

Union of European Football Associations (UEFA)

COUNCIL OF EUROPE

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE COUNCIL OF EUROPE
AND
THE UNION OF EUROPEAN FOOTBALL
ASSOCIATIONS (UEFA)**

Whereas:

The Council of Europe is the continent's leading organisation in the protection of human rights, democracy and rule of law;

Sport plays a fundamental role in the realisation of the aim of the Council of Europe by promoting its key values in and through sport and reinforcing the bonds between peoples;

The Council of Europe pursues its aims inter alia by facilitating inter-governmental dialogue and co-operation in the development of legal instruments, associating relevant stakeholders to its standard-setting activities. Its action also involves monitoring compliance with standards and the provision of technical support to member states for the implementation of standards, as well as awareness raising initiatives targeting specific groups and/or the general public;

Several Council of Europe treaties⁽¹⁾ set up the backdrop against which legislations and policies in Europe must evolve to guarantee safety, security and services at football matches; to fight doping, corruption and the manipulation of sports competitions, to combat violence against women as well as sexual exploitation and abuse of children. These treaties are open to accession by non-European states and are used as a reference in other continents.

UEFA is the governing body for football at European level with a membership of fifty-five national football associations, in accordance with its Statutes;

The Council of Europe and UEFA share a number of values and principles such as respect for human rights and dignity, democracy, non-discrimination, cultural diversity, tolerance, sustainability, solidarity, ethics in sport and a commitment to good-governance;

The Council of Europe and UEFA have already developed effective co-operation in different areas and undertake to enlarge the scope of their co-operation and to strengthen their existing formal and informal relations in the interests of the long-term development of sport and its societal role.

(1) These include: The Anti-Doping Convention (ETS No. 135, 1989) and its additional Protocol (ETS No. 188, 2002); the Council of Europe Convention on the Manipulation of Sports Competitions (CETS No. 215, 2014); the Council of Europe Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events (CETS No. 218, 2016); the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197, 2005); the Council of Europe Convention on preventing and combating violence against women and domestic violence (CETS No. 210, 2011) and the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201, 2010); the Criminal Law Convention on Corruption (ETS No. 173, 1999) and its Protocol (ETS No. 191, 2003); the Civil Law Convention on Corruption (ETS No. 174, 1999).

1. BASIS FOR CO-OPERATION

The Council of Europe and UEFA recognise that:

- 1.1. Sport is intended for all citizens, regardless of gender, race, age, disability, religion, nationality, sexual orientation and social background. Diversity must be promoted in and through sport and any kind of discrimination – either institutional or social – must be rejected.
- 1.2. The European sports model, characterised by a democratic, territorial and pyramid-shaped structure, is based on sporting and financial solidarity mechanisms, such as the principle of promotion and relegation, open competitions with a balance between clubs and national teams, and a symbiotic relationship between elite and amateur sport.
- 1.3. As the development of new talent is one of the core activities of sports clubs, policies designed to encourage the local training and education of athletes should be strengthened since they contribute to promoting the social, educational and wider interests of sport; in addition, appropriate measures should be devised to protect the welfare of young players, and to protect the human dignity of athletes in general.
- 1.4. National teams can be a powerful symbol for social integration, particularly when men and women from minority groups are selected to play alongside one another.
- 1.5. More co-operation between the different stakeholders in the fight against major threats for football, such as violence, doping or match fixing, is necessary; appropriate legal frameworks and a co-ordinated approach from the public authorities and sports organisations need to be put into place in order to tackle these issues properly.
- 1.6. The implementation of good governance in sport is key to achieving financial stability, sustainability of sport and to protecting its autonomy. Self-regulation initiatives from the international sport movement are important, such as Financial Fair Play, which contributes to the healthy and sustainable development of sport in Europe. Co-operation on enhancing the international system of sport justice is needed with a view to increasing its independence and respect for human rights, while recognising the crucial role of arbitration in resolving sport cases in an effective and efficient manner, insofar as it complies with human rights standards, such as the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5, 1950).
- 1.7. Major sporting events have the potential to deliver a legacy of positive and lasting changes at social, political and economic level.

2. AREAS AND OBJECTIVES OF CO-OPERATION

The Council of Europe and UEFA will take all the necessary measures to promote their co-operation by exchanging views on their respective activities and by preparing and implementing common strategies and programmes for the priorities and areas of shared interest set out below.

Human Rights, Integrity and Good Governance in sport

- 2.1. Protection and promotion of **human rights** in the context of sport activities, including by using football events as leverage. Particular efforts will aim at:
 - 2.1.1. combatting violence against women and promoting gender equality, including by adopting a gender sensitive approach in all policies and measures and countering gender stereotypes;

- 2.1.2. promoting and protecting the rights of children involved in sport activities;
- 2.1.3. taking all necessary steps to prevent and combat any kind of racist violence, racism or other form of institutional or social discrimination, including hate speech.
- 2.2. Promoting a culture of **clean sport** and effective independent anti-doping processes, respecting the rights of the participants;
- 2.3. Preventing and combatting **match fixing** building upon the relevant Council of Europe conventions, including the Council of Europe Convention on the Manipulation of Sport Competitions (CETS No. 215, 2014);
- 2.4. Promoting sport policies and strategies that pay due attention to the development of **grassroots sports** activities that will benefit everyone in society;
- 2.5. Promoting **good governance** in sport, in particular compliance of the football organisations with its key principles, such as democracy, gender balance, stakeholder's involvement, transparency, accountability, solidarity and checks and balances, as well as with the relevant anti-corruption standards.

Safety and Security at Football Matches

- 2.6. The Parties undertake to co-operate in Promoting an Integrated **Safety, Security and Service Approach at Football Matches** building upon the relevant Council of Europe Convention, in co-operation with all the relevant public and private stakeholders.

Major Sport Events

- 2.7. The Parties express their wish to develop and structure their mutually beneficial co-operation in view of **major football events**, in particular the UEFA EURO tournaments.

Institutional Co-operation

- 2.8. The Parties will continue to enhance their co-operation by way of regular exchanges of views, the development of joint initiatives and co-ordination of operational activities.
- 2.9. The Parties will also consult one another on the follow-up to sport-related recommendations and resolutions adopted by Council of Europe statutory bodies and intergovernmental committees.
- 2.10. UEFA is committed to build on the expertise of the Council of Europe bodies in charge of human rights, anti-doping, safety, security and services at sport events, sport governance and anti-corruption and to refer to the Council of Europe standards in these matters⁽²⁾.

3. IMPLEMENTATION

- 3.1. Every two years, after the adoption of the Council of Europe Programme of Activities for the biennium, the Parties will jointly review their co-operation and identify the specific activities or projects to be implemented during the next biennium. These will be reflected in a Co-operation Plan and its road map included in an exchange of letters between the Parties and that is intended to become immediately effective.

(2) Including, also with regard to the organisation of football events, the Recommendation CM/Rec(2016)3 of the Committee of Ministers to member States on human rights and business and the UN Guiding Principles on Business and Human Rights.

- 3.2. Each Party will manage its own budget. Without prejudice to specific agreements on a case-by-case basis, joint action will not give rise to financial contributions, compensation or reimbursement by either Party.
- 3.3. The implementation of joint activities shall be subject to the availability of adequate resources to be determined by each party in accordance with their respective rules and regulations.
- 3.4. Each Party will endeavour to promote and implement to the fullest the detailed objectives and strategies of co-operation determined in accordance with this Memorandum and the Co-operation Plan.
- 3.5. Upon signature of this Memorandum of Understanding, each Party will appoint a liaison person for the implementation of this Memorandum of Understanding. The liaison persons will in particular be in charge of revising and updating the detailed objectives and strategies of co-operation for each biennium, by way of regular meetings and exchanges of views. This is without prejudice to persons entrusted with specific activities, who will communicate directly with each other while keeping the liaison persons informed. Any changes concerning the liaison person will be promptly notified to the other Party.
- 3.6. While the respective administrations of the Parties will provide overall directions for the implementation of this Memorandum of Understanding and for general co-ordination purposes at operational level, the Parties agree to meet at political level on an annual basis to review the activities undertaken in accordance with this Agreement.

4. SCOPE

- 4.1. The geographical scope of the Agreement is limited to the Council of Europe member States and to the non-Council of Europe countries whose football associations are members of UEFA;
- 4.2. The Parties will seek to work closely together at continental, national or local level; this will involve, as appropriate, organisations such as football national associations.

5. ENTRY INTO OPERATION, AMENDMENTS AND TERMINATION

This Memorandum of Understanding will enter into operation upon its signature by the Parties. Amendments will be agreed by both Parties in writing.

This Memorandum will remain in effect until terminated by mutual consent or by either of the two Parties, giving three months' written notice. Its provisions will, however, remain in effect beyond the date of termination to the extent necessary to allow for completion of joint activities already underway.

6. FINAL PROVISIONS

This Agreement does not create rights or obligations under international or domestic law. Any dispute, controversy or claim arising out of or in relation to this Agreement shall be settled exclusively by the Parties through good faith negotiations.

Done in Strasbourg, on 30 May 2018, in two originals in English.

For UEFA

(signed)

Aleksander ČEGERIN
President

For the Council of Europe

(signed)

Thorbjørn JAGLAND
Secretary General