Can the 2024 Paris Olympics Rewrite the Narrative on Ethics in Megasports?

Introduction

Corruption scandals, human rights violations, and ethical lapses have long tainted major global sporting events like the Olympics and the FIFA World Cup.

Next up? Paris, France is hosting the 2024 Olympics. It's a pivotal moment to potentially reshape the narrative around E&C in megasports events.

This event highlights a novel and rigorous approach to managing corruption risks—setting a new standard for future Olympic hosts.

Hurdling Past Scandals: The Reinvention of Ethics in International Sports Events

In this comprehensive interview, Andrew Spalding, a renowned expert on international anti-corruption efforts, shares his insights on what makes the Paris 2024 Olympics different from the rest from an E&C spotlight.

Spalding, the Jennifer and Samuel Tarry Research Scholar and Professor of Law, author of *A New Megasport Legacy*, and faculty member at The International Anti-Corruption Academy, believes the Paris Olympics has tremendous potential to shake up the status quo. And that this event can hopefully drive new and very much needed global partnerships that will spark long-term industry transformation.





Where the Anti-Corruption Narrative Began

Spalding says the recent history of megasports has been plagued by systemic corruption and human rights crises.

"Think China, Russia, Qatar, Brazil, South Africa," he explains. And, notably, the Salt Lake City 2002 Winter Olympics "where there was the first big Olympics bribery scandal."

<u>Indeed, the 2002 Salt Lake City Olympic</u> bribery scandal involved members of the Salt Lake Organizing Committee who offered bribes to members of the International Olympic Committee (IOC). These bribes, which included cash, gifts, and other incentives, were meant to secure the bid for Salt Lake City to host the 2002 Winter Games.

The scandal led to several resignations and reforms within the IOC to improve transparency and reduce the likelihood of such corruption in future Olympic bidding processes.

A Chance for Change

The Olympics, Spalding notes, will circle back once more to Salt Lake City in 2034—a symbolic moment of a chance to get things right.

"I think we're entering a new era."

Indeed, with the transformative precedents set by the 2024 Paris Olympics, he observes a sense of hopeful anticipation that the next Salt Lake City Olympics will adopt similarly stringent anti-corruption and compliance measures.

This potential shift could represent a significant evolution in how Olympic host cities approach ethical governance and transparency.

Unveiling the Medal-Worthy Approach: France's Golden Compliance Strategy

Spalding emphasizes that the 2016 implementation of the landmark <u>Sapin II</u> marked a significant shift in France's approach to combating corruption, particularly in large-scale events.

As Spalding explains, "France first passes [the anti-corruption law] Sapin II. Then when awarded the 2024 Olympics, it amended its statutes so that the organizing committee would be under the jurisdiction of [the Anti-Corruption Agency of France] AFA."

This unprecedented move, he says, places the organizing committee under the purview of AFA, a dedicated agency that Spalding describes as like "an educational institution with a mission to help companies and government entities learn what compliance is and develop better compliance programs."

7 Things to Know about the 2024 Paris Olympics



Adoption of Sapin II

The 2024 Paris Olympics are governed by France's Sapin II law, a significant anti-corruption reform initiated in 2016.



Unique Risk Management Legal Framework

France's legal setup is uniquely designed to proactively manage corruption risks at large-scale events.



Creation of the French AFA

Established to support organizations in developing effective compliance programs, AFA plays a crucial role beyond enforcement.



Mandatory Compliance for the Olympic Committee

Under AFA's oversight, the Olympic organizing committee must adhere to stringent compliance programs.



Authority of AFA to Conduct Compliance Audits

AFA ensures the Olympic organizing committee meets anti-corruption standards through audits.



Active Investigations on Compliance Issues

The organizing committee faces ongoing investigations into identified minor corruption issues.



Proactive Corruption Prevention Strategy

France emphasizes preventing corruption through early implementation of compliance programs, shifting from reactive to proactive measures.

Sprinting Towards Transparency: The Inside Track on Paris 2024's Anti-Corruption Initiatives

As Paris hosts the 2024 Olympics, it stands at the forefront of anti-corruption and compliance efforts in the world of international sports, Spalding believes.

This year's Olympics benefit from this rigorous legal framework, with specialized oversight by the newly established French AFA. Together, these measures aim to ensure that the games stand as a celebration of athletic achievement and a model of integrity and ethical governance.

Spalding elaborates, "AFA helps the organizing committee design the anticorruption program. And then AFA helps implement it. And AFA has authority to conduct audits—audits of their compliance program that have created a level of rigor."

"The level of rigor in the review of Paris 2024's compliance programs is not something we've even seen before, and it will be hard for future hosts to replicate that."

There's No '1' in Team: The Next Decade is Ripe for Collaboration Opportunities

"France is going to be hosting probably the Winter Olympics in 2030. So, you have this ten-year period where France, the United States and Australia could collaborate to get really smart on how to do this," he adds.

This system of rigorous monitoring and auditing has already exposed potential issues, leading to investigations that Spalding believes are "evidence of an anti-corruption framework that's working really well."

For example, the fact that issues are being detected and investigated just serves as the function of a compliance program, he says.

"France has set up a powerful precedent for risk management in megasports."

He states, "Unless we see much worse evidence come out of the investigations, I would argue this is all a system that's working pretty well."

Dismounting from the Human Rights Balance Beam: Challenges and Opportunities

Hosting a megasport event is a herculean task, fraught with ethical quandaries and governance challenges.

Interestingly, where the Olympics are held in the world matters in terms of what evolving compliance challenges and innovative solutions to solve them look like.

For example, situations are guite different in the U.S. versus France.

"In the United States, there is no statute that creates an obligation to adopt an anti-corruption compliance program. Anticorruption compliance programs are incentivized in different ways through penalty reductions and so forth," explains Spalding.

"But as a general rule, a company in the United States is not under a statutory obligation to adopt a compliance program. And a company cannot be penalized simply for not having a compliance program."

He contrasts this with France's approach: "Rather than waiting until a company is under investigation to ask, 'Do you have a compliance program?' France just says, 'We will take companies above a certain size, and we will require them to have compliance programs.' This is before you're under investigation for bribery or for other forms of corruption.

Spalding recalls the 2022 FIFA World Cup in Qatar, where "we've had high profile corruption and human rights violations."

Here, the bidding processes for both the 2018 and 2022 World Cups, awarded to Russia and Qatar respectively <u>involved</u> alleged vote-swapping and bribery. FIFA's decision-making was criticized for lack of transparency and ethical breaches, leading to widespread suspicions of corruption influenced by substantial gifts and potential quid pro quo arrangements among FIFA's Executive Committee members.

Spalding explains, "Saudi Arabia is not generally regarded as having been as effective at managing corruption risks as Qatar was. So, there are bigger growth areas there for improvement on the human rights side.

One particularly thorny issue for large sporting events is the management of conflicts of interest. Spalding notes, "There are a limited number of organizations that have expertise in putting on megasporting events."

"It's impossible to eliminate conflicts of interest. We just have to learn how to manage them, and whether conflicts were improperly managed to see if there will be an investigation."

He adds, "If you were to completely avoid this potential conflict, you either have to not have the best people on the organizing committee or not have the best companies doing the work."

"Which one would you want?" he asks.

Positive Impacts and Lasting Legacies: The Race Ahead

Spalding remains optimistic about the potential for megasports to catalyze positive change.

He states, "I would like to think over the next ten years, we can build a body of knowledge and practice and policy that we can use to then tackle what I think will be the biggest corruption and human rights challenge, but also the biggest opportunity we have seen in megasports maybe ever: Saudi Arabia, 2034. We're going to have a lot more knowledge at our disposal then."

"I suspect—knock on wood—we will come out of Paris 2024 without anything like the kinds of systemic misconduct that we've seen in past games like Qatar, Russia, Brazil, China, and South Africa where there were lots of corruption and human rights violations."

Vaulting into a New Era: Global Collaboration for Megasport Legacy Transformation

In time, globalization will become more prominent, Spalding hopes. More specifically, Spalding envisions megasports perhaps "going to India or back to China."

"I think the push is going to make these events truly global, which as a matter of principle, most people would celebrate," he adds.

He believes this shift will even spur "a big push to bring to expand the universe of countries that can host these events"

View From the Inside: What Was it Like Being on the Ground at Qatar?

You were at the Qatar Olympics as a human rights observer to rectify issues in live time. What was that like?

One of the things Qatar did is they made it possible for teams of human rights observers to be at every stadium for every event over the course of a month. I got to be a leader of one of those human rights teams placed at one of the stadiums.

What were your responsibilities?

We would have a team of about 10 people who would just walk through the stadium, talk to people, and observe what was happening. If we identified potential human rights issues, they would get reported to me as the leader. I would then vet them further and report them up to FIFA, who would either address them immediately or identify strategies for addressing them in future events.

What kind of change did you implement?

We had a lot of success on labor rights issues, on disability access issues. It was an extraordinary opportunity to study these events and talk to people.

Will this approach be leveraged at the Paris Olympics?

No, but we'll see whether we can do it in the future. But the opportunity to be embedded in and study these events is interesting.

What was a key personal takeaway from this experience?

It was beautiful to see this event in this part of the world historically not hosting events. And to see how proud people were that the world's biggest sporting event had come to their region.

The Path Forward: Integrated Risk Management Strategies

As the world gears up for the 2024 Paris Olympics and future megasport events, Spalding emphasizes the need for integrated risk management strategies.

He highlights the pressing challenges facing the United States, Australia, and other future hosts:

"The really interesting question is how can France and Australia and the United States work together to develop a set of approaches to reducing corruption in managing risk that are as effective as France's?

Spalding's vision is one of global collaboration, where nations "learn to match what Paris has done" and collectively "improve the way we globally understand the capacity of Megasports to leave positive corruption and human rights impacts."

He adds, "over the next 10 years, we can build a body of knowledge and practice and policy that we can use."

He stresses, "I want to push the needle on the way we globally understand the capacity of megasports to leave positive corruption and human rights impacts."

Competing Forces: A Quick Snapshot of Regulatory Differences

In discussing the United States' upcoming role as host, Spalding points out, "The United States doesn't have an agency like [AFA]. The United States does not have a free-standing government agency whose sole purpose is to build and monitor and evaluate corruption programs."

He emphasizes the immense scale of the task ahead. The FIFA Men's World Cup is going to be in Saudi Arabia in 2034. There will be big challenges on both the corruption and human rights side. And there will be big opportunities to have a positive impact. And to leave a legacy."

Spalding advocates learning from past missteps, "We probably didn't prepare for some of these prior events as well as we might have. This is where scandals have erupted. And this is how the world has come to associate megasport events with systemic corruption and human rights violations."

Crossing the Finish Line: The Final Lap of Ethical Megasport Event Management

In a world where regular systemic corruption and human rights crises have become the norm, the 2024 Paris Olympics represents a pivotal moment—a chance to redefine the narrative and raise the bar for ethical, compliant, and socially responsible megasport event management.

As nations prepare to pass the baton from Paris to Los Angeles, Salt Lake City, and beyond, let's pave the way for a new era of governance that harnesses the power of perspective to manage risk from all corners of the globe in new and innovative ways.

The future of the world's top athletes and their ability to perform at their absolute best under ethical circumstances where compliance is adhered to depends on it.

ABOUT ANDREW SPALDING

Professor Andrew Spalding is a law faculty member at the University of Richmond, specializing in corruption, human rights, and international business law. His recent work examines the potential of large-scale sporting events like the FIFA World Cup and the Olympics to drive anti-corruption and human rights reforms in host countries. In addition to his academic pursuits, Spalding led a UN-trained team of human rights observers in Qatar during the 2022 FIFA Men's World Cup and has been commissioned by various prestigious organizations to author reports on global anti-corruption enforcement. He is also engaged in legal education and consultancy, serving on faculty at the International Anti-Corruption Academy and contributing to ESPN+ broadcasts.

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