

## **Report of infringements of the IOC Code of Ethics committed by the International Fencing Federation (FIE) during the FIE Congress held in Lausanne on 26 November 2022**

### **Legal framework**

The Olympic Charter (OC) is the codification of the Fundamental Principles of Olympism, Rules and Bye-laws adopted by the International Olympic Committee (IOC).

The International Sports Federations are part of the Olympic Movement and subject to the supreme authority and leadership of the IOC (OC Rule 1.1 and 1.2). Further, the International Sports Federations are bound by the provisions of the OC and shall abide by the decisions of the IOC (OC Rule 1.4).

According to OC Rule 25, the statutes, practice and activities of the International Federations within the Olympic Movement must be in conformity with the OC.

The IOC Ethics Commission is charged with defining and updating a framework of ethical principles, including a Code of Ethics, based upon the values and principles enshrined in the OC of which the said Code forms an integral part (OC Rule 22).

The IOC Code of Ethics include “Basic Universal Principles of Good Governance within the Olympic Movement”. All members of the Olympic Movement shall adopt these Basic Universal Principles of Good Governance and reflect these standards in their respective rules, regulations, policies and operations.

The Basic Universal Principles of Good Governance within the Olympic Movement include, among other principles, the following principles:

#### *Democratic processes*

- All members shall have the right to express their opinion on the topics on the agenda.

#### *Awarding of sporting events*

- Sustainable development criteria (human rights, gender equality, environment and legacy) shall be included in the assessment process.

#### *Athletes' rights and responsibilities*

- The right of athletes to participate in sports competitions and within applicable rules (including competition laws) shall be protected.

- No form of discrimination on whatever grounds, be it race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status, shall be tolerated.

The International Fencing Federation (FIE) is an International Sports Federation and part of the Olympic Movement. Further, according to the Statutes of the FIE, the FIE recognises the fundamental principles of the OC, the Code of Ethics of the International Olympic Committee and the competence of the Commission of Ethics of the International Olympic Committee.

## **The infringements**

1.)

The FIE organized its Ordinary Congress on 26 November 2022 in Lausanne. On the agenda was the item to vote to award the World Championships for juniors and cadets 2024. There was only one organizer to vote for: the Saudi Arabian Fencing Federation.

The President of the Swedish Fencing Federation, Otto Drakenberg, asked for the floor to highlight some concerns regarding the organization of World Championships in Saudi Arabia:

- LGBTQ people in Saudi Arabia face repression and legal challenges, how will the safety and protection of LGBTQ fencers be guaranteed?
- Women in Saudi Arabia experience discrimination, how will the safety and protection of female fencers be guaranteed?
- Saudi Arabia is at war, how will the safety and protection of the fencers be guaranteed?

The concerns raised by President Drakenberg are all valid and should be included in the assessment process before a decision is made to award the Championships to Saudi Arabia. It can be argued that this is even more important in the current situation, when it is a juniors and cadets World Championship. President Drakenberg proposed that the decision to award the Championships should be transferred from the Congress to the FIE's Executive Committee (Comex), who should be responsible for taking an informed decision or finding a replacement.

If you click on the link you come to a film of approximately 3 minutes from President Drakenberg's speech: <https://vimeo.com/776720685/5937c0c5db>

As you can see on the film, President Drakenberg was immediately interrupted and disrupted by many of the delegates. The delegates tried to prevent President Drakenberg from expressing his opinion. Further, President Drakenberg did not get any help from any of the other delegates or from the members of the FIE's Comex. On the contrary, FIE's Vice-President Abdelmoneim Elhamy L Hussein joined the delegates in trying to silence President Drakenberg. But this did not stop President Drakenberg from continuing his speech. Bravely and persistently, President Drakenberg managed to say most of what he had intended to say and to put forward his proposal. I believe this was only due to President

Drakenberg's personal qualities and stamina. Had the speech been held by someone else, the FIE would most likely have succeeded in silencing the speaker.

The way President Drakenberg was treated by the FIE at the Congress in Lausanne on 26 November 2022 is a clear infringement of the Basic Universal Principle of Good Governance according to which all members shall have the right to express their opinion on the topics on the agenda. In my opinion, the case is so clear that the film from President Drakenberg's speech could be used for educational purposes as a description of what an infringement of the right to express an opinion looks like.

2.)

The FIE decided to award the World Championships for juniors and cadets 2024 to Saudi Arabia without assessing sustainable development criteria. And this was done in spite of the fact that Saudi Arabia's track record on human rights and gender equality can be challenged.

As indicated above, women in Saudi Arabia experience discrimination and LGBTQ people in Saudi Arabia face repression and legal challenges. According to the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), Saudi Arabia impose the death penalty for same-sex relationships. Saudi Arabia has also a history of handing out the death penalty to minors.

The FIE's decision to award the World Championships to Saudi Arabia without assessing sustainable development criteria, such as human rights and gender equality, is an infringement of the Basic Universal Principle of Good Governance, prescribing that sustainable development criteria (human rights, gender equality, environment and legacy) shall be included in the assessment process when awarding sporting events.

Female and LGBTQ fencers will not be able to travel to Saudi Arabia to participate in the World Championships without running the risk of being discriminated and facing repression, legal challenges and even the death penalty. Accordingly, the FIE's decision implies discrimination of fencers on the ground of sex and sexual orientation. Further, the decision implies the failure of the FIE to protect the right of all fencers to participate in the World Championships. Accordingly, the FIE's decision to award the World Championships to Saudi Arabia is an infringement of the Basic Universal Principle of Good Governance also on the grounds that the right of athletes to participate in sports competitions shall be protected and that no form of discrimination on whatever grounds, be it race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status, shall be tolerated.

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