

TIME FOR HUMAN RIGHTS TO BE ON OLYMPIC AGENDA FROM START TO FINISH

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Legal Briefings - By **Sylvia Schenk**

More than ever the International Olympic Committee has to take on responsibility for human rights in connection with the whole life cycle of the Olympic Games.

The closing ceremony in Rio de Janeiro set an end to the most demanding Olympic Games in the last decades. To organise this major sport event in Brazil must have been a real challenge on many fronts for the International Olympic Committee (**IOC**) - an emerging nation amidst an ongoing economic and political crisis, security and environmental issues, Zika, all kinds of scandals related to doping, a high profile IOC member put in prison for alleged fraud with Olympic tickets, and all this under the scrutiny of an increasingly critical public.

WORK IS JUST BEGINNING

With the last firework in Maracanà the 2016 Olympics Games are over - but the work for the future of the Games just begins.

Besides improving its own governance including a fundamental overhaul of the anti-doping system, the IOC has to shape future Olympic Games to be less gigantic and expensive as already laid down in its reform Agenda 2020, approved in December 2014. But that will not be sufficient.

In Rio de Janeiro protests against forced evictions cast a spotlight onto the impact the construction of the infrastructure for a major sport event may have on the local population. The fight of Vila Autódromo, a favela in Barra where the Olympic Park has been built, became a symbol for human rights violations linked to Olympic Games - and for the growing strength of civil society in Brazil. The international attention for the preparation of the Games empowered the Cariocas, as the inhabitants of Rio name themselves, to use their rights and not to give up.

More than ever the IOC has to take over its responsibility for human rights in connection with the whole life cycle of the Games, i.e. from bidding stage to legacy.

UTILISING THE UN FRAMEWORK

The UN Guiding Principles on Human Rights and Business (**UNGPs**), approved in 2011, offer an internationally acknowledged framework for companies to deal with the human rights risks they face, including in their supply chain.

Work to adapt the UNGPs to international sport organisations and major sport events has already started with the FIFA appointing John Ruggie, the main author of the UNGPs, to examine FIFA's responsibility with regard to human rights. The Ruggie report on FIFA's operations was published in April 2016 as a starting point for urgently needed change. FIFA has already committed to improve its bidding criteria in order to take human rights as well as labour standards into account.

The challenge now for the IOC is to ensure that a comprehensive human rights approach is integrated in the preparation for the Games already awarded (the 2018 Winter Games in South Korea, the 2020 Summer Games in Japan, and the 2022 Winter Games in China) and the bidding process of the 2024 Summer Games. In particular, the IOC could seize the opportunity to shape the Host City Contract according to the demands of a robust human rights and anti-corruption regime.

The principles set in the UNGPs should serve as the backbone for the next bidding cities.

SENDING A SIGNAL TO THE WORLD

State guarantees on protection of human rights, a risk assessment in order to prevent or mitigate human rights abuses as well as access to remedy and the involvement of civil society on local and national level should be obligatory for the bidding cities and their country's governments. This has to be accompanied by independent monitoring to ensure compliance and prevent any white-washing.

Developing bidding criteria and a Host City Contract to include human rights requirements into the next Games, and more generally into the next mega-sporting events, will send a strong signal to the world.

The inclusion of human rights and application of the UNGPs into the organisation of mega-sporting events could also serve as a criterion to shortlist candidate cities as well as candidates companies for tender processes related to these events.

Sylvia Schenk is specialised in compliance, human rights and sports law with extensive experience in the prevention of corruption. A recognised expert in anti-doping, she is an arbitrator at the Court of Arbitration for Sport (CAS) and the Deutsches Sportschiedsgericht.

KEY CONTACTS

If you have any questions, or would like to know how this might affect your business, phone, or email these key contacts.



SYLVIA SCHENK

CONSULTANT,
GERMANY

+49 69 2222 82514
Sylvia.Schenk@hsf.com

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