

The Olympic Games, the Law and the Triple Bottom Line of Sustainability*

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Abstract

Growing public expectations that the Olympic Movement and Olympic Host City Organizing Committees be socially, environmentally and economically responsible, has made a commitment to integrate sustainability principles and practices a common theme in the Bids of cities competing to host the Games. To understand the growing role of sustainability as an Olympic theme, the authors focus on two issues: first, they trace the evolution of the sustainability aspirations of the Olympic Movement; and, second, they focus on the Vancouver 2010 Olympic and Paralympic Winter Games and examine the legal basis of the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games (VANOC), as well as the framework it is establishing to manage the sustainability performance of the Games. Through this journey, the authors determine that unlocking the potential of the Olympic Games to use sport to attract new audiences to sustainable living cannot be done in the absence of the IOC and Organizing Committees deploying credible efforts to ‘walk their talk.’ Moreover, one sees that this potential is being realized as the IOC and Organizing Committees, including VANOC, embrace management frameworks that produce, track and report on key Games-related economic, environmental and social outcomes. Furthermore, these outcomes could lead to further positive results by

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creating the foundation to pursue the unrealized potential of the Olympic Games to transform the way individuals and organizations act on the choices involved in living more sustainably.

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I. The Evolution of Sustainability Within the Olympic Movement

A. Sustainability as an Olympic Value

*With the sea at its feet and mountain wilderness at its back, Vancouverites are deeply committed to enhancing environmental sustainability. Driven by this commitment, Vancouver 2010 has incorporated principles of environmental, social and economic sustainability into all aspects of planning for the 2010 Winter Games.*¹

Vancouver 2010 Bid Book for the Winter Olympics, June 2003

*Sustainability describes a range of practices designed to help us meet our needs not just today, but indefinitely into the future. It's about finding ways to live more within our means — both economically and ecologically. It rolls together fields as diverse as green building, organic agriculture, low-emission transportation and renewable energy. And it has come to dominate the cutting-edge of business, science, education, planning, development and just about every other major endeavour that shapes our world. This is nowhere more true than in Vancouver.*²

James Glave, Vancouver Magazine, October 2006

¹ Vancouver 2010 Organizing Committee for the Olympic and Paralympic Winter Games, “Environmental Protection and Meteorology” in *Vancouver 2010 Bid Book*, vol. 1 (Vancouver: Vancouver Bid Corporation, 2002) at Theme 4, online: Vancouver 2010 <<http://www.vancouver2010.com/en/OrganizingCommittee/AboutOrganizingCommittee/BidHistory/BidBook>>.

² J. Glave, “The Green Dream” *Vancouver Magazine* (October 2006) 49, online: Vancouver Magazine <<http://www.vanmag.com/articles/06oct/greendream.shtml>>.

1. Opening Remarks

In 1987, the United Nations World Commission on Environment and Development published a report entitled “Our Common Future” which ultimately became known as the “Brundtland Report” after the Commission’s chairwoman, Gro Harlem Brundtland. The Report’s enduring importance lies in the fact that it developed guiding principles for sustainable development as that term is generally understood today. The Brundtland Report defined sustainable development as being “development that meets the needs of the present without compromising the ability of future generations to meet their own needs.”³

In 1992 the United Nations convened a conference about sustainable development in Rio de Janeiro. Called the ‘Earth Summit,’ the Rio Conference was an unprecedented event in terms of its size and the scope of its concern: to inspire governments and business to reframe the concept of economic development to take account of environmental impact. It was also unprecedented in terms of the number of path-finding initiatives it catalyzed, which included the Convention on Biodiversity, a Framework Convention on Climate Change and the World Business Council for Sustainable Development. At the close of the Conference the UN released *Agenda 21*, an ambitious and wide-ranging blueprint for action to achieve more sustainable development worldwide.

A vast amount of the academic literature on sustainable development links the origin of the concept to concerns about environmental degradation and protection. However, following the Earth Summit, the concept of sustainability began to expand beyond its environmental roots to include equal emphasis on the social and economic dimensions of decision-making—the so-called “triple bottom line.”⁴ Today, the emergence of challenges like climate change and AIDS—that are at once social, economic and environmental—are making the interdependence between economic health, social well-being and environmental quality more visible, along with the risks inherent to taking a “silo” approach to complex and interdependent issues. The search for integrated solutions that attempt to harness points of convergence between

³ World Commission on Environment and Development, *Our Common Future*, ed. by G. Brundtland, UN GAOR, 1987, Annex, UN Doc. A/42/427 (Oxford: Oxford University Press, 1987) at 43 [*Brundtland Report*].

⁴ J. Elkington, *Cannibals with Forks: The Triple Bottom Line of Twentieth Century Business* (Oxford: Capstone Publishing, 1997).

the three dimensions to create ‘blended value’ has now become the hallmark of the presence of sustainability principles and practices in action.

2. Scope

Growing public expectations that the Olympic Movement and Host City Organizing Committees be socially, environmentally and economically responsible, has made a commitment to integrate sustainability principles and practices a common theme in the Bids of cities competing to host the Games. It is something the Vancouver Bid for the 2010 Winter Games promised to do and something the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games (VANOC) is currently working to deliver. This paper will trace the evolution of the sustainability aspirations of the Olympic Movement and consider the strategies Vancouver is developing to apply a sustainability ethic to the planning, staging and legacy of the Games.

The first part of this paper will look at the evolution of sustainability in the history of the Olympic Games as demonstrated in three distinct eras.

1976 to 2004: Economic Sustainability

A longstanding critique of hallmark events, including Olympic Games, is that they underestimate costs, over-estimate benefits and disproportionately reward some sectors while offloading costs on others sectors that can ill-afford to pay them (i.e. the environment and the socially/economically disadvantaged). The 1976 Winter Olympics were awarded to Denver Colorado but, barely three years before the Games were to open, the citizens of Denver voted to prohibit public funds going to the Games and they were subsequently moved to Innsbruck, Austria. The financial overruns of the 1976 Summer Games in Montreal brought economic sustainability issues into even greater focus. This paper will look at how the push for a more economically sustainable business model influenced the staging of subsequent Games, such as the 1984 Los Angeles Summer Games, the 1988 Calgary Winter Games, and the 2004 Athens Summer Games.

1992 to 2006: Environmental Sustainability

Environmental consciousness entered the Olympic Movement via the controversial building and staging of the 1992 Winter Games in Albertville, France. This paper will focus on the influence that growing environmental awareness had on the environmental performance of subsequent Games, particularly the Lillehammer Winter Games in 1994 and the Sydney Summer Games in 2000.

1988 to 2010: Social Sustainability

The 1968 Summer Games in Mexico City—with the riot that preceded them and the clenched fist of American black athletes on the podium—are often pointed to as the first sign of the changing social context of the Games. But if Mexico City was the forerunner, the failed Toronto Bid for the 1996 Summer Games was, from a Canadian perspective at least, the high profile indicator of the ascendancy of social impact issues in the Olympic Movement. As a result, social inclusion and accessibility, particularly with regard to the impact of the Games on inner-city communities, played a central role in Vancouver's Bid for the 2010 Winter Games.

The second half of this paper will focus on the Vancouver 2010 Winter Games and examine the legal basis of the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games (VANOC), as well as the framework it is establishing to manage the sustainability performance of the Games.

3. Olympic Context

While sustainability is a relatively new discipline within Olympic and Paralympic Organizing Committees, it is arguably a good 'fit' with the core values and ideals of the Olympic Movement and with the Movement's more contemporary need for a credible accountability framework to track and measure the difference made by the Olympic Family (International Sport Federations, National Olympic Committees and Organizing Committees in each of many nations).

The Olympic Movement is the combined efforts, guided by the IOC, of all those inspired by the values of Olympism, which values include the goal of placing sport "at the service of the harmonious

development of man, with a view to promoting a peaceful society concerned with the preservation of human dignity.” The Olympic Movement’s symbol is five interlaced rings representing each of the five continents. The Movement’s finest hours occur when it brings together the world’s best athletes every two years. (Summer Games and Winter Games occur at two year intervals from one another). The practice of sport, “without discrimination of any kind and in the Olympic Spirit, which requires mutual understanding with a spirit of friendship, solidarity, and fair play,” is recognized by the Olympic Movement as a human right.⁵

The Olympic Charter governs the organization, action and operation of the Olympic Movement. It sets forth Olympic Fundamental Principles and values, and sets the legal framework for the International Olympic Committee (IOC). It governs three main constituents of the Olympic Movement: the IOC, the International Federations (IF) and the National Olympic Committees (NOC), as well as the Organizing Committees for individual Olympic Games (OCOG).

Olympism is defined in the Olympic Charter as “a philosophy of life, exalting and combining in a balanced whole the qualities of body, will and mind. Blending sport with culture and education, Olympism seeks to create a way of life based on the joy of effort, the educational value of good example and respect for universal fundamental ethical principles.”⁶

Sport and Culture are the two traditional pillars of the Games. At the Centennial Olympic Congress in 1994 the IOC made Environment the third pillar of the Games and formed a Sport and Environment Commission. In 1999, the IOC adopted its own version of the UN’s *Agenda 21 for Sustainable Development*. It called for a program of action aimed at using sport to advance sustainable development and established a formal collaboration between the IOC and the UN Environment Program (UNEP) on implementation of the program. The Olympic version of Agenda 21 had three objectives:

1. Improve socio-economic conditions in Host Communities

⁵ International Olympic Committee, *The Olympic Charter* (Lausanne: IOC, 2007) at 9 (in force as from 7 July 2007), online: IOC <http://multimedia.olympic.org/pdf/en_report_122.pdf> [*Charter*].

⁶ *Ibid.*, Rule 1.

- As indicated by advancements in population health, integrated planning, inclusion of disadvantaged communities, public education and engagement on sustainable consumer choices
2. Improve Games-based practices on environmental conservation and impact on natural resources
 - As indicated by sport venue siting, construction and operation, selection of equipment and transportation, consumption of energy and water, pollution and waste management, species and habitat conservation
 3. Strengthen the inclusion of women, youth and indigenous peoples in the Games

In 2003, the IOC established the Olympic Games Global Impact (OGGI) Reporting Project in an attempt to introduce a standardized methodology for monitoring, measuring and reporting on the impact of hosting an Olympic Games. The OGGI Project requires a Host City to collaborate with an independent research partner on the analysis of 154 social, economic and environmental indicators. The timeframe for the project begins four years in advance of a Games and extends to two years afterwards. The final OGGI report becomes part of the Official Report on a Games. By creating a database of information about the impact of the Games, the OGGI project seeks to promote ongoing improvement in Games management as well as assist Bidding Cities and future Games Organizers in their efforts to maximize benefits.

The evolution of the IOC's promotion of Olympic values from its initial focus on the practice of sport as a human right, to a movement where sport can play a role in the development of humankind, has made it easier for the IOC to incorporate environmental and social awareness into its current organization, actions and operations. Former IOC President Juan Antonio Samaranch reaffirmed this in his forward to the Olympic Movement's Agenda 21 when he stated:

Thanks to the universality of sport and to the commitment of sportsmen and women throughout the world, the Olympic

Movement has the ability to play an active part in the taking of measures favouring sustainable development.⁷

4. Vancouver Context

Vancouver 2010 and London 2012 are the first Winter and Summer Organizing Committees to be formally bound, through their Host City Contracts with the IOC, to reporting on the social, economic and environmental impact of the Games. (Note: some of the OGGI project indicators were piloted by the Torino Winter Games in 2006 and are being piloted by the 2008 Summer Games in Beijing.) In addition, Vancouver and London are also the first two Host Cities to commit to establishing a performance based management system for integrating sustainability objectives in business systems. (Salt Lake, Torino and Beijing deployed environmental performance management systems.) Finally, both cities have promised to use publicly transparent processes for articulating, measuring and evaluating sustainability outcomes in the planning, staging and legacy of their Games. Commitments to this effect were made by both cities' candidatures and are incorporated with their respective Host City Contracts.

Beyond formal commitments and obligations, VANOC has a vision for creating a strong Canada whose spirit is raised by its passion for sport, culture and sustainability. This means that VANOC also wants to use the Games to expand understanding of what sustainable living means to athletes, government partners, corporate sponsors, spectators and local citizens, communities and businesses. VANOC's operating definition of sustainability is to manage the social, economic and environmental impacts and opportunities of the Games to produce lasting benefits, locally and globally.

If it succeeds in delivering this outcome, VANOC's commitment to sustainability principles and practices will do more than provide a credible accountability mechanism for the social, environmental and economic outcomes of the 2010 Olympic and Paralympic Winter Games. It will also be a strategy for enhancing the value, locally and globally.

⁷ International Olympic Committee, *Olympic Movement's Agenda 21 – Sport for sustainable development* (1999) at 8, online: IOC <http://multimedia.olympic.org/pdf/en_report_300.pdf>.

B. Evolution of Economic Sustainability

Mega events are typically sold as opportunities to reap economic dividends for the host city, region or country. Cost/benefit analyses of Olympic Games can be complex and the economic sustainability of a Games is a frequent source of debate between the event's proponents and opponents. The Games are in many respects a private-public partnership with the Olympic Movement financing its share via broadcast revenues, ticket sales, sponsorships and marketing and licensing revenues, and host governments contributing to the capital budget for venues and facilities, constructing related regional infrastructure (transportation, housing and/or other public amenities and improvements) and ensuring the safety and security of all Games participants.

Generally speaking, the rationale for public investment in the Games is that the investment will generate a return via: 1) increased tax revenues, employment and economic growth as a result of increased spending around an Olympic Games; and 2) creation of longer-term tourism, trade and investment opportunities as a result of the international exposure that comes with an Olympiad.

Services provided by host governments include those usually already provided by publicly-controlled agencies, such as border control and emergency medical services, plus some that are clearly extras, such as enhanced security and funding for special cultural events. In recent times security costs have, of course, risen considerably and represent an increasing share of the investment in the Games made by host governments.

The rationale for host governments helping to fund construction of the venues is that they usually retain the use of them and, provided they are properly designed, the venues should create significant community sport and health benefits over the longer term.

At the Organizing Committee level, hundreds of millions of dollars are taken in from the IOC and spent locally. Organizing Committee budgets are made up of two components: 1) a capital or construction budget for venues and sites ("build the stage"); and 2) an operating budget ("run the show"). Delivery models for the two components vary. Sometimes the Organizing Committee controls both budgets (as is the case with VANOC), and sometimes a separate entity is established to manage the construction budget (as was the case in Sydney

2000 and is the case with London 2012). Previous Games experience with ‘white elephant’ venues that had no viable source of post-Games operating funding has led to increasingly strict IOC requirements during the bid process for establishment of long term business plans for venues and, where required, the creation of special legacy funds to ensure the size of the Olympic build does not exceed the current and future needs of the host community.

Games-based budgets usually do not include large-scale public infrastructure projects undertaken by host governments in advance of the Games. The question of whether publicly-funded infrastructure costs are ‘in’ or ‘out’ of overall Games costs can also be a source of debate, as is the ‘fast-forward’ impact that a Games can have on local infrastructure plans and priorities. The rationale for excluding infrastructure costs from Games budgets is that the scale of investment required to meet them typically considerably exceeds any business case that could possibly be provided by a 17 day event and hence needs to be part of broader calculations by host governments that include recouping these costs through longer-term benefits.

It can also be the case that local and regional governments are able to leverage the Games to obtain senior or national government investment in infrastructure which they may not otherwise have been able to attract, or would otherwise have been delayed or deferred. In a curious way the Olympic Games can provide a national government with a non-precedent setting opportunity to invest in regional projects, as the event creates a rationale that is unique and non-repeatable by other cities pursuing similar investments from a national government.

Notwithstanding the impact that broader economic costs and benefits can have on the economic sustainability of a Games, the methodology for assessing them is beyond the scope of this paper. Instead, this discussion will focus on examining the financial sustainability of the event itself. Specifically, this paper will survey how the capital and operating costs of hosting an Olympic Games are, or are not, met by the revenues generated by the Organizing Committee.

It is also important to point out that the Summer Games are more than twice the size of the Winter Games with attendant increases in complexity and cost. While there were significant differences in management, we need look no further than Canada’s Olympic Games, Montreal 1976 and Calgary 1988, to appreciate the variability of outcome.

1. Montreal 1976 Summer Games

The 1976 Summer Games were awarded to Montreal over competing bids from much bigger cities, such as Moscow and Los Angeles, located in much larger countries because the International Olympic Committee wanted to show that a smaller city could successfully host the 1976 Games and also to counter criticisms of the Olympic Games as becoming too commercial and extravagant. The aftermath of the 1976 Games, however, had a paradoxical result.

The Montreal Games were successful from the perspective of the athlete and the spectator. The operating budget for the Games produced an operating surplus of \$223 million resulting, in part, from innovative revenue generating initiatives such as a national Olympic lottery and a commemorative coins program. However, the lasting negative impression of the Montreal Games stems from the \$1.2 billion shortfall created by the huge overrun in construction costs. The Olympic Stadium and Tower have been dubbed the “Big Owe” and have become the symbol of Olympic planning gone very wrong; their aesthetic beauty could not compensate for the architectural design flaws which made them ill fitted for future use. The level of debt incurred in the aftermath of the 1976 Games went counter to Mayor Drapeau’s boast to Montrealers that “The Olympic Games can no more lose money than a man can have a baby.”

The \$1.2 billion venue cost overrun was caused by a number of factors. Most critically, Mayor Drapeau made decisions without consultation and in secret such as selecting a French architect, with no particular experience in stadium design, to construct the Olympic Stadium, with its retractable roof and huge concrete tower, the adjacent Olympic pool and Velodrome, and the Athletes’ Village. Repeated labour disputes disrupted construction while provincial regulatory restrictions against using construction workers from outside Quebec created artificial limitations in the operation of the regional labour market, inflating construction costs. Finally, the Canadian economy in general slowed during that period which exacerbated the difficulty of paying for the cost overruns.

Fortunately for the Olympic Movement, the lessons of the Montreal Games were taken to heart by subsequent Games planners and

contributed in a significant way to the successful staging of the 1984 Summer Games in Los Angeles.

2. Los Angeles 1984 Summer Games

The Los Angeles Olympic Bid, and subsequent staging of the 1984 Olympic Games, saw a seismic shift in the business model for the Games and the emergence of what would later prove to be a successful self-financing business strategy for the Games-based operating component of Host City budgets.

Los Angeles had no competition for these Games at the international level as the debt accumulated by Montreal in 1976 dissuaded other cities/countries from bidding. Consequently, the promoters of the Los Angeles Games needed only to satisfy local and IOC requirements, and not competition from other cities, in order to be awarded the Games. The 1984 Bid was financed by a pro-growth group of business and civic leaders which operated through a private entity called the Southern California Committee for the Olympic Games. It pledged that the Games would increase tourist revenue and enhance the city's status on the world stage. It also promised to bring the Games to Los Angeles at no cost to taxpayers.

The 1984 Los Angeles Games, with its net operating and construction surplus of \$225 million, an amount greater than all previous Olympic Games' surpluses combined, proved to be a monumental step towards economic sustainability in the Olympic Movement. Several factors contributed to this unusual economic success:

- As the only viable candidate to host the 1984 Games, the bid committee was able to negotiate an unprecedented economic arrangement with the IOC whereby the host organizing committee (Los Angeles Olympic Organizing Committee, "LAOOC") and the US Olympic Committee, rather than the city, state or national government, would assume all financial responsibility for hosting the Games.
- There was no need for any significant new construction. Many athletes' residential facilities already existed on the campuses of local universities, which were not in session in midsummer. In addition, key sport venues such as the Los Angeles Coliseum (the Olympic Stadium built for the 1932

Summer Games) were available for use, with minimal expenditure for facility upgrades needed for the Games.

- Focused on organizing the Games through private financing, the LAOOC's staging of the Games initiated the practice within the Olympic Movement of accessing sponsorship and television revenue negotiated by the IOC and the Host Committee to pay for the event.
- The 1984 Los Angeles Games gave birth to a lasting and very useful legacy: approximately 40% of the Games' surplus was used to support local youth sports and Olympic-related research through the Amateur Athletic Foundation of Los Angeles.⁸

As a result of these innovations in Los Angeles, many potential host cities began to show renewed interest in bidding to host the Games, “with the entrepreneurial, yet Spartan, approach of the Los Angeles private organizers (LAOOC) top of mind.”⁹

3. Calgary 1988 Winter Games

The organizers of the 1988 Winter Games in Calgary, Alberta were able to build on the positive momentum gained from the Los Angeles Games in 1984 to achieve an overall Games surplus (capital and operating budgets) of \$30 million. This financial success was, in part, due to the combination of national and provincial contributions to venue construction, but also record television revenues exemplified by the \$309 million that ABC paid for US television rights. In addition, the 1988 Games left valuable venue facilities as viable legacies to the host community including upgrades to the local football stadium (opening and closing ceremonies); new and improved university student residences (athletes village); a new professional ice rink (hockey and figure skating venue); and the Olympic Oval, still the primary training facility for future Canadian Olympic speed skating champions.

⁸ The AAFLA, incidentally, hosts a website—<www.aafla.org>— that is an invaluable tool for those seeking information about the Games and the Olympic Movement.

⁹ B. Chalkley & S. Essex, “Urban development through hosting international events: a history of the Olympic Games” (1999) 14:4 *Planning Perspectives* 369 at 384.

Equally important, the Calgary Games revealed that the Olympic Games could become a ‘community-transforming event.’ The Calgary Olympic Winter Games Organizing Committee (OCO) was able to create a “cultural happening” of volunteerism, spectatorship and celebration, whose residual substance still permeates the city. For instance, rather than being perceived as an elitist athletic event, the Calgary Games became an “urban celebration,” as the OCO was able to convince Calgarians that they had a stake in the outcome, and that local cultural identity was linked to the imperatives of the organizing committee.¹⁰ The OCO was able to transform Calgary’s civic identity through different mechanisms:

- OCO created “civic buy in” to the Olympic project by eliciting civic input and feedback at meetings of the organizing committee which were open to the public.¹¹
- Local citizens were galvanized into the largest volunteer force in Olympic history. Organizers were able to build on the 70-year precedent of the annual Calgary Stampede, and a relatively small city at well under 1 million citizens, to achieve city-wide participation of over 20,000 volunteers.
- The Games were centred in the downtown core, with one of the legacies being the creation of the Olympic Plaza on land that had previously been slated for development as a shopping mall. The Olympic Plaza, site of nightly medal ceremonies, became the venue for public celebration by Games enthusiasts.
- The local media and popular mayor Ralph Klein were also “provocateurs” of a sense of urban reflection by Calgarians

¹⁰ K.B. Wamsley & M.K. Heine, “Tradition, Modernity, and the Construction of Civic identity: The Calgary Olympics” (1992) 5 *Olympika* 81 at 81, online: Amateur Athletic Foundation of Los Angeles <http://www.la84foundation.org/SportsLibrary/Olympika/Olympika_1996/olympika0501e.pdf>.

¹¹ B. Kidd, “The Toronto Olympic Commitment: Towards a Social Contract for the Olympic Games” (1992) 1 *Olympika* 154 at 154, online: Amateur Athletic Foundation of Los Angeles <http://www.la84foundation.org/SportsLibrary/Olympika/Olympika_1992/olympika0101h.pdf>.

that they could become actively involved in a transformative event for their city.¹²

4. Athens 2004 Summer Games

Perhaps because of its failure to win the 1996 Centennial Games, Athens was awarded the 2004 Games over the seemingly stronger economic case of a rival bid from Rome which was supported by a much larger regional and national economic base, and had the advantage of facilities that were still in place from the 1960 Games. The end result of Athens' efforts, however, has been mixed. At an operating level, the 2004 Athens Games reportedly broke even in a financial sense.¹³ But when the capital expenditures are taken into account, the net result of these Games for Athens and Greece may prove to be economically precarious. The reasons for this might be said to be "Montreal redux" as the 2004 Games were plagued by many of the same factors that caused the 1976 Montreal Games to set the standard for Olympic failure from an economic sustainability perspective.

The promoters of the Athens 2004 Games were seduced by the same aspirations that motivate organizers of most major events. They hoped that the Games would enhance the economic prospects and management capabilities of the host city by enhancing its status as a tourist destination and investment target on both the domestic and world stage. However, it could be argued the opposite occurred because of overriding factors that caused "the Games (to be) economically doomed from the start."¹⁴ These factors included:

- Greece is one of the smallest nations ever to host the Games, and its economy and infrastructure were not ready to handle

¹² H.H. Hiller, "The Urban Transformation of a Landmark Event: The 1988 Calgary Winter Olympics" (1990) 26 *Urban Affairs Quarterly* 118 at 120.

¹³ As to the financial impact of the 2004 Summer Games in Athens, Greece, revenue totaled \$2.219 billion US, while operational costs came to \$2.126 billion US. Yet, due to investments totaling \$57 million US, the Athens Games broke even (H. Preuss, *Economics of Staging the Olympics: A Comparison of the Games 1972-2008* (Northampton: Edward Elgar, 2004) at 277).

¹⁴ UBC Olympic Studies Research Team, "Gold, Silver, Bronze and Green: Investigating the Economic Impact of the Olympic Games," by M. Klimo & A. Mohan (Paper prepared for the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games, 2006) at 27.

the economic demands of staging the world's biggest sporting event.

- Due to the threat of terrorism in the aftermath of September 11, 2001 and the invasion of Iraq, Greece had to pour vast resources into ensuring the safety of athletes and tourists. It is estimated that \$1.5 billion US was spent on security for the Games.¹⁵
- Venue and infrastructure construction started late and continued right up until the start of the Games. This caused similar inflationary pressures on the labour market, and therefore on venue costs, as were experienced in Montreal.
- The last minute construction crush also had a negative impact on the quality of construction work, with some venues being poorly planned and constructed, and, in some cases, turning out to be inappropriate for post-Games use.
- Poor planning and a lack of budget controls and public input into the process contributed to increased costs.

The net result was that the cumulative cost of the Athens Games rose to an estimated \$12 billion US, “five times more than originally expected,”¹⁶ while at the same time, the reputation of the know-how and capability of the Athens organizers and construction sector was challenged in the world's eyes. Consequently, it has been said that hosting the 2004 Olympic Games removed \$10-12 billion US from the Greek economy, which is more than 5 percent of the country's annual GDP.¹⁷ Sadly, just as Montreal had to pay off its Olympic debt over the thirty years following the Summer Games in 1976, Greece may be a generation overcoming its Olympic debt.

However, unlike Montreal, the economic performance of the Athens Games did not prove to have a chilling effect on the aspirations of other prospective host cities. To the contrary, most candidate cities for Games now seem to accept that while there will always be ongoing debate

¹⁵ D. Woodard, “Hosting the Olympics Can Be an Economic Burden” (Date Unknown), online: About.com <http://mutualfunds.about.com/od/news/a/2004_olympics.htm>.

¹⁶ H. Smith, “Venues rot as Greece loses its Olympic gains” *The Guardian* (6 March 2005), online: The Guardian <<http://observer.guardian.co.uk/international/story/0,6903,1431502,00.html>>.

¹⁷ Woodard, *supra* note 15.

over the level of public investment in the Games, and the return that investment generates, the management challenges implicit in delivering, at the very least, a balanced budget for capital and operating expenses are achievable given the right planning framework and business strategies.

C. Evolution of Environmental Sustainability

Returning to the phraseology of the Brundtland report, environmental sustainability means ensuring any development is undertaken in a manner that does not compromise the ability of future generations to similarly take advantage of the natural environment. While it would be satisfying to state that the IOC has always been in the vanguard of environmental protection and sustainable development, unfortunately, such a statement would not be accurate. The IOC arrived at its present position of concern with environmental issues at about the same time as the rest of the world and, to some degree, as a result of pressures directed at it by third parties.

It is fair to say, however, that over the past decade, the IOC has become much more conscious of the unusual leverage it possesses with respect to the awarding of one of the most high profile sporting and cultural events in the world today—the Olympic Games and the Olympic Winter Games. Until the early 1990s, the IOC did not exercise this leverage. It awarded the Games to cities and countries on different continents and with differing standards of development and relied on the national authorities in each host country to ensure that Olympic-related projects complied with applicable environmental standards and regulations. This was a perfectly defensible, if not particularly enlightened, position for a small non-governmental organization to take in the circumstances. On the other hand, there could be little doubt that there were serious environmental and sustainability issues surrounding the Games.

As sustainability began to become more and more important, the IOC took a much closer look at what it should be doing as a responsible international organization, both on its own account and as an organization in a position to influence particular outcomes. Apart from a few general statements in favour of sustainability, until 1992 the IOC had no formal position on the environment. The first steps were taken as a result of a

letter Canadian IOC Member Dick Pound wrote to IOC President Juan Antonio Samaranch¹⁸ urging that the IOC adopt a more positive role with respect to environmental issues. The immediate outcomes were to establish a working group to study the matter further, to include the theme as part of a seminar later that year with invited experts, and to include sport and the environment as a major theme of the Centennial Olympic Congress in 1994.

The IOC also commissioned a report on its own practices, much along the lines of former Canadian Prime Minister Pierre Elliott Trudeau's dictum that one cannot have a foreign policy unless one has a domestic policy. The IOC included new and firm requirements in candidate city manuals regarding environmental impact studies, in which candidate cities were asked to confirm that whatever they were planning was in full compliance with national legislation on the environment and also to provide an independent expert report on the environmental impact of the plans.¹⁹ By the end of 1992, the IOC had commissioned a report on the environmental aspects of the 1994 Olympic Winter Games in Lillehammer, Norway and determined to articulate an IOC policy. Dick Pound was assigned the task of preparing the statement of that policy, which was presented to the IOC Executive Board in December 1992, after consultation with the Department of External Affairs and comparison with the so-called Valdez principles and the standards of the International Chamber of Commerce.

The March 1993 issue of the *Olympic Message* was devoted to sport and the environment. Jacques Cousteau was contacted to speak at the 1994 Olympic Congress and regular meetings were held with the French Minister for the Environment, Michel Barnier. Sport and the Environment was one of the principal themes at the 1994 Olympic Congress and one of the formal outcomes of the Congress was the responsibility of sport to ensure that environmental principles were respected.

In retrospect, considering the usual pace of international organizations and the general resistance to new ideas, it took remarkably little time to generate some action and to achieve substantial buy-in to the

¹⁸ IOC, Executive Board Minutes, 98th Sess., Courchevel, Fr. (February 1992) at 67-70, 132-136.

¹⁹ IOC, Executive Board Minutes, 99th Sess., Barcelona (July 1992) at 76.

idea that sport, particularly Olympic sport, had environmental responsibilities.

The following summary of environmental results and projections from 1992—2012 reflects on trends in environmental sustainability in the Olympic Movement. It should be remembered that comparisons between host cities in respect of environmental performance are extremely difficult to make. Differences in size, political and educational systems, population and wealth make it difficult, and sometimes highly inequitable, to have the same expectations of one host city/country as might be had for another.

1. Albertville 1992 Winter Games: An Environmental Setback

The goal of protecting the environment became part of the *Olympic Charter* following widespread concerns about how the Albertville Winter Games had been organized in 1992. At a time when the world was becoming increasingly sensitive to environmental issues, the organizers of the Albertville Games were criticized for their treatment of the regional landscape to accommodate the sport requirements for Games' venues. It was the combination of international sport federation requirements for site design, (e.g., sliding facilities for bobsled and luge and slope side alteration for alpine skiing), and the vast array of regionalized sites in 13 communities stretching over 1657 square kilometres, which led to significant alteration of the terrain with what was judged to be insufficient protection of ecosystems, particularly in the sensitive alpine environment.²⁰ While this kind of physical damage to the land had occurred in previous Games, it was not until 1992 that it occurred over such a large regional surface area.²¹

This kind of venue development produced a public outcry over many environmental issues such as the increased risk of landslides due to road-building to connect communities; the deforestation in alpine regions to construct ski facilities; and, the disruption of animal habitat due to

²⁰ M. Lellouche, "Albertville and Savoie 1992" in J. Findling & K. Pelle, eds., *Historical Dictionary of the Modern Olympic Movement* (Westport: Greenwood Press, 1996) at 318.

²¹ H. Cantelon & M. Letters, "The Making of the IOC Environmental Policy as the Third Dimension of the Olympic Movement" (2000) 35:3 *Int. Rev. Soc. of Sport* 294 at 300.

construction.²² Permanent facilities with no post-Games use, non-recyclable waste, and many unaccounted-for costs contributed to intense protest by activists and concerned citizens.²³ To preclude such a negative environmental outcome in future Games, the IOC resolved to make protection of the environment an integral part of the Olympic Movement.

2. IOC Reaction to the 1992 Winter Games

As noted at the outset of this paper, at the UN Earth Summit Conference on the Environment and Development in Rio de Janeiro, Brazil, held the same year as the Albertville Games, a collection of proposals called *Agenda 21* was forwarded and later adopted by the UN as a model for how the world should ensure sustainable development.²⁴ In 1994, the IOC took similar steps to address concerns about environmental sustainability at its Centennial Olympic Congress in Paris. The IOC recognized the importance of environmental protection and sustainable development and declared that the environment would become ‘the third pillar of Olympism,’ alongside 3000 years of focus on sport and culture.

As a result, the IOC signed a Cooperative Agreement with the United Nations Environment Program (UNEP) with the goal of raising awareness and educating members on environmental issues.²⁵ Some of the outcomes of this Agreement include the creation of the biennial World Conference on Sport and the Environment (there have been six conferences to date), and participation by the Olympic Family in local activities for the UN World Environment Day which takes place June 5 each year.

²² L.P. DaCosta *et al.*, *Olympic Studies: Current Intellectual Crossroads* (Rio de Janeiro: Gama Filho, 2002) at 74, online: Amateur Athletic Foundation of Los Angeles <www.la84foundation.org/SportsLibrary/Books/OlympicStudies.pdf>.

²³ *Ibid.*

²⁴ United Nations, *Agenda 21, Report of the UNCED, I* (1992) UN Doc. A/CONF.151/26/Rev.1, (1992), 31 I.L.M. 874, online: UNDSO <<http://www.un.org/esa/sustdev/documents/agenda21/english/agenda21toc.htm>> [*Agenda 21*].

²⁵ International Olympic Committee, “The Sport and Environment Commission,” online: IOC <http://www.olympic.org/uk/organisation/commissions/environment/index_uk.asp>.

In 1995 the Sport and Environment Commission was created to advise the IOC Executive Board on policies of the IOC and the Olympic Movement generally that relate to environmental protection and support for sustainable development.²⁶ This Commission works to promote awareness and educate Olympic family members and sport practitioners about environmental issues and sustainable development²⁷ and requires bid cities of future Olympic Games to respect the environment by meeting prescribed standards of sustainable development. In 1996, the *Olympic Charter* was formally amended to include the IOC's concern for environmental issues and promotion of sustainable development. It is the IOC's role to:

encourage and support a responsible concern for environmental issues, to promote sustainable development in sport and to require that the Olympic Games are held accordingly.²⁸

The IOC took a further step in the development of its sport and environment agenda in 1999 when it, in conjunction with the UNEP, passed its own *Agenda 21* aimed at providing greater resources to sustainable development in and through sport at national, regional and international levels, and particularly at Olympic Games. The IOC officially adopted this *Agenda 21* at its meeting of June 14, 1999 in Seoul, Korea while the Olympic Movement adopted it in October, 1999 at the third World Conference on Sport and Environment in Rio de Janeiro.²⁹

The Olympic Movement's *Agenda 21* (Sport for Sustainable Development) addressed three main issues: 1) to improve socio-economic conditions, 2) to improve conservation management of resources for sustainable development; and 3) to strengthen the role of main groups, particularly women and youth.³⁰

The first focus of Agenda 21, much like Olympism's goal of peaceful preservation of human dignity, is the goal of improving socio-economic conditions, mainly for disadvantaged and minority groups. A more significant approach to issues such as social exclusion,

²⁶ *Ibid.*

²⁷ *Ibid.*

²⁸ *Charter, supra* note 5, Rule 2, s. 13.

²⁹ C. West, "How Green the Games? Athens' Struggle to Host Green-Minded Olympic Games" *SASS Magazine* (Date Unknown), online: <<http://www.sustainablestyle.org/sass/02/greengames.html>>.

³⁰ International Olympic Committee, *supra* note 25.

consumption, and health protection were targeted for improvement, as well as promoting sport facilities and policies that meet social needs and better integrate development and environmental concepts.³¹

The second component of Agenda 21, conservation and management of resources for sustainable development, is environmental protection within the wider framework of sustainable development whereby the IOC is committed to improve socio-economic conditions in terms of conservation and resource and environmental management. As a result, this should encourage education about the environment and actions to help preserve it. This is the most visible and effective aspect of the IOC's work at Olympic Games.³²

The third aspect of Agenda 21 is to strengthen society by ensuring that all members are engaged and respected in the new processes established under sustainable development.³³ The Olympic Movement determined that its greatest contribution in this respect would be strengthening the role of women and youth.

This enlightened way of integrating sport into the preservation of human dignity transcended past ideals of how the hosting of the Olympic Games affected each host country. Not only did impact on the community need to be measured and minimized, but global awareness of the event was a chance to educate and promote environmental stewardship and sustainable development to citizens around the globe.

3. Promoting Sustainable Development in Candidatures for Olympic Games

With the adoption of *Agenda 21*, the IOC had a mandate to work with the constituents of the Olympic Movement to ensure that the Olympic Games are “held in conditions that demonstrate a responsible concern for the environment.”³⁴ Capitalizing on the opportunity to educate nations interested in bidding for Olympic Games, candidate cities must now address certain ‘green’ elements in their bids as follows:

³¹ *Ibid.*

³² *Ibid.*

³³ *Ibid.*

³⁴ International Olympic Committee, “Factsheet: Environment and Sustainable Development” (February 2007) at 5, online: IOC <http://multimedia.olympic.org/pdf/en_report_842.pdf> [*Factsheet*].

- Prepare charts and explain briefly the system of natural resource and environment management put in place by the public authorities and their responsibilities towards the Organizing Committee of the Olympic Games (OCOG).
- Provide an overview, including maps and tables, if possible, of the local situation with respect to the state of the environment, protected areas, cultural monuments and potential natural risks.
- Obtain from the competent authorities an official guarantee confirming that all work needed to stage the Games will comply with local, regional and national legislation and rules as well as international agreements and protocols on town and country planning, construction and protection of the environment.
- State whether impact studies have been performed by the competent authorities for all venues and facilities.
- Provide an environmental plan of action for the Games, indicate the objectives and priorities and describe briefly the environmental management system envisaged by the OCOG.
- Indicate whether there is, within the candidature committee, an environmental protection awareness program and state what the OCOG's plans are in this respect.
- Describe what efforts will be made to protect and improve the particular characteristics of the natural environment and cultural heritage during preparations for the Games.
- Give details of the intended plans for managing solid waste, sewage treatment and energy management, and state how you hope that this will influence the city and region in the future.
- Describe environmental pilot projects and development plans, as well as how environmentally-friendly technology will be applied in relation to the Games.

- Mention any specific points not covered in this questionnaire that the candidature committee wishes to raise.”³⁵

Following preparation of each city’s bid, an Evaluation Commission reviews assertions made by Bid cities. The Evaluation Commission for each Olympic Games includes an environmental expert appointed by the IOC Sport and Environment Commission to assess the ‘green’ elements of bids from Candidate cities.³⁶ In order to ensure Games improve the environment and leave a green legacy, a Coordination Commission, set up to monitor performance of the selected host city, assigns an environmental expert to assist in the incorporation of sustainable development into Games preparation.³⁷

4. Lillehammer 1994 Winter Games: The First “Green Games”

The Lillehammer Winter Games of 1994 voluntarily addressed environmental protection in land use and venue construction, as well as through programs such as recycling and composting and was proclaimed the first “Green Games.”³⁸ This was a significant achievement as Lillehammer had been awarded the Games in 1988, almost seven years before the IOC had an environmental policy, and well before the setback of Albertville. In fact, the Lillehammer Games managers’ concern for the environment was ‘home grown,’ resulting from local protests and lobbying, and not the result of top down IOC influence on the organizers.

Environmental and activist groups were heavily engaged in planning and staging the 1994 Winter Games. This was due, in part, to a protest against the building of the speed skating venue near a bird sanctuary.³⁹ An independent watchdog group, called Project

³⁵ International Olympic Committee, “Olympic Games and the Environment,” online: IOC http://www.olympic.org/uk/organisation/commissions/environment/games_uk.asp.

³⁶ IOC, *Factsheet*, *supra* note 34.

³⁷ *Ibid.*

³⁸ United Nations Environment Program, “Sports and Environment Challenge: Lillehammer Games” (Date Unknown), online: United Nations <<http://www.unep.org>>.

³⁹ Lillehammer Olympic Organizing Committee, “Lillehammer ‘94 and the Environmental Challenge” (1994) 1 Lillehammer Olympic Winter Games Official Report 124, online: Amateur Athletic Foundation of Los Angeles <http://www.la84foundation.org/5va/reports_frmst.htm>.

Environmentally Friendly Olympics (PEFO), was created and attended weekly meetings with the Lillehammer Olympic Organizing Committee (LOOC) to ensure consultation.⁴⁰ PEFO and the LOOC set up a four-point plan to ensure that the 1994 Games became a major step forward in the evolution of the Olympic Movement's thinking and know-how on building and operating in a manner sensitive to environmental concerns:

- companies were instructed to use natural materials wherever possible;
- emphasis was placed on energy conservation in heating and cooling systems;
- a recycling program was developed for the entire Games region; and
- a stipulation was made that the arenas must harmonize with the surrounding landscape.⁴¹

As a result of these new standards, over 20 environmentally enlightened projects were organized by LOOC and PEFO, with strict consideration being accorded to post-Games use of the venues. The LOOC incorporated an "environmental charter" into every supplier and partner contract. The provisions targeted environmental assessment compliance, concerns about transportation of athletes, organizers and fans throughout the Games, waste disposal, recycling and water treatment, and whether environmental protection technologies would be developed.⁴²

The Lillehammer Games made material improvement in how environmental concerns were managed domestically, and within the Olympic Movement. Former IOC president Samaranch acknowledged the LOOC's efforts by dubbing the Lillehammer Games the "White-Green Games" at the closing ceremonies.⁴³

⁴⁰ H.O. Haugen, *The Construction of Beijing as an Olympic City* (M. Phil. Thesis, Department of Sociology and Human Geography, University of Oslo, 2003) at 53 [unpublished].

⁴¹ Global Forum for Sports and Environment, "A Look Back at Lillehammer" (Date Unknown), online: Global Forum for Sports and Environment <http://www.g-forse.com/archive/news373_e.html>.

⁴² British Olympic Association, "The Environment and the Olympics," online: British Olympic Association <<http://www.olympics.org.uk/contentpage.aspx?no=142§ionId=8>>.

⁴³ Cantelon & Letters, *supra* note 21 at 300.

5. Atlanta 1996 Summer Games

The 1996 Atlanta Summer Games were awarded in 1990, well before the IOC's environmental guidelines, such as Agenda 21, went into effect. The Atlanta Committee for the Olympic Games (ACOG) presented its environmental policy statement to the IOC at the First World Conference on Sport and the Environment in Lausanne in 1995.⁴⁴ The policy included the formation of an Olympic Environmental Support Group, a citizen advisory group to recommend environmentally responsible decisions to ACOG in its preparations for the Games.⁴⁵

Some of the environmental issues tackled by this group included: reusing venues and materials, renting or reusing existing materials and furniture to avoid waste in construction, protecting green space in venue development, promoting public transportation, and the recycling and composting of materials to cut down on waste.⁴⁶

Mixed results, however, meant that the Atlanta Summer Games were not, from an environmental perspective, the step forward that the Lillehammer Games had been. For example, the Atlanta Games were coined the "Disposable Games" because there was not enough thought put into post-Games use of many venue facilities, and there were "masses of junk" leftover that were costly in terms of theft, warehousing, damage, and forced sales.⁴⁷ In addition, major sponsors of the 1996 Games were targeted by activist groups for their lack of environmental responsibility in the delivery of their products and services for the Games.⁴⁸

⁴⁴ Green Nature, "Green Olympics: Atlanta 1996" (1996), online: Green Nature <<http://greennature.com/>>.

⁴⁵ *Ibid.*

⁴⁶ Atlanta Committee for the Olympic Games, "Construction" (1996) 1 Atlanta Olympic Official Report 109 at 117, online: Amateur Athletic Foundation of Los Angeles <http://www.la84foundation.org/5va/reports_frmst.htm>.

⁴⁷ T. Webb, *The Collaborative Games: The Story Behind the Spectacle* (Sydney: Pluto Press, 2001) at 119.

⁴⁸ Greenpeace Australia, "Olympic Report: Special Atlanta Issue" (7 August 1996) at 2, online: Greenpeace Australia <<http://www.greenpeace.org.au/>>.

6. Nagano 1998 Winter Games

Even though the 1998 Winter Games took place after the IOC environmental guidelines were adopted in 1995, they were awarded in 1991 before the lessons of the Albertville and Lillehammer Games were learned and incorporated into the bid process. The Nagano Organizing Committee (NAOC) nevertheless voluntarily incorporated protection of the environment into staging the 1998 Winter Games, pledging “Respect for the Beauty and Bounty of Nature.”⁴⁹

Given that the IOC’s environmental policy encouraged environmental stewardship and promotion of sustainable development, the NAOC avoided negative environmental impacts through its decisions to relocate some venues away from environmentally sensitive ecosystems, and efforts to re-use existing facilities.⁵⁰ Increased public consultation, innovative construction, low-emission transportation, and the use of recyclable materials for items such as uniforms, cutlery and dishes were some of the successes of Nagano’s environmental program.⁵¹

While every Games is criticized for not doing everything technically possible, overall the Nagano Games solidified the trend towards greater environmental sustainability in the Games.

7. Sydney 2000 Summer Games

Sydney was to the Summer Games what Lillehammer was to the Winter Games: “breakthrough” events for their focus on being state-of-the-art “Green Games.” Right from the bid stage, two years before the IOC formally adopted its environmental policy, Sydney Olympics 2000 Bid Ltd (SOBL) engaged Greenpeace Australia and other environmental groups and government agencies in the preparation of Environmental Guidelines for Summer Olympic Games.⁵² The Sydney Games bid

⁴⁹ United Nations Environment Program, “Sports and Environment Challenge: Nagano – 1998” (Date Unknown), online: United Nations <<http://www.unep.org/>>.

⁵⁰ Nagano Organizing Committee for the Olympic Games, “Environmental Considerations” (1998) 1 Official Report of the XVIII Olympic Winter Games 16, online: Amateur Athletic Foundation of Los Angeles <http://www.la84foundation.org/5va/reports_frmst.htm>.

⁵¹ *Ibid.*

⁵² Sydney Organizing Committee of the Olympic Games, “Special Relationships – The Environment” (2000) 2 Official Report of the XXVII Olympiad 353, online: Amateur

process recognized that environmental issues were not just local issues but also global issues. As part of its Environmental Guidelines, the first ever prepared for an Olympic Games and an outstanding legacy of the Sydney Games, the Sydney Bid team made over 100 specific commitments in five key areas: energy conservation, pollution avoidance, water conservation, protection of the natural environment, and waste minimization and management.⁵³

The Sydney Organizing Committee for the Olympic Games (SOCOG), as a result of their determination to fulfill these early commitments, had many sustainability success stories in the staging of their Games. Areas that received particularly favourable attention included social and environmental achievements in the clean up of the formerly contaminated Homebush Bay area of Sydney into the Olympic heartland of new sporting, business, recreation and conservation facilities for Games and post-Games use; effective promotion of public transport by including user fees in the price of event tickets; and innovative energy conservation within the Olympic Stadium.⁵⁴ Two projects which arose from Olympic Family collaboration were a world-leading Integrated Waste Management Solution involving four major Olympic sponsors and a Sponsors Environmental Network which brought together SOCOG, sponsors and suppliers to provide open communications, knowledge transfer and joint actions.

Sydney 2000 was such a well run Olympic Games that it set the standard for future Olympics. Its staff moved on to become advisors to both the IOC and subsequent Games organizing committees.

8. Salt Lake City 2002 Winter Games

From the outset the Salt Lake Organizing Committee (SLOC) had a 12 point environmental platform to serve as a basis for all environmental initiatives.⁵⁵ It also developed and implemented an

Athletic Foundation of Los Angeles <http://www.la84foundation.org/5va/reports_frmst.htm>.

⁵³ *Ibid.*

⁵⁴ *Ibid.*

⁵⁵ Salt Lake Organizing Committee for the Olympic Games, "Environment: 12 Point Program" (Date Unknown), online: Salt Lake 2002 Paralympics <http://saltlake2002.paralympic.org/para_info/enviornment/12_point.html>.

Environmental Management System which incorporated aspects of ISO 14001 standards and was managed by venue managers reporting to a compliance officer in the Environmental Department. In addition, an Environmental Advisory Committee (EAC), made up of government, environment, athlete, private business and community representatives, was formed in 1994 to advise SLOC on environmental issues. Consequently, SLOC reached highs not previously achieved by Olympic Organizing Committees⁵⁶ in green buildings, energy efficiency, waste management, habitat restoration, reforestation, and public education. Salt Lake was also the first Olympic Games to be independently certified as ‘Carbon Neutral.’

SLOC’s achievements on the environmental front were, however, overshadowed by the events of the immediately preceding September 11th and security concerns at the Games. As a result, the organizers were precluded from receiving more broadly-based support and recognition for their environmental accomplishments. Those accomplishments were all the more impressive when you consider that an Organizing Committee scandal involving influence peddling destabilized the operating budget for Salt Lake Games, resulting in the elimination of program funding for special environmental projects two years out from the Games. In an impressive display of environmental entrepreneurship, SLOC staff found a way to finance their projects through contributions by government and corporate sponsors to their ‘Spirit of the Land’ public education campaign.

9. Athens 2004 Summer Games

The Athens 2004 Summer Games were rife with concerns around the level of preparation, delivery of venues and escalating costs of staging the 2004 Games. However, by the time they were complete, these Games were recorded as a success on some counts with the IOC noting various environmental advances in forest renewal, energy conservation, environmental programs, and cooperation among many levels of government, the organizing committee and environmental groups.⁵⁷

⁵⁶ Salt Lake Organizing Committee, “Environment” (2002) 1 Official Report of the XIX Olympic Winter Games 196, online: Amateur Athletic Foundation of Los Angeles <http://www.la84foundation.org/5va/reports_frmst.htm>.

⁵⁷ IOC, *Factsheet*, *supra* note 34 at 3.

Despite this praise for “pulling it together,” environmental groups and activists were still disappointed with some of the environmental outcomes at Athens. In some environmental circles the Athens Games were considered a step back for the Olympic Movement. Such criticism, however, must be considered in the context of the host city and country. As previously noted, Greece is one of the smallest host countries ever and yet, hosting the Games catalyzed significant achievements in national environmental practices such as the instigation of Greece’s first ever waste management, separation and recycling system and development of a more comprehensive public transit system in Athens.

10. Torino 2006 Winter Games

In mid-2003, the Torino Organizing Committee (TOROC) signed an agreement with the UNEP to develop sustainability programs with respect to the 2006 Winter Games. Educational campaigns and projects concerning environmental sustainability were the core of TOROC’s focus. For example, the Hector Program (Heritage Climate Torino) raised awareness on climate change issues and offsetting greenhouse gases through investment in reforestation, energy efficiency and renewable energy projects.⁵⁸

TOROC was the first Organizing Committee to obtain both ISO 14001 certification and certification under the European Eco-Management and Audit Scheme (EMAS).⁵⁹ TOROC was also innovative in its development of guidelines for environmental assessment in planning and monitoring Games activities.⁶⁰ The organizers of Torino 2006 successfully deployed public awareness and education programs on climate change and waste management issues.⁶¹ Similarly they developed programs for green procurement and tourism.

A World Wildlife Fund (WWF) report on the 2006 Winter Games was generally positive, though TOROC was criticized for constructing the

⁵⁸ A. Cappato and V. Pennazio, “Corporate Social Responsibility in Sport: Torino 2006 Olympic Winter Games” (Faculty of Economics, University of Studies of Turin, 2006) at 21, online: CRR Conference <<http://www.crrconference.org/downloads/2006cappatopennaziopaperfinal.pdf>>.

⁵⁹ IOC, *Factsheet*, *supra* note 34 at 3; Cappato and Pennazio, *ibid.* at 18.

⁶⁰ Cappato and Pennazio, *ibid.* at 20.

⁶¹ *Ibid.* at 21-22.

bobsleigh and luge track in pristine habitats, using artificial snow which impacted surrounding environment and irrigation systems, and high consumption of fossil fuel based energy, particularly with respect to the burning of the Olympic flame⁶² and the number of diesel generators used in the mountains.

However, notwithstanding inevitable criticism, Torino 2006 clearly solidified the trend of continuous improvement in environmental stewardship put in motion by Lillehammer 1994 and Sydney 2000.

11. Beijing 2008 Summer Games

Beijing lost the 2000 Summer Games bid to Sydney partly because of environmental concerns, not so much in relation to disruption of natural habitats but in relation to human health and living conditions. To decrease its high level of pollution and unreliable public transit, the City of Beijing undertook substantial changes to “Green the City” prior to its evaluation and eventual selection as the host city for the 2008 Summer Games.

This commitment to the environment and sustainable development has continued since the bid, as the Beijing Organizing Committee for the Olympic Games (BOCOG) and municipal governments have worked together in the run up to the 2008 Games to continue to improve the City’s environment.⁶³

BOCOG’s environmental management system (EMS) is ISO 14001 certified. Like Torino, BOCOG signed an agreement with UNEP to stage environmentally responsible Games and, as a result, developed a strategy on sustainable development.⁶⁴ As part of its strategy, BOCOG created the “Beijing Olympic Action Plan,” which contains

⁶² WWF-Italy, “How ‘green’ are the winter Olympics?” (10 February 2006), online: WWF <http://www.panda.org/about_wwf/where_we_work/europe/where/italy/news/index.cfm?uNewsID=59300>.

⁶³ Beijing Organizing Committee for the Olympic Games, “Themes and Guidelines,” online: Beijing 2008 <<http://en.beijing-2008.cn>>.

⁶⁴ United Nations Environmental Programme, Press Release, “UNEP and Beijing Sign Green Games Agreement” (18 November 2005), online: UNEP <<http://www.unep.org/Documents.Multilingual/Default.Print.asp?DocumentID=457&ArticleID=5041&l=en>>.

environmental, economic and social components.⁶⁵ BOCOG pledged to be mindful of environmental protection, high-tech development and social development as part of its pledge to the concepts of “Green Olympics, High-tech Olympics and People’s Olympics.”⁶⁶

12. London 2012 Summer Games

The London Bid Committee also incorporated the environment into its bid for the 2012 Summer Games⁶⁷ and the London Organizing Committee for the Olympic Games and Paralympic Games (LOCOG) has chosen to focus on five key themes:

- low carbon Games
- sustainable transport
- zero waste
- conservation of biodiversity
- a sustainable legacy⁶⁸

Goals and objectives have been developed for all five themes and LOCOG has worked with government and non-government organizations, particularly the World Wildlife Fund, in determining sustainable and environmentally-conscious solutions.⁶⁹

London was the only candidate city for the 2012 Olympics to have completed an environmental impact scan for all of its venues in advance of submitting its bid, much as VANOC did in its bid for the 2010 Games. As in Vancouver, London chose to link the traditional Olympic focus on environmental sustainability with broader social and economic outcomes. This is reflected in the London Bid Committee, in conjunction with the

⁶⁵ Beijing Organizing Committee for the Olympic Games, “Beijing Olympic Action Plan,” online: Beijing 2008 <<http://en.beijing-2008.cn>> [*Beijing Plan*].

⁶⁶ *Ibid.*

⁶⁷ London Organizing Committee for the Olympic Games, *London 2012 – Candidate File*, vol. 1, online: London 2012 <<http://www.london2012.com/news/publications/candidate-file.php>>.

⁶⁸ *Ibid.* at 75.

⁶⁹ *Ibid.*; London Organizing Committee for the Olympic Games, *Towards A One Planet Olympics*, online: London 2012 <<http://www.london2012.com/documents/bid-publications/towards-a-one-planet-olympics.pdf>>.

WWF, coining the term “One Planet Olympics” for the sustainability component of their bid candidature.⁷⁰

Since its selection to host the 2012 Games, LOCOG has remained highly committed to staging “sustainable Games.”⁷¹ One of its biggest commitments is the development of the Olympic Park, a brownfield site with a history of industrial processes. LOCOG aims to “transform one of the city’s most underdeveloped areas into a model for sustainable urban development, building inner-city communities linked to sport, the environment and health.”⁷²

13. Candidate Cities for the 2014 Winter Games

Given the progress of environmental and sustainable development integration into the planning, organizing, financing and staging of Olympic Games, candidate cities for future Games are aware now more than ever before of the importance of the role of environmental stewardship as a component of sustainable development.

In June 2006, the IOC narrowed the list of candidate cities for the 2014 Winter Games to three: PyeongChang, South Korea; Salzburg, Austria; and, Sochi, Russia. Each of the candidate cities is required to outline their commitment to and plans for environmental stewardship and promotion of sustainable development in the bid for their Games.⁷³

It is a reflection of the role that environmental issues can play in the selection of an Olympic host city that Greenpeace has already challenged aspects of the Sochi bid. Greenpeace filed a suit in Russia’s Supreme Court against the Sochi Bid Committee alleging that venue development around the Black Sea resort contravened Russia’s environmental protection legislation.⁷⁴ The head of the Sochi 2014

⁷⁰ D. Crawford, “2012 Olympic Bids and Sustainability” (25 June 2005), online: Global Forum for Sports and Environment <http://www.g-forse.com/archive/news391_e.html>.

⁷¹ London Organizing Committee for the Olympic Games, “Sustainability,” online: London 2012 <<http://www.london2012.com/plans/sustainability/index.php>>.

⁷² *Ibid.*

⁷³ Games Bids, “Bid Profile and Fact Sheet – 2014 Olympic Winter Bids,” online: Games Bids <<http://www.gamesbids.com/english/bids/2014.shtml>>.

⁷⁴ AFP, “Greenpeace files lawsuit to halt Russia’s Sochi Olympic bid site” (12 September 2006), online: Khaleej Times <<http://greenpeace-news.newslib.com/story/8078-893/>>.

Olympic bid committee denied Greenpeace's claims, saying that none of the Olympic venues were planned in protected zones: "All the construction plans were co-ordinated with environmental protection organisations and will not cause any damage to the region's nature."⁷⁵ Such challenges from civil society can provide constructive checks and balances on development while encouraging event organizers to achieve better and better environmental results.

D. Evolution of Social Sustainability

Social sustainability of the Olympic Games revolves around a firmly held but as yet not well documented belief that a mega event, rather than benefiting a small and perhaps elite segment of the population, can benefit and be inclusive of different groups and communities with the end result being that the entire host community and country benefits from the event. Social sustainability within the Olympic Movement stands for the proposition that the Games can be "a springboard for leaving a lasting legacy of revitalized communities and healthier citizens."⁷⁶

These Agenda 21 sentiments are voiced on the Vancouver 2010 website, where it is repeated that sport for sustainable development:

[...] encourages all members of the Olympic Movement—particularly the host cities of Olympic Games—to improve socio-economic conditions and the lives of the most disadvantaged in our communities [...]⁷⁷

Although political terrorism is arguably a social impact that has and continues to shape the Games, the scope of this paper does not include an analysis of this context.

In a more general social context, the profile of social issues at contemporary Games began to grow in the run-up to the 1968 Summer Games in Mexico City. The 1960s witnessed political unrest, including

⁷⁵ *Ibid.*

⁷⁶ Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games, "What does sustainability have to do with the Olympic and Paralympic Games?," online: Vancouver 2010 <http://www.vancouver2010.com/en/Sustainability/SustainabilityFAQs/74_0601201319-535>.

⁷⁷ Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games, "Sustainable Games," online: Vancouver 2010 <<http://www.vancouver2010.com/en/Sustainability/SustainableGames>>.

the assassination of Martin Luther King, the Prague Spring, and the controversial Vietnam War. In Mexico, months of student protests against rampant poverty in the country culminated in a demonstration over Olympic costs. Just 10 days before the Games, the Mexican army fired on protesters, killing over 200 and injuring another 1000. The raised fists of two black sprinters on the podium during the Mexico Games were a symbol of athlete solidarity with the issues of the disadvantaged.

Social sustainability is a relatively recent addition to the objectives of Olympic Games Organizing Committees and is therefore a less well developed concept than economic or environmental sustainability. This mirrors global sustainability trends wherein companies that have historically been strong on environmental and economic performance are now working to incorporate social performance and considerations as part of their overall commitment to sustainability.

1. Toronto's Bid for the 1996 Summer Games

The story of the failed Toronto 1996 Bid is of importance for the Olympic Movement because it is the first example of a comprehensive pre-Bid process of community consultation, including a full social impact assessment of the Olympic project which was required by the City of Toronto before it would give its stamp of approval to the Bid. While Atlanta was eventually awarded the Games, Toronto's Bid constituted a big step forward in the evolution of the Olympic planning process. It certainly influenced the Vancouver 2010 Bid Corporation, which embraced many of the key substantive and procedural ideas of the Toronto process—including the effort to enhance the goals of social inclusion in line with the humanitarian goals that the Olympic Movement pursues.

The Toronto Bid was initiated by a group of business elite who formed the Toronto Ontario Olympic Council (TOOC) to pursue the Games. They predicted that these would be the “games of excellence—the unrelenting pursuit of the competitive best,” and would help Toronto to become recognized as a “world class city.”⁷⁸ They used the approach taken by the Los Angeles organizers who had successfully managed the 1984 Games to make a substantial profit with little involvement by

⁷⁸ Kidd, *supra* note 11 at 156.

government. However, unlike Los Angeles, the Toronto Bid sought the government assurances of legal and financial liability which were required by the IOC.⁷⁹

Community-based opposition to the Bid soon mobilized in the form of the “Bread not Circuses Coalition,” an organization encompassing inner-city social housing activists, church groups and trade unions. It sought to move the focus of civic politics away from unchecked development and mega projects (like the recently constructed and over-budget SkyDome stadium and the planned Opera House and World’s Fair) towards a policy that would also address the needs of the poor and homeless who were not enjoying the fruits of the late 1980’s Toronto economic boom.

In response to the campaign mounted by the coalition, Toronto City Council established the Olympic Task Force of civic department heads, chaired by the Commissioner of Parks and Recreation, to vet the Bid before final approval. The IOC requires that any proposed Host City formally approve the bid put forward by its bid committee. Eventually, Toronto City Council received the Olympic Task Force report and enunciated a statement of principles, called the “Toronto Olympic Commitment,” to govern the Bid. This “Commitment” required public scrutiny of all the elements of the Bid through social and environmental impact assessments and a series of public meetings.

In order to gain the endorsement of City Council, the Bid needed to address a number of objectives including: affordable and social housing stock from the Olympic housing as a Games legacy; affordable recreation facilities; and subsidized Olympic tickets for low income Torontonians. These elements were eventually incorporated into the Bid which then was endorsed by Council and submitted to the IOC.

The full social impact assessment and wide ranging consultation found in the Toronto Bid certainly confirmed and, to some extent, broadened the community’s support for the city hosting the Games. Furthermore, visiting IOC delegates, in the lead up to the vote, expressed their admiration for the extensive public review process and suggested

⁷⁹ *Ibid.*

that it should serve as a model for other candidate host cities.⁸⁰ Nevertheless, in the end, Atlanta was awarded the 1996 Games.

2. The Atlanta 1996 Centennial Games

In stark contrast to the efforts of the Toronto 1996 Bid, the Atlanta Committee for the Olympic Games (ACOG) made no real effort to broaden the constituency of the Olympic project to include, in any significant way, local civic government and the less advantaged people of Atlanta in a planning and operational role, or to target this constituency as beneficiaries of the legacies of the Games.

The ACOG had been formed as a private non-profit organization composed of many of Atlanta's civic and business leaders, with responsibility for development of the sport facilities and operation of the Games. Meanwhile, the Corporation for Olympic Development in Atlanta (CODA) was created by the City of Atlanta with ambitious plans to use the Games as a mechanism to achieve substantial urban renewal, particularly in the inner city of Atlanta where much of the Olympic construction was to take place. CODA received federal money to support transportation, public housing and other infrastructure projects in a more accelerated manner than would otherwise have been the case if the Olympic Games had not been awarded to the City. Unfortunately for CODA, it had no access to the funds that had been made available to construct the Olympic venues because none of these funds came from local government. In this context, CODA had little input on how these funds would be spent, or whether any of these funds could be channelled into neighbourhood redevelopment projects and what could be done about the potential negative impacts of these facilities, such as the displacement of low-income housing and the destruction of neighbourhoods caused by the Olympic Stadium and the Centennial Olympic Park.

There was no coordinated strategy between the City/CODA and ACOG to spur the revival of the inner city through a concerted inter-agency effort to attract major investment to jump start the redevelopment of the inner city and create lasting benefits for its disadvantaged population. Last minute interventions on the part of the Governor and some major Olympic corporate sponsors failed to rectify the situation as

⁸⁰ *Ibid.* at 161.

there was insufficient time to change the outcomes. As a result, the Atlanta Games made only modest changes to the city's infrastructure and no real progress was made in the effort to ease poverty or to build capacity in inner-city populations.

3. Legacy for Future Games

Atlanta's failure to apply social inclusion commitments like those of Toronto's failed bid for the 1996 Games led to its inability to seize the opportunity presented by the Centennial Games to ensure that disadvantaged communities had the opportunity to share in the economic benefits of the Games. This result, coupled with criticisms of the Games experience as being too "commercial," contributed to lack of commendation of these Games by the IOC as being the latest example of the "Best Games Ever."

Despite record revenues, record crowds, record number of volunteers deployed, a significant operating surplus, and a legacy of useful sports stadiums and housing stock for local universities, these Games missed the new high water mark of the Olympic Movement in achieving new levels of social sustainability, as contemplated in *Agenda 21*.

Passing the baton to implement the social aspirations of the Olympic Movement's *Agenda 21* doctrine of "sport for sustainable development" would, however, move to Sydney in 2000 and to Vancouver in 2010. For, as important as environmental innovation is in the city that has the distinction of being the birthplace of Greenpeace, it was the Vancouver Bid's commitment to social inclusiveness, both with respect to inner-city populations as well as indigenous peoples, that differentiates it from Games that have gone before.

II. Vancouver 2010 Winter Games: A Case Study on Sustainability

In the years leading up to Vancouver winning the bid for the 2010 Winter Games, over 1000 presentations were made and open houses

held.⁸¹ The general public, stakeholders and interest groups were canvassed on issues ranging from social inclusion to environmental impacts to accessibility (both social and physical). The intent was “to build a strong body of informed public opinion leading to the acceptance of the bid and to develop legacies, benefits and opportunities for all Canadians including those who do not traditionally benefit from hallmark events.”⁸²

Formal evidence of public support for the Olympic Bid came in the February 22, 2003 Vancouver city plebiscite, in which 64% voted in favour of the Games. This referendum, held as a result of a campaign promise by newly-elected Mayor Larry Campbell, boasted voter turnout of 50% (much higher than is typical for civic, provincial or federal elections in Canada), which indicated significant interest in the project. The IOC Evaluation Commission remarked on the “obvious public support” enjoyed by the Vancouver bid in its report of March 2003.⁸³ The level of public support for hosting the Olympic Games can be attributed to the depth of public consultation undertaken and, at least in part, to the resulting commitment in the bid to economic, environmental and social sustainability.

From the outset, the Vancouver 2010 Bid Corporation committed to move beyond the environmental stewardship expected of Organizing Committees, to embrace the economic and social components of sustainability. A Bid phase Sustainability Framework, developed in consultation with Bid partners, sustainability experts and key stakeholder groups and with input from the public, consisted of policy and best-practice guidelines, which were based on the principles of:

- Ecological limits—society must live within the earth’s capacity to sustain life

⁸¹ Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games, “Communications and Media Services” in *Vancouver 2010 Bid Book*, vol. 3 (Vancouver: Vancouver Bid Corporation, 2002) at Theme 16.2, online: Vancouver 2010 <<http://www.vancouver2010.com/en/OrganizingCommittee/AboutOrganizingCommittee/BidHistory/BidBook>>.

⁸² *Ibid.*

⁸³ International Olympic Committee, *Report of the IOC Evaluation Commission for the XXI Olympic Winter Games in 2010* (Lausanne: IOC, 2003) at 40, online: IOC <http://multimedia.olympic.org/pdf/en_report_702.pdf>.

- Interdependence—economic and social prosperity are dependent upon the natural environment
- Long Term View—today’s decisions and actions must not compromise the choices available to future generations
- Inclusiveness—participation by all people must be promoted and decisions must be based on input from key stakeholders
- Equity—people must be empowered to live sustainably and resources must be used fairly and efficiently in order to meet basic human needs worldwide
- Healthy communities—community health and quality of life is integral to global sustainability⁸⁴

From these principles, the Bid phase sustainability policy included:

Environmental Stewardship

- Conserving resources
- Preventing pollution
- Protecting and enhancing natural systems

Economic Opportunity

- Maximizing economic opportunity
- Supporting international trade and investment
- Advancing social equity through economic opportunities
- Strengthening community and stakeholder partnerships

Social Responsibility

- Communicating openly and consulting with stakeholders
- Promoting diversity and celebrating cultural heritage

⁸⁴ Vancouver 2010 Organizing Committee for the Olympic and Paralympic Winter Games, “Sustainability Principles,” online: Vancouver 2010 <<http://www.vancouver2010.com/en/Sustainability/Principles>>.

- Increasing understanding of sustainability
- Hosting inclusive and accessible Games
- Contributing to sport development and health promotion⁸⁵

Based on Bid book commitments and subsequent feedback from consultations with key partners and stakeholders, VANOC has developed the following six corporate-wide sustainability performance objectives to act as a basis for benchmarking, tracking and reporting on its sustainability performance.

1. Environmental Stewardship and Impact Reduction

- a) Conserve natural environments by ensuring that all Games venues and operations are designed for less and operate eco-efficiently and that any negative environmental impacts are mitigated or offset
 - i. Strive to be ‘Greenhouse Gas Neutral’ and ‘Waste Neutral’
 - ii. Save energy, minimize waste, conserve water and demonstrate environmental leadership on
 - venue siting, materials selection, building design and construction, operating equipment and systems, renewable energy, climate-friendly transportation, pollution and waste management, and species and habitat conservation

2. Social Inclusion and Accessibility

- a) Convene Games that can benefit and be inclusive of a broad spectrum of groups and communities, particularly socially and economically disadvantaged groups that might not otherwise benefit from them
 - i. Create access to employment, housing, business, volunteer, sporting and funding opportunities generated by the Games for
 - Persons with disabilities

⁸⁵ Vancouver 2010 Organizing Committee for the Olympic and Paralympic Winter Games, “Environmental Protection and Meteorology,” *supra* note 1.

- Vancouver's three inner-city communities, through implementation with government partners of the *Inner-City Inclusive Commitment Statement*
3. Aboriginal Collaborations
 - a) Involve the Four Host First Nations in all aspects of the Games
 - i. Implement all applicable *Legacy Agreements, Memorandums of Understanding* and *Protocols*
 - b) Use the Games to advance awareness of the contribution made by Aboriginal peoples to BC and Canada
 4. Economic Benefits from Sustainable Practice and Innovation
 - a) Make the business case for sustainable innovation and practice (if sustainability isn't affordable people won't do it)
 - i. Use markets to help deliver sustainability outcomes
 - sustainable purchasing and meeting and event management
 - Showcase opportunities
 5. Accountability through a Systems-based Approach to Managing and Reporting on Sustainability Performance
 - a) Through adoption or provision of
 - i. Policy at the governance level to establish corporate scope and direction; internal business processes that integrate corporate sustainability objectives in all relevant operating systems and strategies; transparency in tracking and reporting; regular opportunity for input from external stakeholders, and verification processes for performance evaluation and assurance
 6. Sport for Sustainable Living
 - a) Sport facilities that support healthy citizens and communities
 - b) Games-Based sustainability performance outcomes that inspire broader awareness, action and investment in the choices and behaviours involved in living more sustainably

The key drivers for sustainability are environmental issues, Aboriginal engagement, community investment and ethics/risk

management. VANOC has made commitments to each of these drivers as reflected in the Sustainability Performance Objectives it has developed.

Accountability and Aboriginal Participation will be considered in the context of ‘VANOC and Economic Sustainability’ (immediately following), Environmental Stewardship under ‘VANOC and Environmental Sustainability,’ and the remaining three objectives—Social Inclusion and Accessibility, Economic Benefits from Sustainable Innovation and Sport for Sustainable Living—under ‘VANOC and Social Sustainability.’

A. VANOC and Economic Sustainability

The Vancouver Bid had its origins in a provincial economic downturn and a belief that the Games would be a catalyst for economic revitalization. As is often the case, by the time the Bid was won and the venues were actually being built the situation had changed dramatically, to the point where, by almost any standard of measure—population, construction, employment, housing starts, GDP and investment—BC was booming.

At the time of writing, the BC economy continues to boom with over \$80 billion worth of construction projects planned between now and 2013. These include over \$4 billion worth of regional infrastructure projects for the pre-Games period: the Vancouver Airport Expansion, the Sea-to-Sky Highway upgrade, a new Trade and Convention Centre and a Rapid Transit line from Vancouver to the Airport.

Meanwhile, construction costs have escalated, in some instances by as much as 40%, due to labour shortages and the increased price of materials. It is hard to imagine a more difficult time from a cost perspective to be taking on a project of Olympic proportions and there is significant pressure on the Games not to absorb any more public dollars than have already been committed.

The Government of Canada and the Province of BC are contributing \$580 million (\$290 million each) to the venue construction budget of the 2010 Games and will allocate approximately \$520 million (estimated \$310 million provincially, \$210 million federally) to venue legacy and other services, including security and medical, for a total of \$1.1 billion.

“Vancouver 2010’s \$580 million venue budget is 23 per cent more than the \$470 million venue construction estimate contained in the Vancouver 2010 Bid Corporation’s 2002 submission to the International Olympic Committee (IOC). That initial capital estimate was prepared, according to IOC requirements and bid rules, in 2002 dollars with no adjustment for inflation and/or potential rising construction costs. The Bid Corporation acknowledged at the time of submission that its bid capital estimate would require adjustments for these unpredictable factors in the future.”⁸⁶

In the result, rapidly escalating construction costs are challenging the ability of VANOC and its government partners to deliver venues with state-of-the-art sustainability attributes. However, organizers and civic officials in both Vancouver and Whistler are striving to deliver facilities that meet environmental commitments, and reflect the sustainable innovation occurring in the region, while balancing the capital budget for the Games.

VANOC is also committed to a balanced operating budget. The anticipated \$1.3 billion in Games operating costs will be managed to ensure that they are covered by revenues generated by VANOC and the IOC from corporate sponsorships, ticket sales, television rights and merchandise sales.

One popular definition of the concept of “social license” is that it means meeting public expectations beyond the law. If so, it can be said that a great deal of VANOC’s social license hinges upon its ability to deliver a balanced budget while meeting public expectations for a world-class event.

The foundation for economic sustainability is a clear understanding of the roles, responsibilities and authorities of the parties involved and a consistent commitment to fiscal responsibility and operational accountability.

⁸⁶ Vancouver 2010 Organizing Committee for the Olympic and Paralympic Winter games, News Release, “Vancouver 2010 receives \$110 million venue funding commitment from Government of Canada and Province of British Columbia” (30 August 2006), online: Vancouver 2010 <http://www.vancouver2010.com/en/OrganizingCommittee/MediaCentre/NewsReleases/2006/08/30/74_0608301033-589>.

1. The Legal Framework for VANOC (Governance and Accountability)

VANOC is incorporated under the *Canada Corporations Act*, and as such, is a company as any other federally incorporated company.⁸⁷ There are, however, two significant differences from typical corporations: First, VANOC was incorporated without share capital under Part II of the Act and therefore does not have shareholders, per se; and, second, the generally broad powers of a corporation are materially curtailed by the existence of the *Multiparty Agreement* among Canada, British Columbia, Vancouver, Whistler, the Canadian Olympic Committee, the Canadian Paralympic Committee and the Vancouver 2010 Bid Corporation.⁸⁸

Early on in planning the Bid for the 2010 Games, the critical stakeholders, particularly the senior governments and the two host cities, concluded they would not take the Bid to the finish line without a clear understanding of the expectations each had of the other, should they win. In May 2002, the parties began serious negotiation of a Multiparty Agreement that would provide answers to some critical and defining questions about the future, should Vancouver be named by the IOC as the 2010 Host City. The Agreement was finalized and executed on November 14, 2002, just days before the Bid was finalized for presentation to the IOC.

Key elements of the Multiparty Agreement include the constitution of the Board of Directors and rules around decision-making. In the result, VANOC's 20 person Board of Directors is appointed as follows:

- 3 by each of the Government of Canada and the Province of British Columbia
- 2 by each of the City of Vancouver and the Resort Municipality of Whistler

⁸⁷ *Canada Corporations Act*, R.S.C., 1970, c. C-32, online: Department of Justice Canada <<http://lois.justice.gc.ca/en/C-1.8/>>.

⁸⁸ *Multiparty Agreement for the 2010 Olympic and Paralympic Winter Games* (14 November 2002), online: <http://olympics.els2.levelcms.com/resources/PDFs/MPA_EN.pdf> [*Multiparty Agreement*].

- 7 by the Canadian Olympic Committee (COC), which must include all Canadian IOC members, the Chair and CEO of the COC, and an “active” athlete
- 1 by the Canadian Paralympic Committee
- 1 by two of the Four Host First Nations, acting together
- 1 member “at large” by resolution of the other 19.⁸⁹

The promise of capital funding and financial guarantees gave the federal and provincial governments significant leverage in negotiating how much control they would retain over the decisions of the Organizing Committee. As a result, VANOC’s autonomy is limited in several ways by the *Multiparty Agreement*:

- In addition to Board approval, VANOC must seek approval from each of the Federal and the Provincial Governments for the VANOC Business Plan/Budget, and any significant amendments, financial or operational
- VANOC must provide detailed information to each of its key partners including quarterly progress reports and financial statements; notice of, and remediation plans for, any deficit projections; and all environmental, economic and social impact studies, operational audits and reviews, and evaluation studies conducted by VANOC or on its behalf
- VANOC is obligated to conduct its affairs in a manner that advances several policy objectives of the senior governments. For example, VANOC must:
 - Have working capability in both official languages;
 - Establish a policy on participation by persons of diverse ethnic, socio-economic and cultural backgrounds in the organizing of the Games;
 - Have a policy of no tobacco sponsorships;

⁸⁹ Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games, “Board of Directors,” online: Vancouver 2010 <<http://www.vancouver2010.com/en/OrganizingCommittee/AboutOrganizingCommittee/BoardDirectors>>.

- Involve Aboriginal peoples, in particular by ensuring the Lil'wat and Squamish Nations a nominee on the Board and, as with each of the other partners, representation on any Committee or Work Group they request; and,
 - Involve persons with disabilities
- The Province in particular, as the guarantor of any deficit in the operating budget for the Games, has been assured significant involvement in the financial affairs of VANOC, through, for example, the right to appoint the Chair of the VANOC Board Finance Committee, the requirement for any budget votes to be supported by its board representative and the right to approve a venue change.⁹⁰

2. Venue Legacy

The *Multiparty Agreement* sets out in a relatively detailed manner the legacy vision for the Games.⁹¹ It was recognized early in the bid planning stages that the post-Games operations of three of the new venues would not be capable of generating sufficient revenues to support the operating costs of the venues and it would be difficult to find owners who would be willing to support the whole of the operating deficit. Specifically, these are the Whistler Nordic Competition Venue in the Callaghan Valley (cross country, biathlon, ski jumping venues), the Sliding Centre on Blackcomb Mountain in Whistler (bobsleigh, luge and skeleton venue) and the Speed Skating Oval in the City of Richmond. It was important to plan for the economic sustainability of the venues post-Games at the Bid stage.

Each of the Federal and Provincial Governments committed to contribute \$55 million (for a total of \$110 million) directly to a Legacy Endowment Fund to be held and managed by a Trust Society, whose members would be each of the parties to the Multiparty Agreement (Canada, Province, Vancouver, Whistler, COC and CPC). The income of the trust would be used to support the operating costs of these three venues, thereby assuring “the lights will stay on” for use not only by the

⁹⁰ *Multiparty Agreement*, *supra* note 88.

⁹¹ *Ibid.* at 15-17.

owner, but by the community and high performance athletes and coaches as committed.

The Society has been established and has been fully funded by the provincial and federal governments. The obvious benefit of early establishment of this Fund is to ensure the income generated by the funds is for the benefit of the Trust. The venues are each scheduled to be completed by 2007, at which time the income from the Trust will begin to be applied to their operating costs. The federal and provincial governments have retained influence over how the income on their \$110 million will be applied as their nominees on the Board of the Society have veto authority over such decisions.

It was agreed in the Multiparty Agreement that a Society would be established to own and operate the Whistler Nordic Competition Venue and the Whistler Sliding Centre, as well as the Whistler Athletes Centre, which could be configured after the Games from a portion of the Athletes Village. The Society's members will be the parties to the Multiparty Agreement as well as the Lil'wat and Squamish First Nations. The Whistler Legacies Society will receive a portion of the interest from the Legacy Endowment Fund, as owner of two of the three venues designated to be supported by that Fund.

The owners of the balance of the venues have their own vision for continued use and support of the venues. In the case of the venues owned by the University of British Columbia (UBC) and the City of Vancouver, the owners are able to meet some long term facility requirements that had already been identified and in most cases, meet those requirements earlier than planned.

3. IOC Relationship with VANOC

Host City Contract

The principles of the relationship between the IOC and VANOC are set out in the *Host City Contract* signed by the City of Vancouver and the Canadian Olympic Committee on July 2, 2003, the day Vancouver won the Bid. VANOC was required to join the agreement as a party within 30 days of its incorporation.

The Contract makes the City of Vancouver, the Canadian Olympic Committee and VANOC jointly and severally liable to carry out the obligations of VANOC under the Contract, with an exception for the

COC with respect to financial obligations. VANOC's obligations under the Contract are, essentially, to carry out all of the commitments made in the Bid process, whether oral or written, whether made by the Bid Corporation itself or by any of its government stakeholders. In return, VANOC is promised the following rights and benefits:

- The right to receive a portion (yet to be defined) of the IOC's sponsorship and broadcast revenues;
- The right to retain revenues generated through the sale in Canada of the right to use the Olympic symbols;
- The right to retain revenues generated through the sale of tickets to the Games;
- The right to retain a portion (yet to be defined) of the proceeds of stamp and coin/banknote programs related to the Games;
- The benefit of the experience of the IOC Coordination Commission which will monitor and keep on track the progress of the organization of the Games;
- The benefit, through educational programs, workshops and on-line resources, of the knowledge and experience of the IOC and past Organizing Committees in organizing Games; and
- The right to retain 60% of any surplus of the Games (the COC retains another 20%).⁹²

Contractually, the IOC is clearly in control, with particularly strong rights of prior approval of critical agreements, plans, and budgets and detailed reporting required by VANOC to the IOC on all elements of the organizing of the Games.

Transfer of Knowledge Program

The IOC has sponsored an official Olympic Games Knowledge Management (OGKM) process to ensure that Organizing Committees learn as much as possible about staging successful Olympic Games from

⁹² *Multiparty Agreement, supra* note 88.

predecessor Host Cities.⁹³ An honest and open exchange of successes and failures is called for to ensure the adoption of best practices and the avoidance of previous mistakes, as well as saving the costs, time and risks of reinventing some challenging “wheels.” Close working relationships between IOC staff and VANOC have developed as a result of the OGKM program, through frequent and informal meetings, by teleconference and in person, focusing on particular subjects of the day.

It is possible that good consultative working relationships will develop between those with similar roles in different Organizing Committees. For instance, with the synergy of consecutive Olympic Games in English-speaking Host cities, the time seems ripe for VANOC and the London 2010 Organizing Committee to explore cross-Games collaboration. This is particularly true of the sustainability function as both Organizing Committees are pioneering full integration of a Sustainability Management and Reporting System and ensuring social and economic sustainability as well as environmental outcomes. There may still be time to include the Beijing Organizing Committee in certain environmental initiatives, perhaps, for example, through joint participation in UNEP’s June 5 Environment Day.

2010 Games Coordination Commission

Official status reports on the progress of the 2010 Games are provided to the IOC’s 2010 Games Coordination Commission, composed of IOC members, representatives of International Sports Federations and National Olympic Committees. These formal reports are made at sessions held in Vancouver, semi-annually as the Games date draws closer.

Olympic Games Global Impact Reporting Project

In 2003, the IOC established the Olympic Games Global Impact (OGGI) project in an attempt to introduce a standardized methodology for monitoring, measuring and reporting on the impact of Olympic Games. The OGGI Project requires analysis of 154 social, economic and

⁹³ For history of initiative, please refer to International Olympic Committee, “The Learning Games,” online: IOC <http://www.olympic.org/uk/news/olympic_news/full_story_uk.asp?id=1844>; it discusses the transfer of lessons learned by the Torino Organizing Committee from the 2006 Winter Games to VANOC.

environmental indicators starting four years before a Games and extending two years after them. The final report becomes part of the Official Report required after the Games. Another objective of the project is to promote ongoing improvement in the Games and assist bidding cities and future Organizing Committees to identify potential opportunities to maximize benefits from the Games.

Vancouver 2010 and London 2012 are the first Winter and Summer Host Cities to be formally bound, through their Host City Contracts, to OGGI Project reporting requirements. VANOC is working towards coordinating various reporting requirements, including the OGGI project, to ensure that the processes are efficient and the results as meaningful as possible.

4. Accountability for Sustainability Performance

Vancouver 2010 and London 2012 are also the first two Host Cities to commit to applying fully integrated sustainability principles and practices to the planning, staging and legacy of the Games. Commitments to this effect were made by both cities' candidatures and are incorporated into their respective Host City Contracts. (It is important to note that in many corporate circles today, the terms "sustainability" and "corporate social responsibility" (CSR) are often used interchangeably.)

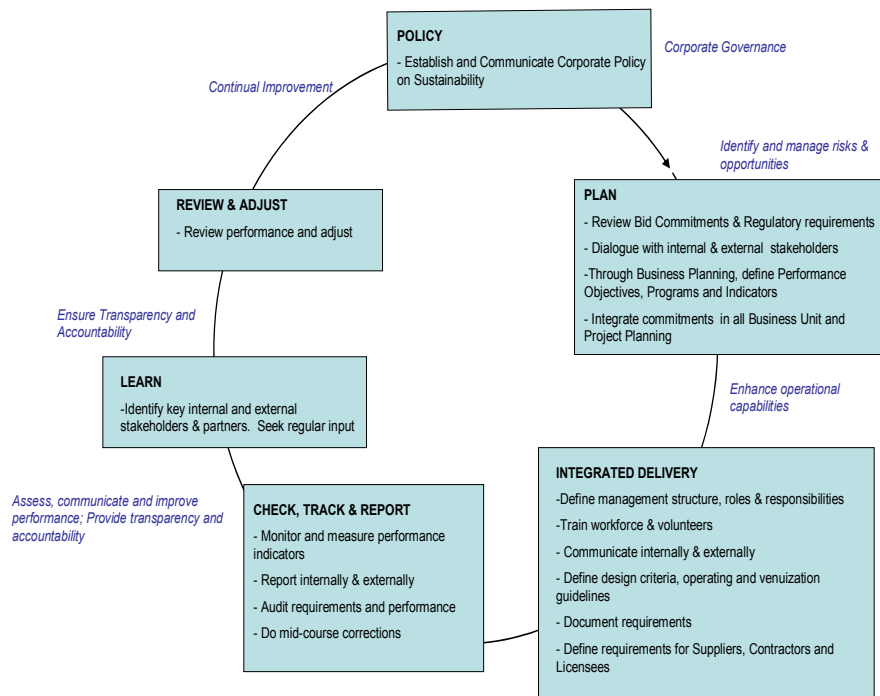
In keeping with accepted practice in responsible governance, VANOC has adopted a Corporate Sustainability Policy, a suite of more specific management objectives, plans and performance indicators to guide integrated delivery of sustainability outcomes, as well as formal mechanisms for external evaluation, feedback and public reporting on sustainability performance.

The Vancouver 2010 Bid Corporation envisioned that its sustainability commitments would be implemented by the Vancouver Organizing Committee through a process of instituting a "Sustainability Management System comprised of policy and commitment, education and awareness, monitoring and reporting, and environmental, social and economic actions."⁹⁴ VANOC has taken this commitment to heart and is developing a company-wide Sustainability and Management Reporting

⁹⁴ Vancouver 2010 Organizing Committee for the Olympic and Paralympic Winter Games, "Environmental Protection and Meteorology," *supra* note 1 at Theme 4.3.

System (SMRS) (see diagram below) that impacts every functional business unit and every person at VANOC. For instance, functional business units are responsible for determining how the six corporate Sustainability Performance Objectives are being integrated into their business plans and each staff member has sustainability-related goals which can impact his/her compensation.

VANOC Sustainability Management & Reporting System



Another hallmark of the application of a sustainability ethic in a business context is the existence of a systemic capacity to identify and respond to the needs and interests of groups affected by the activities of the business involved in a way that is appropriate to its purpose, structure and fiscal context.

A multi-party approach to planning, convening and legacy of the 2010 Games has been a hallmark of our strategy since the Bid process, as reflected in the agreements and commitments summarized below.

Key VANOC partners and stakeholders included in the scope of its sustainability activities include senior governments providing funding, municipalities hosting the Games, the IOC, IPC, CPC, COC, the Four Host First Nations and community and non-government stakeholders affected by the Games.

A fully integrated Sustainability Management and Reporting System is becoming a more common goal in the business world. However, while many corporations now have sustainability and/or Corporate Social Responsibility (CSR) positions and even departments, how to integrate sustainability objectives into business systems and strategies is still in its infancy.

VANOC's Sustainability Management and Reporting System will use key performance indicators to track progress on goals, objectives and actions; provide evaluation of outcomes; and allow for continuous improvement. In addition, third party verification will be undertaken so that the public will be able to assess VANOC's sustainability performance at Games time. Finally, VANOC's Corporate Sustainability Management and Reporting System will track and report on the Organizing Committee's performance, along with that of its government partners, on commitments made during the Bid Process to the Four Host First Nations and Vancouver's inner-city communities.

A key difference between a sustainability performance management system and the IOC's Olympic Games Global Impact (OGGI) reporting project is that the former is a tool for achieving specific results while the latter is a tool for monitoring and analysis. Where possible, VANOC is looking to reduce complexity and costs by integrating OGGI reporting requirements with its sustainability performance measures as well as local and regional sustainability reporting initiatives. VANOC is also calibrating its sustainability performance measures with the UN *Global Reporting Initiative* (GRI). The GRI is a globally accepted framework for corporate reporting on sustainability performance.⁹⁵ Corporate reporting based on GRI guidelines is a requirement for access to most socially responsible investment portfolios or funds. The GRI is now moving to align its

⁹⁵ See Global Reporting Initiative's website, online: <<http://www.globalreporting.org/Home>>; see also United Nations Environment Programme, "Global Reporting Initiative," online: UNEP <<http://www.uneptie.org/outreach/reporting/gri.htm#background>>.

performance measures with what is in some respects the successor initiative to Agenda 21, the UN's *Millennium Development Goals* (MDGs).⁹⁶

5. Collaborations with Aboriginal (Indigenous) Peoples

There are four First Nations on whose traditional and shared traditional territories the Games will take place: Lil'wat, Musqueam, Squamish and Tsleil-Waututh. In British Columbia, a modern day treaty process is underway to resolve Aboriginal title issues. In the meantime, there is a legal obligation to consult the Aboriginal communities with pre-existing rights in their respective Traditional Territories.

Given that the Games were to take place on Traditional Territories, First Nations were invited to participate in the Bid. It was publicly recognized in British Columbia that their support and active participation would enrich the Bid and the Winter Games, and create lasting legacies for their communities. An Aboriginal Secretariat was developed which worked out of the Bid Office and was involved in the development of an Aboriginal participation strategy.

In November 2002, two of these First Nations, the Squamish and Lil'wat, signed a Shared Legacies Agreement with the Province of BC and the 2010 Bid Corporation to create a number of legacies for the two First Nations, including a grant of land, a skills and training project, economic opportunities, housing and a provincial contribution to a cultural centre.⁹⁷ Some of these benefits were to accrue whether or not Vancouver won the Bid. In 2003, Memorandums of Understanding were signed with the other two Host First Nations, the Musqueam and Tsleil-Waututh.

The Bid Corporation's commitment to Aboriginal participation contributed to Vancouver being awarded the 2010 Games. The IOC has recognized the importance of indigenous participation in the Olympic

⁹⁶ United Nations, "UN Millennium Development Goals," online: UN <<http://www.un.org/millenniumgoals/index.html>>.

⁹⁷ *Partners Creating Shared Legacies from the 2010 Olympic and Paralympic Winter Games – Agreement Between the Squamish and Lil'wat Nations, the Vancouver 2010 Bid Corporation, and the Province of British Columbia*, 22 November 2002, at 2-4, online: Ministry of Economic Development, B.C. <<http://www.cse.gov.bc.ca/2010secretariat/Downloads/Sharedlegacies.pdf>>.

Movement. VANOC has established an internal business unit to work with the Four Host First Nations Secretariat and communities, as well as the broader Aboriginal community in BC and Canada, to jointly develop and deliver opportunities that enhance Aboriginal participation in the Games. In addition, one VANOC Board of Director position is held by a representative from one of the Four Host First Nations.

Though the Four Host First Nations had never partnered with each other on initiatives in such a way before, they came together in November 2004 to formalize their commitment to work together to maximize opportunities for their respective communities in the planning and hosting of the Games. This agreement included the creation of the Four Host First Nations Secretariat, which is responsible for representing the interests of the Nations during the planning and hosting of the 2010 Games, and securing participation and benefits for the members of the four communities.⁹⁸

In November 2005, VANOC and the Four Host First Nations signed a Protocol that, for the first time in Olympic history, recognized indigenous peoples as an Official Partner of the Games. The Protocol between VANOC and the Four Host First Nations defined their relationship and outlined their mutual commitment to work in partnership to successfully deliver the 2010 Games and ensure that the traditions of the Four Host First Nations are acknowledged and respected throughout the planning and hosting of the Games.⁹⁹ The Protocol formally described meaningful Aboriginal participation in the 2010 Games to include:

- Increased showcasing of art, language, traditions, history and culture
- Skills development and training related to the Games
- Lasting social, cultural and economic opportunities and benefits

⁹⁸ *Ibid.*

⁹⁹ Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games, News Release, “A historic protocol for the Four Host First Nations and VANOC” (30 November 2005), online: Vancouver 2010 <http://www.vancouver2010.com/en/OrganizingCommittee/MediaCentre/NewsReleases/2006/01/16/92_0601160949-451>.

- Improved health, education and the strengthening of the communities through sport, economics and cultural development
- Youth sport legacy
- Arts festival and events
- Medal ceremonies and opening and closing ceremonies.¹⁰⁰

Collaborations with the Four Host First Nations and other Aboriginal peoples are a key element of VANOC's broader sustainability mandate. Early tangible results from this partnership include the creation of the successful First Nations Snowboard Team with over 60 participants from recreational to elite competition level athletes and coaches.¹⁰¹ Economic results include a Lil'wat First Nation company delivering early on an on-budget Games-related construction project in the Callaghan Valley near Whistler.¹⁰²

In addition to the traditional opportunities for indigenous participation in the Games' Culture and Ceremonies programs which were offered from Montreal 1976 to Salt Lake in 2002, current initiatives such as venue site art and recognition, contracting opportunities, employment, training for construction and tourism, as well as the Aboriginal sport legacy, are examples of how VANOC and its partners remain committed to recognizing and respecting the Four Host First Nations and other Aboriginal communities and directly involving them in key aspects of Games planning and legacies.

¹⁰⁰ *Ibid.*

¹⁰¹ First Nations Snowboard Team, "About Us," online: <<http://www.fnriders.com/aboutus/index.html>>.

¹⁰² Resource Business Ventures (RBV) is a Lil'wat Nation construction company that began working on the Nordic Competition Venue in 2005; see Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games, "Aboriginal Participation: Economic," online: Vancouver 2010 <<http://www.vancouver2010.com/en/Sustainability/AboriginalParticipation/EconomicDevelopment>>.

B. VANOC and Environmental Sustainability

1. Introduction

As the Albertville experience demonstrated, Winter Games can be particularly susceptible to environmental issues. Construction of permanent and temporary sites and facilities, coupled with increased movement of people and products in sensitive alpine settings, can present significant challenges. Such environmental concerns are heightened with respect to the 2010 Games since BC and the Pacific Northwest, sharing a history of environmental activism and conservation, tend to be more environmentally conscious than other regions across Canada and the United States. As a result, expectations regarding environmental stewardship are very high.

The 2010 Bid Corporation took steps to address these concerns and VANOC, as well as various levels of government, are committed to ensuring a high level of care for the environment. The Resort Municipality of Whistler, for example, has produced a document entitled “Whistler 2020,” which is a comprehensive plan to be the first sustainable resort community in North America.¹⁰³ In addition, the Whistler Athlete Village is being designed as a model sustainable neighbourhood, the majority of which is to become affordable housing post-Games. The city of Vancouver is developing the South East False Creek Sustainability Precinct to be a showcase of green building and systems design for sustainable living.¹⁰⁴ This area will be home to the Vancouver Athletes’ Village, a portion of which will become affordable housing post-Games.

Although VANOC will manage all of the venues at Games time, and operationalize them in the run-up to the Games, VANOC is not building all the venues. In certain instances, VANOC is contributing to the cost while another entity is ultimately undertaking the development. For example, VANOC is contributing \$30 million to the Vancouver Athletes’ Village project which the City of Vancouver is developing. Responsibility for development of the main venues is outlined in the chart below:

¹⁰³ Resort Municipality of Whistler, “Whistler 2020: Moving Toward a Sustainable Future,” online: Municipal Government of Whistler <<http://www.whistler2020.ca>>.

¹⁰⁴ City of Vancouver, “Southeast False Creek,” online: Municipal Government of Vancouver <<http://vancouver.ca/commsves/southeast/index.htm>>.

2010 Venue Delivery

<u>Type</u>	<u>Venue</u>	<u>Responsibility</u>
New Construction	Hillcrest Arena – curling	City of Vancouver
	Richmond Oval – long track	City of Richmond
	UBC Arena – hockey	University of BC
	Whistler Sliding Centre – bobsleigh/luge	VANOC
	Athletes’ Villages (2)	City of Vancouver, RMOW
Upgrade of Existing Venues	Hastings Park – figure skating, short track	City of Vancouver
	GM Place – hockey	Orca Bay
	BC Place – opening, closing and medals ceremonies	BC Pavilion Corp
	Meadow Park – paralympic curling	RMOW
Outdoor or Temporary (minimum permanent structures)	Whistler Creekside – alpine	Whistler/Blackcomb Mountain
	Cypress – snowboard, freestyle	VANOC
	Whistler Celebration site	VANOC
	Whistler Media Village	VANOC
	Nordic Competition Venue – cross country, biathlon, ski jump	VANOC

VANOC’s environmental sustainability strategy is three-pronged:

- design for less (e.g. minimize Games “footprint” by reducing build and maximize use/rehabilitation of brownfield sites, use/upgrade existing facilities, use of green building criteria)
- operate eco-efficiently (e.g. maximize use of public transit, use of alternative fuels, diversion of waste from landfills)
- invest in offsets and legacy projects (address impact and climate change issues by balancing environmental impact

(e.g. greenhouse gas emissions) with investment in conservation/restoration projects and carbon offsets).¹⁰⁵

VANOC is seeking to maximize its environmental effectiveness by utilizing credible existing frameworks, such as environmental assessment and compliance practices, green building criteria, energy conservation standards and leading waste treatment and management systems.

A key tool used to ensure environmental sustainability with respect to venue construction or redevelopment is an Environmental Assessment (EA) process. The Vancouver 2010 Bid Corporation committed to conducting an EA for each of the proposed venues.¹⁰⁶ It was important to organizers that third party verification of appropriate environmental stewardship and impact mitigation measures in respect of all sites and venues be obtained. For purposes of the Bid, one environmental report (the Strategic [Impact] Environmental Assessment) was prepared encompassing all of the proposed sites. It determined that “proposed venues, many of which are existing facilities and operations, [would] have negligible or low environmental effects” with application of the sustainability best management practices.¹⁰⁷

VANOC has now achieved approvals for all EA reviews of its major venue projects and is actively working to implement commitments, ensure compliance, complete follow-up monitoring and reporting, and apply best practices. VANOC will conclude the balance of its EA reviews as smaller sites and venues are completed in 2007 and 2008. VANOC has worked through the EA processes and in some instances gone beyond that required (examples of which will be mentioned below) in order to be both accountable and responsible.

There were three different approval processes that VANOC had to comply with given the nature and location of its four major projects, for which it was the sole proponent. Following a brief review of the relevant environmental legislation, examination will be made of the three processes as they impacted VANOC:

- federal (Whistler Sliding Centre for bobsleigh and luge; Whistler Creekside for alpine skiing)

¹⁰⁵ Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games, “Environmental Protection and Meteorology,” *supra* note 1 at Theme 4.5.

¹⁰⁶ *Ibid.* at Theme 4.2.

¹⁰⁷ *Ibid.* at Theme 4.4.

- harmonized provincial/federal (Nordic Competition Venue for cross-country skiing, biathlon and ski jumping)
- federal/provincial Parks (Cypress Bowl for freestyle skiing and snowboard)

Canada's standards of environmental protection through federal and provincial legislation and industrial best practices are well established. The federal regime is outlined in the 1992 *Canadian Environmental Assessment Act (CEA Act)* under which the Canadian Environmental Assessment Agency (CEA Agency) was created.¹⁰⁸ A federal EA is required whenever a project, located anywhere in Canada:

- has the federal government as proponent,
- involves federal funding,
- involves the sale, lease or other disposition of federal lands or transfer of administration thereof; or
- receives a permit, licence or grant of approval under prescribed federal legislation.¹⁰⁹

Partial federal funding of many Olympic venues required that a federal EA be obtained in those instances. The federal process is sometimes criticized for being lengthy, as it has no prescribed timelines to push the process forward.

The *BC Environmental Assessment Act of 2002 (BCEA Act)* governs the provincial EA process on lands in BC but outside of provincial parks.¹¹⁰ The Environmental Assessment Office (EAO) administers provincial EAs, which are required for projects:

- prescribed by regulation (generally major projects identified by industry sector); or,
- designated reviewable by the Minister.¹¹¹

Proponents may also apply to the EAO for a project to be designated as reviewable even though it does not fall under the scope

¹⁰⁸ *Canadian Environmental Assessment Act*, 1992, c. 37, online: Department of Justice Canada <<http://lois.justice.gc.ca/en/C-15.2/>> [*CEA Act*].

¹⁰⁹ *Ibid.*, s. 5(1).

¹¹⁰ *Environmental Assessment Act*, S.B.C. 2002, c. 43 [*BCEA Act*].

¹¹¹ *Ibid.*, s. 10(1).

prescribed for reviewable projects. VANOC took advantage of this latter provision in respect of the complicated Whistler Nordic Competition Venue project to bring itself under the *BCEA Act* even when it would not otherwise have had to comply with the *BCEA Act*.

The provincial process can be more expensive than the federal one. However, a major advantage of the provincial process is the fact that timelines exist for both the proponent and the EAO to move to the next step, allowing for reasonable estimates to be made of the length of time necessary to receive approval.¹¹² A critical advantage of bringing itself under the provincial legislation was that VANOC was better able to keep to its very tight construction timetables.

Fortunately, both the *CEA Act* and *BCEA Act* give express authorization to enter into an agreement with another jurisdiction and to establish procedures to cooperatively complete an EA. The harmonized process is now conducted under the *Canada-British Columbia Agreement on Environmental Assessment Cooperation* of March 2004.¹¹³ The News Release issued at the time the *Cooperation Agreement* was signed, states that the “bilateral agreement translates into a specific operating plan that incorporates the principles of the 1998 Canada-Wide Accord on Environmental Harmonization and the Sub-Agreement on Environmental Assessment.”¹¹⁴ The provincial process prevails under the Harmonized Agreement whenever both are applicable.

A different process is required for projects within BC provincial park boundaries. An EA under the *BC Parks Act* is not the same process as that of the BC EAO, as it is managed by the Parks Department. The Parks Department has a good technical approach but in the absence of prescribed timelines and a management structure, the proponent must do a lot more work including identifying the issues. Unlike the *BCEA Act*, there is no provision under the *BC Parks Act* for harmonization of projects crossing federal and provincial responsibilities.

¹¹² *Ibid.*, s. 24.

¹¹³ *Canada-British Columbia Agreement on Environmental Assessment Cooperation*, 11 March 2004, online: Canadian Environmental Assessment Agency <http://www.ceaa.gc.ca/010/0001/0003/0001/0002/2004agreement_e.htm>.

¹¹⁴ Canadian Environmental Assessment Agency, News Release, “Canada – British Columbia Sign Agreement on Environmental Assessment Cooperation” (11 March 2004), online: Canadian Environmental Assessment Agency <http://www.ceaa-acee.gc.ca/010/0001/0003/0001/0002/nr040311_e.htm>.

2. Whistler Sliding Centre and Whistler Creekside Alpine Venue

The Whistler Sliding Centre, site of the bobsleigh, luge and skeleton events, and Whistler Creekside, site of the alpine skiing events, were subject to *CEA Act* approval due to partial federal funding. They did not fall under the jurisdiction of the *BCEA Act* as that act does not concern itself with sport-related developments. These projects were considered relatively straight forward as they were on land already in use as a winter sport facility and had the backing of the facility owner. The federal Department of Canadian Heritage took the lead on the EA as it is the department which is responsible for sport in Canada and which provides the federal funding for the Olympic Games.

In the course of the environmental investigation, two issues were discovered relating to the international ski federation-required widening of the women's downhill finish. A collaboration among the site owner, the environmental consultant, and VANOC staff remedied concerns in ways that preserved the environment in one case, and actually improved the situation in the other.

The first was an outcropping of what is called acid rock which, when exposed, increases acidity which then causes leaching of metals into the surrounding area. This is particularly harmful to aquatic species, such as the western tailed frog whose fragile presence in the area had been identified in the course of the EA. The solution for these two issues (acid rock and western tailed frog habitat) was to relocate a section of the stream, and slightly redesign the women's downhill course, so that the acid rock need not be exposed. In addition, the relocation changed an otherwise dry stream segment into an improved habitat for the tailed frog.

3. Whistler Nordic Competition Venue (Callaghan Valley)

Cross country skiing, biathlon and ski jumping events are to be held at the Whistler Nordic Competition Venue in the Callaghan Valley southwest of Whistler. This was the most environmentally significant of VANOC's projects as it involved new development in a natural environment and had the added complexity of being sited on overlapping traditional lands of First Nations groups. Once again, the *CEA Act* applied due to federal funding while the *BCEA Act* did not immediately apply as ski jumps are not within the scope of the act. However, given the

project's complexity, VANOC opted into the *BCEA Act* process under the federal/provincial harmonization provisions. This allowed access to the prescribed timelines of the provincial legislation which would ensure that the project would continue to move forward at a predictable pace. The BC EAO took responsibility for managing the process and the federal agency, while not fettering its powers, agreed with the results of the provincial EA.

As previously noted, both the federal and provincial governments have a legal duty to consult with Aboriginal peoples in any situation where their rights may be infringed as a result of a planned use of Crown land. This consultation must take place in good faith and in a meaningful process where Aboriginal concerns are fairly balanced with other interests, and, to the extent possible, the interests and concerns are either mitigated or accommodated.¹¹⁵ In practice this duty is generally resolved by the proponent of an EA working with affected groups; if agreement cannot be reached, the relevant government process kicks in to either facilitate consensus, or where consensus is not possible, to fulfill the legal duty to consult. With respect to the Whistler Nordic Competition Venue development, leaders of both the Squamish and Lil'wat First Nations indicated they were "satisfied" with the process, which was sufficient to indicate that their concerns had been addressed.¹¹⁶

The Whistler Nordic Competition Venue's design process ensures that, much beyond environmental stewardship, the venue is respectful of the natural environment. For example, a minimum of vegetation has been cleared with many tree islands remaining to preserve the feel of being in the forest. The ski jump was moved from its originally proposed location so that no old growth forest or wetland habitat was affected. Other design changes, some of which emerged from feedback during the EA process, resulted in a 30% reduction in the overall footprint of the Whistler Nordic Competition Venue. Though some burning is permitted by the authorities, VANOC burned extremely little of the removed vegetation. Instead, materials were re-used on site, composted or employed in various

¹¹⁵ *Haida Nation v. British Columbia (Minister of Forests)*, [2004] 3 S.C.R. 511, 2004 SCC 73; and *Taku River Tlingit First Nation v. British Columbia (Project Assessment Director)*, [2004] 3 S.C.R. 550, 2004 SCC 74.

¹¹⁶ See Environmental Assessment Office, "Whistler Nordic Centre Environmental Assessment Report" (18 February 2005) at c. 8.1.3, online: Government of B.C. <http://www.eao.gov.bc.ca/epic/output/documents/p234/1112899838809_e4d4e941f95e48b69b948f75dba7901d.pdf>.

non-Games environmental recovery projects. Finally, for all cleared areas on which roads, spectator stands and buildings will be constructed, a water-permeable foundation has been created using innovative composting and hydrology techniques. A significant percentage of this area will also be restored to its natural state once the Games are over.

4. Cypress Bowl in West Vancouver

Freestyle skiing and snowboard events will take place at Cypress Bowl. As with the Whistler Mountain sites, these venues are being developed within an existing winter sport facility. Partial federal funding dictated obtaining a federal EA. The unique aspect of this project was that the site is within the boundaries of Cypress Provincial Park which necessitated an Environmental Impact Assessment (EIA) under the *BC Parks Act*. While a formal harmonization of the provincial park and federal process was not provided for in the relevant legislation, the federal and provincial processes ran in parallel, were cooperative and each authority accepted one report which had been prepared to meet both their needs.

A major achievement of the EA/EIA and stakeholder consultation processes was to reduce the footprint of the project to just Strachan Mountain—the original proposal had also included Black Mountain. Another significant accomplishment was that there was no trucking in or out of material—in meeting sport-dictated terrain requirements, all material cut out of the slopes was used in areas where fill was required, and vice versa.

5. Other Venues

There are obviously many other venues where Olympic and Paralympic events will be held. VANOC is involved in the EAs for each of these venues, sometimes as a co-proponent (e.g. with the Vancouver Parks Board in respect of Trout Lake, Killarney and Hillcrest venues), or by consulting with independent proponents on VANOC's standard Environmental Assessment Guidelines (e.g. with the City of Vancouver in respect of the Vancouver Athletes' Village or the University of British Columbia in respect of the hockey rinks).

6. Venue and Office Operations

Although VANOC is just beginning to operationalize certain venues, plans to implement best environmental practices are well underway. A few of the many examples include:

Green Building Standards and Certification

- a. Best practices have been implemented beyond building code requirements; and,
- b. Leadership in Energy and Environmental Design (LEED) silver standards are being applied to all venues and certification is being sought for certain venue buildings. (LEED standards are regulated and certified in Canada by the Canada Green Building Council.)

Public Engagement

- a. VANOC was legally bound to hold public information sessions related to the Environmental Assessment requirements for specific venues (Whistler Nordic Competition Venue, Creekside Alpine Venue, and Whistler Sliding Centre). VANOC went further and hosted several broader open houses to provide information to the community on VANOC's activities.

Venue Operations—Sustainability Best Practices

- a. VANOC will integrate sustainability best practices into all venue management and operations plans from energy conservation practices, to snow management best practices (e.g. dump snow away from waterways), to integrated pest-management best practices and integrated waste management best practices for the VANOC-owned venues such as Whistler Nordic Competition Venue and Whistler Sliding Centre.

Waste Management Best Practices

- a. The aim is reduce the amount of construction waste to landfill by significant amounts, far beyond legal requirements, for example, by recycling drywall.
- b. There has been a significant reduction of the amount of waste through innovative measures such as donating root wads and other large woody debris to stream habitat restoration projects (Whistler Fisheries Stewardship Group, BC Conservation Foundation) and through utilizing wood waste on site for use in construction of flat overlay compounds.
- c. This year, VANOC will have chipped a great deal of waste wood, putting it into agri-bags to compost naturally on site, and next year, VANOC will spread sites with a compost and seed mixture to green-up the site and for vegetation restoration and erosion control.

Green Office Practices

- a. VANOC is targeting LEED Gold (commercial interiors) certification for renovations to its Vancouver office building.¹¹⁷

7. The Role of Environmental Groups

Compared to Lillehammer 1994, Sydney 2000 and London 2012, the Vancouver Bid Committee had only minor engagement with the environmental community in Vancouver. In its initial operating phase, VANOC also had limited contact with the environmental community while it concentrated on environmental assessment requirements in Canada and BC and application of existing voluntary criteria such as LEED building standards.

During the Bid phase, only a few organizations, such as the Association of Whistler Area Residents for the Environment (AWARE), were active in ensuring that the Bid contemplated appropriate

¹¹⁷ Vancouver 2010 Organizing Committee for the Olympic and Paralympic Winter Games, “Environmental Protection and Meteorology,” *supra* note 1 at Theme 4.3.

environmental protection. Though asked to comment, many of the environmental non-government organizations that make up BC's strong and active environmental community decided to wait until the awarding of the Bid was completed before spending significant time and energy on the project. Beginning in 2006, VANOC has met with various environmental NGOs and more formal consultations are now underway.

It is difficult to determine at the time of writing whether some of British Columbia's NGOs will become more active as the Games approach, and particularly at Games-time, with the draw of international media attention. Certainly there is a well-documented history of attempts by environmental groups to use the Games to 'spotlight' issues of importance to them. Perhaps because the Vancouver 2010 build has been minimized, to date there have been few environmental concerns with the actual footprint of the Games. However, there has been environmental controversy in relation to specific issues, such as campaigns to: 1) oppose the expansion plan for the highway between Vancouver and Whistler; 2) protect grizzly bear habitat in areas contemplated for legacy cross country ski trails in the Callaghan Valley; and 3) provide a Whistler area request for a wilderness conservation area as a bio-diversity offset.

C. VANOC and Social Sustainability

VANOC is in the unique position of being the first Olympic and Paralympic Games Organizing Committee to be working with clearly articulated goals and legacies related to social sustainability and inner city inclusion. Known as the *Inner-City Inclusive (ICI) Commitment Statement*, these goals and legacies were submitted to the IOC as part of the Bid Process and were endorsed not only by the Organizing Committee, but also by its government partners (federal, provincial and municipal).

1. Vancouver's Inner City

The geographic region which will host the 2010 Winter Games includes some of the wealthiest postal codes in Canada, as well as the poorest: Vancouver's Downtown Eastside. The Vancouver 2010 Bid Corporation was acutely aware of the "Bread not Circuses" campaign that surrounded Toronto's failed bid for the 1996, and then the 2008, Summer Games. As seen in section D of this paper, community activists argued,

with effect, that Toronto should not be dedicating resources to a major event benefiting elites when the city's poorest residents were struggling to meet their basic food and shelter needs. Within the greater Vancouver region, there was also a strong desire to avoid the displacement that socially and economically vulnerable people experienced in the lead up to Vancouver's hosting of *Expo 86*.

The *Vancouver Agreement* is an urban development initiative of the Government of Canada, Province of British Columbia, and City of Vancouver which commits these parties to work together, and with communities and business in Vancouver, on a coordinated strategy to promote and support sustainable economic, social and community development.¹¹⁸ In 2002, under the auspices of the *Vancouver Agreement*, an independent report was commissioned to look at the ways that the Games might affect Vancouver's inner-city. It identified potential benefits and suggested means of emphasizing these results as well as noting many actions which could be taken to mitigate the possible negative effects. This report provided guidance to the drafters of the *Inner-City Inclusive Commitment Statement* which was developed during Vancouver's Bid Phase and incorporates many of the report's suggestions and recommendations.¹¹⁹

The success of Vancouver's plebiscite on the Games was in part due to the efforts made by the Bid Corporation and the Vancouver Agreement to ensure that concerns facing low and moderate-income people, who do not typically benefit from mega events, were taken into account. Two significant Statements were endorsed by the federal, provincial and civic governments and the 2010 Bid Corporation (later adopted by VANOC), and included in the Bid's Guarantee file: the *Inclusive Intent Statement*¹²⁰ and the *Inner-City Inclusive Commitment*

¹¹⁸ Ference Weicker & Company, Management Consultants, "Community Assessment of 2010 Olympic and Paralympic Winter Games on Vancouver's Inner-city Neighborhoods," Final report prepared for the Vancouver Agreement in conjunction with the Vancouver 2010 Bid Corporation (February 2003), online: City of Vancouver <<http://vancouver.ca/olympics/pdf/commassessment.pdf>>.

¹¹⁹ Vancouver 2010 Bid Corporation, *2010 Winter Games Inner-City Inclusive Commitment Statement* (Date Unknown) online: City of Vancouver <<http://www.city.vancouver.bc.ca/commsvcs/housing/sra/pdf/statement.pdf#search=%22Inner-City%20Intent%20Statement%20%22>>.

¹²⁰ Vancouver 2010 Bid Corporation, "Inclusive Intent Statement," online: Vancouver Agreement <<http://www.vancouveragreement.ca/Attached%20Documents/INTENT>>.

Statement. Together, they pledge the four partners to work together to ensure that the legacy of the 2010 Winter Games is one of creating direct benefits and managing potential adverse impacts for Vancouver's inner-city communities (Mount Pleasant, Downtown South and Downtown Eastside). The focus is particularly on socially and economically disadvantaged inner-city residents, women and youth at risk, persons with a disability, and urban Aboriginal peoples and visible minorities.

The *Inner-City Inclusive Commitment Statement* contains 37 specific commitments (the ICI Commitments) covering 14 thematic areas including: access to employment and economic opportunities; preservation of rental housing stock; right to public dissent; and free sport event tickets.¹²¹

[%20STATEMENT%20FINAL.pdf#search=%22Inner-City%20Intent%20Statement%20%22>](#).

¹²¹ *Supra* note 120.

14 Commitment Areas in the (Vancouver) Inner-City Inclusive Commitment Statement

1. Accessible Games	5. Civil Liberties and Public Safety	9. Financial Guarantee	13. Neighbourliness
2. Affordable Games	6. Cultural Activities	10. Health and Social Services	14. Transportation
3. Affordable Recreation and Community Sport	7. Employment and Training	11. Housing	
4. Business Development	8. Environment	12. Input to Decision Making	

A Steering Committee has subsequently been formed by the four ICI partners (VANOC and the three levels of government) with the mandate to oversee the implementation of the ICI Commitments. The Steering Committee is composed of representatives from each of the partners plus three key implementing agencies: 2010 Legacies Now Society, Vancouver Agreement and the Building Opportunities with Business Inner-City Society. The ICI Steering Committee decided to use a “Sectoral Table” approach to the development of delivery strategies and monitoring mechanisms on the ICI Commitments, and to engage community members. Different Sectoral Tables are being created (e.g. Housing Table, Recreation and Sport Table, Culture Table) with broad representation from inner-city communities, the relevant industry sectors and government. For each Sectoral Table, a Lead Agency from one of the four ICI Partners or three implementing agencies has been identified to Chair the process. The objective is to build on existing community structures as much as possible. A more broadly-based community engagement mechanism for ongoing input and feedback will also be developed.

Some of VANOC's corporate sponsors are also taking an interest in social sustainability issues. An early and generous example is Bell Canada's 2005 commitment of \$2 million to inner-city employment and business development initiatives, and \$3 million to an Aboriginal Cultural Centre in Whistler, as part of its Olympic sponsorship.¹²² VANOC is also contracting with businesses based in or employing residents of the inner city to provide beverage container recycling, food services, office supplies and janitorial services, among other services.

2. Accessibility

VANOC's name and operational approach speak clearly of its commitment to inclusion of persons with a disability. This is the first organizing committee which integrates both the Olympic and Paralympic Games under one management team; there is no separate organizing committee for the Paralympic Games as has historically been the case. Both Olympic and Paralympic Games are therefore included in VANOC's name (the Vancouver Organizing Committee for the Olympic and Paralympic Winter Games) and its one-team operational model.

As was the case with respect to environmental awareness, British Columbians demonstrate a strong concern for accessibility issues. This extends beyond concern for wheelchair users to include persons with all kinds of disabilities. Part of the reason for this awareness is that the Greater Vancouver area is home to two of Canada's most famous persons with physical disabilities, Rick Hansen and Terry Fox. Both these men became international heroes for their sport-based efforts to raise awareness and funds to support research into spinal injuries and cancer, respectively. In addition, Vancouver's current mayor, Sam Sullivan uses a wheelchair, while a former BC premier and Vancouver mayor, Mike Harcourt, has reduced mobility following a serious spinal injury. Both of these community leaders are active in and committed to making Vancouver one of the most "accessible and inclusive cities" in North America.

¹²² Vancouver Agreement & Bell Canada, Press Release, "New Community Organization to Stimulate Downtown Eastside Economic Revitalization" (12 October 2005), online: Vancouver Agreement <<http://www.vancouveragreement.ca/Pdfs/051012FINALNewsRelease-BackgrounderBOB.pdf#search=%22Bell%20Canada%2C%20as%20part%20of%20its%20Olympic%20commitment%22>>.

One of the Province of BC's "Five Great Goals" for the decade ending in 2015 is "to build the best system support in Canada for persons with disabilities, special needs."¹²³ Whistler aspires to become the most accessible resort community in North America through its hosting of the Paralympic Games.

The Bid Corporation, and subsequently VANOC, committed to providing barrier-free venues and ensuring access for persons with a disability to Games-related economic benefits such as training, employment and business development.¹²⁴

3. Economic Benefits through Sustainable Practice and Innovation

VANOC believes that sustainability can create economic, social and environmental value and seeks opportunities where these benefits can be generated on a business case basis. Procurement is a key function where VANOC is committed to integrating social, ethical and environmental considerations in its sourcing decisions. A significant sum of money is spent in planning and staging the Olympic Games; how it is spent and who benefits is the focus of VANOC's sustainable purchasing practices.

VANOC had dubbed its sustainable purchasing program "Buy Smart," the draft goals of which include:

- Higher performance venues and operations to support the delivery of an "excellent Games"
- Increased jobs and training for vulnerable populations
- Growth of minority-owned businesses and the sustainable enterprise sector (e.g., Aboriginal, inner city, persons with a disability, women and youth at risk, social or environmental enterprise, and fair trade)

¹²³ B.C. Ministry of Children and Family Development, "2006/07–2008/09 Service Plan," in *Budget 2006*, online: Government of B.C. <<http://www.bcbudget.gov.bc.ca/2006/sp/cfd/Goals,Objectives,StrategiesandResults9.htm>>.

¹²⁴ Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games, "Social Inclusion: Access," online: Vancouver 2010 <<http://www.vancouver2010.com/en/Sustainability/SocialInclusion>>.

- Increased innovation, trade and investment in the BC sustainability sector
- Increased integration of social, ethical and environmental considerations into business operations
- Creation of a best practice model for sustainable purchasing for the Olympic movement
- Increased sustainable purchasing in BC through support and role modeling.

Wherever possible, VANOC will use the purchasing process to procure from suppliers whose sustainability performance is strongly aligned with Buy Smart goals. Key components of the policy include Request for Proposal (RFP) guidelines, evaluation and weighting criteria, monitoring and reporting. Additionally, VANOC wants to leverage social or environmental benefits, such as environmentally friendly goods and services or suppliers that hire from groups which do not normally benefit from the hosting of mega-events. To this end, VANOC is working with the 2010 Commerce Centre which is developing a database of businesses interested in supplying goods and services to the Games. This database will be an opportunity for firms to self-identify their social and environmental programs, thereby facilitating joint-venturing between businesses interested in VANOC contracts.

Further, VANOC is committed to ethical sourcing and ensuring licensees conform to international labour organization standards for workplace practices. Licensees will be subject to Codes of Conduct for social and environmental compliance.

VANOC's sustainable purchasing program and partnerships with sponsors, governments and others are expected to result in opportunities to pilot and profile innovations that show that sustainability is affordable and do-able. New technologies and approaches will be showcased through various media in the period leading up to, during and following the Games. It is hoped that this will add to the region's profile and competitiveness as a centre for sustainable solutions locally and globally.

4. Sport for Sustainable Living

Sporting facilities with the potential to contribute to ongoing community health and well-being are the best known physical legacies of

the Games. VANOC's sustainability program seeks to deliver enhanced value through achievement of sustainability outcomes in all phases of the 2010 Games. The key social, economic and environmental outcomes targeted by VANOC also create an opportunity to advance more broadly-based awareness and action on sustainable decision making and lifestyle choices among athletes, partners, workforce, sponsors, visitors, communities and local and global viewing audiences. By making sustainability "do-able" the Games can help advance progress towards a more sustainable future.

It would be an understatement to say that sustainability has not attained the status of being a well understood or popular concept. Most public opinion polls indicate that fewer than 20% of Canadians are familiar with the term.¹²⁵ However, as active or healthy living is also an important part of living more sustainably, the role of sport as a mobilizing factor in attracting more people and organizations to sustainable behaviours is therefore potentially quite significant. This linkage is demonstrated by initiatives such as Right To Play¹²⁶ and the IOC's Olympic Solidarity Program,¹²⁷ both of which seek to foster access to sport for youth in developing countries. Many athletes are interested in promoting youth engagement in sport as a pathway to development of critical life skills because they believe sport can:

- lead to more sustainable lifestyles and choices
- spur extraordinary human achievement
- demonstrate the value of cooperation and teamwork
- demonstrate the importance of focus and accountability
- and, at the very highest level, contribute to the well-being of both body and spirit.

One of VANOC's partners in the inner city is also its partner for delivering more broadly-based community-based legacies as a result of

¹²⁵ *Sustainability Initiative Research – McAllister Opinion Research Survey* (14-21 February 2006), online: James Hoggan and Associates <<http://www.hoggan.com/sustainability.html>>.

¹²⁶ See online: Right To Play <<http://www.righttoplay.com>>.

¹²⁷ International Olympic Committee, "Olympic Solidarity Program," online: IOC <http://www.olympic.org/uk/organisation/commissions/solidarity/index_uk.asp>.

hosting the 2010 Games.¹²⁸ The 2010 Legacies Now Society (2010 Legacies Now) is a non-profit society launched by the 2010 Bid Corporation and the Province of British Columbia to work in partnership with community organizations, non-government organizations, the private sector and all levels of government to extend the potentially positive impacts of the Games through development of sustainable legacies for all BC communities in areas such as sport and recreation, arts, literacy, and volunteerism.¹²⁹

Conclusions

There is little doubt that the Olympic Games can bring about important social, economic and environmental outcomes if they are planned, managed and conducted in a way which minimizes adverse impacts and maximizes positive opportunities.

The opportunity of the Games can also be used to provide social and environmental legacies, such as rehabilitated and revitalized sites, increased sustainability awareness, and improved social and environmental policies and practices. They can further encourage and facilitate strong social and environmental actions, technology and product development in a city, country and beyond, through the educational value of good example. Interestingly enough, these positive legacies can occur whether or not a Bid is successful. For example, a Bid may include the rehabilitation and regeneration of a degraded area of a city for an Olympic Games venue and public open space which goes ahead during the bid and is completed even if the city is not awarded the Games. Often, it is the context of the overall planning required for consideration of a project of the magnitude of the Games that planners have the opportunity to “think big” about the future and to conceive projects that may have been before their eyes for years, but never got beyond the subliminal.

These positive outcomes and legacies are being achieved through the processes leading to the Games, through IOC requirements and

¹²⁸ Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games, “Inner-City Inclusivity” (January 2006), online: Vancouver 2010 <http://www.vancouver2010.com/resources/PDFs/ICI_update.pdf>.

¹²⁹ For detailed information on the various initiatives see the 2010 Legacies Now website, online: <<http://www.2010legaciesnow.com/content/home.asp>>.

policies, and through actions within the IOC and the Candidate and Organizing Committees.

This paper has explored past Olympiads and the sustainability framework currently being developed by the Vancouver Organizing Committee to uncover tools for staging more sustainable Games. Included among these tools are international norms and standards for managing and evaluating corporate performance on sustainability issues, such as the UN Global Reporting Initiative (GRI), the International Standards Organization (ISO), European Eco-Management and Audit Scheme (EMAS) and best practice on Corporate Social Responsibility (CSR).

This analysis suggests that use of sustainability principles and practices is expanding in the Olympic Movement for many of the same reasons that it is expanding in business:

- to manage risk and respond to pressures from social and environmental groups and intergovernmental organizations, including the World Bank, the European Union and the United Nations;
- to demonstrate accountability;
- to capture cross-functional synergies and improve capacity for integrated decision making;
- to access new market segments with demonstrated demand for products and services with specific social and/or environmental attributes;
- to enhance return on investment;
- to enhance brand value, reputational capital and social license.

As in business, the tools that have emerged in sustainability practice Olympic-style include

- more rigorous management systems for tracking compliance with regulatory standards and identifying performance areas that require improvement;

- adoption of voluntary codes or standards of performance that exceed legal requirements;
- self-reporting based on publicly identified performance targets, milestones and outcomes
- independent verification/evaluation;
- external feedback from affected interests through a systems-based approach to stakeholder identification and engagement;
- better integration of social and environmental outcomes in all business strategies including strategic planning, finance, product development, marketing and employee recruitment and compensation; and
- use of strategic philanthropy.

That said, Olympic Organizing Committees differ from a for-profit corporation in a number of important ways. Firstly, they have a pre-determined and, by most corporate standards, short lifespan (i.e. 5-7 years). Secondly, any after-Games net profit is often donated to sport development. Thirdly, Organizing Committees do not have equity-owning shareholders.

To be sure, the list of de facto ‘shareholders’ for Olympic Organizing Committees is large and includes governments providing funding, municipalities hosting the Games, the IOC, many different sport organizations and federations, and citizens in host communities and countries.

Given this broad accountability, it could be argued that Organizing Committees are ‘hybrid’ organizations, capable of simultaneously exhibiting the institutional behaviour of government, business and non-profit organizations. Add to this that notwithstanding the fact that they operate within the context of a global franchise, they are largely locally owned and operated entities that exist within vastly different geo-political contexts, and it is clear that some elements of existing corporate models for sustainability and corporate social responsibility will not apply to the Games.

For this reason, the application of sustainability-based management principles to the Games can be expected to parallel trends in the business and public sector but will likely be a process of continuously

adapting existing tools to fit the unique requirements of the Olympic business model.

Perhaps the most significant way in which the sustainability story of the Games differs from that of its government funders and corporate sponsors rests in the potential magnitude of its reach. Whatever people might think about the strengths and weaknesses of the Olympic Movement and business model, it is a truism that when the Games are on, a significant portion of the world watches them.

Unlocking the potential of the Games to use sport to attract new audiences to sustainable living cannot be done in the absence of the IOC and Organizing Committees deploying credible efforts to ‘walk their talk.’ As discussed in this paper, this potential is being realized as the IOC and Organizing Committees embrace management frameworks that produce, track and report on key Games-related social, economic and environmental outcomes. These outcomes could, in turn, create the foundation to pursue the unrealized potential of the Games to actually change the way individuals and organizations act on the choices involved in living more sustainably.

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The University of British Columbia Olympic Studies Research Team

The University of British Columbia (UBC) Olympic Studies Research Team was formed in May 2006, under the direction of Professor Joseph Weiler, Faculty of Law, UBC. The Team has been supported with a research grant from VANOC, the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games, and the resources of the Faculty of Law, UBC.

Arun Mohan, LLB, UBC Law, 2006 serves as Senior Research Associate for the Team. Team members were drawn from a variety of faculties and universities and colleges, including the Faculty of Law, UBC; Faculty of Law, University of Western Ontario; Faculty of Law, University of Minnesota; Faculty of Law, University of Windsor; Faculty of Human Kinetics, UBC; and Faculty of Arts, McGill University.

The unifying force among Team members is a common interest in sports law, sports management, the history of sport in society, and in particular, in the work of the IOC and the Olympic Movement. Most members of the Team had studied sports law, and media and entertainment law under Professor Weiler at the Faculty of Law, UBC.

Every UBC member of the Team had participated in the course on the law of the Olympic Games taught by Professor Weiler.

The focus of the Team's work in the Summer of 2006 was on 'Sustainability and the Olympic Movement,' with funding, logistical and inspirational support from VANOC. The Team produced a series of eight research papers that have been submitted in draft form to Professor Weiler and to VANOC. These papers will form the basis for subsequent interdisciplinary research on sustainability and the Olympics, will provide a focus for a public research focused conference at the Faculty of Law UBC in early 2007, where the papers will be discussed in an open forum.

The purpose of this research/conferencing work is to provide a solid understanding of the work of the Olympic Movement in the context of the 2010 Olympic Winter Games in Vancouver. This work will intensify as the actual experience of the 2010 Games unfolds. The hope is that the Team's work in uncovering and analyzing the actual experience in other Olympiads will be of practical significance to the host community and will be a useful ingredient contributing to a broader and fuller participation by the host community in the 2010 Games. Eventually, the work of the Team will enter into the ongoing research work stemming from the Olympic Movement and will be a useful intellectual legacy of the 2010 Games.

The members of the UBC Olympic Studies Research Team of 2006, along with the titles of their papers, are:

Kristen Bargmeyer, Faculty of Law, University of Minnesota
Paper: "Inner-City Sustainability" (Written in conjunction with Param Chauhan)

Param Chauhan, Faculty of Human Kinetics, UBC
Paper: "Inner-City Sustainability" (Written in conjunction with Kristen Bargmeyer)

Jeremy Fung, Faculty of Law, UBC
Paper: "The Role of Non-Governmental Organizations in the Olympic Games" (Written in conjunction with Lyndsay Hayhurst)

Lyndsay Hayhurst, Faculty of Human Kinetics, UBC

Paper: “The Role of Non-Governmental Organizations in the Olympic Games” (Written in conjunction with Jeremy Fung)

Justin Kates, Faculty of Law, University of Western Ontario

Paper: “Athletes as Advocates for the Environment”

Monica Klimo, Faculty of Law, University of Windsor

Paper: “‘Gold, Silver, Bronze and Green’: Investigating the Economic Impact of the Olympic Games” (Written in conjunction with Arun Mohan)

Tim Louman-Gardiner, Faculty of Law, UBC

Paper: “Environmental Initiatives and Building Standards”

Arun Mohan, Faculty of Law, UBC

Paper: “‘Spotlighting the Spotlight Seekers’: Examining the Intersection between Activist Campaigns and the Olympic Movement”

Paper: “‘Swifter, Higher, Stronger...Greener’: Investigating the Rise and Role of Environmentalism within the Olympic Movement”

Paper: “‘Gold, Silver, Bronze and Green’: Investigating the Economic Impact of the Olympic Games” (Written in conjunction with Monica Klimo)

Patrick Weiler, Faculty of Arts, McGill University

Paper: “An Economic and Environmental Comparison of the Super Bowl, Olympics and the FIFA World Cup”