

## **Team USA Council on Racial and Social Justice Recommendations for IOC Rule 50/IPC Section 2.2**

Team USA Council on Racial and Social Justice joins the growing number of international voices within the Olympic and Paralympic community that call on the International Olympic Committee (IOC), the IOC Athletes' Commission (AC), and the International Paralympic Committee (IPC) to reconsider Rule 50 of the Olympic Charter, Section 2.2 of the IPC Handbook, as well as the IOC AC's Rule 50 Guidelines introduced by the IOC on January 9, 2020. As an athlete-led group comprised of over 40 Team USA athletes, alumni, National Governing Body (NGB) representatives, and industry thought leaders, we are committed to representing Team USA in advocating for fair and equitable policy and practices within the Olympic and Paralympic movement both within the U.S. and globally. This statement with recommendations is the product of data gathered from Council meetings, invited guests, a survey, and internal and external experts.

The silencing of athletes during the Games is in stark contrast to the importance of recognizing participants in the Games as humans first and athletes second. Prohibiting athletes to freely express their views during the Games, particularly those from historically underrepresented and minoritized groups, contributes to the dehumanization of athletes that is at odds with key Olympic and Paralympic values. Further, we believe that the fundamental principles of Olympism – including the goal to “place sport at the service of harmonious development of humankind, with a view to promoting a peaceful society concerned with the preservation of human dignity” – are violated by any rules and practices that aim at silencing athletes' efforts to advance human rights and social justice initiatives. Recent global movements for racial and social justice, bringing back into public consciousness the historical significance of U.S. athletes in driving societal change, have shown that peaceful protests and demonstrations are a sign of moral leadership and can serve as a moral compass in centering human dignity in global sport.

As athletes across the globe have increasingly used their voice to call attention to racial and social injustices, we want to emphasize that the United Nations Universal Declaration of Human Rights guarantees global protections of freedom of expression. As one of the strongest international commitments to human rights, the Declaration serves as a reminder that freedom of expression is a fundamental human right that is crucial to the well-being of both individual citizens and societies at large.

In stating that “[n]o kind of demonstration or political, religious or racial propaganda is permitted in any Olympic sites, venues or other areas” (IOC) and “[n]o kind of demonstration or political, religious or racial propaganda is permitted in any Paralympic venues or other areas related to the Paralympic games” (IPC), IOC Rule 50 and IPC Section 2.2 violate athletes' rights to free speech and freedom of expression.

In the context of potential amendments to IOC Rule 50/IPC Section 2.2, it is important to recognize that this right comes with the responsibility to speak ethically. We do not consider hate speech, racist propaganda, and discriminatory remarks that are aimed at eliminating the rights and dignity of historically marginalized and minoritized populations as meeting the requirements for ethical speech. As such, these instances should be treated differently in any revision of IOC Rule 50/IPC Section 2.2. Olympic and Paralympic athletes have a social and cultural cachet that allows them to advance societal change in ways few other individuals can. Our platform has become more

salient in the context of global movements for racial equity and social justice, elevated by the momentum garnered by athletes' responses to the murders of Black Americans at the hands of law enforcement in the United States. We call on the IOC and IPC to recognize that protests focused on human rights and social justice initiatives do not qualify as "divisive disruptions" of the Games and should not be met with the same consequences as hate speech, the promotion of racist ideology, or expressions of discriminatory propaganda.

A sincere commitment to human rights and social justice also requires the adoption of a proposal shared with President Bach in October of 2019, in which the United States Olympic & Paralympic Committee Athletes' Advisory Council (AAC) collaborated with AthletesCAN, Athletes Germany, Global Athlete, and the New Zealand Athletes Federation to call for an "Eighth Fundamental Principle of Olympism" focused on human rights specifically ("The Olympic Movement is committed to respecting all internationally recognized human rights and shall strive to promote the protection of these rights").

As articulated by the United States Olympic & Paralympic Committee (USOPC), our Council is charged with addressing "the rules and systems in the U.S. Olympic & Paralympic movements that create barriers to progress" and with "working collaboratively to provide solutions and recommendations with the aim of eradicating social injustice and cultivating change through strengthened athlete voices." In following our charge, and after consulting with Team USA athletes and alumni, as well as representatives from NGBs and HPMOs, Team USA Council on Racial and Social Justice provides the following recommendations for addressing IOC Rule 50/IPC Section 2.2 to the IOC and IPC:

- I. Remove any coded or suggestive language targeting the rights of specific social groups, including language aimed at silencing racially minoritized members (such as Black athletes) of the Olympic and Paralympic community (e.g., the usage of the word "kneeling" in the IOC Rule 50 Guidelines).
- II. Adopt an Eighth Principle of Olympism focused on human rights specifically. Team USA Council for Racial & Social Justice recommends the following language, which is an altered and more action-oriented version of the October 2019 proposal quoted above: "The Olympic Movement is committed to respecting all internationally recognized human rights and will strive to promote the protection of these rights."
- III. Clearly distinguish between human rights/social justice protests and instances of hate speech, racist propaganda, and discriminatory remarks aimed at eliminating the rights and dignity of historically marginalized and minoritized populations. The latter three items should be clearly framed as "divisive disruptions."
- IV. Establish a no-punishment-policy for protests and demonstrations that are aimed at promoting human rights/social justice initiatives and advancing the human rights mission of the Olympic and Paralympic movements.
- V. Provide full transparency in the process of determining amendments to IOC Rule 50/IPC Section 2.2, including addressing any feedback that was not considered for such amendments.
- VI. Establish an independent regulatory body charged with (a) reviewing instances of and (b) determining consequences for "divisive disruptions" to the Games,

- as defined above. While the majority of this regulatory body should be comprised of independent personalities with no ties to the IOC/IPC or NOCs/NPCs, current and former Olympic and Paralympic athletes should be represented to a sufficient degree. Similar entities exist to increase transparency, accountability, and integrity in the global Olympic and Paralympic community (e.g., Court of Arbitration for Sport, Ethics Commission, International Testing Agency).
- VII. Center the voices and input of athletes in decision-making processes and rule/policy reviews, including reviews for revisions to IOC Rule 50/IPC Section 2.2, with particular emphasis on athletes who belong to historically marginalized and minoritized populations.

In addition, the Council has the following recommendations for the USOPC and NGBs to address IOC Rule 50/IPC Section 2.2 in a fair and equitable manner:

- I. In all applicable forms and policies, include language that clearly articulates that protests/demonstrations aimed at advancing human rights and racial and social justice initiatives are not in breach of USOPC participation terms (e.g., delegation terms, NGB trials).
- II. Demonstrate support of athletes by passing immediately a no-consequence-policy for athletes whose protest/demonstration is aimed at advancing human rights and racial and social justice initiatives.
- III. Show continued support for U.S. Olympic and Paralympic athletes advancing human rights and social justice initiatives by allocating resources to and providing visibility for such efforts. This support begins with, but is not limited to, actively seeking partnerships with other stakeholders in the Olympic and Paralympic movement to advance IOC Rule 50/IPC Section 2.2 reform.
- IV. Lift any penalties/probations for athletes who have participated in protests/demonstrations aimed at advancing human rights and racial and social justice initiatives.
- V. Educate members of Team USA on the organization's stance on IOC Rule 50/IPC Section 2.2 (and any amendments to the rules), including any IOC, IPC, NGB, or USOPC consequences that come with breaching the rule (or any updates to the rule based on these and other recommendations).
- VI. When athletes participate in "divisive disruptions" (as outlined in this document), assign penalties to individual athletes rather than an entire team or delegation.
- VII. Offer opportunities for education and engagement on issues of systemic injustices, with particular focus on systemic racism, for Team USA and USOPC partners and stakeholders.

We want to make unmistakably clear that human rights are *not* political; yet, they have been politicized both in the U.S. and globally to perpetuate the wrongful and dehumanizing myth of sport as an inherently neutral domain. We call on the IOC and IPC to recognize how the myth of the neutrality of sport in general, and the wording of IOC Rule 50/IPC Section 2.2 as well as the IOC AC recommendations specifically, work to reinforce unjust power relations in global sport. They target historically marginalized and minoritized populations within the Olympic and

Paralympic community, most notably Black athletes and athletes of color, who have competed and excelled in Olympic and Paralympic Games against the backdrop of various social injustices and turmoil – consider, for instance, the performances and/or actions of Team USA athletes John Carlos, Jesse Owens, Wilma Rudolph, Tommie Smith, and Wyomia Tyus. Often, these athletes' sheer presence and visibility in the Games have been credited with immense cultural and historical significance. Therefore, the ability to stay neutral in times of oppression is an expression of privilege that is granted only to those in whose image the Games were created.

To close, we want to acknowledge that IOC Rule 50/IPC Section 2.2 are only the first items that need to be addressed to push for racial and social justice in both U.S. and global Olympic and Paralympic sport. Our Council is committed to identifying ways in which we can remove systemic barriers to racial and social justice, empower the athlete voice in driving societal change, and anchor a commitment to fairness, equity, and justice in our organizational policies, practices, and procedures.