

Human Rights in International Sporting Events: Recommendations for Global Athletic Organizations



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Introduction

This document, written in the Spring of 2015, is the work of 24 high school juniors who attend The School for Ethics and Global Leadership (SEGL). The Mission of SEGL is to provide intellectually motivated high school juniors who represent the diversity of the United States with the best possible opportunity to shape themselves into ethical leaders who create positive change in our world. The Spring 2015 semester created this policy document to provide realistic and ethical solutions to human rights issues within international sporting organizations, such as the Fédération Internationale de Football Association (FIFA) and the International Olympic Committee (IOC). While the document does reflect the opinions of the students at SEGL, it does not necessarily reflect the opinions of the faculty. We hope that this document sheds light on many of the implications of these sporting events, and provides plausible recommendations to solve current issues.

Executive Summary

Massive in both scope and popularity, international sporting events such as the Olympic Games and the World Cup attract participants and viewers from around the world. Both events, especially the Olympic Games, promote international peace and unity in the name of sport. However, recent injustices involving poor human rights practices and corruption have negatively impacted the tournaments. The organizations that control these tournaments, the International Olympic Committee (IOC) and the Fédération Internationale de Football Association (FIFA), are held accountable to no outside standards, and use poorly constructed bidding systems to award their tournaments. The failures of these systems have led to a decline in the number of applying cities to host the Olympic Games and the loss of several sponsors for FIFA. Structural reform by both organizations is needed to maintain their longevity and economic efficiency.

Many of the human rights abuses in international sporting tournaments take place in the labor sector. Labor abuses can be found all around the world; however, due to the need for cheap migrant labor and lack of international labor standards, worker exploitation occurs with more frequency in countries that host international sporting events. These abuses include poor salaries, hazardous working conditions, and dilapidated housing. In order to address these issues and create positive change, FIFA and the IOC must set labor standards for host nations, and uphold those standards during the development process.

Recently during the development process, host nations and cities have been spending unnecessarily large sums of money preparing for international sporting tournaments. Many citizens in host nations feel they have no input in the economic burden brought on by their city or country's leaders. Neither FIFA nor the IOC would benefit from economically destructive events, and as economics deteriorate so do human rights. To combat this FIFA and the IOC should refine their bidding processes in order to guarantee positive economic effects from their events.

In addition to inadequate economic planning during development, host cities and countries fail to effectively manage housing. Many hosts favor urban development that prioritizes elite real estate and corporate interests while pushing poorer residents to cities' outskirts. Forced displacement of low-income, informal communities are common. Often, new houses are promised to evicted residents in exchange for temporary relocation, but in the end very few people receive compensation. If no action is taken, international event based evictions are almost guaranteed to continue.

Host nations and cities also often violate their citizens' right to free speech. It is an ongoing debate in the international community over whether or not a country's freedom of speech policies should play a factor in the bidding process for international sporting events. Currently, both the IOC and FIFA take no specific stance on free speech. This failure to take a position has led to limitations of basic human rights by host nations. Both organizations should directly address freedom of speech, and consider a country's policies when choosing a host nation.

Both the IOC and FIFA have made commitments to prioritize human rights and require policy reform and improvements to their organizational structure to achieve these commitments. Therefore, we recommend that the IOC and FIFA incorporate evaluation of human rights in the bidding process, amend their host nation or city contracts to include human rights, and create an affiliated third party to monitor human rights abuses during the bidding process and development of the tournaments.

History and Current Status

Overview

International sports tournaments celebrate and unite a worldwide community through the love of athletics. Two of the most popular international events are the Olympic Games and the World Cup.¹ Due to the popularity of these sporting events, human rights abuses that occur during the games need to be noted. Human rights violations in the areas of housing, labor, free speech and development provide indicators of the impact that the tournaments have on a host country or city. The IOC and FIFA, who ensure the regular celebration of the Olympic Games and the World Cup, respectively,^{3,4} often face allegations of corruption and neglect for human rights.

The Games

Although there are many different international sporting events, this document has chosen to focus on two particular tournaments: the Olympic Games and the World Cup, due to their popularity. Both tournaments draw contestants from over two hundred nations and have audiences of over 3 billion people, making these games internationally recognized.^{5,6} The Olympic Games are held every two years, alternating between winter and summer games in different cities around the world. The World Cup is held every four years in different host countries around the world.

Selection of the host city

Both the IOC and FIFA use a bidding process to decide which city or country will host the upcoming games. Representatives from cities make pitches to the IOC and stakeholders seven years prior to the Olympic Games. The IOC reviews the presentation multiple times, considering three different areas of the bid: description of the prospective city, its hosting of the games, and the cities' prior connection with the Olympic movement. FIFA's bidding process considers many aspects of a potential host nation: a general description, history of soccer, main holidays, overview of tourism and major events, a map of the country and proposed cities, an individualized proposal for hosting the games, and descriptions of other potential host nations.^{7,8,9}

¹ FIFA, *FIFA World Cup*, FIFA, 2015,

² International Olympic Committee, *London 2012 Olympic Games: Broadcast Report*, International Olympic Committee, 2012,
http://www.olympic.org/Documents/IOC_Marketing/Broadcasting/London_2012_Global_%20Broadcast_Report.pdf.

³ FIFA, *FIFA Statutes*, FIFA, 2015, 54,
http://www.fifa.com/mm/document/affederation/generic/02/58/14/48/2015fifastatutesen_neutral.pdf.

⁴ IOC, *Olympic Charter*, IOC, 2014, 21-22, http://www.olympic.org/Documents/olympic_charter_en.pdf.

⁵ FIFA, *FIFA World Cup*, FIFA, 2015,
http://www.transparencyinsport.org/The_documents_that_FIFA_does_not_want_fans_to_read/PDF-documents/%2811%29FIFA-Bidding-agreement.pdf.

⁶ Lateef Mungin, *The London Olympic Games: Four Billion People, Four Billion Reasons to Watch*, CNN, 2012,
<http://www.cnn.com/2012/07/25/sport/olympic-world-watches/>.

⁷ International Olympic Committee, *All About the Bid Process*, International Olympic Committee, 2015,
<http://www.olympic.org/content/the-ioc/bidding-for-the-games/all-about-the-bid-process/>.

⁸ Xiaoyan Xing, Anthony G. Church, Norm O'Reilly, Ann Pegoraro, John Nadeau, Amanda Schweinbenz, Louise Heslop, Benoit Seguin, *Olympic Games host and bid city marketing: exploring issue management in the relationships among event*

Humans Rights in the Olympic Games and World Cup

Both FIFA and the IOC fail to address human rights as part of a nation's or city's requirements for hosting the games. Human rights are described by the United Nations High Commission for Human Rights as "Inherent to all human beings."¹⁰ These rights are outlined in The Universal Declaration of Human Rights, and include, but are not limited to: the right to not exist in servitude, the right to life and liberty, and the right to freedom of thought, expression, and religion.¹¹ FIFA's statutes express support for "integrity, ethics, and fair play" and promoting soccer "in light of its unifying, educational, cultural and humanitarian values,"^{12,13} which aligns with the U.N. definition of human rights. The Olympic charter expresses the goal of promoting "human dignity" by placing a sport "at the service of the harmonious development of humankind, with a view promoting a peaceful society concerned with the preservation of human dignity."¹⁴ The depiction of "Human dignity" as posed by the International Olympic Committee is congruous to the United Nations' definition of human rights as put forth by the Universal Declaration of Human Rights.

Human Rights Violations

Human rights encompass many different topics, but four areas in particular have been consistently neglected during international sport: housing, labor, development, and free speech. In a letter to the IOC President Bach, prominent human rights groups identified these four areas as "human rights impact indicators," which serve as a standard for ethical Olympic Games.¹⁵ Eviction and displacement during the games occurred as a result of development of facilities used during the tournaments. For example, 450 families were displaced from favelas in Brazil.¹⁶ These 450 families were among the 20,000 that had to be relocated due to the Olympic Games.¹⁷ In addition, host countries violate labor rights because they fail to keep standard safety laws and fair wages. In Qatar, the abuse of migrant workers under the kafala system has led to thousands of worker deaths in construction for the games.¹⁸ More so, FIFA's code of ethics has made no visible effort to

stakeholder groups. (Routledge Taylor and Francis Group, 2010).

<http://proxygw.wrlc.org/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=a9h&AN=33382470&sit e=ehost-live>

⁹ FIFA, *Bidding Agreement*, FIFA, 2015,

http://www.transparencyinsport.org/The_documents_that_FIFA_does_not_want_fans_to_read/PDF-documents/%2811%29FIFA-Bidding-agreement.pdf

¹⁰ Office of the High Commissioner for Human Rights, *What Are Human Rights*, (Office of the High Commissioner for Human Rights, 2015), <http://www.ohchr.org/EN/Issues/Pages/WhatareHumanRights.aspx>.

¹¹ United Nations, *Universal Declaration of Human Rights*, United Nations, 1948, <http://www.un.org/en/documents/udhr/>.

¹² FIFA, *FIFA Statutes*, FIFA, 2008,

http://www.fifa.com/mm/document/affederation/generic/01/09/75/14/fifa_statutes_072008_en.pdf.

¹³ International Olympic Committee, *Olympic Charter*, International Olympic Committee, 2014, http://www.olympic.org/Documents/olympic_charter_en.pdf.

¹⁴ Ibid.

¹⁵ Dr. Thomas Bach, *Olympic Games and Rights Alliance Letter to TOC President Bach*, Human Rights Watch, 2015, <http://www.hrw.org/news/2015/02/23/Olympic-Games-sports-and-rights-alliance-letter-ioc-president-bach>.

¹⁶ Stephen Eisenhammer, Amid Rubble, Rio Residents Fight Evictions, Reuters, 2015, <http://www.srnnews.com/amid-rubble-rio-residents-fight-Olympic-Games-evictions-6/>.

¹⁷ Ibid.

¹⁸ Sharhukh Khan, *FIFA's Calling, Giving Qatar the Red Card*, Harvard Law Review, 2014, <http://hir.harvard.edu/archives/7648>.

incorporate human rights into their tenets.¹⁹ Lack of respect for human rights has negative long term effects on development. Poor strategic development by host nations hurts the economy, and in turn, hurts the well-being of its citizens. For instance, the expensive “Birds’ Nest” stadium now costs 11 million dollars per year for taxpayers.²⁰ Free speech is neither mentioned under protection of personal rights nor listed in the code of ethics for FIFA or the IOC. In light of this, the hosting country has control over the media and other speech rights. During the 2008 Beijing Olympic Games, the Chinese government tightened control of journalists and the media.²¹ The IOC and FIFA exploit populations through their neglect of these four areas of human rights, housing, labor, development, and free speech.

Recent Issues

Due to corruption allegations and neglect for human rights, both FIFA and the IOC face criticism and poor publicity. Three major sponsors of FIFA recently failed to renew their contracts, some of which cited poor human rights practices and corruption as reasons for cutting ties.^{22,23} The loss of sponsors creates economic pressure on FIFA, as they give the organization hundreds of millions of dollars per year. The alleged corruption spurred the loss of major sponsors can also be linked to the FIFA bidding process. The FIFA investigator who looked into claims that the bidding processes were corrupt expressed outrage when the FIFA Ethics Committee handed down no convictions.²⁴ These negative effects of poor administration resulted in FIFA President Sepp Blatter declaring that human rights will be a criteria for future World Cups.²⁵ The Olympic Games must also be destined for a dramatic change in course, as the extravagant cost of Games and the overall lack of profit for host cities has led to a decline in the number of cities entering bids for the games.²⁶ Both tournaments face long-term viability issues; and the only way to fix their problems is to reform aspects of their governing bodies.

¹⁹ Ibid.

²⁰ Jordan Weissmann, *Empty Nest: Beijing’s Olympic Stadium Is a Vacant ‘Museum Piece’*, The Atlantic, 2012, <http://www.theatlantic.com/business/archive/2012/07/empty-nest-beijings-olympic-stadium-is-a-vacant-museum-piece/260522/>.

²¹ Human Rights Watch, *China*, Human Rights Watch, 2008, <http://www.hrw.org/en/node/79301>.

²² Ben Rumsby, *FIFA loses three key sponsors as Castrol, Continental, and Johnson and Johnson sever ties with World Governing Body*, Telegraph Media Group, 2015, <http://www.telegraph.co.uk/sport/football/world-cup/11364195/Fifa-loses-three-key-sponsors-as-Castrol-Continental-and-Johnson-and-Johnson-sever-ties-with-world-governing-body.html>.

²³ Max Metzger, *Three more companies drop FIFA sponsorship deals*, Newsweek LLC, 2015, <http://www.newsweek.com/three-more-companies-drop-fifa-sponsorship-deals-301621>.

²⁴ Polly Mosendz, *FIFA Report Clearing Qatar and Russia World Cup bids is slammed by Chief Investigator*, Newsweek LLC, 2014, <http://www.newsweek.com/world-cup-soccer-football-qatar-russia-eckert-michael-garcia-284292>.

²⁵ *Qatar World Cup 2022: FIFA President Sepp Blatter’s human rights vow*, The Independent, 2015, <http://www.independent.co.uk/sport/football/news-and-comment/qatar-world-cup-2022-fifa-president-sepp-blatters-human-rights-vow-10016003.html>.

²⁶ *Who wants to host 2022 Olympic Games? Only two cities left in the race*, CBS News, 2014, <http://www.cbsnews.com/news/2022-winter-Olympic-Games-only-two-cities-left-vying-to-host-games/>.

Housing and Eviction Issues

Introduction

For large sporting federations such as The Olympic Games and the World Cup, the image of a host country is one of utmost importance; it must impress the watching world. The repercussions of these development projects, however, include the eviction and displacement of local residents, often from marginalized or low-income groups. The method in which these evictions and displacements are conducted often violates international human rights laws. We, therefore, call on the host country governments, the IOC and FIFA to protect the housing rights of local residents.

Constitutions and Commissions

According to “The Right to Adequate Housing; Fact Sheet No. 21,” “the right to adequate housing is relevant to all States, as they have all ratified at least one international treaty referring to adequate housing.”²⁷ For example, in their own constitutions, South Africa and Russia include articles on the right to housing, emphasizing that “arbitrary evictions” are not permitted.^{28,29} Both Article 25 of The Universal Declaration of Human Rights and Article 11 of the UN International Covenant on Economic, Social and Cultural Rights (ICESCR) state that adequate housing is a basic human right.^{30,31} According to General Comment No. 4 of the ICESCR, adequate housing includes the right to “legal security of tenure.”³² This means that all people, including those who live in informal settlements, have the right to reside in their homes without fear of eviction.³³ “Fact Sheet No. 21” states that adequate housing is a “precondition” for other human rights, including the “rights to work, health, social security... [and] privacy.”³⁴ The document also states that if development will affect housing, there must be “conditions[,] procedural limits” and strict guidelines must be followed.^{35,36} Though these documents are non-binding, they set a strong precedent for housing rights.

²⁷ The Office of the High Commissioner for Human Rights and UN HABITAT, introduction to *The Right to Adequate Housing, Fact Sheet No. 21*, The United Nations, 2007, http://www.ohchr.org/Documents/Publications/FS21_rev_1_Housing_en.pdf.

²⁸ South African Government, *Constitution of the Republic of South Africa*, South African Government, Article 26, Section 3, 1996, last accessed April 19, 2015, <http://gov.za/documents/constitution/constitution-republic-south-africa-1996-1>.

²⁹ The Constitution of the Russian Federation, *Chapter 2: Rights and Freedoms of Man and Citizen*, Article 40, 1993.

³⁰ Ibid, Section 1(C).

³¹ The United Nations, General Assembly, *Universal Declaration of Human Rights*, Article 25, 1948, last accessed April 7, 2015, www.un.org/en/documents/udhr/.

³² The United Nations, *International Covenant on Economic, Social, and Cultural Rights*, General Comment Number 4, Section 8(a), last accessed April 19, 2015, https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-3&chapter=4&lang=en#8.

³³ Ibid.

³⁴ The United Nations, *United Nations International Covenant on Economic, Social and Cultural Rights*, Article 11, 1976, last accessed April 19, 2015, <https://treaties.un.org/doc/Publications/UNTS?Volume%20999/volume-999-I-14668-English.pdf>.

³⁵ Ibid, Section 1(B).

³⁶ Ibid, Section 1(B).

Case Study: The Olympic Games

Despite the IOC's supposed commitment to human rights, the cases of the Seoul, Atlanta, Beijing, London, and Sochi Olympic Games demonstrate a lack of commitment to housing rights. South Korea demolished the homes of 720,000 slum residents in preparation for the 1988 Seoul Olympic Games.³⁷ In the 1996 Olympic Games, hosted in Atlanta, 30,000 residents were evicted, partially as a result of the demolition of three housing projects in an attempt to improve the city's image, a process that the United Nations referred to as "forced evictions" for the purpose of "urban beautification."^{38, 39, 40} In Beijing, an estimated 1.7 million residents of the city (approximately fourteen percent of the city's population) were evicted in preparation for the 2008 Olympic Games.^{41, 42} Annually, from 1991 until 1999 in Beijing, demolitions affected 70,000 people, but during the Olympic preparation period, nearly three times that number of people (or an average of 200,000 people annually) suffered eviction.⁴³ Therefore, there is a clear link between hosting the Olympic Games and displacement.

Approximately 284 businesses and 450 residents were evicted in preparation for the 2012 London Olympic Games.^{44, 45} We define this as a more successful process, as so few people were evicted in comparison to residents of other countries prior to the Olympic Games. Prior to the 2014 Sochi Olympic Games, Russia instituted a new law known as Law 301, which provided the legal basis for forced seizures and the forced evictions of at least 1,000 families.⁴⁶ By requesting official housing documentation from Sochi residents who were unable to secure Soviet-era documentation, the government was able to limit compensation for evicted Sochi residents.⁴⁷ In preparation for all countries' Olympic Games, governments permitted evictions and demolitions, either to make room for spectators, athletes, and athletic facilities, or to improve the city's appearance. With the exception of London, housing rights violations including arbitrary demolitions, poor compensation, lack of notification, and the limitation of work opportunities for residents of all hosting cities were noted.

³⁷ United Nations Human Settlements Programme, *Enhancing Urban Safety and Security: Global Report on Human Settlements 2007*, 2007: (129), last accessed April 7, 2015, <https://books.google.com/books?id=sKESbXJAO0cC&pg=PR2&clpg=PR2&dq=the+united+nations+human+settlements+programme,+enhancing+urban+safety+and+security:+global+report+on+human+settlements+2007&source=bl&ots=3epdgYjlwG&sig=XcHKN8ufGjdK80p583EMcdYZgw&hl=en&sa=X&ei=2ec0Ve6UE4qmgwSKhISACQ&ved=0CDAQ6AEwBA#v=onepage&q=the%20united%20nations%20human%20settlements%20programme%20C%20enhancing%20urban%20safety%20and%20security%3A%20global%20report%20on%20human%20settlements%202007&f=false>.

³⁸ Ibid.

³⁹ Seth Gustafson, *Displacement and the racial state in Olympic Atlanta: 1990-1996* (The University of North Carolina Press, 2013), <http://search.proquest.com/docview/1433044463?accountid=11243>.

⁴⁰ The Centre on Housing Rights and Evictions, *Fair Play for Housing Rights*, The Geneva International Academic Network, 2007, <http://www.ruig-gian.org/resources/Report%20Fair%20Play%20FINAL%20FINAL%20070531.pdf>.

⁴¹ United Nations Human Settlements Programme. *Enhancing Urban Safety and Security: Global Report on Human Settlements 2007*.

⁴² Hyun Bang Shin and Bingqin Li, "Whose Games? The Cost of Being 'Olympic Citizens' in Beijing," *Environment and Urbanization* 25, no. 2 (October 2013), 559-561.

⁴³ United Nations Human Settlements Programme, *Enhancing Urban Safety and Security: Global Report on Human Settlements 2007* (2007), 129.

⁴⁴ Bob Sherwood, *Inquiry Begins into Purchase of Olympic Games Land 2012*, *Financial Times*, May 10, 2006, ProQuest (249916484).

⁴⁵ "Protest Over 2012 Games Site Eviction," *Financial Times*, Sep 9, 2005, ProQuest (249713062).

⁴⁶ Sergei Loiko, "Sochi Olympic Winter Games at Root of Residents' Housing Woes," *The Los Angeles Times*, February 6, 2014, <http://articles.latimes.com/2014/feb/06/world/la-fg-sochi-dark-side-20140207/>.

⁴⁷ Ibid.

The IOC recently released its “Agenda 2020”, which outlines improved recommendations for the future of the Olympic Games, but fails to mention the protection of housing rights.⁴⁸

Case Study: The FIFA World Cup Finals

FIFA claims that hosting its World Cup Finals provides a variety of benefits for countries, such as “increased civic pride and community empowerment.”⁴⁹ Though hosting the World Cup is viewed as a golden path to progress, its effects can be negative.⁵⁰ The 2014 World Cup finals in Rio de Janeiro, Brazil encouraged urban development that favored elite real estate and corporate stakeholders, while routinely expelling and evicting poorer residents living in informal communities known as *favelas*.⁵¹ The forced and often violent evictions of *favela* occupants rendered many people angry, under-compensated, and homeless. Controversy also arose during the 2010 South Africa World Cup finals, in which the “N2 Gateway” Initiative was launched to clean up the visible poor settlements that had developed alongside the N2 national freeway. New houses were promised to evicted residents in exchange for temporary relocation, but very few household residents were actually allowed back.⁵² The right to housing is recognized as a human right in several international human rights declarations and treaties of which Brazil and South Africa are signatories, including the Universal Declaration of Human Rights of 1948.⁵³ Unfortunately, these declarations and treaties are often not enforced, facilitating the abuse of housing rights.

Framework for Ethical Development-Based Evictions

Two existing policies provide a strong framework for handling evictions ethically. The UN Office of the United Nations High Commissioner for Human Rights published its “Basic Principles and Guidelines on Development-Based Evictions and Displacement” and the Centre on Housing Rights and Evictions (COHRE) released its “Multi-Stakeholder Guidelines” for international sporting events.⁵⁴ The UN’s OHCHR is the spearhead of the UN’s human rights efforts.⁵⁵ Its “Basic Principles and Guidelines” offers seventy-four stipulations for understanding, preventing, and fairly compensating for evictions that occur during periods of rapid development, such as the preparation for an international sporting event. It highlights preventative strategies, pre-eviction stipulations, and resettlement requirements, among other things. Their suggestion of impact assessments, public

⁴⁸ The International Olympic Committee, *Olympic Agenda 2020*, December 9, 2014, http://www.olympic.org/Documents/Olympic_Agenda_2020/Olympic_Agenda_2020-20-20_Recommendations-ENG.pdf.

⁴⁹ FIFA, *Benefits of Bidding for and Hosting FIFA's Other World Cup Events*, last accessed April 9, 2015, <https://www.fifa.com/tournaments/bidsfifaevents/benefits.html>.

⁵⁰ Jasper Peet-Martel, *Deceptive development and democratization: stadium construction and securitization in the FIFA world cup host countries of South Africa and Brazil*, Columbia University Academic Commons, 2014, <http://dx.doi.org/10.7916/D8QF8RJB>.

⁵¹ *Favela Life: Rio's City within a City*, BBC News, April 9, 2015, <http://www.bbc.com/news/world-latin-america-27635554>.

⁵² Carrie Baptist and Joel Bolnick, *Participatory enumerations, in situ upgrading and mega events: the 2009 survey in Joe Slovo, Cape Town*, International Institute for Environment and Development, 2012.

⁵³ Alain Durand-Lasserve and Lauren Royston, *Holding Their Ground: Secure Land Tenure for the Urban Poor in Developing Countries*, (London: Earthscan Publications, 2002),

http://books.google.com/books?id=DcrlXppydcQC&printsec=frontcover&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=false.

⁵⁴ The Office of the High Commissioner for Human Rights, *Basic Principles and Guidelines on Development-Based Evictions and Displacement*, The United Nations, 2008, http://www.ohchr.org/Documents/Issues/Housing/Guidelines_en.pdf.

⁵⁵ The Office of the High Commissioner for Human Rights, *Who We Are*, The United Nations, www.ohchr.org/EN/AboutUs/Pages/WhoWeAre.aspx.

hearings and transparency are important because they bring openness to the issue and ensure that adequate steps are taken before evictions start. Requirements for resettlement, including adequate compensation, are critical to making sure that these evictions do not violate international human rights law. Finally, the document calls upon an independent national body to monitor and investigate forced evictions, ensuring that these guidelines are enforced.⁵⁶ We will later propose the creation of such a body.

The other group, COHRE, is a former Geneva-based non-profit. Noteworthy organizations such as the UN, the Council of Europe, and the Geneva International Academic Network have acknowledged and published their work.^{57, 58, 59} In 2007, COHRE released a nearly 300-page report on housing rights in relation to international sporting events, entitled “Fair Play for Housing Rights.” At the end of the extensive report, COHRE provides clear recommendations and procedures in its “Multi-Stakeholder Guidelines.” Stakeholders include international sporting events governing bodies such as the IOC and FIFA, the local and national governments of host countries, NGOs, residents and property owners, and development planners. In addition to emphasizing some of the same key points as the Basic Principles, they portray international sporting events as an opportunity for development that positively impacts all stakeholders. The document makes it clear that the guidelines must be followed in order to carry out development ethically and that violators must be held accountable.⁶⁰

While these frameworks are comprehensive, they have not yet been implemented by the IOC and FIFA because they have not prioritized housing rights. If no action is taken, international sporting event-based evictions are guaranteed to continue. Plans for the 2016 Brazil Olympic Games include blueprints to remove human settlements in order to make room for roadways around Olympic Park. The National Coalition of Local Committees for a People’s World Cup and Olympic Games, a network of activists in twelve Brazilian cities, estimates that as many as 170,000 people may face eviction, forcing citizens to move to worsened conditions or live amid the rubble of bulldozed homes.⁶¹ With these concerns, we make the following recommendations to reduce the detrimental effects of eviction.

Recommendations

- Prospective host countries must demonstrate their capability of upholding human rights housing standards, such as those listed in the “Multi-Stakeholder Guidelines” and “Basic Principles and Guidelines.” If not, the country must prove an upward trajectory in respecting housing rights.

⁵⁶ The Office of the High Commissioner for Human Rights, *Basic Principles and Guidelines on Development-Based Evictions and Displacement*, The United Nations, 2008, http://www.ohchr.org/Documents/Issues/Housing/Guidelines_en.pdf.

⁵⁷ The Centre on Housing Rights and Evictions, *Written Submission of the Centre on Housing Rights and Evictions*, The UN Office of the High Commissioner for Human Rights, October 2009, http://www.ohchr.org/english/bodies/hrc/docs/ngos/COHRE_Israel97.pdf.

⁵⁸ The Centre on Housing Rights and Evictions, *Fair Play For Housing Rights*, The Geneva International Academic Network, 2007, <http://www.ruiggian.org/ressources/Report%20Fair%20Play%20FINAL%20FINAL%20070531.pdf>.

⁵⁹ European Committee of Social Rights, *Centre on Housing Rights and Evictions v. France*, Council of Europe, 2011, https://www.coe.int/dghl/monitoring/socialcharter/complaints/CC63Merits_en.pdf.

⁶⁰ The Centre on Housing Rights and Evictions, *Fair Play for Housing Rights*.

⁶¹ Lisa Genasci. “Infrastructure: Brazil, the World Cup, and the Olympic Games,” 2012, *Americas Quarterly* 6, (4) (Fall 2012): 130-131, last accessed April 19, 2015, <http://www.americasquarterly.org/Brazil-the-World-Cup-and-Olympic-Games>.

- A bid country's housing rights record should be added to selection criteria for both the World Cup and the Olympic Games.
- Consideration of the impact of development on existing housing should be added to Agenda 2020.
- Selected hosts must create plans for development in line with the "Basic Principles and Guidelines" and the "Multi-Stakeholder Guidelines."
- The International Association of Human Rights in Sports will evaluate the impact of development on housing in relation to the "Multi-Stakeholder Guidelines" and "Basic Principles," and report findings to the media and other stakeholders.

Labor Issues

Labor abuses are common during the Olympic Games and World Cup because of the need for cheap migrant labor, no international labor standards, and a lack of oversight of work conditions. Abuses include but are not limited to: low pay, dangerous working conditions, and unfit housing. To address these issues and create positive change, FIFA and the IOC must place an emphasis on labor standards during the bidding and planning processes, and the sports tournaments themselves. Throughout the games, the civil sector has a key role in bridging the communication gap between international sporting organizations and host nation governments. FIFA and the IOC have expressed interest in improving their labor rights records and with time, they can work to mitigate labor abuses.

Common Labor Abuses

A city bidding for the Olympic Games or World Cup must prove that they can adequately provide infrastructure to host the competition.⁶² If a host city does not already have proper hosting venues, the regional and national governments hire private contractors to build the stadiums, transportation systems, and athlete villages.⁶³ Migrant workers flock to contractors for jobs, only to end up underpaid and overexerted.⁶⁴ For example, in 2013 Russia hired 16,000 migrant workers in preparation for the 2014 Winter Olympic Games.⁶⁵ The workers were paid the equivalent of \$1.80 to \$2.60 (USD) and were forced to work twelve hours per day, almost always seven days a week.⁶⁶ According to Russian law, these migrant workers have the right to a forty-hour work week and one day off per week.⁶⁷ Nevertheless, Russia is not the only country to have exploited their workers. In 2010, the British Columbia Human Rights Tribunal found that the contractor in charge of construction for the Canada Line prior to the 2010 Vancouver Olympic Games paid their Latin American workers \$6 to \$11 less than domestic workers.⁶⁸ The Latino workers were given inferior expense plans and housing due to their migrant status.⁶⁹ And in Beijing, *hukou*, the official household registration system, excludes migrant workers from public social welfare benefits.⁷⁰

In the Arab world, many nations operate a migrant labor system called *kafala*.⁷¹ The Qatari government is currently using this labor system in preparation for the 2022 World Cup. The *kafala*

⁶² FAQ for Olympic Games Registration, "What conditions must cities fulfil to be candidates to stage the Olympic Games?" last accessed April 15th, 2015, <http://registration.olympic.org/en/faq/detail/id/20>.

⁶³ Judith Grant Long, "Rethinking Olympic Infrastructure," LSE Cities, last modified October 2013, <http://lsecities.net/media/objects/articles/rethinking-olympic-infrastructure/en-gb/>.

⁶⁴ Lindsey Lim, "Migrant Workers: Behind the Scenes at the London Olympic Games," *BSR Blog*, last modified July 27, 2012, <http://www.bsr.org/en/our-insights/blog-view/migrant-workers-behind-the-scenes-at-the-london-Olympic-Games>.

⁶⁵ Human Rights Watch, "Russia: Migrant Olympic Workers Cheated, Exploited," Human Rights Watch, last modified February 6, 2013, <http://www.hrw.org/es/node/113466>.

⁶⁶ Ibid.

⁶⁷ Mathieu Dube, "Migrant Olympic Workers Exploited in Russia," *Industrial Worker*, last modified March, 2013, ProQuest (1326425990).

⁶⁸ Jeffrey Shantz, "Discrimination against Latin American Workers during Pre-Olympic Games Construction in Vancouver," *Employee Responsibility and Rights Journal* 23, no. 1 (2011): 75-80, doi: 10.1007/s10672-010-9166-7.

⁶⁹ Ibid.

⁷⁰ Human Rights Watch, "Exploitation of Migrant Construction Workers in Beijing," *One Year of My Blood*, vol. 20, no. 3 (2008): 16-39, http://www.hrw.org/sites/default/files/reports/china0308_1.pdf.

⁷¹ Azfar Khan, "Why it's time to end *kafala*," *The Guardian*, last modified February 26, 2014, <http://www.theguardian.com/global-development/2014/feb/26/time-to-end-kafala>.

system enables employers (kafeels) to exploit workers by withholding their wages and disabling them from exiting the country once they have entered.⁷² Through their kafeel, workers are provided with overcrowded housing and dangerous jobs, with no insurance.⁷³ They must request an exit visa when their job is terminated, but many sponsors do not grant exit visas because they want continue collecting fees from the workers. In Qatar, forty-four workers died of heart-related issues or workplace accidents over the course of two months in preparation for the 2022 World Cup.⁷⁴ With often no access to water, and temperatures that reach 122 degrees Fahrenheit, workers do not operate under safe conditions.⁷⁵ An estimated 1,200 migrant workers have already died in preparation for the games.⁷⁶ *The Guardian* estimated that a total of 4,000 workers will die in Qatar before 2022 as a result of cardiac arrest and other labor related deaths.⁷⁷

Root Causes of Labor Rights Violations

To put on any international sporting tournament, host nations use cheap migrant labor in order to produce the games in an efficient and cost effective manner. To keep labor costs low, safety standards are ignored and workers that report injuries are quickly replaced in order to maintain the strict games production schedule.⁷⁸ Abuses of workers are not monitored by international sports federations, in fact many federations have no labor standards outlined in their host nation bid requirements. The IOC evaluates bid nations based on eleven different criteria, including general infrastructure, government support, and previous experience hosting sports events.⁷⁹ They do not mention treatment of workers or any labor safety standards.⁸⁰ Even if standards existed, international sports federations do not have a way of enforcing their mandates.

Without the enforcement of standards by sporting bodies, local grassroots organizations are the only monitoring organizations with the capability to oversee and report on worker treatment and safety. The government of a host nation and the private contractors building the games have no legal obligation to listen to human rights advocates.⁸¹ Human rights focused non-governmental organizations (NGOs) are not formally included in bidding for the preparation of or execution of

⁷² Shahrukh Khan, "FIFA's Calling," *Harvard International Review* 36, no. 1 (Summer, 2014): 50-52, <http://search.proquest.com/docview/1651957775?accountid=11243>.

⁷³ Owen Gibson, "The hundreds of migrant workers dying as a brand new Qatar is built," *The Guardian*, last modified May 14, 2014 <http://www.theguardian.com/world/2014/may/14/migrant-workers-dying-qatar-world-cup>.

⁷⁴ "Qatar 2022 World Cup organizers 'appalled' by work conditions," BBC, last modified September, 2013, <http://www.bbc.com/sport/0/football/24282713>.

⁷⁵ Pete Pattison, "Revealed: Qatar World Cup's 'slaves,'" *The Guardian*, last modified September, 2013, <http://www.theguardian.com/world/2013/sep/25/revealed-qatars-world-cup-slaves>.

⁷⁶ Shahrukh Khan, "FIFA's Calling."

⁷⁷ Robert Booth, "Qatar World Cup construction 'will leave 4,000 migrant workers dead,'" *The Guardian*, last modified September 26, 2013, <http://www.theguardian.com/global-development/2013/sep/26/qatar-world-cup-migrant-workers-dead>.

⁷⁸ Sue Lloyd-Roberts, "Qatar 2022: Construction Firms accused amid building boom," *BBC News*, last modified December 8, 2014, <http://www.bbc.com/news/business-30295183>.

⁷⁹ FAQ for Olympic Games Registration, "What conditions must cities fulfil to be candidates to stage the Olympic Games?" last accessed April 15th, 2015, <http://registration.olympic.org/en/faq/detail/id/20>.

⁸⁰ FAQ for Olympic Games Registration, last accessed April 15, 2015, <http://registration.olympic.org/en/faq/detail/id/20>.

⁸¹ U.S. Department of State, *Fact Sheet: Non-Government Organizations (NGOs) in the United States*, January 2012 (Washington DC: GPO), <http://www.humanrights.gov/fact-sheet-non-governmental-organizations-ngos-in-the-united-states.html>.

the games.⁸² Grassroots organizations know the plight of the workers best. Most nations around the world, regardless of their level of development, have some sort of civil sector. NGOs have created partnerships between host nations and workers in countries such as China, Brazil, Qatar, and Russia.^{83, 84, 85, 86} In Brazil, the Comunidade Solidária suggested that existing partnerships between the government and Brazilian citizens need to be modernized.⁸⁷ Their recommendation resulted in a federal law outlining the role of the civil sector in society.⁸⁸ Though we specifically address specific host nations, we feel like our analysis is applicable to all future host nations. The civil sector could provide tools to workers who have felt exploited in order to help them communicate with their employers and the government to make positive change. The civil sector could also encourage the international media to shed light on labor abuses. If the media focuses on a host nation, that government will feel pressure to make positive change and be seen in a positive light.⁸⁹ Therefore, though the desire for cheap labor increases the occurrence of labor abuses, FIFA and the IOC could establish definite labor standards and a direct pipeline between the host government and local workers through grassroots organizations.

Opportunity for Change

In recent years, sports federations such as FIFA and the IOC have been under pressure to reform their labor standards for host cities. As news of deaths during the construction in Qatar emerges, FIFA is under even more scrutiny to ensure worker safety.⁹⁰ Pressure is escalating from the media, as well as NGOs devoted to protecting human rights. Several organizations including the Human Rights Watch, International Trade Union Organization, and Transparency International Germany wrote a joint letter to the president of the IOC demanding that the IOC adopt Agenda 2020, a vision for the future of the Olympic Movement.⁹¹ Agenda 2020 includes specific recommendations

⁸² "All about the Bid Process, Official Website of the Olympic Movement," last accessed April 16, 2015.

<http://www.olympic.org/content/the-ioc/bidding-for-the-games/all-about-the-bid-process/>.

⁸³ "Civil Society, Chinese Style: The Rise of the Nonprofit Sector in Post-Mao China", Nonprofit Quarterly, last modified October 25, 2012, <https://nonprofitquarterly.org/policysocial-context/21246-civil-society-chinese-style-the-rise-of-the-nonprofit-sector-in-post-mao-china-by.html>.

⁸⁴ Luiz Claudio Campos and Flavio Alcoforado, "Law, Government and Third Sector in Brazil: Improving deficient regulation to promote better accountability," last accessed April 16, 2015,

http://cymcdn.com/sites/www.istr.org/resource/resmgr/working_papers_barcelona/campos.alcoforado.pdf.

⁸⁵ "Vision and Mission", National Human Rights Committee, last accessed April 16, 2015, <http://www.nhrc-qa.org/en/about-nhrc/vision-and-mission/>.

⁸⁶ "Russian Federation-The Russian Research Center for Human Rights," Human Rights House Network, last accessed April 16, 2015, http://humanrightshouse.org/Members/Russian_Federation/index.html.

⁸⁷ Campos and Alcoforado, "Law, Government, and Third Sector in Brazil."

⁸⁸ Ibid.

⁸⁹ Beatriz Cuadrado-Ballesteros, José Frías-Aceituno, Jennifer Martínez-Ferrero, "The role of media pressure on the disclosure of sustainability information by local governments," Online Information Review, Vol. 38 Iss: 1, pp.114-135, last modified 2014, <http://www.emeraldinsight.com/doi/abs/10.1108/OIR-12-2012-0232>.

⁹⁰ Martin Chulov, "Qatar Vows Crackdown over Deaths of World Cup Construction Workers," Businessline, Oct 02, 2013, <http://search.proquest.com/docview/1438905005?accountid=11243>.

⁹¹ Amnesty International, FIFPro – World Players' Union, Football Supporters Europe, Human Rights Watch, International Trade Union Confederation, Supporters Direct Europe, Terre des Hommes International Federation, Transparency International Germany, "IOC: Joint letter to IOC President Bach regarding "Agenda 2020,"" Human Rights Watch, last modified December 3, 2014, <http://www.hrw.org/news/2014/12/03/ioc-joint-letter-ioc-president-bach-regarding-agenda-2020>.

that will “foster dialogue with society and within the Olympic Movement” by creating an “Olympism in Action” organization composed of stakeholder and representatives of civil society.⁹² While the IOC has already shown a step in the right direction by passing Agenda 2020, the document does not directly address labor rights. If FIFA and the IOC wish to maintain a credible reputation, they must “globally promote humanitarian values” and demonstrate “social responsibility” as outlined in both federations’ mission statements.^{93, 94} If nothing changes, current trends suggest there will be consequences for FIFA and the IOC, such as loss of sponsors, decrease in tourism, and fewer bids.⁹⁵ However, if FIFA and the IOC directly address workers’ rights, there is hope for the future. By encouraging improved labor standards, international sporting bodies will be able to maintain the spirit on which they were founded and hold respect on the international stage.

Recommendations

- When selecting a host city, the federations must look at their pre-existing labor standards. No city shall host any international sporting event that does not protect against worker malpractice.
- In order to submit a bid, a potential host nation must have 1) an active civil sector involved in the bidding process that is prepared to advocate for workers’ rights, and 2) established safety protocols for workers.
- As the enforcement section will outline, the International Association of Human Rights and Sports must have a role in monitoring labor rights before and during any international sports events. They should call attention to any abuses through international media sources.

⁹² “Olympic Agenda 2020: 20+20 Recommendations,” International Olympic Committee, last modified December 19, 2014, http://www.olympic.org/documents/olympic_agenda_2020/olympic_agenda_2020-20-20_recommendations-eng.pdf.

⁹³ International Olympic Committee, “Olympic Charter,” Olympic, last modified December 8, 2014, http://www.olympic.org/Documents/olympic_charter_en.pdf.

“Mission and Statutes,” FIFA, last accessed April 16, 2015, <http://www.fifa.com/aboutfifa/organisation/mission.html>.

⁹⁴ “Mission and Statutes,” FIFA, last accessed April 16, 2015, <http://www.fifa.com/aboutfifa/organisation/mission.html>.

⁹⁵ Christopher Clarey, “Bidders for 2022 Winter Games Are Melting Away,” *The New York Times*, last modified May 28, 2014, http://www.nytimes.com/2014/05/29/sports/Olympic-Games/bidders-for-2022-winter-games-are-melting-away.html?_r=0.

Development Issues

Introduction

The World Cup and Olympic Games have are expensive events to host. In recent years, the cost of the World Cup and Olympic Games has skyrocketed; the 1996 Atlanta Games cost \$1.8 billion whereas the 2014 Sochi Games cost \$50 billion.^{96,97} Often these games hurt the host nation's economy and cause social unrest before, during, and after the games. Host nations tax citizens to construct stadiums and infrastructure that will be left abandoned following these events. The World Cup and the Olympic Games, through proper development preparation, can be a stimulant for a host nation's economy, helping raise people out of poverty and improving quality of life and human rights.

Strong economic growth can create a cycle of prosperity and social opportunity within a host nation. Research comparing experiences of developing countries finds consistent evidence that rapid and sustained growth is the most important way to reduce poverty.⁹⁸ International studies typically estimate that a ten percent increase in a country's average income will reduce the poverty rate by between twenty and thirty percent.⁹⁹ The World Cup and the Olympic Games can positively affect a host nation's economy through proper development.

Economic Growth Impact on FIFA and the IOC

As the economic and social implications of hosting these games become clearer for countries, negative repercussions for the IOC and FIFA begin to arise. Most nations fail to profit from the Olympic Games, and as a result the number of bidding applications has declined significantly. In 2000, ten cities applied to host the Olympic Games; this marks the highest number of applicants to host the Olympic Games in the last 20 years.¹⁰⁰ The number of applicants since 2000 has slowly declined as fewer see the merits in hosting an international sporting event. In 2009, the number of applicants reached a record low (in the last twenty years) of merely three applicants.¹⁰¹ The incentive for hosting these games in a new city each year is to "blend sport with culture and education," but when the same countries apply year after year and the pool of applicants decreases, the culture

⁹⁶Rishe, Patrick, "How Does London's Olympic Games Bill Compare to Previous Games?" *Forbes*, August 5, 2011, <http://www.forbes.com/sites/sportsmoney/2011/08/05/how-does-londons-Olympic-Games-bill-compare-to-previous-games/2/>.

⁹⁷Newman, Cathy, "Olympic Games: Legacy or Money Pit?" *National Geographic*, February 22, 2014, 2015, <http://news.nationalgeographic.com/news/2014/02/140221-Olympic-Games-sochi-rio-de-janeiro-london-boris-johnson-montreal-athens-world/>.

⁹⁸ Adams, Richard H, *Economic Growth, Inequality and Poverty: Findings from a New Data Set*, Washington, D.C.: World Bank, Poverty Reduction and Economic Management Network, Poverty Reduction Group, 2003, 357-382.

⁹⁹ Ibid.

¹⁰⁰ "Candidature Acceptance Procedure," April 18, 2000, International Olympic Committee, http://www.olympic.org/Documents/Reports/EN/en_report_287.pdf.

¹⁰¹ "Factsheet Host City Election Facts And Figures," International Olympic Committee, July 1, 2011, [http://www.olympic.org/Assets/OSC Section/pdf/2018_Host_city_election-eng.pdf](http://www.olympic.org/Assets/OSC%20Section/pdf/2018_Host_city_election-eng.pdf).

aspect is minimized.¹⁰² Taking measures to counteract these negative effects may help increase the bidding pool.

Economic History

The Beijing Olympic Games in 2008 cost \$42 billion, with \$480 million allocated to building China's iconic "Bird Nest" stadium.¹⁰³ Visitor numbers for this stadium plummeted by fifty percent in the first six months of 2011, but its upkeep costs Chinese taxpayers \$11 million a year. One of the only stadiums producing a minor profit is the Beijing National Aquatics Center, a now functioning water park.¹⁰⁴ In order to build these stadiums, an estimated 1.5 million people were displaced and moved into the outskirts of the city.¹⁰⁵ About twenty percent of those evicted were plunged deeper into poverty as they were placed outside of the limits of public transportation, economic opportunities, and were left without proper compensation.¹⁰⁶ In order to build state-of-the-art stadiums to host the Olympic Games, Beijing created a long-term economic and social burden for its citizens.

Similarly, the 2014 FIFA World Cup in Brazil faced major problems concerning the economic repercussions of its stadium locations. The Arena da Amazonia in Manaus was placed in the middle of the Amazon. Its remote location made transportation to and from the games very difficult: cargo ships took seventeen to twenty days to transport materials from Portugal (Brazil's main source of construction supplies for the games) to the Rio Negro.¹⁰⁷ Brazil spent \$300 million on building the stadium, and it is predicted that it will spend \$250,000 more each month on upkeep after the World Cup.¹⁰⁸ Taxpayer money will be used for the stadium upkeep, as the local team does not have the viewer support to match the monthly expenses.¹⁰⁹ Often Olympic development follows this model of overspending on projects that does not help in the long term. If the stadiums were easily accessible, development cost and upkeep would decrease because the location would facilitate the stadiums' continued use in the future.

It is important to see where international sporting events have been successful, in order to provide a model for further practices. Some of the most successful games, including the U.S. 1994 World Cup, the Los Angeles 1984 Summer Olympic Games, and the 1992 Barcelona Summer Olympic Games, utilized preexisting stadiums and facilities and were able to draw up successful plans for developing

¹⁰²"Olympic Values & Ideals - Olympism in Action," International Olympic Committee, last accessed April 9, 2015, <http://www.olympic.org/olympism-in-action>.

¹⁰³Geoffrey A. Fowler, "China Counts the Cost of Hosting the Olympic Games," *Wall Street Journal*, July 16, 2008, <http://www.wsj.com/articles/SB121614671139755287>.

¹⁰⁴ Josh Lean, "Beijing's Olympic Problem: Too Much Seoul." *The Next American City* no. 20 (Fall, 2008): 15-16, Accessed April 14, 2015. <http://search.proquest.com/docview/199571949?accountid=11243>.

¹⁰⁵ Josh Lean, "Beijing's Olympic Problem: Too Much Seoul." *The Next American City* no. 20 (Fall, 2008): 15-16, Accessed April 14, 2015. <http://search.proquest.com/docview/199571949?accountid=11243>.

¹⁰⁶*Ibid.*

¹⁰⁷ Sam Borden, "Building a World Cup Stadium In The Amazon", *The New York Times*, September 24, 2013, http://www.nytimes.com/2013/09/25/sports/soccer/in-building-world-cup-stadium-in-amazon-rain-is-just-one-challenge.html?_r=1.

¹⁰⁸ *Ibid.*

¹⁰⁹ *Ibid.*

sustainable infrastructure. By doing so, they reduced their development cost and increased their profit margin.¹¹⁰

Barcelona is now the fourth most popular tourist destination in Europe due to its success in hosting the 1992 Summer Olympic Games.¹¹¹ The total cost of the games in Barcelona was \$9.3 billion, with eighty-five percent used for infrastructure and facilities, and the remaining fifteen percent for organizational costs.¹¹² Over the course of the twenty years after the games, Barcelona gained \$13.2 billion through tourism and city development.¹¹³ The games were intentionally located in poorer areas along the Mediterranean coast so those areas could be revitalized and strengthened into vibrant communities. Initially developed because of the games, Olympic hotels and hubs have become permanent tourist attractions, and residents and tourists now use the railways and public transit.¹¹⁴ Unlike Beijing or Seoul, the stadiums, transportation, and other developed portions of society are actively in use, and have not become dead weight on the city's economy. Barcelona used these Olympic Games to become a vibrant tourist city with a strong economy, and future host cities can benefit from modeling their games after Barcelona's.

Recommendations

- FIFA and the IOC should require a clear plan for the efficient and economical use of infrastructure during and after the games. Before construction, they should provide housing for groups of people who are displaced during the building of new infrastructures.
- FIFA and the IOC should pick locations that are geographically plausible and accessible (If possible, using pre-existing stadiums and other infrastructure so as to minimize the total cost).
- FIFA and the IOC should create a sub-committee with experts that will look at the possible economic effects on the host nation.

¹¹⁰ Kevin Voigt, "Is There a World Cup Economic Bounce?" *CNN*, June 11 2012, <http://www.cnn.com/2010/BUSINESS/06/11/business.bounce.world.cup/index.html>.

¹¹¹ Springer Shira, "Barcelona's Olympic Makeover May Hold Lessons for Boston," *Boston Globe*, November 27, 2014, <http://www.bostonglobe.com/sports/2014/11/26/barcelona-olympic-makeover-may-hold-lessons-for-boston/d8TNfLOoTbtjwiR4vE1NLL/story.html>.

¹¹² Brunet, Ferran, "The Economic Impact of the Barcelona Olympic Games, 1986-2004," Centre D'Estudis Olímpics, 2005, accessed April 10, 2015, http://Olympic.Gamestudies.uab.es/pdf/wp084_eng.pdf.

¹¹³ Ibid.

¹¹⁴ Ibid.

Freedom of Speech Issues

Introduction

Freedom of speech has been at the center of much debate during recent international sporting events. Many have questioned whether or not a country's choice to deny its citizens' the right to express a specific opinion should play a factor in its allowance to host a sporting events, such as the Olympic Games or the FIFA World Cup. This section will address the ethical considerations with regards to freedom of speech and its role within international sporting tournaments. For this purpose, two popular international sports organizations, the IOC and FIFA, will be analyzed in regards to their positions on freedom of speech and possible restrictions to it. By doing so, these analyses will aid future international athletic events for other athletic-sponsoring organizations, not simply FIFA and the IOC. This section includes a standard definition of free speech, examples of free speech oppression within sporting event history, both the IOC's and FIFA's current position on the topic, economic implications of free speech, and recommendations to the IOC and FIFA for future athletic tournament decisions.

Free Speech Definition

In 1948, the United Nations General Assembly adopted *The Universal Declaration of Human Rights*, which consists of 30 articles defining human rights across the globe.^{115, 116} Within the preamble, it states "human beings shall enjoy freedom of speech and... freedom from fear and want...as the highest aspiration of the common people."¹¹⁷ The right to freedom of speech is universally acknowledged through its acceptance by the United Nations, despite criticisms that it may not be enforceable.¹¹⁸ The United Nations defines free speech as the right to proclaim one's opinion.¹¹⁹ However, a more comprehensive definition is given by the United States judicial branch. Freedom of speech, as defined by the United States judicial branch, includes the right not to speak, the right to advertise commercial products, the right to protest in legal manner, and the right to engage in symbolic speeches. These speech rights do not include the right to incite actions that would harm others or the right to distribute offensive material.¹²⁰ For the remainder of the document, freedom of speech is defined given the requirements of both the United Nations and the United States judicial branch for the purposes of clarification (providing a clear definition of free speech.)

Free Speech Oppression History in International Sporting Events

The Olympic Games and FIFA World Cups have a history of restricting human rights. The following section focuses on restriction of freedom of speech in two cases, the 2008 Summer

¹¹⁵ Morsink, Johannes. *The Universal Declaration of Human Rights: Origins, Drafting, and Intent*. Philadelphia: University of Pennsylvania Press, 2010.

¹¹⁶ Williams, Paul. *The International Bill of Human Rights*. Entwhistle Books, 1981.

¹¹⁷ Preamble. United Nations General Assembly, *The Universal Declaration of Human Rights, 1948* available at: <http://www.un.org/en/documents/udhr/>.

¹¹⁸ Peter Danchin, Columbia University, http://ccnmtl.columbia.edu/projects/mmt/udhr/udhr_general/drafting_history_10.html.

¹¹⁹ What is the Universal Declaration of Human Rights? Australian Human Rights Commission, last accessed April 13, 2015, <https://www.humanrights.gov.au/publications/what-universal-declaration-human-rights>.

¹²⁰ What Does Free Speech Mean? United States Courts, last accessed April 9, 2015, <http://www.uscourts.gov/educational-resources/get-involved/constitution-activities/first-amendment/free-speech.asp>.

Olympic Games in Beijing, China and the 2014 Winter Olympic Games in Sochi, Russia. This section also acknowledges that these are only examples of many free speech violations in past Olympic Games and World Cups.

Oppression of Journalists

Several measures were taken by the governments of China and Russia during their respective Olympic Games to restrict the freedoms of media outlets operating in Beijing and reporting on the events. During the Sochi Olympic Games, police regularly targeted journalists suspected of negatively reporting on the Olympic Games. In one instance, according to Radio Free Europe/Radio Liberty, several police officers “detained, harassed, and threatened with imprisonment” two Norwegian journalists over the course of three days.¹²¹ In China, the government temporarily unblocked access to several prominent news websites, including BBC China and Deutsche Welle. During the Brazil World Cup in 2014, 178 journalists were injured and/or detained by authorities while reporting on protests prior to and during the event.¹²²

Right to Assemble

Both China and Russia provided zones in which citizens could protest, but protest permits were rarely approved and some protesters faced repercussions for applying for permits. According to Jane Buchanan, an associate director of Human Rights Watch, during the Beijing Olympic Games, several Chinese human rights activists were arrested for protesting illegal land seizures in the pre-Olympic period.¹²³ During the Olympic Games in Sochi, thousands of protesters were detained, including 1,300 in less than two weeks in Moscow.¹²⁴ Such detentions threaten the future of free speech during international sporting events.

Oppression of Athletes

Due to China’s policies on freedom of expression, many governments and National Olympic Committees advised their athletes not to speak out while at the Beijing Olympic Games. Most notably, the British Olympic Association required all athletes to sign a contract stating that they could not comment on any human rights or political issues.¹²⁵ According to Dr. Lisa Delpy Neirotti, a leading expert on international sporting events, athletes are not allowed to protest or make political statements during the Olympic Games because the events are supposed to be solely about sports.¹²⁶

Current Position on Free Speech within the IOC and FIFA

In regards to major sporting organizations, the IOC and the FIFA both issue in no guidelines for the protection of free speech during major sporting events in their codes of ethics. Neither organization directly addresses or takes a position on the issue of free speech.

¹²¹ RFE/RL, “HRW Says Russian Police Harass Norwegian TV Crew in Sochi,” *Radio Free Europe/Radio Liberty*, November 05, 2013. www.rferl.org.

¹²² *World Report 2015*. New York City: Human Rights Watch, 2015. Accessed April 15, 2015. www.hrw.org

¹²³ *World Report 2009*. New York City: Human Rights Watch, 2008. Accessed April 15, 2015. www.hrw.org

¹²⁴ *World Report 2015*. New York City: Human Rights Watch, 2015. Accessed April 15, 2015. www.hrw.org

¹²⁵ Ben Leapman and Robyn Powell, “Athletes Face Olympic Ban for Criticising China,” *The Telegraph*, February 10, 2008, <http://www.telegraph.co.uk>.

¹²⁶ Dr. Lisa Delpy Neirotti, conversation, April 13, 2015.

FIFA's Position on Free Speech

FIFA states in the nondiscrimination clause of its code of ethics for athletes that “[athletes] bound by [the code for ethics] may not offend the dignity or integrity of a country, private person or group of people through contemptuous, discriminatory or denigratory words or actions on account of race, skin colour, ethnic, national or social origin, gender, language, religion, political opinion or any other opinion, wealth, birth or any other status, sexual orientation or any other reason.”¹²⁷ While FIFA strongly stands against discrimination, it only protects the integrity of athletic participants in sporting events; it neglects other participants, such as media personnel and visitors. Although FIFA opposes discrimination as a sign of athletic respect, it does not take a stance on freedom of speech.

IOC's Position on Free Speech

The IOC neglects to publicly mention anything about its stance on human rights in their code of ethics; thus, its stance on free speech is ambiguous.¹²⁸ However, the IOC's Social Media, Blogging and Internet Guidelines for participants and other accredited persons at the London 2012 Olympic Games states, “Postings, blogs and tweets should at all times conform to the Olympic spirit and fundamental principles of Olympism as contained in the Olympic Charter, be dignified and in good taste, and not contain vulgar or obscene words or images”.¹²⁹ These guidelines are vague; however, the IOC only takes a position on the internet presence of athletes and accredited persons, leaving out almost all other aspects of free speech entirely. In addition, there is little to no enforcement of this new guideline, making it all but insignificant. Thomas Bach, the president of the IOC, in his speech at the 126th session of the International Olympic Committee, said “sport can only contribute to development and peace if it's not used as a stage for political dissent or for trying to score points in internal or external political contests. [Participants, accredited persons, and visitors must] have the courage to address...disagreements in a peaceful, direct political dialogue, and not on the backs of the athletes.”¹³⁰ His statement signified the IOC's wish to keep political or social issues out of the Olympic Games. However, given the international scope of the games, and the vast array of countries in attendance, political tensions are bound to play an active role in the events. Following the Russian law that banned “gay propaganda,” controversy emerged within the international community, and the games were deemed a reflection of the political tensions existing in Russia and beyond.¹³¹ In order to prevent free speech violation and to ensure a clear position towards discrimination and free speech and the line between them, the IOC must take an official stance on free speech.

¹²⁷ FIFA Code of Ethics, Fédération Internationale de Football Association, July 17, 2012, pg. 20, accessed April 6, 2015, <http://www.fifa.com/mm/document/affederation/administration/50/02/82/codeofethics2012e.pdf>.

¹²⁸ IOC Code of Ethics, International Olympic Committee, 2013, accessed April 6, 2015,

http://www.olympic.org/Documents/Commissions_PDFfiles/Ethics/code-ethique-interactif_en_2013.pdf.

¹²⁹ IOC Social Media, Blogging and Internet Guidelines for participants and other accredited persons at the London 2012 Olympic Games, International Olympic Committee, 2012, Accessed April 9, 2015,

http://www.olympic.org/Documents/Games_London_2012/IOC_Social_Media_Blogging_and_Internet_Guidelines-London.pdf.

¹³⁰ IOC president discourages political protest at Sochi, Public Broadcasting Service Newshour, February 4, 2014, accessed April 9, 2015, <http://www.pbs.org/newshour/bb/olympic-committee-speaks-against-using-sochi-political-dissent/>.

¹³¹ Ibid.

Freedom of Speech and Economics

As is aforementioned, coverage of freedom of speech violations by host nations has greatly increased in recent years. Media coverage shapes the public opinion of FIFA and the IOC; public opinion is directly related to the success of the Olympic Games and the World Cup. When a host nation of an international sporting event appears to not respect human rights, others respond in a critical manner, as exemplified in President Barack Obama's decision not to attend the Sochi Olympic Games in 2014.¹³² The perception that the IOC and FIFA do not care about free speech has led to fewer nations seeking to host the World Cup and the Olympic Games. This lack of interest could lead to a future loss of revenue for both the IOC and FIFA, and it could be argued that it already has, as during the Sochi Olympic Games, fewer spectators observed the games and revenue decreased.^{133 134} If the current trend of decreasing bids and spectators continues, there will not be enough cities applying to host the games, threatening the economic positions of the IOC, FIFA, and participating countries. If the economic positions of these bodies decline, international sports as a whole could too.

Recommendations

- Include the statement “The freedom of speech of all athletes, laborers, IOC-contracted people and IOC workers is of utmost importance, given that an individual's words are not offensive to a person's religion, sexuality, gender, or ethnic origin” in the IOC's Code of Ethics.
- Include the statement, “The freedom of speech of all athletes, laborers, FIFA-contracted people and FIFA workers is of utmost importance, given an individual's words are not offensive to a person's religion, sexuality, gender, or ethnic origin” in the nondiscrimination clause in FIFA's Code of Ethics.
- The IOC and FIFA must consider a country's position on freedom of speech as a qualification in its “public opinion” category. For this section, the freedoms of both visitors and media shall be considered.
- Freedom of speech regarding the Olympic Games in a host country with regards to athletes, visitors, and media personnel shall not be limited during the games.

¹³² Cindy Boren, “Obama names openly gay athletes to Sochi Olympic delegation,” *The Washington Post*, December 18, 2013, accessed April 9, 2015, <http://www.washingtonpost.com/blogs/early-lead/wp/2013/12/18/obama-names-openly-gay-athletes-to-sochi-olympic-delegation/>.

¹³³ Aleksandr Vernik, “IOC Vote History,” *Web Counter*, July 11, 1999, accessed April 10, 2015, <http://www.aldaver.com/votes.html>.

¹³⁴ Bruce Orwell, Sharon Terlep, Betsy McKay, “2014 Sochi Olympic Games: So Far Empty Seats Abound,” *Wall Street Journal*, February 9, 2014, accessed April 15, 2015, <http://www.wsj.com/articles/SB10001424052702304450904579371300682545572>.

Enforcement of Recommendations

Introduction

The IOC and FIFA; two of the world's largest sporting organizations, have been constantly accused of corruption and inaction in protecting human rights.¹³⁵ The Sports and Rights Alliance, a coalition of multiple respected human rights NGOs and sports unions, stated, "Too often major sports events have seen people forcibly evicted from their homes to make way for infrastructure, workers exploited, campaigners locked up, the environment damaged beyond repair and notoriously opaque bidding processes."¹³⁶ Allegations such as these have been receiving more media attention. After the 2008 Beijing Olympic Games, media coverage of human rights in China increased. In the LexisNexis Academic Database, the search terms 'Beijing' AND 'Olympic Games' AND 'human rights' brought up more articles written in English and other languages than ever before.¹³⁷ These searches as well as the record number of people watching the Beijing Olympic Games show the growing global concern towards human rights violations in major sporting events, and the media's ability to report on it. This was further seen in the recent Sochi Winter Olympic Games where an anti-LGBT law attracted global backlash and outrage. This backlash, and the decision of the IOC to host the Olympic Games in Russia create a critical view of the IOC.¹³⁸

Public Perception and Sponsors in International Sports

Controversial media coverage has reached beyond the general public, as the financial partners of both FIFA and the IOC are becoming involved. In the upcoming Qatari World Cup, numerous sponsors, including Adidas, Coca-Cola, and Kia, have expressed concerns about the games' ethics. German sportswear company, Adidas, which has a long-term sponsorship deal with FIFA until 2030, said in a statement: "'The negative tenor of the public debate around FIFA at the moment is neither good for football nor for FIFA nor its partners.' Coca-Cola added: 'Anything that detracts from the mission and ideals of the FIFA World Cup is a concern to us.'"¹³⁹ These sponsors have demonstrated their unease with supporting international sports tournaments that are passive about human rights violations. Other sponsors, however, have acted upon their concerns. Last year, Sony and Emirates Airlines both chose not to renew their sponsorship contracts with FIFA.¹⁴⁰ Sony's contract alone was worth 280 million dollars.¹⁴¹ Also, as of January 2015, Johnson & Johnson has terminated their relationship with FIFA.¹⁴² While the IOC has received less active dissent from their

¹³⁵ Milton-Smith John, "Ethics, the Olympic Games and the Search for Global Values" *Journal of Business Ethics* 35, no. 2 (2002) 131-142

¹³⁶ "Olympic Games: New Alliance Calls for Rights-Respecting Bids." Human Rights Watch. Last modified: February 25, 2015

¹³⁷ Brownell Susan, "Human rights and the Beijing Olympic Games: imagined global community and the transnational public sphere" *The British Journal of Sociology* 63, no.2 (2012)

¹³⁸ Nold Chad, "Olympic-sized Opportunity: Examining the IOC's Past Neglect of Human Rights in Host Cities and the Chance to Encourage Reform on a Global Scale"

¹³⁹ BBC Sport: Football, "Qatar 2020: Sponsors Back Corruption Investigation" June 9, 2014

¹⁴⁰ Bonesteel Matt, "Sony Won't Renew World Cup Sponsorship, Coca-Cola Lashes Out at FIFA" *Washington Post*, November 25, 2014

¹⁴¹ IBID.

¹⁴² Metzger Matt, "Three More Companies Drop FIFA Sponsorship Deals" *Newsweek*, January 23, 2015

sponsors, there is nothing preventing their sponsors from following the precedent set by FIFA's sponsors.

Negative Perceptions of Sponsors

In the midst of this detrimental media attention and disaffected sponsors, FIFA and the IOC have exhibited a desire and commitment to stop these allegations. The IOC has shown promise by creating an anti-corruption plan known as the Agenda 2020, but it lacks any mention of human rights.¹⁴³ While FIFA's president, Sepp Blatter has stated, "I will tell you, that human rights and other rights will be part of the basic conditions to organize the competition. That will be new for the next World Cup – the World Cup 2026."¹⁴⁴ However, with all of these promises, actions to protect human rights have yet to be taken.

Ineffective Ethic Committees and lack of Human Rights in Sporting Organizations

Worldwide sporting events conducted by sporting organizations often create committees to enforce and investigate ethical issues within the sporting organization in itself. FIFA has the Ethics Committee,¹⁴⁵ and the IOC has the Ethics Commission.¹⁴⁶ FIFA incorporates the Ethics Committee and the IOC incorporates the Ethics Commission as methods to investigate and combat corruption and violations of the organizations' statutes. Both the Committee and the Commission have proven to be unsuccessful in carrying out their mission, and neither body emphasizes human rights.

Punishment of Offenders

Both FIFA and the IOC have elaborate systems to sanction any offenders and have clearly outlined the definition of ethics within their organizations' charters, but do not fully utilize their capabilities or play an active role in enforcement. FIFA, for example, hired an independent investigator, Michael Garcia, to search for corruption and bribery during the bidding process of both the 2018 and 2022 World Cups.¹⁴⁷ Garcia provided a 430-page report uncovering evidence of corruption. FIFA responded by releasing an edited version of his report, stripping the organization of the blame and accusations of bribery. FIFA's censorship of the document led to Garcia's resignation. The Ethics Committee failed to enforce an ethical bidding processes and cannot be viewed as an effective body to defend human rights if needed. In addition to cases censorship in FIFA, Human Rights Watch stated that during the 2008 Beijing Olympic Games they have "documented hundreds of incidents of harassment, detentions and even death threats to foreign journalists in China,"¹⁴⁸ and the IOC has done little in response to this violations of human rights. Neither FIFA nor the IOC have bodies that upkeep or assess human rights in the host country or city.

¹⁴³ International Olympic Committee, *Olympic Agenda 2020*, 2014 (Monaco: IOC, 2014).

¹⁴⁴ The Independent. "Qatar World Cup 2022: FIFA president Sepp Blatter's human rights vow." January 21, 2015

¹⁴⁵ FIFA, *FIFA Code of Ethics*. (FIFA, 2012).

¹⁴⁶ International Olympic Committee *Ethics*. (IOC, 2013)

¹⁴⁷ Watt, Holly, Ben Rumsby. "Michael Garcia quits as FIFA ethics investigator." *The Telegraph*. December 17, 2014.

¹⁴⁸ Worden, Minky. "No Medals for the IOC." *Human Rights Watch*. August 16, 2008.

Human Rights Respect and Long-Term Economic Development during Bidding Process and Host Country/City Evaluation

During the bidding process, both FIFA and the IOC evaluate the host countries based on certain criteria. FIFA releases bid evaluations with the selection of the host country. FIFA evaluates the economy, environmental sustainability, health and medical services, accommodations, etc. of the host country, but fails to evaluate human rights violations within the country or long-term economic development.¹⁴⁹ Furthermore, FIFA has faced allegations of bribery for the selection of both the 2018 and 2022 World Cups.¹⁵⁰ The IOC, much like FIFA, considers media, accommodations, finance, meteorology, venues, etc., but lacks any evaluations of human rights or long-term economic development either.¹⁵¹ As seen in FIFA and the IOC, sporting organizations consider many aspects of the host country's current statuses, yet fails to analyze possible human rights risks and long-term economic development. In order for global sporting events to become positive influences on countries in the future, sporting organizations should consider these human aspects on top of those evaluated currently.

International Association of Human Rights and Sports

An organization without a vested interest in the monetary success of the games or bias is needed in order to protect human rights. However, as of right now no such organization exists.¹⁵² We propose the creation of the International Association of Human Rights and Sports (IAHRS) to monitor, evaluate, and report upon the human rights violations committed by the host nations of international sporting events to the relevant organizing body.

Basis and Organization

The IAHRS will be based upon the highly successful model of the World Anti-Doping Agency.¹⁵³ Representatives from different stakeholder groups such as: Sporting Organizations, Nations, and Human Rights NGOs, will be used to lead the organization.¹⁵⁴

Finances

Funding for this organization will be provided from the nations of the committee, sporting organizations, and private donations. All financial information of the IAHRS and its employees will be provided to the general public on the IAHRS website.

¹⁴⁹ FIFA. *Bid Evaluation Report: Qatar*. (FIFA, 2010)

¹⁵⁰ Masters, James. "World Cup: FIFA Embroiled in Civil War." CNN. November 14, 2014.

¹⁵¹ International Olympic Committee, *Evaluation Commission Report* (IOC, 2007)

¹⁵² Human Rights Watch, "Building a Better World Cup Protecting Migrant Workers in Qatar Ahead of FIFA 2022" (Report, Human Rights Watch, 2012)

¹⁵³ Thomas Wyatt Cox, "The International War Against Doping: Limiting the Collateral Damage from Strict Liability," *Vanderbilt Journal of Transnational Law*, Mar-17-2014 · 47 VAND. J. TRANSNAT'L L. 295 (2014) Pg. 295

¹⁵⁴ "World Anti-Doping Agency," *WADA*, 2015, 05/08/15,

Accountability and Anti-Corruption

All actions taken by the IAHS will be held to the highest level of accountability and transparency. All investigations and assessments will be revealed to the general public immediately upon their completion in the form of a press conference, press release on the IAHS Website, and links to a copy of the report on social media. Copies, analysis, and contact information will simultaneously be sent to all relevant sponsors, organizations, and nations involved in the hosting of games being investigated.^{155, 156}

Communication

All communications between stakeholders and the IAHS must be done through official IAHS channels: any communication done outside of official channels will result in the immediate suspensions of IAHS employees involved, full investigations of the incidents, and terminations for any involved in wrongdoing.¹⁵⁷ All official communications will be recorded, monitored, and released to the general public. This will include all forms of communication. INTERPOL will investigate any allegations of corruption.¹⁵⁸ Independent analysis of the association designed to detect corruption and illegitimacy will be conducted bi-annually by independent firms.^{159, 160}

Recommendations

- The relevant sporting organization will include and consider human rights and long-term economic development as one of the deciding criteria during the bidding/ selection process.
- The host city or country contract should include a section relevant to human rights and development that outlines the recommendations given in this document.
- Create the International Association of Human Rights and Sports as a nonpartisan body to monitor, evaluate, and report upon human rights violations caused by international sporting events, as well as encourage positive developments.

¹⁵⁵ AFP, “FIFA lose three major sponsors as corruption allegations persist,” *Sydney Morning Herald*, January 24, 2015, April 8, 2015.

¹⁵⁶ Coca-Cola Co., “Human Rights Due Diligence Checklists Background and Guidance” (Report, Coca-Cola Co.)

¹⁵⁷ Council of Europe, “Overview of the key stakeholders in International and European sports policy in 2013” (Report, Council of Europe, 2014)

¹⁵⁸ “INTERPOL,” *INTERPOL*, 2015, April 8, 2015.

¹⁵⁹ “Covington & Burling LLP” *Covington & Burling LLP*, 2015 April 8, 2015.

¹⁶⁰ Council of Europe, “Council of Europe Convention on the Manipulation of Sports Competitions” (Convention, Council of Europe, 2014)

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