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Olympics: Waving the Tibetan Flag May Bring Untold Consequences for Athletes, warns IOC

Athletes who wave the Tibetan flag or wear traditional dress while at the Beijing Olympics, could find themselves sanctioned under Article 51 (3) of the Olympic Charter according to guidelines issued in April by the International Olympic Committee (IOC). The penalties for such a “crime” however, remain unknown.

“In keeping with the conduct of China, the current Olympic host country, the International Olympic Committee (IOC) has taken it upon itself to quash even the slightest sign of political expression,” said ARTICLE 19 and Reporters Without Borders, *“The free expression of athletes is being denounced and silenced before our very eyes.”*

Article 51 (3) of the Olympic Charter affirms that *“No kind of demonstration or political, religious or racial propaganda is permitted in any Olympic sites, venues or other areas.”* Perhaps due to growing international attention, National Olympic Committees (NOCs) recently asked the IOC to provide an interpretation of this Article. In a six-point letter sent to NOCs in April, the IOC outlined that *“The conduct of participants at all sites, areas and venues includes all actions, reactions, attitudes or manifestations of any kind by a person or group of persons, including but not limited to their look, external appearance, clothing, gestures, and written or oral statements.”*

The letter warns that athletes must use their *“common sense”* in *“showing respect for the dignity of all fellow athletes, including those of the host country.”* Last month, Jacque Rogge, President of the IOC also stated that IOC officials would use their common sense to determine whether or not an athlete is breaking Article 51 (3).

It therefore appears that Olympic athletes may not be given clear standards before the event as to what kinds of activity will be permitted and that decisions on the compatibility of athletes’ speech with Article 51(3) will be decided on an ad hoc basis at the Olympic Games. This will create a chilling effect on the right to freedom of expression of individual athletes. More generally, the absence of concrete guidance will mean that there will be a lack of public transparency concerning the rules governing athletes’ conduct.

“The combination of so-called “common sense” together with the still unknown penalties for breach of Article 51 (3) are likely to generate considerable uncertainty among athletes. This in turn will invoke a severe chilling effect over the athlete community and will likely amount to a Games in which the freedom of expression of athletes is unequivocally crushed,” said the two organisations.

ARTICLE 19 and RSF call on the International Olympic Committee to immediately amend or interpret Article 51 (3) of the Olympic Charter so that it is compatible with international human rights principles on freedom of expression stemming from ARTICLE 19 of the Universal Declaration of Human Rights. The right of Olympic athletes to openly comment on the situation of human rights in China or other countries must be upheld. Both the IOC and NOCs must make public statements pledging their full commitment to ensuring the right to freedom of expression of athletes at this year’s Beijing Olympics. To do otherwise would be contradictory to the very spirit of the Olympic Games and would be in clear violation to the fundamental right to freedom of expression.

NOTES TO EDITORS:

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- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech.
- Reporters Without Borders defends imprisoned journalists and press freedom throughout the world. It has nine national sections (Austria, Belgium, Canada, France, Germany, Italy, Spain, Sweden and Switzerland) and representatives in Bangkok, London, New York, Tokyo and Washington. And it has more than 120 correspondents worldwide.