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**THEME 1**

**A EUROPEAN APPROACH TO SPORT POLICIES: THE REVISION OF THE EUROPEAN SPORTS  
CHARTER**

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## Why is the European Sports Charter so important?

In Europe, sport is inseparable from the modern way of life. Its role in health, inclusion and education is a recognised one. Promoting the practice of sport is a goal shared by all governments.

The European Sports Charter is the Council of Europe standard which lays down the basic principles for national sports policies, allowing governments to provide their citizens with opportunities to practice sport under well-defined conditions. It inspires policy makers and provides guidance to member states on how to perfect their existing sport legislations or other policies and to develop a comprehensive framework for sport.

For example, it prescribes that sport must be accessible to everybody, be healthy and safe, fair and tolerant, be built on high ethical values, be capable of fostering personal self-fulfilment at all levels, be respectful of the environment, be protective of human dignity and against any kind of exploitation of those engaged in sport.

## Why revise it?

The Charter has been, and still is, a reference point for the development of sport in Europe since its adoption in 1992, and countries and sports have benefited from the principles and values it portrays. But its most recent update was carried out almost 20 years ago, in 2001.

Since then, sport has had to face significant challenges in a world that is ever-changing in terms of technology, politics, public health, commercialisation and global demographics; these changes have had an impact, in one way or another, on human rights, democracy and the rule of law – and inevitably on sport.

High-level competitions have been transformed into events run by sports organisations but also by profit-making companies. This merchandising of competitions may have brought the sport movement a certain prosperity, but also its share of challenges: rivalries between sports organisations and commercial enterprises or competitor syndicates, professionalisation of athletes, infringement of anti-trust rules, redistribution methods towards amateur sport and risks of malpractice, to name just a few.

In parallel, the proffering of new kinds of physical activity has been expanded upon by new actors not always connected to the traditional sports movement: corporate service providers (gyms), public authorities (local government and urban councils) and self-organised sport (supported by online resources, social media and technological devices), etc.

More recently, the COVID-19 crisis, which brought all sporting events to an abrupt halt, is likely to exacerbate these tensions. Many stakeholders, including the most prestigious professional clubs, are dependent on event revenue (TV rights, ticketing). And if the lucrative side of the sports movement falters or is seized by business owners or top athletes for their own benefit, its ability to support “sport for all” will also be reduced.

The European Sports Charter needs to stand up and take these challenges head on. In its current form, it cannot do this.

## The process so far

In 2018, the 15th Council of Europe Conference of Ministers responsible for Sport (Tbilisi, 16 October) adopted two resolutions:

- One relating to “protecting human rights in sport: obligations and shared responsibilities” wherein EPAS was invited to “consider reviewing the European Sports Charter with a view to providing further guidance on how to advocate the right to access to physical activity and sport for all, effectively promote human rights in and through sport, and prevent and respond to human rights violations in the sport context”;
- Another relating to “fighting corruption in sport: scaling up action”, wherein EPAS was invited to “consider reviewing the European Sports Charter with a view to providing further guidance on how

to introduce, promote, support and monitor the implementation of good governance principles in sport.”

Following these resolutions, in 2019 EPAS conducted an assessment of the Charter and the subsequent analysis report of this assessment gave recommendations regarding a potential revision. This groundwork allowed EPAS to pursue the idea of revising the Charter, by arranging interactive workshops with member states and the sports movement, consulting Council of Europe sectors with expertise in topics such as anti-discrimination, good governance and social rights, and collecting all of their input via an online survey.

These constructive consultations led to strategic discussions on the kind of standard to be developed (recommendation or convention), what the process should be, which relevant stakeholders should be involved and which features the structure and content of the new Charter could potentially include.

#### What could the new Charter look like?

These consultations have resulted in a proposal to revise the European Sports Charter under the same type of standard as it is currently, i.e. a Committee of Ministers recommendation.

Given the changes to the sports environment since 2001 as outlined above, the analysis work done so far recommends that new elements be added to a revised Charter, so that it can be more in line with modern developments and the implementation of can be better supported and accompanied by helpful tools and monitoring services.

A revised Charter could include:

- reference to new stakeholders, new types of sport, new environments where sport is being practised (for example, business-run sports, online fitness clubs, sport organised by local authorities, e-sports);
- more developed ideas on the relevance to sport of the values promoted by the Council of Europe, including more substantial content on integrity (building on existing work done, such as the Sports Conventions, Integrity Guidelines developed under the Kazan Action Plan, and benchmarks on good governance and anti-corruption);
- a vast array of human rights issues affecting sport in its entirety with focus on an inclusive approach;
- an update to policy fields such as the issue of sustainability which includes not only ecological aspects but also social and economic ones, in particular sport’s rapport with the United Nations Sustainable Development Goals;
- legal issues in relation to anti-trust laws, incorporating a due diligence approach in the business of sport;
- an increased reference to the links between sport and health, both physical and mental.

What seems obvious, is that a more integrated approach is needed between, on the one hand, the promotion of sport for all and, on the other hand, the protection of the moral and ethical foundations of sport and the human dignity and safety of those involved. It is also clear from the analysis that the “right to sport” as an entitlement should be strengthened within the Charter.

As a standard to which member states and sports organisations should look for guidance and inspiration, it will need to better reflect the common European framework for sport. First and foremost, this means it must be based on shared values and mutual understanding of what sport represents.

Of course, this is not just about adopting a new standard. A revised Charter should be the leading reference point for EPAS and its activities; and it should be backed by strong communication tools, efficient implementation services and an effective monitoring system.

## Round Table discussions

Heads of Delegation are invited to take the floor on this subject, taking inspiration from the following “food for thought” questions:

- ▶ How can the various stakeholders (public authorities, sports movement and corporate businesses) join forces and complement each other to encourage sport activities that are accessible for all, inclusive, ethical and safe?
- ▶ What or how much of a role should public authorities play and how can it be ensured with the sports movement and with other stakeholders?
- ▶ The Charter alone is not enough – what kind of support services should accompany the Charter in order for it to be implemented and monitored effectively and efficiently?