



OLYMPIC SPORT DOES NOT BAN RUSSIAN AND BELARUSIAN ATHLETES (ALTHOUGH THERE MAY BE SIGNS OF CHANGE)

Abstract - On February 24, 2022, a few days after the Closing Ceremony of the Beijing 2022 Winter Olympic Games and before the Opening Ceremony of the Paralympic Games an armed conflict has started between Russia and Ukraine which was immediately followed by the condemnation of the International Olympic Committee (IOC) for failure to comply with the Olympic truce. Shortly thereafter, the Executive Board (EB) recommended preventing Russian and Belarusian athletes from participating in international events to protect the integrity of sporting competitions and the safety of participants and, where this is not possible, to take all precautions to prevent those athletes from competing under the symbols of their nations. Given the exceptional circumstances that led to this recommendation, it was reiterated that for fairness no sanctions should be imposed on athletes, except in cases of active behavior in the decisions of their respective governments. On March 3, the International Paralympic Committee (IPC) has announced the non-admission of Russian and Belarusian athletes to the Beijing 2022 Paralympic Games. It will be concluded that, although these are decisions formally linked to reasons for the protection of athletes and competitions, they are not adequately accompanied by justifications that recall the principles of Olympism and may not be effective as a means of promoting peace.

Keywords: Olympism; Russian athletes banned; participation.

O ESPORTE OLÍMPICO NÃO PROÍBE ATLETAS RUSSOS E BIELORRUSOS (EMBORA POSSA HAVER SINAIS DE MUDANÇA)

Resumo - Em 24 de fevereiro de 2022, poucos dias após a Cerimônia de Encerramento dos Jogos Olímpicos de Inverno de Pequim 2022 e antes da Cerimônia de Abertura dos Jogos Paralímpicos, iniciou-se um conflito armado entre a Rússia e a Ucrânia que foi imediatamente seguido pela condenação do Comitê Olímpico Internacional (COI) por descumprimento da trégua olímpica. Pouco tempo depois, o Conselho Executivo (CE) recomendou impedir que atletas russos e bielorrussos participem de eventos internacionais para proteger a integridade das competições esportivas e a segurança dos participantes e, quando isso não for possível, tomar todas as precauções para evitar que esses atletas compitam sob os símbolos de suas nações. Dadas as circunstâncias excepcionais que levaram a esta recomendação, reiterou-se que, por justiça, não devem ser impostas sanções aos atletas, exceto em casos de comportamento ativo nas decisões de seus respectivos governos. Em 3 de março, o Comitê Paralímpico Internacional (IPC) anunciou a não admissão de atletas russos e bielorrussos aos Jogos Paralímpicos de Pequim 2022. Conclui-se que, embora sejam decisões formalmente vinculadas a motivos de proteção de atletas e competições, não são adequadamente acompanhadas de justificativas que lembrem os princípios do Olimpismo e podem não ser eficazes como meio de promoção da paz.

Palavras-chave: Olimpismo; atletas russos banidos; participação.

EL DEPORTE OLÍMPICO NO VETA A LOS ATLETAS RUSOS Y BIELORRUSOS (AUNQUE PUEDE HABER SEÑALES DE CAMBIO)

Resumen - El 24 de febrero de 2022, pocos días después de la Ceremonia de Clausura de los Juegos Olímpicos de Invierno de Pekín 2022 y antes de la Ceremonia de Apertura de los Juegos Paralímpicos, se inició un conflicto armado entre Rusia y Ucrania al que siguió inmediatamente la condena del Comité Olímpico Internacional. (COI) por incumplimiento de la tregua olímpica. Poco después, el Comité Ejecutivo (EB) recomendó evitar que los atletas rusos y bielorrusos participen en eventos internacionales para proteger la integridad de las competencias deportivas y la seguridad de los participantes y, cuando esto no sea posible, tomar todas las precauciones para evitar que esos atletas compitan bajo los símbolos de sus naciones. Dadas las circunstancias excepcionales que dieron lugar a esta recomendación, se reiteró que por equidad no se deben imponer sanciones a los deportistas, salvo en los casos de conducta activa en las decisiones de sus respectivos gobiernos. En 3 de marzo, el Comité Paralímpico Internacional (IPC) ha anunciado la no admisión de atletas rusos y bielorrusos a los Juegos Paralímpicos de Beijing 2022. Se concluirá que, si bien se trata de decisiones formalmente vinculadas a motivos de protección de los deportistas y de las competiciones, no se acompañan adecuadamente de justificaciones que recuerden los principios del olimpismo y pueden no ser eficaces como medio de promoción de la paz.

Palabras-clave: Olimpismo; atletas rusos prohibidos; participación.

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This document is especially dedicated to all people, including athletes, who suffer from conflict and discrimination and from a lack of peace and justice. A special thought goes to our friend and fellow student, Sonia Kokhanska (UKR) and to our dear friend Benito Cordonnier (F) who welcomed Sonja and her family to France. Long live friendship, long live the community, long live peace and long live Olympism.

Introduction - An unprecedented case

This introduction deals with outlining the framework in which the decisions of the IOC and the IPC have matured, through a comparison with past events. It will be concluded that we are facing an unprecedented situation in the history of the modern Olympics.

Following the recommendations of the IOC, the International Federations (IF), such as football¹, tennis², and basketball³, have implemented the suspension of teams and athletes from Russia and Belarus. Furthermore, UEFA has cut off relations with Russian trading partners⁴ as a probably inevitable effect of the simultaneous action of the International Community* aimed at isolating the Russian economic system⁵. We then witnessed a series of actions, from the non-recognition of Russian and Belarusian athletes representing their respective nations, to granting them the opportunity to compete as athletes in neutral teams (without flags, symbols and anthems of their own state), including the initial declaration of eligibility for the Paralympic Games under the flag of the International Paralympic Committee (IPC)⁶, until their definitive exclusion from the Paralympic Games (PGs)⁷. In its recommendations, the IOC states, “Give peace a chance (w.p)” and “The IOC EB welcomes and appreciates the many calls for peace by athletes, sports officials and members of the worldwide Olympic Community. The IOC admires and supports in particular the calls for peace by Russian athletes (w.p)”⁸.

The positioning of the Olympic Movement (OM) is stated in the OC in the Fundamental Principle n° 5 (FP5) and in task n° 5 of the IOC which claims to maintain and promote political neutrality⁹.

The list of previous cases in which National Olympic Committees (NOCs) were prevented from participating in the Olympic family is very short: Germany, Austria, Hungary, Turkey and Bulgaria, nations that had lost World War I, were not invited to participate in the 1920 Olympics; Germany repeated its experience in 1948 this time together with Japan¹⁰. In 1964 it was the turn of the athletes who had participated in The Games of the New Emerging Force (GANEFO), events which had been organized outside the programs of the official IFs affiliated to the IOC and held in Indonesia in 1963. Their intention was clearly to integrate political aspects into sporting events, which is in contrast

*International community: it is a vague and subjective phrase used in geopolitics and international relations to refer to a nebulous group of people and governments of the world.

with the OC¹¹. In 1964 South Africa was excluded from OGs due to the effects of Apartheid on the practice of sport¹² and in 1972 the same fate befell Rhodesia¹³. In 2000, Afghanistan was excluded for the discrimination practiced by the Taliban against the sporting practice of women¹⁴. In 2020 the Russian Olympic Committee was suspended for being involved in organized doping practices and falsification of samples and analysis reports¹⁵. In 2021, the IOC suspended the North Korean Olympic Committee¹⁶ for not having sent its own delegation to Tokyo 2020 with the justification of being able to prevent the pandemic from affecting its athletes, not respecting rule 27.3 which indicates the duty of each NOC to participate in the OGs⁹.

Among all the cases mentioned above, those that could be based on predominantly non-sporting reasons are only those of the countries defeated in the world wars, in a kind of punishment of the vanquished¹⁷. The NOC of North Korea was instead excluded for non-compliance with the OC even if the case may have originated from tension with the United States and other countries¹⁸.

All other cases are clearly linked to non-compliance with sporting rules, such as the clear separation of sport and politics, actions to combat doping and discrimination that damage the right to practice sport enshrined in the Fundamental Principle (FP) n° 4 of the OC⁹.

Paralympic sport has its only precedent in the suspension of the Russian National Paralympic Committee (RNPC) for its inadequacy in combating doping and not complying with the provisions of the World Anti-Doping Code¹⁹. After the rejection of the appeal to the CAS, Russian Prime Minister Dmitry Medvedev argued that the punishment was due to the desire of some leaders of the Paralympic movement to exclude strong contenders and that it was a serious blow to all people with disabilities, not just for the Russians. Furthermore, the head of the Russian parliamentary sports commission, Dmitry Svishchev, considered the decision inhumane as it affects athletes who should instead be respected and honored for their efforts and commitment²⁰⁻²². The IPC, which regretted its own conscious decision not even allowing the admission of individual Russian Paralympic athletes²³, subsequently rehabilitated the RPC on the basis of compliance with the criteria established for its readmission, appreciating its significant reforms²⁴.

To conclude this brief historical analysis, it should finally be pointed out that the Organizing Committees of the Olympic Games (OCOG) in 1920 and 1948 failed to “[...] invite all countries in general and in the first place those which established National Olympic Committees (p. 10)”²⁵, which is not formally equivalent to the declaration of their suspension, which would require a motivation. Furthermore, the obligation of NOCs to send athletes (without invitations to be made) was introduced into the OC only after many decades²⁶. The OCOG, on the other hand, still has the duty to send invitations to NPCs and “Nobody is entitled to any right of any kind to participate in the Paralympic (Winter) Games (p. 31-32)”²⁷.

Therefore, no NOC or NPC has ever been explicitly excluded in the past based on non-sporting decisions.

Sport for the development of peace

This chapter deals with the role of Olympism on the international stage in promoting peace. It will be concluded that the strong links between the different economic, political and social systems entail greater involvement of the OM in decisions aimed at realizing its mission.

The decision to “[...] decline athlete entries from RPC and NPC Belarus for Beijing 2022 (w.p)”⁷ and their absence in the PG, and solidarity with the athletes of the attacked countries, concretizes an unprecedented positioning of the OM in the context of an international conflict.

While the historical investigation already reported allows us to affirm that it had never happened before, neither for the IOC nor for the IPC, that a national committee was officially banned for non-sporting reasons, it is necessary to verify the case we are dealing with.

Three main themes will be considered: the evolution of OM involvement in global society; freedom of expression for athletes; the actual words used to exclude athletes contained in the official statements of the IPC president and other leaders of sports organizations. The latter aspect in particular will be analyzed to see if there is a new approach on the horizon.

IOC within the United Nations

The highest level of the international community, the United Nations General Assembly, in 2009 recognized the IOC as a permanent observer²⁸ and demanded that the Olympic ideal be at the service of building a more peaceful and a better world²⁹. The recognition of the role of sport for development and peace followed in 2014³⁰.

Historical analysis suggests the failure of sovereign states ‘actions when they interfered with the smooth running of the Olympics, boycotting them for political reasons, as well as the failure of regimes’ attempts to promote sport to emphasize their power.

Here are the statements of the president of the IOC Thomas Bach himself, during an interview on the occasion of the 40th anniversary of the Moscow Games: “[...] a sports boycott serves nothing. It’s only hurting the athletes, and it’s hurting the population of the country because they are losing the joy to share, the pride, the success with their Olympic team (w.p)”³¹.

There has been a clear failure of diplomacy in its attempt to use sport for its own political purposes, including a lack of effective alternative ideas and tools³².

Even in these days diplomacy has not been able to prevent the start of a conflict, moreover during an Olympic truce that had been established with the consent of the 193 members of the United Nations just a few months earlier³³, certifying the lack of truly effective tools in safeguarding a prevailing common interest.

Below is a list of critical issues at the international level, which should be taken into consideration by the OM in its mission to promote peace:

- the UN Security Council did not formally condemn Russia, due to the Russian and Chinese veto³⁴;
- UN resolutions against Russia to stop the illegal use of force were not voted by a total of 40 Asian and African countries, respectively 5 against and 35 abstentions^{35,36†};

†Full list of countries that voted against (in brackets its population in millions of people): Belarus (9,399), Eritrea (6,081), North Korea (25,78), Russia (144,1), Syria (17,5); Abstained: Algeria (43,85), Angola (32,87), Armenia (2,963), Bangladesh (164,7), Bolivia (11,67), Burundi (11,89), Central African Republic (4,83), China (1402), Congo (89,56), Cuba (11,33), El Salvador (6,486), Equatorial Guinea (1,4), India (1,38), Iran (83,99), Iraq (40,22), Kazakhstan (18,75), Kyrgyzstan (6,592), Laos (7,276), Madagascar (27,69), Mali (20,95), Mongolia (3,278), Mozambique (31,26), Namibia (2,541), Nicaragua (6,625), Pakistan (220,9), Senegal (16,74), South Africa (59,31), South Sudan (11,19), Sri Lanka (21,92), Sudan (43,85), Tajikistan (9,538), Tanzania (59,73), Uganda (45,74), Vietnam (97,34), Zimbabwe (14,86). Overall total of 2.838 billion people.

- the European Community, which intends to implement the economic isolation of Russia, suffers from its dependence on the energy supply from the very country it would like to isolate, and cannot afford to give it up and compromise the economic instruments that allow it to pay for the resources it needs³⁷;
- Ukraine's request to join the European Community³⁸, involves a process that takes a long time³⁹;
- NATO is unable to intervene directly or to declare and impose a no-fly zone invoked by Ukraine⁴⁰ in order not to incur a direct confrontation with the Russian aviation and the risk of an uncontrollable military escalation⁴¹;
- US⁴², EU⁴³, UK⁴⁴ and G7 nations intend to use all financial, individual, industrial and transportation options to induce Russia to cease fire⁴⁵. Media reports of numerous additional sporting⁴⁶ and cultural restrictions targeting Russia⁴⁷ to cause the loss of internal support for its government.
- The urgency of addressing the numerous commitments of the United Nations that draw worldwide attention to sustainable development and to make human rights effective when trampled on. The demand for human rights is growing in many areas of the planet and no specific condition of the human being, much less that of athletes engaged in a competition, should prevent individuals from being active in their promotion. All the more so since the right to practice sports is enshrined only in FP4 of the Olympic Charter⁹ while the United Nations Charter of Rights enunciates it in a list of equal dignity with many other activities that human beings should be able to play freely⁴⁸. The UN themselves invoke sport as an instrument of mutual understanding and promotion of peace⁴⁸ which, to become effective, requires specific education in understanding positive and negative examples of compliance with adequate rules^{49,50}.
- The United Nations Office for Sport for Development and Peace (UNOSDP) program provides for the promotion of culture, ethics and legality⁵¹. Criticisms remain on the actual implementation of these programs⁵² and on the concrete possibility that many events are just 'sportwashing' opportunities for their host country⁵³. Russia has built dual-mandate ties with sport, with numerous 'oligarchs' holding top positions in international sports federations⁵⁴ and with the Russian

president himself who was honorary president of the International Judo Federation, until its suspension after the start of the conflict⁵⁵.

The recognition of the decisive role of sport on non-sporting issues derives directly from the UN General Assembly and is consistent with the enunciation of the ambitions of Olympism contained in the Olympic Charter, in particular in FP1 and FP2⁹.

Finally, the globalization process, understood as growing economic interdependence, digitization of information and services, increased circulation of people and intercultural influences, acts in a circular way on changes: the connection between one's business and a complex system requires taking position about what affects overall operation. In particular, digitization increasingly implies the impossibility of staying on the sidelines of problems and therefore the opportunity to lead change, rather than being overwhelmed

We need to change because sport today is too important in society to ignore the rest of society. We are not living on an island, we are living in the middle of a modern, diverse, digital society. If we want to continue to put Olympic Sport at the service of society, which is part of our Olympic Principles, we must engage with this society, we must be in a respectful dialogue with this society. This society is changing faster than ever. This society will not wait for sport to change (w.p).⁵⁶

Media exposure, centrality of athletes and defense of the Olympic brand

This section deals with the society and digital communication and how their globalization requires greater attention to issues that can jeopardize one's reputation. The focus will be on the role and effectiveness of athletes in reaching millions of people by making use of freedom of expression and the opportunities arising from new media.

To compare the situation in a sphere other than sports, we refer to the case of the director of the Munich Philharmonic, the Russian Valery Gergiev, fired for refusing to condemn Putin's invasion of Ukraine⁵⁷.

Was it necessary for the good governance of the philharmonic to ask Gergiev to expose himself?

If every stakeholder could declare not to deal with what is inconvenient for the conduct of its activities or therefore to be disinterested in politics, probably no one would have reason to condemn an act of war and more precisely one of the belligerents. What exactly should politicians deal with in a society that is disinterested or that avoids

expressing itself on political issues by hovering over them with the ability of a tightrope walker?

Returning to the case of the Munich Philharmonic, evidently, even if it does not deal with politics, its management wanted to express the firm condemnation of the war and of Mr. Putin's intentions and the will to act by all means to distance itself, even if this involved removing an artist of undisputed fame for not having publicly abjured the personal political convictions attributed to him as a friend of Mr. Putin.

The example shows that the complexity of the global system derives from the interaction of only potentially independent phenomena, but which have an inevitable connection in the nature of people. For this reason, beyond any declaration of principle, President Bach himself recognized the duty of the OM to “[...] engage with this society (w.p)”³¹.

In its recommendation⁸, the EB of the IOC declares to admire the calls for peace by the athletes, especially the Russian ones. This allows us to introduce the topic of this paragraph which addresses the examination of the actual possibility for athletes to use the visibility given to them by the competition to express their ideas. It will be concluded that although the OC is very restrictive in this regard, the IOC's ambition to put athletes at the heart of the Olympic movement in a changing world result in the rule being interpreted in a more permissive way.

The ability of athletes to express their ideas during OGs has been governed since 1975⁵⁸ by rule 55: “Every kind of demonstration or propaganda, whether political, religious or racial, in the Olympic areas is forbidden (p. 35)”. This rule has changed over time and has become rule 50 of the current OC which, in paragraph 2, states: “No kind of demonstration or political, religious or racial propaganda is permitted in any Olympic sites, venues or other areas (w.p)”⁹.

An example of the steadfastness “to keep the Games free from politics, racialism and commercialism (p. 51)”⁵⁹ is the condemnation of Tommie Smith and John Carlos who raised their fists wrapped in black gloves to show solidarity with oppressed blacks around the world while receiving their medals on the podium of the Olympics in Mexico 1968⁶⁰.

More recently, the IOC has admitted moderate forms of expression on matters relating to the fundamental rights of the human person. The changed interpretation has

been carried over to the “Athlete Expression and its recommendations to the IOC Executive Board (EB) (w.p)”⁶¹. An example of this change, which has reverberated throughout the sporting world, was the possibility of demonstrating in favor of the “Black Lives Matter” campaign, as some football teams participating in the 2020 UEFA national team trophy did with players who kneel at the beginning of the meetings without this implying any sanction⁶². A further change is taking place these days precisely as a consequence of the aforementioned recommendation to athletes to join the solidarity campaign for peace⁸ which calls for their proactive behavior that is not specifically detailed and therefore leaves room for a broader interpretation of rule 50.

As already mentioned, we see athletes’ influence emerging through their own personal branding. It needs to be preserved in a symmetry that allows the stage to be shared equally between sports organizers and the athlete⁶³. Could this reasoning be reversed to justify the exclusion of athletes whose participation could tarnish the Olympic brand, regardless of their personal responsibility, if their image is linked to negative messages?

The already high visibility of athletes and all people involved in sporting events is further increased through social media which have given them the possibility to reach a huge number of users⁶⁴. Through social media, athletes express themselves by influencing perception on very different topics such as “racism, sexism and many other societal ills (p.45)”⁶⁵. On the one hand, the figure of athletes as role models is emphasized by the OM⁶⁶, on the other there is a lack of planned initiatives aimed at their specific training so that they can personify these roles. Their influence on fans is based on personal credibility and aura⁶⁷. The use of athletes as a role model, correlated to the globalization of communication systems and the circulation of people and information, would require targeted intervention precisely because the OM, and especially the IPC, find themselves in the paradoxical condition of suppression and at the same time to promote activism and social responsibility through sport⁶⁸.

IOC stated that athletes are the heart of OM⁶⁹, which means giving priority to protecting their right to participate in a safe and non-discriminatory environment. The IOC’s code of ethics also states that activities related to the Olympic Games must reject any kind of discrimination against people, including their national and social origin⁷⁰. With this aim, what happened in 2012 should be interpreted, when the IOC warned that

there would be sanctions against athletes who refused to compete with other athletes of rival religion or nationality⁷¹. In the same year, the IOC decided that there would be no minute of silence for the commemoration of the Jewish athletes killed in the 1972 Munich terror attack⁷². In 2013, the possibility of proactive behaviors for the promotion of gay rights was excluded⁷³. All this has always been justified in the context of rule 50 whose purpose remains to manage the messages that the OM wants to communicate and avoid intervening on the merits of the problems raised by the athletes, preventing any interference on scheduled tournaments.

Given the great emphasis on communication and the role of athletes' personal image, it is therefore necessary to analyze when it is legitimate to restrict their freedom of expression.

This should only be limited when it is necessary to safeguard an individual or collective interest of equal or greater value. When an athlete participates in a sporting competition, she accepts the relevant regulation. Although the athlete may decide not to compete against a particular opponent and exercise a form of personal freedom, the athlete's choice, when not linked to objective impediments, jeopardizes the integrity of the competition and harms the owners of the event. The latter, to protect their prerogatives, may decide to sanction that athlete for non-compliance with the required code of conduct, and exclude or not invite the athlete to future competitions. A regulation that limits the freedom of expression of an athlete for an ideological presupposition would be an end in itself and not necessary for the proper functioning of the competition. Ultimately it would be an oppressive regulation, the application of which would result in unjust punishment. Therefore, no violation must be foreseen and sanctioned if this does not actually affect the proper functioning of sport and if it relates exclusively to an (ideological) principle constituted by the declared apolitical or political neutrality of Olympism. In this condition we would find ourselves having an unnecessary restriction on the freedom of athletes without protection of any pre-eminent general interest⁷⁴.

So far, making use of neutrality and apoliticality[‡], also implemented by prohibiting athletes from any use of the ceremonial to express themselves on matters not

[‡]For the sake of completeness, reference is made to the fact that some scholars believe that the claim of apoliticality of the OM is not effective. For example, Edwards notes that athletes participate in the Olympics as representatives of their respective NOCs and, through them, represent their own nations, which are also political entities¹¹⁸.

related to sporting purposes, it has been possible to organize international games and tournaments whose participation by NOCs and athletes has been the respect of OC. This has allowed concrete and exemplary opportunities for the union of all peoples in a joyful and overwhelming activity, in an atmosphere of mutual understanding and peace, which is the declared goal of Olympism in FP1⁹.

Despite these results, OM's commitment to neutrality, as already indicated in the previous paragraph, presents critical issues deriving from the attribution of responsibility within the international community: the three dimensions of citizenship, the civil, political and social⁷⁵ seem to be at odds with the possibility of declaring oneself apolitical or politically neutral. Furthermore, as has just been highlighted, the apolitical nature of sport has not proved necessary for the correct functioning of society and therefore can lead to an unjust restriction of the freedom of athletes⁷⁴.

FP1⁹ recognizes education as its pillar: every sporting moment is therefore also an opportunity to make this declaration effective. The risk, mitigated by rule 50, is that of not being able to ascertain that athletes and members of the Olympic Family are at the same time educators capable of personifying "social responsibility and respect for universal fundamental ethical principles (w.p)". FP1 itself would not be compatible with the threat of punishing athletes who decide not to compete for non-sporting reasons attributable to those same universal ethical principles.

This reasoning allows us to introduce how to face the decision of those athletes who, believing they are exercising their individual freedom, withdraw from a competition to avoid specific opponents for non-sporting reasons. Athletes spend years of hard training in seeking balance between heart, mind and will, as established in FP1⁹. The free choice of each athlete or his/her unpreparedness to overcome the personal difficulty of competing with specific athletes for non-sporting reasons are clearly human aspects and therefore should be addressed with an educational program. Athletes from two countries that are politically hostile to each other can feel the discomfort of confronting each other in a sports competition and this could also affect the integrity of the competition. For this reason, the Olympic Values Education Program (OVEP) aims to promote Olympism and in particular the value of friendship: "Friendship is at the heart of the Olympic Movement. It encourages us to see sport as an instrument for mutual understanding between individuals, and between people all over the world (p. 17)"⁷⁶. The failure of Olympic

education and the Olympic family should not be measured by the possibility that some athletes may not feel ready to overcome all difficulties as human beings. But this should not involve giving up acting consistently with the universal principles shared and affirmed in the OC. Therefore, since it jeopardizes the correct functioning of sport and does not implement peace intentions, the behavior of athletes who refuse to compete with specific opponents for reasons of nationality and politics of their respective governments can be sanctioned. However, every effort should be made to reconcile the need for the integrity of competitions, the promotion of values education and an understanding of the challenges of athletes as individuals.

The expression of athletes implies both the possibility that they make an appropriate or instrumental use of the notoriety given by the competition. However, evaluating their messages in coherence with the Olympic ideal, excluding cultural, national and social perspectives and thus exercising a prior judgment of merit, would not be an easy task. A negative example of these days was the exposure of the ‘Z’, associated with the Russian troops, by the gymnast Ivan Kuliak, the athlete believes that, if he had the possibility, he would repeat his gesture⁷⁷. In the absence of an impartial jury to enter into the merits of the gesture and specify the law that Kuliak violated, the gesture could be equivalent to showing a symbol of Ukraine, as both would not be allowed to a non-Ukrainian athlete according to literal interpretation of Rule 50.

The punishment of only athletes who have active behaviors in open contrast with the principles of CO would be mirroring and fully consistent with the sanctions imposed on the so-called Russian oligarchs by many nations. This small circle of wealthy Russians has privileged relations with the government, the economy and politics and has been hit for its specific influence, with two distinct objectives: to punish the Russians in a targeted and not indiscriminate way⁷⁸ and to mobilize all those who can exert their influence against Mr. Putin’s choices⁷⁹. It is paradoxical that while Moscow criticizes the Western ‘system’, it simultaneously uses all the options of the economic market that is a direct expression of it, to acquire enormous and often personal power⁸⁰ at the same time this allows to leverage the government Russian through sanctions on the oligarchs. These include men who hold top positions in International Federations or who have economic empires with assets in professional sport, proof of the existence of cross-links.

Chelsea Football Club, a company with an estimated value of over € 2 billion⁸¹, is part of an asset that was frozen by the UK government⁸² as it was owned by Abramovich, who for decades had very close relations with Mr. Putin^{83,84}.

As in the case of UEFA commercial sponsors, the effective possibility of having relations with economic entities subject to sanctions, not only requires compliance with the law, but also an effective positioning in the system of global equilibrium and international relations.

It should be noted that, in the opinion of the CPR, there is no way to challenge the decision of the IPC although it is considered, again by the CPR, to be based on political reasons and therefore in open contrast with the principles of the Paralympic Movement⁸⁵.

To conclude the analysis of the role of athletes in OM, it is necessary to anticipate some contents that will be explored in the next paragraph. To make it concrete that athlete is the heart of the OM, it would be important to know their point of view and make decisions taking them into account. At least two different positions are assumed: the one mentioned above, that is, of athletes who wish not to compete against Russian and Belarusian athletes; the opposite position, which probably concerns particularly excluded athletes. Have their views been collected? Did they get any reassurance? Having no information, we will try to make assumptions. Although the IOC EB and the IPC have argued that it is not a punishment against the athletes and stems from the actions of their respective governments, the excluded athletes likely perceive themselves to be sanctioned or, for those who internalize the reasons for the decision, to be victims of a situation on which they cannot really intervene. Therefore, the words “The IOC admires and supports in particular the calls for peace by Russian athletes (w.p)”⁸ should have been supplemented by the statement of what should be understood by ‘support’ for athletes who adhere to the invitation. Furthermore, the possibility of being solicited to expose themselves with appeals for peace could put them in front of a dilemma: dissociate themselves from the armed conflict, ask for the recognition of the OM and avoid sanctions they could incur in violating their national laws. All this without any form of protection being promised and guaranteed by the sports authorities, nor aimed at safeguarding their right, enshrined in the Olympic Charter, to practice sports, or to do so safely. At the same time, they are even invited to do something that even the OM is not doing. In the recommendations and decisions relating to their exclusion, in fact, there is no reference

to a call by the respective countries to conduct aimed at the immediate cessation of hostilities and the restoration of peace, nor is there a clear condemnation for non-compliance with the Olympic truce. Furthermore, no mention is made of any form of protection for athletes, including the prevention of psychological, economic and material damage that they may suffer, of any legal protection and of their physical integrity and no reassurance on their effective possibility of continuing to live serenely in their own country after their direct exposure, adhering to the invitation to make appeals for peace. Nor does the claim to take the decision to ensure the safety of the athletes' village appear to be the best protection compared to what might be needed for the excluded athletes. Paradoxically, the only strong words of solidarity towards the excluded athletes came from the representatives of the respective governments⁸⁶ while the athletes will probably not be able to do anything to deal with the situation, as the exclusion is based on reasons of force majeure, and it is not a punishment that at least they could try to contest with arbitration.

Highlights in the IPC decision: towards a new approach?

This paragraph, as the title says, deals with the salient reasons for the decisions of the IOC and the IPC, with precise references to the words used. It will be concluded that the terms and reasons given are ambiguous and this does not allow to exclude that there are other real intentions.

The purely sporting aspects continue to underlie the IPC's decision "[...] to decline athlete entries from RPC and NPC Belarus for Beijing 2022(w.p)"⁷ in response to the threat of teams and athletes not to compete, which would compromise the integrity of the event and would generate safety problems among athletes⁸⁷. This decision makes it possible to prevent athletes from compromising Olympic competitions by refusing to face Russian and Belarusian athletes, as actually happened during the fencing world championships⁸⁸ and in other sporting events. While the IPC safeguards the expectations of a large number of athletes, who do not intend to compete with Russian and Belarusian athletes, at the same time it appears to be acting in open contradiction to the principle of non-discrimination. In fact, while not attributing any responsibility to the athletes for the work of their respective governments, it affects them by preventing them from taking part in competitions, motivating the decision with the difficulty in guaranteeing safety.

Compared to the position expressed in 2012 and 2013 by the IOC, that is to condemn (other) athletes in case of refusal to compete with Russian and Belarusian contenders, it would have probably sacrificed the symmetry and centrality of the athletes who share the world stage with the entire OM. As already mentioned, “[...] the Olympic Movement is united in its sense of fairness not to punish athletes for the decisions of their government (w.p)”⁸.

The words chosen by the IPC for the exclusion of athletes do not allow for different interpretations than those relating to the safety of all athletes. It remains to be asked whether a new strategic positioning of OM is in place or possible in the border space between sport and international politics and whether this could have effects on its independence from politics, on sport and on the possibility for athletes to have proactive behaviors. It involves regulating a multitude of different and unpredictable situations, for which clear and shared guidelines are needed. If it is really a new strategic positioning, it is necessary to understand if it is in continuity and adherence to global socio-political changes, or if it represents a necessary fracture for an effective use of sport as a tool at the service of the international community, as requested by the UN itself.

Meanwhile, the media wrote and said that Russian and Belarusian athletes were banned⁸⁹⁻⁹³, giving the impression whether it is a question of a targeted exclusion of Russian or Belarusian athletes, which should add to the political and economic sanctions established by governments. Some sources of information report the news with less emphasis and more consistently with the actual nature of the IOC decision which, of course, does not intend to affect the athletes. In any case, what is happening sets an important precedent. In fact, Russia and Belarus had already opened a rift with the sports world due to the continuous violations of anti-doping regulations and, according to the researcher of the Arizona State University Dr. Martinez, it is time for a reset aimed at preventing the sport from being in the hands of the highest bidder and removed from the control of those who should have responsibility⁹⁴.

The thesis that Russian athletes have been banned is also supported (in an instrumental and biased way) by the Russian minister of sport Dr. Oleg Matytsin who affirms that the IPC’s decision corresponds to discrimination against athletes on the basis of their ethnicity. For this he condemns the use of sport as a means of political pressure, announcing the appeal to the Court of Arbitration for Sport (CAS). The president of the

IPC Andrew Parsons has instead declared that he has no intention of mixing sport and politics but confirmed that the outbreak of the conflict has led to pressure from many governments with effects on the organization and the outcome of the Paralympic Games for the prospect of withdrawal of the respective delegations. While acknowledging that Russian and Belarusian athletes bear no responsibility, the IPC argues that they are victims of the actions of their governments and security reasons involve choosing to exclude them⁸⁶. The statements by the IPC president also recognize the pressures suffered which, precisely because they have found acceptance, make a form of political condemnation effective. Parsons himself, indirectly, seems to follow a reasoning that suggests to Russian and Belarusian athletes to turn to those responsible for the situation, or their governments, without however providing any information on what would be the dangers affecting the safety of the athletes participating in the games. Therefore, if it were in no way to punish certain athletes for their nationality, the argument of safety could only correspond to being subjected to pressure from governments and the opposition of other athletes to compete.

Recalling that the exclusion from the world scene already declared by the IOC¹⁵ and by the IPC for doping scandals had led to a crisis in Russia's reputation in sport⁹⁵, and that the consequences on the Russian sports world deriving from the decisions of the OM⁹⁶ could hardly be as incisive as economic and political sanctions, they could nevertheless undermine popular sentiment and emphasize the distancing of Russian citizens from their respective rulers. It was precisely the rulers and the 'oligarchs', with their direct involvement in sport, who made it a propaganda tool of a strong and respected nationalist image⁹⁷. Nevertheless, now they are no longer able to exploit this result from sport, as also shown by the case of Abramovic, hit by UK sanctions relating to the ownership of Chelsea Football Club. Foreign Minister Liz Truss said there is no room for Russian oligarchs, Mr. Putin's bloodthirsty accomplices, in the economy and in British companies⁹⁸.

FIFA and UEFA have suspended Russian teams from international tournaments for no specific reason 'until further notice'⁹⁹. This suggests that this is a decision for non-sporting reasons. In fact, it is necessary to specify any sporting reasons (for example the broken regulation rule and how it was infringed), including indicating to the sanctioned what they can do to contest the sanction or to comply with the rules to return to competing.

Furthermore, there are no provisions to date with respect to the statement by the Polish FA President Cezary Kulesza, who said that Poland will not play the World Cup play-off with Russia, “[...] no matter what the name of the team is (w.p)”¹⁰⁰.

Discussion

Starting from what has been analyzed previously, the decisions of the IOC and the IPC will be put under stress to verify if they are necessary and consistent with the Olympic spirit. It will be concluded that, despite being based on sporting motivations, they appear weak and with uncertain results.

The words used by the IPC and the IOC indicate the need to preserve the integrity of the competitions and therefore ensure the effective participation of the athletes, bypassing the reasons of those who could actually boycott the competitions in order not to compete against Russian and Belarus athletes. The aspect of integrity is clearly a sporty aspect. It would make no sense for a race to have a winner who could not compete with all possible opponents. It was a matter of making a choice: instead of prevailing the condemnation of those who, for non-sporting reasons decide not to compete, secure the largest number of participants, excluding some. The second aspect concerns the safety of the village and the competitions for the athletes. We have no evidence of the danger that would have resulted from the actual participation of Russian and Belarusian athletes. No one has communicated intentions of possible attacks against them or vice versa, nor were there any feared particular demonstrations that the Chinese spectators could have implemented with repercussions on public safety. On the other hand, in the example cited of North Korea, the desire not to participate for the safety of the pandemic, was the subject of a dialogue by the IOC, to verify the suitability of health measures, giving way to contribute to their improvement. The safety aspect has become fundamental in mega events, since the 1972 Munich massacre and appears a pretext for exclusion given the specific scenario of the 2022 Paralympic Winter Games and the lack of indication of an effective impossibility for local authorities to guarantee the adequate level of security of the hosted events.

As for the claims of punishing athletes active in supporting the war, we have no news that the 73 Russian Paralympic athletes could have played this role, nor that they could represent a danger in relation to the safety of the event.

When the IPC states that the responsibility for the decision to exclude them is due to the actions of their governments, at the same time the IPC renounces to pursue any alternative to guarantee their participation, having also excluded the possibility of having them compete on its behalf. Furthermore, this declaration seems to want to act as a lever on the athletes themselves to refer to their respective governments for explanations. This may mean that they are urged to become an active party for peace, also confirmed by the IOC which asks that athletes expose themselves with statements on the merits. Ultimately, athletes are asked (sometimes covertly, others explicitly) to do something without highlighting the consequences in terms of their exposure and therefore without concretizing any declaration of preventive protection against them. Normally, protection for athletes has been ensured precisely by the umbrella of Olympic sport with concrete statements and actions, such as with the establishment of a committee for refugees or athletes who cannot be part of a national committee. Therefore, if on the one hand the exclusion of athletes active in supporting their governments could be seen as a condition of inadmissibility to participate and therefore punishable in the same way as the decision to confiscate the oligarchs' assets, on the other it is not clear why their eventual silence could be a form of responsibility that requires active exposure in the declaration of opposition to the war. Their preventive exclusion, which could ensure their protection as it would not force them to take any position (unless they do not want to act as leverage, as already indicated) would be even more difficult to justify, as it disregards any option of individual choice and behavior of athletes.

With regard to the protection of athletes, it should also extend to athletes from countries held responsible for breaking the Olympic truce, especially if they are not responsible for it. But the declarations to protect the athletes are not followed by a clear indication of how Russian and Belarusian athletes were protected and whether the protection concerns the possible danger deriving from the decision of other athletes not to compete or from consequences descending from their respective governments. Above all, the prime minister of Russian sport hastened to complain about their exclusion to the point of declaring that he is challenging the case at the CAS, giving him the opportunity to show himself as the only party in solidarity with the excluded athletes in the absence of any direct responsible. Therefore, the Russian minister has the opportunity to highlight

the alleged arbitrariness of the decision implemented by the OM on the basis of their origin and while the OM itself admits the athletes have no responsibility for what happens.

Therefore, even if the words chosen to communicate the decisions of the IOC and the IPC do not say anything about all the aspects mentioned above, they do not exclude other intentions either. Taken together, the elements are sufficient to consider changes from the past, summarized in the following points:

- The position of athletes who do not want to compete with Russian and Belarusian athletes, instead of punishing them for this attitude, is taken into consideration; the solution, in the name of the integrity of the games, is to implement the exclusion that other athletes indirectly invoke. It remains to be clarified how it is possible to tolerate athletes refusing to compete with other athletes while calling for their respective rulers to sit at the negotiating table. As if that were not enough, history has left us the example of a football match played, in the truce spontaneously implemented by the soldiers themselves on Christmas day 1914, between the British and the Germans. Although opposed on either side of the trench during World War I, they left their posts for the time of a football match, unbeknownst to their generals¹⁰¹. Another example, not related to a sport event, is that of the Russian astronauts welcomed by their American colleagues in the International Space Station (ISS), on March 19, 2022. Again, the signal is strong, no war can stop peace if we want it, “NASA officials have said that U.S. and Russian ISS crew members, while aware of events on Earth, were still working together professionally and that geopolitical tensions had not infected the space station (w.p)”¹⁰².

Other signs of a possible discontinuity with respect to the past emerge from the communications published on the IPC^{6,7} and IOC⁸ website and from the words attributed to the IPC president^{86, 87} referring to the pressures received from athletes and governments (suffered by the MO), provides recommendations for athletes and explains the decisions for the exclusion of Russian and Belarusian athletes. In particular:

- The pressure of governments is emphasized, both from the countries that started the war, from whose actions the decisions of the IPC derive, as well as from other countries that ‘influence’ its decisions;

- Athletes are called upon to expose themselves with declarations calling for peace, without any precedents or formal guidelines on what exactly they are being asked to do; this probably requires a further review of rule 50 and also changes the distribution

on the global stage of the responsibilities of the IOC-IPC and of the athletes, with the latter appearing to have to expose themselves more than the OM leaders do;

- The guarantee of the safety of the Olympic village is used as the reason for the exclusion, without any official source having disseminated news of alleged dangers and without indicating that it is not possible to implement further measures to deal with them: for example, there is no mention of identifying an area dedicated to their permanence or the implementation of specific restrictions, motivated for safety reasons, such as the limitation and control of their movements from the Olympic village to the venue of the competitions;

- The protection of athletes does not become effective in the sense of protecting their right to participate (FP4). This is all the more embarrassing if it is connected to the fact that they are Paralympic athletes and that objectively they can still represent an archetype that must be protected as a matter of priority compared to other human beings.

Another aspect that emerges is that there does not seem to be any commitment on the part of the MO to heal the fracture that arose following the decisions of the United Nations assembly, between two different parties and which does not help to change the perception of a predominantly Eurocentric and Western perspective, which is sometimes questioned with reference to the sports that are part of the Olympic program¹⁰³. Although most UN countries voted to condemn Russia, the list of countries that voted against or abstained is long. Each state has its own reasons, which are not the subject of this article. In the General Assembly of the UN, each nation is worth one vote, whatever the population that inhabits it. The result of the vote, however, indicates a clear split between two areas which represent a significant distinction also from the numerical point of view of the entire world population and which has origins from different cultures, economic, political and social development and which, as a parallel of the theory of the development of underdevelopment¹⁰³, underdevelopment grows as a consequence of the development that occurs elsewhere¹⁰⁴. Very complex aspects to understand and harmonize and which can lead to a different perception even on sports issues.

The changes mentioned above do not certify that we are facing a new strategy but would still be consistent with an exclusion for political reasons. It would have been more or less equivalent if the IOC-IPC had declared that they excluded Russia and Belarus,

their Paralympic committees and therefore their athletes, from taking part in the Paralympic Games festival on the basis of the breaking of the Olympic truce. The Olympic movement could also have declared to give up celebrating fully for the painful exclusion, but to give an active and explicit sign in promoting peace precisely with the decision to distance itself from anyone who tarnishes that image, even without being directly responsible for it. Such a statement would have effects only on the exposure of the IOC and IPC, but certainly not on the actual conduct of the events, confirming the exclusion of the athletes. In essence, the effects of the decision do not seem to change on the basis of the underlying reasons, while the exposition of the OM appears to be different. The actual declarations are very close to the past, that is, based on apoliticality, rather than on a proactive attitude, while calling the athletes to direct exposure. Conversely, the possibility of involving Russian and Belarusian athletes could once again have represented evidence that sport still creates the possibility of meeting, mutual understanding and building bridges, even in a tragic moment. Between these two opposing positions, exclusion and inclusion, there remains only the strength of the words used by the EBs of the OM regarding the actual intention of the decisions falling on the Russian and Belarusian athletes, adding the concept that athletes can better adhere to the issues related to the fundamental universal principles, being invited to take responsibility for actively promoting these issues to their respective rulers.

In summary, the IPC's decision affected athletes who are unlikely to bear any responsibility for the conflict in Ukraine. The effect of this decision may come over time, considering that to date it does not appear to have had any other impact than to allow the rulers of the excluded countries to intervene to protect their athletes. If there is a positive effect (attributable to the decision), then this painful decision will find historical justification. At the moment these conditions seem to be lacking and it is not correct to even speak of banned athletes and the decision, which appears weakly justified, is openly implemented to preserve the integrity of the games and the safety of the athletes.

Another consideration concerns the criteria of fairness of the sanctions and their application to those responsible. Some studies have verified that the sanctions imposed on entire groups by the international community with the aim of countering terrorist acts whose perpetrators were part of the groups but could not be isolated and punished individually, produced an opposite effect and an increased number of attacks ¹⁰⁵. The

same approach resulted in the so-called preventive war strategy implemented by the United States to prevent the spread of a source of danger or strike another nation held responsible for the actions of some of its inhabitants¹⁰⁶. Collective punishment represents the limit that a justice system must face in order to have sustainability of costs and rapid application of decisions, when otherwise prolonged investigations and complex enforcement measures would be required. Collective punishment ensures that the perpetrators are hit but accepts a side effect on the innocent¹⁰⁵.

The acceleration of globalization based on the sharing of common goals probably does not describe reality as accurately as the model that places the nationalistic perspective as the main driver of change. The nationalistic model better explains the resistance to a sudden transformation of the perception of a specific people regarding their national interests, except for the need to preserve them¹⁰⁷. It seems confirmed that economic progress consolidates the national identity which is instead weakened by the economic recession¹⁰⁸ and that it is also possible that the crises consolidate the feeling of internal national solidarity and that are a propaganda tool on the nationalists' agenda¹⁰⁹. Therefore, economic isolation undoubtedly remains a valid option as a sanction against an entire country, but it would be necessary to verify what are the effects on its population deriving from an isolation imposed from the outside in relation to the cultural and sporting sphere. In fact, inclusion should increase the possibility of cross-contamination especially if it is opposed by the rulers of a country or if it is used to reinforce a nationalistic position, given the poor historical results of the efforts to exploit culture and sport in a nationalistic sense, both in the forms of isolation and of demonstration of national power¹¹⁰.

Conclusion and perspectives

In this paper the issue of the recent exclusion of Russian and Belarusian athletes from many competitions, in line with the recommendations of the Executive Board of the IOC and IPC, has been addressed.

Examining the history of the modern Olympics it appears that there has never been an exclusion of athletes formally motivated by non-sporting reasons. Our analysis confirms that the Olympic movement has not formally changed its position and the reasons for exclusion are formally motivated by the safety of the athletes and the preservation of the integrity of the competitions.

Despite the declaration of apoliticality, the exclusion of Russian and Belarusian athletes from competitions of international federations and the Paralympic Games, as well as the interruption of relations with commercial partners of that country, show that regardless of the reasons for the decisions, they reverberate in non-sports fields, such as justice, peace, economics and politics and bounce like a pinball machine in all media, even in a form (intentionally?) different from the official one.

This means that sport can affect non-sporting matters and vice versa. Not only can governments act indirectly on sport, as in the case of senior positions in FIs of people with ties to social, political and economic reality, but they can also exert direct pressure, as in the case of those indicated by the word of the IPC president. Ultimately the political sphere does not give up and on the contrary uses sport as soft power¹¹¹, in a strategy that combines other cultural, economic and military leverage factors, in an approach that becomes smart power¹¹².

Politics needs all these operational tools in order to preserve peace, which has led (as reported by the IPC) to pressure from political decision makers to exclude athletes from countries that do not respect international agreements from competitions. For this reason, choices that do not take into account the sentiment widespread in a large part of the people and what is decided by politicians (but not by all, if we look closely at the UN resolutions), can lead to the effect of a detachment of sport from reality to the point of being at odds with it. To avoid this scenario, which would damage not only the image but also the ambition of sport as a promoter of peace, the choice of continuing to involve sportspersons regardless of their country of origin and without prejudice to their non-proactive behavior, requires the use of educational tools: it is a question of continuing to highlight that sport contributes to providing opportunities for dialogue and cooperation, even while a military war is in progress. Olympism, as well as other forms of philosophy or even religion, is called upon not to circumvent its own principles in order to preserve the established purpose (as for example a politician could do by making a call to war in order to preserve peace), but to give an example of how the application of its principles is the instrument of achieving a desirable future for humanity. In fact, the sharing of universal ideals and principles such as that of friendship and peace at the time of the crisis does not prevent decision makers from putting these principles “temporarily” in the attic to the point of fighting for their vision of peace and precisely to pursue peace. Unlike

politicians, Olympism, as a “[...] philosophy of life [...] (p. 8)”⁹, does not envisage temporarily putting one’s own principles and ideals in the attic and should not do so precisely when it is most important to respect them, that is in the time of decision and action. Precisely for this reason it would be advisable to motivate and communicate the reasons for the choices in terms of values explicitly rather than dwell on questionable practical aspects (the alleged compromise of the safety of athletes). For example, any decision to admit all athletes to competitions, regardless of the political choices of their respective governments, involves the application of the principles of cooperation and friendship, which would be implemented only in the effective participation of athletes, in a virtuous circle between intention and action. A heartfelt request to all athletes for the implementation of these principles through the will to compete in sports would have provided a clear example of promoting peace in a moment of crisis in which the calls for peace seem to have no effect.

Our own perspective and the application of the chosen values (unless we question them and give them up) should not change based on the behavior of others nor should we think that by disregarding our ideals we could better convince the other party of our motivations.

For this reason, the recommendation of the IOC and the IPC could have contained, in addition to the exhortation to athletes to invoke peace, to be an example themselves through mutual acceptance. This does not require passively accepting any other point of view or disregarding non-sporting issues in order to cultivate the personal ambition of participation and victory. On the contrary, the actual willingness to preserve the integrity of the competition requires more forms of cooperation ranging from communication skills to the assumption of social responsibility to build together a supportive, better, peaceful and joyful world⁹.

This scenario, and in particular the use of soft power tools, leaves room for the possibility that there is a deeper intention in the IPC decision and the media narrative using the word ‘ban’ may be closer to real intentions than to the very words used in the official communications of the OM.

This article also analyzed the limitation of athletes’ expression and apoliticality in terms of prerequisites for the proper functioning of sport, verifying that they are not

always necessary: a strenuous defense of these ideological assumptions can damage athletes and therefore the Olympic movement who places them at its heart.

Finally, the possibility of making choices by contextualizing relevant aspects, including political and social ones, and also taking into account the opinion of the athletes, could be the future perspective of the Olympic Movement. This is precisely because in a globalized world, non-positioning on the basis of unnecessary neutrality implies shirking the responsibility of directing change towards a desirable world that Olympism itself claims to build.

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