

A Critical Study of the Minister of Youth and Sports Regulation No. 14 of 2024: Its Implications for Sport Governance in Indonesia

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ABSTRACT

Sport governance is an important aspect in creating a transparent, accountable and effective sport management system. However, Indonesia still faces various challenges in its implementation, such as the lack of transparency, weak financial supervision, and government intervention in sports organizations. To address this, the government issued Minister of Youth and Sports Regulation No. 14 of 2024, which aims to improve the governance standards of performance sports organizations. This regulation emphasizes transparency and accountability, but it also raises controversy regarding the potential for government intervention in sports organizations, which is contrary to the principles of the Olympic Charter. This research aims to critically examine Permenpora No. 14 of 2024, by assessing its implications for sport governance in Indonesia and comparing it with regulations in the UK, Australia and China. Using a qualitative approach with policy analysis and case study methods, this research analyzes the content of the regulation, evaluates its conformity with international standards, and identifies implementation challenges. The results show that although the regulation aims to improve sport governance, its implementation faces obstacles in the form of excessive government intervention, limited resources at the organizational level, and potential conflicts with international sport governance principles. Compared to the UK and Australia's more incentive-based and independent oversight, Indonesia's regulatory model tends to resemble China's approach, which gives greater control to the government. Therefore, policy revisions are needed to ensure a balance between transparency, accountability and independence of sport organizations to create more effective and sustainable governance.

INTRODUCTION

Sports governance is an important element in the management of sports organizations that aims to ensure transparency, accountability, effectiveness, and efficiency in the regulation and operation of the sports sector. Good governance not only includes the formulation of policies and monitoring systems, but also requires synergy between various stakeholders to improve professionalism, sustainability, and competitiveness of sports at the national and international levels.

In Indonesia, sport governance still faces various structural challenges and regulatory weaknesses that impact the effectiveness of sports organization management. One of the main problems is the lack of transparency and accountability in the distribution of resources, both from the government and the private sector. Study(Chennapragada & Jain, 2020)revealed that unclear oversight mechanisms and lack of accountability can trigger corrupt practices and misuse of funds, as happened in the governance of Paralympic sports organizations in India. A similar situation is also seen in the management of sports organizations in Indonesia, where various financial scandals and conflicts of interest still often occur.

In addition, collaborative governance approaches are becoming increasingly important in modern sports systems.**Shilbury, O'Boyle, & Ferkins (2020)**highlighted that the success of sports governance is highly dependent on collective leadership and collaboration between stakeholders. However, in many cases, the implementation of collective board leadership is still limited, with certain individuals dominating decision-making, which often hinders the effectiveness of governance. This condition also reflects the challenges faced by sports organizations in Indonesia, where policies are often decided without adequate consultation with member associations or other stakeholders.

Furthermore, research(Meier & Garcia, 2021)emphasize that the concept of sport autonomy that has been used as the basis for governance often does not reflect the reality of the relationship between sport organizations and government. They propose a collaborative governance approach as a more effective model for understanding and managing the complex relationship between the sport sector and public authorities. In the Indonesian context, this is relevant given the very dominant role of the government in regulating and funding national sport. However, without a more flexible and responsive system, this dominance can create new challenges, such as bureaucratic intervention that hinders innovation and efficiency in sport governance.

Studies(Gao et al., 2021)also shows that the networked governance model can be a solution to improve the effectiveness of sports sector management. By involving various entities, such as government, sports associations, universities, and communities, sports governance can be more responsive to public needs and strengthen the athlete development system. In Indonesia, this model still faces implementation obstacles, especially in terms of inter-agency coordination and the lack of an effective information sharing system.

Meanwhile, research(Rusmane, 2021)on sport governance in the Baltic States and Scotland provides insights into how different structures and policies can affect the effectiveness of sport governance. It finds that countries with more decentralized governance and diverse funding models tend to have more efficient and sustainable sport systems. Indonesia, with its still highly centralized approach to sport regulation, can learn from these models to improve efficiency and accountability in public sport governance.

In this context, the policy of the Minister of Youth and Sports Regulation (Permenpora) No. 14 of 2024 concerning the Management Standards of Sports Organizations in the Scope of Achievement Sports is a very crucial regulatory

instrument in determining the direction of sports governance in Indonesia. However, Permenpora No. 14 has become a topic of debate among sports stakeholders in Indonesia. The government, through the Ministry of Youth and Sports (Kemenpora), stated that this regulation aims to create a conducive ecosystem for fostering achievement sports, provide legal protection, and support national sports development and development activities. The Special Staff of the Minister of Youth and Sports for Legal Affairs and Governance Compliance, Alvin Saptamandra Suryohadiprojo, emphasized that the government respects the principles of autonomy and neutrality in managing sports organizations, in accordance with the Olympic Charter. He also stated that the management standards for sports organizations have gone through a public testing process during the drafting of the Sports Bill, as part of an effort to fulfill meaningful participation from stakeholders (hukumonline.com)

However, several parties, including the Indonesian National Sports Committee (KONI) and several members of the DPR, have criticized Permenpora No. 14/2024. They argue that the regulation has the potential to threaten the independence of sports organizations and is contrary to the Olympic Charter. KONI Central Expert Staff for Organization, Prof. R. Benny Riyanto, identified at least ten norms in the regulation that are considered problematic, such as the obligation for sports organization congresses to obtain recommendations from the Ministry and restrictions on the term of office of administrators. (hukumonline.com)

In addition, member of Commission X of the Indonesian House of Representatives, Juliyatmono, stated that this Permenpora has caused unrest among the administrators of the Central KONI, Provincial KONI, and has an impact on the development of national athletes. He proposed that the Kemenpora consider revising or even revoking the regulation. (ruzkaIndonesia.id).

Responding to the criticism, Deputy Minister of Youth and Sports, Taufik Hidayat, emphasized that the Ministry of Youth and Sports is open to discussion and has no intention of intervening in sports organizations through Permenpora No. 14/2024. He invited all parties to sit together to find the best solution for the advancement of Indonesian sports. (kemenpora.go.id)

This debate shows the differences in views between the government and sports organizations regarding the implementation of Permenpora No. 14/2024. Therefore, this study will critically examine the policy, explore its implications for sports governance in Indonesia, and identify opportunities and challenges in its implementation. With a comprehensive understanding, it is hoped that the resulting policy recommendations can support the development of a transparent, accountable, and sustainable Indonesian sports sector.

THEORETICAL REVIEW

Concept of Sport Governance

Sport governance refers to the principles and practices of governance in sport organizations that ensure effectiveness, transparency, accountability and

stakeholder participation.(Parent & Hoye, 2018). This concept has developed along with the increasing professionalization and globalization of sport, which demands more transparent and accountable governance at both national and international levels.(Forster, 2006)

Principles of Sport Governance

Sport governance refers to several key principles that have been widely applied in global and national sport organizations:

- **Transparency:**Information related to the organization's management, finances and policies must be accessible to stakeholders.(Geeraert & Drieskens, 2017)
- **Accountability:**Organizational leaders must be held accountable for decisions taken, especially in the use of public and private funds.(Philippou, 2019)
- **Democracy and Participation:**Stakeholders, including athletes, coaches and the sport community, must have a say in policies that affect sport organizations.(Donnelly, 2015)
- **Effectiveness and Efficiency:**Organizational resource management must be carried out optimally to achieve strategic goals in competitive sports and athlete development.(Ma & Kurscheidt, 2019)

Sport Governance in a Global Context

Sport governance is not only applied in the context of national organizations, but also at the global level. International sports federations such as FIFA and IOC face various challenges in maintaining good governance, especially in the face of corruption scandals and misuse of funds (Forster, 2006; Philippou, 2019). Studies show that sports organizations that implement a governance system based on strict regulations and transparency are more likely to succeed in creating a professional management system free from conflicts of interest.(Geeraert & Drieskens, 2017)

Sports Governance Policies and Regulations in Indonesia

Indonesia has implemented various regulations to strengthen the governance of sports organizations, including through Law No. 11 of 2022 concerning Sports, which is the main legal basis for the management of national sports organizations. This law regulates fundamental aspects in the development, coaching, and management of national sports, including competitive sports, educational sports, and recreational sports.

Law no. 11 of 2022 concerning Sports

Law No. 11 of 2022 was passed as a replacement for Law No. 3 of 2005 concerning the National Sports System (SKN). This regulation aims to provide a more comprehensive legal framework in national sports management, in line with global developments in sports governance.

The main objectives of this law are:

1. Improving the governance of sports organizations in Indonesia to be more transparent and professional.
2. Establish a clearer sports funding mechanism, including budget sources and grant management.

3. Ensuring community participation in sports, both in the management of sports organizations and in the development of athletes.
4. Establish regulations that prevent conflicts of interest and strengthen supervision of the management of sports organizations.

Principles of Governance in Law No. 11 of 2022

Law No. 11 of 2022 emphasizes five main principles in national sports management, namely:

- Independence: Sports organizations must have autonomy in their management, although they remain under government supervision.
- Accountability: Sports organizations are required to be accountable for their financial management and work programs to the public and government.
- Transparency: Every policy, budget allocation, and program implementation must be open to scrutiny by various parties.
- Democracy: Decisions in sports organizations must be made through participatory and non-discriminatory mechanisms.
- Sustainability: Sports policies must have a long-term impact on the development of athletes and the national sports industry.

Sports Organizational Structure in Law No. 11 of 2022

In this regulation, the government establishes the structure of the national sports organization which consists of:

- Ministry of Youth and Sports (Kemenpora): Responsible for the regulation and supervision of national sports policies.
- Indonesian National Sports Committee (KONI): Responsible for coordinating and developing high-performance sports organizations.
- Indonesian Olympic Committee (KOI): Represents Indonesia in international sporting events, including the Olympics and Asian Games.
- National Sports Federation: Manages each sport with governance standards set by the government.

This law also gives the government the authority to intervene in sports organizations if regulatory violations, conflicts of interest, or misuse of funds are found.

Challenges in the Implementation of Law No. 11 of 2022

Although Law No. 11 of 2022 aims to improve the governance of sports organizations in Indonesia, several challenges in its implementation are still found, including:

- Overlapping authority between the Ministry of Youth and Sports and national sports organizations, which has the potential to cause conflicts related to regulations and fund management.
- Lack of independent supervision in the implementation of regulations, so that there are still practices of misuse of funds in sports organizations. (Rustiadi et al., 2018).
- The suboptimal involvement of sports stakeholders, especially athletes and coaches, in policy making.

Permenpora No. 14 of 2024 as a New Regulation

As a follow-up to Law No. 11 of 2022, the government issued the Regulation of the Minister of Youth and Sports (Permenpora) No. 14 of 2024 which focuses on the standards for managing high-performance sports organizations. This regulation is more technical than Law No. 11 of 2022 and regulates the following aspects:

- Leadership standards and organizational structures of sports.
- Organizational financial management and accountability systems.
- Criteria for management and selection mechanisms for sports organization administrators.
- Monitoring and evaluation system for sports organizations.

Permenpora No. 14 of 2024 aims to improve professionalism and accountability in the governance of sports organizations in Indonesia. However, this regulation has caused controversy, especially related to provisions that are considered to limit the independence of sports organizations.

Stakeholders' Reaction to Permenpora No. 14 of 2024

Since the issuance of the Minister of Youth and Sports Regulation (Permenpora) No. 14 of 2024, various stakeholders in the Indonesian sports world have expressed critical responses to several provisions that are considered to threaten the independence and autonomy of sports organizations. In addition to the Central Indonesian National Sports Committee (KONI), a number of sports federations and sports law experts have also expressed similar concerns.

Articles in the Spotlight (konijawatimur.co):

1. Article 10 paragraph (2): Requires that national congresses or conferences of sports organizations obtain written recommendations from the Ministry of Youth and Sports (Kemenpora) before implementation. This provision is considered a form of government intervention that can limit the independence of organizations in managing their internal affairs.
2. Article 17 paragraph (1): Requires prospective sports organization administrators to have at least five years of experience in sports and not hold concurrent positions in other organizations. Some consider this provision too restrictive and could reduce the organization's flexibility in selecting competent leaders.
3. Article 19 paragraph (2): Stipulating that sports organization administrators must be appointed by the Minister of Youth and Sports. This procedure is seen as a form of excessive government control over the management structure of sports organizations.

Additional Criticism:

In addition to the articles above, there are several other provisions that have also drawn criticism:

- Article 16 paragraphs (4) and (5): Regulating the recruitment of professional staff and salary compensation sourced from organizational funding outside of APBN and APBD assistance. This provision is considered to be able to burden sports organizations that have limited funding sources.

- Article 21 paragraph (2): Giving the minister the authority to cancel approval of changes in the management of sports organizations. This is considered a form of intervention that can disrupt the stability of the organization.
- Article 28 paragraph (1): Giving the minister the authority to form a transition team in the event of a dispute. This provision is considered to create complicated bureaucracy and reduce the flexibility of sports organizations in making decisions.

Academic and Practitioner Perspectives:

1. Academic Perspective, State University of Surabaya (Unesa): Postgraduate students of Unesa Sports Science criticized this Permenpora through academic studies. They considered that the formulation of the regulation was less transparent and not supported by adequate academic papers. This, according to them, could disrupt the development of athlete achievements and potentially reduce national sports achievements. (radarsurabaya.jawapos.com)

2. Legal Expert Analysis

- Indonesian Advocates Association (AAI): In a seminar organized by AAI, General Chair Palmer Situmorang emphasized the importance of regulations that support the spirit of sport and involve community participation. Public participation in the formulation of regulations, including in the field of sports, is a crucial aspect that is often overlooked. As part of the international sports community, Indonesia must ensure that every policy implemented is in line with the principles of sportsmanship, democracy, and free from personal interests and nepotism..hukumonline.com
- Prof. R. Benny Riyanto (Expert Staff of KONI Center for Organizational Field): Prof. Benny identified ten norms in the Permenpora that were considered problematic, including the obligation for sports organization congresses to obtain recommendations from the Ministry and restrictions on the term of office of administrators. He considered that this regulation was not in line with the Olympic Charter and intervened too much in the role of sports organizations.hukumonline.com

3. Responses from Sports Practitioners

- Central Indonesian National Sports Committee (KONI): The General Chairperson of KONI Pusat, Lieutenant General TNI Retired Marciano Norman, submitted a request for revision to Permenpora No. 14 of 2024. He hopes that the Ministry of Youth and Sports can evaluate input from the sports community to create more constructive regulations for the advancement of sports in Indonesia.movement.com
- Taufik Hidayat (Deputy Minister of Youth and Sports, Former National Badminton Athlete) : Taufik Hidayat stated that Permenpora No. 14 of 2024 was issued to end dualism in the management of sports branches in Indonesia. He emphasized that the government cares about athlete development and wants to avoid management conflicts that can have a negative impact on athlete development.antaranews.com

Previous Studies on Sport Governance

There are various studies that have discussed the implementation of sports governance in various countries.

1. *Sport Governance in Global Sports Organizations*

- Forster (2006): Highlights how organizations such as FIFA and the IOC face challenges in governance, including corruption and lack of transparency.
- Philippou (2019): Analyzing anti-corruption strategies in sports organizations and the importance of accountability in governance.

2. *Sport Governance Models in Various Countries*

A study of sports governance models in several countries can be an important reference in assessing the effectiveness of Permenpora No. 14 of 2024:

- English: Using the Sport Governance Code, which prioritizes transparency, accountability and independent oversight.
- Australia: Implementing the National Sport Governance Principles, which focus on stakeholder engagement and periodic audits (Healey, 2012)
- China: Having a sports governance model that is still under government control, but with a strong monitoring system to avoid misuse of funds (Ma & Kurscheidt, 2019).

3. *Study on Sport Governance in Indonesia*

- (2018): Analyze how FIFA regulations affect national football governance, including tensions between PSSI, KONI, and Kemenpora.
- Rustiadi et al. (2018): Found that governance of sports organizations in Indonesia is still weak in terms of transparency and accountability, with a transparency score of only 37% in several sports organizations in Central Java.
- (Juliandi et al., 2020) Revealing that weak governance of sports organizations at the regional level has contributed to the minimal achievements of athletes in international events.

METHODOLOGY

Research Approach Qualitative methods with a policy analysis and case study approach and **Policy analysis framework** to evaluate the content of regulations and their impact on sport governance (Philippou, 2019). **Data** source is Secondary Data : (1) Official documents (Law No. 11 of 2022, Minister of Youth and Sports Regulation No. 14 of 2024, international sports governance regulations), (2) Media news and analysis **Data Analysis Techniques** is (1) **Content analysis (content analysis)**: Evaluation of regulatory documents, (2) **Comparative analysis** : Comparing Indonesian regulations with international sports governance models and (3) **Thematic analysis**: Identifying regulatory implementation challenges based on media reports

RESULTS

Analysis of Content and Objectives of Permenpora No. 14 of 2024 is (1) The main objective of this regulation is in sports governance in Indonesia, (2) The main components of regulation and their implications for the management of sports organizations.

Evaluation of Compliance with International Sport Governance Standards

1. Comparison with Sport Governance Regulations in the UK, Australia and China

To assess the effectiveness of Permenpora No. 14 of 2024, it is important to compare this regulation with sports governance policies implemented in other countries.

a) England (UK Code for Sports Governance, 2016)

- ⇒ The UK applies strict governance standards prioritizing independence, transparency and inclusivity in the management of sports organizations.
- ⇒ There is no direct government intervention in the selection of sporting organisations. Instead, sporting organisations that do not comply with the set governance standards will lose funding from UK Sport and Sport England.

Comparison with Permenpora 14/2024: England places more emphasis on self-governance with economic incentives and sanctions, while Indonesia places more emphasis on direct government control through recommendations from the Ministry of Youth and Sports.

b) Australia (Sport Governance Principles, Australian Sports Commission, 2020)

- ⇒ Australia emphasizes financial sustainability and risk management in sport governance. Sport organisations must develop clear financial strategies and ensure sustainable funding through partnerships with the private sector and communities.
- ⇒ This regulation also encourages diversity in leadership by requiring female representation in the management ranks of sports organizations.

Comparison with Permenpora 14/2024: Australia places more emphasis on financial sustainability and representation in leadership, while Permenpora places more emphasis on structural control of the organization by the government.

c) China (Sports Law of the People's Republic of China, 2022)

- ⇒ China has a highly centralized governance approach, where the government has a dominant role in managing sports organizations.
- ⇒ National sports associations are under the direct coordination of the General Administration of Sport of China (GASC), with strict control mechanisms over organizational funding and administration.

Comparison with Permenpora 14/2024: Indonesia is showing a tendency towards a model more similar to China, where the government has greater authority to oversee sports organizations.

2. Compliance with the Principles of Transparency, Accountability and Independence of Sports Organizations

In evaluating Permenpora No. 14 of 2024, it is necessary to analyze its compliance with internationally recognized governance principles:

1. Transparency

- This regulation requires sports organizations to implement stricter reporting standards.
- However, this policy also needs to ensure that decisions regarding the approval of sports organization congresses are made transparently without political intervention.

2. Accountability

- By introducing tighter oversight of financial reporting, this regulation raises the standards of accountability for sports organizations.
- However, accountability must also apply to the Ministry of Youth and Sports in exercising its authority to prevent abuse of power.

3. Independence of Sports Organizations

- The Olympic Charter emphasizes the importance of the independence of sports organizations from government intervention.
- In this context, Permenpora No. 14 of 2024 has the potential to conflict with this principle, especially in the obligation of the Ministry of Youth and Sports' recommendations in the selection of administrators.

DISCUSSION

Challenges in Implementing Permenpora No. 14 of 2024

1. Reaction from KONI Pusat and National Sports Organizations to this Regulation

The Indonesian National Sports Committee (KONI) and various national sports organizations have expressed their concerns regarding the implementation of Permenpora No. 14 of 2024. They consider that several provisions in the regulation could threaten the independence and autonomy of sports organizations. For example, the obligation for sports organizations to obtain recommendations from the Ministry of Youth and Sports (Kemenpora) before holding a congress or electing administrators is considered a form of excessive government intervention. This has the potential to conflict with the Olympic Charter which upholds the independence of sports organizations tempo.co. In addition, some organizations consider that these regulations were drafted without involving key stakeholders in the sports sector, thus creating anxiety and resistance to their implementation hukumonline.com

2. Barriers to the Implementation of Regulations at the Sports Organization Level

The implementation of Permenpora No. 14 of 2024 at the sports organization level faces several major obstacles:

- **Human Resources (HR):** Many sports organizations in Indonesia still lack human resources with adequate managerial and administrative competencies. Implementation of the management standards set out in this regulation requires increased human resource capacity, which cannot be achieved in a short time.
- **Funding:** Adapting to new requirements, such as increased financial transparency and more detailed reporting, requires additional investment. For organizations with limited funds, this can be a significant financial burden.
- **Resistance from Stakeholders:** The structural and procedural changes mandated by this regulation may generate resistance from the old management who feel their position is threatened. In addition, the lack of socialization and stakeholder involvement in the process of drafting this regulation adds to the level of resistance to its implementation hukumonline.com

3. Potential Negative Impacts on the Independence of Sports Organizations in Indonesia

One of the main concerns that has emerged is the potential erosion of the independence of sports organizations due to excessive government intervention. The provision that requires a recommendation from the Ministry of Youth and Sports before holding a congress or electing a board of directors can be seen as an attempt at control that reduces the independence of the organization. This is not only contrary to the spirit of the Olympic Charter, but can also reduce international confidence in Indonesia's commitment to upholding the principles of sportsmanship and sports autonomy. (tempo.co)

In addition, such interventions can hamper the dynamics of sports development, where organizations should have the flexibility to organize their internal affairs according to specific needs without external pressure. Too much government involvement has the potential to create additional bureaucracy that can slow down decision-making and innovation in sports management. (rri.co.id)

Although the purpose of Permenpora No. 14 of 2024 is to improve the management standards of sports organizations, its implementation requires a more inclusive approach that is sensitive to the needs and characteristics of each organization. Active involvement of stakeholders in the process of drafting and implementing this regulation is key to ensuring that the existing regulations are not only effective, but also accepted and supported by all relevant parties.

CONCLUSIONS AND RECOMMENDATIONS

Conclusion

1. The main content and objectives of Permenpora No. 14 of 2024 focus on improving the management standards of sports organizations in Indonesia, with an emphasis on transparency and accountability.
2. When compared with international regulations, there are some similarities, but there are also differences in the aspect of the independence of sports organizations.
3. The main challenges in implementing this regulation include resistance from sports organizations, limited resources, and potential conflicts with international sports governance principles.
4. A revision and more flexible implementation strategy are needed so that this regulation can be implemented effectively without hampering the independence of sports organizations in Indonesia.

Policy Recommendations

1. **Regulatory improvements:**Increasing flexibility in the application of rules related to leadership and inauguration of sports organization administrators.
2. **Improved monitoring mechanisms:**Implement a stronger independent audit system to ensure transparency and accountability.
3. **Multi-stakeholder collaboration:**Involving various parties, including sports organizations, academics, and athlete communities, in the evaluation and implementation of regulations.
4. **Learning from other countries' sport governance models:**Adopting best practices from the UK, Australia and China to improve the effectiveness of national sports governance.

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