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Draft 2 of a *Revised European Sports Charter 2020*

based on

RECOMMENDATION No. R (92) 13 REV OF THE COMMITTEE OF MINISTERS TO MEMBER STATES ON THE REVISED EUROPEAN SPORTS CHARTER

*(adopted by the Committee of Ministers on 24 September 1992
 at the 480th meeting of the Ministers' Deputies
 and revised at their 752nd meeting on 16 May 2001
 and at their XXXth meeting on XX XXX 2021)*

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EUROPEAN SPORTS CHARTER [REV]

Preamble

- A. The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,
- B. Considering that the aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and of facilitating their economic and social progress;
- C. Bearing in mind the Convention for the protection of human rights and fundamental freedoms and notably the "right to freedom of peaceful assembly and to freedom of association with others", and the enjoyments of rights "without discrimination on any ground (...)";
- D. Bearing in mind the European Social Charter, which enacts the rights to health, education, culture and participation in the life of the community, in the exercise of which sport is part and parcel;
- E. Bearing in mind its Resolution (76)41 on the Principles for a Policy for Sport for All, as defined by the European Ministers responsible for Sport at their first Conference in 1975 under the title of the "European Sport for All Charter", which was updated in 1992 as the "European Sports Charter", endorsed by Recommendation No. R (92) 13 REV of the Committee of Ministers to Member States on the European Sports Charter, and that these Charters have provided an essential basis for governmental policies in the field of sport and enabled many individuals to exercise their "right to participate in sport";
- F. Bearing in mind the UNESCO International Charter of Physical Education, Physical Activity and Sport, which has contributed to respect for the integrity and dignity of every human being in physical education, physical activity and sport, to the promotion of physical activities without discrimination, to overcome the exclusion experienced by vulnerable or marginalised groups and to the recognition of the practice of sport as a fundamental right (Article 1);
- G. Bearing in mind the Recommendations of the Committee of Ministers to member States adopted in the field of sport since the latest update of the European Sports Charter:
 - on the prevention of racism, xenophobia and racial intolerance in sport (CM/Rec(2001)6)
 - on improving physical education and sport for children and young people in all European countries (CM/Rec(2003)6)
 - on the principles of good governance in sport (CM/Rec(2005)8)
 - on the revised Code of Sports Ethics (CM/Rec(2010)9)
 - on the principle of autonomy of sport in Europe (CM/Rec(2011)13)

- on promotion of the integrity of sport against manipulation of results, notably match-fixing (CM/Rec(2011)10)
 - on the protection of child and young athletes from dangers associated with migration (CM/Rec(2012)10)
 - on gender mainstreaming in sport (CM/Rec(2015)2)
 - on the promotion of good governance in sport (CM/Rec(2018)12)
- H. Bearing in mind the resolutions adopted by the 15th Council of Europe Conference of Ministers responsible for Sport in Tbilisi, on 16 October 2018, "Protecting human rights in sport: obligations and shared responsibilities" and "Fighting corruption in sport: scaling up action" as well as the International Declaration on Human Rights and Sport (Tbilisi Declaration) endorsed at the same conference;
- I. Considering that it is necessary to agree on a common European framework for sports development in Europe, based on the notions of pluralist democracy, the rule of law and human rights, and including the ethical principles set out in the revised Code of Sports Ethics (CM/Rec(2010)9);
- J. Stressing that sport can contribute to advancing the 2030 Agenda for Sustainable Development and its Sustainable Development Goals, adopted by the General Assembly of the United Nations;

Whereas:

- (1) Political, economic and social changes and their impact on sport have occurred in Europe at a rapid pace since the last update of the European Sports Charter in 2001, making a new European Sports Charter necessary to reflect these changes and to face up to future challenges;
- (2) The promotion of sport development and sports ethics through one single reference standard on sports policies would be more effective;
- (3) Sport is a social, educational and cultural activity based on voluntary choice which encourages contacts between European countries and citizens, and plays a fundamental role in the realisation of the aim of the Council of Europe by reinforcing the bonds between peoples and developing awareness of a European cultural identity;
- (4) Sport can make diverse contributions to personal well-being and social development and physical exercise in particular helps promote both the physical and the mental well-being;
- (5) There is a close inter-relationship between sound environmental conditions and sporting activities and a need to integrate environmental considerations and the principle of sustainable development in sport;

- (6) Public authorities should develop reciprocal co-operation with the sports movement as the essential basis of sport, in order to promote the values and benefits of sport, and in many European states, governmental action in sport is taken in order to be complementary to and support the work of this movement (subsidiarity);
- (7) Sport is also an important economic sector in Europe in its own right contributing to economic growth, development and employment underlined by many studies;

I. Recommends that the governments of member States:

1. base their domestic policies for sport, and, when appropriate any relevant legislation, on the European Sports Charter as set out in the Appendix to this Recommendation;
2. invite relevant stakeholders to take account of principles set out in the European Sports Charter in the elaboration of their policies;
3. take steps to ensure a wide dissemination of the European Sports Charter;
4. provide or facilitate the provision of information and data that will be needed for monitoring its implementation.

II. Instructs the Secretary General to transmit this Recommendation to:

1. the governments of States parties to the European Cultural Convention not member States of the Council of Europe;
2. international organisations and to international sports organisations.

Appendix to Recommendation No. R(92)13 rev EUROPEAN SPORTS CHARTER

A. Introductory provisions

Article 1 - Aim of the Charter

The aim of this Charter is to guide governments in the design and implementation of legal and policy frameworks for sport which promote its multiple, individual and social benefits (in particular for public health, inclusion, and education) and abide by and promote the values of human rights, democracy and the rule of law as enshrined in the Council of Europe's applicable standards. To achieve this aim, governments should take the steps necessary to:

1. Enable every individual to participate in sport and notably ensure that:
 - a. all young people receive physical education instruction at educational institutions and have the opportunity to acquire basic sports skills;
 - b. everyone has the opportunity to take part in sport in a safe, secure and healthy environment;
 - c. sport development is inclusive and monitored and evaluated on a regular basis and;
 - d. everyone has the opportunity to improve the standard of performance in sport beyond a recreational purpose and reach levels of personal achievement and/or levels of excellence in an ethical, fair and responsible way;
2. Protect and develop values-based sport, which is a precondition for maximising the individual and social benefits of sport, and notably ensure that:
 - a. the human rights of those involved in or exposed to sport-related activities are protected;
 - b. sporting activities contribute to strengthening ethical conduct and behaviour of those involved in sport;
 - c. the integrity of sports organisations, sports competitions and those involved in or exposed to sport-related activities is safeguarded;
 - d. sports activities are in line with the principles of sustainable development.

Article 2 - Definition and Scope of the Charter

1. For the purpose of this Charter, "Sport" means all forms of physical activity which, through casual or organised participation, aim at maintaining or improving physical fitness and mental well-being, forming social relationships or obtaining results in competition at all levels.
2. This Charter, which provides general guidance for the Council of Europe's member states to perfect existing legislations or other policies and to develop a

comprehensive framework for sport, has been specified and complemented by legally-binding standards addressing critical issues in the field of sports such as:

- a. the Anti-Doping Convention;
 - b. the Convention on an Integrated Safety, Security and Service Approach at sports Events and the European Convention on Spectator Violence and Misbehaviour at Sports Events and in Particular at Football Matches, and
 - c. the Convention on the Manipulation of Sports Competitions.
3. The implementation of some of the provisions of this Charter may be entrusted to governmental or non-governmental sports authorities or sports organisations.

B. Stakeholders

Article 3 - Public Authorities

1. The role of the public authorities is primarily complementary to the actions of the sports movement and corporate sector. Public authorities are responsible for setting framework conditions and where appropriate, legal requirements which are necessary for the development of sport. In the development and administration of sports policies, public authorities should pursue the aims of this Charter and demonstrate that they place a high priority on respecting the rule of law and the principles of good governance.
2. Horizontal co-ordination shall be ensured between the policies and actions of all the public authorities concerned with sport, e.g. authorities in charge of sport, education, health, social services, urban and regional planning, culture, justice, authorities responsible for human rights monitoring and for child protection, law enforcement, betting regulatory authorities, environment and development. Vertical co-ordination shall be ensured between national authorities and the regional and local authorities, which play a key role in the provision of sport activities at grassroots level.

Article 4 –Sports Movement

1. The sports movement, which comprises non-governmental, non-profit sports organisations, is the main partner of public authorities for the implementation of sports policies. Its organisations are bound by the legal requirements and limits imposed on them by the legislation.
2. The development of the voluntary ethos and movement in sport should be further encouraged, particularly through support for the work of voluntary sports organisations. To this end, public authorities and the sports movement shall strive

to maintain framework conditions that favour the active involvement of volunteers in sport.

3. Sports movement organisations fully enjoy the freedom of association enshrined in the European Convention on Human Rights and Fundamental Freedoms. They enjoy autonomous decision-making processes and choose their leaders democratically in accordance with good governance principles. Both governments and sports organisations should recognise the need for a mutual respect of their decisions.
4. Sports movement organisations earning revenue from the sports entertainment market shall be committed to financial solidarity from top sport to grassroots sports.

Article 5 – Corporate and professional sector

1. The corporate and professional sector plays an important role in the development of sport. Dialogue and co-operation should be undertaken with representatives of companies and occupational categories involved in sport in sectors such as the organisation of activities, events or competitions, the manufacturing of sports goods, sports nutrition, facilities' construction, service provision and media.
2. When engaging with representatives of this sector, governments should:
 - a. acknowledge them as an innovation driver that can serve the development of sport;
 - b. make sure that they respect the relevant regulations, e.g. on economic and social rights, on safety, on qualifications, on anti-discrimination, on sports integrity, on corporate governance and on anti-corruption;
 - c. promote endorsement of the UN Guiding Principles on Business and Human Rights and the Council of Europe Recommendation CM/Rec(2016)3 of the Committee of Ministers to member States on human rights and business;
 - d. encourage them to co-operate with the sports movement and encourage their participation in solidarity schemes when they benefit from activities conducted and financed by the sports movement.

C. Values-based sport

Article 6 – Human Rights

1. All stakeholders shall respect and protect internationally recognised human rights and fundamental freedoms as well as the general framework established for their implementation in business and other human activity.

2. The human rights due diligence approach in sport foresees a respect for human rights of those involved in or exposed to sport-related activities and should therefore:
 - a. ensure that the human rights of athletes and everyone involved in sport are respected, protected and promoted;
 - b. fight arbitrariness and other abuses in sport so as to ensure full respect for the rule of law in sport activities, including access to remedies, justice and fair trial in line with the applicable human rights standards;
 - c. work towards gender equality in and through sport, in implementing the strategy of gender mainstreaming in sport;
 - d. apply a policy of zero tolerance for violence and all forms of discrimination, paying particular attention to individuals and groups in a situation of vulnerability, such as children, migrants, and persons with disabilities;
 - e. work towards the inclusion of clear human rights commitments in their respective policy or/and regulatory frameworks;
 - f. uphold human rights in the context of the organisation of sport events and introduce human rights objectives and considerations in the whole life cycle of major sporting events, starting with the bidding process and including planning for a lasting positive legacy;
 - g. further invest in the effective implementation of human rights standards in and through sport, in particular by developing governmental/non-governmental partnerships and using multi-stakeholder platforms to identify and promote measures to prevent and respond to human rights violations in sport.
 - h. ensure access to effective remedy in case of any violations.

Article 7 – Education in values through sports ethics

1. "Sports ethics" is a positive concept that guides human action. It is defined as a way of thinking and not just a way of behaving. It underpins sports integrity, equality, honesty, excellence, commitment, courage, team spirit, respect for rules and laws, respect for the environment, respect for self and others, the spirit of community, tolerance and solidarity. It also includes the respect of human rights and sustainability.
2. Sports ethics shall be promoted in all spheres of activities in sport, via relevant policies and programmes. Appropriate steps shall be taken to raise awareness of sports ethics and to provide continued learning opportunities on it.
3. Being educated about choosing the ethical course of action inside and outside sport is an integral part of the competency that should be acquired through sport. Values-based sport practice can empower people and instil fairness, teamwork, equality, discipline, inclusion, respect and integrity.

Article 8 – Integrity

1. Sport integrity encompasses the components of personal, competition and organisational integrity. Threats to sport integrity involve criminal offences such as corruption, fraud, coercion, but also violation of statutory and disciplinary regulations and unethical behaviour. The pursuit of sport integrity shall thus commit all stakeholders and:
 - a. protect all people, particularly the young, from violence, harassment and abuse, ensure the safety and security of people and foster respect for and protection of internationally recognised human rights, including social rights;
 - b. support fair play, which is much more than playing within the rules. Fair play incorporates the concepts of friendship, respect for others, sense of fellowship. It includes issues concerned with the elimination of cheating, the use of unfair strategies whilst respecting the rules, manipulation of sports competition and doping;
 - c. inspire a governance of sport that is compliant with the principles of transparency, integrity, democracy, development and solidarity which should be secured by checks and balances and control mechanisms.
2. Sports integrity policies shall rely on multi-stakeholder initiatives, encourage and co-operate with whistle-blowers and free media, pay attention to compliance with human rights, invest in education, prevention and awareness-raising, be monitored, including with remedies and use gender and youth mainstreaming.

Article 9 – Sustainability

1. The principle of sustainability in sport prescribes that all activities are economically, socially and environmentally sustainable, in particular:
 - a. when planning, implementing and evaluating their activities, organisers of sport activities and events should pay due consideration to sustainability, be it economic, social or environmental;
 - b. whereas the growing consumption of sporting goods can generate a positive impact on the global economy, the industry should take responsibility for developing and integrating social practices and environmentally friendly practices;
 - c. indoor and outdoor activities should be carried out responsibly, i.e. the precautionary principle (resource precautions & risk prevention) must be implemented. Owners of sport infrastructure have to act proactively, i.e. identify the effects and consequences of their facility, avoid potential damage to nature and, where necessary, take counter- and protective measures;
 - d. the realisation of major sports events should ensure a sustainable legacy for the hosting communities with regard to the economic, social and environmental impact, in particular to balance the financial cost of the infrastructure with its post-event use and the effect on participation in sport.

2. All stakeholders should take responsibility to reduce their climate footprint and pursue commitments and partnerships for climate action in recognition of the increasingly negative impacts of climate change on society and on sport.

D. Sport for all

Article 10 – Right to Sport

1. Access for all to sport is considered as a fundamental right. Every human being has an inalienable right of access to sport in a safe environment, both inside and outside school settings, which is essential for their personal development and instrumental in the exercise of the rights to health, education, culture and participation in the life of the community.
2. No discrimination on the grounds of race, colour, language, religion, sexual orientation or gender identity, political or other opinion, national or social origin, association with a national minority, property, birth or other status, shall be permitted in the access to sports facilities or to sports activities.
3. To safeguard and promote this right, it is necessary to:
 - a. ensure that access to the development of physical, intellectual and ethical competences through physical education and sport are guaranteed both within the educational system and in other aspects of social life;
 - b. make sure that everyone has full opportunities for practising physical education and sport, developing physical fitness and attaining a level of achievement in sport which corresponds to their abilities;
 - c. make sure that special opportunities are available for young people, including children of pre-school age, for the elderly and for disabled people to enjoy education and sport programmes suited to their requirements;
 - d. ensure that all residents have opportunities to take part in sport and, where necessary, additional measures shall be taken aimed at enabling disadvantaged or disabled individuals or groups to be able to exercise such opportunities effectively;
 - e. guarantee that local sport clubs have the suitable legal status and framework conditions to offer affordable access to sport for all.

Article 11 – Building the foundations of sport practice

1. Appropriate steps shall be taken to develop physical fitness and the acquisition of basic movement skills and to encourage the practice of sport by young people, notably by:

- a. ensuring that programmes of and facilities for sport, recreation and physical education are made available to all pupils and that appropriate time is set aside for this;
- b. ensuring the training of qualified teachers in this area at all schools;
- c. ensuring that appropriate opportunities exist for continuing the practice of sport after compulsory education;
- d. encouraging the development of appropriate links between schools or other educational institutions, school sports clubs and local sports clubs;
- e. facilitating and developing the use of sports facilities by schools, by local sports clubs and by the local community;
- f. encouraging a climate of opinion in which parents, teachers, coaches and leaders stimulate young people to take regular physical exercise;
- g. providing education in sports ethics for pupils from primary school onwards.

Article 12 – Developing participation

1. The practice of sport, whether it be for the purpose of leisure and recreation, health promotion, or improving performance, shall be promoted to all parts of the population through the provision of appropriate facilities and programmes of all kinds and of qualified coaches, trainers and staff, either volunteer or professional.
2. Encouraging the provision of opportunities to participate in sport at workplaces shall be regarded as an integral part of a balanced sports policy.

Article 13 – Improving performance

1. The practice of sport at higher levels shall be supported and encouraged in appropriate and specific ways. The support will cover such areas as talent identification and counselling; the provision of suitable facilities; developing care and support with sports medicine and sports science in line with sports ethical standards; encouraging scientific coaching and coach education and other leadership functions; helping clubs to provide appropriate structures and competitive outlets.

Article 14 – Supporting top level and professional sport

1. Methods of providing appropriate direct or indirect support for athletes who reveal exceptional sporting qualities should be devised, in order to give them opportunities to fully develop their sporting and human capacities, in the full respect of their individual personality and physical and moral integrity. Such support will include aspects related to the identification of talent, to balanced education while in training institutes, and to a smooth integration into society through the development of career prospects during and after sporting excellence.

2. The organisation and management of professionally organised sport, including by sport entertainment industry, shall be conducted through appropriately competent and well-governed bodies, paying attention to appropriate social dialogue with athletes' representatives. Practitioners engaging professionally in sport should be provided with appropriate social status, enjoyment of economic and social rights and with ethical safeguards against all forms of exploitation.

E. Means

Article 15 – Facilities and activities

1. Since the scale of participation in sport is dependent in part on the extent, the variety and the accessibility of facilities, their overall planning should be accepted as a matter for public authorities. The range of facilities to be provided should take account of public and private facilities which are available. Those responsible should take account of national, regional and local requirements, and incorporate measures designed to ensure good management and their safe and full use.
2. Appropriate steps should be taken by the owners of sports facilities to enable persons from or living in disadvantaged communities including those with physical or mental disabilities to have access to such facilities.
3. A clear framework shall be provided, and appropriate steps shall be taken to empower event organisers and owners of sporting facilities to fulfil the safety and security obligations effectively.

Article 16 – Human Resources

1. The development of training courses by appropriate bodies, leading to diplomas and qualifications to cover all aspects of sport, including its compliance with human rights, ethics, integrity and sustainability, shall be encouraged. Such courses should be appropriate to the needs of participants of all genders involved in different kinds and levels of sport and designed for both those working voluntarily or professionally (instructors, coaches, managers, officials, doctors, safety officers, architects, engineers, child safeguarding officers, etc).
2. Those involved in the leadership or supervision of sports activities should have appropriate qualifications, paying attention to the protection of ethical values, integrity and human rights, including the protection of the human dignity, safety and health of the people in their charge.
3. Special attention should be paid to volunteering. Voluntary personnel, given appropriate training and supervision, can make an invaluable contribution to the comprehensive development of sport and encourage the participation of the

population in the practice and organisation of sport activities. The recruitment, training and retaining of volunteers should be encouraged through the recognition of voluntary work, support for the holistic training of volunteer coaches and other measures.

Article 17 – Information and research

1. Suitable structures and means for the collection and dissemination of pertinent information on sport at local, national and international levels should be maintained at an up-to-date standard and developed further according to the pertinent technological standards. This shall notably include the appropriate reflection of digitalisation and other important technological developments just like their use and application in the sporting context.
2. Scientific research into all aspects of sport, including positive and negative effects on health, its ethics, governance, new trends and other central underlying principles, shall further be promoted and supported. Arrangements shall be made for diffusing and exchanging such information and the results of such research at the most appropriate level, locally, regionally, nationally or internationally, including as a basis for the further evolution of informed sport policies.

Article 18 – Finance

1. Appropriate support and resources from public funds at national, regional and local levels, including where appropriate lottery contributions, adequate public budget provisions, tax exemptions, premises lending etc. shall be made available for the fulfilment of the aims and purposes of this Charter.
2. Mixed public and private financial support for sport should be encouraged, including the generation and appropriate attribution by the sports sector itself of resources for its further development in both its social and high-level component.
3. Public measures of support for the organisation of sporting events should be granted in light of the compliance with relevant environmental standards and sustainable economic and social benefits such events can achieve, in order to activate the positive potential of sporting events and increase public acceptance.

Article 19 – Domestic and international co-operation

1. Appropriate structures for the proper co-ordination of the development and promotion of sport between the various stakeholders, should be developed when they do not already exist at central, regional and local levels in order to achieve

the aims of this Charter, ensuring that sport is a structural element of the well-being of our society.

2. International co-operation both at global and continental levels is also necessary for the fulfilment of the aims of this Charter. This can be achieved through the exchange of good practice, education programmes, capacity development, advocacy, pledges, as well as indicators and other monitoring and evaluation tools.

F. Final provisions

Article 20 – Support and follow-up to the implementation of the Charter

1. The Council of Europe as a whole and other international organisations should be encouraged to use sport as a vehicle to promote values, and to mainstream sport in strategies and actions plans.
2. To facilitate the promotion and the implementation of this Charter, relevant stakeholders shall be invited to pledge for the implementation of the Charter through their policies, strategies and programmes.
3. At European level, it is important to review progress and support the implementation of the Charter particularly to guarantee the positive impact of sport on health, inclusion and education, to maximise its potential to promote a vivid civil society as well as a culture of human rights, rule of law, democratic governance and sustainability and to fight threats to sports integrity. The Council of Europe's Enlarged Partial Agreement on Sport should assess and promote progress in the implementation of the Charter, including by:
 - a. facilitating the exchange of information and good practices;
 - b. holding thematic exchanges on issues pertaining to the Charter;
 - c. collecting and publishing information to monitor the implementation of the Charter;
 - d. supporting the promotion and implementation of the Charter both through regular multilateral and country-specific activities.