

## **Autonomy and governance: necessary bedfellows in the fight against corruption in sport**

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Autonomy is a combination of the Greek words *auto* and *nomos*, meaning ‘those who make their own law’. It is a long-established concept in the moral sciences that was developed, most notably, by the eighteenth-century German philosopher Immanuel Kant and later taken up by English-speaking thinkers under the expressions ‘self-rule’ and ‘self-governance’. It was also a presiding principle in colonies obtaining self-rule and then independence from European countries during the nineteenth and twentieth centuries. The management and political sciences gave a new dimension to the concept with the emergence of the ideas of so-called new public management (NPM) and the granting of autonomy to entire sectors of public administration in the 1990s.<sup>2</sup> Throughout almost the entire twentieth century traditional associative sports organisations (clubs and federations) enjoyed a large degree of autonomy in governing sport.<sup>3</sup> Some European countries (such as France and Italy) even gave them monopolistic public service missions in sport. As explained below, for sport’s governing bodies, autonomy is seen as fundamental both to sport and to their organisations.

Governance, a seventeenth-century French word designating the territory controlled by a governor,<sup>4</sup> became an important concept in the management and political sciences in the 1990s. The concept has now been defined and analysed in so many ways it would be impossible to summarise them all here.<sup>5</sup> The term has now become part of the common lexicon, thanks to the adoption by intergovernmental organisations such as the World Bank<sup>6</sup> and the European Union<sup>7</sup> of the expression ‘good governance’ – a concept that applies just as much to public and not-for-profit organisations as it does to companies. Governance is an important issue for sport and for the organisations that co-produce sport (clubs, federations, governing bodies, etc.), which increasingly

have to work in conjunction with public bodies, non-governmental organisations (NGOs), other non-profit organisations and commercial companies, most notably sports equipment companies, sponsors and the media.<sup>8</sup>

In these early decades of the twenty-first century the concepts of ‘autonomy’ and ‘governance’ have become major issues in international, national and – sometimes – local debates over sport. They have largely replaced the issue of the ‘specific nature of sport’, which was finally recognised in Europe in 2009 by article 165 of the Lisbon Treaty on the functioning of the European Union after the Declaration of Nice (2000), as mentioned below. Autonomy and governance are of concern to non-profit sports organisations just as much as they are to public authorities (local or regional sports departments, ministries) and intergovernmental (European Union, Council of Europe, United Nations, etc.) and non-governmental (International Olympic Committee [IOC], international sport federations, Transparency International, etc.) organisations. This article reviews the history of these two concepts in the field of international sport and shows how they are closely linked to the development of policies to combat corruption in sport and improve the management of sports organisations. A number of conclusions are drawn in order to orientate discussions about how sport – now a very important sector of society – should be managed and regulated, especially in terms of meeting certain criteria relating to the environment, society and governance.

## Autonomy

The Olympic Charter, a sort of constitution for the elite Olympic sports organisations (also known as the ‘Olympic Movement’), first made reference to autonomy in 1949.<sup>9</sup> At this time, state interference in sport was starting to make itself felt, especially in the countries of the Soviet bloc, which were beginning to join the Olympic Movement (the USSR first took part in the Olympic Games in 1952, in Helsinki). For members of the IOC, making recognition of a country contingent

on the autonomy of its national Olympic committee (NOC) and, thus, authorising its participation in the Olympics was a way of resisting these government pressures.

The concept was not new, however, and had imbued the Olympic Movement from its beginnings at the turn of the twentieth century. In 1909 Pierre de Coubertin, the then IOC president, declared: “The goodwill of all the members of any autonomous sport grouping begins to disintegrate as soon as the huge, blurred face of that dangerous creature known as the state makes an appearance.”<sup>10</sup> In a controversial speech following the Palestinian terrorist attack during the Munich Olympics in 1972 (‘the Games must go on’), Avery Brundage, one of Coubertin’s successors, reiterated this idea in his statement: ‘The games of the 20th Olympiad [in Munich 1972] have been subjected to two savage attacks. We lost the Rhodesian battle against naked political blackmail.’ (this was a reference to the threat of boycotts by African governments, which led the IOC to withdraw its invitation to Rhodesia – now Zimbabwe – to take part in the 1972 Olympics just before the Games were held).

The concept of autonomy was reiterated in the 1992 European Sport Charter (based on the principles of the 1975 Sport for all Charter), adopted by the Council of Europe: ‘Voluntary sports organisations have the right to establish autonomous decision-making processes within the law. Both governments and sports organisations shall recognise the need for a mutual respect of their decisions’ (article 3.3). EU heads of state and heads of government confirmed this principle in the Nice Declaration of 2000 without using the word ‘autonomy’: ‘The task of sporting organisations is to organise and promote their particular sport, in line with their objectives, with due regard for national and Community (i.e. European) legislation and on the basis of a democratic and transparent method of operation. They enjoy independence and the right to organise themselves.’

These statements by intergovernmental organisations came at a time when the 1995 Bosman ruling by the European Court of Justice declared illegal the football players transfer sporting rules in the European Union and forced the Fédération Internationale de Football Association (FIFA) to change its transfer rules for footballers. The sports movement saw this ruling as interference in sporting affairs and led it to call upon governments to recognise the ‘specific nature of sport’. (This status, which it was thought would exempt sport from European law, was finally accorded under the 1999 treaty on the functioning of the European Union; it had few real consequences, however, because of the imprecision of the concept, and it certainly did not exempt sport from European law.) In 2004 the IOC’s revised Olympic Charter reaffirmed: ‘The NOCs must preserve their autonomy and resist all pressures of any kind, including but not limited to political, legal, religious or economic pressures, which may prevent them from complying with the Olympic Charter’ (article 28.6).

Although the 2006 Meca-Medina case led to a ruling by the European Court of Justice in favour of the sports organisations involved against two Romanian swimmers who contested their doping sanctions, the court declared: ‘If the sporting activity in question falls within the scope of the [European] Treaty, the conditions for engaging in it are then subject to all the obligations which result from the various provisions of the Treaty.’ In other words, all sporting rules (including, in this case, doping rules) were potentially subject to the laws governing the European Union. The ruling did not include anything new compared with the Nice Declaration, but the IOC reacted by calling a seminar, held in Lausanne, on the autonomy of sports organisations.

A 2007 EU White Paper on sport confirmed the sports movement’s fears and prompted the IOC to organise a second seminar on the autonomy of the Olympic Movement that same year. The resolution adopted by this seminar underlined the fact that good governance in sports organisations is ‘the fundamental basis to secure the Autonomy of Olympic and Sports organisations and to ensure that this Autonomy is respected by our stakeholders’ (point 6 of the resolution). The IOC’s

deliberations concluded in February 2008 with the introduction of the ‘basic universal principles for good governance of the Olympic and sports movement’, or ‘BUPs’,<sup>11</sup> organised into seven chapters. BUP 7 is called ‘Harmonious relations with governments while preserving autonomy’.

Thomas Bach, who became the IOC president in 2013, presented the BUPs in his speech to the 2009 Olympic Congress. Entitled ‘Unity in diversity’, this speech was a plea for autonomy and good governance in sport. Following their adoption by the Congress (point 41 of the Final Document of the Congress) and subsequent incorporation into the IOC’s Code of Ethics, the BUPs became obligatory for the Olympic Movement: ‘The Basic Universal Principles of Good Governance of the Olympic and Sports Movement, in particular transparency, responsibility and accountability, must be respected by all Olympic Movement constituents’ (point C1 of the IOC Code of Ethics). The Congress’s Final Document states: ‘The Olympic Movement is founded on the concept of the autonomy and good governance of sport, which recognises and respects our individuality and achieves unity through diversity’ (point 3.27).

This doctrine was subsequently refined in the revised version of the Olympic Charter, published in 2011: ‘Recognising that sport occurs within the framework of society, sports organisations within the Olympic Movement shall have the rights and obligations of autonomy, which include freely establishing and controlling the rules of sport, determining the structure and governance of their organisations, enjoying the right of elections free from any outside influence and the responsibility for ensuring that principles of good governance be applied’ (Fundamental Principle 5 of the Olympic Charter). This principle uses Jean-Loup Chappelet’s<sup>12</sup> definition of autonomy but does not really explain why sports organisations should enjoy autonomy as a right.

Several organisations within the Olympic Movement, including two essential components of the movement – international federations (IFs) and national Olympic committees – used the autonomy

recognised by the Olympic Charter to adopt their own codes of ethics. This was the case for FIFA in 2004 (revised in 2013) and the Swiss Olympic Association in 2012.

At the turn of the twenty-first century sports organisations in numerous countries, including Afghanistan, Gambia, Ghana, India, Kuwait, Nigeria, Pakistan, Panama and Poland, denounced cases of state intervention in sport. These complaints led the IOC to temporarily suspend the NOCs of Afghanistan, Kuwait and India, preventing them taking part with their flag in the Sydney 2000, London 2012 and Sochi 2014 Winter Olympics, respectively. As early as the 1970s the IOC had protested, unsuccessfully, against a law (the Amateur Sport Act) passed by the US Congress creating the United States Olympic Committee (USOC) and giving it property rights over the Olympic rings in the United States. Historically, however, it can be seen that the countries excluded from the Olympics or other world events have all been relatively minor in terms of either their size or sporting results.

It goes without saying that, within a constitutional state, there are limits to autonomy, and complete autonomy is not possible. Different authors have referred to this situation as ‘conditional autonomy’,<sup>13</sup> ‘negotiated autonomy’,<sup>14</sup> or ‘pragmatic autonomy’.<sup>15</sup> The IOC president evoked the idea of ‘responsible autonomy’<sup>16</sup> in front of the General Assembly of the United Nations in New York in 2013, and it is now the IOC doctrine:

*Regardless of where in the world we practise sport, the rules are the same. They are recognised worldwide. They are based on a common “global ethic” of fair play, tolerance and friendship. But to apply this “universal law” worldwide and spread our values globally, sport has to enjoy responsible autonomy. Politics must respect this sporting autonomy. For only then can sport organisations implement these universal values amidst all the differing laws, customs and traditions. Responsible autonomy does not mean that sport should*

*operate in a law-free environment. It does mean that we respect national laws which are not targeted against sport and its organisations alone, sometimes for chiefly political reasons.*

In the Western tradition, the freedom of peaceful association – proclaimed in the Universal Declaration of Human Rights (article 20.1) – allows people to create sports organisations, adopt the rules they wish and apply these rules to all members of the organisation, as long as they do not disturb public order or contravene the laws of the country in which the organisation is based. Such associations (clubs, federations) formed the basis of the modern sports movement, which began in Europe in the nineteenth century. Hence, a boxing organisation based in Switzerland can decide how its president is elected, as long as it respects articles 60 to 79 of the Swiss Civil Code (laws governing associations), and stipulate any rule of boxing, as long as it does not impose fights, for example, ‘to the death’ (which would be against public order). On the other hand, some organisations’ rules for sports events may conflict with national or international laws, such as laws on nationality or laws regulating the European single market (as demonstrated in the Bosman ruling). Conflicts can also arise if national governments pass laws contradicting existing sporting rules. This occurred in India in 2011, when, against the wishes of the Indian Olympic Association, the government of India tried to limit the age and length of tenure of the leaders of the country’s sports federations. Commercial partners (sponsors and the media) may also exert pressure to change sporting rules. The abolition of protective helmets in amateur boxing, in order to give spectators a better view of the boxers’ faces, is just one example among many (tie breaks in tennis, disqualification after two false starts in athletics, etc.).

Sports autonomy becomes difficult to justify outside the Western world, and, even here, some authors feel it is no more than a myth. According to some researchers,<sup>17</sup> this is the case in Denmark. In the United Kingdom, where government intervention in sport is not common, the government has set up public bodies (such as UK Sport) known as QUANGOs (quasi-autonomous non-

governmental organisations) to support UK sports organisations and elite sport. In China, government bodies and sports organisations are known as GONGOs (governmental non-governmental organisations) in order to underline the closeness of their ties with the government and their lack of autonomy from the state ('gong' is the Chinese word for 'public'). For example, China's Olympic Committee is run by more or less the same people who run the country's sports ministry. In several countries around the world the national Olympic Committee's president is also the president of the country or its sports minister.

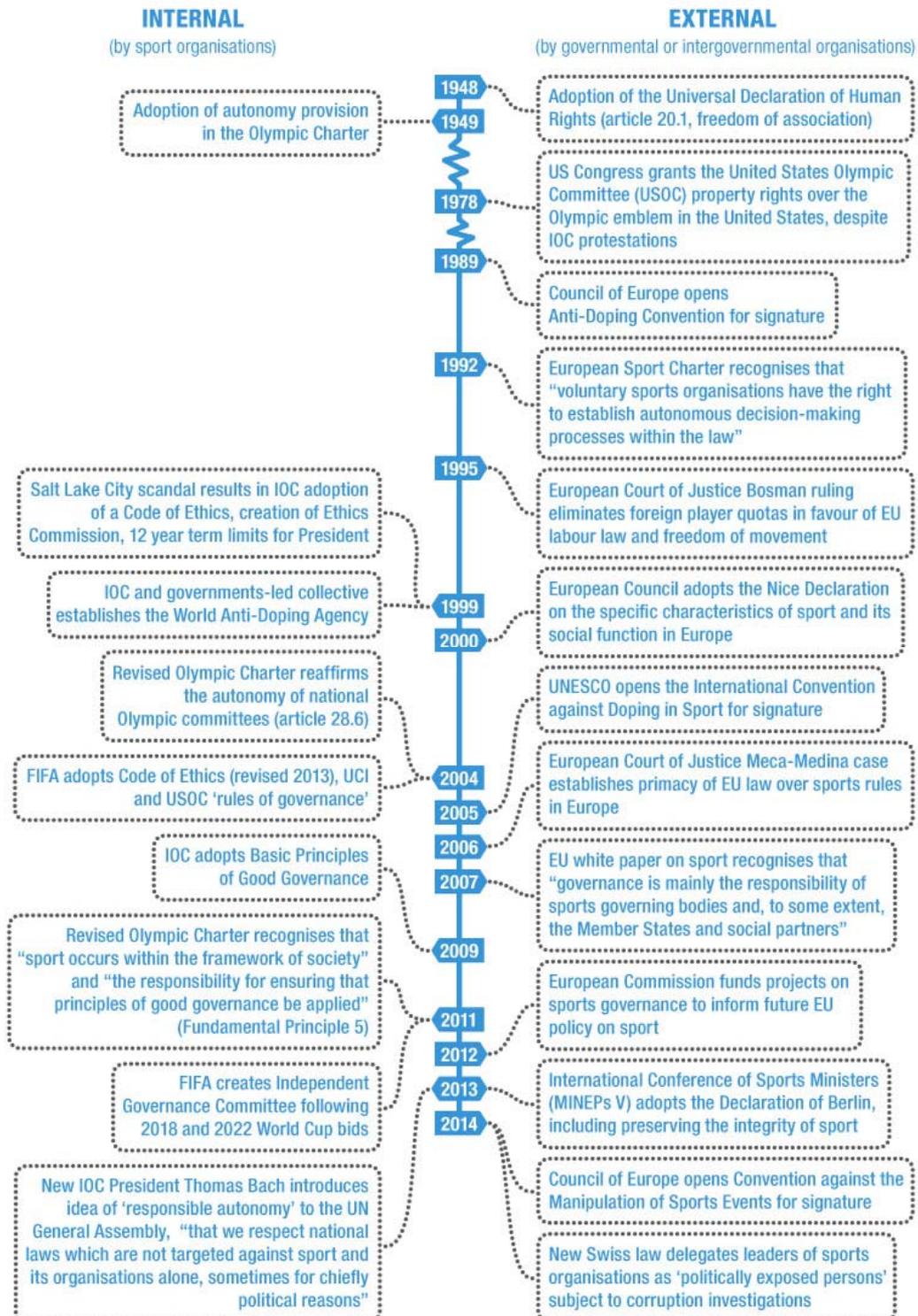
Nowadays it is difficult to host a major sports event, or organise the fight against doping, violence in sport or match-fixing, without close cooperation with states. In fact, sports organisations welcome this type of cooperation, as long as their autonomy is respected (see BUP 7). The most common justification for the autonomy of sports organisations is that sport has to remain outside politics. The least that can be said is that this ideal – just like amateurism, finally abandoned by the Olympic Movement in the 1980s – has been impossible to achieve and runs counter to the rationale behind the revival of the Olympics.<sup>18</sup> Keeping sport free from political interference and scrutiny has been the traditional way for sport organisations to ensure that they can justify autonomy. A better justification today would be that the twenty-first-century state cannot do everything; therefore, from a liberal point of view, governments should delegate what they can to other bodies, including self-financed private organisations, such as sports organisations, as long as the state retains control over legislation and the regulation of the sector in question.

Thomas Bach recognised these necessary limits to autonomy in his 'Unity in diversity' speech to the 2009 Olympic Congress and reiterated his faith in the concept in the manifesto he drew up for his successful bid to become IOC president in 2013. He even saw it as one of the main challenges facing the Olympic Movement and the IOC in the coming years:

*Sport must be politically neutral, but sport cannot be apolitical. This is why the Olympic Movement needs responsible autonomy and partnership with politics at the same time. This can be achieved by a dialogue in mutual respect between the Olympic Movement and government authorities at all levels, including the United Nations, intergovernmental organisations and national governments. We should more clearly define the concept of responsible autonomy and better communicate its advantages for both politics and sports to all parties. [...] Because of the way the Olympic Movement is structured, an attack on the autonomy of one of its members represents an attack on the autonomy of the whole Olympic Movement. A lack of autonomy of a national federation, for instance, always leads to a lack of autonomy for the relevant NOC and IF. Therefore, going beyond our preventive measures, we should optimise and harmonise our sanction system even more. Each IF and each continental association of NOCs and IFs should appoint an expert at the highest executive level to be called upon whenever a problem of autonomy arises. The sanctions imposed by the IOC should be respected and applied by as many IFs as possible, since such a united approach is the most efficient.*<sup>19</sup>

After his election, Bach appointed Irishman Patrick Hickey, also a representative of the NOCs to the IOC's Executive Commission, as the IOC member responsible for autonomy.

## Key decisions in the evolution of 'sports autonomy'



## Governance

The term 'governance' first took hold in the language of international sport in 1998, during what would become known as the 'Salt Lake City scandal'.<sup>20</sup> The IOC was forced to investigate around 30 of its members, accused of receiving favours (such as luxury travel and holidays, study grants or jobs, free goods or services) from Salt Lake's 2002 Winter Olympics bid committee. In 1995 the IOC's members had awarded the Games to the city in Utah (United States), which it duly hosted in 2002 under a new president (the former organising committee president had resigned but was acquitted of all charges in 2003). It was also revealed that similar behaviours had been part of earlier bidding processes.<sup>21</sup>

By the end of the IOC-led inquiry, four members of the IOC had resigned or had died, six members had been expelled and 10 members had been reprimanded. This scandal shook the IOC so deeply that, in 1999, it introduced substantial reforms to its governance by setting up an ethics commission, drawing up a code of ethics to sanction unacceptable behaviours and limiting terms of office, most notably for the IOC president (a maximum of 12 years). It also had to accept new members representing its main stakeholders: athletes, NOCs and IFs. These reforms allowed the IOC to escape from the media and sponsor spotlight, and enjoy the success of the 2000 Summer Games in Sydney. At first the term 'governance' was used mostly by the media and the IOC's sponsors, but it was quickly picked up by governments, which, in 1999 and in conjunction with the Olympic Movement, founded the World Anti-Doping Agency (WADA), in order to jointly fight a phenomenon that sports organisations had proved unable to control and govern alone.

In February 2001 the European Olympic Committees (EOC, the umbrella organisation for Europe's 49 IOC-recognised NOCs), in partnership with the International Automobile Federation, which provided the finance, held a conference in Brussels called 'The rules of the game: first international governance in sport conference'. Jacques Rogge, who would be elected president of the IOC a few

months later, used this conference to expound on one of his campaign themes: ‘Since sport is based on ethics and competition on fair play, the governance of sport must comply with the highest standards in terms of transparency, democracy and accountability.’<sup>22</sup> These ideas were greatly influenced by Sunder Katwala, a British researcher of Indian and Irish descent.<sup>23</sup>

The word ‘governance’ appeared in the Olympic Charter for the first time in 2004, in article 19.3.2: ‘[The IOC Executive Board] approves all internal governance regulations relating to its organisation.’ More significantly, in 2011 governance was included in the IOC’s first mission: ‘To encourage and support the promotion of ethics and good governance in sport as well as education of youth through sport and to dedicate its efforts to ensuring that, in sport, the spirit of fair play prevails and violence is banned’ (article 2.1.). Also in 2011, the fifth fundamental principle of the Olympic Charter closely linked the concepts of governance and autonomy (see above). This principle was implemented, at least partly, in 2012, when the IOC used some of the above-mentioned BUPs to evaluate the 28 IFs that wanted to remain on the programme for the Summer Olympics and the seven IFs that were applying to join the programme.<sup>24</sup> The result of this evaluation was the provisional exclusion of wrestling, because its IF had no women on its decision-making bodies and no athletes’ commission and failed to follow unspecified precepts of ‘good’ governance.

‘Rules of good governance’ were introduced by the Union Cycliste Internationale in 2004, closely followed by other sports organisations, including the Dutch NOC (called NOC\*NSF) and the United States Olympic Committee in 2005, the Commonwealth Games Federation in 2006 and the European Team Sports Association in 2008.<sup>25</sup> Governmental or intergovernmental organisations such as UK Sport (in 2004), the European Union (in 2000 and 2007) and the Council of Europe (in 2004 and 2005) did likewise. Since the early 2000s innumerable definitions of governance have been put forward; Jean-Loup Chappelet and Michaël Mrkonjic have identified more than 35 sets of

'good governance' principles in sport alone, most of which have been written in the conditional tense.<sup>26</sup> On the other hand, there are very few examples of tools for measuring sports organisation governance. Exceptions include, for instance, UK Sport's 11 'governance requirements', the Australian Sports Commission's 20 'mandatory sports governance principles'<sup>27</sup> and the 63 'basic indicators for better governance of international sport' (BIBGIS).<sup>28</sup> The IOC systematically refers to the more than 100 indicators that can be deducted from the BUPs, even though they have proved difficult to apply.<sup>29</sup> Despite the introduction of all these principles, a 2009 report by Transparency International<sup>30</sup> condemned a continuing lack of transparency and accountability – two key precepts of sports organisation governance.

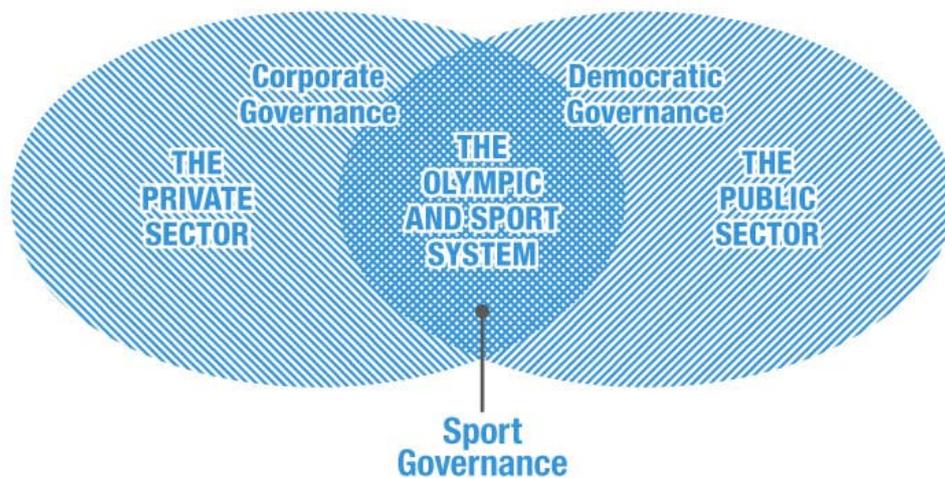
At the end of 2010, during and after the selection of the host countries for the 2018 (Russia) and 2022 (Qatar) football World Cups, FIFA was shaken by a similar crisis to the one that had rocked the IOC ten years earlier. Several members of FIFA's executive committee were expelled, suspended or forced to resign. Transparency International sent FIFA a report called *Safe Hands: Building Integrity and Transparency at FIFA*,<sup>31</sup> which listed several concrete measures that could be taken. FIFA responded to this crisis by creating, in 2011, an Independent Governance Committee (IGC) and nominating Mark Pieth, a Swiss expert, as its president. Pieth's analysis of the organisation, called *Governing FIFA*,<sup>32</sup> was followed by several IGC reports recommending possible actions football's governing body could take. These reports resulted in the 2012 and 2013 FIFA congresses approving a series of measures to improve the organisation's governance. In Bach's bid for the IOC presidency, he said he wished to copy one of these measures: the creation of two branches for investigation and adjudication within the Ethics Commission to further its independence.<sup>33</sup>

From 2012 to 2013 the European Commission financed several projects in the field of sports governance in order to prepare Europe's sports policy for the period from 2014 to 2017, which has

been introduced following the adoption of article 165 of the Treaty on the Functioning of the European Union (Lisbon Treaty). Projects included ‘Action for good governance in international sport’,<sup>34</sup> and ‘Good governance in grassroots sport’.<sup>35</sup>

These different approaches to sports governance raise two important issues. The first is the need to harmonise the fundamental requirements of sports organisation governance: what is essential and what is just ‘nice to have’? The second issue – the urgent need for indicators that can be used to measure a sports organisation’s level of governance, as is done for other public or private organisations, and even for states (see the World Bank’s Worldwide Governance Indicators) – arises from the first. These indicators must probably include analogous measurement tools to those included in the BIBGIS.<sup>36</sup>

### The need for sports governance



From this point of view, it would be judicious to talk about ‘better governance’ rather than ‘good governance’. In fact, sports organisations have a lot of catching up to do in this respect, as was demonstrated by the IOC/Salt Lake City scandals in 1998/1999 and the FIFA scandal in 2010–2013. The governance of these two governing bodies is better today, but it is not perfect. Moreover, who can legitimately say that an organisation’s governance is ‘good’? The legal statutes of associations, especially sports associations, mean that reforms have to be approved by a general meeting of the association in question – that is, by the very people who will be most affected by them. Moreover, there are many agent–principal problems. As Daniel Mason, Lucie Thibault and Laura Misener write: ‘The same individuals are involved in both the management and control of decision making.’<sup>37</sup> This is why governance reforms are so slow and so difficult to implement. One way of getting round this difficulty is to approve reforms for implementation at a later date (sparing agents and/or postponing difficulties).

Of course, autonomy and governance are not the only issues facing sports organisations. The IOC and FIFA have been criticised over the 2014 Sochi Winter Olympics and the 2014 World Cup in Brazil with respect to their mega-events’ sustainability, in the wider sense of the term. But the IOC and FIFA cannot be held responsible for all the problems facing Russia or Brazil (although they could have refused to allow these countries to host these mega-events). Nor can the local organising committees for these mega-events be held responsible, however autonomous they are and however well they are governed. Good governance is an essential element in combatting corruption in sport, but this fight also involves other issues, as discussed below.

### **Autonomy, governance and corruption in sport**

The large amounts of money that began flowing into sports organisations in the 1970s and 1980s led to the development of corruption in (formerly known as amateur) elite sport. Autonomy can also hide corruption. Corruption/cheating in sport can take several forms, including – in a broad

definition – doping, match-fixing, money-laundering, the fraudulent attribution of sponsoring, broadcasting or construction contracts, kickbacks, election-rigging, illegal transfers and the manipulation of event-bidding processes, etc. There are two main categories of sports corruption: on-the-field (of play) corruption by athletes, referees and athletes' entourages, etc.; and off-the-field corruption by sports organisation decision-makers, which often occurs in offices, away from competition venues.

Off-the-field corruption is mostly a question of governance. In Switzerland, where numerous international sports organisations are based, this form of private corruption can be fought under article 102.2 of the Criminal Code, as the Swiss and German branches of Transparency International have pointed out to Swiss sports organisations.<sup>38</sup> Under article 102.2, an association – like any other organisation – can be punished for corruption by its members if it has not taken all reasonable and necessary measures to prevent corruption. Fines, which can be up to 5 million CHF (some US\$5.3 million), are determined according to the seriousness of the offence, the measures taken by the organisation to prevent corruption, the damage caused and the organisation's ability to pay. Unfortunately, Swiss judges can prosecute such organisations only if a complaint is filed by either the corrupter or the corrupted, which rarely happens. Following a recommendation by the Council of Europe's Group of States against Corruption (known as GRECO), in 2014 Switzerland's parliament has examined an amendment to the Criminal Code that will allow such offences to be prosecuted by a state prosecutor without a complaint being filed (for all kinds of organisations).

To prevent corruption in 'major public events' (including sporting events), one can refer to the strategy published in 2013 by the United Nations Office on Drugs and Crime following the adoption by most countries of the United Nations Convention against Corruption.<sup>39</sup> It contains more than 200 recommendations pertaining to major public events, organised in eleven dimensions. The

International Organization for Standardization (ISO) has also recently decided to create a new standard against corruption (ISO/PC 278) that can be applied to all organisations.

In contrast, on-the-field corruption can take a wide variety of forms and can affect even very well governed organisations and their athletes. The fight against this form of private corruption has resulted in international treaties, such as United Nations Educational, Scientific and Cultural Organization's International Convention against Doping in Sport, adopted in 2005, and the Council of Europe's Convention against the Manipulation of Sports Results, signed in 2014. In addition, the attribution and organisation of sports events, large and small, give rise to numerous possibilities for corruption via the votes, contracts and constructions they involve. In theory, all the decisions linked to these events can be taken autonomously by the organisations that own them or that organise them locally. In practice, public opinion expects these decisions to take into account factors other than just governance (and economic considerations), especially environmental and social factors. Sport organisations must take these factors into consideration at the organisation and bidding stages (before their decision to award their event).

Companies and other types of organisation are increasingly being called upon to focus on the triple bottom line – that is, the balance between economic, social and environmental criteria (for sports organisations, at least since the publication of a United Nations Environment Programme report in 2001).<sup>40</sup> In 1994 the IOC made the environment the third dimension of Olympism (with education and culture) and started promoting sustainability in sport (article 2.13 of the Olympic Charter). The social dimension must not be forgotten either, because sports organisations are first and foremost social organisations whose goal is to promote participation in (their) sport in order to 'place sport at the service of humanity', as the Olympic Charter proclaims. From this point of view, the corporate social responsibility programmes launched by numerous sports organisations may appear as

‘greenwashing’ – that is, unsuitable or inappropriate – as they are based on criteria that are removed from these original social goals.<sup>41</sup>

The IOC felt this keenly when it began promoting the long-term legacy of the Olympic Games as a major reason for hosting them (article 2.14 of the Olympic Charter). In 2003 it began requiring Olympic Games organising committees (OCOGs) to carry out Olympic Games Global Impact (OGGI, then OGI) studies.<sup>42</sup> Then, in conjunction with the OCOGs for Vancouver 2010 and London 2012, the Union of European Football Associations (UEFA) and Transparency International, it turned towards a sports event ‘sector supplement’ of the Global Reporting Initiative (GRI), proposed by the same-name NGO, which promotes the use of sustainability reporting. This work led to the creation of the ISO 20121 standard for sports events.<sup>43</sup> In 2014 the IOC included in clause L of the host-city contract governing its relations with future organising committees sections relating to non-discrimination, the environment, health, safety and labour laws. In 2015, the SRA (Sport and Rights Alliance) was formed to ensure protection of human rights and implementation of anti-corruption measures in the lead-up to and during Olympic Games by well-known NGOs including Amnesty International, FIFPro (World Football Players’ Union), Football Supporters Europe, Human Rights Watch, the International Trade Union Confederation, Supporters Direct Europe, Terre des Hommes, and Transparency International Germany.

Events can also take as their inspiration the well-known environmental, social and governance (ESG) performance indicators, which were devised as a way of judging the quality of an investment. In fact, organisers and event owners could view sports events as investments in the communities (local, regional, national) that host them. The United Nations’ ‘principles for responsible investment’ (UNPRI) acknowledge the importance of ESG factors. These principles cover environmental issues (climate change, hazardous waste, nuclear energy, etc.), social issues (diversity, workplace safety, human rights, consumer protection, sin stocks, animal welfare, housing

eviction, etc.) and governance (management structure and accountability, employee relations, executive compensation, transparency, etc.), all of which concern, closely or distantly, the attribution or organisation of sports events and corruption. As a result, human rights and environmental protection issues in countries hosting major events could take precedence over questions of organising committee governance.

Although sports organisations cannot be held responsible for all the social and environmental problems affecting a country, they are responsible for attributing and organising their events in ways that avoid these problems or reduce them as far as possible, as highlighted by the experiences of four European NOCs that, in 2013, saw the public reject their bids to host the Olympic Games.<sup>44</sup> Evaluating compliance with these responsibilities is necessary in order to re-establish confidence in the Olympic and sports movements, whose images have become tarnished in recent decades.<sup>45</sup>

## Conclusion

Although autonomy is one of the foundation stones on which the sports movement was built, it was not until the years after the Second World War that the IOC formally stated its attachment to this principle. Sport's vision of itself as a universal ideal goes hand in hand with sports organisations' long-standing claim that sport is apolitical. This attachment was reaffirmed quite recently in the face of the European Union's and other governments' desires to more closely regulate sport, a sector that has become an extremely important element in the social fabric of states.

Despite reiterating the importance of autonomy, sports organisations have realised that they have political influence and must be seen by governments and other partners (sponsors, broadcasters and the media) to deserve this autonomy from the state. Thus, in the early decades of the twenty-first century, they have begun introducing a form of sports governance inspired by corporate governance

and democratic governance.<sup>46</sup> The IOC now considers ‘good sports governance’ a principle of the Olympic and sports movements that is intrinsically linked to the principle of autonomy.

The Sochi Winter Olympics and the football World Cup in Brazil, both held in 2014, seem to have pushed questions of autonomy and governance to the background, to be replaced by problems of corruption, environment or human rights in the host countries. Such problems are a real trap for sports organisations, which generally attribute their flagship events many years in advance, and to general indifference. Consequently, future bid evaluations need to be more political than technical. Similarly, the problem of match-fixing has put sports corruption (by on-the-field actors such as athletes and referees) under the spotlight.<sup>47</sup> This issue is the subject of a 2014 Council of Europe international convention, but it remains to be stemmed through joint actions by sports organisations, governments and, if necessary, other stakeholders, such as betting operators. Similarly, a new balance between political, economic, social and sporting forces needs to be found to fight overall corruption in sport.

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<sup>2</sup> See, for example, Christopher Hood, ‘A Public Management for All Seasons?’, *Public Administration*, vol. 69 (1991).

<sup>3</sup> Jean-Loup Chappelet, *Autonomy of Sport* (Strasbourg: Council of Europe Publishing, 2010).

<sup>4</sup> See Bernard Quemada (ed.), *Trésor de la langue française: dictionnaire de la langue du XIXe et du XXe siècle (1789–1960)* (Paris: Centre national de la recherche scientifique, 1971).

<sup>5</sup> Following on from, for example, Jan Kooiman (ed.), *Modern Governance: New Government–Society Interactions* (London: Sage, 1993); Adrian Leftwich, ‘Governance, the State and the Politics of Development’, *Development and Change*, vol. 25 (1994); and Roderick A. W. Rhodes, ‘The New Governance: Governing without Government’, *Political Studies*, vol. 44 (1996),

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