

The Environmental Legacy of Sochi: Time to take the Olympic Charter Seriously

3 Questions

- ① What environmental legacy for Sochi?
- ① Why and How the Olympic Charter could/should matter?
- ① Which way forward?

The Dark Environmental Legacy of Sochi

- Russia “delivered on all its promises” but one...
- Wealth of negative environmental reports by Greenpeace, HRW, UNEP.
 - Some venues were in the Caucasus State Biosphere Reserve, a UNESCO heritage site
 - Massive construction works (roads and rail tracks) disrupting a fragile environment
 - Very poor waste management system
 - No real plan for the environmental rehabilitation
- Persecution of environmental activists
 - Jailed or exiled

Taking the Olympic Charter Seriously

Fundamental Principles of Olympism

1. Olympism is a philosophy of life, exalting and combining in a balanced whole the qualities of body, will and mind. Blending sport with culture and education, Olympism seeks to create a way of life based on the joy of effort, the educational value of good example, social responsibility and respect for universal fundamental ethical principles.

Article 2 of the Olympic Charter

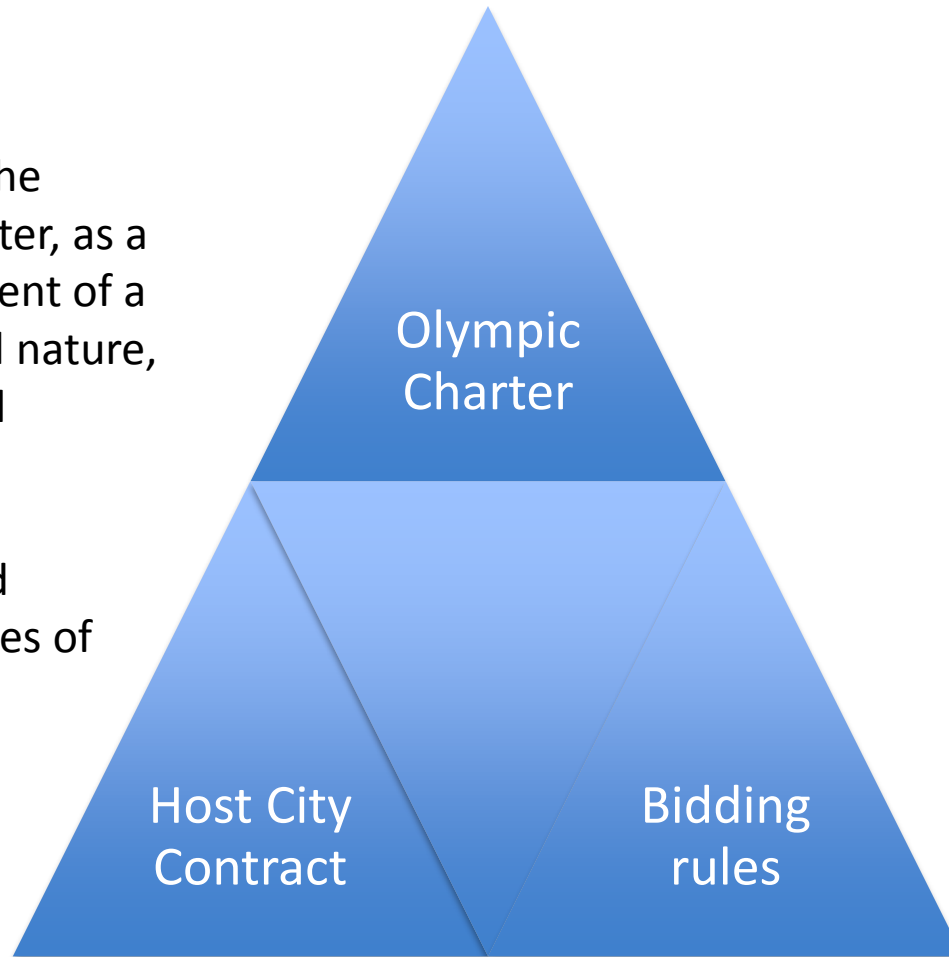
13. The IOC's role is to encourage and support a responsible concern for environmental issues, to promote sustainable development in sport and to require that the Olympic Games are held accordingly;

Thomas Bach (IOC President), Speech at the UN, 28 April 2014

“The UN and the IOC know how much sport can do to address the vast array of human and social needs in the areas of: health, education, inclusion, sustainable development and peace – actually the key topics of the current Sustainable Development Goals Framework.”

Taking the Olympic Charter Seriously

Preamble: “The Olympic Charter, as a basic instrument of a constitutional nature, sets forth and recalls the Fundamental Principles and essential values of Olympism.”



Taking the Olympic Charter Seriously

- Is the IOC a toothless tiger?
 - Athletes are made to respect draconian rules about sponsors and marketing (Bye-Law 3 to Art. 40 OC) or doping
 - Participants are supposed to respect stringent rules against ambush marketing (Art 50 OC and Its Bye-Law – See Annex)
 - Participants are coerced into submitting to the jurisdiction of CAS
 - States are coerced into signing the Host City Contract, which defines the policies to be implemented in the build up towards the Games.
- => The IOC is a very powerful institutions it just need to be willing to act

Taking the Olympic Charter Seriously: A Modest Proposal

Ex Ante

- The bidding Process
- Environmental Criteria

Ex Post

- Host City Contract
- Monitoring, Compliance & Deterrence

A Modest Proposal: The *Ex Ante* Mechanism



- 1 Aim of the evaluation process = be recognized as a candidate city up for election (Bylaw art. 33 2.1 OC)
- 2 The evaluation Commission = IOC + Ifs + NOCs + Athletes + Experts (Bylaw art. 33 2.2 OC)
- 3 The IOC executive commission draws the Candidate list on the basis of the report (Bylaw 33 3.1 OC)
- 4 The Session elects the Olympic City at will

A Modest Proposal: The *Ex Ante* Mechanism

- The actual Olympic Questionnaire
 - 17 Themes: 1 dealing with the environment
 - Environment and meteorology
 - “Guarantee(s) stating that all construction work necessary for the organisation of the Olympic Winter Games will comply with: International agreements and protocols regarding planning, construction and protection of the environment”
 - The weighing is heavily biased against Environmental issues (only coefficient 2, when infrastructure alone weighs 5) = dilution effect (amounts to 5,7% of the final mark)

A Modest Proposal: The *Ex Ante* Mechanism

- Sochi Report

- “Sochi 2014 plans to apply a sustainable management system to the development of facilities and operations, sustainable design principles in construction and improved measures for waste collection, processing and disposal.”
- “Seven competition and non-competition venues required for the Olympic Winter Games would be constructed within the boundaries of Sochi National Park, directly impacting on approximately 800 hectares (0.5% of the total area of the park). Two of these venues, the Krasnaya Polyana Olympic Village and the sliding venue, would be located in the buffer zone of the Caucasus State Biosphere Reserve – a UNESCO World Heritage site – where, due to a recent rezoning of Sochi National Park, the construction of infrastructure for tourism and recreation is now permitted.”
- On the environmental aspect Sochi was rated under Jaca and at the same level as Almaty (Minimum grade 4,9/10, maximum grade 6,6/10) [Report by the IOC candidature acceptance working group to the IOC Executive board](#), p.59

A Modest Proposal: The *Ex Ante* Mechanism

- Modest Proposal 1:
 - Raise the relative weighing of the environmental criteria in the selection process

A Modest Proposal II: The Ex-Post Mechanism

- The Olympic Charter as the Law of the Olympics
 - Art. 33. 3 OC: “The National Government of the country of any applicant city must submit to the IOC a legally binding instrument by which the said government undertakes and guarantees that the country and its public authorities will comply with and respect the Olympic Charter.”
 - Bye-rule to art. 33: “1.5 Each applicant city has the obligation to comply with the Olympic Charter and with any other regulations or requirements issued by the IOC Executive Board, as well as with all technical norms issued by the IFs for their respective sports.”
- What are the tools of the IOC to monitor the compliance to the Olympic Charter?

A Modest Proposal II: The Ex-Post Mechanism

- **The Host-City Contract:**
 - The Host City Contract sets out the legal, commercial, and financial rights and obligations of the IOC, the host city and the NOC of the host country in relation to the Olympic Games. The Host City Contract represents the written agreement entered into between the:
 - IOC, on the one hand
 - Host city and NOC of the host country, on the other hand
 - In case of any conflict between the provisions of the Host City Contract and the Olympic Charter, the provision of the Host City Contract shall take precedence. The Host City Contract is signed by the IOC, the host city and the NOC of the host country immediately following the announcement by the IOC of the host city elected to host the Olympic and Paralympic Games. As such, the Host City Contract is specific to each edition of the Olympic Games, and may vary from Games to Games due to changes and modifications.
- **The Technical Manuals** annexed to the Host City Contract form an integral part thereof. They contain the following information regarding a given subject/theme of Olympic Games organisation:
 - - Detailed technical obligations
 - - Planning information
 - - Procedures and processes
 - - Proven practices

A Modest Proposal II: The Ex-Post Mechanism

The Olympic Games Coordination Commission
(Art.37 OC) :

1. Olympic Games Coordination Commission:

“In order to improve the organisation of the Olympic Games and cooperation amongst the IOC, the OCOG, the IFs and the NOCs, the President shall establish an Olympic Games Coordination Commission (Coordination Commission) to manage and implement the working relationship between such parties. The Coordination Commission shall include representatives of the IOC, the IFs, the NOCs and the athletes.”

A Modest Proposal II: The Ex-Post Mechanism

- Is it possible to strip a city from the organization of the Olympic Games?
 - Art. 36 OC
 - 2. “In the event of non compliance with the Olympic Charter or other regulations or instructions of the IOC, or a breach of the obligations entered into by the NOC, the OCOG or the host city, the IOC is entitled to withdraw, at any time and with immediate effect, the organisation of the Olympic Games from the host city, the OCOG and the NOC, without prejudice to compensation for any damage thereby caused to the IOC. In such a case, the NOC, the OCOG, the host city, the country of the host city and all their governmental or other authorities, or any other party, whether at any city, local, state, provincial, other regional or national level, shall have no claim for any form of compensation against the IOC.”

A Modest Proposal II: The Ex-Post Mechanism

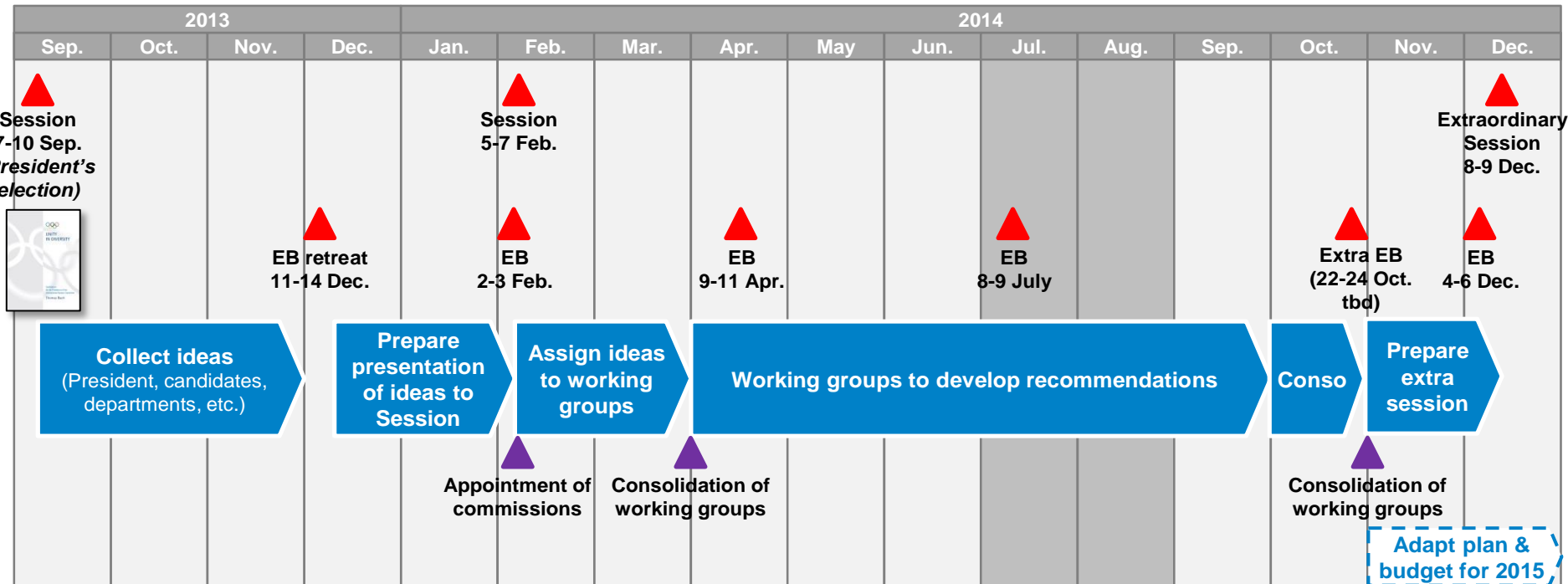
- Modest proposal 2:
 - Include environmental criteria in the Host city contract (e.g. building standards, waste management and carbon-neutral requirements)
 - Create an independent monitoring body composed of members of Olympic family and independent observers (NGOs & IOs)
 - Devise effective deterrents (Fines, Bans & Withdrawal of the OG)

The Way Forward: The Olympic Agenda 2020

- How to implement such (or any alternative) proposal? A great political opportunity: The Olympic Agenda 2020.
- What is the Olympic Agenda? A reform project launched at the end of 2013 by new IOC President Thomas Bach (BUT not aimed at improving environmental impact of the OG).

The Way Forward: The Olympic Agenda 2020

“Olympic Agenda 2020” proposed approach



Olympicagenda2020@olympic.org until 15 April

The Way Forward: The Olympic Agenda 2020

- Some environmentally-minded Contributions:
 - Norwegian Olympic Committee (idrett)
 - “The IOC must assure through its actions (e.g. guidelines, manuals, questionnaires and contracts with future organisers) that future Olympic Cities adhere to the demands of sustainability in all its aspects. Future games must be climate neutral and host cities must adhere to the strictest of international standards with regard to the environment. The IOC should lead the development in this field within sport and contribute to create a new mind-set on sport and the environment.”
 - LO (Swedish Labour Union):
 - “The IOC should [e]nsure that the development and implementation of the Olympic Games are designed so as to achieve long-term sustainability from the point of view of climate and environment as well as economically, socially and ethically.”

The Way Forward: The Olympic Agenda 2020

- What can we/you do?
 - Public Pressure (Media scrutiny, Op-Eds, Petitions)
 - To some extent It works, see Qatar
 - Pressure the IOC members
 - A pledge
 - Institutional Pressure
 - Governments
 - International Organizations (the UN a bad example in that regard)

Learn More

- About Sochi:
 - The Arte Dossier on Sochi: <http://future.arte.tv/de/sotschi>
 - [Sochi Watch Blog](#): A Blog by Russian activists monitoring the human rights and environmental abuses in Sochi
 - [The Sochi Project](#): An amazingly rich (Videos, Photos and Prose) travel diary through the many transformations of Sochi and its region during the build up towards the Olympics.
 - UNEP, [Sochi 2014: Report of the UNEP 2nd Expert Mission 28-30 January](#)
 - Human Rights Watch, '[Russia Flawed trial of environmental activists](#)', 22 June 2012
 - Human Rights Watch, '[Update on Human rights concerns related to Sochi Games](#)', 1 May 2013
 - Human Rights Watch, '[A hazardous environment in Sochi](#)', 1 November 2013
 - Human Rights Watch, '[Olympic Construction devastates Sochi Village](#)', 30 December 2013
 - WWF, '[Mistakes of Sochi](#)'
 - WWF, '[UN Mission to Sochi failed to build dialogue between public and Sochi-2014 organizers](#)', 22 October 2010
 - Greenpeace, '[Russia fails to fulfill Zero Waste commitments for the Sochi Olympics](#)', 21 March 2013,
 - The Guardian, '[Sochi environmentalist jailed for three years for spray-painting a fence](#)', 12 February 2014
- The Olympic Charter
 - The Olympic Charter: http://www.olympic.org/Documents/olympic_charter_en.pdf