

ALIGNMENT OF SPORT GOVERNANCE GLOBALLY TO FIGHT AGAINST CHEATING

Patricia Vandewalle, Sandro Arcioni

Keywords

Governance, Agency, Harmonisation, Assessment, CIO, IFs, World Sport, doping, fixing, corruption, trafficking, foul play

Research question

The world of sport and its organisations is a complex system by the multiplicity of its component parts and the ambiguity of the relationship between its members, their forms of governance and the environment. The International Sports Federations (IFs) are united by the rules of the Olympic system, but each FI is an independent association based on Articles 60 and the following ones of the Swiss Civil Code. In this context, how can the world of sport be consistent, that is to say, control and improve its governance? (For example, the harmonization of penalties in case of a suspension due to anti doping positive controls: IAAF - 2 years, FIS - 2 years, UCI - 2 months, ITF - no sanction, FIFA - at will, etc.). The objective of this paper is to demonstrate that the creation of a regulatory agency (the World Sport Agency Governance: WSGA) on the basis of the literature on the governance of NGOs, non-profit organisations (NPOs) and models existing in the business for profit as well as some NGOs would allow fighting against cheating by aligning its jurisdiction (e.g. penalty alignment), thus improving the governance of each FI.

Theoretical background

The creation of a WSGA becomes urgent due to various scandals such as rigged football matches and money laundering for the mafia (UEFA 2010), the allocation of the World Football Championships (FIFA 2010), the election of FIFA's President (2011), Agassi's confession (ITF 2010), the confessions of Lance Armstrong's teammates (UCI 2012) and the low impact of recommendations such as IOC 2000, "Basic Universal Principles of Good Governance of the Olympic Movement sports" and resolutions 41 and 42 in the IOC report in Copenhagen 2009: "the Olympic Movement in Society".

Our study demonstrates the usefulness of a rapid implementation of the World Agency for the control of sport governance globally. This approach is based on seven key principles of corporate governance by Henry and Lee (2004), on the system of "Policy governance" proposed by Carver (1997, 2001) for non-profit organisations, on reflections by Chappelet (2006, 2010) and on the analytical framework of governance by Pérez (2003) as well as other authors in political science. This approach also takes into account the assessment of the governance of IFs as described by Arcioni (2007) which aims at fighting against induced corruption in the current governance models by aligning the jurisdiction models and the sanctions at every level.

Methodology, research design and data analysis

To demonstrate the urgency and the merits of creating an independent agency control of governance, we proceeded in three steps: – A longitudinal analysis of scandals and dysfunctional governance of the IOC, IFs, NOCs from 1996 to 2012, using questionnaires and field research, an analysis of IOC documents and literature on management and control of sport set against the literature and the functioning of the world of economy; – An analysis of improvements to prevent future scandals thanks to alignment in the: o Systems for IF elective boards; o Controls on how money is spent in sport; o Legal hierarchy; o Fight against corruption; o Penalties (doping, cheating, embezzlement, electoral fraud, ...); o Policy process implication; o Etc. – The results in the form of immediate actions to be taken by the World Sport Governance Agency (WSGA).

Results, discussion and implication, conclusions

To sum up, it is impossible to leave the world of sport without any control. Based on our field research and analysis of the literature as well as on the operation of the UN-Watch, codes of good practice, work Arcioni (2007, 2008, 2010, 2011), operation and the organisation of the Court of Arbitration for Sport (CAS), the IOC and IFs, we have highlighted the following main improvements: – The regulation of elective systems; – The alignment of controls related to the spending of money in sport; – A proposed aligned scale of punishments; – A

hierarchical model of jurisdiction with the support of the procedures of the World Sport Governance Agency (WSGA), an environment in which ethics is intended to be a central concern (anti-doping controls governed by an independent body: WADA's aligned penalties, including rules from the Olympic Charter governing the Olympic movement, i.e. the recognition of the Olympic Federations, the money movements, betting, etc.. controllable in a transparent manner). In conclusion, this paper provides all the elements necessary for the IOC to take a decision in favour of the creation of a global agency for the support and regulation of the international governance of sport: a World Sport Agency Governance for the immediate improvement of the governance of sport worldwide through alignment.