



**Athleten
Deutschland e.V.**

Qualification for and Participation in the Olympic and Paralympic Games

Ensure Safety and Fulfill Duty of Care

Preliminary Note

The corona pandemic continues to pose an unprecedented challenge to humanity. New mutations of the coronavirus are spreading worldwide, and the vaccination effort is progressing slowly. Olympic and Paralympic elite sports are not exempt from the impact of the pandemic: Qualifying competitions and the Olympic and Paralympic Games themselves are taking place at a time of acute risk of infection.

The ban on foreign spectators entering the country for the Tokyo Games was the right decision. Health protection must take top priority. The Games must not be allowed to become a global superspreading event. The pandemic makes a festival of encounter impossible.

The possibility of an infection poses great risks for all participants and it is likely that infections will occur in both the qualification and tournament phases of the Olympic and Paralympic Games. This has recently been demonstrated at the European Athletics Championships in Torun, Poland, and at the Fencing World Cup in Budapest, Hungary, with a high number of infections among athletes.

Many athletes are anxious. They are under enormous pressure. The IOC and the international federations must therefore swiftly and convincingly explain how qualification tournaments and the Olympic and Paralympic Games can take place safely. Athletes must not be forced into a dilemma where they have to weigh their participation against their health and the health of others. Athletes expect that the hosts and sending federations will take all measures and spare no expense or effort to protect the health of the local population and all those who participate in the qualifying competitions, the Olympic and Paralympic Games.

Below we outline

- 1) basic requirements for the IOC and the German Olympic Sports Confederation (DOSB) as sending NOC,
- 2) our expectations of the federations regarding the qualifying competitions, and
- 3) minimum requirements for future versions of the [IOC Playbook](#).¹

1. Basic Requirements for the IOC and the DOSB²

A transparent communication process between the athletes, their representatives and the IOC must be guaranteed at all times. In this way, concerns can be addressed in the run-up to the Games and, if necessary, resolved. The IOC Executive Board must report transparently on how any concerns are reflected in decision-making and scenario planning. Only through comprehensive and comprehensible reporting can the viability of the concepts be assessed. Such an approach would also significantly increase the confidence of athletes and the public in the organizers' sense of responsibility in times of a global pandemic.

In this context, we refer to the three core principles of participation, transparency and accountability. We had already [called](#) for adherence to these principles in the further planning of the postponed Games in an international conference call with the IOC Athletes Commission in March 2020. In addition to transparent

¹ The IOC has published a playbook outlining the safety and hygiene measures for the various participating groups, including athletes. The playbook will be continuously updated and repeatedly presented to athletes and other stakeholders in this process.

² The requirements described below apply equally to IPC and the German NPC.

communication, participation in the decision-making process should be guaranteed. Athletes and their representatives are experts. Their knowledge should be used when designing safety and hygiene concepts. Decisions that directly and indirectly affect them must be based on their feedback. Independent athletes' associations representing Olympic and Paralympic athletes must also be involved on an equal footing. Feedback must be made publicly available and visible. The IOC must report transparently on how athletes' feedback has been incorporated into decision-making.

It seems that not all participating athletes will be vaccinated by the time of the Games. Some countries, such as Hungary, prioritize athletes, while in other countries vaccination campaigns have not even begun. These differences lead to globally unequal training and competition conditions. In Germany, the vaccination campaign has been slow so far. At-risk groups and essential services personnel are currently prioritized, and rightly so. Athletes generally agree with the current vaccination prioritization, as confirmed lately by a DOSB [survey](#), conducted in February 2021. From our point of view, however, there is a need for a general discussion as to whether athletes who represent Germany internationally should be vaccinated as soon as the currently prioritized groups have been vaccinated. Taking into account training cancellations and the pending qualification competitions, there is not much time left. In the event that athletes are vaccinated before the Games, a vaccination strategy for athletes must in place and carefully prepared by then.

In addition to vaccinations, strict and highly effective safety and hygiene concepts will be further components in reducing the likelihood and sources of infection. Against this backdrop, we see far-reaching potential for improvement in the current version of the IOC Playbook for Athletes (see below). Overall, it is unlikely that infections can be completely avoided. The IOC must therefore communicate transparently under which conditions the Games can and cannot take place. "Red lines" must be communicated at an early stage. We ask that the risk of a large number of infections, severe courses of disease and even deaths have to be assessed and communicated transparently. The procedures to be followed in such cases must be clear.

Consequences must be defined for crossing red lines. Responsible planning should consider all possible scenarios; alternative scenarios should therefore not be categorically ruled out in advance. There must be indicators that can be used to evaluate the risk situation for the staging of the Games. This applies to both the preparation for and the duration of the Games. There should be a panel of experts to monitor these indicators. This committee should report regularly to the public and to the athletes on the current status of the danger situation.

The risks associated with participation in the Olympic Games cannot be completely excluded from the outset. However, participation in the Games and the qualifying events should not be entirely at the athletes' own risk. Therefore, athletes should not sign any liability waivers releasing the organizers and other parties from any liability in case of illness or death. Liability and insurance issues must be clarified and communicated transparently and at an early stage. Would a proven infection during the Games be classified like a work-related accident or a work-related infection? Are all eventualities, such as a permanent reduction in earning capacity, covered by the athletes' insurance in the case of severe courses of disease and irreparable damage apart from medical costs? Who is liable in such cases? Who is liable for damages after possible breaches of duty by organizers?

The IOC, the International Sports Federations, the NOCs, and the organizers have an obligation to protect the health of the public, the athletes, and all other participants. This obligation should manifest itself in a set of rules and regulations, just like it does for all the other stakeholders involved.

Although the responsibility for the preparation and execution of the Olympic Games lies with the IOC, we ask the DOSB to provide the German delegation with an assessment of the safety and hygiene concept in Tokyo based on an independent and external review. Athletes should be able to make fully informed decisions.

2. Expectations of the Federations Regarding the Qualifying Competitions

Athletes and athletes' representatives have contacted us with questions and concerns about hygiene and safety concepts at competitions abroad. They are often insecure whether the hosts fully comply with the safety and hygiene requirements. Under no circumstances should federations put athletes in a dilemma where they have to choose between competing and protecting their health and the health of others. Accepting such a situation would be a breach of duty.

It is the responsibility of the IFs to ensure safe qualification competitions, including safe environments, for all athletes with a chance to qualify for the Olympic and Paralympic Games. Their hygiene and safety concepts must meet the highest standards. In a [letter dated March 9, 2021](#), Athleten Deutschland suggested to the German federations that the [DOSB's hygiene standards certified by TÜV Rheinland](#) be used as a benchmark for reviewing foreign concepts and, in the event of deficiencies, that appropriate adjustments be requested. A risk assessment based on the examination of the hygiene and safety concepts should be communicated to the athletes and the respective athletes' representatives.

In addition, the athletes must be informed about the protection against risks. For example, the exact procedure in case of infection and/or quarantine must be clearly regulated - as well as questions regarding the subsequent financial, sporting and health risks. In the event of an infection, athletes should be offered comprehensive psychological support in addition to provided medical care.

It must also be ensured that the organizers and hosts of the competitions fulfill their duty of care for the athletes. If athletes are to sign waivers in which they renounce any liability and recourse claims against the parties involved in the event of infection or even death, such declarations must be reviewed by experts immediately. The athletes and the respective athletes' representatives must be informed accordingly.

If national federations feel uncertainties and/or cannot handle the situation on their own regarding the qualification tournaments, we urgently recommend that the DOSB set up a central and competent taskforce so that everything can be done from the German side to ensure the safety of the athletes. This unit could not only help the federations, but also clarify the athletes' uncertainties, open questions, and problems in partnership with Athleten Deutschland and the athletes' representatives. The IOC should also ensure that the safety and hygiene concepts of the IFs meet the highest and comparable standards and lend a helping hand in case IFs feel uncertainties and/or cannot handle the situation on their own.

Athletes who choose not to participate due to reasonable safety concerns or who are unable to participate due to quarantine measures or a positive test should be given an alternative opportunity by their NOC or IF to qualify by providing the necessary proof of performance. If qualifying events have to be cancelled

altogether due to the pandemic, fair and comprehensible criteria for nomination should be developed together with the athletes or their representatives.

3. Minimum Requirements for Future Versions of the Playbook

3.1 Travel, Accommodation, Preparation and Competitions

The playbook should include detailed descriptions of safety measures for training, travel, competition and accommodation for each discipline. The details of the arrival process and possible specifications for isolation and “bubble concepts”, in the sending country and upon arrival in Japan, must be outlined. Athletes should be able to maintain their regular pre-competition preparation and training routines within these safety measures. In particular, the premises should be spacious enough to allow sufficient distance to be maintained. The discipline-specific knowledge of athletes needs to be tapped when planning the measures. The capacities in the competition and training venues should be planned in such a way that compliance with all safety precautions, especially social distancing, can be ensured at all times.

When traveling, especially within Japan, public transportation should only be used as an absolute exception. Athletes should also be accommodated in single rooms with private bathrooms. Any indoor spaces where athletes and participants stay should be evaluated for effective ventilation and equipped with the necessary technical devices for ventilation.

3.2 Masks

There should be uniform standards for the masks worn during the Games to ensure the highest level of protection. The organizers should provide the participants with these masks. As a minimum, the masks must be certified for medical use.

3.3 Testing

Rigorous testing, at least once a day, is an important part of the safety strategy. Athletes should be able to be tested at any time. Testing stations should be accessible in direct proximity to their accommodation. Travel and transportation to a testing station should not expose athletes to unnecessary danger. The capacities of the testing stations should be planned and coordinated from the outset so that athletes can take their tests at a fixed time without waiting.

According to the playbook, athletes will not be allowed to continue participating in the Olympic or Paralympic Games after a positive test. In any case, a positive test result should be clearly verified by further testing. Protocols for interpretation of test results in complex or ambiguous cases, developed by the Results Advisory Expert Group, should be publicly available. The results of the interpretation in such a case should be explained to the athletes in an understandable and comprehensible manner.

3.4 Contact Tracing

Contact tracing should be ensured via digital tools or wearables and dedicated staff. The organizers should provide the athletes with the technical devices for contact tracing. Athletes should be fully informed about the functions and data processing procedures of these tools. They should be fully informed about how their

data will be processed - by whom, where, and for how long. There should be one or more persons for each delegation who are solely responsible for contact tracing.

3.5 Medical Care and Examinations

Athletes who test positive should have access to necessary and close medical care that meets the highest international standards in the fight against COVID-19 infections. It should be ensured that sufficient qualified medical staff is available, including in case of a superspreader event and/or an accumulation of severe courses of infection. Medical evacuation plans must be in place. Regular medical care unrelated to COVID-19 must be maintained at all times. An offer of psychological support must be in place in the event of a positive test or quarantine measure that potentially jeopardizes participation in the Games.

3.6 Possibility of Postponing Competitions at Short Notice

In the event that a close contact forces several athletes of a competition to be quarantined, there should be the possibility to postpone competitions at short notice during the Olympic or Paralympic Games. For this purpose, detailed scenarios should be worked out in advance in cooperation with the IFs for the respective discipline-specific requirements.

3.7 Sanctions

Athletes may be sanctioned for violating the Playbook's code of conduct and, in the worst case, may be excluded from the Games. The Playbook does not currently list which and how rule violations will be sanctioned. It also does not describe a procedure in which athletes can present their views after an alleged violation. These questions should be answered in the next playbook by rules of procedure and a detailed list of sanctions.

3.8 Liaison Officers

According to the Playbook, each NOC appoints a Liaison Officer as a contact person for all questions concerning hygiene and safety regulations. In our view, the number of liaison officers per delegation should be based on a set ratio depending on its size. It must be ensured that there will be sufficient capacity to clarify questions and problems.

3.9 Delegations

The size of delegations should be reduced so that only persons who are responsible either for the direct sport-related, medical, psychological, or organizational support of the athletes or for the compliance with safety and hygiene standards and contact tracing travel to Tokyo. Delegation members who have a purely representative function should not go to Tokyo.

About Athleten Deutschland e. V.

Athleten Deutschland e. V. was founded in 2017 to give athletes competing for Germany a real say for the first time in history. The association is committed to fundamental changes in the German and international sport system. The athletes' protection, the perspective and the effective co-determination of the athletes are always in the centre of our attention.

Together with our members, we fight for world-class conditions that give them the opportunity to develop their sporting and personal potential. We stand up for fair and clean sports, free of abuse and violence, manipulation and mismanagement. To fulfil our mission, we collaborate with various actors from politics, business, science and civil society, as well as with like-minded partners in Europe and the world.

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