Good governance in international sports

What can the EU do?

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Background
PhD research

A Principal-Agent perspective on good governance in international sports

The European Union as ex-post control mechanism

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Focus

RESEARCH AIM:
Theoretically underpin and refine conclusions of AGGIS project

RESEARCH HYPOTHESES:
1. The role of the EU in professional sport cannot be narrowed down to supervised autonomy
2. The EU provides 2 routes towards achieving good governance in international sport: the EU law route and the EU sports policy route
3. The EU sports policy route is the most suitable route, provided that its potential limits can be overcome
4. The limits of the EU sports policy route can be overcome by increasing the shadow of hierarchy and throughput legitimacy

Case study

Hypothesis generating research
Overview

Hypothesis generating research

EU law route
EU sports policy route
CJEU
ECOMM
Administrative procedures
Sanctions
Jurisprudence
Regulatory practice
New modes of governance

Main EU actors
Instruments

FIFA
UEFA
National federations
Clubs
Leagues
Fans
National political authorities

Overview
Two routes towards good governance

**EU law route**
- Free movement & Competition law
  - Case law
  - Regulatory practice EComm
  - Very effective
  - Leverage for participation
  - Lengthy and costly
  - Collective action problems
  - Connection with EU law
  - Politicised
  - Only small part of issue
  - Disruptive effects

**EU sports policy route**
- Art 165 TFEU: supporting competence
  - Incentivisation
  - Bargaining
  - Persuasion
  - Information/monitoring
  - Model function
  - Cost-free
  - Very flexible
  - Knowledge & expertise EU
  - Proactive
  - Stakeholders involved
  - Questionable effectiveness
  - Privileging of certain groups

Incentivisation
Bargaining
Persuasion
Information/monitoring
Model function
Analysing effectiveness

• FIFA/UEFA listen to the EU:
  o Fear of regulatory practice and case law
  o Fear of indirect regulation
  o Explains: dialogue and good relationship with Ecomm

• Huge potential for the EU:
  o EU can identify themes
  o EU can steer actors in the sports world
  o Hypothesis: Council involvement may increase fears