Rethinking the pyramidal structure of sport

-An insight from the national perspective-

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Intro
What we are talking about?

- Natural entities?
- Athletes?
- Coaches?
- Referees/Delegates/Officials?
- Managers?
- Entourage?

Data source: European Commission, 1998 (adapted).
Dilemmas in methodological setting

- Jurisprudence
- Governance related theories
- Analytic method
Methodology

- Directions for research design
  a) Formalistic
  b) Structural
  c) Functional
Fields of interest

• Position of stakeholders
• Governance
• Administration
• Dispute resolution mechanisms
• Control mechanism
Synthetic method

- Historical method
- Doctrinal research approach
- Desk research using HTA
- Focus groups with athletes
Findings

1. Normative setting and governance structure

- None of the NSF's adopted rules that limit terms of office.
- Only 1 NSF (6.7%) has no active politicians or decision-makers within public administration, while for 4 NSF's (26.7%) there is no available data.
- None of the NSF's publish the statement/report on remuneration or remuneration policy.
2. Administrative and organizational procedure

- None of the NSFs publish the Act on job classification and systematization of posts.
- Only 2 NSFs (13.3%) have strategy in place.
- Only 1 NSF (6.7%) has action plan in place.
- None of the NSFs adopted social responsibility, environmental protection, gender mainstreaming and anti-discrimination policies.
3. Dispute resolution and control mechanisms

• Only 3 NSFs (20%) have Ethics code in place.
• None of the NSFs adopted provisions that applies to decision-makers in regard to integrity, rules on expenses or conflict of interest.
• Only 1 NSF (6.7%) has an external audit procedure in place.
• None of the NSFs adopted integrated risk management and control system.
Legal aspect

• Adoption and enforceability of internal regulations
• Registration procedures
• Dispute resolution/arbitration proceedings
• Constitutionality of the Law on Sport?
4. Institutional position of athletes

- Only 2 NSFs (13.3%) envisaged within the statute that athletes could be represented within governance bodies.
- None of the NSFs foresees procedures to file an anonymous complaint.
- None of the NSFs foresees legal aid for athletes within dispute resolution processes.
- None of the NSFs foresees a procedure to choose arbitrator in arbitration proceedings.
Historical overview

- 1974 Constitution
- RSIZ
- SOFK
Analysis of the Sport Movement functionality
1980 – Socialist Republic of Montenegro

- Nepotism/cronyism
- Lack of implementation of delegate system
- Inability for association of natural entities
- Inadequate organizational culture
- The absence of selection procedure
Introduction of the good governance principles

- RSIZ Program from 1980

- "Program of activities on implementation and improvement of collective work and responsibility of one-year presidential mandate" - set of good governance principles
GG principles

- Enabling direct representation through appropriate delegate system
- Term limits
- Self-management control
- Transparency
Additional good governance principles for organization of competitions

• Representation/openness
• Amateurism
• Compliance
• Consistency
• Sustainability
Has anything change from 80s?

- Nepotism/cronyism
- Lack of implementation of delegate system
- Inability for association of natural entities
- Inadequate organizational culture
- The absence of selection procedure
Conclusion – way to go

• importance of critical thinking
• the need to develop and consolidate structure
• to anticipate and to define positions
GG principles

- Representation as a prerequisites – direct representation
- Balance in governance - based on separation of powers
- Accountability – introduction of collegial decision-making system
Thank you for your patience