which were adopted as early as 1930 (ILO 2021).

Ratifying these UN and ILO treaties and conventions commits states to incorporating the human rights involved into their national legislation, thereby creating an international (public) human rights law. However, certain countries' reluctance to ratify some of these treaties negatively impacts the universality of the human rights they describe. For example, considering just recent and upcoming Olympic Games host countries, by 2021 neither the United States nor China had ratified the 2006 Convention for the Protection of all Persons from Enforced Disappearance; neither Brazil, France nor the United States had signed or ratified the 1990 Convention on the Protection of the Rights of All Migrant Workers and Members of their Families; Japan had not ratified the 1957 Abolition of Forced Labour Convention; and Australia had not ratified the 1972 Minimum Age Convention (for children's work). Conversely, Switzerland—the seat of numerous global sport organisations (Chappelet 2021)—has ratified most of the fundamental conventions listed by the OHCHR and ILO. These differences between countries make human rights a highly political issue.

In parallel with the constitution of a corpus of international human rights law through the instruments mentioned above, the post-war world was also undergoing decolonisation. The newly independent countries that emerged from the break-up of Europe's pre-war colonial empires in Africa, Asia and the Caribbean set up their own National Olympic Committees (NOC) so they could take part in the Olympic Games. As a result, the number of NOCs participating in the Games increased from 67 at Melbourne 1956 to 112 at Mexico City 1968. Conversely, South Africa, which had taken part (as a British dominion) in every edition of the Olympic Games since Saint-Louis 1904, was excluded from the Olympics after Rome 1960 due to the country's policy of apartheid. Under pressure from the newly independent African countries, the IOC withdrew its recognition of South Africa's NOC in August 1964 on the grounds that its segregationist system breached the first fundamental principle of the Olympic rules (now called the Olympic Charter) which in 1949 added the sentence: 'No discrimination is allowed against any country or person on grounds of colour, religion or politics' (IOC 1949: 5). As a result, South Africa was prevented from sending a team to the Tokyo Olympic Games in October 1964.

Initially, the IOC's ban on South Africa covered only the 1964 Summer Olympics. An IOC commission of enquiry dispatched to South Africa decided that the country's promise to send a multiracial team to future Olympic Games was enough to allow it to take part in the 1968 Mexico City Games. However, the IOC withdrew its invitation to South Africa's NOC in the face of a threatened boycott by African countries, organised by the Supreme Council for Sport in Africa. They were joined by the Soviet Union and around 60 American athletes belonging to the Olympic Project for Human Rights (OPHR), who wanted to combat racism in sport and promote civil rights in America. Finally, the IOC definitively withdrew its recognition of South Africa's NOC in 1970 (Skinner 2019: 52–59) and the country did not participate in the Olympics again until 1992, after the apartheid system had been dismantled. In 1973 the UN adopted the International Convention on the Suppression and Punishment of the Crime of Apartheid, which imposed economic sanctions on countries that practised institutionalised racism or encouraged racial discrimination in any domain. It was followed in 1978 by an International Declaration against Apartheid in Sports.

Although the OPHR carried out numerous actions, it is best known for Tommie Smith's and John Carlos' black power salute during the men's 200 metres medal ceremony at the 1968 Mexico Olympics (Australia's Peter Norman, who won the silver medal, wore an OPHR badge on his tracksuit). The United States Olympic Committee and the IOC immediately excluded Smith (gold medalist) and Carlos (bronze) from the American team and from the Games, and Australia's NOC ostracised Norman for the rest of his career. These organisations and the media have since rehabilitated the three men and their demonstration has become an iconic example of the type of freedom of expression banned in Olympic sites by Rule 50.2 of the Olympic Charter but which Olympic athletes would like to regain. Nevertheless, it was the less well-known threat of a boycott by African countries before the Mexico Games that led the IOC to take an important step in fighting racism at the Olympics by excluding apartheid-era South Africa.

Protests against racism continued at the next two Olympic Games. Once again, the IOC bowed to a threatened boycott and excluded the apartheid state of Rhodesia (today Zimbabwe) from Munich 1972, but it was unable to prevent all the African countries withdrawing from Montreal 1976 (even though most of them had taken part in the opening

ceremony) over the New Zealand All Blacks rugby team's tour of South Africa (even though rugby was not yet an Olympic sport). The two IOC presidents involved (Brundage for 1968 and 1972, Killanin for 1976) roundly criticised these (threatened) boycotts as a case of politics intruding into sport (which was, of course, nothing new).

According to Skinner (2019: 64), antiracism in sport and the Olympics 'was not a function of inherent moral ideals but rather the gradual adoption of norms that emerged in political and social discourse in the process of decolonization'. MacAloon (1981) suggested that the Olympic Games' growing success in the second half of the 20th century was due to the event providing a four-yearly symbol of the shared humanity of spectators/television viewers and athletes that went beyond each person and their nationality, an idea that was consubstantial with that of universally shared human nature and rights.

The issue of racism fell off the Olympic agenda until the eve of the Tokyo 2020 + 1 Olympics, when the IOC had to relax Rule 50.2 of the Olympic Charter and give Olympians greater freedom to express their views (other than on the podium, in the Olympic village and during ceremonies), as long as these expressions were 'non-targeted, directly or indirectly, against people, countries, organizations' (IOC 2021a; Dunbar 2021). This change was made in response to criticism by athletes and NOCs of Rule 50.2's strict ban on any sort of 'demonstration or political, religious or racial or propaganda in any Olympic sites, venues or other areas', and in the light of the Black Lives Matter movement, which began in 2013 in the United States and led many athletes to take the knee during the American national anthem. Following the change to Rule 50.2, several football teams at the 2020 + 1 Tokyo Olympics took the knee before their matches and a hockey player wore rainbow-coloured socks in support of the LGBTQ+ movement. In addition, an American athlete crossed her arms above her head after receiving her silver medal and Chinese athletes wore Mao Zedong badges on their tracksuits during their medal ceremonies. Although these latter two demonstrations were, in principle, banned from the podium, they did not give rise to sanctions from the IOC.

Despite the Olympic protests of the 1960s and 1970s, the idea that sport and the Olympic Games could be used to promote human rights did not truly emerge until the late 20th century. Indeed, Olympic sport had originally been the preserve of gentlemen amateurs and therefore highly discriminatory. These gentlemanly origins, together with the enduring notion that politics should be kept out of sport, may explain why observers barely mentioned Olympic host countries' human rights violations during the 1980s, even though the Soviet Union (Moscow 1980) was known to persecute dissidents and Jews and the Korean government (Seoul 1988) had used lethal force against opponents (as Mexican security forces had done prior to Mexico City 1968). Helsinki Watch (the forerunner of Human Rights Watch—HRW¹) even went as far as to oppose the United States' boycott of the 1980 Moscow Olympics (over the Soviet Union's invasion of Afghanistan) on the grounds that it violated the right of athletes to compete in the Games (Keys 2019: 114). Nevertheless, by 1991 the IOC had become sufficiently aware of the importance of human rights to reformulate the basic principles of the Olympic Charter to include references to 'universal fundamental ethical principles' and 'human dignity' (IOC 1991: 7, *my italics*):

2 – [...] Olympism seeks to create a way of life based on the joy found in effort, the educational value of good example and respect for *universal fundamental ethical principles*.

3 – The goal of Olympism is to place everywhere sport at the service of the harmonious development of man [sic], with a view to encouraging the establishment of a peaceful society concerned with the preservation of *human dignity*.

These vague principles are still in force (subsequently renumbered) and constitute a soft law for the Olympic system, especially the IOC and Olympic Games organising committees. In 2003 the IOC even created a new but somewhat ‘precatory and non-binding’ human right (Ross 2021: 117) when it added a further fundamental principle proclaiming: ‘The practice of sport is a human right. Every individual must have the possibility of practising sport, without discrimination of any kind and in the Olympic spirit, which requires mutual understanding with a spirit of friendship, solidarity and fair play’ (IOC n.d. [2003]: 10). In this, the IOC is following article 1 of UNESCO’s International Charter of Physical Education and Sport, adopted by member states in 1979, the 1975 European Sport for All Charter (now called the European Sports Charter and revised in 2021 with specific mention of human rights), and article 15 of the 1966 International Covenant on Economic, Social and Cultural Rights, which guarantees access to a country’s cultural life.

The creation of the Court of Arbitration for Sport (CAS) by the IOC in 1983 and the introduction of the Code of Sports-related Arbitration during the 1990s can also be seen as steps in promoting the right of athletes to be heard beyond their federation and in a way that Switzerland’s Federal Tribunal (Chappelet 2020a) and the European Court of Human Rights (Duval 2018) recognise as independent.

China’s Olympic Games (2008, 2014, 2022) and the rights of ethnic groups

The Olympic Games held during the initial decades of the 21st century, especially the 2008 Beijing Summer Olympics and 2022 Beijing Winter Olympics, raised human rights issues that had rarely, if ever, been raised with respect to the Olympics. One such issue is the right to adequate housing (UDHR article 25 and other instruments of international law), which has been brought to the fore by incidences of people being forcibly evicted from their homes to make way for Olympic facilities. A detailed report published by the Geneva-based Centre on Housing Rights and Evictions (COHRE 2007) in 2007 showed that such practices have occurred at least since the 1988 Seoul Olympics, but it was the clearance of an area of low-income housing to make way for Atlanta 1996s Olympic stadium and Olympic village that first brought the issue to the public’s attention. More recently, and despite the guidelines contained within the COHRE’s report, Rio 2016s Barra de Tijuca Olympic Park was built on the site of the Vila Autodromo favela after its inhabitants had been evicted and rehoused in places far from where they worked (Gatinois 2016; Ivester 2017). In the case of Beijing 2008, the historic housing district of Hujialou, to the north of city, was demolished to build the Olympic Park (Yardley 2006). Nevertheless, the biggest human rights issue raised by attributing the Olympic Games to Beijing was not housing but China’s disregard for several other rights, including the rights of minorities, the right to self-determination, the right to seek, receive and impart information and the right to demonstrate.

The Chinese government first tried to obtain the Olympic Games in the 1990s, with the aim of marking China’s arrival as a major power by bringing the 2000 Games to Beijing. HRW, with discreet support from Amnesty International (the other main NGO involved in defending human rights), launched a campaign to oppose China’s bid, which came just

a few years after the 1989 Tiananmen Square massacre destroyed hopes of the country becoming more democratic. Indeed, Beijing's bid denied any possibility of opposition, even by a minority of Chinese, stating: 'Neither now or in the future will there emerge in Beijing organizations opposing Beijing's bid and the hosting of the 2000 Olympiad' (quoted by Kidd and Donnelly 2000: 146). Following a hard-fought campaign, the IOC finally attributed the 2000 Olympics to Sydney by a slender majority of two votes (McGeoch and Korporaal 1995). Although the human rights situation in China was just one of many factors that influenced the IOC's decision (Larkin 2020), this was the first time an Olympic Games had been impacted by human rights issues that did not relate directly to athletes, sport or the Games themselves, but to the way a regime treated its citizens. As Keys (2019: 117) noted: 'HRW opened the door to a nearly limitless range of moral claims on the Olympics.' In addition, at the end of the 20th century, HRW and other NGOs began using the Olympic Games to attract attention to human rights issues, a policy they have continued to pursue in order to harness the massive media coverage the Olympics receive every four years.

Although the concept of 'human rights' (*renquan*) had been alien to Chinese thought, in 2004 the Chinese government added the term to the country's constitution (Brownell 2019: 183–84). Brownell suggested that, rather than the individual civil and political rights the western world usually categorises as human rights, China's intention was to highlight other types of rights, notably a population's right to economic subsistence. The fact that China ratified the International Covenant on Economic, Social and Cultural Rights in 2001 but did not ratify the International Covenant on Civil and Political Rights, whereas the United States ratified the latter convention in 1992 but has not yet ratified the former, illustrates the two countries' differing conceptions of the importance of different human rights (OHCHR 2021).

Beijing's second bid for the Olympics, this time aiming for the 2008 Summer Games, was successful, as the city easily beat Paris, Toronto and Osaka, despite demonstrations over violations of Tibetans' rights just before the IOC's vote. The IOC's official position at the time was that the Games would improve human rights in China—notably those of Tibetans—if international pressure on the organisers continued. HRW's response to Beijing's new bid was muted (Keys 2016: 123–24) and there were few protests over the event until the run up to the Games, when controversy erupted over China's actions in Tibet, its involvement in the war in Darfur (South Sudan) and its persecution of Falun Gong, a Chinese religious organisation. Riots took place in Tibet in March 2008. Protests over human rights abuses in China came to a head during the Olympic torch relay, which the Chinese organisers had planned as a worldwide event in the spring of 2008, like the Athens relay four years earlier. Demonstrations by Tibetan exiles and other critics of China's human rights failings severely disrupted the relay's passage through London, Paris, San Francisco, New Delhi, Canberra, Nagano and Seoul (order along the route), while Reporters Without Borders highlighted the absence of press freedom in China and Amnesty International juxtaposed the Olympic Games with human rights violations, including China's use of the death penalty (via the slogan: 'Stop the world record of executions'). HRW concentrated on violations directly linked to staging the Games, such as the forced evictions of residents to clear sites for Olympic stadiums (see above). Many voices called for boycotts and strongly criticised the IOC, which found itself under huge international pressure (Kidd 2010). According to one senior IOC member (Richard Pound), the 2008 Olympics were 'saved' by the wave of compassion for Chinese people that followed the massive earthquake that hit Sichuan province

in May 2008 (MacAloon 2021: 575). The IOC's position throughout this period was that the Games should not be hijacked for political and non-sporting motives.

In the end, the Beijing Olympics took place without a hitch in August 2008. All the NOCs attended, as did numerous heads of state/government, including the president of the United States—the first time a US president had attended a Games not held on American soil. The only concession the IOC obtained from the Chinese authorities was to unblock internet access for foreign journalists working in the Beijing press centre. During the closing ceremony, the IOC's president, Jacques Rogge, declared that: 'The world has learned about China, and China has learned about the world, and I believe this is something that will have positive effects for the long term'. In contrast, Brownell (2019: 190) suggested that although the Games had broken the taboo on discussing human rights in China, they had not fundamentally changed the situation. Nevertheless, human rights NGOs were mostly silent when the Chinese city of Nanjing hosted the 2014 Summer Youth Olympic Games, probably because they felt that this event did not receive enough media coverage.

The following year the IOC attributed the 2022 Winter Olympics to Beijing, ahead of Almaty (Kazakhstan), the only other candidate city. MacAloon (2016) described this choice as 'the devil's alternative', because the human rights situation was poor in both candidate countries. Human rights groups began protesting these Games in 2019, accusing China of grossly violating the rights of the (mostly muslim) Uyghur people (in Xinjiang or East Turkmenistan), the people of Hong Kong and the native people of South Mongolia (aka Inner Mongolia in China), as well as those of Tibetans. Claims that China is trying to wipe out local cultures have led to Beijing 2022 being called the 'Genocide Games' (Kirby 2021; CPHRC 2021) and to numerous calls to boycott the event (e.g. in The New York Times, Romney 2021). China sees this criticism as a resurgence of the Cold War. A 'political boycott' (absence of numerous NOCs, as at Moscow 1980) seems unlikely at the time of writing (mid 2021) and, according to the Financial Times, would not be the right response (FT Editorial Board 2021). HRW and other organisations would like to see a 'diplomatic boycott' by heads of state/government, notably of the Games opening ceremony. This could be combined with a 'personal boycott' by winter sports 'stars' prepared to place the Games' moral ideals ahead of their desire to compete (Reuters 2021a) and a 'commercial boycott' by international sponsors, who would not advertise their association with the Games in markets where public opinion and politicians are against them (Owen 2021). Several Japanese sponsors of Tokyo 2020 + 1 adopted this strategy in 2021 in response to public opposition to the Olympics in Japan. In addition, an American journalist has suggested that teams attending the Beijing 2022 opening ceremony should wear white track suits bearing the name of their country in blue letters, the colours of the Uyghur flag (Perelman 2021).

The host city contract (HCC) Beijing signed in 2015 after being attributed the 2022 Winter Olympics did not mention human rights (unlike the contract for Paris 2024 and its successors; see the following section), which are alluded to only once, in article 18b, via the sentence: 'In conformity with the fundamental principles of Olympism (as defined in the Olympic Charter), the OCOG shall carry out various activities during the period leading up to and throughout the Games in connection with the promotion of peace and *human understanding* through sport, and in particular of the Olympic Truce' (IOC n.d. [2015]: 22, my italics). Although the Olympic Charter's fundamental principles refer to 'human dignity' and 'universal fundamental ethical principles' (see Sec. 2), this HCC sentence is very vague.

Moreover, the only sanction the HCC allows—withdrawing the Games from the host city—is difficult to apply, especially as the Games approach, because of the difficulty of finding a replacement host city or cancelling the event.

It is also difficult to bring cases to national courts because the HCC stipulates that: ‘Any dispute concerning its validity, interpretation or performance shall be determined conclusively by arbitration, to the exclusion of the ordinary courts of Switzerland, of the Host Country or of any other country; it shall be decided by the Court of Arbitration for Sport in accordance with the Code of Sports-Related Arbitration of the said Court’. However, since 2020, attempts have been made in national courts to influence the human rights situation in China. For example, France’s National Terrorism Prosecution Office has been investigating claims that multinational companies have benefitted from forced labour by Uyghur workers (Gaeta 2021) and in June 2021 human rights lawyers lodged a case with the International Criminal Court (ICC) accusing China of crimes against humanity relating to the forced deportation of Muslim Uyghurs from Tajikistan to Xinjiang in China (Reuters 2021b). The ICC agreed to hear this case because Tajikistan recognises the court, even if China (like the United States) does not.

Similarly, because Switzerland recognises the universal jurisdiction of its criminal courts for crimes against humanity (such as genocide), people of any nationality accused of such crimes can be prosecuted in Switzerland if they enter the country. This rule applies to the heads of the numerous international sport organisations based in Switzerland. In addition, the Swiss authorities can provide legal assistance to other courts. For example, in 2020 the ICC asked Switzerland’s Federal Office of Justice to assist with a case concerning a senior football executive accused of supporting an armed group in perpetrating crimes against humanity in his country (Burri 2021).

Future Olympic games (from 2024) and human rights

In 2006 the UN set up a new Human Rights Council to replace its Human Rights Commission, created 40 years earlier, whose actions were being systematically blocked by governments that did not want to fully respect these rights. The new council is based in Geneva, like the OHCHR. The previous year, UN Secretary-General Kofi Annan had asked John Ruggie, from Harvard University, to produce a set of human rights rules for corporations and businesses, rather than just states, which had been the focus of the numerous treaties and conventions drawn up after World War II (see Sec. 2). Ruggie’s wide-ranging consultations resulted in the Guiding Principles on Business and Human Rights, which the Human Rights Council adopted in 2011 (OHCHR 2011). Inspired by the concept of corporate social responsibility, the principles extend the responsibility for protecting and fulfilling individual human rights from states to companies, which must provide effective remedies—legal or other—if these rights are violated. Most states and societies now recognise these Guiding Principles as soft law. In fact, they were preceded by a similar set of guiding principles for multinationals, drawn up by the Organisation for Economic Cooperation and Development (OECD) in 1976 (OECD 2011).

Initially, the IOC, which is a non-profit association under Swiss law, not a company, did not feel beholden to either set of guidelines. The event that contributed to change its stance on this matter was a little-known complaint concerning FIFA’s oversight of preparations

for the 2022 World Cup in Qatar. In 2015 the Geneva-based Building and Wood Workers' International (BWI) asked the Swiss National Contact Point (NCP) for the OECD Guidelines for Multinational Companies to consider whether FIFA had failed to address violations of the rights of migrant construction workers employed on World Cup building sites. The NCP accepted BWI's request because FIFA (like the IOC) is based in Switzerland and because it considered FIFA to be functionally a company involved in organising the World Cup. A mediation process between FIFA, BWI and the Qatari government, led by a professor from the University of Zurich, concluded in March 2017 and resulted in a series of improvements to the conditions for workers on World Cup building sites. FIFA facilitated this mediation by adding a commitment to human rights to its statutes in 2016. Article 3 of these statutes now states: 'FIFA is committed to respecting all internationally recognised human rights and shall strive to promote the protection of these rights'. This example shows that grievances can be addressed without resorting to court action.

Qatar had already been the subject of a complaint, filed in 2014, because the kafala recruitment system used on 2022 World Cup sites (and others) contravene several ILO conventions (of which Qatar is a signatory). Reforms introduced by the Qatari government were sufficient for the IOL to drop the complaint three years later (Latty et al. 2020: 187), thereby producing a rare example of pressure relating to a sports event forcing a state to respect the human rights obligations it had signed up to. (Unlike Qatar, China has not ratified the ILO's forced labour convention.)

The complaint against Qatar came just a year after the IOC had elected Thomas Bach, a German lawyer, as its new president. One of Bach's objectives was to develop closer relations with the UN (which had given the IOC observer status in 2009). A year after his election, the IOC published a strategic roadmap entitled Olympic Agenda 2020, whose introduction notes: 'The Olympic Agenda 2020 clearly demonstrates our determination to live up to our values and principles. *The new wording of the 6th Fundamental Principle of Olympism, is derived from the United Nations Universal Declaration of Human Rights.* In one point it will now be even more clear because it includes also sexual orientation. This strengthened wording will help us to ensure the respect for all these rights for all participants during the Olympic Games' (IOC 2014: 4–5, original italics).

The revised sixth principle reinforces the commitment to non-discrimination the IOC had made in 1949 (see Sec. 2), stating: 'The enjoyment of the rights and freedoms set forth in this Olympic Charter shall be secured without discrimination of any kind, such as race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status' (IOC n.d. [2014]: 12).

Olympic Agenda 2020's citation of the UDHR was the first time the IOC had admitted it had responsibilities towards human rights, although these responsibilities covered only contexts directly linked to the Olympics, for example, athletes' participation in the Games or the construction of Olympic facilities. The IOC reiterated its position—which human rights activists consider too limited—in its Code of Ethics, whose first article lists some of the 'fundamental ethical principles' included in the Olympic Charter since 1991 (see Sec. 2):

Respect for the universal fundamental ethical principles is the foundation of Olympism. These include: [...] 1.4 Respect for international conventions on protecting human rights *insofar as they apply to the Olympic Games' activities* and which ensure in particular:

- respect for *human dignity*;
- rejection of *discrimination* of any kind on whatever grounds, be it race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status;
- rejection of all forms of *harassment and abuse*, be it physical, professional or sexual, and any physical or mental injuries [...] (IOC 2016: 13, my italics).

The IOC evoked these principles at the end of 2020 when it banned the president of Belorussia and his son (former and current presidents of Belorussia's NOC) and all Belorussian government officials from attending the Tokyo 2020 + 1 Games. However, this ban was in response to political discrimination against Belorussian athletes who had protested a rigged presidential election, rather than in response to the fact that election rigging violates civil rights (Grohmann 2020). The IOC also condemned as 'deplorable' Belorussia's attempt to force one of its athletes to return home during the Tokyo 2020 + 1 Olympics—the athlete refused to board the flight and successfully sought police protection at the airport. This incident led the United States' president to sign an executive order imposing sanctions on Belorussia's NOC (Dowdeswell 2021). The IOC suspended the NOC afterwards, thereby preventing it taking part in future Olympic Games (article 27.9 of the Olympic Charter), just as it suspended South Africa's NOC in the 1960s (see Sec. 2).

In 2016 the IOC created a Refugee Olympic Team to enable displaced athletes to participate in the Olympic Games. Selected and run by the Olympic Refugee Foundation, which is managed within the IOC Administration, the Refugee Olympic Team allowed 29 athletes—from Afghanistan, Cameroon, Congo, Republic of Congo, Eritrea, Iraq, South Sudan, Sudan, Syria and Venezuela (all of whose NOCs took part in the Games under their national flags)—to compete at Tokyo 2020 + 1.

In 2017 the IOC completely overhauled the HCCs it signs with the hosts of future editions of the Games, starting with the Paris 2024 Summer Olympics, the Milano-Cortina 2026 Winter Olympics and the Los Angeles 2028 Summer Olympics. Article 13 of the new HCC states (HCC 2017: 16, my italics):

13.1. The Host City, the Host NOC and the OCOG [local organizing committee] undertake to abide by the provisions of *the Olympic Charter and the IOC Code of Ethics* and agree to conduct their activities related to the organisation of the Games in a manner which promotes and enhances the fundamental principles and values of Olympism, as well as the development of the Olympic Movement.

13.2. Pursuant to their obligations under §13.1, the Host City, the Host NOC and the OCOG shall, in their activities related to the organisation of the Games:

- a. prohibit *any form of discrimination* with regard to a country or a person on grounds of race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status;
- b. *protect and respect human rights and ensure any violation of human rights is remedied in a manner consistent with international agreements, laws and regulations applicable in the Host Country and in a manner consistent with all*

internationally-recognised human rights standards and principles, including the United Nations Guiding Principles on Business and Human Rights, applicable in the Host Country [...]

Paragraph b above clearly states that each HCC concerns only the human rights the host country recognises, that is, those included in the treaties and conventions it has ratified, which vary greatly from country to country (Sec. 2). The UN Guiding Principles are not a treaty between states, just a declaration. Moreover, it is the host city, not the host country, that signs the HCC, although the IOC would like this to change in the future (By-law 3.3 to Rule 33 of the Olympic Charter, IOC 2020a). Hence, the IOC's approach remains highly legalistic. Nevertheless, for the first time, HCCs explicitly require Olympic Games hosts to adhere to the UN Guiding Principles.

Athletes' individual rights and recent developments

The Athletes' Rights and Responsibilities Declaration, drawn up by the IOC's Athletes' Commission and adopted by the IOC in 2018, sets out a series of aspirational rights and responsibilities for Olympic athletes. The IOC is now encouraging all NOCs and international sport federations (IFs) to endorse the declaration. Although seen as a welcome step forward, the declaration remains centred round athletes' participation in Olympic Games and sports competitions (IOC 2018) and does not give them the greater influence and representation in sporting and Olympic affairs they would like (Chappelet 2020b) as true Olympic system workers within their country (Di Cola 2021a). Nor does it meet another key demand—the freedom to express opinions and to demonstrate, which is strictly restricted at the Olympics under Rule 50.2 of the Olympic Charter.²

Many athletes in dispute with their sport organisations take their cases to the Court of Arbitration for Sport (CAS), with the possibility of appealing any decisions to Switzerland's supreme court (Federal Tribunal—FT). Because the CAS is based in Switzerland, which ratified the convention setting up the European Court of Human Rights (ECHR), in Strasbourg, athletes of any nationality who are dissatisfied with a CAS ruling and the result of a subsequent appeal to the FT can lodge a further appeal with the ECHR. Most such appeals have involved cases of doping and been founded on the right to a fair hearing. Athletes who have done this include the German speed skater Claudia Pechstein, the Romanian footballer Adrian Mutu, the Turkish footballer Ali Reza and the South-African middle-distance runner Caster Semenya (Duval 2018; CAS 2021; Krech 2021). Semenya's case had still not been resolved in 2021 while the other cases were dismissed. Some people also maintain that the World Anti-Doping Agency's (WADA) highly intrusive rules (whereabouts, outsider's witnessing of urine samples, strict liability, etc.) infringe athletes' civil rights (Houlihan 2004; Bodin, Paget, and Sempé 2012; van der Sloot, Paun, and Leenes 2020).

Thus, the world of sport, especially the Olympic Games, can no longer avoid the issue of human rights. Even though HCCs did not include formal commitments to respecting human rights until 2017 (for the 2024 and subsequent Olympic Games), Olympic event organisers have faced informal pressure to respect these rights since the 2010s. Failure to do so can lead to protests and condemnation, as occurred just before and during the Sochi

2014 Winter Olympics in response to Russia's new law banning the promotion of 'non-traditional sexuality' (Wilkinson 2014; Davidson and McDonald 2018) and its persecution of the rock band Pussy Riot (Walker 2014).

Promoting equal rights for women in the Olympic system, in line with Recommendation 11 of Olympic Agenda 2020 ('Foster gender equity', IOC 2020b), is another area in which the IOC has progressed during Bach's presidency. By 2020, 37% of the IOC's members were women (IOC 2021b: 47) and almost half of the seats on IOC commissions were occupied by women. At the opening ceremony for the Tokyo 2020 + 1 Olympic Games, every nation had to nominate two flag bearers—a woman and a man—and the Olympic oath (strengthened to demand non-discrimination) was pledged by a man and a woman together. In addition, the IOC is moving towards gender parity in Olympic competitions. This contrasts with the situation under Bach's predecessor, exemplified by the IOC's refusal to include a women's ski jumping competition alongside the men's competition at the Vancouver 2010 Games. Women ski jumpers took their case to Canada's supreme court, arguing that this decision contravened Article 15 of Canada's charter on rights and freedoms, which forbids discrimination based on gender. However, the Canadian court dismissed the case because the charter only protects people from decisions made by the public authorities, which the IOC is not (Ross 2021: 110). Nevertheless, the IOC added women's ski jumping to the programme for the next Games.

The emergence of several cases of sexual misconduct and the development of the Safesport movement during the early 2010s, especially in the United States, led the IOC to adopt a policy on abuse and harassment in sport (Mountjoy et al. 2016). It also set up a web-based integrity and compliance hotline (<https://ioc.integrityline.org/index.php>) for reporting abuse and other forms of wrongdoing (e.g. relating to human rights) apart from doping, which is covered by WADA's 'Speak Up!' website. Most recently, in 2017, it published guidelines for IFs and NOCs on how to protect athletes from abuse (IOC n.d. [2017]) and in 2020 it set up a course to train specialists in this field (IOC 2020c). This domain, referred to by the acronym PHAS (Prevention of Harassment and Abuse in Sport), is considered part of the fight to protect (athletes') human rights.

On the eve of Tokyo 2020 + 1, HRW criticised Japanese coaches for their abusive treatment of child athletes and the Japanese government for not passing legislation to protect LGBTQ+ people (Morgan 2021). But Tokyo 2020 + 1 was also the first Olympic Games to feature an openly trans athlete, New Zealand's Laurel Hubbard. This event was met with general approval, in contrast to the reprobation that greeted the Union of European Football Associations' decision, taken just a month earlier, to ban one of the Euro 2020 stadiums from displaying the LGBTQ+ movement's rainbow colours. At the same time, moves to end discrimination based on an athlete's sexual orientation, which many observers consider an important human rights issue (Ziegler 2022), have raised concerns that transgender athletes will have a competitive advantage. The IOC is currently preparing a new framework to guide IFs and NOCs (and therefore the Olympic Games) on setting rules for transgender athletes (Pavitt 2021).

Nine of the world's largest human rights NGOs, including HRW, AI and Transparency International, joined forces in 2015 to create the Sports and Rights Alliance (SRA) and thereby 'embed human rights in the world of sport'. SRA's website explains why the Alliance chose to focus on sport: 'Sport has the potential to be a catalyst for human development, unity, and freedom, but too often it instead brings harm to its athletes,

fans, and communities. We exist to uncover and rectify the many abuses that exist both in and around sport. We aim to transform sports into an authentic force for good' (SRA 2021).

Every year since 2016 the Institute for Human Rights and Business (IHRB), the Mega-Sporting Events Platform for Human Rights (MSE Platform) and Switzerland's Federal Department of Foreign Affairs have held a conference in Geneva to explore the challenges and opportunities facing mega-sports events. The IOC's director general attended the first of these Sporting Chance Forums, while its president contributed a video address. The second forum paved the way for the launch, in 2018, of the Centre for Sport and Human Rights (CSHR), a multi-stakeholder initiative involving sport organisations, intergovernmental organisations and NGOs. Originally set up as a subsidiary of the IHRB, the CSHR became an independent, non-profit association under Swiss law, with the ILO, the International Trade Union Confederation, the International Organization of Employers, the Swiss Federal Department of Foreign Affairs, the Commonwealth Games Federation, Human Rights Watch, the World Players Association and the IHRB as founding members (CSHR 2021). Mary Robinson, former President of Ireland, former High Commissioner of Human Rights and chair of the MSE Platform (now part of the CSHR), chairs the CSHR's ten-member board. Its operating entity is a UK charity, wholly controlled by the Swiss association. It is financed by donations from its advisory council's 50 member organisations. A team of around 20 employees, based in Geneva and Eastbourne (UK), enable the CSHR to publish regular reports on various aspects of human rights in sport (e.g. in 2018, *Championing Human Rights in the Governance of Sports Bodies*). In late 2021, the CSHR published a strategy entitled *Convergence 2025*. The relations between the CSHR and the SRA are unclear.

Although the Swiss Federal Department of Foreign Affairs and other prestigious bodies were some of the CSHR's founders, the IOC decided not to become a founding member. Instead, in 2018 it created its own Human Rights Advisory Committee, as FIFA had done two years earlier. The committee's president, Prince Zeid Ra'ad Al Hussein of Jordan, a former High Commissioner for Human Rights, and Rachel Davis, the vice-president of SHIFT, a group of experts on the UN Guiding Principles on Business and Human Rights, drew up a set of Recommendations for an IOC Human Rights Strategy (IOC n.d. [2020] c). This report was very critical of the IOC's uncoordinated approach to human rights, a failing IMD had also identified in its report on the IOC's governance (IMD 2017: 6). The Human Rights Advisory Committee's report provides five sets of recommendations, entitled:

1. Articulating the IOC's human rights responsibilities
2. Embedding respect for human rights across the organization
3. Identifying and addressing human rights risks
4. Tracking and communicating on progress
5. Strengthening the remedy ecosystem in sports (IOC n.d. [2020]c: 24)

One of the committee's most urgent recommendations was for the IOC to set up a specialist unit to bring together the different aspects of its approach to human rights, which are currently dispersed across several departments within its Administration. Despite HRW's urgings in view of the 2022 Olympics and beyond (Berkeley 2021), the IOC and its stakeholders had still not implemented these recommendations in 2021.

In 2021, following a revised bidding procedure, Brisbane (Australia) won the right to host the 2032 Olympic Games. For the first time, the IOC's bid evaluation report formally assessed a candidate country's commitment to human rights issues via indicators such as OHCHR Human Rights Treaty Ratifications, ILO Core Convention Ratifications, the WEF Global Gender Gap Index and the UNDP Human Development Index, etc. (IOC 2021c: 13). Considering only legal commitments to human rights, the report for Brisbane noted that Australia had ratified 14 of the 18 main treaties listed by the OHCHR and 7 of the 8 conventions highlighted by the ILO.

Also in 2021, the European Union began considering legislation to make human rights and environmental due diligence mandatory. Should this legislation be passed, it will directly

Table 1. Main human rights documents applicable to sport and the Olympic Games.

<i>Intergovernmental organisation documents</i>		<i>IOC documents</i>
(ILO) Forced Labour Convention	1930	
(UN) Universal Declaration of Human Rights	1948	
	1949	Olympic Charter non-discrimination rule
(Council of Europe) European Convention [and Court] of Human Rights	1959	
(UN) Convention on the Elimination of All Forms of Racial Discrimination	1965	
(UN) International Covenant on Civil and Political Rights	1966	
(UN) International Covenant on Economic, Social and Cultural Rights	1966	
(Council of Europe) European Sport for all Charter (renamed European Sports Charter in 1992 and revised in 2001) and Code of Sports Ethics (revised in 1992)	1975	
(OECD) Guidelines for Multinational Enterprises	1976	
(UN) International Declaration against Apartheid in Sports	1978	
(UN) Convention on the Elimination of All Forms of Discrimination Against Women (article 10 g for sport)	1979	
(UNESCO) International Charter of Physical Education and Sport (revised in 2015)	1979	
	1984	(CAS) Code of Sports-related Arbitration
ILO Declaration on Fundamental Principles and Rights at Work	1998	
	1999	Code of ethics (first edition)
	1999	Olympic Movement's Agenda 21
	2003	Olympic Charter 4th Fundamental Principle ('The practice of sport is a human right')
UN Guiding Principles on Business and Human Rights	2011	
	2014	6th fundamental principle in Olympic Charter reinforces non-discrimination and Olympic Agenda 2020 recommendation 11 ('Foster gender equity')
	2016	Code of Ethics (new article 1)
	2017	Host City Contract (article 13)
(UNICEF) Children's Rights in Sport Principles	2017	
(UNESCO) MINEPS VI Kazan Action Plan (particularly Main Policy Area III)	2017	
	2018	Athletes' Rights and Responsibilities Declaration
	2020	Recommendations for an IOC Human Rights Strategy

affect sport (and other) organizations based in (or dealing with) the EU (van Kalmthout, et al. 2021).

Table 1 summarises the main human rights documents applicable to the Olympics and to sport (and mentioned in the present paper) adopted by intergovernmental organisations and by the IOC. Most of these documents were published by intergovernmental organisations in the second half of the 20th century and by the IOC during the early 21st century.

Conclusion

As the preceding discussion shows, the Olympics' relationship with human rights has evolved in parallel with changes in society's conception of human rights. Just as this conception has expanded to encompass sport and sports events, the IOC and Olympic Games have gone from a narrow focus on non-discrimination (religious and/or racial discrimination at Berlin 1936 and at the Olympic Games of the 1960s and 1970s) to embracing a more comprehensive palette of human rights that includes the rights of ethnic groups and indigenous peoples, the right to freedom of expression and information (notably during Olympic Games held in China), athletes' rights and gender equality (notably at Tokyo 2020 + 1). The IOC's current president, Thomas Bach, has been particularly instrumental in changing the IOC's stance toward human rights, and it is now accepted that the Olympic Games has a responsibility towards human rights. The questions the IOC needs to answer now are which rights, for who, how should they be addressed and how far do its humanitarian responsibilities extend? Human rights are also closely linked to the issue of sustainability. Indeed, the UN's Sustainable Development Goals, which the IOC supports (IOC 2017: 18; Di Cola 2021b), concern several human rights (e.g. Goal 5: Foster Gender Equity, Goal 8: Decent Work and Economic Growth).

Whereas the human rights treaties and conventions signed during the 20th century concerned only states, the UN Guiding Principles for Business and Human Rights, adopted in 2011, were designed specifically for commercial enterprises, including sport organisations, sports equipment companies and sports sponsors, especially multinationals (de Schutter 2006). Most owners and organisers of major sports events and their extensive networks of stakeholders, including nearly all the IOC's TOP Olympic Partners, have now signed up to the UN Guiding Principles. But, as Hunt Lynn (2011) noted for governments, 'human rights are easier to endorse than enforce'. This is especially true for sport organisations, which have few coercive measures at their disposal other than cancelling or moving an event (as the International Ice Hockey Federation did when it withdrew its 2021 Men's World Championships from Belorussia), or suspending a member country, which risks penalising its athletes by preventing them taking part in competitions. Imposing sanctions is made even more difficult by the fact that human rights are often violated in non-Olympic and non-sporting contexts (Donnelly 2009: 33), so it is easy for the IOC to justify not taking action on the grounds that it cannot mitigate situations the UN itself cannot resolve. Nevertheless, the UN's numerous conventions and declarations carry a lot of moral weight (Naess 2019).

Of course, focusing on just four moments in the Olympic Games' relationship with human rights has limitations because it overlooks developments during the years between these moments. Nevertheless, it shows how far the two ideas have travelled over a period of almost a century. Some scholars see in the Olympic Games' relationship with human

rights an evolution in Olympic discourse from the amorphous ideal of promoting peace, which dates back to the time of Pierre de Coubertin and the foundation of the IOC, to a more contemporary discourse on human rights (Keys 2019: 1–14). This is not wrong, in so far as human rights are fundamentally interwoven into the Olympic movement's ideals of fair play and human dignity, both for individuals and, increasingly, society as a whole. It remains to be seen how these ideals will be put into practice in the years to come.

At the same time, sport's relationship with human rights is giving rise to a new field of research at the frontiers of domestic and international human rights law and the transnational sports law produced by organisations such as the IOC, IFs and WADA. Further research is needed.

Notes

1. Helsinki Watch was founded after the signature of the 1975 Helsinki Accords between the eastern and western blocs, which included a “basket” on human rights.
2. An amendment to this rule, introduced just before Tokyo 2020 + 1, now gives athletes these freedoms everywhere except on the Olympic podium, in the Olympic village and during ceremonies (see Sec. 2).

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