

Case study for the 2023 EEB Semi-final round

EXCLUSION OF ATHLETES FROM INTERNATIONAL COMPETITIONS FOR NON-SPORTING REASONS

The issue of excluding athletes from international competitions for non-sporting reasons is complex and controversial. Many examples can be found in sports history or in current events.

For example, in December 2020, the Court of Arbitration for Sport (CAS) in Lausanne, the "supreme court" of world sport, excluded Russia from major international competitions for two years for violating anti-doping rules, while Russian athletes who had never been punished for doping were allowed to compete under a neutral flag. This decision was judged by the World Anti-Doping Agency (WADA) to be too lenient in terms of its recommendations. In a damning report on Russian athletics, WADA stated that the doping cases "could not have existed" without the government's approval. On the contrary, CAS arbitrators say they "took into account issues of proportionality" in their sanctions, "and in particular, the need to promote a change of culture and encourage the next generation of Russian athletes to participate in clean international sport" to justify their leniency.

Should athletes be sanctioned even if they fail to comply with the rules of a competition's host country? In January 2022, Novak Djokovic admitted that he had not been vaccinated when he arrived in Australia, even though the country required it for entry. The player was eventually expelled from the country by the Australian Federal Court on the eve of the opening of the Grand Slam tournament.

Russia's invasion of Ukraine has led to Russian and Belarusian athletes being banned from many international sporting competitions. However, it is worth noting that the international community, both political and sporting, is very inconsistent in its decisions. For example, how can it be explained that a Russian athlete is allowed to participate in the ATP and WTA tennis competitions but not in the World Cup? Even within the same sport, we have sometimes seen contradictory decisions or those that have provoked strong reactions. For example, the Wimbledon tournament unilaterally decided not to admit Russian and Belarusian players to the 2022 event. However, the same players were allowed to take part in the other Grand Slam tournaments. The ATP reacted to Wimbledon's unilateral decision in a very strong statement, calling the exclusion of players based on their nationality "discriminatory" and "unfair".

The question of Russian or Belarusian athletes participating in the Paris 2024 Olympic Games is once again controversial: at the end of January 2023, the International Olympic Committee outlined a roadmap for the international federations to bring Russia and Belarus back into the Olympic fold. According to the IOC, "no athlete should be excluded from competitions solely on the basis of their passport". However, in June 2023, the Council of Europe voted to exclude these athletes. The institution decided that the participation of these athletes was "unthinkable" and "would certainly be used as a propaganda tool".

Some argue that sport should be separated from politics and that athletes should not be punished for their country's political decisions. Others believe that sport and politics are closely linked and that the exclusion of athletes can be a way of putting pressure on governments to respect human rights or other values.

Please, address these dilemmas:

Invasion of another country, not respecting the rules of a hosting country, state sponsored doping... Are these valid reasons to ban athletes from competing? How much should government actions affect the playing field?