



THE AUTONOMY OF THE OLYMPIC MOVEMENT

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ORIGINAL TEXT IN FRENCH

A fundamental principle explained in the Olympic Charter and the Statutes of the Fédération Internationale de Football Association (FIFA), the autonomy of the sports movement is a key issue for sport at the beginning of the 21st century.

It is such an important issue because sport has become extremely popular: an element of national pride, but also a major economic sector which can no longer be ignored by governments, politicians, commercial companies, etc., which are tempted to make use of it for their own purposes.

1. THE TYPES OF THREAT TO THE AUTONOMY OF SPORT HAVE BECOME MORE DIVERSE AND COMPLEX.

Early forms of interference in sport were brutal, even simplistic.

Government interference mainly concerned the structures of the National Federations:

- Ministers appointed as presidents and leaders of these Federations;
- Electoral pressure;
- Approval of national legislation limiting Federations' autonomy;
- Interruption and/or shortening of terms of office of senior Federation officials:

They sometimes affect sports results:

- Interference with competition results;
- Pressure on Federations' legal bodies.

But they have also become more diverse:

- Orchestrated smear campaigns against senior officials;
- Blackmail linked to subsidies and fiscal investigations;
- Bans on leaving the country.

Threats have also become more complex because they emanate from other stakeholders in sport:

- Private companies trying to control competitions directly for their own interests;
- Even members of the sport in question wishing to protect their position within the sport: closed competitions, competition format that gives them an advantage;
- Finally, the increasingly litigious nature of sport as more and more appeals are lodged with ordinary courts against sanctions imposed by sports authorities (disciplinary sanctions, relegation, deduction of points due to racism, individual suspensions for doping or other offences).

Finally, how can infringements linked to this principle within the European Union be ignored?

For several reasons (one being absence of the word “sport” in the European treaties, the European Commission's desire to treat sport as simply an economic activity). Community law has seriously interfered with sport, with widely known consequences:

- Legal uncertainty;
- Court judgements, such as the Bosman ruling, with severe consequences for the organisation of sport;
- Non-recognition of sports justice.

Of course, the situation has improved (e.g. centralised sale of rights, 2001 agreement with FIFA on transfers and training, protection of minors, etc.), but imagine the consequences for sport and its universality if all regional and sub-regional political and economic organisations started drawing up rules similar to those of the European Union!

2. THESE THREATS MUST BE COUNTERED WITH DETERMINATION.

A) EACH SPORT HAS ITS OWN WAYS OF COUNTERING THESE THREATS.

For FIFA and for football, the most important thing is to defend our federations during crisis periods through a policy of dialogue with the interfering parties. If this dialogue fails, the country's football federation may be suspended.

But it is also important to do everything possible in advance to prevent these situations from arising, or at least to avoid the excuses that are often given to justify such interference:

- Improve federation structures in order to reduce weaknesses (training of senior officials, strengthening of structures (compulsory standard statutes), improvement of democratic and electoral practices, financial support for federations and construction of their own infrastructures in order to give them the means to achieve such autonomy).
- Better regulate economic activities, promote good governance and, without “demonising” money, re-regulate economic excesses (transfers, betting, subordination of professional leagues, resolute fight against corruption).
- Bring together and reintegrate the stakeholders in sport. This is fundamental for strengthening the internal unity of sport, improving decision-making processes through consultation, trying to find internal solutions to conflicts and, finally, fighting external attempts to “divide and rule”.



B) BUT THIS MUST ALSO BE DONE COLLECTIVELY.

Under the aegis of the International Olympic Committee (IOC) and on the basis of the two seminars in Lausanne in 2006 and 2008, several avenues must continue to be explored:

- Close consultation, exchanges of information between the IOC, International Federations (IFs) and National Olympic Committees (NOCs), and joint measures in cases of interference;
- A common vision to continuously improve our structures on a “best practice” basis (standard statutes, for example);
- Continuous lobbying of the European Union for full recognition of the specificity and autonomy of sport in accordance with Article 165 of the Lisbon Treaty;
- Discussions within the Olympic and Sports Movement on important themes such as sports justice and ordinary justice, international sports rules and national or regional law, and why not aim for worldwide codification of sports law?

Three comments to conclude:

Sport has the right to autonomy, but this also brings obligations with it.

Obligation of good governance, efficiency and responsibility as well as dialogue and cooperation with those who can and must help sport, such as governments (sport in schools, infrastructure, fight against sports-related crime).

The autonomy of sport preserves the values of sport.

This is clear for the integrity of our competitions and the uncertainty of sports results, which cannot be determined by non-athletes or economic factors.

It also protects the time frame of sport which, in the long term, consists of phases of athlete training and improvement, a time frame that is different to that of the media, politics or economic demands.

Autonomy protects the universality of sport.

The IFs are responsible for keeping things in balance:

- amateur versus professional;
- a continent that dominates a particular sport versus the rest of the world;
- clubs versus national teams;
- short term versus medium and long term.

Moreover, sport nowadays is a rare – if not the only – genuinely universal tool for bringing together different peoples and their cultures.

Interference – national and/or continental – divides sport, disrupts the universal application of rules on the basis of so-called idiosyncrasies and undermines the functioning of International Federations by subjecting them to structures outside sport.

Therefore, the autonomy of sport is a guarantee of our universality and, consequently, of equality among everyone.