

Guaranteeing Sustainable Olympic Legacies is not a Herculean Task: Towards developing a legislative framework ensuring a sustainable legacy for cities hosting the Olympic Games

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Understanding the value of legacies endowed on diverse communities by mega sporting events such as the Olympic Games is an emergent concept in sports administration (Cashman, 2002). It is also an increasingly important component of the bidding competition for prospective Olympic host cities, though official documents such as Candidature Files (i.e. Beijing 2008 Olympic Games Bid Committee, 2000; Vancouver 2010 Bid Corporation, 2002), and post-Games Reports (i.e. IOC Coordination Commission, 2007; Salt Lake Organizing Committee, 2002) implicitly indicate that Olympic legacy is ambiguous as it lacks a universal definition. This notion is reinforced by much of the literature surrounding the evaluation of the Games (i.e. Preuss, 2007). Sustainability, as defined in the seminal Brundtland Report (Brundtland, 1987) and subsequently globally embraced, is not a prerequisite of mega sport event legacy, though the Olympic Movement intricately links the two concepts through the Olympic Charter (IOC, 2007) and IOC Agenda 21 (IOC, 1999). However, analysis of documentation produced by the Organising Committees of Games celebrated between 1976 and 2006, indicates an implicit diminution of their subsequent impact on intended beneficiary communities either through partial or non-implementation for a variety of reasons such as budget overruns (i.e. Cashman, 2006; Charlton, 2008).

This is perhaps due to the fact that there are no retrospective sanctions available to the IOC to impose on host cities that fail in their delivery of the legacy projects they included as part of their original bid. In an effort to overcome this potential deficiency, and to create a conceptual model upon which the sustainable legacy projects associated with future editions of the Olympic Games could be more effectively based, documentary analysis was undertaken to determine if a mechanism exists within the Olympic Movement whereby the inability to impose post-Games sanctions is not a hindrance to the activities of the IOC in relation to the furtherance of the Movement's objectives. This research indicates that within the Movement, a legal construct exists that is intended to safeguard their future financial revenues through the protection of Olympic intellectual property rights. One of the many criteria cities wishing to host an edition of the Olympic Games have to comply with is that the bid committee has to gain the agreement of their national government to enact wide-ranging legislation designed to protect Olympic properties, including trademarked names and graphic devices (i.e. Government of Canada, 2007; Her Majesty's Government, 2005; State Council of the People's Republic of China, 2002). This example illustrates that the IOC is in a position of strength and has the power to impose a situation on nation states that is materially beneficial to the IOC yet has little benefit to the citizens of that nation (Scassa, 2008).

It is not too much of a conceptual leap to envisage that, by using this same coercive power, the IOC could establish a pre-bid criterion whereby nation states have to guarantee the delivery of sustainable outcomes for national and host city populations in the post-Games period. In other words, the IOC could require the nation states of potential host cities to enact legislation guaranteeing certain sustainable outcomes intended to benefit the taxpaying citizens who underwrite the Games. Contemporary sports administration research indicates that legacy issues are often not included in the initial stages of planning mega sporting events (Parent, 2008), though it has been acknowledged for some time that sustainable legacy should be designed in as an integral component from the commencement of the event planning process (IOC, 2002). The trend towards considering sustainable legacy issues from the initial stages of mega event bid planning is to be welcomed, but without a suitable legal framework in which the concept can safely reside over time, there is a danger that the diminution in the implementation of sustainable legacy projects will continue to occur, particularly when unforeseen external economic or political factors exert pressure on event organizers (Hart, 2008).

A further consequence of the IOC adopting such a model would be the need to define the legacy of mega sporting events in terms that have a high degree of alignment with those of sustainability as espoused by the Brundtland committee. Through this process, the IOC would also ensure a serious level of enduring accountability for the delivery of sustainable legacy projects associated with the Games. The seemingly Herculean task of guaranteeing a sustainable outcome to elite sport competitions that has relevance to mass populations appears, after all, to be reduced to the reapplication of a legal construct that already exists within the IOC. The Olympics are manifestly situated at the pinnacle of the global sport system, therefore the administrative policies and processes developed and implemented by the IOC in the Games' governance can have a profound impact on the management of other sport events and their organizing bodies as there is a 'trickle-down' effect enabled by the mobility and transferability of people, policy, and technology between international and national sporting organizations. Therefore, the manner by which the IOC manages the sustainable legacy of the Olympics is of great importance to sport managers everywhere.