

# THE CREATION OF THE WORLD SPORTS GOVERNANCE AGENCY

Author:  
Sandro Arcioni

email:  
sandro.arcioni@gmail.com

Co-authors:  
Patricia Vandewalle

University:  
Haute Ecole d'Ingénieurs et de Gestion du Canton de Vaud

Faculty:  
Sport Management

## Abstract

### RESEARCH QUESTION

The world of sport and its organisations is a complex system due to the multiplicity of the elements which compose it. The sporting International Federations (FIs) are federated by the rules of the Olympic system, but each FI is an independent association in accordance with articles 60 of the Swiss Civil code. In this context:

"How can the world of sport regulate itself and improve its governance?"

Thanks to the creation of the World Sport Governance Agency (WSGA), proposed by Arcioni (2010), the control of the implementation of the Olympic Charter, the recommendations of the IOC report in 2000 and the IOC document, could be carried out. As a comparison with private economy, WSGA would be similar to the Sarbanes Oxley Act applied to the field of sport. The advantage of this approach is to fill a loophole at the international level and also to prevent the UN-Watch or the European Commission to dictate their laws to the world of sport.

The objective of this communication is to demonstrate this regulation body (WSGA) would not be more complicated to implement than the Court of Arbitration for Sport in 1983.

### THEORETICAL BACKGROUND

In the early 21st century as a reaction to major corporate scandals including those affecting Enron, Tyco, a new law for lucrative businesses emerged in the USA: the Sarbanes-Oxley Act.

Subsequently, discussions on sustainable development for businesses gave rise to new standards: AA1000, SA 8000, SD 21000, etc..., offering control for the involvement of managers accountability (Fustec and Marois, 2006). Similarly, the NGOs of the charity world introduced the standards ISO 26,000 / 29,000 and the creation of an

oversight body, the UN-Watch for NGO members of the United Nations.

From 1996 to now, various scandals have been reported e.g the allocation of the Olympic Games to Salt Lake City (1996), and more recently rigged football matches for the laundering of money by the mafia (UEFA 2010) etc. As a result, several recommendations emerged such as the IOC 2000 report emerged in 2010.

This study demonstrates the feasibility of creating a World Agency for the control of the governance in sport worldwide. It is based on the seven key principles of corporate governance by Henry and Lee (2004), on "Policy Governance" by Carver (1997, 2001) for non-profit organisations.

## METHODOLOGY, RESEARCH DESIGN AND DATA ANALYSIS

In order to analyse the feasibility of establishing an independent agency, we conducted a 5-step study:

- A longitudinal analysis of scandals and failures in the governance of the IOC, IFs, NOCs from 1996 to 2010
- A preliminary analysis of the needs of the IOC, IFs, NOCs from 2008 to 2010, as well as the opportunities for the funding of the project;
- An analysis of the risks to the IOC if no action was taken:
- A risk analysis if a lobby (i.e.: the media) or the European Commission created its own agency:
- A proposal for a "business plan" followed by a development plan with the tasks and procedures of the World Sport Governance Agency (WSGA).

## RESULTS, DISCUSSION AND IMPLICATIONS/CONCLUSIONS

Based on our field work and the functioning of the UN-Watch, the codes of good practice, the functioning of the Court of Arbitration for Sport, we highlighted the risks inherent to the world of sport if the IOC rejected an independent agency to control sports governance.

This paper provides the elements necessary for the IOC to make a decision to create a global agency for the regulation of international governance in sport.

The absolute benefit of creating the WSGA is not only to control governance but also the imputability of managers. Such scandals as those occurring currently at the FIFA would stop just like other governance mistakes in all the sports bodies.

References:

- Arcioni S., and Vandewalle, P. (2010) Creation of an independent body for the control of the governance of sporting organisations worldwide, for the 18th Conference of the European Association for Sport Management in Prague, 15 – 19th September 2010.
- Arcioni S., et Bayle E. (2009), La gouvernance des Organisations non gouvernementales : le cas des Fédérations Internationales sportives, XVIIIème Conférence internationale de l'AIMS à Grenoble du 2 au 5 juin 2009.
- Arcioni, S., (2007). Les modalités de la gouvernance dans les organisations internationales à but non lucratif : le cas des Fédérations internationales sportives, Thèse pour le Doctorat en Sciences du Sport, Université Claude Bernard Lyon 1, UFR-STAPS, 2007.
- Block, S. R. (1998). Perfect Non-profit Boards. Myths, paradoxes and paradigms. Needham, Heights, MA, Simon & Schuster Custom Publishing.
- Drucker, P.F. (1990). Managing the Non-profit Organization, New York: Harper Collins.
- Cadbury, A. (1992). Code of best practices., 82, 341
- Carver, J. (2001). Carver's Policy Governance Model in Non-profit Organizations. The Canadian Journal Governance, Vol. 2. nos. 1, pp. 30-48
- Carver, J. (1997), Boards that make a difference: A new design for leadership in non-profit and public organizations (2nd ed.). San Francisco : Jossey-Bass
- Chappelet, J.-L. (2010). Vers une solution globale pour lutter contre les dérives du sport. Conférence "La corruption dans le sport" organisée par le Panathlon Club Lausanne, Lausanne, 28 avril 2010
- Chappelet, J.-L. (2006). La gouvernance du Comité international olympique. Article pour le livre : Gouvernance des organisations sportives, coordonné par Bayle E. et Chantelat P., 51, 52, 53, 55, 69, 70, 71, 74, 76, 171, 318, 320, 321
- CIO (2009). Rapport du CIO : Le Mouvement Olympique dans la société, Copenhague, Recommandation 41,42.
- CIO (2008), Document: "Principes universels de base de bonne gouvernance du Mouvement olympique sportif", Lausanne.
- CIO (2004). Charte Olympique, Article 2., 45, 49
- CIO (1999). Rapport de la Commission CIO 2000 à la 110ème Session du CIO, Prague. Lausanne: CIO, 11 et 12 décembre, 70, 74
- Féron, d'Arçimoles, Bello et Sassenou (2001). Le développement durable. Des enjeux pour l'entreprise. Edition d'Organisation. Paris.
- Fustec et Marois (2006). Valoriser le capital immatériel de l'entreprise. Edition d'Organisation. Paris.
- Henry, I.P. (2005). Governance in sport: a political perspective. Institute of Sport and Leisure Policy, Loughborough University.
- Henry, I. & Lee, P.C. (2004). Governance and ethics in sport, in Beech & S. Chadwick (Eds), The business of sport management, England : Prentice Hall., 21, 414
- Henry, I. (2001), The Politics of Leisure Policy (2nd ed.), Palgrave, London.
- Herman, R. & Heimovics, R. (1994). Cross national study of a method for researching non-profit organisational effectiveness. Voluntas. Vol. 5 No.1, pp.59-85.
- Herman, R. & Heimovics, R. (1990). The Effective Non-profit Executive: Leader of the Board, in Non-profit Management & Leadership, Vol. 1, Nr. 2, Winter, NML 0.
- Houle, C. O. (1997). Governing Boards: Their Nature and Nurture. San Francisco: Jossey-Bass.
- Hoye, R., Cuskelly, G. (2003). Sport Governance (Sport Management), New York: Butterworth-Heinemann.
- Pérez R. (2003), La gouvernance de l'entreprise. La Découverte, Paris, France.
- AFNOR : <http://www.afnor.org/developpementdurable/normalisation/sd21000.html>
- Agenda 21 : [http://fr.wikipedia.org/wiki/Agenda\\_21](http://fr.wikipedia.org/wiki/Agenda_21)
- Bâle 2 : <http://www.oboulo.com/bale-2-evolutions-enjeux-perspectives-22150.html>
- Développement durable et la RSE : <http://ecobase21.antidot.net/fichiers/misenplinddevdur.html>
- Legitimacy and the Privatisation of Environmental Governance : [http://www.yale.edu/forestcertification/pdfs/2002/02\\_new\\_gove\\_nms\\_d.pdf](http://www.yale.edu/forestcertification/pdfs/2002/02_new_gove_nms_d.pdf)
- Observatoire de l'OCDE : <http://www.observateurocde.org>
- International professional institute dedicated to the promotion of social, ethical and overall organizational accountability : <http://www.AccountAbility.org.uk>
- OCDE en matière de responsabilité sociale : <http://www.oecdwatch.org/FR/419.htm>
- Policy governance : [www.carvergovernance.com](http://www.carvergovernance.com)
- SA 8000 : <http://www.sa-intl.org/>
- Sarbanes-Oxley : <http://www.sarbanes-oxley.com/>
- SGS (Société Générale de Surveillance) : <http://www.sgs.com/>
- SQS : <http://www.sqs.ch/fr/index/leistungsangebot/hohs.htm>
- UN-Watch : <http://www.unwatch.org/site/c.bdKKISNqEmG/b.1277549/k.BF70/Home.htm>