Collaborations between National Olympic Committees and public authorities

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<th>Description</th>
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<tr>
<td>ANOCA</td>
<td>Association of National Olympic Committees of Africa</td>
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<tr>
<td>BKiSchG</td>
<td>Gesetz zur Stärkung eines aktiven Schutzes von Kindern und Jugendlichen [Law for Improving the active Protection of Children and Youngsters]</td>
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<tr>
<td>BMFSFJ</td>
<td>Ministerium für Familie, Senioren, Frauen und Jugend [Ministry for Family, Seniors, Women and Youth]</td>
</tr>
<tr>
<td>BMI</td>
<td>Bundesinnenministerium [Federal Ministry of the Interior]</td>
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<tr>
<td>BNOC</td>
<td>Botswana National Olympic Committee</td>
</tr>
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<td>BNSC</td>
<td>Botswana National Sports Commission</td>
</tr>
<tr>
<td>BRH</td>
<td>Bundesrechnungshof [Federal Accounting Office]</td>
</tr>
<tr>
<td>BVA</td>
<td>Bundesverwaltungsamt [Federal Administrative Authority]</td>
</tr>
<tr>
<td>CDAG</td>
<td>Confederación Deportiva Autónoma de Guatemala</td>
</tr>
<tr>
<td>CJEU</td>
<td>Court of Justice of the European Union</td>
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<td>CONADER</td>
<td>Consejo Nacional de la Educación Física y la Recreación [National Council for Physical Education and Recreation]</td>
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<tr>
<td>DIGEF</td>
<td>Directorate General for Physical Education</td>
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<tr>
<td>DSB</td>
<td>Deutscher Sportbund [German Sport Confederation]</td>
</tr>
<tr>
<td>DSJ</td>
<td>Deutsche Sportjugend [German Sport Youth]</td>
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<tr>
<td>DSOB</td>
<td>Deutscher Olympischer Sportbund [German Olympic Sport Confederation]</td>
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<tr>
<td>EOC</td>
<td>European Olympic Committees</td>
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<td>EU</td>
<td>European Union</td>
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<td>FA</td>
<td>Football Association</td>
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<td>FIFA</td>
<td>Internationale de Football Association [International Federation of Association Football]</td>
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<td>GNOC</td>
<td>Guatemala National Olympic Committee</td>
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<tr>
<td>IAT</td>
<td>Institut für Angewandte Trainingswissenschaft [Institute for Applied Training Science]</td>
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<tr>
<td>IOC</td>
<td>International Olympic Committee</td>
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<td>ISGB</td>
<td>International Sport Governing Body</td>
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<tr>
<td>KJHG</td>
<td>Kinder- und Jugendhilfegesetz [Children and Youth Welfare Act]</td>
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<tr>
<td>KJP</td>
<td>Kinder- und Jugendplan [Children and Youth Welfare Plan]</td>
</tr>
<tr>
<td>LKR</td>
<td>Sri Lankan rupee</td>
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<tr>
<td>LTADF</td>
<td>Long-Term Athlete Development Framework</td>
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<td>LTADP</td>
<td>Long Term Athlete Development Programme</td>
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<tr>
<td>MoU</td>
<td>Memorandum of Understanding</td>
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<td>NADA</td>
<td>National Anti-Doping Organisation</td>
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<td>NOC</td>
<td>National Olympic Committee</td>
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<td>NOC SL</td>
<td>Sri Lanka National Olympic Committee</td>
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<td>OCA</td>
<td>Olympic Council of Asia</td>
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<td>ONOC</td>
<td>Oceania National Olympic Committees</td>
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<tr>
<td>PASO</td>
<td>Pan American Sports Organization</td>
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<tr>
<td>PotAS</td>
<td>Potential Analysekommission [Potential Analysis Commission]</td>
</tr>
<tr>
<td>RJWG</td>
<td>Reichsjugendwohlfahrtsgesetz [Imperial Children and Youth Welfare Act]</td>
</tr>
<tr>
<td>UBSKM</td>
<td>Unabhängiger Beauftragter für Fragen des sexuellen Kindesmissbrauchs [Commissioner for Child Sexual Abuse Issues]</td>
</tr>
<tr>
<td>WADA</td>
<td>World Anti-Doping Agency</td>
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<tr>
<td>WADC</td>
<td>World Anti-Doping Code</td>
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Executive summary

ES 1. Sports autonomy represents, in essence, a first world concept, which emerged under very specific cultural and political conditions, which cannot be taken for granted.

ES 2. Sports autonomy has been heavily refined due to the commercialisation of sport, regulatory failures and the regulatory efforts of public authorities.

ES 3. The refinement of sports autonomy by the IOC, which calls for collaborative and coordinated efforts of NOCs and public authorities, represents a more realistic approach able to take the diversity of the Olympic movement into account.

ES 4. The NOCs are involved in complex and multi-faceted relationships; they depend on different government resources to achieve their goals. Accordingly, they have to enter collaborations.

ES 5. Understanding the role of NOCs in national sport policy making requires a more detailed look at the specific collaborations the NOCs have entered.

ES 6. The detailed case studies on four NOCs illustrate the substantial diversity within the Olympic movement. The Western model of a sport system based on strong volunteer movement is rather exceptional and should therefore not be made into a key pillar for a global theory of sport governance.

ES 7. The NOCs are integral part and key stakeholders within the national sport systems. This role makes tensions between NOCs and public authorities and/or between the NOCs and other sport organisations very likely.

ES 8. The overall structure of the national sport system determines key parameters in which the NOC can move. A potential merger of the NOCs with the national sports commission/council will make it even more difficult for the NOCs to dissociate themselves from the public structures of sport in the country. In any case, the NOCs have to decide between being part of the public sport system or remain less embedded, but with limited activities.

ES 9. In combination with the general structure of national sport systems, formal regulatory and legislative structures are decisive for the NOCs to develop their activities. Constitutional and legal frameworks might be more or less permissive and restrictive for the NOCs as well as national policy makers.
ES 10. Clear frameworks for collaborations between the NOCs and public authorities. The most efficient collaborations are those in which the distribution of responsibility and deliverables are transparent for both partners.

ES 11. The NOCs should dedicate their political efforts to negotiating reliable and clear memorandums of understanding. The IOC’s insistence on some minimum sports autonomy provides the NOCs with substantial bargaining leverage.

ES 12. Funding plays a key role for the NOCs. Almost all NOCs are heavily reliant on government or public money. This reliance takes different forms and has different effects. If NOCs are not willing to restrict their activities, they have to be able to negotiate the terms of public funding and to be able to adapt to the specific way by which government funding is provided.

ES 13. IOC funding is essential and strategically relevant for NOCs in developing countries.

ES 14. All NOCs investigated are very professional and proactive organisations pursuing strategic visions. The NOCs in developing countries have clearly benefitted from IOC funding and IOC sport management or administration programmes. Management and administrative skills are important for the NOCs to navigate in national sport policy making.

ES 15. Personal and political relations are very important for the role of the NOCs within national sport policy making. These relations can mediate the impact of harder parameters, such as, the structure of the national sport system, the regulatory framework and the conditions for public funding. The NOC leadership needs to create high-level political ties, which can have ambiguous effects.
1. Introduction

The current project aims to advance academic and practical understanding of sport governance by examining one of its key institutions, that is, the National Olympic Committees (NOCs). Previous scholarship on the NOCs has been primarily interested in issues of autonomy and control. Accordingly, research has focused on more direct (or more blatant) ways of political inference, such as, government appointments of NOC officials (Chappelet and Kübler-Mabbot 2008; Chappelet, 2010, 2014, 2016).

The focus on political inference is understandable given that that the autonomy of sport has been a key issue in sport policymaking and politics. Highly valued by sport governing bodies to shape their interactions with public authorities, academic research has also invested considerable effort in understanding the definitions and the use of the concept. There is no doubt that this research has brought about valuable insights for understanding the dynamics of sport governance and policy.

However, the approach adopted here is rooted in the conviction that a dominant focus on a broad interpretation of sports autonomy does not do justice to the changes in international sport governance over the last three decades, and therefore needs to be complemented with more intricate approaches to the complex relations between sport organisations and public authorities. Moreover, a primary interest in autonomy appears of limited use for adequately understanding the difficult position of the NOCs, which due to lack of resources are often confronted with the necessity to join collaborative governance regimes in order to be able to pursue the aims of the Olympic movement. For instance, it is particularly telling that the Agenda 2020 of the International Olympic Committee (IOC) shows a substantially refined understanding of the autonomy of sport, and it has developed a more pragmatic approach with reference to responsible autonomy and harmonious relations with public authorities. Moreover, the wide diversity of sport governance structures around the world suggests that the primary interest in sports autonomy that has developed mostly with a Eurocentric focus could be of limited use to understand sport policymaking in culturally and diverse settings. This is even more important as the political and economic centres of power in sport are clearly moving to areas beyond the traditional European setting where institutionalised sport emerged.

Therefore, our theoretical discussion argues that scholars of sports governance and policymaking should take these developments into account and question the extent to which sports autonomy, as a concept, might be losing some of its explanatory powers to explore the relations between sports organisations and public authorities. In the theoretical section, we first aim to
critically review the academic and political debate about sports autonomy. In doing so, we will explore the evolution of the concept over time and assess its limitations. Our second objective is to develop an alternative conceptual framework, based on approaches of collaborative governance as developed in public policy and administration scholarship.

In empirical terms, we try to shed more light on the intricate relationship between the Olympic Movement and public authorities by shifting the focus from the primary study of institutional structures and their evolution to specific policy processes and the outcomes they produce. Therefore, the project examines resource exchanges and collaborative relationships between NOCs and public authorities at the policy level. The policy focus can serve to make the contributions of NOCs to domestic sport policies evident as well as different ways of how NOCs pursue the goals of the Olympic Movement. By investigating NOCs with a different political and cultural background, the project aims to make some inferences on the impact of contextual factors on resource exchanges between NOCs and public authorities. Thus, ultimately the project intends to contribute to a more general theory on sport governance, which pays attention to political and cultural diversity.

This report proceeds as follows. First, it reviews the evolution of the concept of sports autonomy and its associated scholarship. Second, it presents the suitability of a collaborative governance conceptual framework to understand the relationships between public authorities and sport organisations. Third, it draws conclusions discussing the appropriateness of this new approach in the study of sport governance. Then, we present our research design before we present the results of four case studies on NOC collaborations in different political and cultural contexts.

2. Theoretical background: The crisis of sports autonomy

The political and academic debate about sport governance has been heavily focused on the question of the autonomy of sport, more so since the increased legal and political intervention of public authorities in sport (McArdle, 2000; Parrish, 2003; Weatherill, 2003). There are good reasons for this dominant research interest. Sports autonomy has been for a long time a guiding policy paradigm in sports governance; for some, autonomy was initially included as one of the fundamental principles of good governance in sport (Chappelet & Kübler-Mabbot, 2008). Moreover, for sport organisations themselves ‘autonomy’ has been clearly a priority and a normative governance concept, something that ought to happen (see Blatter, 2007; FIFA, 2006).
Following Geeraert and Bruyninckx (2014), traditional sport governance can be characterised as hierarchical self-governance in which international sport governing bodies (ISGBs) ruled at the top of a clear pyramidal structure and enjoyed far-reaching regulatory powers. Those far-reaching regulatory powers were based on one principle: The autonomy of sport from public authorities. Such an autonomous, and monopolistic, role was acknowledged by the European Commission in its famous characterisation of the so-called European Model of Sport (European Commission, 1998); although, of course, the European executive has moderated its view on sports autonomy quite substantially since then (García, 2009). Be that as it may, this demonstrates the centrality of the concept in the political and academic debate. Chappelet (2010: 49), who has so far presented the most instructive account of sports autonomy, has defined the concept as the possibility of the sport organisations to:

1) ‘establish, amend and interpret rules appropriate to their sport freely, without undue political or economic influence;
2) choose their leaders democratically, without interference by states or third parties;
3) obtain adequate funds from public or other sources, without disproportionate obligations;
4) use these funds to achieve objectives and carry on activities chosen without severe external constraints;
5) draw up, in consultation with the public authorities, legitimate standards proportionate to the fulfillment of these objectives.’

Such autonomy has been especially possible at the international level because non-governmental ISGBs emerged first as transnational private regimes, which filled a regulatory vacuum that national states did not address for a long time (Meier & García, 2015). Since then, the ISGBs have always insisted on a broad interpretation of sports autonomy. However, the paradigm is of limited use for developing a general approach to analyse sport governance and policy-making, more so at national level where the regulatory powers of governments and the so-called ‘shadow of hierarchy’ (Héritier & Lehmkuhl, 2008) of the state is more complex. Thus, the concept of autonomy is subject to a number of limitations that need to be acknowledged. We turn to discuss these limitations now.

2.1. The refinement of sports autonomy: from strict to conditional

The first limitation of the concept of sports autonomy lies in the fact that its understanding has been severely refined over the last two decades. There are two different, yet interrelated, elements of this refinement. On the one hand, the consequences of the commercialisation of sport
and the regulatory efforts of public authorities, mostly European Union institutions. On the other hand, the recognition of sport organisations themselves, most especially the IOC and the Olympic Movement, of the necessity to refine their understanding of the autonomy of sport over time. We discuss these two elements in this section.

Since the 1990s, public authorities and ISGBs have intensely debated about the autonomy of sport. Regulatory attempts of public authorities, such as the Court of Justice of the European Union’s (CJEU) ruling on the Bosman case, have made a global impact and modified the understanding of the concept of sports autonomy (García & Meier, 2016). Of particular importance has been the cumulative effect of the application of European law to the policies and structures of ISGBs through rulings of the CJEU and decisions of the European Commission in competition policy cases. These rulings and decisions have carved over time an understanding of what sport was allowed and not allowed to do within the remit of its autonomy (García & Meier, 2016; Parrish, 2002).

In order to condense basic insights of the academic debate about the demise or refinement of sports autonomy, it is useful to build on Geeraert, Mrkonjic and Chappelet (2015) who have distinguished between four different subdimensions of sports autonomy and have tried to systematise the causes for its erosion (Table 1).

Table 1. Threats and counterstrategies connected to sports autonomy

<table>
<thead>
<tr>
<th>Nature of autonomy</th>
<th>Threat</th>
<th>Counterstrategy</th>
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<tbody>
<tr>
<td><strong>Political autonomy</strong></td>
<td>Instrumentalization of sport by state actors</td>
<td>Lobbying</td>
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<tr>
<td></td>
<td>Political interference due to governance failures</td>
<td>Proactive partnerships</td>
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<td></td>
<td>Cross-sectoral policies</td>
<td>Sporting sanctions</td>
</tr>
<tr>
<td></td>
<td>EU law (internal market)</td>
<td>Governance improvements</td>
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<td></td>
<td>National law (association law)</td>
<td></td>
</tr>
<tr>
<td><strong>Legal autonomy</strong></td>
<td>EU law (internal market)</td>
<td>Lobbying</td>
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<tr>
<td></td>
<td>National law (association law)</td>
<td>Lex sportiva and sports arbitration</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Settling disputes outside the Courts</td>
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<tr>
<td></td>
<td></td>
<td>(Threatening with) ‘exit’</td>
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<tr>
<td><strong>Financial autonomy</strong></td>
<td>Dependence on member federations</td>
<td>Marketing of media rights</td>
</tr>
<tr>
<td></td>
<td>Dependence on public funding</td>
<td>Marketing of sponsoring rights</td>
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<tr>
<td></td>
<td>Dependence on only one commercial partner</td>
<td>Engaging with several commercial partners</td>
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<tr>
<td><strong>Pyramidal autonomy</strong></td>
<td>Bottom-up systemic pressure</td>
<td>Co-optation</td>
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<td></td>
<td></td>
<td>Seeking legitimacy from state actors</td>
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<td></td>
<td></td>
<td>Marketing of historic value of international competition</td>
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</tbody>
</table>

Source: Geeraert, Mrkonjic and Chappelet (2015: 482).

Whereas the definition of the separate sub-dimensions might be open to debate, the systematisation is useful insofar as it shows that sports autonomy has come under pressure due to a mix
of governance failures, commercialisation, competence creeping/regulation by supranational institutions, increased financial dependency and intensified conflicts within the sport sector. It also suggests that autonomy is such a complex and multi-dimensional concept whose use as a blanket tool to understand governance processes is likely to lack analytical and explanatory power.

Concerning governance failures that served to erode sports autonomy, the Salt Lake City scandal and the Festina doping scandal of 1998 indicated that ISGBs had failed to regulate corruption and to effectively mitigate doping (Hamilton, 2010; Hanstad, Smith & Waddington, 2008). In an unprecedented move, governments reaped competences from the IOC and created the World Anti-Doping Agency (WADA) in 1999 (DeFrantz, 2008). The creation of WADA indicated an erosion of sports autonomy as the agency has been designed as a public-private partnership with a solid base in international law and funded and controlled by the sport movement and governments on the base of parity (Hunt, 2011).

Other governance failures related to the rapid commercialisation of international sport since the 1980s, which inspired some ISGBs to exploit their monopoly position in the regulation, organisation and governance of their sport (Brickman & Vollebregt, 1998; McArdle, 2000; Greenfield & Osborn, 2001; Egger & Stix-Hackl, 2002; Parrish, 2003). The key dynamic in these situations was the way in which ISGBs exploited their position as autonomous governing body within their sport to enter into commercial operations without giving due representation to other stakeholders in their sport. As a result, dissatisfied stakeholders started to challenge the legitimacy of the ISGBs because they were abusing the powers gained through their autonomy from public authorities (García, 2012). Thus, the famous Bosman judgment of the CJEU in 1995 addressed player exploitation by clubs and governing bodies’ regulations; subsequent conflicts between governing bodies and stakeholders (mostly clubs and leagues in team sports such as football and basketball) centered around the abuse of monopoly positions in media markets by the federations (Morris, Morrow & Spink, 1996; Késenne & Jeanrenaud, 1999; Weatherill, 2003). More recently, European authorities have had to adjudicate in cases where ISGBs such as the International Skating Union had utilized their regulatory autonomy to create rules that close the access to the market of stakeholders and private operators to organize skating competitions (Szyszczak, 2018; Kornbeck, 2019). It has been suggested that these cases referred above can be interpreted as governance conflicts between the governing bodies and different stakeholders, which challenged the excessive level of unaccountable autonomy exercised by the governing bodies (García, 2012).
The intervention of EU institutions in resolving these conflicts was paramount for the erosion of governing bodies’ autonomy, for European law and policy followed a different institutional logic than traditional sport policy-making structures at the national level (Parrish, 2003). Thus, the decisions by EU institutions in the aftermath of the Bosman judgement created substantial uncertainty about the scope of sports autonomy and catalysed institutional change. This is a process that needs to be understood as long-term and cumulative. The combination of all these decisions has eroded sports autonomy over time. The intense lobbying efforts by ISGBs to counteract the dynamics and defend their regulatory and governance autonomy vis-à-vis the ‘attacks’ by some stakeholders, and the legal approach adopted by the European Union and other public authorities have largely failed (Meier & Garcia, 2013).

Given the role of the EU legal system in contributing to the erosion of sports autonomy as it was understood before the Bosman ruling, it might come as a surprise the number of times in which European institutions have referred to the autonomy of sport in political declarations. For instance, the Council of Europe’s Committee for the Development of Sport (1992), the Nice Declaration of the European Council (2000), the White Paper on Sport of the European Commission (2007) and the European Parliament’s report on it (2008). Even beyond Europe, on 3rd October 2014, members of the United Nations General Assembly recognised the autonomy and independence of sport through the adoption of the resolution on ‘Sport as a means to promote education, health, development and peace’.

The explanation to this apparent paradox is simple, though. These rather numerous political references to autonomy are a symptom of the real decline in actual sports autonomy achieved through the application of European law as explained above. The regulatory ‘action’ of public authorities, especially in Europe, has been quite different to their political ‘talk’. In other words, whereas political declarations to protect the autonomy of sport were adopted, these were never transformed into any form of regulation or legislation, demonstrating that the consensus about sports autonomy from the public authorities was far from strong. In addition, good governance of ISGBs has been made increasingly an element of conditional autonomy. The European Commission and the European Parliament have emphasised that respect for the autonomy of the sport sector is conditional to its commitment to democracy, transparency, accountability in decision-making and inclusive representativeness (European Commission, 2011; European Parliament, 2017).

Thus, scholars working on sport governance agree that ISGBs by now have to negotiate their autonomy with powerful stakeholders within and outside the sport sector (Croci & Foster,
2004; Holt, 2006). The relationship between ISGBs and public authorities has been described as one of ‘supervised autonomy’ (Foster, 2000; García, 2009) or ‘conditional autonomy’ (Weatherill, 2007). As Chappelet (2010: 45) has correctly emphasised, the traditional dichotomy between the rules of the game and legal rules has collapsed so that the ‘autonomy to set rules of sport is conditional on the legitimacy of their sporting objective and on their proportionality vis-à-vis the situations encountered’.

Thus, we have seen how commercial developments, governance failures and regulatory efforts by public authorities have certainly redefined the autonomy of sport organisations. The reaction of the Olympic Movement illustrates that the IOC is quite aware of this new reality. Indeed, the IOC has itself also contributed to a different and refined understanding of sports autonomy. The IOC referred to the autonomy of sport for the first time in the Olympic Charter of 1949. The stipulation that NOCs should be independent and autonomous was probably included due to the decision of the Soviet leadership to participate in the Olympic Games of 1952 (Chappelet, 2010). The current version of the Olympic Charter states in relation to the fundamental principles of Olympism:

‘Recognising that sport occurs within the framework of society, sports organisations within the Olympic Movement shall apply political neutrality. They 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’

The IOC characterises autonomy as a necessity for the Olympic and sport movement, ‘since autonomy guarantees the preservation of the values of sport, the integrity of competitions, the motivation and participation of volunteers, the education of young people and their contribution to the well-being of all, women, men and children, thereby contributing to its credibility and legitimacy’ (Chappelet, 2010: 14, cf. Bach, 2009). The Olympic Charter also includes provisions to enforce sports autonomy. Thus, the Charter authorises the IOC Executive Board to protect the Olympic movement by suspending or withdrawing the recognition of an NOC if it is not autonomous enough:

‘the IOC Executive Board may take any appropriate decisions for the protection of the Olympic Movement in the country of an NOC, including suspension of or withdrawal of recognition from such NOC if the constitution, law or other regulations in force in the country concerned, or any act by any governmental or other body causes the activity of the NOC or the making or expression of its will to be hampered.’ (Olympic Charter, 2019, Art. 27.9).
However, in contradistinction to FIFA, which has adopted an aggressive stance when it comes to enforce the autonomy of national football associations (FAs), the IOC makes only rare use of suspensions of NOCs (García & Meier, 2015; Meier, forthcoming). The hesitance of the IOC to use the instrument of suspensions does not necessarily indicate that NOCs faces less political interference than national football associations. Rather, we argue, the IOC’s more restrained approach seems to reflect the fact that NOCs face more complex missions than national FAs, and this requires closer cooperation with national public authorities (see below).

Here, it should be first stressed that the Olympic Charter commits the Olympic Movement to ‘good governance’, which reflects the IOC’s conviction that adhering to high governance standards is fundamental to preserving the autonomy of sport and protecting it from governmental interference. Hence, the 2009 Olympic Congress in Copenhagen adopted the ‘Basic Universal Principles of Good Governance’ and the IOC recommends NOCs around the world to include these principles in their statutes (Chappelet, 2016). These Basic Universal Principles demand, among others, clear and transparent regulations, reliable and appropriate criteria for the election or appointment of members of the governing bodies, highest level of competence, integrity and ethical standards, representativeness in terms of gender and minority background, democratic processes, checks and balances, open decision-making processes, opportunities to appeal decisions, and accountability.

One of the areas covered by the IOC Basic Universal Principles of good governance is what they termed ‘harmonious relations with governments while preserving autonomy’. Under this theme, the IOC included ‘cooperation, coordination and consultation’ with governments, ‘complementary missions’ with public authorities, and, of course, maintaining and preserving the autonomy of sport through ‘the right balance between governments, the Olympic Movement and sporting organisations’ (International Olympic Committee, 2009, p. 12). This approach to autonomy, as presented in the wording of the principles of good governance, signals a message from the IOC towards a need to coordinate and consult, rather than bluntly impose its autonomy. Moreover, the provisions are indicative of the collaborative approach the IOC has adopted with regards to public authorities. As we will discuss below, this collaborative approach seems more context-sensitive than a dogmatic view on sports autonomy. It also reflects a different understanding of sports autonomy.

In summary, the IOC has effectively redefined its understanding of sports autonomy, as can be seen clearly in the documents emerging from the adoption of the IOC Universal Princi-
amples of Good Governance. Moreover, the IOC signals towards the need to adopt a more collaborative and coordinated outlook in the relations with public authorities. This rather nuanced approach cannot be fully analysed, we argue, through the concept of autonomy. It is, therefore, a clear symptom of its diminishing explanatory powers. Having discussed the extent to which sports autonomy has been refined conceptually and empirically over the last two decades, we turn now to a second limitation: the difficult application outside the western context.

2.2. Sports autonomy as a ‘first world’ concept

Sports autonomy is further of limited use for analysing sport governance because the concept and the discourse surrounding it refer to very specific social and political reality. Indeed, Geraert and colleagues (2015) as well as Chappelet (2016) have correctly emphasised that the autonomy of sport is, in essence, a Western concept, where sport has been framed as part of the leisure activities of free citizens who have the right to form their own associations and to adopt the rules they wish.

Modern sport’s codification and institutionalisation originated in a very specific social and political environment. Sport represented the pastime of the English ‘leisure class’, which was not required to make a living from sport (Holt, 1989). Sport governing bodies represented gentlemen’s clubs run by amateurs, which were politically and economically independent. Moreover, these bodies had little political or economic ambitions beyond regulating and organising athletic competitions. British governments were dedicated to a liberal political philosophy, which perceived leisure as a private domain in which governments had no stake in and should not intervene (Allison, 2001). Thus, the autonomy of sport emerged as doctrine (a) when sport was defined as politically irrelevant, and (b) where a civic society existed with sufficient social capital to organise sport on a voluntary base. As Allison (1998) has put it, the institutionalisation of modern sport was civil society at its best. These conditions should not be taken for granted, though, not even in the Western context in which they originated.

2.2.1. Sport’s career as all-purpose policy instrument

Firstly, we have seen a creeping interest of governments to use sport as a policy instrument, and this is even true in the Western context in which sports autonomy developed. The perception of sport as a politically irrelevant leisure activity has substantially changed as governments have increasingly adopted an instrumental approach to sport as means for pursuing diverse policy aims.
An initial step in that direction was the use of sport as a vehicle to promote national identity and civic pride. The Olympic Movement and other ISGBs have nurtured such considerations because the Olympic Games or the FIFA World Championships are organised on the principle of national representation, which is likely to invoke banal nationalism (Holt, 1989; Hargreaves, 1992; Billig, 1995).\(^1\) The actual role of sport as a policy instrument is by far no longer restricted to identity politics. Political stakeholders have increasingly signed up to a ‘mythopoeic’ vision of sport according to which it represents a suitable vehicle for diverse policy aims, such as, education, social integration, promotion of healthy lifestyle, etc. (Coalter, 2010). Just as an example, the United Nation’s resolution on ‘Sport for Development and Peace’ states that sport has the potential ‘to foster intercultural dialogue, peace and development and to contribute to an atmosphere of harmony, tolerance and understanding’ and reaffirms ‘that sport is a tool for education that can promote cooperation, solidarity, social inclusion and cohesion, gender equality and health at the local, national and international levels’ (United Nations, 2014: 1-2).

Although some authors have severely criticised this tendency to over-emphasise the role of sport as a delivery mechanism of public policies and wider societal values (Weed, 2017; Weed et al., 2015), the political discourse continues to adhere to such beliefs. Hence, again as an example, the European Parliament has recently argued that ‘in addition to improving public health through physical activity, [sport] plays social, educational and cultural functions. Sport also conveys important values such as team spirit, solidarity, respect for others and fair play, and teaches the importance of rules.’ (European Parliament, 2017: 4). Given this (perceived) potential of sport as a highly capable policy instrument, it should not come as surprise that a ‘hands off’ approach to sport policy-making might have become less persuasive for national governments.

Furthermore, as elaborated by Green and Oakley (2001), the ‘global sporting arms race’ has inspired governments to imitate what appeared to be an original Eastern European ‘managed approach’ to elite sport according to which international athletic success can be produced by strategic investments (see also Bergsgard, Houlihan, Mangset, Nødland & Rommetvedt, 2007). A number of countries have abandoned a former \textit{laissez-faire} approach in the area of elite sport development in favour of some form of more supervised autonomy where the provision of subsidies is only granted when performance targets are met (Houlihan & Green, 2006; 1

\(^1\) Former versions of the Olympic Charter outright suggested that recognizing a National Olympic Committee indicated the existence of a viable political unit (e.g. O’Neill, 1988: 408-409).
De Bosscher, De Knop, Van Bottenburg & Shibli, 2008). Thus, notwithstanding persistent lip service to sports autonomy, the relationship between public authorities and sport governing bodies follows increasingly a logic of delegation according to which the sport sector provides certain goods in exchange for government support.

### 2.2.2. Social and political prerequisites of sports autonomy

A second reason why the conditions of sports autonomy should not always be presupposed relates to the socio-political context. As mentioned before, the discourse on sports autonomy is mostly Eurocentric and, as such, it seems to take it for granted that a civic society capable of organising sport by themselves exists. However, as the literature on social capital and civic society has demonstrated, this is a rather heroic assumption. A key argument made by Putnam (1993) in his seminal account on social capital was that a strong civic society appears to be the product of long historical processes, more precisely, that the development of social capital is path dependent. As democracy and social capital appear to be interdependent (Paxton, 2002), even short authoritarian episodes can have lasting negative effects on civic society as they destroy social trust (Bailer, Bodenstein & Finn Heinrich, 2012). Moreover, civil society seems to work quite differently in distinct cultural contexts; that is, civil society does not necessarily assume the form of persistent volunteer associations (Fioramonti & Kononykhina, 2015). Yet, the discourse on sports autonomy does not provide any answer to whether autonomy represents a useful policy paradigm for countries with a weak civic society characterised by a lack of voluntary associations. Under these circumstances, governments aiming to promote domestic sport development might naturally assume a more active role than envisioned in the concept of sports autonomy because, quite simply, the local society does not possess enough capital to set up a sport structure (not least a fully-fledged policy action) on its own.

Furthermore, sports autonomy does not sufficiently take the diversity of political cultures into account. As several international surveys suggest, the amount of civil liberties granted to citizens, which is essential for forming volunteer organizations, varies substantially across the world (see Figure 1).
Figure 1. Geographical distribution of Human Freedom Index

Source: Vásquez and Porčnik (2018), reprinted with permission of Freedom House.

But even in traditional Western democracies where, arguably, good level of civil liberties could be assumed, this will automatically translate into a civic society forming autonomous sport organisations. And these nuances are not really captured either by current uses of the concept of sports autonomy. As various authors have pointed out, European governments have hold quite different views on the role that the autonomy of sport should play in public policy, as many prefer a more active role in sport policy-making (Henry & Ko, 2009). Thus, Chaker (2004) distinguished between interventionist and non-interventionist national sport legislation, while Camy and colleagues (2004) distinguished four configurations of national sport systems: A ‘missionary configuration’, a ‘bureaucratic configuration’, an ‘entrepreneurial configuration’, and a ‘social configuration’, in which power is differently distributed between the sport movement and public authorities. It is not the scope of this paper to discuss which classificatory scheme is most appropriate. The main insight that we want to highlight from that body of work for our purpose here is that, even in a Western European context, sports autonomy has been interpreted quite differently. And that researchers have identified a variety of dynamics in the relations between public authorities and sport organisations. They have argued that even in this context the explanatory powers of autonomy are limited. This leads us to suggest the need for
a more complex and nuanced framework, beyond the concept of autonomy, to explain these interactions.

Furthermore, this is only amplified by the globalisation of sport reaching new economic and political centers such as the Gulf region or the Far East. In many of these countries, there are socio-political structures that differ greatly from the Western context in which sports autonomy originated (see Figure 1 above). In this respect, the IOC’s Agenda 2020 seems to be acutely aware of the implications of political and cultural diversity. The Agenda 2020 refers to the principle of ‘unity in diversity’, defined as balance between local society and context and the universal values of Olympism, which indicates that the diversity of the Olympic Movement poses a substantial challenge for developing one universal model of sport governance (and consequently a single understanding of autonomy).

We have seen, therefore, how the origin of the concept of sports autonomy includes several assumptions that cannot be taken for granted anymore. This is true for the original Western context in which it originated, but it is further exacerbated by the globalisation of sport. Thus, we argue that we find here a second limitation to the concept’s explanatory powers to discuss interactions between public authorities and sport organisations.

2.3. Empirical limitations of sports autonomy: NOCs and national governments

Research on NOCs provides probably the best empirical evidence of the challenges to sports autonomy that we have discussed so far. NOCs occupy a pivotal position within the Olympic system, as they are located between the IOC and national governments. The Olympic Charter (2019) stipulates very clearly that NOCs act as the national representative of the IOC within the respective country; article 27 states that the ‘mission of the NOCs is to develop, promote and protect the Olympic Movement in their respective countries, in accordance with the Olympic Charter’. However, the Olympic Charter assigns the NOCs several key tasks, which come with substantial implications for national sport policies and, inevitably, require coordination with domestic authorities. The NOCs are not only responsible for making the final decision on whether the national teams will participate in the Games (Olympic Charter, 2019: Bye-law to Rule 33.1.2). They are also expected to promote Olympism in the national educational systems, to encourage the development of high performance sport and sport for all, to support the training of sports managers and health care for athletes, and to adopt and implement the World Anti-Doping Code (Olympic Charter, 2019: Art. 27.2). In order to fulfill these roles NOCs need to work very closely with their national governments.
NOCs have access to substantial revenue streams via the Olympic Solidarity Program. On the one hand, the Olympic Solidarity program has facilitated the expansion of the Olympic Movement in non-Western contexts but has also created incentives for political control of these resources (Zammit & Henry, 2014). On the other hand, these resources, if correctly leveraged, might allow NOCs to develop some of their own policy agendas. The management of Olympic Solidarity funding can condition, or at least modify, the relations between NOCs and their national governments.

In sum, due to their mission and resources, the NOCs are likely to play a decisive role in domestic sport policies. Naturally, as Chappelet and Kübler-Mabbot (2008) point out, the role, jurisdictions and tasks of NOCs within their domestic remit can differ substantially from country to country. In particular, those NOCs that also serve as National Sport Confederations or Sport Councils inevitably occupy a key position in sport policymaking. These NOCs must work as a representative organisation for the entire (federated) sport sector. At the same time, they also allocate public funding to sport federations, organise events and competitions. It is perhaps interesting to see an increasing number of countries in which the NOCs have merged with their national sport confederations/councils following the well-known German or Dutch models. Only recently, this has happened in rather different countries such as the Republic of Korea or South Africa, and there are similar debates in other parts of the ‘Olympic’ world, such as Botswana or Guatemala. Whereas this development is outside the scope of this article, it signals clearly an increased role for NOCs in national sport policy-making around the world and the emergence of complex relationships with their public authorities.

It seems self-evident that the NOCs can only fulfill their mission if they are able to adapt to the national social and political context. Chappelet and Kübler-Mabbot (2008) have distinguished four categories of NOCs depending on the degree of political independence:

- Politically independent NOCs with substantial financial resources,
- Politically independent NOCs without substantial financial resources,
- NOCs controlled by government on both a financial and political level, and
- so-called ‘fantasy’ NOCs, which are created for a symbolic participation in the Olympics.

Chappelet and Kübler-Mabbot (2008) claim that the majority of NOCs, in particular in non-Western countries, belong to the third category of government-controlled NOCs. A more recent survey conducted by Wickstrøm and Alvd (2017) found that, in total, nearly 15% of all NOCs are led by individuals who are formally connected to a national government. Even more NOCs
had political ties, as a number of NOCs leaders were former or actual politicians. Hence, Wickstrøm and Alvd (2017) concluded that the borders between NOCs and national governments become increasingly blurred as the political and organisational center of the Olympic Movement moves from Western democratic countries towards Asia, Middle East and Eastern Europe.

The actual dependence of the NOCs on national social and political contexts might represent one of the reasons why the Olympic Agenda 2020 in its ‘Recommendation 28: Support autonomy’ adopts a collaborative approach with regard to the relationship between sport organisations and national public authorities, following on from the suggestions adopted in 2009 in the IOC Universal Principles of Good Governance. The importance of Agenda 2020 is that it puts meat on the bones on the vision of autonomy announced in the Universal Principles of Good Governance. The Agenda 2020 calls for a proper definition of the role of public authorities and the sports organisations on the base of a joint determination of common interests and areas of cooperation.

Moreover, the Agenda 2020 clearly states that sports autonomy is not end in itself, but a means for persevering the universality of sports, its values rules and integrity. The Agenda also declares that sport organisations are fully part of the framework of the local society and context and that NOCs, therefore, rely on the technical and/or financial support by public authorities to fulfil their mission:

‘[I]n the framework of their public service mission and the established policies, the public and government authorities contribute to the development of sport and have extended powers and specific means, particularly for the construction of sports facilities, but also in the areas of education, health, integration and security, and in the fight against doping, corruption, illegal betting, match-fixing, violence, racism, etc.’

(Agenda 2020, Rec. 28.8)

Thus, we find that Agenda 2020 calls for a constructive and inclusive dialogue between government authorities and NOCs for establishing a consistent sports policy and legislative framework. Concerning the crucial issue of financial support, the Agenda emphasises that NOCs have an obligation to be accountable for the use of the funding, but that government funding should not be used in any indirect way to justify unwarranted interference or disproportionate obligations.

The relationships between NOCs and national governments exemplify some of the limitations that we face in the study of sports autonomy. These are complex and multi-faceted relationships that depend on several variables such as political, regulatory and economic contexts. At the same time, the evolution of the Olympic movement structures, as well as Olympic
solidarity, increase the complex nature of these relationships. The use of sports autonomy in this circumstances, we argue, can only help us partially. We suggest that an alternative and complementary approach could be to employ concepts of collaborative governance. We turn now to explore their potential in the next section.

3. Studying collaborative sport governance regimes

The substantial refinements of sports autonomy by the IOC imply that scholars who are interested in a truly global approach towards sport governance and policymaking to abandon the preoccupation with sports autonomy. In contrast, we dedicate our efforts to the empirical study of the diverse forms of collaborations between sport organisations and public authorities, which have evolved in different cultural and political settings. The IOC’s Agenda 2020 points clearly towards the paradigm of collaborative sport governance as it emphasises that the goals of the NOCs as well as other sport organisations cannot be achieved without support by public authorities.

This is hardly a new insight, though. As emphasised by Ferkins, Shilbury and McDonald (2005), many sport organisations face a dynamic and multiple stakeholder environment and suffer at the same time from a lack of management resources. These factors make it necessary to enter collaborations, although creating and managing such a collaborative governance regime pose substantial challenges (Shilbury, O’Boyle & Ferkins, 2016). For scholars of sport governance and policymaking, the managerial perspective adopted by Shilbury, O’Boyle and Ferkins (2016) might be too narrow as it seems to be focused primarily on the problems sport organisations face. However, the rich literature on collaborative governance, which originated in public administration and public policy research (Ansell & Gash, 2008; Emerson, Nabatchi, & Balogh, 2006, 2012; Bryson, Crosby & Stone, 2015; Fung, 2015; Head & Alford, 2015; Klijn & Koppenjan, 2012; Provan & Lemaire, 2012; Thomson & Perry, 2006; Provan & Kenis, 2008; Koschmann, Kuhn & Pfarrer, 2012), might be useful to complement and further develop the ideas pointed out by Shilbury and colleagues.

Scholarship on collaborative governance regimes is rooted in the literature on collective action (Ostrom, 1990), transaction cost economics (Williamson, 1981), and research on organizational networks (Powell, 1990), in particular on policy networks, inter-organisational service delivery and policy implementation and managing networks (Klijn & Koppenjan, 2012). Thus, cooperations between public and private actors are hardly a new phenomenon and have become a major topic in policy research since the 1990s (Kenis & Schneider, 1991; Marsh & Rhodes, 1992; Mayntz, 1993a, 1993b; Rhodes, 1997; Scharpf, 1994).
3.1. The strengths and weaknesses of collaborative governance approaches

For the purposes pursued here, we rely on Bryson, Crosby, and Stone (2006: 44) to define cross-sectoral collaborations as ‘the linking or sharing of information, resources, activities, and capabilities by organisations in two or more sectors to achieve jointly an outcome that could not be achieved by organisations in one sector separately’. As pointed out in the seminal contribution by Ansell and Gash (2008), research on such cross-sectoral collaborations was initially driven by an instrumental perspective according to which cross-sectoral collaborations contribute to better coordination, better informed problem solving and better conflict resolution. According to Ansell and Gash (2008), collaborative forms of governance have emerged as alternatives to adversarial and managerial modes of policy-making. Collaboration, that is, the involvement of a broad range of stakeholders, was supposed to mitigate failures of downstream implementation and the politicisation of regulation. Other scholars have assumed that cross-sectoral collaborations would be superior in handling particular wicked problems (Head & Alford, 2015).

It is important to note that recent research has struck a much more sceptical note when it comes to the problem-solving capacity of cross-sectoral collaborations. The effectiveness of ‘new’ modes of governance cannot be assumed (Provan & Lemaire, 2012), collaborations are difficult to manage and sustain (Bryson, Crosby & Stone, 2006, 2015), and new legitimacy issues can emerge (Fung, 2015). As the field is still fragmented and characterised by low consensus, Bryson, Crosby and Stone (2015: 658) are rather sceptical about the opportunities to draw causal inferences or to make statements about contingencies:

‘Theory, empirical research, and practice all reveal that because cross-sector collaborations are so complex and dynamic and operate in such diverse contexts, it is unlikely that research-based recipes can be produced.’

Accordingly, the collaborative governance approach represents not a full-fledged theory providing casual propositions on factors facilitating the efficacy and responsiveness of collaborative governance arrangements. Rather, the approach represents a heuristic device.

3.2. An empirical strategy for studying collaborative sport governance

Taken as a heuristic device, collaborative governance approaches allow taking the actual diversity of sport governance and policymaking into account. However, the study of collaborative governance arrangements comes with a strong preference for a case study approach, which is in particular suited to study ‘how’ and ‘why’ questions about a contemporary sets of events as they occur in their natural context (Yin, 2018: 13). Moreover, the different approaches to collaborative governance focus strongly on process components and abandon the predominantly
structural angle of the sports autonomy literature in favour of a policy-focused perspective. This is not to say that collaborative governance approaches ignore structural or institutional features and make their study obsolete. It remains important to investigate the broader context of collaborative governance arrangements, which consists of political, legal, socioeconomic, environmental and other influences as well as drivers of collaborations. However, the main research focus is on interactive components as well as internal or external outcomes (Emerson, Nabatchi & Balogh, 2012).

For examining how the social and political context shapes the specific character of collaborations, a process-tracing perspective is preferred (Tilly, 2015). Process-tracing is in particular suited to take the path-dependency of collaborations into account. Starting conditions defined as imbalances between the resources or power of different stakeholders, the incentives that stakeholders have to collaborate, and the history of conflict or cooperation among stakeholders will impact collaborative governance regimes (Ansell & Gash, 2008). The need to include historical aspects is in particular important for studying collaborative sport governance because the diffusion of modern sports is highly path-dependent (e.g., Kaufman & Patterson, 2005; Bottenburg, 2010). By conducting in-depth studies on how collaborations have evolved over time, process-tracing approaches might be able to provide evidence on the presence or absence of certain social mechanisms (Tilly, 2015). Thus, the ambitious aim of empirical collaborative sport governance research should be to provide a theoretically guided account of institutional dynamics (Rowlinson, Hassard & Decker, 2014). Finally, research on collaborative sport governance should be preferably of comparative character. Comparative efforts are not new to the community of scholars interested in sport policymaking. By now, a number of rich and insightful accounts on elite sport policies exist (De Bosscher, Bingham, Shibli, van Bottenburg & De Knop, 2008), which have shown the diversity of elite sport systems as well as the equifinality of different institutional arrangements for promoting athletic success. In sum, concerning an empirical strategy for addressing collaborative sport governance, we fully concur with Bryson, Crosby and Stone (2015: 65) who emphasised that single-case studies and variable-driven research face problems when it comes to study complex, dynamic phenomena. Scholars of collaborative sport governance should, therefore, take advantages of the opportunities of longitudinal, multilevel, multimethod comparative case studies to collect rich qualitative and quantitative data. The particular advantage of the heuristic approach proposed here is that it abandons a preoccupation with a static classification of state-sport configurations in favor of a more fine-grained empirical investigation of policy specific collaborations (Table 2).
Table 2. An eclectic approach for studying collaborative sport governance

<table>
<thead>
<tr>
<th>Dimension</th>
<th>Sub-dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Socio-cultural context</td>
<td>- Strength of civil society</td>
</tr>
<tr>
<td></td>
<td>- Dominant form of civic engagement</td>
</tr>
<tr>
<td></td>
<td>- Sport participation</td>
</tr>
<tr>
<td></td>
<td>- Sport popularity</td>
</tr>
<tr>
<td>Political context</td>
<td>- Amount of civil liberties</td>
</tr>
<tr>
<td></td>
<td>- Dominant forms of state-society nexus</td>
</tr>
<tr>
<td></td>
<td>- Role of political/state actors for the diffusion of sport</td>
</tr>
<tr>
<td></td>
<td>- Past history of cooperation and conflict between state actors and sport organisations</td>
</tr>
<tr>
<td></td>
<td>- Power and resource asymmetries</td>
</tr>
<tr>
<td></td>
<td>- Capacity for joint action</td>
</tr>
<tr>
<td>Drivers of collaborations</td>
<td>- Policy ambitions</td>
</tr>
<tr>
<td></td>
<td>- Policy failures</td>
</tr>
<tr>
<td></td>
<td>- Policy incentives</td>
</tr>
<tr>
<td>Collaborative process/dynamics</td>
<td>- Collaboration initiative</td>
</tr>
<tr>
<td></td>
<td>- Policy leadership and development</td>
</tr>
<tr>
<td></td>
<td>- Mutual trust and understanding</td>
</tr>
<tr>
<td></td>
<td>- Internal legitimacy</td>
</tr>
<tr>
<td></td>
<td>- Resource exchanges</td>
</tr>
<tr>
<td></td>
<td>- Policy implementation</td>
</tr>
<tr>
<td>Collaborative outputs</td>
<td>- Specific collaborative actions implemented</td>
</tr>
<tr>
<td>Collaborative outcomes</td>
<td>- Specific collaborative institutions created</td>
</tr>
<tr>
<td></td>
<td>- Effects on sport participation</td>
</tr>
<tr>
<td></td>
<td>- Effects on elite sport success</td>
</tr>
<tr>
<td></td>
<td>- Effects on sport popularity</td>
</tr>
<tr>
<td></td>
<td>- Effects on regime legitimacy</td>
</tr>
<tr>
<td></td>
<td>- Effects on soft power</td>
</tr>
</tbody>
</table>

Note: Own depiction based on Ansell and Gash (2008) and Emerson, Nabatchi and Balogh (2012).

As becomes evident from the approach outlined in Table 2, the study of institutional or structural features provides the base for investigating collaborations from a process perspective. A collaborative governance approach asks, among other things, who has initiated a specific collaboration, who is responsible for drafting policies, which resources are exchanged during policy implementation and which outcomes are produced. Thus, in a first step, such a collaborative governance approach to sport governance and policymaking provides scholars with tools to map the diverse range of collaborations between sport organisation and public authorities. This policy perspective is likely to generate rich empirical data, which provide a more solid base for classifying sport-state configurations than pure comparisons of macro-institutional features.

The potential of a collaborative approach to sports governance and policymaking is not limited to empirical mapping. It might finally allow making causal inferences on factors facilitating successful collaborations. Moreover, although a collaborative governance approach assumes that collaborations are inevitable for achieving the aims of sport organisations, it does not preclude the possibility of raising normative questions concerning legitimacy, participation and outright political instrumentalisation of sport organisations. It is self-evident that strong
resource dependencies pose substantial challenges for many sport organisations as resource exchanges are likely to create power imbalances depending on how critical and scarce these resources are (Emerson, 1962). A collaborative governance approach allows to address and evaluate such threats without committing scholars to a Eurocentric vision of appropriate sport governance.

4. Research design

4.1 Sampling of NOCs

In methodological terms, the collaborative governance perspective outlined above requires conducting rich case studies employing a combination of document analysis and expert interviews. Since only a limited number of NOCs can be investigated, decisions on how to sample NOCs for the project had to be made. First, the sampling followed the rationale to abandon a Eurocentric bias and to take the diversity of the Olympic Movement into account.

Accordingly, we decided to investigate at least one NOC of each of the five continental associations of NOCs, that is, the Association of National Olympic Committees of Africa (ANOCA), the Pan American Sports Organization (PASO), the Olympic Council of Asia (OCA), the European Olympic Committees (EOC) and the Oceania National Olympic Committees (ONOC), should be included. Moreover, the study was motivated by the aim to present good practice examples from different context in order to avoid defining infeasible good governance standards, which small NOCs can hardly match because of limited administrative capacity alone. In order to identify potential good practice examples, the project could fortunately capitalize on the fact that the IOC has been conducting its own survey on the implementation of the Olympic Agenda 2020. Thus, the IOC was able to provide a list of NOCs, which have already adopted some ‘Memorandum of Understanding’ (MoU) with national public authorities (see Table 3).

Table 3. NOCs with some Memorandum of Understanding with national governments

<table>
<thead>
<tr>
<th>Country</th>
<th>ISO</th>
<th>ANOC</th>
<th>Political ties</th>
<th>HDI Rank</th>
<th>GDP</th>
<th>Population</th>
<th>Medal Share</th>
<th>Association Freedom</th>
</tr>
</thead>
<tbody>
<tr>
<td>Angola</td>
<td>AGO</td>
<td>Africa</td>
<td>No</td>
<td>150</td>
<td>7,387</td>
<td>25.0</td>
<td>0.00%</td>
<td>2.8</td>
</tr>
<tr>
<td>Madagascar</td>
<td>MDG</td>
<td>Africa</td>
<td>No</td>
<td>158</td>
<td>1,465</td>
<td>24.2</td>
<td>0.00%</td>
<td>8.3</td>
</tr>
<tr>
<td>South Africa</td>
<td>ZAG</td>
<td>Africa</td>
<td>No</td>
<td>119</td>
<td>13,195</td>
<td>54.5</td>
<td>0.46%</td>
<td>8.3</td>
</tr>
<tr>
<td>Mauritius</td>
<td>MRT</td>
<td>Africa</td>
<td>No</td>
<td>157</td>
<td>3,891</td>
<td>4.1</td>
<td>0.01%</td>
<td>9.2</td>
</tr>
<tr>
<td>Cape Verde</td>
<td>CPV</td>
<td>Africa</td>
<td>No</td>
<td>122</td>
<td>6,556</td>
<td>0.5</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Seychelles</td>
<td>SYC</td>
<td>Africa</td>
<td>No</td>
<td>63</td>
<td>27,177</td>
<td>0.1</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Swaziland</td>
<td>SWZ</td>
<td>Africa</td>
<td>No</td>
<td>148</td>
<td>8,648</td>
<td>1.3</td>
<td>0.00%</td>
<td></td>
</tr>
<tr>
<td>Botswana</td>
<td>BWA</td>
<td>Africa</td>
<td>No</td>
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Hence, the assumption was that NOCs with an MoU might be more likely to qualify as good practice examples than NOCs without such efforts to formalize the relationship to public authorities. Finally, while it would have been preferable to take the different role of the NOCs in domestic sport policies into account (e.g., Henry & Ko, 2009, Chappelet & Kübler-Mabbot, 2008), there exists no comparative dataset. Therefore, the next sampling step build on an insight presented by Wickstrøm and Alvad (2017) according to which NOCs appeared to have stronger political ties in countries with lower political freedoms. Therefore, the NOCs were sampled on the base of the ‘Human Freedom Index 2017’, which includes a subindex on ‘Association, Assembly, and Civil Society’. This particular index refers to

‘The freedom to associate and assemble with peaceful individuals or organizations of one’s choice and to form or join organizations for political, commercial, or other ends is an essential part of individual freedom and a basis of civil society. This category is made up of three components: freedom of association, freedom of assembly, and freedom to establish and operate organizations. The last component is made up

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Note: Table includes all NOCs, which have confirmed that they have signed some Memorandum of Understanding with national public authorities. ANOC = Association of National Olympic Committees. Political ties = Political ties of an NOC leader to government bodies according to Wickstrøm and Alvad (2017). HDI = the Human Development Index as provided by the United Nations Development Programme. GDP = Gross Domestic Product per Capita in US dollars as provided the World Bank database. Population = Total population size in millions as provided by the World Bank database. Medal Share = NOC’s total medal share according to the IOC database. Association Freedom = Index of Association, Assembly, and Civil Society as included in the Human Freedom Index (Vásquez & Porčnik, 2017). Empty cells indicate that data are not available.
of three indicators—political parties; professional organizations; and educational, sporting, and cultural organizations—gauging the extent to which those organizations can be established and can freely operate once they are set up.’ (Vásquez and Porčnik 2017: 18)

Based on these theoretically derived sampling criteria, we initially aimed to investigate the following NOCs:

- Africa: Botswana
- Americas: Guatemala
- Asia: Vietnam
- Europe: Czech Republic, Germany
- Oceania: New Zealand

Given the limited time horizon for conducting the research presented here, we were forced to deviate from these theoretically derived sampling criteria and to take pragmatic considerations into account. In some countries, access appeared to be problematic due to political turmoil. In other cases, ease of access to local participants, documents and written sources had to be considered. Thus, we faced a number of problems gaining access to the NOCs. The Czech NOC was not able to cooperate due to pending investigations into misconduct. After initial positive responses from the NOCs of Vietnam and New Zealand, further efforts to secure cooperation came to nothing. Alternative efforts to contact NOCs and governmental authorities in Indonesia, India and Fiji were also made with similarly negative results. Given the initial problems, our focus was to do as many case studies as possible, but also to avoid adding a second European case study, as we considered the relevance of this research project would be enhancing without an Eurocentric focus as explained above. Therefore, the case studies presented here consist of the following NOCs:

- Africa: Botswana
- Americas: Guatemala
- Asia: Sri Lanka
- Europe: Germany

4.2 Data collection

The project uses diverse source material, most importantly, field documents and expert interviews. In order to sample experts for the interviews and documents, the NOCs were first approached. The NOCs were informed about the aims of the project and asked if they were willing to cooperate. Once they confirmed their participation in the study, the NOCs were asked to
name the three most important collaborations they have entered with public authorities. This information provided the base for identifying policy experts as well as for the sampling of field documents, that is, policy papers, contracts, reports etc. The project aimed to interview experts from both, the NOC and the responsible public authorities. We also aimed to interview experts outside NOCs and public authorities, such as national sport federations, press representatives, professional athletes and coaches. This was done to ensure triangulation and enhancing the validity and reliability of our analysis. Thus, each case study includes interviews from three groups: NOC members of staff, governmental authorities, externals. Finally, each case study selected interviewees at both senior and middle level in their organisations with the objective of having both strategic and day-to-day visions of the collaborative dynamics between NOCs and public authorities.

The first part of the interview guide was dedicated to basic structural features of NOC-government collaborations, such as, regulatory frameworks, memorandums of understanding, dialogue and involvement in policy processes, financial support, personal ties to the political system and administrative capacities. The second part of the guide addressed the management of specific collaborations. Thus, it was asked, which side initiated the collaboration and which one primarily responsible for policy development. Moreover, it was investigated whether the collaboration was formalized. Other questions inquired about the primary policy domain and aims pursued and the resources exchanged. Finally, the guide addressed issues of implementation and evaluation. The interviews were then transcribed. In total, we conducted more than fifty interviews.

4.3 Data analysis

Data analysis involved an iterative procedure moving between theory, constructs, and data (Miles & Huberman, 1994). The coding of the material was done both inductively and deductively (Braun and Clarke 2006: 83; see also Braun, Clarke & Weate, 2016). After intense discussions within the research team, we decided to present basic features of the NOCs analysed in a comparative manner. However, the evidence on NOC collaborations is presented in a narrative way in order to do justice to the diversity of NOCs analysed. The empirical research and the data collected in this project is, in itself, a finding. It also demonstrates that research in this area benefits from a theoretically-informed inductive approach. It is only when one gets to know the different dynamics on the ground that the importance of different analytical concepts becomes clear. Such an approach also facilitates identifying best practice, which is particularly
advantageous for the policy-oriented nature of the IOC Advanced Research Grants. In analytical terms, we focus on the actors involved in a specific collaborations, their goals, the distribution of responsibility as well as the existence of checks and balances. During the research project, it became evident to us that we should not only investigate ‘big’ collaborations, as micro-cooperations are equally telling about the collaborations between NOCs and public authorities. These micro-cooperations are characterised by their small size, the absence of wider strategic plan, short-term horizon, a very concrete intervention and that fact that there were not necessarily desirable legacies defined.

5. The case studies

5.1 Botswana: a positive but overlapping relationship

5.1.1 Introduction
Botswana is the African case study of this research project. Botswana is the ‘youngest’ country of the four included in the project. The Republic of Botswana gained independence on 30 September 1966. Botswana is a parliamentary democracy and it is one of the most stable countries in Africa. The political history of Botswana is one of stability and good standards in the democratic process. Unlike the Sri Lanka and Guatemala, Botswana has had a more peaceful recent history, fueled by excellent economic growth.

The population of the country is 2.25 million, which also makes it the smallest country (population-wise) in our research. According to the World Development Database of the World Bank, Botswana’s 2018 GDP is US$ 18.6 billion and the GDP per capita is US$ 8,258, with a current economic growth rate of 4.5% of GDP.

The Botswana National Olympic Committee (BNOC) is a young organisation; much more than its counterparts in Germany, Sri Lanka and Guatemala. The BNOC was established in 1978 and recognised by the IOC in 1980. The first participation of Botswana in the Olympic Games was in 1980, in Moscow. Botswana has won just one Olympic medal, a silver medal in London 2012. The BNOC is a small organisation employing 18 members of staff.

The relations between BNOC and the government of Botswana can be defined as positive, but subject to improvements. The BNOC is an active and modern organisation, which is expanding its role in the Botswana sport system thanks to its professionalism and very good leverage of projects funded through Olympic Solidarity and other IOC funding. During our research, we did not identify major problems in terms of BNOC’s autonomy from the government of Botswana. It was clear, however, that there were some sporadic tensions, especially in
the relations with the Botswana National Sports Commission (BNSC), the governmental agency in charge of sport.

The legislative framework for sport in Botswana is not excessively prescriptive, which allows BNOC to expand its area of action. The main legislative text, the Botswana National Sports Commission Act of 2014 barely mentions the BNOC. Botswana is different from the cases of Guatemala and Sri Lanka in that respect, as legislation does not refer to the creation or structure of the NOC. Indeed, the BNOC is a non-governmental organisation registered under the Botswana Societies Act. Whereas the regulatory framework is not as protective and favourable as in Guatemala, it certainly is not interventionist as in Sri Lanka. One of the findings of this case study was that governmental authorities from both the Sports Ministry and the BNSC were very aware of the Olympic Charter provisions on autonomy and the need to respect those. Whereas it was not codified in legislation as in Guatemala, it was clear during our research visit that public bodies in Botswana have utmost respect and understanding for those provisions. In that context, it is certainly easier for the BNOC to operate, even when there are tensions with the BNSC or with the government directly.

The relationship between BNOC and public authorities in Botswana is conditioned mainly by two elements. First and foremost, the unclear division of competences between the BNSC and the BNOC. We could observe some overlaps and even duplication of efforts, which caused tensions between the organisations. Furthermore, the understanding of the links between the BNOC and the BNSC is paramount to shape the relations between the BNOC and the government of Botswana. The second element is funding. The majority of the BNOC budget comes from government funding, which of course conditions somehow the power relations between the two sides. However, there was unanimity amongst our interviewees that the government money does not come with strings attached. The government does not seem to be using funding to influence the activities of BNOC. This reliance on government funding creates some tensions, though, as it is normally channeled through the BNSC, rather than going directly from the government to the BNOC.

In this case study, we first analyse the legislative and regulatory framework. Second, we discuss the funding structure of the BNOC. Third, we analyse the relations between the BNOC and the BNSC from an institutional point of view. We then move to particular collaborations: The design of an elite sport development policy called the ‘Long Term Athlete Development Framework’ (LTADF); the selection of national teams for major sport competitions; and anti-
doping. As in other case studies, we finish with a brief mention to a number of small micro-cooperations.

5.1.2 Legislative and regulatory framework

Unlike other case studies, the legislative framework shaping the work of the BNOC is rather light. There are two texts of importance: The Botswana National Sports Commission Act of 2014 and a rather outdated National Sports Policy document of 2001. Of course, the National Sports Policy is a guiding, strategic and aspirational document, but it has not regulatory powers and, as with any other policy documents, it all depends on the implementation. Nonetheless, the relevance of that document for us in this report is that it illustrates the government’s understanding of sport policy and the role of the BNOC in the sport system.

The Botswana National Sports Commission Act was adopted in 2014 to amend and repeal the previous legislation setting up the Botswana National Sports Council. Thus, this 2014 Act of parliament introduced a fairly important reform in the sports system. The new BNSC replaced the previous Council, taking over all its responsibilities. Whereas there was no major difference in relation to the competencies, interviewees agree that the set-up of the new Commission centralised more the power on the government. In the words of the president of the Botswana Table Tennis Association:

[The 2014 Act] is very bad … it is a very bad piece of legislation, because it took over the powers from the national federations in relation to the Sports Council. So previously we would have seven positions [in the Sports Council Board] that national federations could elect four out of seven. So it was really a body elected by us, by the sport organisations. But now most of the board members of the BNSC are appointed by the government. The balance of power has completely shifted [with the new 2014 Act], and the federations now only elect two out of the eleven members of the [BNSC] board. And I feel some of the provisions in the Act also were not favourable to sports, not really.

Indeed, the Botswana National Sports Commission Act of 2014 does set up this new body with a very wide remit (21 points) listed in Article 4. Some of these functions are:

- To determine policies for giving effect to the objects and purposes of the Act
- To advise the Minister to change, review of formulate sport related policies and strategies where necessary
- To provide leadership and guidance on sport development and promotion
- To provide leadership and guidance in prioritising funding for sports associations
- To facilitate elite sport development and participation in international competitions in collaboration with Botswana National Olympic Committee
- To ensure structured talent identification and nurturing of athletes
- To regulate sport at all levels
- To authorise participation of national teams in international sport competitions

Amongst this list, we would like to draw attention to the mention of the BNOC in relation to sport development and the participation in elite competitions. This is one of the very few mentions of BNOC in the Act. It is also relevant that the BNSC is entrusted with regulating sport “at all levels”, and with providing “leadership and guidance on sport development”. This is particularly important, as the BNOC is expanding its activities into sport development and elite athlete identification, as we explain in detail further below.

As mentioned by the President of the Botswana Table Tennis Federation in the quote above, the powers of the Sports Minister over the BNSC are wide ranging. Perhaps not in the day to day working of the institution, but certainly in appointing key office holders. Articles 5 and 6 of the Act deserve attention in that respect. First, article 5 sets up the composition of the BNSC board

There shall be a Board, which shall be the governing body of the Commission.

The Board established under subsection (1) shall consist of the following eleven members appointed by the Minister [own emphasis]

- The Chairperson
- The President and Secretary of the BNOC
- Two representatives of sport associations, elected by sport associations registered with the Commission
- One representative from the Ministry responsible for sport
- One member with the necessary expertise or interest to drive the mandate of the Commission
- One representative from the Paralympic Association of Botswana
- One representative from Women and Sport Botswana
- One representative from the Ministry responsible for education
- One representative from the Ministry responsible for local government
- The Chief Executive Officer, who shall be an ex-officio member

Thus, the government has the control over the selection of most Board members in the BNSC. Furthermore, it is important to point out that the Minister is responsible for appointing both the
Chairperson and the CEO of the BNSC, the two most senior positions in the organisation. The Act also regulates the conditions upon which the Minister might terminate a board member’s term in office and appoint a successor.

Article 6 refers to the role of the Minister in steering the Board:

The Minister may, after consultation with the Board, give the Board written directions, of a general or specific nature, regarding the exercise of its powers and the performance of its functions, which directions shall not be inconsistent with the Act or with the contractual or other legal obligations of the Commission.

The Board shall give effect to the Minister’s directions given in accordance with subsection (1)

Of course, these provisions need to be understood in the context that the BNSC is a governmental agency in charge of sport. However, this centralisation of power signals a clear willingness of the government to play a central role in the sport system, with a concentration of responsibility that is, for example, different to the case of Guatemala. This structure is more typical of a centralist/regulatory state tradition than a more neo-liberal or neo-corporatist tradition.

As pointed out above, this 2014 Act barely mentions the BNOC. It is not a piece of legislation adopted to regulate the role and structure of the NOC, unlike the cases of Sri Lanka or Guatemala. Besides the call for cooperation between the BNOC and the BNSC in sport development and participation in international competitions, the other mention of the BNOC in the Act comes in Article 2:

“Botswana National Olympic Committee” means a body registered under the Societies Act, and duly recognised by the International Olympic Committee as the national level structure for dealing with Olympic matters

Article 2 provides a brief definition of what the BNOC is under this piece of legislation. It is perhaps telling that the definition only refers to a very generic term such as ‘Olympic matters’ when mentioning the duties of the BNOC in this definition. On the other hand, it is also of interest the fact that this definition suggests (albeit not as explicitly as the Guatemala National Sports Act, for example) the BNOC is an independent body.

Actually, one of the most contentious provisions of the Botswana National Sports Commission Act for the BNOC does not have to do with the NOC itself or even the links between the BNOC and the BNSC. It refers to the disciplinary process. Articles 27-33 deal with the disciplinary process in sport, setting up a disciplinary committee and appeals committee under the provisions of the Act. These committees deal with issues relating to the national sport asso-
ations and their registration with the Commission under the Act, especially if these are sus-
pected to have committed a material irregularity, professional misconduct, or contravened the
rules and standards set up by the Commission. Article 30 stipulates the possible outcomes of
those disciplinary proceedings, which range from a fine to the suspension of the association. In
Botswana, though, there is no power to dissolve a federation and appoint an interim executive
board, like in Sri Lanka. Although, of course, suspending the federation might be very similar.

Whereas these provisions are slightly concerning in relation to national sport federa-
tions’ autonomy, the BNOC expressed much more concern with the provisions of article 32 that
allow “any person aggrieved by a decision of the Appeals Committee” to take the case to the
Country’s High Court, which moves the proceedings to the remit of the civil courts of justice.
The involvement of civil courts of justice in sport matters has been, of course, a difficult subject
for some time in relation to preserving the autonomy of sport organisations. BNOC expressed
worries as to whether this provision of the sports act could have n
egative consequences.

The National Sport Policy of 2001 gives some more details about the BNOC. The policy
is a wide-ranging strategic document, setting a long-term vision for Botswana sport. The pur-
pose of the policy is to ‘provide a framework for the development of an active, healthy and
productive society, in line with the national long-term vision’. The document lists a total of nine
policy priority areas, amongst which the following are relevant for this project taking into ac-
count the aforementioned provision in the BNSC Act that the BNOC shall cooperate in elite
sport.

- To establish a clear, integrated structure for the planning, co-ordination and delivery of
  sport and recreation opportunities at all levels.
- To build a national approach to elite athlete development that will increase the standard
  of performance in sport in Botswana.
- To increase and sustain the quality and the number of people trained in all aspects of
  sport.
- To develop a culture of sport in Botswana.

This policy document is in theory still valid, but it is clearly outdated. Interviewees participating
in the research recognised that the document is probably of scarce value nowadays, not least
because the BNSC Act of 2014 introduced important changes. We feel that the document has
research value, though, because it illustrates the government’s understanding of sport and, to
some extent, of the BNOC. More so when the BNOC is barely mentioned in the BNSC Act of
2014. Furthermore, the interviews with representatives from the Ministry for Sport suggest their current opinions are very much similar to what is expressed in this 2001 policy document.

The policy document refers to an institutional framework for policy implementation, with express reference to the BNOC mandate: ‘The Botswana National Sport Council (BNSC), Botswana National Olympic Committee (BNOC), National Sport Associations and other sport structures, shall have defined mandates and roles as stipulated in the Annexes I to IX of this Policy’. The structure institutional framework envisaged in the policy is summarised in the following figure.

**Figure 2. Botswana institutional framework as per 2001 National Sport Policy**

![Diagram showing the institutional framework of Botswana's sport policy](image)

Perhaps one of the most noticeable features of this graphic representation is that the BNOC and the BNS Council (now Commission) are portrayed at the same level, both in charge of ‘policy coordination and implementation’, and with a direct (yet we note the dashed line instead of continued line) between each other, and with the Department of Sport and Recreation.

This connects with the language used by government officials when asked about the relations with the BNOC: ‘It is a complex relation, even somehow overlapping (…) In a sense, you can say the BNOC is the sub-set of BNSC’ (Interview, Lincoln Goitsemang, Chief Programmes Officer, Ministry of Youth Empowerment, Sport and Cultural Development). It is noticeable that another official in the same Ministry used similar language: ‘So we do have two agencies there implementing sport policy, we have the National Sports Commission, and we
have the National Olympic Committee, they are doing sport development programmes on behalf of the Ministry’ (Interview, Government officer, Ministry of Youth Empowerment, Sport and Cultural Development).

Although it is a matter of unwritten understanding (i.e. it is not codified in law), we found relevant the language of the government officials, when they use the term ‘agency’ to refer to the BNOC, and when they see an intrinsic link between BNSC and BNOC. In fairness to the government officials, they also were very clear in their interviews that they are aware of the Olympic Charter provisions on BNOC autonomy. It was quite clear to us in our interviews with government officials that they respect and value the autonomy of sport. The language of the government officials in Botswana was completely different in that respect to the case of Sri Lanka. We just consider of interest the way in which the National Sport Policy and the government officials have ingrained the idea that the BNOC is also an important stakeholder in the sport system.

The National Sport Policy document of 2001 refers to the responsibilities of the BNOC in this organisational structure. Despite being almost two decades old, it is the only official document in the legislative and political framework that defines somehow the role of the BNOC. It reads as follows

The BNOC shall be directly responsible for encouragement of the development of high-performance sport as well as sport for all. The BNOC, through affiliated NSAs and in liaison with the BNSC and other stakeholders, shall be responsible for support of sport from the grassroots to elite level. Therefore, the BNOC shall;

i) Facilitate Botswana’s participation in the IOC organized competitions and activities.

ii) Solicit regular International Olympic Solidarity programs.

iii) Help in the training of sports administrators by organizing courses and ensure that such courses contribute to the propagation of the fundamental Principles of Olympism.

iii) Assist to improve performance of Botswana sport teams and athletes in preparation for the Olympic and Commonwealth Games or any other games for which they are Chartered.

It is noticeable that the first paragraph gives BNOC quite a wide remit, from high-performance sport to sport for all. The list of the responsibilities in the bullet points is more concrete, though. It refers to the participation in major competitions and to elite and high-performance competition. We also find interesting the mention to Olympic Solidarity programmes and the mention to training and skill development of sports administrators. Finally, for the purpose of our research here we would highlight the requirement for the BNOC to be “in liaison with the BNSC”.

39
The regulatory and legislative framework of sport in Botswana is far less comprehensive than in other countries studied in this research. The regulation mostly focuses on the role of the National Sports Commission, which is the administrative arm of the ministry responsible for sport, in this moment the Ministry of Youth Empowerment, Sport and Cultural Development.

There is very little mention of the BNOC in the legislative framework, mostly because it is recognised as an independent and private entity registered under the Societies Act. It is slightly outside the scope of our project, but this is an interesting legal setting that could be further explored. It is often argued that sport organisations would benefit from being registered and/or regulated under private associations legislation, rather than sport-specific legislation. In terms of autonomy, that certainly seems to be the case.

The Botswana sport system recognises the BNOC as an independent entity. However, at the same time, it situates the BNOC within a complex relationship with the Sports Commission and the Ministry. During our research visit to Botswana it was clear that the relationship between the BNOC and the BNSC shapes the relations between the BNOC and the government. This is also clear from the interview quotes above.

Overall, it is our view that the current legislative and political setting, whilst not as protective as Guatemala’s, does create a positive environment for the BNOC to discharge its duties without governmental interference. Furthermore, we also felt there was a clear understanding of the autonomy of sport, and we did not see any appetite in the government to infringe it. On the other hand, the overlapping relationship with the BNSC and the willingness of the government to be involved is a clear source of problems that the BNOC needs to learn to negotiate.

5.1.3. Funding
The BNOC is dependent on government funding for its day-to-day running. According to the BNOC CEO, Tuelo Daniel Serufho, more than half of the budget comes from public money:

Yes, we receive money from the government. We receive an administration grant on an annual basis for our running costs, and then we receive a games grant that depends on the years that we have games (…)
On a non-games year the contribution of the government to our overall budget would be approximately 55% or so, but during a games year, the figure goes anything from that 55 to up to about 70-80%.

According to the BNOC annual financial statements for the year ended 31 December 2018, the total budget of the organisation was BWP 20,448,382 (EUR 1,652,052). This was an increase from 2017, when the budget was of BWP 15.17 million (EUR 1.225 million). Almost the totality of the 2018 budget is composed by ‘Grants, subsidies, and subscriptions’. Just BWP 258,338
(EUR 20,868) come from “reimbursements and other income”. The grants and subsidies income is divided as shown in the table below.

Table 4. BNOC Revenue through grants and subsidies for 2018

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount (BWP)</th>
<th>Amount (EUR)</th>
<th>Share in %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government grants</td>
<td>16,406,832</td>
<td>1,326,340.51</td>
<td>81.26</td>
</tr>
<tr>
<td>IOC – Olympic Solidarity programmes</td>
<td>873,381</td>
<td>70,604.77</td>
<td>4.32</td>
</tr>
<tr>
<td>IOC – other grants</td>
<td>1,703,334</td>
<td>137,698.79</td>
<td>8.44</td>
</tr>
<tr>
<td>IOC – Admin subsidy and marketing</td>
<td>766,670</td>
<td>61,978.18</td>
<td>3.80</td>
</tr>
<tr>
<td>Commonwealth Games Federation</td>
<td>427,827</td>
<td>34,585.86</td>
<td>2.12</td>
</tr>
<tr>
<td>Subscription</td>
<td>4,000</td>
<td>323.73</td>
<td>0.02</td>
</tr>
<tr>
<td>Sponsorship</td>
<td>8,000</td>
<td>646.73</td>
<td>0.04</td>
</tr>
<tr>
<td>Total</td>
<td>20,190,044</td>
<td>1,632,178.21</td>
<td>100.00</td>
</tr>
</tbody>
</table>

Source: BNOC annual financial statement 2018.

As can be seen BNOC budget in 2018 was heavily reliant on the national government (81.26%), whereas the IOC was the other source of income (16.5%). 2018 was a ‘games year’ as Botswana participated in the Gold Coast Commonwealth Games and therefore BNOC received support to prepare and send the team to the Games. The year before, 2017, was not excessively different, though. As can be seen in Table 5, BNOC also relied mostly on government grants.

Table 5. BNOC Revenue through grants and subsidies for 2017

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount (BWP)</th>
<th>Amount (EUR)</th>
<th>Share in %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government grants</td>
<td>10,099,708</td>
<td>816,467.91</td>
<td>70.32</td>
</tr>
<tr>
<td>IOC – Olympic Solidarity programmes</td>
<td>1,509,237</td>
<td>122,007.85</td>
<td>10.51</td>
</tr>
<tr>
<td>IOC – other grants</td>
<td>1,338,642</td>
<td>108,216.82</td>
<td>9.32</td>
</tr>
<tr>
<td>IOC – Admin subsidy and marketing</td>
<td>765,778</td>
<td>61,906.07</td>
<td>5.33</td>
</tr>
<tr>
<td>Commonwealth Games Federation</td>
<td>634,695</td>
<td>51,309.22</td>
<td>4.42</td>
</tr>
<tr>
<td>Subscription</td>
<td>2,025</td>
<td>163.71</td>
<td>0.01</td>
</tr>
<tr>
<td>Sponsorship</td>
<td>12,600</td>
<td>1,018.16</td>
<td>0.09</td>
</tr>
<tr>
<td>Total</td>
<td>14,362,685</td>
<td>1,161,090.18</td>
<td>100.00</td>
</tr>
</tbody>
</table>

Source: BNOC annual financial statement 2017

In 2017, the BNOC was slightly less reliant on government money, but it was still 70% of all the grants received. Whereas there might be some changes from year to year, BNOC is clearly dependent on public funding, which is a weakness in relation to their financial autonomy. This is, of course, a very typical scenario for NOCs (although in this project we have seen the different case of Sri Lanka, for example).

The findings of our research, however, are that the government does not impose excessive strings to the grants for the BNOC, nor sets any targets for sports performance. Thus, financial dependence per se might be a risk for the relations with national governments, but does not necessarily have to be a major problem, as we see in the case of Botswana or Guatemala. It is the combination of the funding structure with the regulatory and political framework what needs to be considered, as the case of Germany illustrates. NOCs are advised to address both
sides of the equation when ‘negotiating’ with governments in search for their ‘responsible autonomy’ and navigating their funding requirements. Needless to say, NOCs are also advised to avoid their excessive dependence on public funding and diversify more their income streams if possible. As our research demonstrates, in developing countries that is easier said than done, though.

The budgetary process in Botswana is still a source of tensions, though. Government grants are given to the BNOC based on a draft budget request submitted to the Ministry of Sports every year. It is during that process when the government might question some of the budget lines included by the BNOC. A senior member of staff at the Ministry of Sports explained that once the request from the BNOC is received there might be negotiations, as the Ministry for Sport, the Treasury of even the Parliament might have questions about the proposed grants for the BNOC. It is in that process when personal relations with Permanent Secretaries, desk officers or even the Minister himself are important to iron out the process, as recognised by interviewees from both sides. At present, those relations are described as “good” and “cordial”, especially because of the friendship between the BNOC President and the current Sports Minister. But that might change with different appointments.

Another source of tension in the funding process is the disbursement of payments once the budget is approved. Officers at the BNOC dealing with day-to-day implementation of programmes referred recurrent problems to receive money that had been approved. They cited lack of coordination between the Ministry and the BNSC and, most often, excessive bureaucratic delay by the BNSC. It was suggested several times by BNOC interviewees that government grants should be given directly to the BNOC, rather than being channeled through the BNSC, hence adding an extra layer of bureaucracy. BNSC officials, however, felt that it was their responsibility, as agency entrusted by law, to be involved. Some of these problems and tensions illustrate quite well the way in which the relations between BNSC and BNOC condition the sport system in Botswana.

5.1.4 The BNOC-BNSC link
The sections above have clearly explained the relevance of the link between the National Olympic Committee and the Sports Commission in Botswana. In this section, we explore the current state of this relationship, focusing especially in the overlap of responsibilities and the possible formalisation of their relationship through different methods.

As we have seen, there is no clear regulation of how the BNSC and the BNOC should work together, nor a clear division of competencies either. This is a context prone to conflict
due to the lack of a clearly formalised structure. Our understanding following the interviews and our research visit in Botswana is that the relationship is for the major part a positive one. There were some apparent tensions, which will be discussed here, but overall the situation is not concerning. Whereas the BNOC might feel at times constrained, limited or (perhaps) delayed in some of its initiatives, our findings do not reveal an active strategy to restrict the BNOC autonomy, as it was the case in Sri Lanka with the sport federations.

Thus, the relations between the BNOC and the BNSC were described by most interviewees in two terms: On the one hand, a positive outlook expressed with words such “cordial”, “positive”, or “we are just a phone call away”; on the other hand there was also relative agreement that at present there is some overlap of competencies and policies between the organisations, which would be better avoided for the sake of an efficient and smooth development of Botswana sport. It was interesting to see that interviewees from both sides of the equation seemed to share this assessment.

At first sight there are not acrimonious or negative exchanges from one part to the other, unlike in Sri Lanka. For example, BNOC interviewees described their relationship with the BNSC and government positively

We get along fine. We operate as a not for profit non-govermental organisation, as is contemplated by the Olympic Charter. And the good thing is although we have to register with the Register of Societies in Botswana, Government gives us the latitude to define our own laws and regulations and provided they are not in conflict with our national laws. And up to this point we’ve not come across any of our laws and regulations that are in contradiction or in conflict with those of our national laws (Interview Tuelo Daniel Serufho, BNOC CEO)

I think generally we have a very good working relationship with the government. We have the national government and then we also have another authority, called the Botswana National Sports Commission, which oversees all the sporting policy matters in the country for grassroots sport (…) So we have those two structures, we have the government that is responsible for funding, we also have the Botswana National Sport Commission, responsible for programme implementation and grassroots sport. And we work with the two bodies well. They are just a phone call away and I think our relationship is good. (Interview Lame Ramokate, BNOC Marketing and Communications Manager).

Similarly, senior officials at the BNSC used also positive words.

I believe we have a very good relationship, but it could still be improved to become better from where we are. We work hand in hand, because on one side we are responsible for development of young athletes, and then the Olympic Committee takes over, so you see there is one hand of the body that meets the other (…) I think our relations are strengthened by the fact that we have two members of the Olympic Committee who sit in the board of the Botswana National Sport Commission, the president and the secretary.
general from the Olympic Committee do sit in the board of the Sport Commission (Interview, Falcon Sedimo, BNSC CEO).

I think it is OK. Our relationship with the BNOC is mostly OK, primarily because we are the two main bodies that drive the agenda of sport in the country, of course other than government. So we really need to get along as best as we can. (Interview, Stedy Basupang, BNSC Executive Assistant).

However, whereas the overall predisposition is positive, we uncovered certain tensions or discrepancies, mostly because there is not a clearly codified division of competencies between the two organisations. Some interviewees external to the BNOC and the BNSC who observe the relation from the outside seemed to agree almost unanimously that under a layer of positive diplomacy there are political tensions between the two organisations:

I think that when the [Botswana National Sports Commission] Act was initially drafted, they did that as they developed a sports vision, like a strategy plan, and in the strategy plan you could tell that there were also components of Olympics, Commonwealth games… like your targets of medals and stuff like that (…) So I think when they started the new [2014] act, in their minds they had an idea with a structure with the government, then the BNSC, the BNOC and then the affiliates like the federations. (…) So you see, the problem is that they still think they supervise BNOC (Interview, Thebe Selema, Botswana Tennis Association President).

I think the relationship is cordial, despite the fact that sometimes you might find that they have a project that they are doing parallel. (…) But in some cases you will find that BNSC wants to be seen on the forefront, forgetting that BNOC have used a lot of resources to prepare the team for the Olympics, to prepare everything, camping allowance, you know, and BNOC, it’s not like I’m favouring them or what … but BNOC they are very professional, they will accommodate everything (Interview, Anastacia Sibanda, Botswana Press Agency Information Officer).

In fairness, also senior staff at the BNOC recognised some of the problems, although with a positive spin on it: “Granted there are instances where we would have some level of concern or issues, but on the whole the fact that we’re able to sit at a table when there may be challenges and amicably find a solution is assuring and comforting enough” (Interview Tuelo Daniel Serufho, BNOC CEO).

The origin of these problems lies, as pointed out by Anastacia Sibanda in the quote above, in the fact that there are instances in which the BNOC and BNSC duplicate efforts as a result of not agreeing who should be responsible for a specific programme or initiative. Even senior staff at the BNOC recognise this problem of duplication:

Well, at times there is an overlap, there is duplication of effort, there is duplication of resources; they have their budget, the BNSC would have their own budget, they have staff, BNOC would have its own
staff (...) So you see it is real duplication. And, at the end of the day, we use the same resources coming from the same government (Interview, Falcon Sedimo, BNSC CEO).

Another subsidiary problem is a relatively wide perception amongst external observers that the BNOC is more professional at what it does. This was hinted at by Anastacia Sibanda in the quote above, but also reinforced by other external interviewees, especially coaches and top-level athletes that participated in this research.

Thus, we would safely affirm that whereas the BNOC-BNSC relations are not problematic, they are not completely smooth either. This is clear when considering different perspectives from interviewees and the perceptions during our research stay in Gaborone.

5.1.4.1 The BNOC-BNOC memorandum of understanding

Perhaps the best symptom that there is room for improvement is the fact that both parts have been working on signing a memorandum of understanding to formalise their working relationship in the absence of more complex legislation. The fact that both organisations have sat around the table and agreed on the need to sign the Memorandum of Understanding is of course positive. And it is also indicative that, overall, there is a good common understanding. The CEO of the BNSC summarises the need for the MoU as follows

It was decided that it was a good thing to do because whether you like it or not, when we have two entities that serve sport, that serve to develop sport, that serve to promote sport, it is not good if they go differently and not coming together (...) So let us synchronise the way we do things, we will probably make some savings bringing these committees together, the human capital together, the budgets together (...) And whether you like it or not, it’s beginning to pay dividends (...) And I am sure in the future we will see brilliant outcomes from the exercise through which we invested over the years

The MoU is a relatively short 3-page document (to which we have had access) where BNOC and BNSC pledge to coordinate their efforts The MoU starts with a preamble that summarises well the need for the framework and, to a certain extent, reinforces our findings discussed in this section:

The Botswana National Sport Commission (BNSC) and Botswana National Olympic Committee (BNOC) Boards met on the 25th March 2017 with the view to improve the coordination and collaboration between the two (2) bodies for the improved efficiency and effectiveness of delivery of sport development and management in the country.

The Board members identified the concerns that affect the coordination and collaboration of the two bodies towards the development of sport in Botswana, and therefore hereby agree to collaborate in their effort to deliver sport.
The boards of the two organisations share here their concerns about the lack of collaboration that seems to be creating inefficient programmes and structures. This is clearly a reference to the duplication of efforts in programmes. The MoU then goes on to list a total of 29 points in which the two organisations “hereby agree to collaborate”:

- With MYSC in the lead, develop and implement a National Sport Strategy.
- Align strategies for BNSC (Vision 2028) and BNOC (Vision 2020) to ensure common vision and aligned targets.
- Merge the two sport development models (BLTAD and BNSC SDM), to be called Botswana Sport Development Model (BSDM).
- Have a single Sport Development Committee merging the BNSC Sport Development Committee and the BNOC High Performance Committee. The Parties shall appoint Members of the Committee. The Committee shall have dual reporting lines to both Parties.
- Establish a National Coaches Commission.
- Jointly establish an International Games Committee for all sport competitions as envisaged in the 2001 National Sport and Recreation Policy and the BNSC Act No 30 of 2014. The Committee will have dual reporting to the Parties, depending on the Games.
- Merge other Committees existing at the Parties that have duplicating roles and responsibilities.
- Standardise sitting allowances for both Parties’ Committees and/or Commissions.
- Align mass participation programmes.
- There be a standard uniform for National Teams (same colour) for a four (4) years cycle tied to the Olympic cycle. Logos for uniforms should be determined by the Games guidelines (e.g. Olympic and Commonwealth). Standardized & registered patents for the uniform to be given to service providers.
- Standardise allowances/incentives for national teams.
- There be a generic policy governing athletes’ scholarship and/or programmes.
- The Athletes Commission should be all encompassing.
- Appoint Trustees to the Botswana Sport Foundation Trust and provide for both Parties to have a stake in the resources generated by the Trust.
  o Lobby for legislation on corporate social responsibility.
  o Lobby for establishment of a sport levy
  o Propose reforms to the Tax law.
- Develop a tier system for sport in Botswana.
- There should be independent Dispute Resolution structures that serve sport across both organisations
- There be one Code of Conduct for sport in Botswana.
- Develop Governance Standards for Botswana sport.
- Set minimum requirements for affiliation and registration of NSAs/NFs.
- Facilitate training of NSAs/NFs.
  - It should be mandatory for key NF Members (e.g. Presidents, Secretaries General and administration staff) to undergo the Sport Administration course within the first year of their election/appointment.
- Lobby the Government for the establishment of an autonomous National Anti-Doping Organisation (NADO).
- Implement the delivery of the Botswana National Sport Awards.
- Establish a Sports Museum.
- Deliver the Hall of Fame programme.
- The BNSC to lease land to the BNOC for the purpose of infrastructure development
- Establish a High-Performance Centre for sport.
- Lobby MYSC to handover Botswana National Youth Council facilities (both sport and office facilities) in Fairgrounds be handed to BNSC.
- The BNSC Internal Auditor should carry out audits at the BNOC and report to the BNOC Board.
- The two (2) Boards should meet at least twice a year.

As it can be seen, the document is ambitious. It considers merging several structures, having joint disciplinary committees and auditing practices, amongst other things. There is also mentioning, in the very first two points, of developing a national strategy and alignment of BNOC and BNSC strategies. In that respect, although nothing major in the great scheme of things, it is perhaps telling that the current BNSC strategy goes towards 2028, whereas BNOC’s only to 2020. Yet another symptom of the type of uncoordinated approach we have identified in our research. Finally, we would like to point out that the second item in the list, following the alignment of strategies, relates to the sport development programme. This clearly signals this is a priority for both organisations. We analyse the importance of the sport development programme for the collaboration between BNOC and the national government further ahead in this report.

Both the BNOC and the BNSC have worked together at strategic board level to draft this MoU. There were very positive and encouraging words towards this idea from both sides. At the time of our visit to Botswana the official word from both sides was that everything was agreed and that it was just a matter of having it signed:
With the [Botswana National Sport] commission, in principle we have already agreed to a memorandum of understanding between the two parties, what is outstanding now is for the boards to sign, but otherwise the principle of what and how we are cooperating, that has already been agreed (Interview, Tuelo Daniel Serufho, BNOC CEO).

However, at the time of writing this report, the MoU had not been signed. According to BNOC representatives contacted in August 2019 the reason for the delay is that the term in office of the BNSC who negotiated the MoU came to an end in April 2019. The outgoing board thought prudent not to sign an agreement that would be binding for the new board to be appointed. Whereas that was the official reason, during our visit to Botswana earlier in the year some participants were sceptical as to whether the MoU would ever be signed. Those that were more pessimist about the MoU were normally outsiders to both organisations. They argued that the political implications of sport were too big for a governmental agency to relinquish control over some areas. As a research team, it is difficult to ascertain the complexity of the situation, but the reality is that the MoU has not yet been signed.

Our conclusion in that respect is that the signature of the MoU will really depend on the personalities of the chairperson and CEO of the BNSC and whether they share the vision of the BNOC leadership. It probably will also depend on the Sports Minister understanding, for the BNSC is at the end of the day a governmental agency.

It is important to realise that the signature of the MoU would signal a particular understanding of the Botswana sport system that is not necessarily shared by all stakeholders. During our research visit many interviewees referred to a possible merger between BNOC and BNSC, following a similar decision taken not that long ago in (crucially) neighbouring South Africa, a country which Botswana sport officials benchmark themselves against very often.

The possibility of a merger was referred to very often by all sort of interviewees, which means is something active in the current sport policy debate in Botswana. BNOC officials were mostly in favour, and some even enthusiastic, probably because they think it would reinforce their position thanks to the autonomy provisions in the Olympic charter. BNSC officials seemed to be supportive as well, but in our view they seemed to be less enthusiastic. Or, to put it differently, some of them focused more on the problems than on the possible benefits. It was extremely telling that we found the Sports Ministry officials the least receptive of all to that idea. Of the two Ministry officials interviewed in this research one said that talks of a merger were “purely personal agendas of some people”, whereas another one was less dismissive but he was
still of the opinion that it was not necessary. He thought the way ahead was a more comprehensive national sports act.

Thus, the negotiation and drafting of a MoU speaks for the need of better, improved and more formalised coordination between BNOC and BNSC. However, agreeing to a document that commits to merging of some committee structures and merging of programmes goes beyond mere coordination of two parallel structures. If the BNOC and the BNSC are to agree to bringing some of their structures together, something will have to give necessarily. There might be the impression that one body is superior to the other, and that is always problematic in the internal politics of any sport system. And Botswana is no exception to that.

On the other hand, it is necessary to praise the case of Botswana as good practice. The regulatory framework could have been conducive to conflict, but we observed clear willingness to work together from both organisations. The text of the MoU is very specific to the context of Botswana, but it sets a tone that could be considered as a blueprint. The text above is not a mere ‘diplomatic’ MoU, it is an ambitious document. Perhaps that ambition is the problem why it has not been signed, to date.

When NOCs are considering drafting MoUs with their governments, they will need to consider whether they go for a model that we could consider ‘coordination’, where competencies are clearly delineated for both sides. Or they could go for a more ‘advanced’ version, where structures and competencies are not just coordinated but merged. Of course, both options have risks and implications that need to be carefully analysed in each case.

5.1.5 The Long-Term Athlete Development Framework
The Long-Term Athlete Development Framework (LTADF) is an initiative of the BNOC to systematise and improve athlete identification and development from an early age to the elite. It is an ambitious effort to bring Botswana sport to the next level involving all stakeholders with a role in the sport system of the country. The LTADF initiative illustrates perfectly the dynamics of the collaboration between the BNOC and the government.

The importance of the LTADF is recognised in the BNOC-BNSC unsigned memorandum of understanding. It is the first policy initiative listed after the initial call to synchronise strategies

- Merge the two sport development models (BLTAD and BNSC SDM), to be called Botswana Sport Development Model (BSDM).
This bullet point concentrates in just two lines the situation: There are two sport development models operating in parallel, managed by two different organisations, but which in theory have the same target population (Batswana population and athletes) and similar goals (to develop athlete talent in the country). Two frameworks that, moreover, rely on the same sources of public funding.

Before entering into the details of the LTADF, it is necessary to remind that according to the BNSC Act of 2014, sport development is a responsibility of the Commission. Which of course brings the question of why did the BNOC launched this ambitious initiative. For BNOC representatives participating in this research it was just an opportunity thanks to Olympic Solidarity funding to improve elite sport in Botswana at a time when some top-level athletes (especially in short distance sprint athletics) were coming up. It was a matter of taking the opportunity within a favourable context. An anonymous external observer, however, suggested that the BNOC was motivated by the deficiencies of BNSC’s existing athlete development programmes.

Well, you know, the Commission is doing something very similar to that [the LTADF], but the problem with it is that I do not think they understand it. So they will not take the athletes through the stages of a long term development programme. They will have group of athletes who comes every weekend or two or whatever, to come and play, and they develop from that, you know… They try to identify talent from that. But it’s not structured. (Interview, Gaborone, 1st April 2019).

The answer to the question is probably not black and white. Like most cases in policy initiation, it is likely that there were several contributing factors which a policy entrepreneur (the BNOC) recognised and defined when a window of opportunity (Olympic Solidarity funding) opened for action (Kingdon, 1995). Be that as it may, the interest for our analysis here lies in the BNOC leveraging Olympic Solidarity to act as a policy entrepreneur within Botswana sport system. The BNOC launched an initiative in an area of shared responsibility with the government and offered to lead it through its design and implementation. This illustrates the opportunities that IOC and Olympic Solidarity provides to NOCs in countries such as Botswana, where public finding for sport is limited to modest levels. On the other hand, there is of course always the risk of a government wanting to control those resources. That is not the case of Botswana, though.

The LTADF, as we have said before, is an ambitious initiative. The result of the work is a comprehensive 90-pages document clearly detailing stages, roles and responsibilities for all stakeholders involved. The framework is defined as follows in the opening pages of the report
This document outlines the principles, best practices and considerations for Botswana Sport Associations and other relevant sport organizations in Botswana, to design and implement scientifically sound and practical programs and activities for participants at all ages and levels, for productive and rewarding participation and competition in sport and physical activity in Botswana.

It is designed to provide the basis and background for a training and development process so that Botswana youth can enter the sport system and progress through appropriate levels of training and competition for their “developmental age” (i.e. their maturation level, not necessarily their chronological age in years). It is meant to help parents, teachers, coaches and sport administrators design programs and advise youth as to the best path for development in sport and physical activity. It is also meant to provide appropriate pathways so that as sport participants, youth and adolescents can develop their skills and interest in sport so that they can make appropriate decisions regarding participation in competitive sport and recreational physical activity, and develop a proper understanding of basic sport and activity skills that will enable them to continue to participate in sport and physical activity in later adult years (BLTADF Report, page 2).

From the outset, the LTADF makes clear that it is an initiative to bring together all stakeholders in Botswana sport, which is an ambitious objective:

[The framework] is relevant to, and has an impact on, all sport stakeholders in Botswana including participants, parents, coaches, sport leaders, medical and allied medical service providers, district and national government organizations including (but not limited to) the Ministry of Youth Sport and Culture, Department of Sport and Recreation (DSR)², Botswana National Sport Council (BNSC), Botswana National Olympic Committee (BNOC) and other sport agencies and providers at the local community, district and national level in the public and private sector (BLTADF Report, page 3)

Moreover, the framework “integrates and considers the needs and impact of elite/professional sport, community sport, and school sport” (BLTADF Report, page 3), in another statement of wide-ranging intentions. Thus, the BLTADF is wide and systemic. It is presented with the language of a guiding strategic policy framework. It is very detailed and based on academic research. The BLTADF dates back to the early 2010s, so it is of course noticeable in the quote above the language does not correspond with the current denominations of the different stakeholders, as it still refers to the National Sports Council.

The BNOC was responsible for initiating this ‘collaboration’ on the back of an Olympic Solidarity funded application. As such, the BNOC was mainly responsible for the coordination and development of the research and preparation work that led to designing the framework and drafting the report. The collaboration was somehow formalised, as it was done within the framework of the Olympic Solidarity grant, but there was not an official regulation or memorandum

² The DSR is no longer existent.
of understanding in that respect. However, the collaboration was institutionalised with the setting up of an LTAD working group whose members were Major Botsang Tshenyego (Chairman), Estony Hattingh (BNOC), Dr Jimoh Shehu (University of Botswana), Thatayaone Koko-kwe (BNSC), Godfrey Bose (DSR), A.B. Kamanga (BNOC). There were representatives from BNOC, BNSC and the sports ministry working together in this task force.

The project of the LTADF was done in collaboration with a team of academic consultants from Canada led by Dr Katherine Kilty, who also built on the support of Sport Canada and the Canadian Sport Centres. The work was initially focused on researching the state of affairs and the needs of sport development in Botswana, as well as the capabilities. Once that was completed, the LTADF was designed to fit the specific needs of Botswana.

The LTADF is, as the name clearly suggests, a long-term ambition. The initiative of the research and the report had short-term goals, such as identifying the needs and designing the framework. But interviewees recognised that, of course, their long-term goal was to see it implemented.

For the plan to be implemented, the active agreement (and funding) of the government and the BNSC is needed. The national sport associations would also be paramount for implementation. And it is there where things seem to have stopped since the report was produced. Several interviewees referred to the report being presented to senior government officials and to the Minister for Sport at the time. One interviewee recalled that there was strong support by a minister time ago, but no one took the decision to make the LTADF an official government policy (Interview, Lincoln Goitsemang, Chief Programmes Officer, Ministry of Youth Empowerment, Sport and Culture Development).

BNOC members of staff recognised that a few athlete development initiatives under the framework have taken place with some sports, such as rugby, but these were described patchy and piecemeal. Furthermore, an independent observer that was interviewed as part of this research, was rather pessimistic as well:

The long term athlete development plan is there in the picture and in papers and everything, they’ve got it, they’ve presented it; I have participated in one or two of their workshops…But I haven’t seen a programme put in place on the ground (...) You know what I would like to see, maybe pick one or two schools and then run the programme in that, you know. Rather than not do anything at all. So really I am not convinced that the LTAD under the BNOC is working, unless I’m missing it somewhere! (Interview, Gaborone, 1st April 2019)
The LTADF has never taken off, despite senior officials at BNOC pushing for it. Even senior BNSC management had positive and enthusiastic words for the LTADF during the interviews. The reality is that, at present, athlete development initiatives seem to be uncoordinated and replicated, with both BNSC and BNOC running different interventions. One interesting observation during our interviews was that the LTADF seemed to commend positive words from participants in senior positions, whereas interviewees in mid to low level positions and closer ‘to the ground’ were not as enthusiastic and, perhaps, more realistic. A BNSC representative participating in the research illustrates well the problems. He was cautiously positive about the initiative, but he also found important caveats:

The long-term athlete development programme, it’s a brilliant programme. But what I can tell you is we made a mistake of identifying it with an institution. That should not have been encouraged. It should not be owned by the NOC… It should not be owned by commission, either. It is a Botswana framework. Because if the country pays for that, at the end of the day, who are we celebrating? We are celebrating a Botswana athlete, we are not celebrating a commission athlete or an NOC athlete. So, you see, the problem in my view seemed a personalised programme. If you personalise something and say, this is a commission thing, will the NOC accept it? It would be difficult. So I will say that is how I perceive that it was not accepted, but I do not think the Commission rejected it (Interview, Bobby Gaseitsiwe, Director for Sport Development, BNSC).

The quote from Bobby Gaseitsiwe is relevant in several ways. First, it illustrates the challenges of managing change and resistance to change. An ambitious proposal, such as the LTADF, is prone to create resistance to change unless a very good programme of information, sensitization and education is designed. Second, it is not very difficult to read between the lines that the BNOC’s active and leading role in the design of the LTADF is seen as a problem. At the end of the day, the BNOC was entering a territory that was traditionally exclusive of the BNSC and the national sport federations. Third, the structural barriers for collaboration are clearly exposed. In this initiative there are many stakeholders involved. The government would need to supply funding, the BNSC would have to learn to work with the BNOC in the programme, and the federations will also have to be onboard, just to name the most basic stakeholders. Whereas regulatory/political structures can in some circumstances be invasive for NOCs in restricting their autonomy, they can also hamper the collaboration with governmental departments/agencies when it is actively sought by the NOC.

This case, in a nutshell, is a perfect example of how a modern, active and entrepreneurial NOC, such as the BNOC, can leverage knowledge, expertise and Olympic Solidarity funding in their collaborations with the national government. But it is also a clear illustration of the problems that such a collaboration is likely to encounter. It will take strong leadership, a clear
regulatory framework, or very specific incentives for these initiatives to be successful in creating harmonious and fruitful collaborations.

5.1.6. Preparation of teams for major sport competitions

We have identified the preparation and sending-off of teams to international sport competitions as one area of tensions between the BNOC and the government, mostly between the BNOC and the BNSC. This case is relatively straightforward, so it does not take much space in this report, but we consider it highly representative of the existing dynamics.

The BNOC is responsible, as per the Olympic Charter regulations, to select and register teams for the Olympic Games, Youth Olympic Games, as well as the Commonwealth Games. On the other hand, the BNSC has been traditionally responsible, together with the national sport federations, for selecting and registering teams for international single sport competitions, such as world championships or African championships, for example.

The problem has recently arisen for the African Games, formerly known as the All-African Games. The African Games were organised by the Supreme Council for Sport in Africa. In 2013, the Council decided to dissolve and to transfer its functions to the African Union Commission. The organisation of the games is now managed by the African Union (an intergovernmental international organisation), and the Association of National Olympic Committees of Africa (ANOCA, a non-governmental organisation). The problem arises since ANOCA deals with the technical organisation of the African Games and, being an Olympic Movement organisation, it communicates directly with the BNOC.

Traditionally, the BNSC was responsible for selecting athletes and sending the Botswana delegation to the All-Africa Games, since the African Union is a governmental organisation and therefore these were seen as ‘government games’. However, with ANOCA now being in charge, the responsibility for sending and heading the Botswana delegation would in theory fall within the BNOC remit.

This has created tensions recognised by several interviewees due to the political implications of a major sporting competition such as the African Games. It has been well documented that governments around the world use sporting competitions to improve their political image and capitalise on any sporting success (Allison, 1986), so this seems to be just another example.

When teams and delegations travel to international competitions, they might be wearing different uniforms, depending whether they were BNOC or BNSC delegations, hence one of
the points included in the MoU between the two organisations, which demonstrates the sensitivity of this issue in the Botswana context:

There be a standard uniform for National Teams (same colour) for a four (4) years cycle tied to the Olympic cycle. Logos for uniforms should be determined by the Games guidelines (e.g. Olympic and Commonwealth). Standardized & registered patents for the uniform to be given to service providers

This issue was also referred to by the BNSC CEO as one of the areas where there is duplication of competencies and some inefficiencies that need to be worked on. Of course, the debate is underpinned by the fact that funding for training, travel and accommodation to the games is given by the national government. The ideal objective would be to eradicate problems like this one with a separation of competences, as explained by an interviewee within the Ministry of Youth Empowerment, Sport and Culture Development:

Yeah, I’ll give you an example of the preparations for teams, you see right now we do have different competitions, the BNOC has been biased towards preparation for the Olympic Games and the Commonwealth Games. And the BNSC has been biased towards preparation of the All African Games and the Regional Games. But now we are saying that if the BNOC is for elite sport and the BNSC is for mass participation, then let’s make sure Commission is involved now with cultural development, sport development, and then we make sure that the BNOC are being charged in making that our teams go out, you see? (…) So that is now the thinking because right now we are having two different agencies, all preparing teams at different times for the same kind (…) So we are saying that, no, let it be one organisation [which deals with all matters relating to sending teams to competitions].

However, it does not seem to be as easy. Several participants suggested during the interviews that this issue was discussed at the highest level between the BNSC and the BNOC boards. In this case, there is the added component of the BNSC seeing its competencies eroded. Allegedly, it is not always easy to let-go.

During our research visit to Botswana interviewees suggested that BNOC would be successful in its endeavours to be involved in organising the Botswana delegation to the 2019 African Games in Rabat (Morocco). But they also declared it was not completely clear how things were going to work. At the time of writing this report the African Games were about to start. According to press reports recently published, it seems as if the BNSC and BNOC reached an understanding to collaborate in sending the Botswana team to Morocco:

Botswana National Olympic Committee (BNOC) chief executive officer Tuelo Serufho announced that the Ministry of Youth Empowerment, Sport and Culture Development is investing BWP 18 million (€1.4 million) before the team leaves for Morocco for the Games due to begin on August 19. The BNOC is also working together for the first time with Botswana National Sport Commission to coordinate the team for
the Games scheduled to end on August 31. “For the first time, the Association of National Olympic Committees in Africa and African Union (AU) Sport Council are delivering the Games together” Serufho told local newspaper Mmegi (MacKay, 2019).

Thus, the 2019 African Games will be a first for the collaboration between the BNSC and the BNOC. The words in the quote below seem to be carefully chosen. The press report focuses on the BNOC CEO, which seems to suggest he had a prominent role in the press announcement; but it is also clear that there is a diplomatic tone in announcing the “working together” of the two organisations. This could be seen as a working compromise, which seems to be the tone in Botswana. Whereas there were recognisable tensions around the African Games team coordination, there was also a predisposition to get things done and work together for the sake of Botswana sport. Similarly, this very small episode demonstrates again the increasing role that the BNOC is willing to take in the Botswana sport system.

5.1.7 Collaboration in the area of anti-doping

The final case for analysis that we are introducing in Botswana is very particular. We were not able to unearth as much information as for the other examples in this case study, hence in our view the picture of the dynamics is less clear. However, we consider it is relevant and worth reporting on it because of the area concerned. This refers to the collaboration between the BNOC and the government in the area of anti-doping. Anti-doping was identified by the BNOC CEO, Tuelo Daniel Serufho, as one of the three most important areas of collaboration with the government. However, not many other interviewees referred to it. Only the two interviewees from the Ministry for Ministry of Youth Empowerment, Sport and Culture Development contributed some more information.

According to the BNOC CEO, the origin of this ‘collaboration’ lies in the fact that Botswana has not yet created an independent National Anti-Doping Organisation (NADO). Ministry officials confirmed that is the case, and one of them conceded that it is somehow regrettable that Botswana is housing the Regional Anti-Doping Organisation for Africa zone VI (serving Angola, Botswana, eSwatini, Ghana, Lesotho, Malawi, Mozambique, Namibia, South Africa, Zambia, Zimbabwe)\(^3\) in the same building than the Sports Ministry, whilst not having still created its own NADO (Interview, Government official, Ministry of Youth Empowerment, Sport

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and Cultural Development). Indeed, a cursory look at WADA’s website reveals that Botswana does not appear on the list of NADOs that are signatories of the World Anti Doping Code.¹

As a result of not having created the Botswana NADO, the responsibility of anti-doping activities reverts to the BNOC, as per WADA’s rules. Therefore, the BNOC has had to take on this responsibility and is now implementing the testing regime for athletes in Botswana.

In this case the ‘collaboration’ is not really started by one of the sides, but by the rules of WADA as long as there is not a NADO in Botswana. It seems to be a common undertaking:

Well, I think you can say the two of us started the collaboration, if you want to call it like that. We found it necessary to do that, because as I said, we to comply to the UNESCO declaration. The NOC on the other side, they are athletes whom they’re taking outside the country for international competition and, again, they need to comply with the WADC and all the anti-doping regulations. So we really have to do it together (Interview, Government official, Ministry of Youth Empowerment, Sport and Cultural Development).

The division of responsibilities appears to be that the BNOC is implementing the testing regime, whereas the government is providing the resources for it. Both organisations are also designing, together with the BNSC, educational initiatives for athletes. The BNOC in this case is also responsible for liaising with WADA and its regional offices, as acting NADO.

In that collaboration between the BNOC and the government, the anti-doping officer of the BNOC is often seconded to the Ministry of Youth Empowerment, Sport and Cultural Development, where he is working closely with officials in setting up the Botswana NADO.

Adding some more complexity to this area of ‘collaboration’, Botswana deposited with UNESCO its instrument of accession to the International Convention against Doping in Sport on August 6, 2009. Thus, the government officials interviewed in this respect considered that it is imperative to set-up the NADO as soon as possible.

According to the interviewees with knowledge in this area, work is ongoing and there is active communication and collaboration between the BNOC and the government to develop the necessary framework.

Our objective is setting up of the national, independent national anti-doping office and the education of the athletes soon, because I think doping nowadays is, it’s not longer a sports issue, it’s a social issue! So I think we need to make sure that we move fast in that area, otherwise we might not have our athletes go

into the international stage (Interview, Government official, Ministry of Youth Empowerment, Sport and Cultural Development).

Thus, this collaboration can be conceptualised as a relatively typical resource exchange in public policy making. Whereas the government contributes the financial and some human resources, the BNOC contributes the knowledge and some other human resources. This is all underpinned by a common interest to work together, but also the commitment to the (legally binding) UNESCO Convention, and the WADA rules that bestow specific responsibilities on the BNOC. This is nicely summarised by a government official interviewed for the project:

So we are working together because probably they [BNOC] have got more information on how this should come about, but now again, on the side of the government, we should look at providing the resources to establish the [National Anti Doping] office. So that’s what we are currently working on.

The collaboration is not formalised, but as mentioned above it is certainly shaped by the Anti-Doping WADA framework and the commitment to the UNESCO Convention.

This is a collaboration that started with a short-term objective of covering the testing regime in Botswana, but it has now transformed in a medium to long-term endeavour, with a clear objective of setting up the Botswana NADO, whilst also developing anti-doping educational programmes for athletes. The definition of those goals does not seem to be formalised, and it is therefore difficult to talk of any type of evaluations besides the mere production of statistics about the number of anti-doping tests done in Botswana, or the number of courses and educational initiatives for athletes. With the data at our disposal we cannot report any systematic evaluation of this collaboration, which is probably to be expected given the nature of the dynamics.

At the end of the day, the overarching goal here is the adoption of a framework to develop a Botswana NADO and a strong testing and education regime, which can somehow legitimise the results that Botswana elite sport is reaching lately, especially in athletics. Government officials would like to see the NADO up and running in the near future, but they equally recognise the bureaucratic barriers that have hampered progress thus far:

We are moving very slow. The BNSC Act of 2014 has provisions on anti-doping, so it was our policy. It clearly spells out the need for government to develop a national anti-doping office. And it clearly states the need for the government to have the national anti-doping committee, all those things are clearly stated there. But as I said, you see because of the bureaucracy, because of the [limited] funding [nothing happens] … There is an Act of 2014, and we have four, five years into it (…) So I think when we started drafting for the development of the national anti-doping office, already we were on the mid-term review of our national development plan up to 2018. And it was decided it could not be done within that plan.
But when you start a new plan of 2018 moving forward, then that is the time. It is all very slow, it is true. So within this plan of 2018 to 2021, within that period of time we should have established this. Because we have all the legal documents. We have ratified the UNESCO convention. We have done a lot of the work, so now we can move forward and we really need to do it (Interview, Government official, Ministry of Youth Empowerment, Sport and Culture Development).

The area of anti-doping features active cooperation between the Olympic movement and governments around the world since the creation of WADA. However, in our research Botswana was the only country that mentioned it as a significant area of interaction between the government and the NOC. This seems to be a positive collaboration because all stakeholders share a common interest. Besides, the legal framework of WADA and the UNESCO convention structures the relations between the two sides. It is perhaps curious that we did not detect any tensions in this area, unlike in some other examples we have discussed thus far in this case study. On the other hand, it is also true that the overarching goal of setting a Botswana NADO has not been achieved. It is of interest for our research that the BNOC is undertaking the anti-doping responsibilities at the moment on behalf of the government, although of course that is mandated by WADA rules. This establishes the BNOC as responsible for yet another aspect of sport policy implementation in the country. In the evolving relationship between the government, BNSC and BNOC, this gives perhaps a symbolic upper hand to the BNOC. In turn, this could also reinforce the current involvement of the BNOC in the sport system, where it is clearly behaving as a modern, proactive and very professional organisation.

5.1.8 Micro-cooperations

We have also identified some micro-cooperations in the case of Botswana. Like in the other countries included in this project, these share the same characteristics: Small and very defined projects, normally with an end date, not systematically evaluated and without a clear strategic objective.

The micro-cooperations in Botswana were the organisation and management of the Botswana Sport Awards, and the organisation of a series of sports science training seminars. We found of interest that these two collaborations were normally referred to by BNSC officials when asked to list examples of collaboration with the BNOC. However, it was not always the case the other way around. It is of course difficult to read too much into that, but one could hypothesize that these initiatives seem to be more relevant for BNSC officials than for BNOC.

The Botswana National Sport Awards were called Botswana National Sports Commission Awards until very recently. In the spirit of cooperation, the BNSC offered to rename the awards as National Sport Awards, hence involving the BNOC in the organising committee. According
to several interviewees, this is a small project that runs every year, as the winners need to be chosen and the awards ceremony needs to be organised. BNOC representatives were invited to be part of the organising working group and to be present all along. The funding/resources are provided by the BNSC, according to the interviewees. This is a small project, but interviewees were very happy with it. The BNSC consider it to be a success and demonstration that the two institutions can work together cordially. It is interesting to see that the National Sport Awards were also included in the MoU between BNSC and BNOC, albeit towards the end of the list of priorities:

- Implement the delivery of the Botswana National Sport Awards.

The second example of micro-cooperation is the organisation of a sport sciences symposium, which has been running for four years now. The idea of the symposium emerged at operational level between members of staff of the BNSC and the BNOC. This initiative is defined as real collaboration of the two sides, where does not seem to be one leading the other. The initiative was discussed in BNSC technical committees, where BNOC representatives are also in attendance.

The objectives of these seminar are to improve the technical capacity of coaches and training related staff in the preparation of elite athletes. It is mostly a capacity development initiative, as the BNSC has recognised that some of the coaches in the country might not necessarily have the knowledge in specific areas of sport science. One area that was particularly cited by BNSC interviewees was the influence of medical issues in athlete recovery. Thus, it can be seen these symposiums are very technical and geared towards sport professionals.

This was defined as a joint effort. The organising committee features members of staff of both BNOC and BNSC. There are also specialists from the University of Botswana involved.

The financial resources are shared by the BNOC and the BNSC. One BNSC interviewee recognised that in one occasion BNOC contributed the majority of the funding, as it was able to use IOC or Olympic Solidarity funding. That was especially used to bring international experts to the symposium. Thus, whereas this is a very focused and small example, it reveals again how the BNOC is able to leverage Olympic Solidarity funding in its relations with the governmental departments.

The sports science symposium has been running for four years now. There are plans to continue organising the symposium in the foreseeable future, according to one interviewee. This is a small collaboration between the BNSC and the NOC that started in the short-term, but
it is now developing into a more medium-term partnership. And we could very well see this growing as part of any future understanding on the Botswana Sport Development Model.

This initiative seems to be popular. Around 300 people participated in the last edition of the symposium. Whereas feedback questionnaires are distributed amongst participants and analysed to shape the following year’s programme, there is not a systematic evaluation of outcomes. For example, there is not a clear design of learning objectives, and there is not an evaluation as to whether the knowledge acquired is then implemented. According to a BNSC Member of staff: “We do not have the resources to do it, unfortunately, but we value its existence and the value it gives to our coaches, medical and our National Sport Associations” (Interview, Bobby Gaseitsiwe, Director for Sport Development, BNSC).

5.1.9 Conclusion
Botswana is a very interesting case study. During our research visit and our interviews we could see how the BNOC is a professional, modern and very confident organisation. Whereas it is not excessively big (18 members of staff in total), it has a bigger budget than the Sri Lanka NOC, although it is much smaller than the Guatemala NOC.

Botswana is very particular in that there is a relatively lose regulatory framework, unlike the other case studies. Moreover, the BNOC is heavily dependent on government money and its relationship with the BNSC. Within that context, the BNOC can maintain its autonomy without problems. It is also able to establish positive relations with the government, although there are clear tensions. Those tensions are never major, though. It seems as if there is always a way to resolve problems, for the stakeholders are happy to seat around the same table. In our opinion, there is also a very clear understanding of the Olympic Charter provisions amongst government officials. In our conversations, we did not detect any ambition to intervene in the BNOC or national federations, unlike in Sri Lanka for example.

Botswana is also a special case because the BNOC is seeking to sign a formal memorandum of understanding with the government. In this case through the BNSC. The MoU is in part needed due to the lack of wider regulatory framework. We have seen in this research two cases (Sri Lanka and Guatemala) with tight regulatory frameworks. One is rather problematic (Sri Lanka), whereas the other is very positive for the NOC (Guatemala). In the case of Botswana, the lack of prescriptive legislation opens the door to negotiate the MoU. We would argue that for an NOC it would be easier to negotiate an MoU than legislative changes. Thus, it is perhaps not too far-fetched to affirm that NOCs could be advised to focus on MoUs rather than lobbying for legislative changes where possible. The case of Botswana suggests that NOCs are
in a better negotiating position when dealing with MoU. Then again, the Botswana MoU has not been signed and, of course, these agreements do not have the same power than primary legislation (as the case of Guatemala clearly demonstrates). What this research has showed is that NOCs need to consider different variables when structuring their cooperations with national governments.
5.2 Guatemala: Dreamland for a National Olympic Committee

5.2.1 Introduction

Guatemala is the American case study of this report. Compared to the other two developing nations included in this research project (Botswana and Sri Lanka), Guatemala is a country with a longer history as an independent nation. Guatemala declared itself an independent republic (the Republic of Guatemala) on 21st March 1847. The country has suffered an eventful history since declaring independence. The modern times in the 20th century were especially convulse, with coups, different military juntas, periods of dictatorship and a civil war between 1960 and 1996.

The country’s population is 17.2 million. According to the World Development Database of the World Bank, Guatemala’s 2018 GDP is US$ 78.46 billion and the GDP per capita is US$ 4,589, with a current economic growth rate of 3.1% of GDP.

The Guatemala National Olympic Committee (GNOC) was recognised by the IOC in 1947. The first participation of Guatemala in the Olympic Games was in 1952, in Helsinki. Guatemala has won only one Olympic medal, a silver medal in London 2012.

The relations between the Guatemala National Olympic Committee and the government of the country can be defined as positive. The GNOC is a very active, vibrant, professional and entrepreneurial organisation, whose active collaboration with the autonomous body for federated sport in the country, the Confederación Deportiva Autónoma de Guatemala (CDAG), is at the heart of elite and federated sport development. The findings of this case study present an interesting paradox: There are not many direct and joint collaborations between GNOC and the public authorities in terms of active policy implementation due to the high level of autonomy that the legal and regulatory framework award to GNOC. The GNOC does interact on a regular basis with the government within the so-called Consejo Nacional del Deporte y la Recreación [National Council for Sport and Recreation, CONADER] (see below for details) and in the design of the Plan Nacional del Deporte (National Sport’s strategic plan), but there is far less interaction at the operational level. The importance of CONADER as a coordinating institution and a venue for cooperation, discussion and exchange of views between the GNOC and the government is acknowledged by the fact that we felt necessary to dedicate one full section of this case study to the activities within CONADER.

Despite the interaction in strategic policy design within CONADER, one of the most relevant findings of this case study is the very large degree of independence of GNOC from
public authorities, even when 95% of GNOC’s budget comes from public governmental money. Certainly, GNOC enjoys the highest level of autonomy of all the NOCs studied in this project. That is made possible by a very comprehensive, but at the same time very protective, legal framework. It is important to note, though, that such a degree of independence has also some negative consequences, as we discuss further ahead.

The relationship between GNOC and the public authorities in Guatemala is structured by the legal and regulatory framework. Guatemala is a very special case, for the national constitution includes provisions on sport, something very unusual around the world. Articles 92 and 93 of the Guatemala constitution are of special relevance, for they recognise the autonomy of “federated sport”, which equals to recognise the autonomy of GNOC. The Decree 76-97 ‘National Law for the Development of the Sport and Physical Culture’ (hereinafter referred to as National Sports Act of 1997) codifies and regulates the sports system in Guatemala. This is a very protective regulatory framework that is, naturally, cherished by the GNOC, who is ready to challenge any attempts to modify it. At the time when the fieldwork for this case study was undertaken, the Parliament of Guatemala had tabled a proposal to amend the National Sports Act of 1997. The GNOC and the institutions of federated sport engaged with that plan of reform, but they were not satisfied with the reception that their proposals had in the Parliament and the government. Having had the opportunity to read a draft text of this proposed new legislation, our understanding is that it does not modify the protection of the GNOC autonomy.

The structure of this case study is marked by the significant peculiarities of Guatemala sports system and its regulatory framework. Following this introduction, we present the legal framework and the structure of the sport system in Guatemala. Second, we discuss the funding regime of GNOC and the extraordinary links to the constitution of the country. We then continue with the in-depth analysis of two examples of collaborations, namely the educational programmes implemented through GNOC’s Olympic Education Academy, and the interactions between GNOC and governmental bodies in the Consejo Nacional de la Educación Física y la Recreación – National Council for Physical Education and Recreation - (CONADER). Finally, the case study ends up with the discussion of micro-cooperations and a conclusion.

5.2.2 Legal and political framework

Sport is regulated in Guatemala by two fundamental legal texts: The country’s constitution and the National Sports Act of 1997. The Constitution of the Republic of Guatemala dedicates an entire section (Section VI) to sport. Indirectly, Articles 72 (on education) and 94 (on public health) are also of relevance. We reproduce here Articles 91 and 92 (original in Spanish, own
translation) in their entirety, given the importance of this constitutional provisions to understand the very particular situation of GNOC.

Article 91.- Of the budgetary allocation for sport. It is the duty of the State to encourage and promote the practice of physical education and sport. In order to ensure that, there shall be a budgetary provision of no less than 3% of the Ordinary General Budget of the state dedicated to sport. Of that budgetary provision, 50% shall be set aside for the federated sport sector through its governing organisations, following the processes established in regulations; 25% shall be set aside for physical education, recreation and school sport; and 25% will be set aside for non-federated sport.

Article 92.- Autonomy of sport. It is recognised and guaranteed the autonomy of federated sport through its governing bodies, Confederación Deportiva Autónoma de Guatemala [CDAG, Autonomous Sport Confederation of Guatemala] and Guatemala National Olympic Committee, both of which have their own legal personality and their own assets. These organisations are hereby exonerated from paying all type of taxes and administrative fees.

Thus, the Constitution of the Republic of Guatemala sets the tone for a very important legal framework. Article 92 recognises, and guarantees (own emphasis), the autonomy of GNOC. This is the most powerful level of protection possible, for constitutions are the highest legal texts in any given country and only a constitutional reform (as compared to the amendment of an act of parliament) can modify the status quo. Furthermore, Article 91 then sets the ground for the financial autonomy of GNOC as well. This is important, because it has been clearly documented how in some countries the supposed autonomy of NOCs and sport organisations enshrined in the legal framework is, however, reduced by the economic dependence on public money. There is not necessarily always a correlation between political/regulatory autonomy and financial autonomy (Geeraert, Mrkonjic, & Chappelet, 2015). These constitutional provisions ensure that is not the case in Guatemala. In an extremely unusual provision, the constitution clearly instructs the legislative and the executive powers that 3% of the public budget must be dedicated to sport. Half of this budgetary provision shall be spent in federated sport through the two autonomous organisations, CDAG and GNOC. The National Sports Act of 1997 further establishes that the budgetary provision for federated sport (1.5% of the public budget) shall be divided as follows: 80% for CDAG and 20% for GNOC). Therefore, the state in Guatemala must give GNOC an annual allocation of 0.3% of the budget, which means that 10% of the public sport budget is managed by the GNOC.

The constitutional framework guarantees the political and financial autonomy of sport in Guatemala, and that of GNOC. This is of course positive, for it allows sport organisations to govern themselves. Some external observers pointed out, however, that it can be a double-edged sword. The separation of responsibilities limits the way in which institutions such as CDAG
and GNOC can intervene or coordinate at governmental level. On the other hand, the counter-argument is that CONADER (see below) is the platform for that interaction to take place. GNOC officials with whom we discussed our findings argued that through CONADER there has been a good number of joint activities and interinstitutional co-operation. Whereas this might be true, our perception with the evidence at our disposal is that the role of CONADER is perhaps overexaggerated in that respect.

Another possible negative side-effect is that the high level of autonomy of the sport organisations might create an excessively endogamic environment, in which leadership positions are politically distributed rather than nurturing skilled public administration specialists to play a role in the complex management of those organisations.

5.2.2.1 The National Sports Act and the Guatemala sport system

The 1997 National Sports Act further develops the constitutional provisions on sport. It is a very comprehensive legal text, setting up a clear design of the country’s sport system, with allocated roles and responsibilities. Unlike Sri Lanka’s 1973 Sports Law, this piece of legislation clearly draws up a coordinated system for the management of sport, physical activity and physical education in the country. The National Sports Act creates what it calls the “National System of Physical Culture” (Article 2), which is defined crucially as an “interinstitutional body” to “integrate, coordinate and articulate the systems dedicated to physical education, non-federated sport, and federated sport, always respecting the autonomy of the latter” (National Sports Act, Article 2, emphasis added). Furthermore, Article 6 stipulates that one of the principles of the act is to “disseminate amongst the population the benefits generated by the practice of physical education, physical recreation, sport and the Olympic values”.

In our opinion, one of the most important features of this National Sports Act is the clear articulation of roles and responsibilities in Guatemala’s sport system. Whereas a regulatory text cannot have the level of detail of a strategic policy document, the National Sports Act sets very interesting grounds to develop and implement a coordinated approach to the different dimensions of sport in Guatemala. Whether such potential has been (or is been) fulfilled is a debate outside the scope of this report. Of interest for us here is the support that having such a clear and protective framework has for GNOC.

Thus, the National Sports Act delineates an interinstitutional sport framework, divided in four different sub-systems, each one with their nominated responsible institutions.
• The “Physical education system” deals basically with school sport and sport extra-curricular activities and competitions. It is the responsibility of the Ministry of Education and, specially, the Dirección General de Educación Física -Directorate General for Physical Education- (DIGEF). Interestingly, the current President of GNOC, Gerardo Aguirre, was director of DIGEF before being elected to his current position.

• The “Non-Federated Sport System” deals with unorganised, non-competitive amateur sport. Its main priority is to promote physical activity and sport for all amongst the population of Guatemala outside school age (as school sport comes under the “Physical Education System”). This system is the responsibility of the Ministry of Culture and Sport, and the departments for military sport and social rehabilitation within the Ministry of Defence and Home Affairs. University and private amateur sport organisations are also part of this.

• The “National Physical Recreation System” deals with mass citizen participation in sport and “a healthy use of spare time”. It is the responsibility of the Ministry of Education, Culture and Sport, and the Ministry of Employment and Social Care. This system basically refers to the promotion of active and healthy lifestyles amongst the population of Guatemala.

• The “Federated Sport System” deals with elite and professional competitive sport. This system is referred to in the Act as “the autonomous sphere” of sport in Guatemala. It is the responsibility of the CDAG and GNOC. Particularly, CDAG is responsible for coordinating and structuring national sport federations in their work of athlete identification and development at medium and high level. GNOC is then responsible for articulating the processes of preparation and sporting development for high performance sport.

Finally, the National Sports Act also establishes an institution to coordinate these four sport systems. It is the Consejo Nacional del Deporte y la Recreación [National Council for Sport and Recreation] (CONADER). CONADER is responsible not just for coordination, but also for setting the strategic priorities for sport in Guatemala and developing public policies and strategic plans. Paradoxically, CONADER does not receive a budget, hence, it requires that the institutions that are part of it donate an amount of their annual budget in order to fulfill the role of CONADER; this is explained further below. As CONADER is one of our specific examples of collaboration (see below) we will not enter into excessive details here. It suffices to say that,
once again, this piece of legislation takes the time and space to set up a coordinating institution for the entire sport system.

On paper, the regulatory and organisational framework of sport in Guatemala is comprehensive, carefully designed and relatively advanced. Whether the system delivers its objectives in reality is a debate outside the scope of this research project, but it is worth mentioning that some interviewees were critical of the results achieved (mostly in elite sport) with the amount of funding at the disposal of CDAG and GNOC.

We can see already from these provisions included in Article 7 of the National Sports Act that there is a holistic approach to sport, unlike in the case of Sri Lanka, and similar (but slightly more detailed and advanced) than the case of Botswana. It is especially important for our research the fact that GNOC is entrusted quite clearly with a leading role in high performance sport. It is equally important the clear and express mention to the autonomy of both CDAG and GNOC in their coordination of high-level federated sport.

Thus, the legal framework designs a clear division of roles and responsibilities for a number of different governmental and non-governmental organisations in the Guatemala sport system. This is different to the case of Botswana, where we have identified clear overlaps between the governmental National Sports Commission (BNSC) and the National Olympic Committee. The tensions and turf wars that, to our understanding, could be hampering the work of BNOC cannot be found in Guatemala.

Not only that, but one finding of our fieldwork in Guatemala is the very close coordination between GNOC and CDAG. Such coordination is possible because CDAG, unlike the BNSC in Botswana, is fully autonomous, as per the legal framework presented above. CDAG manages 80% of the budget for federated sport and, therefore, it makes complete sense for GNOC to seek as close a relationship as possible. This relationship is paramount for the development of the federated (elite) sport in the country.

At present GNOC and CDAG are two separate organisations, as prescribed in the legal framework, but they really operate as one with a formalised framework agreement of shared services, and even a common visual entity. This became extremely clear to the research team during our fieldwork period in Guatemala, which included not just interviews but also participant observation. Both organisations have their headquarters in the Palacio de los Deportes in Ciudad de Guatemala and many departments are working jointly, sharing even office space.
Just as an example, the international relations teams of both organisations work from the same office even if members of staff belong, formally, to different organisations.

GNOC President, Gerardo Aguirre, recognised in the research interview that his “ambition” would be to see both organisations merging, following the German model. Several interviewees participating in this research, representing both GNOC and CDAG shared Aguirre’s enthusiasm for the idea. This is perfectly exemplified by Juan Ignacio Lemus, GNOC Director of Interinstitutional Relations:

Of course, the National Sports Act sets up two different organisations, so we cannot merge at the moment, but personally I think that would be the best way to generate the best governance possible in Guatemalan sport (...) As I say, I think the way ahead is the creation of the Guatemala Olympic Confederation, but that is not possible right now. However, we are working towards it. Our idea is to work hand in hand with CDAG, sharing our strategic plans, having a single common vision and, step by step, we are doing it. We would like to be just one single organisation because, at the end of the day, we share the same goals and objectives.

The debate about the possible institutional merger between GNOC and CDAG is a perfect example of the inflexibility of the legal framework we pointed out above. The words of Gerardo Aguirre and Juan Ignacio Lemus demonstrate an appetite for innovation, for doing something different after having studied a blueprint of different structures that they believe would be helpful for sport in Guatemala and for their organisation in particular. This is a feeling widely shared by other interviewees in senior and junior positions at GNOC. However, the tight legislative framework does not facilitate that innovation. The two organisations have found a way around this legislative restriction, and they have set up a very interesting and innovative framework of joint management and cooperation between the GNOC and the CDAG. CDAG and GNOC have signed a framework agreement for collaboration and shared services. However, there are limits to how far that can go: even though the leadership of CDAG and GNOC agree that the organisations should merge, it is not possible because it requires an amendment of the Constitution. Moreover, there is a risk in the current arrangements, as they rely on a common understanding of both organisations’ leaderships, which is of course not always guaranteed.

Another example of the slightly negative consequences of the legislative framework is the debate of whether the country should invest more in elite sport or sport for all. Guatemala cannot really change that distribution simply because for that to happen it requires to amend the Constitution; and sport is not a major political priority for the Congress.
5.2.2.2 National Olympic Committee role and responsibilities

The National Sports Act devotes an entire section (Title VIII) to the National Olympic Committee, its structure, objectives, duties and responsibilities. Article 170 is of the outmost relevance for our research and deserves to be quoted in full:

The Guatemala National Olympic Committee, also known as C. O. G., is a completely independent and autonomous organisation, outside all type of political, racial, religious or economic influence. It has its own legal personality and its own assets. Its headquarters are situated in the capital of the country and it can seek affiliation to any international bodies that it considers necessary.

The work of the Guatemala National Olympic Committee is regulated by this National Sports Act, the C. O. G. own statutes, and the treaties, rules and regulations of the International Olympic Committee. In case of contradiction between the National Sports Act or any other statue or regulation and the Olympic Charter, the interpretation of the latter will have prevalence.

Furthermore, Article 172 lists a number of obligations for GNOC, amongst which its role to “encourage the development of high-performance sport”. GNOC is, thus, charged with being the unquestionably leading organisation of elite sport in Guatemala. It is also of interest, in stark contrast to Sri Lanka, that this same article declares GNOC responsible for organising and formalising the teams to participate in international competitions, following the selection and proposal of the national sport federations.

Article 172 of the National Sports Act also stipulates that GNOC has the obligation to “be part of, participate and support the National System of Physical Culture and Sport, contributing to the interinstitutional effectiveness of the policies emanating from CONADER”. This provision is of interest because it situates GNOC as an active stakeholder, jointly responsible for the implementation of public sport policy designed through the coordination mechanism of CONADER. The National Sports Act does not only recognise the competencies of the NOC, but it clearly situates this organisation at the very heart of Guatemala’s sport system. This is even clearer in Article 174, which clarifies that the GNOC “will count on the collaboration of the CDAG, National Sport Federations, National Sport Associations and all state institutions in order to discharge effectively its functions”.

The National Sports Act also includes provisions on the organic structure of the GNOC, which includes five decision-making bodies: general assembly, executive committee, discipline tribunal, and financial accountability committee (Article 176). It also stipulates the composition of the General assembly (Article 177), and the executive committee (Article 178).
Thus, the Guatemala legal framework takes the concept of Autonomy to a new height, as it expressly gives precedence to the Olympic Charter over any national legal text. This is one of the most important elements to understand the reality of the GNOC and its relations with the government in Guatemala. Although we cannot claim to have examined the legal framework of each and every National Olympic Committee affiliated to the IOC, it is probably safe to affirm that it is very difficult to find a more protective and empowering legal, regulatory and financial framework for a National Olympic Committee around the world.

On the other hand, a different interpretation would say that, despite the clear references to sport autonomy, the role of the GNOC is so clearly delineated in the National Sports Act that it constrains what the organisation can do. It might not say how to do it, but the framework is so prescriptive that one could ask: Is this actually real autonomy for the organisation?

5.2.3 Funding and financial accountability
The funding regime of the GNOC is paramount to understand the nature of its relations with the government in Guatemala. First, because the constitutional contribution of the state to sport allows GNOC to have a very significant budget, especially when compared to other countries of relatively similar size included in this research. Second, because this financial regime gives the GNOC a leading position in the relationship with the government.

According to the last GNOC financial report to which we have had access (2018), the total budget of the institution was GTQ 99,452,079 (EUR 11,564,982). The income streams were as follows:

- GTQ 92,072,704 (EUR 10,707,720) from the government through the constitutional budgetary provision for sport.
- GTQ 6,233,118 (EUR 724,921) from Olympic Solidarity, Panamerican Sport Organisation, Association of National Olympic Committees (ANOC), and other foreign entities.
- GTQ 792,108 (EUR 92,120) from interest of GNOC own financial assets.
- GTQ 354,147 (EUR 41,185) from private donors.

According to the 2019 budget provisions of the GNOC, the budget has increased slightly for the present year to a total of GTQ 102,995,403 (EUR 11,978,236). Thus, the GNOC has an annual budget of c. EUR 12 million, which is significantly higher than the budget of the NOCs of Botswana and Sri Lanka, the other two developing countries included in this report. Most of the income originates in the state’s constitutional budgetary provision for sport (93% of the
total budget), whereas the second most important source of revenue is Olympic Solidarity and other Olympic movement related grants (6% of the total budget).

This means that the GNOC only generates 1% of the budget through its own financial assets or external private donors. In that respect, the financial situation of the GNOC is of course extremely dependent of public money. In financial terms the GNOC is, theoretically, far less autonomous than the Sri Lanka NOC, as it does not generate revenue. However, the constitutional framework analysed above ensures the financial contribution of the state is constantly forthcoming and, most importantly, with no strings attached.

Indeed, the National Sports Act details GNOC’s funding regime. Article 184 refers to the assets of the GNOC. Amongst other provisions, paragraph b reads as follows:

[20% of the constitutional budget provision for federated sport] will be transferred directly to the Guatemala National Olympic Committee by the Ministry of Public Finances, in monthly instalments of the corresponding amount according to the budgetary provisions submitted by the Guatemala National Olympic Committee.

Therefore, the government is legally and constitutionally obliged not only to dedicate a fixed amount of the public budget to fund the GNOC. It is also required to hand that money over in monthly instalments and following the budgetary provisions designed by the GNOC itself. Unlike the case of Germany, where we have seen a governmental move to set targets and objectives in return for funding, GNOC sets its own budgetary and strategy objectives. External observers have suggested that perhaps CONADER could be in charge of setting objectives and targets for the GNOC and other sport system stakeholders. GNOC officials consider that this is happening already because both GDAG and GNOC must align their targets and goals with the National Strategic Plan for Sport, debated and adopted within CONADER. However, we feel the relevance of CONADER and the National Strategic Plan for Sport is not as strong as suggested by those officials. We feel there is a clear qualitative difference between the system in Guatemala and the structures that are being introduced in Germany, or the well-known system implemented in the United Kingdom. Be that as it may, there was unanimity amongst interviewees that the government does not impose how GNOC should spend its budgetary allocation, as long as its programmes are within the remit of the institution prescribed in the legal framework and the Olympic charter.

Article 184 of the National Sports Act has important implications for GNOC financial management. As a senior member of staff explained, having a secured financial budget facilitates any negotiations with private entities such as suppliers, sponsors and even banks. Perhaps
more importantly, this puts GNOC in a position of strength when negotiating with the government. If a specific payment if not forthcoming, GNOC can put pressure on the specific administrative unit and request the money to be disbursed because the government is legally obliged to do it.

This is a very generous financial framework. In relative terms, the budgetary provision for sport in a country like Guatemala is substantial. Moreover, GNOC enjoys substantive autonomy to design and implement its own elite sport programmes and policies. Another aspect of that autonomy is, of course, that sport leaders are elected by federations, rather than appointed by the government. The GNOC is a vibrant and very active organisation. It employs 150 members of staff, almost ten times more than the Sri Lanka and Botswana NOCs. Moreover, the close relationship with CDAG (see details above), means GNOC can also draw on the wide expertise of the c. 1,100 CDAG’s members of staff.

As it is a large organisation, GNOC spends c. 20% in administrative costs, but GNOC invests c. 80% of its budget in elite sport development, mostly through three assistance programmes for high performance athletes. Whereas GNOC also has a vibrant educational programme, an example of which is analysed further below, the organisation’s policies are clearly focused on high performance sport, athlete support and development.

5.2.3.1 Financial accountability and transparency

Quite curiously, one of the areas of most active interaction between GNOC and the government is financial accountability. Whereas GNOC enjoys wide margins of budgetary autonomy, the external auditing and financial accountability process is very exhaustive. Whereas this might create an excessive bureaucratic burden on the GNOC, officials recognised that such a robust financial accountability structure was crucial for the good governance of GNOC. It is important to point out that this refers to ex-post financial reporting and accountability. In other words, the government does not impose what GNOC should spend the money on, but it requires very detailed reporting of what it has spent the money on. Each year, the General Assembly adopts the GNOC budget. According to Article 185 of the National Sports Act, the budget needs to include details of the different programmes and interventions for the year ahead. So there is, at least, a requirement that the GNOC informs of which programmes is going to implement within its budget. Once adopted, it is forwarded to government and parliament purely for information purposes. The Parliament, who is the ultimate responsible for the state budget, can scrutinise the budget submitted by the GNOC. One interviewee pointed out that, despite the constitutional requirement to assign 3% of the public budget to sport, there have been cases in which the
Parliament has reduced the budget to sport; it is a faculty they are empowered to as long as they consider it necessary.

Two interviewees participating in this research explained that the budget needs to be rather detailed, with names of specific programmes, actions and interventions. GNOC needs to be very careful in this financial planning, because it will have to report exactly on that basis.

The relative budgetary freedom of the GNOC contrasts with the budgetary procedure of CDAG. Article 132 of the National Sports Act sets up some (not excessively stringent) requirements for CDAG. Article 132 stipulates that CDAG should spend no more than 30% of the budget on “technical programmes”, and no more than 50% on “promotion of sport at national level”. These are not very restrictive guidelines, but it is noticeable that there are no similar regulations in the case of GNOC.

GNOC, despite being an autonomous organisation, is subject to the supervision of the Contraloría General de Cuentas, a powerful administrative department in charge of financial accountability of organisations receiving public money. The Contraloría has its own office in the Palacio de los Deportes, GNOC’s headquarters, and the inspectors can require financial documents at any moment. Following the Guatemalan Law on Access to Public Information, GNOC publishes every month in its website a very detailed report of expenses. The financial transparency and accountability duties imposed on GNOC have their origin in the well documented cases of corruption in Guatemala public administration. Like many other developing countries, Guatemala is working to eradicate political and financial corruption, something that deserves credit.

During our research visit to GNOC we could witness first-hand that the role of the Contraloría has a clear impact on GNOC daily management. Some GNOC members of staff complained that the financial control is excessive in relation to procurement. There were examples cited in which, according to the interviewees, sporting material for training or competitions was delayed because a special ‘expense code’ had to be approved by the auditors. On the other hand, other interviewees suggested that it was necessary to have very rigid procedures in order to ensure proper use of public money, even if that was problematic at times. In our view, this is a consequence of GNOC relying almost exclusively on public finances. It is a legal duty that GNOC has to comply with. Whereas the degree of financial autonomy at strategic level is relatively high, GNOC is procedurally constrained which, in practice, it might condition the day to day work of the organisation.
Thus, the Contraloría General de Cuentas is actually almost the only public body with a degree of oversight or control over GNOC and sport organisations in Guatemala. In general terms, governmental oversight of sport is almost a taboo topic in Guatemala. Some interviewees suggested that there is a need for more open and sincere debate between governmental and non-governmental organisations in sport. It was quite clear during our research visit that both CDAG and GNOC want to distance themselves from public institutions. There is not a very collaborative outlook to their relations.

Probably because of the tight financial accountability framework, GNOC has invested heavily in improving its management structures. One of the main findings of our research visit to GNOC was the organisation’s focus on “management by processes”. GNOC is certified by AENOR as following ISO 9001, an internationally recognised standard of management. According to the International Organisation for Standardisation (ISO), the ISO 9001 standard “sets out the criteria for a quality management system (…) It can be used by any organization, large or small, regardless of its field of activity” (ISO, n.d.).

Gerardo Aguirre, GNOC President, explained that one of his main priorities after being elected was to obtain ISO 9001 accreditation. He was also adamant that the organisation needs to set up strong and transparent managerial processes. Gerardo Estrada, GNOC General Manager (Gerente General), explained the need to seek ISO accreditation as follows:

> Our ISO 9001 certification strengthens our management processes, because it improves our transparency. It also helps to maximise the use of our resources and minimises our risk against the Contraloría General de Cuentas. The importance of having clear processes following an internationally recognised standard is that, for example, we avoid any loopholes that might appear in regulations such as the public procurement regulations.

It was evident during our research visit that this culture of “management by process” has transcended to the work force in GNOC. Many of the interviewees referred to the ISO 9001 certification with pride. On the other hand, it was also evident that this results in a rather laborious and perhaps excessively bureaucratic way of doing things. One of the side effects is an excessive level of micro management.

This heavy emphasis on process, financial accountability and financial reporting is most probably linked to a tradition of corruption and mismanagement, which is often recognised in developing countries (Persson, Rothstein & Theorell, 2013). According to several interviewees, Guatemala (in general, not necessarily linked to sport or to the GNOC) is certainly not immune to that. Thus, it is probably safe to affirm that the rather invasive procedures of the Contraloría
*General de Cuentas*, as well as the GNOC’s own emphasis on process, are set up to give the impression of a transparent structure to avoid financial corruption. Whether this creates real accountability or is just a ‘transparency wall’ to protect the organisation from external political scrutiny is a debate that several external observers pointed out.

This section has analysed the very particular funding structure of sport in Guatemala and its consequences for GNOC. We argue that the financial and regulatory set-up allows GNOC a large degree of economic and political autonomy. It is, to our understanding, almost dreamland for a National Olympic Committee. Financial reporting is the only area we could identify in which GNOC and the government have somehow strained relationships. However, this does not have major strategic consequences for GNOC, except perhaps for a rather laborious and bureaucratic management structure, and a restriction of innovation. The limitations of the administrative oversight should not be dismissed, though. It is perhaps a good example of administrative processes dictating to some extent the way an organisation (GNOC) works.

Funding is an important area to analyse the dynamics between GNOC and the Guatemalan government. It is perhaps even more relevant than the collaborations we explore below, because it reveals the importance of a protective legal framework for the NOC. In this respect, the arrangements in Guatemala can certainly be conceptualised as neo-corporatist. The state does not take an active role in elite sport. Instead, the state in Guatemala has set up a very clear regulatory and financial structure. The government seems happy to entrust CDAG and GNOC with the development of the so-called “Federated sport system”. Whereas governmental departments are fully active in school or amateur sport, the arrangements in relation to the NOC and elite sport are very different. The case of Guatemala is in the opposite side of Sri Lanka, but both case studies are actually conditioned by the legislative framework for sport in the country. Thus, we can certainly conclude that NOCs should be advised to lobby governments in that respect. On the other hand, we have also seen how the regulatory framework has some negative consequences, mostly in relation to innovation and further involvement of GNOC in other areas of the sport system.

Having analysed the importance of legal and funding structures in Guatemala, we now move on to explore two examples of concrete collaborations between GNOC and the government.

### 5.2.4 CONADER: A coordinating institution

CONADER stands for *Consejo Nacional de la Educación Física y la Recreación* (National Council for Physical Education and Recreation). It is an interinstitutional body established in
the National Sports Act. It is defined as a “Coordinating institution”, in charge of “developing coordinated programmes, processes and relations between physical education, non-federated sport, leisure and recreation, and federated sport” (Article 9). Thus, CONADER is at the apex of Guatemala sports system. It is not an institution with a top-down regulatory mandate, though. It is an institution responsible for the overall progress of sport in Guatemala. As such, it is an institutional venue for interaction between GNOC and other governmental departments.

CONADER is formed by five persons

- The president of DIGEF’s board of directors, representing the Physical Education System.
- The presidents of both GNOC and DGAC, representing the Federated Sport System
- The Deputy Minister of Culture and Sport, representing the Non-Federated and Recreational sport systems.
- A person appointed by the President of the Republic, whose role is to keep the President updated rather than participate on policy discussions.

CONADER is chaired on a one-year rotating basis by each one of the members (Article 11). This position is currently held in 2019 by Julio Fernando Cáceres Grajeda, CDAG President. CONADER appoints an Executive Director, or CEO, who also attends the meetings of the Council, but does not have a vote. Gabriel Sagastume, a former Olympian in Taekwondo, is currently CONADER’s Executive Director.

Article 12 of the National Sports Act lists the competencies of CONADER. Amongst others, the following are of interest for our research

- To propose the national policy on physical education, physical recreation and sport
- To dictate and direct the interinstitutional policies on physical culture.
- To determine the processes that articulate the joint cooperation between physical education, physical recreation and sport.
- To coordinate interinstitutional planning and programmes in physical education, physical recreation and sport.
- To elaborate and adopt the National Strategic Plan for Sport, Physical Education and Physical Recreation.
- To supervise and evaluate joint interinstitutional plans and programmes in the implementation of sport policy.
Thus, as we can see, CONADER is the forum in which Guatemala sport policy and its strategic plan are designed and adopted. It could be seen as the highest strategic authority in Guatemalan sport. However, it is not a governmental department, but an interinstitutional and coordinating institution. Basically, CONADER plays a key role as an interagency in charge of coordinating the rational use of resources and the effective integration between the institutions that compose the Guatemalan Sport System, thereby eliminating duplications, interference and improprieties, while respecting the autonomy of federated sport. CONADER does not execute programs, it only coordinates. This is neatly explained by Gabriel Sagastume:

The legislative framework defines CONADER as the coordinating institution in charge of proposing national sport policy (…) Thus, we could be seen as the top authority in the sport system, but only to some extent because decisions need to be taken by consensus as they then need to be observed and implemented by those around the table

For our objectives here the importance of CONADER lies in that GNOC is one of the members around the table. Therefore, CONADER is the main forum for interaction, debate, exchange of views and policy coordination between GNOC and the government of the country. GNOC officials argued that the importance of CONADER needs to be acknowledged, specially in relation to designing the National Strategic Plan for Sport. This, in their opinion, is actually one of the most relevant and important interactions between GNOC and the government because it has strategic relevance for sport at all levels and for all sport institutions.

The legislative framework of Guatemala empowers the National Olympic Committee with a formal seat at the strategic decision-making body for sport policy in the country. This is beyond the competencies of NOCs in other countries included in this report, such as Botswana and Sri Lanka. Although it could be argued that the Botswana NOC has two seats in the board of the National Sport Commission, which might be seen as slightly similar.

The decisions in CONADER are normally taken by unanimity. Therefore, the four ‘partner’ institutions (2 governmental, 2 non-governmental) need to agree on the way forward. This presents some challenges, as interviewees have pointed out that the governmental institutions do not have enough knowledge about the Physical Culture and Sports system vision and strategies as the CDAG and GNOC. The Executive Director of CONADER, Gabriel Sagastume, is positive when describing the interactions between GNOC and the governmental authorities in the institution:

I think the relationship between the governmental representatives, on the one hand, and GNOC and CDAG, on the other, within CONADER has been good during my time here. It is a relation of sincere cooperation in which I think there is normally a wider vision about the country, not just their respective
Institutions. Of course, this also depends greatly on personality. I have been here for quite some time now, and I have seen some authorities, mostly in the governmental side, that do not fully understand the societal role of physical culture and sport, and the vision of the Olympic movement (…) I think we are making progress to work as a coordinated system, though. Of course there is at times the temptation to blame others around the table when objectives are not met, for example. But we are working and we are improving. We have activities to improve our coordinated work and I think we have made progress in that respect. I would say that, if we were to take a 100% of perfect synergy, we might well be now around 60-70%.

GNOC has only one seat out of five in CONADER, but interviewees suggested that, at present, the GNOC and CDAG (note their joint strategy as explained above) tend to dominate the discussions because they seem to be the institutions with a more elaborated and far reaching strategic vision. Formally, though, the actions of CONADER are guided by the National Strategic Plan for Sport.

The current leaders of the GNOC and the CDAG have more experience and have been in their positions for longer. They bring a clear strategic vision and this is very positive for us as a system. The governmental side, however, experiences far more changes, so it is difficult for them. Each year we might have a different delegate person from the President, or a different Deputy Minister… We have had even three or four different representatives from one institution in the same year. It is difficult to have some continuity with those changes (Interview, Gabriel Sagastume, CONADER Executive Director).

The interactions in CONADER are a good example of the way in which GNOC has developed as a leading institution within Guatemala sport system. Thanks to the provisions in the regulatory framework, the generous funding and a proactive leadership, GNOC is able to talk to government on an equal basis within the top coordinating institution of Guatemala sport system.

CONADER has evolved as an institution over the last five years under the stewardship of its very able Executive Director, Gabriel Sagastume. CONADER has created several technical commissions where all institutions are represented. The objective of those commissions is to develop and follow-up the implementation of specific areas within the national strategic plan for sport. GNOC is represented and participating in these commissions, so it is again active part of the design and implementation of sport policy at the strategic level in Guatemala.

CONADER has one fundamental limitation in its endeavours, though. Unlike the other institutions in the sports system, CONADER does not have a fixed guaranteed budgetary provision. CONADER is financed by the government through the Ministry of Education and the Ministry of Culture and Sport, as well as the contributions formally agreed between CONADER, on the one hand, and GNOC-CDAG on the other. Whereas Article 29 of the National
Sports Act stipulates that the government shall make a budgetary contribution towards CONADER, this is not a fixed or compulsory amount, unlike the case of the GNOC for example. Thus, the institutions that are part of CONADER make a voluntary contribution to the institution, but there is not a legal requirement to do it.

For those with a background in European Politics, the structure and functioning of CONADER presents some similarities to the Council of the European Union, the institution where Member States governments are represented to adopt policies. As a coordination body, CONADER has an institutional memory, because the Executive Director and other members of staff are giving continuity to an institution whose voting members tend to change often, as explained above. CONADER has the potential to ‘steer’ the institutions seating (and voting) around the table. For that to happen, though, it is necessary to have an executive director with the necessary vision and skills. To a certain extent, CONADER reminds of the institutional soft power that the EU Council or European Commission secretariats might have over Member States. The efforts of CONADER face some difficulties, as the institutions tend to work mostly in isolation, developing their own different visions of how Guatemala sport would work. A real and efficient interinstitutionality would be required to have a real and integrated common vision of sport as a nation. And that is perhaps easier said than done in a context in which there is so much fragmentation. In that respect, the case of Guatemala is not that different from Botswana, where we have also seen the difficulties of developing a common strategy for sport.

5.2.5 Educational programmes through the Olympic Academy

GNOC has a very active Olympic Education Academy, which is the framework for some of the most direct collaborations with the government. The Olympic Education Academy is a perfect example of the vibrant, proactive and very active nature of GNOC. Whereas it is not the main strategic priority of GNOC (unlike in Sri Lanka), the Academy is still impressive in the level of activities it organises. The Academy headquarters are not in the Palacio de los Deportes. It has its own premises in a building, which also incorporates a small Olympic Museum. Given the remit of the Academy to disseminate Olympic values amongst the population of Guatemala, it makes for the perfect context in which to develop (or at least try to develop) collaborations with the government. The role of the Academy is more important in that respect given the great level of autonomy granted to the GNOC. Ultimately, one of the findings of this case study is that GNOC does not have many cases of direct collaboration with the government because, quite simply, it does not need it. Therefore, the Olympic Academy initiatives are even more relevant for us.
The Director of the Academy, María Esterlem Santos, defines the collaborations with the different government departments as “good and positive”. She explains that strategic collaborations with the government are paramount to the success of the Academy:

Our mandate, according to the Olympic Charter, is to disseminate Olympic values through the population. Therefore, we are completely aware that having good relations with governmental departments will help us to achieve those objectives. We can be much more powerful and reach out to more people, specially around the country, that if we were just on our own. Therefore, as we seek to reach the general population, we make a conscious strategic decision to set up collaborations with governmental departments and ministries. I would say this is especially true in the area of Education, but we seek to cooperate with any department that can help us (...) So, yes, I would say for us here it is extremely important to have alliances with the government, because it really is the only way in which we can fulfil our mandate to expand those Olympic values

The institutional importance of those collaborations is demonstrated by the formalisation through the signature of a Framework Agreement between GNOC and the Ministry of Education in 2018 for a period of three years. This Agreement, to which we have had access, sets up a generic framework for cooperation between the two institutions. The Framework Agreement stipulates that collaboration will be focused on design, funding, implementation and evaluation of specific programmes, that shall be established on a case by case basis. Each specific collaboration in a programme shall be established through a specific ‘Letter of Understanding’ agreeing the objectives and characteristics of the programme, as well as the commitments for each side and a clear operative implementation plan.

Thus, the collaboration with the Olympic Education Academy is done on a programme by programme basis, which is very much in line with the very structured ‘management by process’ philosophy of GNOC mentioned above. We include in this section examples of programmes where the Academy is cooperating with two government departments: *Mi Amigo Olímpico* (My Olympic friend) with the Ministry of Education, and *Mi Amigo Policía* (My police friend) with the Ministry of Home Affairs.

5.2.5.1 *Mi Amigo Olímpico*

*Mi Amigo Olímpico* is an educational programme to support teaching of Olympic values around the country in Guatemala. The programme started in 2011 with only three schools in Ciudad de Guatemala under the initiative of GNOC. However, after a few years and with the direct collaboration of the Ministry of Education the programme has, at the time of writing, 11,300 children registered in schools around 22 administrative regions.
Mi Amigo Olímpico is a comprehensive programme in which a class develops over the year a relationship with a well-known athlete, following videos and related activities. The messages of the athletes are disseminated through on-line videos to the children in the schools, and this is then complemented with different activities that are, of course, designed to complement the school curriculum. The athlete, for example, will talk about an specific issue and then set-up tasks in the video for the students to complete.

The initial idea of the programme belongs to the GNOC, which is the side that initiated the collaboration. The design and development of the initiative is almost exclusively a responsibility of GNOC and the team at the Olympic Academy. The Ministry of Education and its regional offices provide GNOC with access to schools around the country. Importantly, the Ministry has also allowed the formal incorporation of Mi Amigo Olímpico as part of the curriculum in the participating schools. Furthermore, the Ministry facilitated around 50,000 computers to schools, which the GNOC harnessed to expand its programme. This school ‘technification’ programme was not related to the collaboration in Mi Amigo Olímpico, but GNOC took advantage of it.

In this collaboration the interest of the public authority is that the GNOC develops for them an educative programme through sport. For the Olympic Academy, on the other hand, the interest is that a formal collaboration with the Ministry of Education provided the platform to scale up what was initially an initiative that had reached just three schools in Ciudad de Guatemala. Overall, the main responsible for implementing this collaboration is the GNOC.

This is a collaboration in the area of education policy. The goals are to disseminate Olympic and sporting values to school children around the country, as well as contributing to the implementation of the education curriculum through sport. The programme is designed with some short-term goals (mostly in relation to reaching more schools around the country), but the overall educational objectives are of course with a medium to long-term perspective.

Although we have not seen the exact definition of Mi Amigo Olímpico’s goals to evaluate if these are specific and measurable, the Olympic Education Academy Director explained that Mi Amigo Olímpico has defined targets and a systematic evaluation system:

Every year, at the end of the year, we analyse the indicators that we have designed within Mi Amigo Olímpico. We look at the positive and negative comments and we try to improve for the following year. The central idea of the programme is to develop specific values in the kids’ behaviour. We try to have the athlete motivating those changes, and then it is the role of the teacher to follow up, and also to see whether a difference has been made. Thus, we really rely on the teachers to evaluate the success of the programme.
We elaborate some indicators, so we look at issues such as changed in interpersonal relation, or teamwork skills, etc… It is a rather laborious and tiring job, because we have now so many schools enrolled in the programme, but of course our idea is always to have some data to evaluate the programme, so we know if there was a real impact or not.

This evaluation work, however, enabled GNOC to demonstrate the success of *Amigo Olímpico* to different organisations, including governmental departments. According to the Olympic Education Academy Director, the success of *Mi Amigo Olímpico* has opened the door to a collaboration with the Ministry of Home Affairs through a similar programme, this time called *Mi Amigo Policía* (My police friend).

### 5.2.5.2 Mi Amigo Policía

*Mi Amigo Policía* is at a very early stage. At the time of our fieldwork in Guatemala (April 2019), talks were ongoing between the Academy and the responsible units within the Home Affairs Ministry about the design of the programme. The Director of the Academy explained that preparations were really advanced, and she was confident about the initial stages of the programme. However, she also mentioned that Guatemala was about to have general elections and a change in government could delay the programme. For that reason GNOC was working in formalising a Framework Agreement or a Memorandum of Understanding with the Ministry of Home Affairs, similar to the one signed with the Ministry of Education. It was felt that a formalisation of the agreement would ensure implementation of this new initiative.

The dynamics about *Mi Amigo Policía* are interesting, because in this case it was the Home Affairs Ministry who approached the Academy director:

In this case it was an official of the Ministry for Home Affairs who approached me. He was present in a meeting in which we were presenting the outcomes of *Mi Amigo Olímpico*, and he had the interest and the vision to approach us. He thought the idea was good and could be helpful for them. So this time I cannot say we initiated the collaboration in the first instance. They saw the potential of our programmes for their activities and they have engaged with us since. I have to say our collaboration with them is very good so far.

*Mi Amigo Policía*, therefore, will follow a very similar structure to *Mi Amigo Olímpico*. The resources will come from GNOC, but the collaboration of the government are again paramount to have access to the school and youth centres. It is also fundamental to ensure the participation of the police in the program.

*Mi Amigo Policía* had not been formalised at the time of research, but GNOC was clearly interested in doing so, as it is the culture of the organisation under the current leadership. In a
similar vein, it would be safe to affirm that *Mi Amigo Policía* will also have structured evaluation mechanisms, as it is the case with the other collaborations under the Olympic Education Academy.

The Olympic Education Academy provides a framework for structured and rather fruitful collaborations between GNOC and different government departments. In the words of Maria Esterlem Santos, the Academy Director, the collaboration with the government in these programmes (specially *Mi Amigo Olímpico*) is positive:

> On a scale 0 to 10, I would say it is around 7.5 or 8. I think we still have to improve from our side. We need to improve the design of our delivery platform to reach even more people. Similarly, I would like to make even better use of our Framework Agreement with the Ministry of Education. It has so much potential…

We can see in the design and the spirit of these collaborations the organisational culture of GNOC in several ways. First, in the proactive nature of the Olympic Academy. Second, in the constant search for formalisation of the agreements with the different government units. Third, in the programme by programme nature of the agreements. Each action is separate, individually defined and systematically evaluated. This is, again, the sign of a very confident organisation, such as the GNOC. As we have seen, the dynamics are such that in the case of *Mi Amigo Policía* it was the government who sought GNOC to start a new programme and collaborate.

### 5.2.6 Micro-cooperations

In the case of Guatemala we have also identified a case of micro-cooperation between GNOC and public authorities. This refers to an agreement between the municipality of Ciudad de Guatemala, CDAG and GNOC to build three jogging/running tracks in the city to provide more opportunities for active leisure/recreation.

This collaboration was formalised through an agreement signed by the three institutions on 4th March 2019. In that agreement, of eight pages, it was clearly stipulated the responsibilities of each one of the three institutions in this small intervention. The Municipality is in charge of identifying the correct public spaces to build the running lanes, designing the construction work that needs to be done and facilitate the human resources for the building work. CDAG was responsible for providing any building materials, as well as the sport-related expertise in designing the work. GNOC is responsible for using the newly created spaces to promote Olympic and sporting values.
This is a small collaboration, which has just been signed at the time of writing, so it is not possible to evaluate the impact. According to two interviewees this collaboration was initially the idea of CDAG-GNOC, specially because one of the new running lanes is to be built in the ‘Ciudad Olímpica’, an area of the city next to the national stadium where many national sport federations have their headquarters and where many athletes currently train. According to Oscar Barrios, Assistant Manager of Infrastructure Services at CDAG, maintenance costs of the running lanes will be shared between the municipality and CDAG-GNOC, although the text of the agreement between the institutions seems to suggest that maintenance would be mostly CDAG’s responsibility.

This very small micro-cooperation could be linked to the policy domain of grassroots sports, active health or physical activity. Whereas we are not aware of the specific goals of this intervention, Oscar Barrios suggested in his interview that there will be an evaluation of use of these jogging lanes and the intention of the GNOC-CDAG would be to extend the idea to other municipalities in the future.

This small collaboration in the building of running lanes for public use is of interest because it illustrates the joint operations of CDAG-GNOC vis-à-vis the public authorities. The formal agreement with the municipality of Ciudad de Guatemala is signed by the presidents of both organisations, even if this project is seen more involvement of CDAG than of GNOC. Moreover, this intervention is not necessarily focused on federated and elite sport, which is the remit of CDAG and GNOC. We see here, again, the expansive and proactive nature of the institutions. More so with the plans to bring this idea to other cities in the country.

Another example of micro-cooperations mentioned by one interviewee, without excessive detail, is when a sport federation hosts an international sport event. So for example, at the time of our research visit to Guatemala, the pan American weightlifting championships were being prepared. Very often national federations require the help of GNOC and CDAG. The three organizations working together ask to the Municipality of the City, more specifically to the Major of the City to be the President of Honor of the Sport Event. By doing that, the organizing committee makes sure some areas as security, transportation, protocol are covered without compromising the budget.

5.2.7 Conclusion
Guatemala is dreamland for a National Olympic Committee. The funding and regulatory arrangements do resemble a neo-corporatist tradition in which the state facilitates funding and structural resources to a non-governmental organisation. However, unlike the case of Germany,
the political, regulatory and financial framework is extremely favourable to the National Olympic Committee. The combination of a secured budget line every year, with a very scrupulous observation of sporting autonomy creates a scenario in which the GNOC can thrive and assert its authority. It was also apparent in our research visit to Guatemala that much of the current situation of GNOC is due to the ambition of its current President, Gerardo Aguirre. Under his stewardship the GNOC has transformed in order to maximise the potential of the legislative and financial framework. It must be acknowledged that Aguirre’s tenure at GNOC has also seen some controversies. However, both Aguirre and GNOC have been exonerated in all cases.

On the other hand, it is worth mentioning that some parts of the legal framework could be improved. Article 155 of the National Sports Act is not very strong in stipulating the minimum qualifications that candidates to leadership positions in sport organisations must meet. There is only a vague reference to being “an honourable person” and “having knowledge of sport matters”. In our opinion, it is necessary to point out that, whereas the regulatory framework is very prescriptive at organisational level, it is not that prescriptive in relation to human resources or the skills of the human capital involved in the sport system. Some interviewees pointed out that perhaps Article 155 needs to be reformed, because the standards to run a sport organisation in Guatemala are low. Quite clearly, the modernisation and training of the workforce in Guatemala sport organisations is paramount for the development of the country sport system.

Guatemala has a clearly designed sport system, with organisations in charge of specific priorities. GNOC is, perhaps, one of the most advanced and professional organisations of the system. GNOC preserves its autonomy with ease, and it has reinforced its own position in the system. To some extent, GNOC is seen by some of the interviewees as dictating the strategic priorities of the sport system, although that might be too bold a claim in our opinion. As a result of GNOC’s position of strength, one of our findings is that there are not many specific collaborations with the government because, simply, it is not needed.

Guatemala is a clear example of the importance of formal frameworks to structure collaboration between governments and NOCs. Of course, the overall legislative framework is paramount (as we have seen also in the case of Sri Lanka, for example). But also the formalisation of lower level framework agreements, such as the one with the Ministry of Education, empowers the NOC to make much more of their interaction with the governmental authorities.

On the other hand, we have also identified some negative consequences of the tight regulatory framework. There is an inflexibility that hampers innovation and conditions policy-
making. The insularity of the different institutions might also produce a silo effect, in which each organisation develops a vision for sport, rather than having a real and coordinated national strategy. The silo effect might also develop a culture of blaming others, which in turn is negative for a critical self-assessment to nurture improvement. Finally, we would also agree with some interviewees who suggested that the excessive level of autonomy might create endogamy within sport organisations, resulting in political decisions and appointments, rather than a real preoccupation to educate, upskill and modernise younger generations of sport administrators.

Funding is traditionally one of the weakest links of NOCs in many countries, as they rely heavily on public money. That is also the case of Guatemala. However, in the central American country the government does not have the power to dictate GNOC actions linked to funding, unlike what we have seen is starting to happen in Germany. In that respect Guatemala is probably more the exception than the rule. And, quite probably, it would be extremely difficult to convince governments in other countries to replicate a similar framework to that of Guatemala.

Given this very favourable situation, the main risk would be for the GNOC to be complacent. As we have seen, GNOC is trying to maximise as much as it can the possibilities of the financial and regulatory framework. Every year GNOC tries to achieve almost 100% of programme execution and implementation. In other words, they want to spend almost every Quetzal of their budgetary provision. GNOC is a very active and entrepreneurial organisation. One area in which it could improve, though, would be generating alternative resource streams. As explained above, 96% of the budget depends on public money. Whereas this is constitutionally secured (although of course the legal framework can always be amended, even if that is a remote possibility at the moment), it still creates a high dependence on the state. Some more diversification of those income streams would give GNOC even more strength, as we have seen in the case of Sri Lanka.
5.3 Sri Lanka: An interventionist legal framework and lack of a coherent sport system

5.3.1 Introduction

Sri Lanka is the Asian case study of this report. Sri Lanka is a country with complex economic, socio-political, religious and racial structures. It gained independence from the United Kingdom in 1948, when it was granted Dominion status within the British Commonwealth. It was only in 1972 when the country became a republic, adopted its first own constitution and was renamed as the Democratic and Socialist Republic of Sri Lanka.

The country suffered a civil war for almost 30 years, ending only in 2009. The country’s population is 21.6 million. According to the World Development Database of the World Bank, Sri Lanka’s 2018 GDP is US$ 88,901 million and the GDP per capita is US$ 4,102, with a current economic growth rate of 2.1% of GDP.

The Sri Lanka National Olympic Committee (NOC SL) was founded in 1937, when the country was still under British rule. Sri Lanka has won two Olympic medals. A silver medal in 1948 and another silver medal in 2000.

The relations between the Sri Lanka National Olympic Committee and the national government can be defined as strained, to use a diplomatic word. There is no structured cooperation between NOC SL and the government of the country. The two main areas of relations between the government and NOC SL relate to public funding for travel and accommodation of teams participating in major international competitions, and the regulation of sport organisations through legislation. One of the main findings of this case study, though, is the financial independence of NOC SL. Whereas government provides funds for teams to attend competitions, the NOC SL is independent from the government in the rest of its activities and its day to day running, unlike other cases in this report. This is something the NOC SL is very proud of, as one of the interviewees pointed out: “We are self-financed and not dependent of the government funding for our activities. We try to avoid as much as we can to get government money in our accounts, so for example now we ask them to organise and pay travel expenses for athletes directly, rather than giving the money to us to do the bookings” (Interview, senior NOC SL official).

The relationship between NOC SL and the national government is heavily marked by the regulatory framework of sport in the country. The national sports law of 1973 is a source of tension, as it is perceived to be too interventionist and hampering NOC SL’s responsible autonomy in conducting its own affairs.
Given the lack of substantial structured cooperation between government and NOC SL this case study needs to adopt a slightly different outlook to the preceding ones. The case study of Sri Lanka includes detailed study of three areas: The demands for reform of the national sports law, the selection of teams, and the organisation of sport events. There is also analysis of some micro-cooperations, which is a common trend unearthed by this research in all countries. Before starting with the analysis of the cooperation, it is necessary to describe the legal and political framework in which NOC SL operates. Whereas the legal and political context is always relevant, we argue that in the case of Sri Lanka is extremely important to understand the nature of the relations between NOC SL and the government of the country.

5.3.2 Legal and political framework

Sport is regulated in Sri Lanka through the Law 25/1973, later amended by the Sports (amendment) Act no. 47 of 1993. The Sports Law is further complemented by a number of ministerial regulations, the most relevant of which is probably the National Associations of Sports Regulations, No. 01 of 2016, further amended in February 2017.

The 1973 Sports Law’s long title is a good summary of the content of the legal text: “A law to provide for the establishment of the National Sports Council, District Sports Committees, the National Association of Sports Coaches and Technical Officers and the National Olympic committee of Sri Lanka; for the establishment of a sports fund; for the regulation and supervision of national associations of sports; for the establishment of schools of sports; and to provide or all matters connected therewith or incidental thereto”.

Whereas it is not necessary to enter into the details of this law, it is important to point out that it is a heavily regulatory legal text which provides ample powers to the government, and in special to the Sports Minister and the Director of Sports, a ministerial position below the minister but with major responsibilities. One of the main areas of contention of the Law is the provision whereby the Minister of Sport has the power to dissolve a national sport federation, or to replace the elected president and executive committee members with an interim management committee until new elections have taken place. At the time of the research visit, a total of seven national sport federations where in this situation with an interim committee appointed by the government. Some interviewees suggested that the government might be trying to control NOC SL “through the back door”, (interview, former NOC SL official) as national federations are NOC SL voting members in the annual general assembly. Naturally, the government interviewees participating in this research denied such a claim and argued that the appointment of interim committees in national sport federations is purely due to financial mismanagement:
“These federations are receiving public money, they need to be accountable and follow the law of the country” (Interview, Sports Minister).

The 1973 Sports Law gives legal basis to the existence of NOC SL. Although NOC SL was founded well before 1973, the Sports Law codifies the existence of the institution. The text is relatively simple, recognising the existence of the NOC SL and its composition. It is noticeable that the law does not establish NOC SL, but recognises it existence:

(1) There may be established a Committee which shall be tailed [sic] “The National Olympic Committee of Sri Lanka”.

(2) Such Committee shall consist of- The Committee may co-opt delegates of other registered National Associations of Sports or persons who have rendered or can render exceptional service to the Olympic movement provided that such co-opted members do not constitute the voting majority in the Committee.

(a) members, if any, of the International Olympic Committee in Sri Lanka, who shall be ex officio, non-voting members unless they have been appointed under paragraph (b) and

(b) two representatives of each of the National Associations of Sports registered in accordance with the succeeding provisions of this Law, provided, however, that each such National Association is affiliated to or is a member of its respective International Federation and the sports it represents are programme of the Olympic Games. (Sports Law No. 25 of 1973-Sect 18)

The 1993 amendment of the Sports Law included some more comprehensive provisions in relation to the NOC SL, mostly in relation to term limits in office, and the need for the annual accounts to be audited each year by the Auditor General of Sri Lanka.

Although the 1973 Sports Law sets up several bodies, the findings of this research suggest that the sport system of Sri Lanka, as such, is rather uncoordinated and disjointed, with the government on the one side and the NOC SL on the other. National sport federations, whilst independent in theory, are heavily influenced by the government through funding and regulation, specially the wide-ranging powers of the Minister for Sport incorporated in the legal framework and mentioned above. We do not find in Sri Lanka a strategic vision of sport, nor a division of roles such as the one in Guatemala where school sport, amateur sport and elite sport are clearly differentiated and have different organisational structures.

The main responsible for sport and sport policy in the country, be that elite or grassroots is the Government. The Ministry of Telecommunication, Foreign Employment and Sports has currently the competencies for sport. There are five departments/organisations responsible for different areas of sport, all within the authority of the government except the anti-doping agency which is independent as required by the WADC:
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- Department for Sport Development
- National Institute of Sport Science
- Institute of Sport Medicine
- Sugathasa National Sport Complex Authority
- National Anti-Doping Agency

The Sri Lanka government adopted a Sport Policy, which was even published in the Gazette (Official Journal) no. 1758/23 of 16 May 2012. The real impact of that Sport Policy is debatable. There was consensus amongst participants interviewed in this research that the policy amounts to almost nothing. Interestingly, this was an opinion shared by both sport and government officials, although for different reasons. NOC SL and sport federations officials blamed the constant change of sport ministers with different agendas, whereas officials in the government simply explained that, despite the good intentions, the policy was never accompanied with an action and implementation plan. However, there is some very recent academic research suggesting that some progress might have been made in implementing some of the 2012 national sports policy, although it seems that those actions that have been implemented are rather isolated and lack any strategy (Wilawa-Mudiyanselage, 2018). To a certain extent, it seems that those interventions or programmes that have been implemented might be linked, retrospectively, to the objectives expressed in the policy document, but they were not put in place as part of a plan of action developed from the policy document in a traditional policy-making process. Be that as it may, the data obtained on the ground for this project clearly suggests that there is not a clear and coordinated approach to sport in Sri Lanka in the same way that can be found in other countries with a proper sport system and sport policy around the world.

Besides the legal framework, one of the main findings of this research is the fact that sport in Sri Lanka is heavily politicised. This was something acknowledged by most interviewees, even past government officials. The politicisation of sport is mostly observed in cricket, though. Cricket is the national sport in Sri Lanka. It is the only sport that reaches high commercial and professional levels. Indeed, some of the best cricket players in the world are from Sri Lanka and the country won the Cricket World Cup in 1996. Of course, cricket is not an Olympic sport, but several interviewees suggested that the politicisation of sport also reaches smaller sports in the country. There tend to be personal and political ties that go both ways from the government to sport and vice versa. Thus, the former president of NOC SL, Mr. Hemasiri Fernando, was Secretary Ministry of Postal Services, and chef de cabinet to the Prime Minister.
before being elected to chair the NOC. After the end of his tenure in 2018 Mr. Fernando went on to be appointed as Sri Lanka’s Defence Secretary.

These links between political parties, public authorities and leadership at sport organisations are typical in other developing countries. There was almost unanimity amongst the interviewees participating in the project that this politicisation was clear in Sri Lanka and that it was one of the main problems hampering the development of sport due to the political instability of the country. We concur with the interviewees that the politicisation of the Sri Lanka sport system is having negative consequences, because it frustrates the initiatives of sport organisations that are at the expense of the political officers working in the government or the sport ministry.

5.3.3 Funding

NOC SL is a modest organisation that focuses mostly, as required by the Olympic Charter, on promoting the values of Olympism in the country. The two main areas where NOC SL dedicates more work the education and Olympic values programmes, and the registration of teams for international sport competitions such as the Olympic Games, Youth Olympic Games, Asian Games, South Asian Games or Commonwealth games. NOC SL is not heavily involved, for example, in athlete talent identification or elite sport development, unlike the cases of Botswana and Guatemala studied in this report. Having said that, NOC SL is developing in the last few years. It has increased its budget (see details below), and it is becoming more active in areas such as governance, sport management skill development or bullying and harassment in sport.

NOC SL is a well-managed organisation that can leave within its own means without major government funding. It has developed some important commercial revenues through the renting of premises and management of financial assets. NOC SL has 14 full time members of staff and 4 part time members of staff. The General Secretary, Mr. Maxwel de Silva, works full time in his position but he is a volunteer as he does not receive a salary.

The last audited accounts of NOC SL (2017) show a total budget of LKR 95.7 million (EUR 486,000); LKR 22 million come from the IOC and OCA; LKR 7.5 million come from interest and savings accounts; LKR 10.5 million are generated from rental of their own assets (restaurant, gym and auditorium in the Olympic House building). The 2017 accounts show just two government grants of LKR 5 million, linked to participation in the World Nomad Games and the Commonwealth Games. The activities of NOC SL have grown in the last few years, and the budget for 2019 has almost doubled, for a total of LKR 177,021,000 (EUR 901,000),
of which LKR 59,403,000 (EUR 302,516) come from IOC, OCA and Olympic Solidarity grants, that is 34% of the budget.

The last audited accounts confirm the information provided in the interviews, as the largest expenditure area is indeed training and education: Management and capacitation courses, engagement with schools, short management courses. National federations receive also some money for activities, but it is not excessive. National federations in Sri Lanka are funded by the government through the Department for Sport Development.

It was clear in the interviews that NOC SL, especially under the presidency of Mr. Hemasiri Fernando (1997-2018), prioritised remaining financially independent in order to avoid governmental interference. This exacerbated following the attempts of the government in around 2012-2013 to exercise control over national sport federations. The current NOC SL administration seems to have a clear strategy to develop as much as possible the organisation’s own economic resources, whilst at the same time maximising support from the IOC and Olympic Solidarity projects in the area of education, in which NOC SL sees itself as a pioneer and reference in south Asia. This clearly demonstrates some of the opportunities and limits that NOCs face. Whereas NOC SL is able to maintain at arms-length a rather interventionist government because it has no funding ties, it has to concentrate on relatively modest educational activities compared to the other NOCs included in this report. Given the regulatory and financial context, NOC SL is doing extremely well. It has to be recognised that NOC SL is slowly developing into new and interesting areas, demonstrating some initiative and ambition. It is still behind other NOCs included in this report, such as Botswana, though.

After analysing the legal and financial framework in which NOC SL-government relations work, we now move to present three cases that illustrate the dynamics of the ‘collaborations’ between the two entities.

5.3.4 The reform of the 1973 Sports Law
The legal framework of sport in Sri Lanka described above, and specially the interventionist nature of the 1973 Sports Law, is one of the main areas of conflict between NOC SL and the government. Therefore, it has to be the first “collaboration” to be analysed in this case study, as it is paramount to shape the relations between NOC SL and the government at present. Although NOC SL is busy with other activities, such as their Sport Management courses, the Olympic Day celebrations or the registration of athletes for competitions, during our fieldwork in Sri Lanka it was clear that the reform of the legal framework is a major strategic priority for NOC SL at the moment.
The Sports Law has been in force since 1973, but the current conflict can be traced to around 2010-2012, when the government introduced new regulations for sport associations in the country. Formally, NOC SL drafted a new constitution to adapt to some of the legal changes, but those changes were flagged by the IOC as not being compatible with the Olympic Charter (Interview, NOC SL senior official).

Since that moment, the IOC has supported NOC SL in their attempts to convince government to modify the Sports Law and associated regulations. A delegation of the Sri Lanka government travelled, together with NOC SL officials, to Lausanne at least twice in this period. Whereas some changes were introduced in 2016 through ministerial regulations, these did not address one of the main concerns of NOC SL, namely the power of the Sports Minister to dissolve federations’ executive committees and appoint interim committees.

Several interviewees have suggested there was a comprehensive attempt to reform the Sports Law. A committee was set up to look, in depth, at the dispositions of the 1973 legislation and propose reforms. That committee was composed of specialised lawyers, government officials and sport officials. One interviewee suggested that, at that time, there was some good will observable from the government (Interview, former senior government official). The works of the committee were quite advanced in their reporting to the government. However, there was never a full legislative proposal brought to parliament. A change of government seems to be the main reason for the sudden cancellation of that reform committee and the attempts of reform (Interview, former NOC SL Vice President). A new Sports Minister was appointed and changed the agenda. There is agreement amongst most participants in the interviews that the political instability of the country, with 4 Sport Ministers in the last few years, has affected the relations between NOC SL and the government, as this makes very difficult to build any working relations or any trust between the two sides.

This is important beyond the reform of the Sports Law because, until the legal framework is changed, the only way in which NOC SL and governmental departments can work together at the moment is only if there are good personal relations between the two sides or if the leadership of NOC SL has enough political weight to resist attempts of interference from the government.

The reform of the 1973 Sports Law is still an issue of contention at the time of writing up this report. Representatives of NOC SL and the government travelled to the IOC headquarters in Switzerland in June 2019. According to the Sports Minister the meeting was “cordial”, but the research team has the impression that the current Sports Minister, Mr. Harin Fernando,
was not excessively persuaded by the arguments. In fairness, though, Sports Ministry officials recognised a need to modernise the legal framework, so they declared to be open to collaboration with NOC SL and sport federations in that respect. On the other hand, the government position on the need for financial audit and accountability does not seem to have changed. NOC SL interviewees pointed out, however, that there is a difference between what sport ministry officials say and what they actually do. According to NOC SL senior officials, the attitude of the current sports minister does not demonstrate an eagerness to change.

The reform of the 1973 Sports Law is paramount for NOC SL, but the current exchanges with the government in that respect seem to be a source of frustration for the organisation. At the end of the day, despite different efforts and the involvement of IOC officials, the reality is that the legislation has not changed. The main reasons for this, in our opinion, are twofold. On the one hand, the political instability of the country does not contribute to any legislative or policy development, as governments and ministers change the agenda constantly. On the other hand, the provisions of the 1973 Sports Law give the government ample regulatory powers, which is reluctant to relinquish. This needs to be read also in conjunction with the politicisation of sport in Sri Lanka, which develop personal and political networks where the autonomy of sport organisations is very difficult to secure, for administrators end up tangled in complex network of relationships.

5.3.5 Selection of national teams
The selection of national teams to participate in international competitions is the second example of “collaboration” that we have included in this case study. In a similar vein to our discussion of the Sports Law reform, this is a very particular example in which it is perhaps a stretch to define the relationship between NOC SL and government as “collaboration”. However, we consider that the dynamics at play are highly illustrative of the nature of the relations between the two sides and, therefore, we have decided to include it as one of the main findings of our research.

The selection of athletes to compete in international tournaments is, in theory, done by the respective national sport federations. However, in our research we discovered that the reality is more complex than that. The Sports Ministry appoints a National Selection Committee, which is comprised of five people: Secretary General and President of the NOC, and three other ‘independent’ members (two of which are an army General – a position of much social prestige in Sri Lanka-, and a retired athlete). In the past, the Director General for Sports (government official) used to be part of that committee, but this is not the case for the moment. The main duty
of the National Selection Committee is to appoint national federations’ selectors. Federations have to present a list of 10 candidates, of which the committee chooses 5. One interviewee explained that federations tend to rank the list in preference order, so there seems to be an understanding they want the committee to pick up the top five names in the list. This is, of course, an unwritten rule and, as such, is subject to controversy.

Once selectors are appointed in the different national federations, it is their responsibility to pick teams for international competitions. But they do not do so in isolation. For the major international sport competitions, such as Olympic Games, Asian Games, or Commonwealth Games, the federations pass the list of selected athletes to the National Selection Committee, which scrutinises the suitability of each individual athlete. The final list is then passed on to the Sport Ministry, who has the power to sign the list off, as per the provisions of the 1973 Sports Act. The process is slightly different for other international championships (e.g. swimming world championships, athletics Asian championships, etc.). In that case, the federations compile the list of selected athletes, which must be passed to the sports minister for sign-off.

These are certainly heavy interventionist processes. A government official interviewed in this project justified the importance of that policy, though, in that the government needs to be sure that athletes will not display illegal symbols or flags, such as those in support of the Tamil minority of the country. This is related to the 30-year long civil war the country suffered until 2009. Whereas there might be some merit in the justification, it also seems to be an attempt to rationalise what is a clear governmental intervention in sport. Another interpretation would be to see this structure as path dependency from the country’s wider political and social conflicts. It has to be pointed out that such an explanation, despite being perhaps simple, might have some merit. Several interviewees suggested that, in their opinion, Sri Lanka sport is suffering from the fact that the Sports Law was adopted in 1973, a period of the country’s history in which the government was heavily interventionist and had a socialist outlook of the economy, as it is perhaps seen in the official name of the country adopted in 1972 (Democratic and Socialist Republic of Sri Lanka). With this we do not try to condone the actions of the government, but we certainly acknowledge after our visit on the ground that there is a general feeling that the wider historical and political structures of the country have too much weight on current social and economic dynamics. And sport, whether it likes it or not, is also caught up in that.

The National Selection Committee and the intervention of the government in team selection is a source of conflict for NOC SL. On a more strategic level, NOC SL claims that it makes more difficult the selection of athletes for international competitions. They also argue
that the process makes very difficult the job of the selectors, as there is always the possibility that those athletes with political connections might try to overrule initial decisions via the Ministry. Several interviewees referred to different examples in the past. Furthermore, two interviewees explained a very specific occasion in which a past Sports Minister walked into the NOC SL offices (they are a mere 200 meters away from the Sports Ministry building) and shouted that a particular athlete had to be selected and accredited for the Asian Games. Whereas there was no other evidence to triangulate the version of the interviewees, during our fieldwork visit we could witness how an athlete in archery visited the sports ministry offices to enquire about their non-selection for a competition. It is, therefore, highly plausible that the level of governmental interference in athlete selection gets to those levels referred by the interviewees. Besides, as a research team we have no reason to believe the explanations of those interviewees are untrue.

On a more administrative level, NOC SL staff also referred to the problems that result from this process. NOC SL staff explained that the Ministry is not efficient enough, so they do not realise there are international deadlines to be respected for accreditation, visas, etc. NOC SL staff explained that government bureaucracy makes their work difficult, because they do not reply on time, they want to change delegation members, or they want to send to competitions more officials than those allowed by the organisers.

Besides the important debate about the politicisation of team selection, we were also able to identify another element in this case that we feel deserves to be discussed. The registration and accreditation of delegations for major competitions such as the Olympic or Asian games is a process that needs coordination, planning and careful liaison with the local competition organisers. NOC SL staff oversee those processes, and, through the interviews, we were able to identify the training and skill development those members of staff had been through. It is clear to us that the NOC SL staff members perceive themselves to be more professional than their counterparts in their government. This creates a gap that does not facilitate cooperation. For any future development of effective collaboration between NOC SL and the government in programmes or policies, we feel that training and skill development will be needed. This is yet another obstacle in that respect.

Although it is perhaps slightly outside the scope of this report, it is nonetheless interesting to highlight how this selection process seems to be influenced by cricket, Sri Lanka’s national sport. First, the figure of the ‘selector’ is inherently typical of cricket. Although athlete selection is done in many ways around the world, cricket is of the few sports that still conserves,
nowadays, the figure of the selector using this very same term. Second, it was suggested by one
interviewee well versed in Sri Lanka sport history that the origin of governmental involvement
in team selection for international competitions dates back to the late 1960s when there was a
controversy because two cricket selectors picked themselves ahead of other players for a 1968
tour of England. One of the selectors, H. I. K. Fernando selected himself as captain, deposing
M. H. Tissera of the skipper position after many years of good performances (Perera, 1999, p.
324). It has not been possible to verify whether the enactment of a structure such as the National
Selection Committee was linked to that particular incident, though. However, there is written
evidence of the mentioned cricket selection controversy of 1968, and there is also written evi-
dence that the government of that time intervened in that occasion to rectify the initial cricket
selectors and cancel the team’s tour of England: “It is significant to note that this was the first
time a minister had cancelled a tour. In fact, he had no legal authority for this action, for there
was no Sports Act or any similar legislation in force at the time” (Perera 1999: 326). It was
suggested by one of the interviewees that the enactment of the 1973 Sports Law was, in part,
due to this cricket incident. Similarly, a cursory search in the local press in Sri Lanka clearly
shows how different sport ministers respond with regulations or interventions following perfor-
mances of the national cricket team or any cricket-related scandals.

This small cricket-related digression is more relevant than it seems (in our opinion), for
it points towards an important dynamic in Sri Lanka that affects the relations between NOC SL
and the government: Much of the regulatory and political effort of the government seems to be
really focused on cricket. However, the rest of the sports, and even NOC SL as an organisation,
suffer from it. For an effective collaboration between NOC SL and the government it might not
be just enough a reform of the legal framew

5.3.6 Biding and organising events
The most structured and successful cooperation between NOC SL that we have been able to
unearth through our research relates to the hosting of sport events. Sri Lanka organised the
South Asian Games twice in the capital Colombo, in 1991 and 2006. It has also organised the
South Asian Beach games in 2011 in Hambantota. Furthermore, Sri Lanka bid to host the 2018
Commonwealth Games, although it lost to the Gold Coast (Australia).

Both the South Asian Games and the South Asian Beach Games were defined by several
interviewees as “small, manageable games that fit the limited capabilities of the country”. The
bid to organise the Commonwealth Games was much more controversial, though. Several interviewees with links to sport organisations argued that the bid was an idea of the government of the time, it was completely a governmental project to which NOC SL and sport federations could not say no.

5.3.6.1 The bid to organise the 2018 Commonwealth Games

NOC SL worked fully with the government in the preparation, planning and submission of the bid for the Commonwealth Games, but the interviewees were clear in their opinion that such a bid was a mistake because the country was not ready and organising the games could have caused tremendous harm to Sri Lanka’s developing economy. Whereas interviewees from the government did not address this issue, independent observers that also participated in the research confirmed the doubts about the feasibility of that project.

Thus, the initial idea to bid for the 2018 Commonwealth Games needs to be attributed solely to the government, as the side that initiated the collaboration and was, also, primarily responsible for the development. The institutional framework of international sport made NOC SL a central actor in this endeavour, though, for the bid needs to be submitted through the NOC for consideration. The development of the bid was, again, primarily the responsibility of the government, with several departments involved and high political leadership of top officials. The NOC was involved in the process mostly because of the know-how and the expertise in relation to sport and the organisation of events. Similarly, NOC SL had to cooperate in the technical development of the bid.

This collaboration was not formalised, as far as we know, but the close political ties meant that the two sides had to remain committed to see off the submission of the bid and lobby during the election process.

The main goal of this collaboration was, of course, to win in the selection process for the 2018 Commonwealth games. In that respect, theoretically we could consider the objective to be specific, measurable and time bound. If we were to consider that the objective was a successful organisation of the games, then it would be more difficult to argue that there was an structured, systematic and transparent methodology to assess the attainment of the objectives.

It has not been possible to obtain detailed and clear information about the resources provided in this collaboration. Interviewees from the NOC SL suggested that the budget for the preparation of the bid was entirely from governmental money and that the NOC SL only contributed with some of the travel expenses to the international meetings that had to be attended.
as part of the process. Most of those meetings would have required a representative of NOC SL to be present, though, regardless of whether the country was bidding for the games or not.

The implementation of the collaboration was, at the end of the day, a responsibility of both sides given the process of bidding is articulated through the NOC SL.

Finally, we are not aware of whether any evaluation of the process was done. Certainly, the main objective was not achieved, as Sri Lanka lost the bid to Australia. However, many of the interviewees suggested that for the country that was a more optimal outcome.

This “collaboration” between the government and NOC SL to bid for the Commonwealth Games represents a clear example of the legal and political structures of the country. NOC SL sees itself, despite being financially independent, obliged to support what was described by one of the interviewees as “purely a propaganda project” of the government. Whereas we are not able to ascertain the extent to which NOC SL might have been able to try and persuade the government not to bid for the Commonwealth Games, several interviewees suggested that “it was not an option”. And, at the end of the day, the bid went through all the way to the selection and voting process. From the evidence gathered, it seems that NOC SL had little leverage in this relationship and, furthermore, it would have been forced to fully collaborate in the organisation of the games if the bid had been successful. It is a clear example that the concept of autonomy of sport fails to grasp complex realities in countries such as Sri Lanka. Whereas NOC SL is relatively successful at remaining independent despite a tough legal framework, it lacks the financial and political leverage when it is involved in projects like this one.

5.3.6.2 The organisation of the 2006 South Asian Games

The organisation of the 2006 South Asian Games is one of the positive and successful collaborations between NOC SL and the government that we have identified. Interviewees from both government and NOC SL agreed that those games were very important for the country, as it was going through some of the worst stages of the civil war. Similarly, there was agreement amongst most interviewees that the games were “a success”, although this was of course a perception of the participants in the research. In those cases, it is always difficult to clarify the criteria that each interviewee follows to consider the games a success. We also have the impression that, 13 years later, those involved in the project might have a selective and romanticised view of the whole process of cooperation. However, from a research point of view it is enough to note that there was, clearly, a common perception of success in the endeavour of organising the competition. It is important to point out that interviewees from both the govern-
ment and NOC SL shared similar views. It is also interesting that one former government official, who was a senior civil servant in the Ministry of Sport at the time of the games explained that, for him, the process of organising the games was a clear success. Not just the staging of the games, but the effective cooperation between NOC SL and the Ministry for Sport.

Whereas it is not entirely clear with the evidence at our disposal which side initiated the collaboration, the most plausible version is that the initial idea came from NOC SL senior leadership, and specially the President Mr. Hemasiri Fernando. In that respect, the dynamic was already completely different to that of the 2018 Commonwealth Games bid. NOC SL had then to convince the government to support the project, because the organisation was not possible without clear political, logistic and economic support of the government.

The government was supportive of the organisation of the games. There were probably several motives for that. One main reason was the excellent relation between NOC SL president Hemasiri Fernando, the Permanent Secretary for Sport, and the Minister for Sport of that time. One of the interviewees participating in this project was the mentioned Secretary of the Ministry for Sport. He was responsible to coordinate action in the government side. During the interview he described, quite clearly, the high importance of the excellent personal and working relationship he developed with the NOC SL president:

“It was excellent, we talked very often and we became good friends, I would say. If there were problems, we would just sit together and find ways around them. I think we both really wanted the Games to succeed and that helped us to collaborate and work together to fight any problems”

Once again, this confirms the importance of personal and political ties in the context of Sri Lanka, which is of course a very important conditioning factor of NOC-Government relations.

At the end of the day, a second reason for governmental support was also the possible political leverage for the government, which was being heavily criticised internationally at the time for the aggressive decisions taken in the military civil war with the Tamil rebels.

Finally, a third motive that should not be overlooked is the fact that the South Asian Games were less risky than other sport competitions, even if at that time the country was in situation of turmoil due to the civil war. According to a former vice-president of NOC SL, the South Asian Games are small manageable games, which fit the limited capabilities of the country to host sport events.
It would be difficult to ascertain which side was primarily responsible for the development and implementation of the collaboration. It was a joint effort. The organisation and running of the operations was done by NOC SL, but the government provided funding and access to facilities, as well as political support.

For the 2006 South Asian Games there was enhanced collaboration between NOC SL and the sports ministry, mostly due to the good relationship of the president and the Permanent Secretary for sport, as mentioned above. There was a good level of formalisation, as well. Both sides set up a task-force for the preparation and organisation of the games. The sport ministry had a special team for this project, including a special procurement office to deal with procurement and public money management. NOC SL, on the other hand, also had a dedicated team for this project and, according to the interviewees, there was real synergy between the teams. It is the only real example of effective and enthusiastic cooperation we have been able to identify.

For those games most of the resources came from public money. The Sport Ministry and NOC SL presented a joint request to the Treasury, which provided the financial resources. NOC SL and the sport federations did not provide economic resources, but they provided the expertise needed for the project.

We are not aware of any systematic evaluation of the games, so it is not possible to ascertain whether any objectives had been set up beyond the mere organisation of the competition. On the other hand, there was a rather strict financial control, of which the government officials were extremely proud. It was suggested by one interviewee that the games were organised below budget thanks to that focus on financial control and financial accountability. There was a surplus in the project, which the government donated to NOC SL for the building of its new headquarters, the Olympic House in Colombo 7 district. This is quite important in the wider scheme of things, because NOC SL generates a good part of its budget from the commercial exploitation of some of Olympic House’s premises, namely a restaurant, a gym and the auditorium.

To conclude, the organisation of the 2006 South Asian Games is, by far, the best example of a continued, relatively structured and successful collaboration between NOC SL and the government. Such collaboration was not formalised in any agreement or Memorandum of Understanding, as far as we know. It was subject, of course, to the legislative and financial framework of the country. Although it is difficult to ascertain the real success of those games, there seems to be a clear unanimity amongst the participants involved in the research that collabora-
tion between the two sides was successful. The common endeavour to put together an international sporting competition in very difficult times for the country, together with the good political relations between the government of the time and NOC SL seem to be the main factors that facilitated a positive collaboration.

However, whereas all parties seem to agree those games were a good example of working together, this cannot be seen as a very long-lasting collaboration. Perhaps the most relevant and positive part of the project was the creation of specific teams in both sides that worked together, although not in one same office. This could suggest that for positive and effective collaboration there is always a need for formalisation, be that in writing or in organisational structures. Otherwise the prevailing political and economic context makes very difficult any genuine collaboration in which the autonomy of the NOC is not endangered.

5.3.7 Micro-cooperations
Finally, in the case of Sri Lanka we have also identified two cases of micro-cooperation between NOC SL and the government. As in the other countries, these are instances of very punctual and rather small initiatives in which the NOC engages with the NOC to implement a very specific programme or initiative. Normally the micro-cooperations are initiated by the NOC, which seeks support from the government to implement a planned activity or a specific idea. In Sri Lanka, as in the case of other countries, some of these micro-cooperations are linked to Olympic Solidarity funding obtained by NOC SL. The NOC is able to leverage the Olympic Solidarity funding to establish a small collaboration with the government in the implementation, rather than the inception of the design, of the initiative.

Our research unearthed two of these micro-cooperation that are of interest, both in the field of education and dissemination of Olympic values, which NOC SL’s core area of activities as explained above.

The first micro-cooperation is a course of professional skills development for Physical Education teachers that NOC SL delivers at Bindinuwewa National College of Education. The National College of Education is a governmental further education institution where future PE teachers obtain their professional qualifications to work in public schools around the country. Of course, the programme of the National College of Education covers many areas in the training and development of the future PE Teachers. Within that programme, NOC SL has delivered some two-day short courses on sport administration for PE trainee teachers. This co-operation is not institutionalised. It was established due to the personal relationship between the Dean of the NCE and the President of NOC SL. Again, we can see in these small collaborations how
the lack of strategic and formalised collaboration contributes to the instability of any initiative, even at a small scale. Interestingly, the resources for this small project were all produced by NOC SL, as they provided not just the human resources but also material and, at some point, even took charge of the food and drink for the students during the programme.

The second example of micro-cooperation is the implementation of the Inter School Pilot Debate Programme, a programme envisioned by the NOC SL Secretary General after trying to convince the IOC for well over four years. This is an activity funded through Olympic Solidarity within the Olympic Education Values Programme.

This programme, designed originally by NOC SL in consultation with the IOC Olympic Solidarity, targets school children. The main aim is to disseminate Olympic values and develop students’ skills. The programme is structured as a debate competition, in which children from different schools form teams to participate. The project includes the conducting of a televised debate on five Olympic educational values - joy of effort, fair play, respect for others, pursuit of excellence, and balance between body, will and mind. It is expected that the debate competition will encourage students to research, learn, develop opinions and arguments and advocate spreading of Olympic values.

A total of 20 schools from Colombo and Kandy (10 from each district) have taken part in this project, after being recommended by the Ministry of Education.

In this initiative the collaboration between NOC SL and the government lies in selecting the schools and facilitating access to NOC SL. The involvement of the government is purely bureaucratic, but it is necessary as NOC SL would not be able to implement the programme without governmental authorisation and collaboration. However, this small initiative has not been formalised or institutionalised, unlike the case of Guatemala where the NOC signed a Memorandum of Understanding to cooperate in similar school education initiatives through their National Olympic Academy (see details in the Guatemala case study).

The first edition of the programme, in 2017, was a pilot. NOC SL considered it to be a success and they would like to develop it further. This was specially the opinion of the Director of the NOC SL Olympic Academy, Professor BLH Perera. On the other hand, administrative staff of NOC SL also pointed out the difficulties to get responses from the Ministry of Education during the organisation: “They were always late with the list of schools or with the list of children that were going to participate, it was difficult because for example we had to organise travel from Kandy to Colombo for the students”.
Therefore, once again, this very small example is rather telling of the problems and the dynamics that NOC SL faces in its collaborations with the government. Also, this is further highlighted when compared with similar programmes implemented in Guatemala. Whereas the Guatemala NOC has a bigger budget, the formalisation of their co-operation in a MoU strengthens the NOC to pursue more ambitious programmes. In Sri Lanka, however, there is a lack of formalisation that, in our opinion, hampers cooperation of what could be a fruitful development through Olympic Solidarity funding. Similarly, a more structured collaboration could, perhaps, also result on further match-funding by the government to expand this initiative around the country.

Another dimension for analysis of these micro-cooperations is the importance of IOC and Olympic Solidarity funding for small size NOCs. This was already observed in Botswana and, to a lesser extent, in Guatemala. Olympic Solidarity funding provides NOC SL with extra leverage against the government. This is especially important in the regulatory and interventionist context of the country. On the other hand, it could also be a source of conflict if the government attempted to control somehow that stream of funding, or if they attempted to condition the design of the projects. We do not have any evidence of this happening, though.

5.3.8 Conclusion
The Sri Lanka case study adds a new dimension to this research project. The very particular economic and political context of the country dictates the dynamics of the (lack of) cooperation between the NOC and the government. The main point of contention in Sri Lanka is, undoubtedly, the interventionist legal framework. Whereas the 1973 Sports Law is clearly micromanagement and interventionist, our research has found out that NOC SL is relatively good at resisting governmental intervention despite that framework. This, however, comes at a cost of barely interacting with the public authorities. When compared with other countries with relatively similar economic size (as measured in GDP, for instance) included in this project, we can see that NOC SL is restricted in its activities. The NOC is not as entrepreneurial and expansive as the Botswana NOC, and it certainly does not have the leading role in elite sport that has the Guatemala NOC.

NOC SL has decided to focus on educational programmes. That is a good choice given the need for capacity building and skill development of sport administrators in the country. NOC SL education courses seem to be a blueprint in South Asia for other countries such as the Maldives, or Nepal for example. After our visit to the country, the research team concurs that a
clear programme of skill development is needed to modernise the sport structures of the country. The upcoming younger generation, with the help of these and other international programmes such as MEMOS, Dream Together Master or similar, will have a better opportunity to change the current dynamics. For that to happen, however, the country needs a more strategic approach to sport and sport policy, together with a reform and modernisation of the legal framework.
5.4 Germany: Neo-corporatism under stress

5.4.1 Introduction

Germany represents the European case study of this report. Germany represents a long-established member of the Olympic movement. Due to the German divide, sport policy-making is characterised by complex and slightly contradictory traditions.

In terms of population, Germany is a medium-sized country with around 83 million inhabitants. Germany represents one of the richest countries in the world. Germany’s GDP 2018 is $4.555 trillion and the GDP per capita is $54,983 with a current economic growth rate of 0.6% of GDP. Germany founded a first NOC in 1895, which was recognized by the IOC in 1896 and participated in the Games of the same year. Due to two World Wars and the German divide, German Olympic history is rather complex. However, Germany is one of the most successful nations at the Olympics. According to the all-times Olympic medal table, Germany ranks fourth behind the United States, the Soviet Union and Great Britain.5

Among our case studies, Germany is the only country were the sports confederation and the NOC have merged. The main intention behind the merger was to increase organisational efficiency and political lobbying power by creating a joint organisation for elite and popular sports. First attempts to merge the German NOC and the German sport confederation, Deutscher Sportbund (DSB), failed due to resistance on behalf of the NOC in 1996. The disappointing performance of the German team at the Athens Olympics of 2004 served to catalyse a new effort, which succeeded in 2006. The German NOC and the DSB merged into the German Olympic Sport Confederation (Deutscher Olympischer Sport – DOSB). The merger was not uncontroversial within both organisations. In particular, the regional sport confederations represented in the DSB opposed the merger and insisted on veto rights with regard to non-Olympic matters. The IOC approved the organisational reform, it insisted, however, that the 33 Olympic sport federations controlled the majority of votes within newly created DOSB and were able to dominate the board. It is telling for German neo-corporatism that the federal government promoted the merger, it not only signaled its political support but promised also additional subsidies. Since 2006, the DOSB German represents the umbrella organization of the voluntary sport movement. The DOSB is funded by public subsidies, lottery income and membership fees. The

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5 Germany participated from 1896 to 1936 and from 1992 on as ‘Germany’, from 1952 to 1964 as ‘United Team of Germany’, from 1968 to 1988 as ‘West Germany (FRG)’ and ‘East Germany (GDR). Moreover, the French occupied Saarland participated in the 1952 Games as independent team ‘Saar’. The official Olympic medal count considers only the medals won by Germany.
DOSB represents sixteen state confederation, 65 national sport federation and twenty federations with specific tasks.

Germany belongs to a number of countries, where sport policy-making strongly relies on neo-corporatist arrangements (Winkler & Karhausen, 1985; Meier, 1988; Heinemann, 1995; Lösche, 2002). Within such a neo-corporatist or ‘missionary’ configuration of sport governance, the voluntary sports movement enjoys a dominant role and great autonomy to make decisions (cf. Camy et al., 2004). The neo-corporatist cooperation between the sport movement and public authorities emerged in West Germany after the Second World War because, both, allied forces and leading figures within German sport, felt that the bourgeois sport movement had been heavily compromised by its willing collaboration with the Nazis. Thus, allies and sport leaders alike insisted on a politically independent sport movement (Krüger, 2005). At first glance, it might appear paradox but that the commitment to sports autonomy has given rise to neo-corporatist arrangements at every level of Germany’s federal state architecture due to mutual resource dependencies.

These dependencies result from the fact that sport bodies and clubs rely heavily on state subsidies and tax exemptions for sport their operation, sport infrastructure and high-performance sport (Heinemann, 1996). Political stakeholders, on their behalf, on the ‘mythopoeic’ conviction that sport represents a suitable vehicle for a number of policy aims, such as, national representation, education, social integration, promotion of healthy lifestyle etc. (Coalter, 2010). Yet, state actors would be hardly to inspire the same amount of enthusiasm and volunteering as the sport movement (Heinemann 1996). The German sport movement consists of more than 90,000 sport clubs organizing sport and physical activity for around 27 million citizens. According to the estimates provided by the regular reports on sport development in Germany, about 2.1 million volunteers in German sport clubs provide around 538 million hours of volunteer work per annum (Breuer, Haase, Horch, Hovemann, Rittner & Schubert, 2006). Braun (2013: 147) has nicely summed up the rationale behind the neo-corporatist arrangements in German sport policy making:

‘On the one hand, the state relieves itself from social challenges and the implementation of solutions (e.g. in integration, youth and health promotion). For doing so, the state cannot only employ the personal, infrastructural and cultural resources of the DOSB and its membership organizations; the state uses also their expertise in sport policy and sport practice in order to deal the social challenges with the help of the infrastructure of the sport governing bodies and the clubs “on site”. On the other hand – and quasi in return – can the DOSB demand a specific official recognition […]’
At the federal level, such strong neo-corporatist patterns emerged in the wake of the Munich Games of 1972. The federal government and part of the sport leadership collaborated to modernise West German elite sport and sport policy in order to avoid being humiliated by the East-Germans on home ground. Due to its implications with regard to centralisation and professionalisation, the intensified cooperation between public authorities and the sport movement was not uncontroversial within the German sport movement (Winkler and Karhausen, 1985; Meier, 1988; Balbier, 2007). The tension between increasing dependence on state subsidies and sport’s autonomy was rhetorically solved by referring to the principle ‘subsidiarity’ according to which the primary responsibility for sport policy belonged to the sport bodies and the government provided only support for those tasks that could not be performed effectively by the sport bodies themselves (Meier & Reinold, 2013). Nevertheless, the DSB increasingly assumed the role of a neo-corporatist peak association in the wake of these policy changes. Since then, the DSB and its successor organization the DOSB have enjoyed institutionalized access to policy-making, some representative monopoly and substantial organizational autonomy (Winkler & Karhausen, 1985, Heinemann, 1995). The DOSB monopoly is reflected by the fact that commercial sport providers are not entitled to receive public funding for elite sport activities (Langer, 2006; Bundestag, 2012). The DSB and later the DOSB have not only participated in policy formation but have also adopted responsibility for implementing policies by allocating federal subsidies to its member associations according to policy guidelines jointly developed with the federal government (Meier, 1988). Yet, it is important to note that DSB and DOSB have always represented only ‘umbrella confederations’ to which its member associations are not subordinated within a hierarchical command structure. While strong neo-corporatist policy-making relies ideally on centralised, hierarchically organized peak association, the DSB and DOSB have not been able to implement state policies by command. Hence, Winkler and Karhausen (1985) found that in case the DSB could not provide financial incentives usually derived from the federal budget its power vis-à-vis influential sport association was very limited.

Neo-corporatism has remained the preferred governance arrangement of the federal government, which has regularly renewed its commitment sports autonomy, subsidiarity and partnership (Bundesregierung, 2014). More recently, sport policy making in Germany has however become more ‘political’ and slightly more interventionist: On the one hand, sport policy making has increasingly attracted career politicians and access to the policy network has broadened (Meier & Fuchs, 2014). On the other hand, politicians have become more skeptical concerning the governance capacities of the DOSB in particular with regard to doping (Risse,
2017). Finally, the political pressure to improve the transparency and efficiency of subsidies for elite sport has substantially increased (Thieme, 2017).

In sum, we argue that although Germany enjoys a reputation for adhering to doctrine of the autonomy of sports, neo-corporatism describes sport policy making much more adequately. Resource dependencies between public authorities and the sport movement have resulted in the emergence of neo-corporatist collaborations in which public authorities and sport governing bodies jointly develop policies. Whereas the public sector provides funding, the sport movement is responsible for policy implementation. Since the 2000s, some gradual shifts in the relationship between public authorities and the German sport movement have materialized.

5.4.2 Legislative and regulatory framework

In order to understand the legislative and regulatory framework for the DOSB it is of utmost importance to notice that sport is not mentioned in the federal constitution. The ‘autonomy of sport’ has nevertheless gained the status of a constitutional doctrine accepted by most constitutional lawyers because the provisions on ‘freedom of association’ in the German constitution (Art. 9 Basic Law) have been interpreted as guarantee of a ‘state-free’ voluntary sport sector (Steiner, 1983; Vieweg, 1990). However, the omission of sport in the federal constitution has a number of implications:

1. The absence of sport in the federal constitution implies that the regulation of sport belongs in principle to the exclusive authority of the federal states. Therefore, there exists no general legal or regulatory framework specifying the relationship between public authorities and the voluntary sport movement or the NOC at the federal level. The regulatory framework for the relationship between federal public authorities and the DOSB represents therefore a patchwork of legislation specific to certain policy domains and agreements between federal authorities and the DOSB, which often assume the form of public law contracts.

2. Notwithstanding these constitutional restrictions, the federal government plays nevertheless a key role in sport policy-making. From a pragmatic point of view, the federal government is the only public authority with enough budget power to fund elite sports in a reliable manner. With regard to the legal questions involved, constitutional lawyers have justified the elite sport activities of the federal government by the doctrine of implied powers according to which elite sport contributes to national presentation (Steiner, 1991; Fitzweiler et al., 1998). As the activities of the federal government within the sport sector have nevertheless remained controversial, the federal government and the
federal states have institutionalised consultations and negotiations about sport policy making.

5.4.3 Funding

As all other NOCs investigated here, the DOSB is heavily dependent on public funding (Table 4). However, the DOSB receives a considerable share of ‘unconditional’ revenues from lottery money. It is important to note that DSB received institutional funding, that is, federal subsidies for running its administration. However, sport officials perceived such a public support as a potential threat to the organisation’s independence. Finally, revenues from the state-controlled lotteries replaced the so-called institutional support (Winkler & Karhausen, 1985). The new system for supporting the DSB benefitted from the fact that the German NOC, the state controlled lotteries and public service broadcasters had created the lottery ‘Glücksspirale’ in 1969 in order to raise funds for the Olympic Games of Munich 1972 and the FIFA World Cup hosted by Germany in 1974. After the ‘Glücksspirale’ had been abandoned in 1975, it was revived in 1976. Since then, 50% of the profits were allocated to the DSB and later to the DOSB. In 2016, the options for the ‘Glücksspirale’ were expanded with a new scheme called ‘Siegerchance’, which almost doubled the DOSB’s lottery income (DOSB, 2018, p. 38).

Table 6. DOSB revenues

<table>
<thead>
<tr>
<th>Source</th>
<th>2016 in EUR</th>
<th>Share in %</th>
<th>2017 in EUR</th>
<th>Share in %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Membership fees</td>
<td>4,395,000</td>
<td>7.36</td>
<td>4,424,000</td>
<td>8.19</td>
</tr>
<tr>
<td>Lottery income</td>
<td>10,047,000</td>
<td>16.83</td>
<td>10,982,000</td>
<td>20.34</td>
</tr>
<tr>
<td>Regular revenues</td>
<td>14,442,000</td>
<td>24.19</td>
<td>15,406,000</td>
<td>28.53</td>
</tr>
<tr>
<td>Subsidies Donations, contributions</td>
<td>34,982,000</td>
<td>58.59</td>
<td>31,436,000</td>
<td>58.21</td>
</tr>
<tr>
<td>Other revenues</td>
<td>10,278,000</td>
<td>17.22</td>
<td>7,163,000</td>
<td>13.26</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>59,702,000</strong></td>
<td><strong>100.00</strong></td>
<td><strong>54,005,000</strong></td>
<td><strong>100.00</strong></td>
</tr>
</tbody>
</table>


Concerning the subsides, donations and contributions, it is important to note that at least two thirds of these mostly public subsidies are forwarded to the DOSB member organisations. Moreover, the figures presented in Table 4 do not equal the total amount of public funding of sport by the federal government or the entire public subsidies for sport in Germany. According to estimates presented by Fahrner (2014), the federal government spent around 250 million Euro on support for elite sports, which equals 0.08 percent of the entire federal budget. As subsidies for elite sport are scattered over at least eight federal ministries, this figure represents a rough estimate. The DOSB is heavily involved in developing and implementing the policies behind these sport-related subsidies and, thus, exerts some control over much more public subsidies than suggest by its budget figures.
In sum, although the DOSB is heavily reliant on public funding, it can rely on unconditioned revenue streams in order to fund its activities. Moreover, the DOSB participates heavily in policies allocating substantial amounts of public funding, which becomes in particular evident with elite sport funding. Accordingly, elite sport funding represents the first collaboration we study here.

5.4.4 Elite sport funding

In German elite sport, the radical departure from centralised Nazi policies has served to create a highly complex system in which DOSB, national and regional sport federations as well as local clubs compete for resources and control. The federal government is the top sponsor of elite sports. Besides indirect funding by, for example, lottery revenues, the federal government funds national sport associations and pays management and coaching staff, supports a system of training centers, invests in sport infrastructure, subsidises sport science, promotes youngster’s competitive sports and employs athletes as army and police officers (Wissenschaftlicher Dienst, 2012).

The case study will focus on the recent attempts to reform the neo-corporatist system of direct elite sport funding of national sport federations. Direct elite sport funding has been negotiated between the Federal Ministry of the Interior (Bundesinnenministerium – BMI), which acts as federal sport ministry, the DOSB and the national sport federations. The DOSB has its own division for elite sports, which has the responsibility to assess and to manage the German elite sport sector as a whole.

In preparation of the Munich Olympics of 1972, the federal government tried to emulate the centralised and professionalised structures of East German elite sport (Meier & Reinold, 2013). However, under sports autonomy the creation of a state run elite sport system was not feasible so that the federal government remained dependent on the professional expertise in talent selection and training provided by the voluntary sport sector. Sports autonomy and the decentralisation within the sport sector have since proven to be a major obstacle for any far-reaching reform project. As Emrich and colleagues (2008: 18) have nicely summarised:

‘The elite sport funding system in Germany has emerged in the wake of a long-enduring social process of loosely coupled actions of diverse individual and collective actors with only partially converging and varying aims.’

Although some changes were implemented, elite sports remained highly fragmented, amateurish and, due to the dispersion of funds, under-resourced. The limited reforms of the 1970s succeeded only because the federal government substantially increased subsidies for elite sport.
Hence, the 1970s reforms reinforced the neo-corporatist formula according to which reforms of elite sport policies were only feasible in exchange for more government subsidies. Moreover, whereas the federal government succeeded to inspire some professionalisation and centralisation within the voluntary sport sector, the DSB insisted on a ‘scattergun’ funding approach and lobbied for the persistence of decentralised structures, which reflected the regional interests of the federal states as well as state sport confederations. Since then, the DSB and later the DOSB have pursued a policy that demanded elite sport funding for all national sports federations representing Olympic sports. The DOSB has argued that elite sports should reflect the diversity of popular sports in Germany (DOSB, 2010; NOZ, 2018). In result, the BMI has supplied elite sport funding for 31 national sport federations representing Olympic sports, 19 non-Olympic sport federations and 4 federations providing elite sports for disabled people.

The elite sport funding system has been the subject of several reform attempts. In 2007, DOSB and BMI agreed on a new management model for elite sports according to which the DOSB manages the elite sport system by concluding target agreements with the national sport federations (see DOSB, 2006). The model represented a new public management approach for the elite sport sector according to which target agreements should replace detailed bureaucratic monitoring of the use of public subsidies. The policy process remained, however, heavily decentralized (see Figure 3).

**Figure 3. The new management model for German elite sport of 2007**

![Diagram of the new management model for German elite sport of 2007]

*Source: DOSB (2006: 7).*
The new management system of direct elite sport funding consisted of two components: the ‘general support’ and the ‘project funding’ of national sport federations. The general support has been intended to provide the national sport federations with basic funding for elite sports during the so-called Olympic cycle, that is, four years. The general support for a federation has been determined the number of competitions within the Olympic competitive program, the number of athletes nominated for and the number of medals won in the last two Olympic Games. The number of medals has been given triple weight. In order to receive general support, the federations have to develop so-called structural plans, which specify, among others, the entire training system including talent selection and promotion.

In contrast, project funding represents a performance-oriented component intended to support the development and maintenance of additional medal potentials. The target agreements are decisive for project funding. The agreements specify for each national sport federation development goals and athletic performances in form of medals or athletic rankings within an Olympic cycle. Sports autonomy is insofar respected as the target agreements are not drafted by the federal government but bilaterally negotiated between the DOSB and the national Olympic sport federations. The DOSB is also responsible for evaluating the federations’ performances. However, the final decision making authority to provide funding belongs to the BMI and not to the DOSB, which provides ‘only’ a professional vote. The BMI takes additional criteria into account, such as, the allocation of federal funds and the financial situation of national sport federations as well as the federal interest in certain sports and events (Bundestag, 2011). Notwithstanding demands by members of the federal parliament, the federal government as well as the DOSB have refused to disclose the target agreements claiming that they represent business secrets (BMI, 2012; Bundestag, 2012).

The neo-corporatist policy approach has come under pressure due to its decreasing efficiency. The global sporting arms race (Green & Oakley, 2001) has served to increase the prices for Olympic medals as governments invest more strategically in athletic performances (Shibli & Bingham, 2008) and have optimized national elite sport systems (De Bosscher, De Knop, Van Bottenburg, Shibli, & Bingham, 2009). Hence, a scattergun approach appears to be less feasible since a number of governments, such as, Great Britain, have decided to centralize and concentrate their efforts (Theodoraki, 1999) In particular, the London Olympics of 2012 catalysed efforts by the BMI to reform elite sport funding in a similar way. The BMI was inspired by an analysis conducted by the Institute for applied training science (Institut für Angewandte Trainingswissenschaft – IAT). The IAT (2012) suggested that Germany had entered a downward spiral since reunification and was losing competitiveness due to deficits of the training
system and the lack of concentrated and coordinated efforts. The incumbent policy aiming to support all Olympic sports was deemed to be costly and not sustainable. Without additional funding, priorities had to be defined and funds concentrated.

‘Among the leading and aspiring sport nations there exists a trend towards a central, professional coordination of elite sports as well as towards a concentration on sports with the highest medal potential and on traditional sports’ (IAT, 2012, p. 7)

The IAT explicitly mentioned Great Britain as role model. The incumbent system of neo-corporatist sport policy making came also under pressure for other reasons. Members of the federal parliament have increasingly complained about the opacity of the target agreements (Wissenschaftliche Dienste, 2012). The Federal Audit Office (Bundesrechnungshof – BRH) criticized that the BMI did not independently examine the target agreements negotiated between DOSB and the associations. According to the auditors, the DOSB acted primarily as lobbyist for the sport federations so that the lack of expertise on behalf of the BMI resulted in misallocations (Bundesrechnungshof, 2015).

The minister of the interior announced in 2014 an initiative for ‘one third more medals’ and demanded concentration of efforts and definition of priorities. In order to increase the performance orientation of elite sport funding, the BMI intended to reduce general support in favor of project funding. Moreover, the BMI aimed at delegating decision-making authority to an expert commission. In sum, the initiative implied a redistribution of funding, a stronger performance orientation and a loss of power for the DOSB and the sport federations. Not surprisingly, the DOSB initially opposed attempts to concentrate elite sport efforts on a small number of disciplines. The DOSB claimed that the decline in the competitiveness of German elite sports was due to a persistent underfunding and demanded therefore an increase in federal funding. However, given increased political criticism of the status quo, it was unrealistic to push for an increase in federal subsidies without concessions to the BMI. Hence, in accordance with the neo-corporatist logic of resource exchange, BMI and DOSB agreed to start talks about a reform of elite sport funding based on the premise that a reform concept had to be adopted first and a substantial increase in subsidies would follow.

Starting in 2015, BMI, DOSB, national sport associations and representatives of the federal states have negotiated a reform of the elite sport funding system. The jointly developed reform concept was presented to the sport committee of the German federal parliament (BMI and DOSB, 2017). Thus, the DOSB was heavily involved in the policy initiative.
The reform initiative has intended to make German elite sport more successful by concentrating efforts on the most promising disciplines and athletes and to increase performance orientation:

‘In general, there has to be a measurable connection between potential, subsidies and success. As costs in sport become more dynamic on the one hand, government funds are limited on the other hand, prioritisation is inevitable; more efficiency means also to prospectively concentrate available funds on the most promising athletes and disciplines with a potential “4-8 years to the podium” (clearer focus on athletes).’

(BMI & DOSB, 2017, p. 7-8)

The reform concept has defined a number of aims, such as, the concentration of athletes pools, improved dual career prospects, more focused talent promotion, improved conditions for trainers, centralisation of professional management and quality management by the DOSB, professionalisation of the national sport federations, a more efficient training center structure, improvement of scientific support and better promotion of paralympic and deaflympic sports. Hence, the reform comes with far-reaching implications for the national sport federations beyond elite sport funding. The reform concept marks a break with West German traditions as it pushes for a professionalisation of elite sport management within the volunteer controlled federations.

Regarding funding decisions, the reform concept has aimed at implementing a more prospective and performance-oriented approach. Originally, the BMI intended to enforce the inevitable redistribution with the help of a technocratic solution. In the reform paper, BMI and DOSB agreed to create an expert commission called potential analysis commission (PotAS-Kommission). The commission was supposed to classify athletic disciplines into three clusters based on over sixty performance attributes using complex statistical methods for predicting future performances. Disciplines belonging to the excellence cluster should receive optimal funding, disciplines in the potential cluster should be granted funding for specific projects and disciplines without potential would no longer qualify for support. The professional advice conducted by the commission should provide the base for so-called ‘structural discussions’ headed by the DOSB. The final funding decision for every discipline will be made by a funding commission headed by the BMI but involving the DOSB and representatives of the federal states in case the latter provide funding. In essence, the reform would have strengthened public funding authorities within Germany’s neo-corporatist arrangement.

The overall objective of the current reform initiative is to improve the efficacy of German elite sport funding by concentrating subsidies on the athletes and disciplines with the highest potential and by increasing the performance orientation of funding. As such, the reform has
aimed on a fundamental change in German elite sport policies. The reform also pursues a number of secondary objectives, such as, transparency of funding criteria, professionalisation of national sport federations and increased political control over the elite sport system. In total, the original reform plan had far-reaching implications for the entire German sport sector and in particular for those disciplines no longer eligible to federal funding.

As already emphasised, the reform project followed a neo-corporatist logic according to which the federal government promised an increase in public subsidies in exchange for the DOSB’s approval to a restructuring of German elite sport. In order to support the reform process, the federal government provided generous support for the expert commission, which was supposed to have an annual budget of around 0.7 million EUR. DOSB and national sport federations were essential for implementing the reform plans as the classification of disciplines required complex data collections. The key role for implementing the reform provided DOSB and national sport federations with a number of opportunities to water down the original reform agenda. Moreover, the DOSB could capitalise on a ministerial reshuffle after which the elite sport reform seems to have lost its importance for the BMI’s agenda. Whereas the BMI has promised the DOSB and its member federations an increase in federal funding for elite sport in exchange for cooperation in the reform project, the consequences for non-compliance have been less clear. However, diverse criticism of the current system of elite sport funding and the DOSB’s interest in an increase in subsidies turned non-cooperation into an unrealistic option. Yet, as the reform requires active participation by the DOSB and its member associations, the sport sector is heavily involved in the reform project.

It is too early to assess the final outcome of the reform initiative. According to a recent report issued by the DOSB (2018), substantial progress has been achieved when it comes to reduce the pool of athletes and the number of training centers. The pool of athletes receiving support has been reduced by more than 500 or almost 16%, the number of training centers has been reduced by 30 or almost 18%. Progress has also been made in defining the performance indicators conducted and with regard to concepts for dual career and the job profile of coaches. However, these concepts wait for implementation whereas the governance of national sport federations has not been addressed so far (DOSB, 2018). In contrast, the DOSB has managed to revise key elements of the original reform plan. In a first step, the DOSB discouraged the efforts to use complex statistical methods to predict the future potential of athletic disciplines. After having claimed that the reform was not feasible (Reinsch, 2018), the DOSB benefitted from a ministerial reshuffle. After first experiences with the clustering of winter sports, BMI and DOSB agreed to abandon the idea of clustering completely in favor of a ranking to be
discussed in the funding commission (Frankfurter Allgemeine Zeitung, 2018). Thus, the DOSB has managed to reinforce the traditional logic of neo-corporatist bargaining. However, the federal government has also not fully delivered. In contrast to the DOSB, which calculated additional financial needs of about more than 300 million EUR for the period between 2018 and 2022, there has been no increase in federal funding so far. In particular, the Federal Audit Office has argued that the reform as such and the first reform steps do not justify additional funding. The medium financial planning of the federal budget includes only an increase of 30 million EUR, that is, far less than demanded by the DOSB (DOSB, 2018).

To sum up: The case of elite sport funding perfectly illustrates how neo-corporatism in German sport policy-making works. After sports autonomy has gained constitutional status in post-war Germany, public authorities have to enter complex negotiations with the sport sector even in case they provide the lion’s share of funding. Thus, in elite sport funding a rather complex and inefficient system emerged, which considered the interest of multiple stakeholders, provided the sport sector substantial discretion and scored low on transparency and accountability. A reform was only feasible because the DOSB’s elite sport policy was not sustainable in the long run. The reform of elite sport funding continues to follow the neo-corporatist logic: Public authorities have to offer additional funding in order get approval for the reform. The sport sector uses its key role and discretion in implementation to tone down the reform ambitions. Nevertheless, the reform might shift balance in neo-corporatist policy making in the long run as key actors in the political system adopt a logic of delegation.

5.4.5 Child and youth welfare provision
Concerning the DOSB’s role in child and youth welfare, the case study will focus on the German Sport Youth (Deutsche Sportjugend – DSJ). The DSJ represents the youth organization of the DOSB. As such, it represents around ten million children, youngsters and young adults until the age of 26, which are members of one of the DOSB clubs or other member organizations. The DSJ is a typical product of German postwar neo-corporatism in the welfare sector. The DSJ has been founded in 1950 to enable the DSB to participate in subsidies provided by the federal Child and youth welfare plan (Kinder- und Jugendplan – KJP). Accordingly, within the DOSB the DSJ is responsible for all affairs related to the federal child and youth welfare law. The DSJ is run by a board composed of seven voluntary members and the managing director. Concerning welfare service subsidies, the DSJ negotiates with the Ministry for Family, Elderly, Women and Youth (Ministerium für Familie, Senioren, Frauen und Jugend – BMFSFJ). The DSJ’s key role in welfare provision for children and youngsters has also raised questions concerning potential sexual abuse of children. Here, the DSJ has to deal with the Commissioner
for Child Sexual Abuse Issues (Unabhängiger Beauftragter für Fragen des sexuellen Kindes-
missbrauchs – UBSKM).

The DSJ’s involvement in child and youth welfare has its roots in welfare policies adopted in the interwar period. In the Weimar Republic, leisure activities and education for children and youngsters were provided by highly diverse voluntary and charity organizations characterized by substantial ideological, religious and cultural divisions. The youth welfare act of 1922 (Reichsjugendwohlfahrtsgesetz – RJWG) started to institutionalize neo-corporatist child and youth welfare policies by defining the provision of leisure activities for youngsters with the aim of social integration as public responsibility (Gängler, 1995) but by relying on arrangements between public authority and private welfare and youth organizations for service provision (Peukert, 1986). These early neo-corporatist approaches were abandoned in 1933 when the Nazis assumed power and reserved the exclusive authority over leisure activities for children and youngsters to Nazi youth organizations.

After the war, the RJWG was reinstated in West Germany and welfare policies were substantially expanded. The 1961 amendment of the RJWG codified public responsibility for funding service provision. The children and youth welfare act (Kinder- und Jugendhilfegesetz – KJHG) of 1990 has been even more consequentially modelled as service provision law. The KJHG grants children and youngsters among others a right for service provision not as an individual right but a public obligation to provide services. Hence, German public authorities have to guarantee welfare services for children and youngsters. These services should build on the interests of young people and provide opportunities for participation (see § 11 SGB VIII/KJHG). However, public authorities have assumed the role of a ‘welfare ensuring state’, that is, they are required to subsidize welfare provision, whereas the responsibility to provide these services is delegated to so-called ‘freie Träger’, that is, independent private entities. Traditionally, these private entities had their roots in voluntary and charity organizations but, since some neoliberal reforms of the late 1990s, private enterprises can also act as independent service providers. Typical independent service providers are the boy scouts, the youth organisations of the churches or the firefighters. Notwithstanding the roots of many independent service providers in voluntary organisations, actual service provision is mostly given into the hands of professionals whose number equaled more than 730,000 employees in 2012 (Fuchs-Rechlin & Rauschenbach, 2012, p. 13). However, the DSJ as one of the biggest service providers, resembles to a much larger extent a traditional voluntary organization due to its roots in local sport clubs. Typical services provided for children and youngsters under 27 are:
- Extracurricular and political youth education,
- Girls and boy work,
- Children and youth work in sport, leisure and conviviality,
- Intercultural and international children and youngster work,
- Children and youngster recreation, and
- Youth consultation.

At the federal level, the Ministry for Family, Elderly, Women and Youth (Ministerium für Familie, Senioren, Frauen und Jugend – BMFSFJ) is responsible for administering the KJHG. Advice to the ministry is provided by an expert council (Bundesjugendkuratorium). The ministry subsidises children and youth welfare policies on the base of the children and youth plan (Kinder- und Jugendplan – KJP), that is, a welfare fund providing annually more than 100 million EUR. The KJHG and the KJP represent only very general frameworks, which grant welfare providers substantial discretion. More specifically, the KJHG does not define clear deliverables but leaves it to the welfare providers to develop policies corresponding with the broadly defined political aims. The neo-corporatist character of the KJHG becomes evident by the way how the role of public authorities is specified. The KJHG includes a commitment to diversity in services provision with regard to values, policies, methods and forms of social work. It stipulates that independent private entities qualify for any service provision (§ 3 SGB VIII KJHG). Public authorities should cooperate with these private entities and respect their independence with regard to goals, implementation and organizational structure (§ 4 I KJHG). The rationale behind the neo-corporatist arrangement in children and youth welfare is not only subsidiarity but an interest in a diversity of policy approaches, the idea to stimulate innovation and to exploit the expertise of people who are familiar with the problem on site.

Given the character of the legal stipulations and the KJP as a very open framework, the policy initiative lies naturally with the DSJ. DSJ and BMFSFJ have agreed on a framework agreement (BMFSFJ and DSJ, 2017) in the form of a public law contract, which represents the legal base for the activities of the DSJ in children and youth welfare. Based on the framework agreement, the DSJ presents key points of its annual work program for the following year in October to the ministry and the Federal Office of Administration (Bundesverwaltungsamt – BVA). These talks do not represent adversarial negotiations; rather the ministry is usually supportive of the activity of the DSJ and confines itself to make some suggestions. Due to the substantial discretion of the DSJ, public authorities play a minor role in the policy initiative.
The framework agreement is intended to serve ‘the long-term implementation of joint priorities within independent child and youth welfare, as instrument for planning, implementation and management and quality development’ (BMFSFJ & DSJ, 2017, p. 1). The contract specifies the following key areas for DSJ activities: Extracurricular political, social and health education for youngsters, youth work in games, sports and sociability, and international youth work (BMFSFJ & DSJ, 2017, p. 1). The agreement further commits the DSJ to constitutional loyalty, political and religious neutrality, tolerance, diversity, non-discrimination and non-violence. Concerning procedures, the framework agreement defines annual planning meetings as key management tool for the implementation. The framework stipulates that the ministry decides about funding based on the meetings and the availability of federal budget. The framework does not create a legal entitlement to receive funding. With regard to controlling, the contract requires the DSJ to present a proof of use and indicators on its activities to be discussed in the annual planning meetings. The contract prohibits the DSJ from using federal funds to build reserves. Moreover, the DSJ is subject to detailed financial management stipulations for the federal administration. The grant notion issued by the BVA (2018) reports the total amount of federal funding allocated to the DSJ. Although some key activities are named, the grant notion does not entail any detailed stipulation on the allocation of the grant. Moreover, the grant notion does not define any deliverables.

The KJHG stipulates that every young human being has a right to develop and to be educated into an independent and socially competent personality. Youth welfare is intended to realize these rights in particular by promoting the individual and social development of young people and by reducing or avoiding inequities, by supporting parents and parental guardians, by protecting children and youngster from dangers and by creating a positive environment for young people and their families (§ 1 KJHG). Neither the framework agreement nor the grant notion define targets for the DSJ activities beyond these very broad policy aims.

The DSJ’s activities in children and youth welfare represent a typical example of neo-corporatist resource exchange. The federal government provides financial resources, whereas the DSJ provides its sectoral expertise as well as professional and voluntary work. The resource exchange does not follow a logic of delegation according to which deliverables are defined and consequences specified. Rather, the funding granted to the DSJ has to be understood as general support or structural funding in contrast to a temporal project funding. The federal subsidies granted to the DSJ enable the sport sector to maintain its activities in children and youth welfare. This is not to say that non-performance or undesirable developments will remain unsanctioned.
The neo-corporatist arrangement institutionalises a permanent dialogue between public authorities and DSJ during which objectives and activities are coordinated and adjustments negotiated.

The neo-corporatist arrangement enables the DSJ to fund a broad range of activities. The outcome of the collaboration might characterised as structural funding not intended to produce clearly specified outcomes but maintaining a key pillar of the German welfare state. It is important to note that German sport movement represents the most successful voluntary sector when it comes to involve children and youngsters and to inspire voluntary work.

In sum: The collaboration between public authorities and DOSB in children and youth welfare represents the outcome of neo-corporatist policy making. The neo-corporatist arrangement reflects a broad policy consensus that emerged after the totalitarian experiences of Nazi children and youth policies. In contradistinction to centralised indoctrination by state controlled organizations, the German welfare states intends to support diverse welfare services provided by private organizations with deep roots in civic society. The relationship between public authorities and DOSB does not follow a logic of delegation according to which funding is supplied for specific projects based on target agreements. Rather, the neo-corporatist arrangement serves to fund the infrastructure of the German welfare state. It should, however, be noticed that the representatives of the DSJ complained about shifts in government policies. Accordingly, public authorities seem to have developed a growing preference for project funding. On the one hand, highly visible flagship projects might be turned more easily into political capital for election campaigns. On the other hand, the project approach seems to be heavily promoted by the European Union. Thus, the neo-corporatist arrangement in welfare service provision might come under pressure with unknown effects for the long-term sustainability of the social infrastructure.

5.4.6 Prevention of sexual child abuse

In 2010, revelations about widespread sexual child abuse in pedagogical settings, in particular within the Catholic Church and several reform pedagogic institutions, and some tragic child deaths catalysed political debates about preventive measures. The scandals indicated that sexual abuse in pedagogical settings was made possible due to institutional shortcomings (Watzlawik, Dekker, Henningsen, Retkowski & Voß, 2019).

In a first step, the position of the Commissioner for Issues of Child Sexual Abuse (Unabhängiger Beauftragter für Fragen des sexuellen Kindesmissbrauchs – UBSKM) was created in 2010. The UBSKM represents the office of the federal government for the concerns of victims and survivors and their relatives and other stakeholders who are engaged in the fight against sexual violence. The UBSKM is an independent organizational unit at the federal level.
Although the UBKSM is affiliated to the BMFSFJ, it is not subject to any instructions by the ministry.

In a second step, the federal parliament adopted a new child protection law (Gesetz zur Stärkung eines aktiven Schutzes von Kindern und Jugendlichen – BKiSchG), which entered into force in 2012.\(^6\) The act demands preventive structures and measures in relevant policy sectors, such as, children and youth welfare (§ 8a IV SGB VIII). Due to its role as one of the main providers of such services but also due to obvious risks of sexual abuse in sport settings, the voluntary sport sector has faced the challenge to develop a policy for the prevention of sexual child abuse.

From the beginning of the political debates, the DSJ as well as the DOSB were involved and participated in the round table on child abuse in dependency and power relationships (2010/11). In 2010, the DOSB committed its member organization in a declaration to prevention and intervention against sexualized violence in sport. Since then, the DSJ has worked to develop prevention policies with regard to the entire voluntary sport sector under the surveillance of the UBSKM. As the UBSKM represents a rather small organization, which main political capital consists primarily of publicity, the UBSKM has relied on a ‘naming and shaming’ approach scandalising misconduct or non-action in order to create policy momentum.

Policy development lies primarily in the hand of the DSJ for two reasons: First, the limited resources of the UBSKM imply that the office can hardly assist policy development in a very detailed manner. Second, the UBSKM seems to prefer an adversarial approach in order to be able to maintain policy momentum and to keep distance from the monitored sectors. The interviewees at the DSJ complained about a lack of professional advice and support for the development of preventive concepts but have emphasised that grassroots initiatives to develop preventive concepts emerged in many member organizations.

The BKiSchG obliged all independent child and youth welfare providers to develop preventive concepts. The specific duties of the DSJ are formalized in an agreement between the UBSKM and the DSJ (UBSKM and DSJ, 2016). The agreement defines general aims, specifies the responsibilities of both organizations and codifies specific actions for the DSJ. Moreover, the BKiSchG created an obligation for all independent child and youth welfare providers to exclude convicted offenders from employment on the base of an expanded criminal record.

\(^6\) It is important to note that the BKiSchG represents an omnibus act amending several other laws.
which has to be presented on a regular base. The act also requires public authorities and independent service providers and voluntary organizations to conclude agreements banning convicted offenders from being volunteers (§ 72a II SGB).

The preamble of 2016 agreement commits the DSJ to increase protection against sexual child abuse and to provide victims effective support. The agreement defines aim to develop tailor-made prevention concepts for the specific sport settings the DSJ is responsible for, to ease communication about sexual abuse incidents and to raise awareness for these issues. Finally, the agreement obliges the DSJ to participate in future investigations into sexual child abuse. The agreement is very explicit about the deliverables on behalf of the DSJ but also specifies the support to be provided by the UBSKM. These points indicate substantial tensions between the DSJ and the UBSKM.

The UBSKM declares to respect and to consider the voluntary structures based on self-organization. The UBSKM is committed to work towards a simplified inspection of the expanded criminal record. The UBSKM provides the DOSB with information and insights generated by commissioned academic research. The UBSKM supports the DOSB as far as possible with regard to the development of preventive concepts. Concerning the responsibility of the DSJ, the agreement of 2016 lists the measures already implemented, the manuals developed for sport organizations, the events organized and the (research) projects realized in the period from 2012 to 2015. The agreement of 2016 specifies the plans for the period from 2016 to 2019. First, the DSJ is committed to support a comprehensive implementation of tailor-made preventive concepts within its structures to the local level. Moreover, the DSJ is encouraged to use all opportunities provided by the federal government to pursue these aims. The 2016 agreement defines as key aims the development of preventive concepts for Olympic Training Centers and Elite Sport Schools and names specific actions. The DSJ is required to submit a bullet point report to the UBSKM. Moreover, the DSJ is required to support the UBKSM and affiliated researchers in conducting a monitoring concerning the state of prevention concepts within sport clubs. The distinct steps of the monitoring are specified as well as project deadlines. The UBKSM ensures a discussion of the research results before publication. Finally, the plan specifies the involvement of the DSJ in the campaign ‘No Room for Abuse’.

Although the agreement specifies deliverables, it defines no sanctions. However, the DSJ is quite aware that the UBKSM will not hesitate to use public shaming in order to force
the sport governing bodies into action. According to the representatives of the DSJ, the exchange between DSJ and UBKSM is not as intense as necessary, which results to some degree from the limited resources on behalf of the UBKSM.

There is no doubt that the new legislation and the UBKSM have been quite successful in enforcing serious efforts on behalf of the DOSB to introduce preventive measures against sexual child abuse. However, both sides differ in the perceptions of the efficacy of these efforts. Frictions between the UBKSM and the DSJ result from the fact that voluntary work plays a stronger role in sport than in other parts of the child and welfare service industry. Since the UBKSM seems to underestimate the important role of voluntary work in the sport sector and its implications for sport governance, it overestimates the governance capacities of the DOSB and the DSJ within the highly decentralised and fragmented governance structures.

On the one hand, the DSJ has repeatedly demanded that public authorities should provide adequate and professional advice for developing preventive concepts (DSJ, 2016). Hence, the DSJ has demand the creation of a public advisory infrastructure and public subsidies for the development of preventive concepts within the sport sector (DSJ, 2017, 2018). On the other hand, a persistent complaint issued by the DSJ has been that the obligation to consult the expanded criminal record for volunteers is not feasible. The stipulations of the BKiSchG create substantial problems for volunteer organisations as an employer’s right to retrieve a criminal record has to be specified in labor contracts and is usually critically eyed by German labor courts. Therefore, the DSJ has deemed it impossible to retrieve a criminal record for all volunteers who might work with children at some point and to fulfil the requirements for privacy and data protection specified in the BKiSchG. Accordingly, the DSJ has demanded reliable legal provision easing access to expanded criminal records and clarifying data protection issues. Thus, the DSJ welcomed considerations to create a negative certificate, which evaded labor law related risks (DSJ, 2016, 2017). Moreover, the DSJ criticised that too much emphasis is placed on the expanded criminal record as preventive measure (DSJ, 2014).

It can be summarised that the interactions between DSJ and UBKSM do not fit into the neo-corporatist patterns typical for German sport policy making. The UBKSM, which is not part of the traditional network of German sport politics, has introduced a more adversarial approach to the policy domain. That approach certainly reflects the limited organisational resources of the UBKSM, which relies on publicity in order to control policy momentum, but probably also the desire to maintain the necessary distance to the monitored organizations. The emergence of this new policy approach indicates that neo-corporatism can come under serious
pressure in case of perceived policy failures of the voluntary sport sector. Moreover, the struggle to develop and implement preventive concepts in a comprehensive manner shows that sports autonomy does might become a problem in case the expectations of public authorities exceed governance capacities.

5.4.7 Conclusion

The German case study illustrates how sports autonomy has inspired the emergence of neo-corporatist arrangements between public authorities and the DOSB. Political interest in using sport as policy vehicle in combination with limited financial resources of the voluntary sport sector have given rise to close collaborations between public authorities and the DOSB where scarce resources, that is, funding, voluntary work and professional expertise are exchanged.

Sports autonomy is insofar respected as public authorities and DOSB jointly develop policies in a persistent dialogue. In a number of policy domains, public authorities provide funding whereas the DOSB enjoys substantial discretion in implementing broad policy aims but is subject to a dense network of legal stipulations concerning budgeting, salaries and expenses.

Concerning the broader implications of the German case, it is first of all important to realise that such neo-corporatist patterns cannot be simply transferred to other cultural contexts. With regard to social prerequisites for neo-corporatist arrangements, Germany has a long tradition of volunteer sport organisations reaching back two hundred years ago. The emergence of the German gymnastic (Turner) movement during the Napoleon occupation indicated the rise of a civic society. The German tradition of volunteer organisations survived not only two authoritarian regimes in the 20th century; the traumatic experiences under Nazism inspired also a broad political consensus on sports autonomy in West Germany. Thus, neo-corporatist policy-making in sport, which respects sports autonomy, rests on specific social and political prerequisites. However, the German case also illustrates that the neo-corporatist consensus can fade if the sport sectors fails deliver desired policy outcomes. More interventionist policy-making seems to be on the rise in German sport politics so that the neo-corporatist dialogue might be replaced by a logic of deliberate delegation. Sports autonomy will be respected but the DOSB might lose participation on policy formulation. Moreover, it should be noticed that German neo-corporatism in sport policy-making is quite flexible. The rather vague character of the constitutional doctrine of sports autonomy and the lack of a comprehensive legislative framework allow for substantial shifts in the relationship between public authorities and DOSB.
6. Discussion

The final discussion tries to identify common themes and to propose some inductively derived preliminary generalisations.

6.1 The diversity of NOCs

First of all, the detailed case studies illustrate the substantial diversity among the NOCs investigated. This is in itself an important finding as it supports our plea for abandoning a Eurocentric perspective on the study and management of NOCs. The evidence from three developing countries illustrates that the Western model of a sport system based on a resourceful volunteer movement is rather exceptional. The idea that the sport sector is in essence a private activity not in need of public subsidies should therefore not be made implicitly into a key pillar for a global theory of sport governance. In the three developing countries, sport relies also heavily on active and dedicated volunteers. However, the civil society in these countries is either less active, or it lacks the material resources and organisational/social capital of its Western counterparts.

Although it was not possible to investigate the trajectories of national sport systems in detail, the case studies indicate that context and history matter in different and complex ways:

- **In Sri Lanka**, Olympic sports are not central for the national sporting culture, where Cricket is the dominant and commercially most successful sport. Accordingly, sport policy making is focused on Cricket. Moreover, the long-lasting civil war is relevant for the relationship between the NOC and the public authorities in several ways. On the one hand, the civil war served to preserve interventionist legislation. On the other hand, it motivates government attempts to prevent that sport is used as stage for reinforcing ethnic divisions. The socialist outlook of the country in the early 1970s dictated the government hands-on approach to sport, which is still felt today and conditions the working dynamics of the NOC.

- **In Germany**, there exists a volunteer sport movement with strong social roots. The doctrine of sports autonomy has merged with a strong neo-corporatist tradition in German policy-making. However, as in other Western countries, neo-corporatist legacies are fading because the general public has adopted a more critical perception of sport organisations. In combination with the rise of new public management approaches since the late 1990s, the increased public skepticism has inspired more interventionist approaches. Autonomy has become conditional, that is, it is only granted as long as sport organisations continue to reliable deliver desired outcomes.
- **In Guatemala**, the tradition (endorsed in the national constitution) of an autonomous federated sport facilitates the work of the NOC and national sport federations. We could also argue that the ‘tradition’ of bureaucratic corruption has created very stringent financial accountability and anti-corruption structures that the NOC has to take on its stride and adapt its own processes to those structures.

- **In Botswana**, there exist some tension between the NOC and public authorities. However, a joint interest in developing sport in Botswana inspires collaboration between the all stakeholders. Moreover, insights into the IOC’s provisions on sports autonomy serve to limit potential conflicts.

In any case, national traditions, cultural context and political constellations affect the status of the NOCs within their national contexts. The concept of sports autonomy does tell little about to what extent these contexts can be taken into account with regard to the relations between NOCs and public authorities. Nevertheless, an important finding of the case is that all NOCs in the developing countries represent autonomous organizations pursuing their own strategic visions. With regard to the classification presented by Chappelet and Kübler-Mabbot (2008), these NOCs belong to the category of ‘Politically independent NOCs without substantial financial resources’.

### 6.2 NOCs as key stakeholders in national sport systems

Another common finding is that the NOCs investigated, with the partial exemption of Sri Lanka, are an integral part and a key institution in their respective sport systems. They are no outsiders but key stakeholders within the national sport systems. Their expertise, resources and legitimation are essential for national sport policy makers for achieving political aims. Accordingly, notwithstanding the existence or non-existence of neo-corporatist traditions, public authorities try to involve the NOCs in policy development, the drafting of legislation and policy implementation. The role of the NOCs as key stakeholders implies inevitably that tensions between NOCs and public authorities and/or between the NOCs and other sport organisations can arise. NOCs can compete or rival with the state controlled sport sector and their visions might not be compatible with political aims. A highly autonomous NOC pursuing its own strategies certainly represents a challenge for national policy makers trying to draft and implement a coherent sport policy. NOC leaderships have to be aware of these possible frictions.

The relevance of NOCs in their sport system can be conceptualized as a typical resource exchange dependency in network governance (Rhodes, 1997). National governments do need NOCs because of their expertise and their connection to the Olympic movement. In some cases
even because of the resources from IOC programs. Such a dependency means that, despite political or regulatory structures, NOCs are capable of levelling the field in their collaborations and relations with the national governments. The case of Botswana is highly illustrative in that respect. In Botswana the regulatory framework does not benefit the BNOC (unlike in Guatemala), but the resource exchange dependency of the network gives the NOC much leverage to seat with the government as an equal around the table.

Whereas the case studies show that the overall structure of the sport system determines key parameters in which the NOC can move, they do not provide conclusive evidence whether a merger of the NOCs with the national sports commission/council would reduce such frictions. In the German case, the federal government promoted a merger as it prefers to deal with centralised peak organisations in order to reduce bargaining and implementation costs. Due to a broad political consensus on sports autonomy and strong neo-corporatist traditions, the merger did not change the ‘terms of trade’ in German sport policy making. This might be different in other contexts where a merger would have to happen between the NOCs and more political controlled sport organisations or public agencies (such as the recent case of the Republic of Korea where the KOC merged with the state-controlled sports council). Under these circumstances, a merger could have the effect to internalise political tensions. In any case, mergers will make it even more difficult for the NOCs to dissociate themselves from the public structures of sport in the country.

Notwithstanding these open questions, with different nuances depending on the context, there seems to be a tendency to create these merged institutions. In our research, we have identified a positive discourse about those mergers. Irrespective of whether mergers are empirically positive or negative, our finding is that there tends to be a positive discourse around such an organizational solution. Hence, a merger of the NOC and the sport commission/council has been discussed in most of the developing countries in our report. In Botswana, the BNOC seemed to be more willing to merge than the BNSC, probably because the BNOC sees itself as the winning partner in that merger. In Guatemala, the two entities are de facto merged; the difference is that both are non-governmental, so the dynamics are slightly different as we are not merging a public agency with a non-governmental body.

At first glance, Sri Lanka appears to be an exception but actually proves our points. The NOC of Sri Lanka is very autonomous against adversity and hardly cooperates with the government. In return, the NOC is not as active as the others and has to restrict itself to actions in the area of education. Although it is lately increasing its activities to other more strategic areas
such as governance. Hence, to some extent it looks as if NOCs have to decide between being part of the public structure (this might include merging) or remain less embedded, but with limited activities. Otherwise, the NOCs might be perceived as obstacle for developing coherent national sport policies. NOCs from richer countries might not face such dilemmas because they can raise much more private funding, but the large majority of NOCs around the world is located in developing countries.

6.3 The impact of the regulatory and legislative framework

The single most important theme of the case studies is the major relevance of the national regulatory framework. This might seem obvious at first sight, but the consequences for NOCs are far reaching. NOCs need to be aware and embedded as much as they can in the legislative and regulatory process whilst, at the same time, preserve their autonomy as non-governmental bodies. There is a fundamental tension that less resourceful NOCs might not always be able to navigate. The investigated cases show substantial regulatory diversity. Thus, we have found a highly interventionist regulatory framework (Sri Lanka), rather broad legislative provisions (Botswana), a constitutional guarantee and a regulatory patchwork (Germany) and strong constitutional provisions on NOC autonomy and public subsidies (Guatemala). From the perspective of the NOCs, the latter constellation appears to be particular attractive as it strongly protects the NOC from political inference. However, as already indicated, such a constellation might not be attractive for national policy makers. External observers also suggested that such a protective environment is not conducive to innovation and it might create endogamic or clientelar structures. The German case illustrates that a general constitutional doctrine does not guarantee the same degree of autonomy as explicit constitutional provision since a general doctrine remains subject to interpretations. The German system of public law contracts, which is used to shape the relations between the federal public authorities and the DOSB, allows for considerable plasticity, which can shift the power within sport policy making. In Guatemala, however, the strong formalization of the constitutional provision does not provide much flexibility to the public authorities. Hence, in combination with the general structure of national sport systems, formal regulatory and legislative structures are decisive for the NOCs to develop their activities. Constitutional and legal frameworks might be more or less permissive and restrictive for the NOCs as well as national policy makers.

However, it is our view that the case studies suggest that clear frameworks are preferable as they promote the most efficient collaborations in which the distribution of responsibility and
deliverables are transparent for both partners. Our case studies also indicate that there are different levels in these frameworks, and NOCs can explore this variety. Formal/codified frameworks can go from institutional regulatory arrangements, to more particular and precise agreements for policy action.

In the absence of a clear institutional framework (Botswana), the organisations seek to have some formalisation of their relations through memorandums of understanding. Memorandums of understanding are easier to negotiate than constitutional or legislative amendments, which might make them attractive to NOCs for active policy design and implementation. In the case of Guatemala, the framework agreement with the Ministry of Education is a very powerful tool to develop structured collaborations with clear objectives and division of responsibilities. Accordingly, in our opinion NOCs should dedicate their political efforts to negotiating reliable and clear memorandums of understanding. NOCs need to decide whether they are ready to enter into ambitious MoUs that include organizational changes (such as in Botswana), or more limited agreements for policy alignment and collaboration (such as in Guatemala). The case studies illustrate that national policy makers are very aware of the IOC’s insistence on some minimum sports autonomy, which provides the NOCs with substantial bargaining leverage.

**6.4 The impact of funding**

It might not come as surprise that funding plays a key role. As Table 6 demonstrates, there exists substantial heterogeneity in terms of funding amongst the case studies.

<table>
<thead>
<tr>
<th>Total revenues in thousand EUR</th>
<th>Botswana</th>
<th>Guatemala</th>
<th>Sri Lanka</th>
<th>Germany</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public funding share in %</td>
<td>81.26</td>
<td>92.59</td>
<td>5.22</td>
<td>58.21</td>
</tr>
</tbody>
</table>

With the exception of Sri Lanka, all NOCs are heavily reliant on government or public money. This reliance takes different forms and has different effects but public funding conditions the way in which NOCs can go about their daily work.

- In Guatemala, there is a guaranteed allocation of public money, but the NOC has very clear and restricted responsibilities. The government accounting procedures condition the way in which the NOC manages its policies and programmes.
- In contrast, Sri Lanka has very little public funding, which allows the NOC to keep the government at arms-length even in the situation of a very disadvantageous regulatory framework.
• In Germany, the DOSB enjoys a high share of unconditioned revenues and participates in the allocation of substantial federal subsidies.

• In Botswana, the mediation of the sports commission creates frustration amongst BNOC members of staff trying to implement programmes and actions.

It is only natural that governments try to condition the provision of public money. If NOCs are not willing to restrict their activities, they have to be able to negotiate the terms of public funding and to be able to adapt to the specific way by which government funding is provided.

For the Olympic movement, it is decisive that the case studies also demonstrate the substantial importance of IOC funding for NOCs in developing countries. IOC subsidies seem to represent the second source of income for those NOCs. Although IOC funding might not represent a very high percentage of the NOC budget, it is strategically important. We have seen that NOCs can properly leverage IOC and Olympic Solidarity funding to advance their own profile and activities in the sport system of the country. However, as Botswana suggests, governments might be reluctant to increase NOC funding because they are convinced that the NOCs already have a lot of money coming from the IOC. Thus, IOC funding can also be origin of tensions.

6.5 Education and skills

As stated in the theoretical section, creating and managing collaborative governance regimes pose substantial challenges. With regard to management requirements, all NOCs investigated are very professional and proactive organisations pursuing strategic visions. It seems that the NOCs in developing countries have clearly benefitted from IOC funding and IOC sport management or administration programmes. The three NOCs in the developing countries had also a clear strategic vision to improve the education of their members of staff. Hence, the IOC programmes have provided NOC staff with professional skills, which some of their counterparts in governmental departments do not seem to have. Management and administrative skills are important for the NOCs to navigate in national sport policy making. Given the complexity of the systems NOCs are embedded into (as explained above), it is paramount in our opinion that NOC staff and officials are well versed in sport management and governance. From what we have seen in our research, investment in this respect seems to have the potential to create huge advantages for NOCs in their relations with national governments.

This professional edge creates opportunities for the NOCs, but can also be source of tensions. NOCs members of staff feel at times that their work is made more difficult by the lack of preparation of governmental authorities. In our research this is perhaps best exemplified in
the working dynamics of Guatemala’s CONADER. This applies also to the relationship between the NOCs and the national federations. The NOCs have been found to be worried about the governance and administration levels of the national federations. NOCs are at times hampered by the lack of cooperation and lack of skills of the national federations. It is probably not a coincidence that all NOCs researched in this project are investing heavily in education courses for national sport federations officials.

6.6 The relevance of personal and political ties
Given the fact that the NOCs are heavily embedded in the sport system of the country, it should not come as a surprise that personal and political relations are very important. Efficient and friendly relations between the government and the NOCs are much more likely to happen if there is personal connection between senior NOC leaders and senior to mid-level staff in sport ministries. Hence, the leadership of the NOCs needs to create high-level political ties in the country. In the case studies, Hemasiri Fernando in Sri Lanka or Gerardo Aguirre in Guatemala demonstrated the necessity of such networking and bargaining skills. The relevance of personal and political ties can be problematic in several ways. First, political terms and governments do change much more than NOC leadership, which poses the question how sustainable political ties and alliances are. Second, our case studies suggest that NOC leadership requires a type of personality at the helm of NOCs that is perhaps more skilled in politics than in management. Ambitious NOC leaders pursuing their own visions for national sport system might, however, increase the difficulties for NOCs to navigate.

6.7 Summary
6.7.1 Purpose
The primary purpose of the project was to empirically map collaborations between National Olympic Committees (NOCs) and public authorities in diverse regional and cultural context.

6.7.2 Objectives
Regarding practical implications, the project aimed to identify best practice examples for successful collaborations between NOCs and public authorities and to provide empirically supported guidance on how to structure collaborative relationships between the NOCs and public authorities. In terms of academic relevance, the project intended to expand the knowledge about key institutions in global sport governance by examining the autonomy, control and governance contributions of NOCs. The project aimed to make the contributions of NOCs to domestic sport policies evident as well as different ways how NOCs pursue the goals of the Olympic Movement. Moreover, the project inquired how and to what extent NOCs are in control of these
collaborations. Hence, the academic objective of the project was to contribute to a more general theory on sport governance, which pays attention to political and culture diversity.

6.7.3 Methodology
The project employed an analytical case study approach. More precisely, we conducted comparative analytical case studies on collaborations between NOCs and public authorities by applying a policy perspective. The fine-grained investigation of policy specific collaborations relied on the content analysis of policy documents, collaboration agreement, project records etc. as well as on more than fifty expert interviews. Each case study included interviews from three NOC members of staff, governmental authorities, externals. The first part of the interview guide was dedicated to basic structural features of NOC-government collaborations. The second part of the guide addressed the management of specific collaborations. Data analysis followed the iterative procedure as out(Miles & Huberman, 1994). The coding of the material was done both inductively and deductively (Braun and Clarke 2006: 83; see also Braun, Clarke & Weate, 2016).

6.8 Conclusion
The project provides substantial evidence for developing a more sophisticated and contextualised vision of sports autonomy. The NOCs are inevitably key stakeholders in national sport systems. They are heavily dependent on public funding but their expertise and legitimation are essential for national policy makers. If the NOCS want to pursue a more active strategy, they have to be able to navigate in the specific national context. Key variables are the fundamental structure of the national sport system, the constitutional and regulatory framework for sport policy making and the conditions for the provision of public funding. How these parameters impact the status of the NOCs is dependent on political and personal ties. Moreover, support by the IOC – in terms of subsidies and development of management skills and capacity – is essential for the NOCs.
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