

Free Tibet (just not in the IOC's time), Justine Nolan

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With less than 100 days to go until the opening of the Beijing Olympics, the true colours of the International Olympic Committee are rising to the fore. The Olympic symbol of the multicoloured five concentric circles appears to be dominated by red in keeping with Chinese tradition.

Last month, while addressing the Association of National Olympic Committees meeting in Beijing, IOC President Jacques Rogge stated that "freedom of expression is a basic human right" but saw no inconsistency in proclaiming the supremacy of Rule 51.3 of the Olympic Charter, which states: "no kind of demonstration or political, religious or racial propaganda is permitted in any Olympic sites, venues or areas."

The ongoing Olympic torch debacle and cyclist Cadel Evan's recent airing of his "Free Tibet" shirt during a race in Belgium appears to have motivated the IOC to revive the flagging Rule 51.3. It seems in their eagerness to preserve the universality of the Olympic Games, the IOC is willing to sacrifice the universality of human rights.

The human right to freedom of opinion and expression is enshrined in international human rights documents and the protection of such a right is commonly seen as the cornerstone of a democratic society.

Freedom of opinion and expression can take many forms encompassing verbal, artistic, written and physical expression. It recognises the individual's right to seek, receive and impart information and ideas through any media, regardless of frontiers. The Chinese government has long been recognised as limiting this right and the IOC appears to endorse that government's limited view by arguing that any attempt by athletes to freely express their opinions during the Olympics must of course "comply with the laws of the host state".

IOC President Rogge helpfully added that "... athletes are mature and intelligent people. They will know what they can say or not say. If they have doubts, the IOC ... is here to guide them". Freedom of expression IOC-Chinese style.

In theory, freedom of expression is provided for in Article 35 of the Constitution of the People's Republic of China which states "Citizens of the People's Republic of China enjoy freedom of speech, of the press, of assembly, of association, of procession and of demonstration". However reports by organisations such as Amnesty International, Human Rights Watch and Reporters without Borders, have in recent years exposed the iron fist with which the Chinese government interprets this provision.

The Internet and telecommunications devices are subject to surveillance. Typically, article postings, blogs and websites considered "sensitive" are blocked, deleted or closed down.

In December last year, the Beijing Municipal government released a notice stating that individuals who sent mobile phone text messages that "propagate and spread rumours" and "endanger public safety" would be investigated and held legally liable by the Beijing Public Security Bureau. Athletes recording their thoughts via blogs or email exchanges during the Olympics should be aware of the limited scope of freedom of expression in the host country.

In China, legislation restricting Internet content and dictating surveillance activities of service providers has been used to imprison and intimidate human rights defenders and journalists and stifle attempts by citizens to participate in political debate.

In April 2005 a Chinese journalist Shi Tao, received a ten-year prison term for leaking "state secrets" to a website in the US, using his Yahoo email account. He had posted on the Internet a summary of a government order instructing the media on how to handle the upcoming anniversary of the crackdown on the 1989 pro-democracy movement.

The IOC will not need to invest in extra personnel to monitor athlete's behaviour to ensure consistency with Rule 51.3 during the Olympics as there are reportedly thousands of Internet police monitoring cyberspace in China. The IOC is mistakenly interpreting the Olympic motto of "Citius, Altius, Fortius" meaning "Swifter, Higher, Stronger" to legitimise more frequent and overt efforts to crack down on an athlete's freedom of expression during the Games. Free Tibet, says the IOC, just not in our time.