

Strasbourg, 7 March 2016

EPAS (2016) 1

Enlarged Partial Agreement on Sport (EPAS)

Extraordinary meeting of the EPAS Governing Board Bureau

Dialogue with representatives of the sports movement

Venue:

Maison du Sport International
Avenue de Rhodanie 54
1007 Lausanne, Switzerland

Wednesday 16 December 2015
10.00 a.m. – 4.00 p.m.

Report

1. Opening of the meeting

The meeting was opened by Wendela Kuper (Netherlands), Chair of the EPAS Governing Board.

- She reminded the participants that EPAS was working on the “good governance” subject, which remains on the political agenda; EPAS will address this topic at the upcoming CoE Ministerial meeting (Budapest 29 November 2016).
- She said that Secretary General Thorbjørn Jagland has requested that EPAS involve specialists from other sectors in a task force that will give advice on preparing proposals for good governance measures.
- The aim was to consider what kind of measures could be encouraged or taken by public authorities to improve the good governance of sports organisations.
- The objective of today’s meeting was to get preliminary feedback from sports organisations on the four lead ideas approved by EPAS, as mentioned in document EPAS (2015) 61rev, namely:
 - 1) Gather and promote good practice examples on how good governance is promoted by national sports organisations;
 - 2) Recommendation to member states on good governance in sport;
 - 3) Work with the sports movement to develop common tools;
 - 4) Support and promote research on good governance in sport.

2. Adoption of the agenda

The Bureau adopted the agenda.

3. Dialogue with umbrella sports organisations

The Bureau held a dialogue session with the following representatives of umbrella organisations in order to discuss what steps can be taken on good governance issues to restore order and trust within sport:

- Pâquerette Girard Zappelli, IOC Chief Ethics and Compliance Officer, International Olympic Committee
- Andrew Ryan, Director General of the Association of Summer Olympic International Federations (ASOIF)
- Birgitta Kervinen, Honorary President of the European Non-Governmental Sport Organisation
- Sarah Lewis, Secretary General of the International Ski Federation and Secretary General of the Association of International Olympic Winter Sports Federations (AIOWF)
- Representatives from umbrella sports organisations presented their diverse initiatives and processes to enhance good governance of sports organisations in line with Agenda 2020. Although in some cases other emergencies prevented these organisations from implementing the planned steps as quickly as they would have liked, the sports movement is mobilised and concerned about this issue.
- ASOIF projects aim to develop a tool to measure the good governance of sports organisations (Universal principles of Good Governance). This tool will support the work of the international federations (IFs) to set up their own action plans to improve their governance regulations and culture. The indicators and the data will be published. The process is backed by the CIES and the steering group is chaired by Francesco Ricci Bitti.
- Participants pointed out that measurements based on an adopted regulation is not sufficient. Some IFs, which had a very good rating in the Play the Game “Sport Governance Observer”, have faced multiple corruption scandals. In addition to regulations on good governance, it was also mentioned that it was essential to work with the right people, to develop a culture of integrity and to monitor the implementation with robust and independent audits. Sports organisations need to promote action plans that will go further than just measuring GG indicators and exchanging good practices.
- As the world-wide main umbrella organisation of the sports movement, the IOC is working on the promotion and the enforcement of the Universal Principles of Good Governance of the Olympic and

Sports Movement, through regulations. However, international sports federations are autonomous organisations and the IOC does not have the power to prescribe the detailed structures and processes within the IFs. It has a more direct influence on the NOCs, which are directly affiliated to the IOC. At national level, the influence of the NOC over the National Federation differs from country to country, but the national federations are autonomous toward their IFs and the NOCs.

- Speakers pointed out that despite the adoption and moves made to implement good governance principles throughout the whole sports movement, and re-iterated its support for the implementation of Agenda 2020, cultural differences are important between the continents : what is accepted in Europe in terms of requirements for democracy, transparency, accountability, presentation of conflicts of interest, and representative membership, is not accepted everywhere. Europeans do play a role in the implementation of good governance in the sports movement, but they are acting in a global environment; they should promote broad support for these reforms and avoid being marginalised.
- Speakers mentioned that national sports organisations also enjoy a high degree of autonomy (but they are bound by the statute of the federation). However, it not that easy for international federations to enact and enforce detailed requirements in their affiliated national federations. The sports movement is in an uncomfortable situation: as a whole, it is suffering from the bad image and retaliatory measures stemming from misbehaviours by a few black sheep; on the other hand it has no direct control (and neither does anyone else) over every component of the sports movement.
- The IOC considers that the regulation of the international sports movement’s governance (as well as the disciplinary enforcement of these regulations) is mostly the responsibility of the sports movement itself. However, sports organisations must comply with the applicable law, wherever they are located, and autonomy is not an excuse to escape legal obligations. When it comes to criminal behaviour (corruption, fraud, etc.) governments should be able to investigate, prosecute and sanction such behaviour. As in the case of match-fixing and doping, the exchange of information between sports organisations and governments would support both sides in playing their own role. According to the IOC, clarification on these competences is needed.
- On the other hand, there are issues of autonomy (e.g. interference by governments in the elections within sports associations, attempts to hijack resources from private organisations, undue influence by national authorities in the organisation of sports competitions) and the sports movement is paying attention to make sure that higher expectations of good governance are not misused.
- The Universal Principles of Good Governance are backed by the entire sports movement, and it would not help if other sets of principles were developed. However, there is still much to be done (within the sports movement and in dialogue between sports movement and governments) to specify the way in which these principles should be implemented (for instance, on the controversial issue of implementing the principle of limits to terms of office, on the expected financial transparency and on the degree of dialogue which should exist between the sports organisations and governments).

4. Dialogue with international sports federations

The Bureau held a dialogue session with the following representatives of international federations in order to discuss what steps can be taken on good governance issues to restore order and trust within sport:

- Benjamin Cohen, Legal Director, Head of Governance & Legal Affairs, International Basketball Federation
- Fani Misailidi, Head of Public Affairs at FIFA
- The IF representatives mentioned the on-going reforms within their federations : new regulatory framework of FIFA, based on the Independent Reform Committee and present governance reform committee. New role of the continents in FIBA, as well as reform of the national federation model.
- Both IFs are ready to share information on their regulations, as well as available data on the implementation of the governance principles.

- IFs referred to the co-operation on match-fixing as exemplary and wish to develop dialogue on governance, but consider that governments should be able to acknowledge when things progress in the right direction.

5. Dialogue with national Olympic committees

The Bureau held a dialogue session with the following representatives of the NOCs in order to discuss what steps can be taken on good governance issues to restore order and trust within sport:

- Risto Nieminen, President of the National Olympic Committee of Finland
- Petra Gantnerová, Project Manager, Department of International Relations, National Olympic Committee of the Slovak Republic
- NOC representatives confirmed that good governance is on the political agenda at national level too. In many countries, revisions of the sport law and updated sport policies include more precise requirements.
- The Universal Principles of Good Governance and Agenda 2020 are a strong commitment from the sports movement to improve and its implementation at every level of the sports movement should be supported.
- NOC representatives pointed out that good governance is not only a matter of regulations, but it is a cultural issue. In the sports movement, there is sometimes a lack of open dialogue and debate, questioning is seen as criticising, and most top positions are held by senior male leaders. Another typical feature of sport is the sense of belonging to a family, which sometimes involves prohibiting any form of criticism or a code of silence. Changing the regulations is necessary but not sufficient to change the culture.
- Governments could play a positive role and support the change in mentality, through support to enhanced regulations, but also through the development of debates and democratic skills in sports organisations, promotion of gender equality in sport, support to whistleblower mechanisms, enhancing of criminal law and prosecution of criminal behaviour.
- Better communication on the decisions, projects and initiatives from international organisations is also expected; however, the message should be customised in order to reach the sports movement.
- NOC representatives reminded participants that sport is more than football; they challenged the international organisations not to consider professional football as a representative of the sports movement at European level.

6. Closing remarks

The Bureau discussed the issues raised during the three dialogue sessions and agreed on the next steps in order to report back to the Secretary General of the Council of Europe.

The Bureau noted that governments and sports organisations have a common understanding of the situation and challenges regarding the governance of sport. The main issue is the need for cultural change.

The Bureau noted that insofar as cultural change is needed, governments should not focus solely on professional sport and commercial activities of sports organisations (where more money is involved).

Since the IOC has limited influence on the IFs, attention should be given to the governance requirements that are applicable to international federations. In this regard, the ASOIF guidelines (expected to specify the implementation of the Universal Principles of Good Governance, and to identify some indicators) are required as a standard whose implementation could be backed by governments. Furthermore, initiatives such as the “Support the Implementation of Good Governance in Sport” (SIGGS)” project should be encouraged.

Moreover, as most IFs are not in a position to harmonise the national federations’ regulations (except football which directly supports the national federations), governments should support the implementation of good governance principles by national federations.

One challenge is to measure progress, to make it public and accountable. Independent initiatives such as the “Sport Governance Observer” and the “Global Corruption report – Sport” projects should be developed further and shared to help steer the efforts being made on good governance. If possible, common indicators and tools should be used by the sports movement and the governments.

Further work on a recommendation to members states shall cover topics such as :

- Accountability only on income;
- Limits to terms of office;
- Gender equality;
- Democratic skills;
- Whistleblowing.

List of participants

Governing Board Bureau members:

Wendela Kuper (Netherlands)
Alexandre Marguerite (France)
Alexey Morozov (Russian Federation), accompanied by Marina Sedugina
Marko Begovic (Montenegro)
Zoran Verovnik (Slovenia)

Governing Board member:

Wilhelm Rauch (Switzerland)

Umbrella sports organisations:

Pâquerette Girard Zappelli, International Olympic Committee (IOC)
Andrew Ryan, Association of Summer Olympic International Federations (ASOIF)
Birgitta Kervinen, European Non-Governmental Sport Organisation (ENGSO)

International sports federations:

Sarah Lewis, International Ski Federation
Benjamin Cohen, International Basketball Federation
Fani Misailidi, FIFA

National Olympic committees:

Risto Nieminen, National Olympic Committee of Finland
Petra Gantnerová, National Olympic Committee of the Slovak Republic

Secretariat of the Council of Europe:

Marja Ruotanen, Director of Human Dignity and Equality
Stanislas Frossard, EPAS Executive Secretary
Michael Trinker, EPAS Deputy Executive Secretary

Interpreters

Marc Woodward
Starr Pirot

Agenda

1. Opening of the meeting

10.00 am – 10.15 am

The meeting will be opened by Wendela Kuper (Netherlands), Chair of the EPAS Governing Board.

2. Adoption of the agenda

The Bureau is invited to adopt the agenda.

3. Dialogue with umbrella sports organisations

10.15 am – 11.15 am

The Bureau is invited to lead a dialogue session with representatives of umbrella organisations in order to discuss what steps can be taken on good governance issues to restore order and trust within sport.

- Pâquerette Girard Zappelli, IOC Chief Ethics and Compliance Officer, International Olympic Committee
- Andrew Ryan, Director General of the Association of Summer Olympic International Federations
- Birgitta Kervinen, Honorary President of the European Non-Governmental Sport Organisation

4. Dialogue with international sports federations

11.30 am – 12.30 pm

The Bureau is invited to lead a dialogue session with representatives of international federations in order to discuss what steps can be taken on good governance issues to restore order and trust within sport.

- Sarah Lewis, Secretary General of the International Ski Federation and Secretary General of the Association of International Olympic Winter Sports Federations (AIOWF)
- Benjamin Cohen, Legal Director, Head of Governance & Legal Affairs, International Basketball Federation
- Fani Misailidi, Head of Public Affairs at FIFA

Lunch break

1 pm – 2 pm

5. Dialogue with national Olympic committees

2.15 pm – 3.15 pm

The Bureau is invited to lead a dialogue session with representatives of the NOCs in order to discuss what steps can be taken on good governance issues to restore order and trust within sport.

- Risto Nieminen, President of the National Olympic Committee of Finland
- Petra Gantnerová, Project Manager, Department of International Relations, National Olympic Committee of the Slovak Republic

6. Closing remarks

3.15 pm – 4 pm

The Bureau is invited to discuss the issues raised during the three dialogue sessions and to agree on the next steps in order to report back to the Secretary General of the Council of Europe.