

# "Sport and Council of Europe"

SF/AH

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# How well do you know the actions of the Council of Europe in the field of Sport ?

ALL IN indicators on gender equality in sport

Parliam. Assembly Resolutions on the Govern. of Football

Conference of Sports Ministers

European Sports Charter

Sports Conventions

Coordination meetings on safety/security or on manipulations

«Start to Talk» Project against sexual violence in Sport

Governmental positions within WADA

Case law of the European Court of Human Rights

# The Council of Europe

- One of the oldest international organisations working for European integration, founded in 1949.
- Intergovernmental organisation
- Focusing primarily on the protection of human rights, strengthening democracy and the rule of law in Europe, and cultural co-operation.
- 47 member countries: 800 million citizens
- Flag identical to that of the EU
- Headquarters in Strasbourg

# The Council of Europe

## Article 1<sup>st</sup>

*« 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 facilitating their economic and social progress. »*

→ >< with the EU which aims to establish a Common Market.

# The Council of Europe

## Article 1<sup>st</sup>

*« 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 facilitating their economic and social progress. »*

- >< with the EU which aims to establish a Common Market.
- Membership open to all European countries if democratic institutions and human rights are respected.
- Core values = Democracy, Human Rights and Rule of Law

# The Council of Europe

achieve a greater unity between its members

Standard –Setting

Monitoring

Co-operation

# The Council of Europe

## Expert guidelines

- Adopted by an expert committee
- Technical document
- Commit those who adopted the text

## Declaration / Resolution

- Adopted by the Parliamentary Assembly of the Council of Europe or a conference of specialised ministers, or an intergovernmental committee which has a statutory competence
- Commit those who adopted the text
- Political statement

## Recommendation of the CM to MS

- Adopted by the Committee of Ministers (or by the Ministers' Deputies) – on behalf of their government – following inter-ministerial consultations.
- Commit the States, legal standard, however **not legally binding**

## Convention

- Adopted by the Committee of Ministers
- Signed (by governments) and ratified by the national Parliament
- Once ratified, it becomes **legally binding** for the States which ratified it

# The Council of Europe and Sport

- Holistic approach of sport based on its benefits to individuals, and its contribution to mental and social well-being. >< EU sport competence if it is an economic activity.
- Its competences in the field of sport are based on the Cultural Convention signed in 1954 by all MS. Sport was then integrated into the general framework of the Council of Europe by the establishment in 1976 of the Steering Committee for the Development of Sport (CDDS), which was replaced by the Enlarged Partial Agreement on Sport (EPAS) in 2007.
- In addition, three conventional committees are specifically responsible for monitoring the Sports Conventions



# The Council of Europe and Sport

- More than 100 recommendations, declarations and resolutions adopted over the past 50 years, mainly concerning health, sport for all, school sport, the promotion of sport for certain target groups, the fight against violence, hooliganism, environmental protection and co-operation with Central European countries.
- The most important works are: The European Sports Charter, the Code of Ethics, the Anti-Doping Convention and the Convention on the fight against spectator violence and the Convention on match-fixing, the Tbilisi Declaration.
- Latest recommendation on “combat sports” 2021.

# Council of Europe Sports Conventions

1985

European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches

ETS120

Being replaced by

2016

Council of Europe Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events

CETS 218

1989

Anti-Doping Convention

ETS 135

Completed by

2002

Additional Protocol to the Anti-Doping Convention

ETS 188

2014

Council of Europe Convention on the Manipulation of Sports Competitions

CETS 215

# Anti-Doping Convention: entered into force on 1 March 1990

- Aim: not to create a uniform anti-doping model but to establish a number of common standards and regulations committing States Parties to adopt legislative, financial, technical, educational and other measures.
- Each contracting party undertakes to :
- Establish a national coordinating body;
- Reduce trafficking in doping substances and the use of prohibited doping agents;
- Strengthen anti-doping controls and improve detection techniques;
- Support education and visibility programmes;
- Ensure effective sanctions against offenders;
- Collaborate with sports organisations at all levels, including the international level;
- And using accredited anti-doping laboratories
- Follow-up Committee monitors its implementation and reviews the List of Prohibited Substances and Methods.

# European Convention on Spectator Violence: Entry into force 1 Nov. 1985

- Calls on the 41 States Parties to take concrete measures to prevent and control violence.
- Sets out measures for the identification and prosecution of offenders.
- Standing Committee to monitor the implementation of the Convention.
- The text provides for the presence of a security service in stadiums and along access routes; separation of rival supporters; control of ticket sales; prohibition of the introduction of alcoholic beverages into stadiums; judicial co-operation,...
- Reviewed in 2015 by the "broader" Convention on *an integrated and multiagency approach to safety, security and service at football matches and other sports events* that will gradually replace the 1985 Convention, as each state that ratifies the new convention must denounce the old one.

# International Convention on the Manipulation of Sports Competitions: Entry into force 1 September 2019

- Transversal co-operation between authorities in charge of justice, betting regulation and sport
- End of drafting work: mid-2014. Adoption September 2014
- Divided in 3 parts: prevention, law-enforcement, international co-operation.
- Is not aimed at criminal harmonisation of the fight against match-fixing but at:
  - The adoption of preventive measures at all levels (sport, states, betting operators).
  - International co-operation between public authorities and the sports movement/betting operators to detect possible threats.
  - Establishment of national platforms
  - Strengthening of legislation
  - Follow-up of cases.
- **! Controversies about its definition of illegal sports betting.**

# European Convention for the Protection of Human Rights and Fundamental Freedoms: 1950

- Ratified by 47 States
- + additional protocols adding rights and freedoms such as the general prohibition of discrimination.
- The European Court of Human Rights (ECHR) in Strasbourg is not an institution of the European Union. It is a court of the Council of Europe responsible for ensuring compliance with the Convention.
- Nothing on sport but: Article 4: prohibition of slavery: Article 6: right to a fair trial: Article 8: right to respect for private and family life,....

# Human Rights issues in sport

Child protection against abuse	Economic and social rights of athletes	Hate speech and racism	Fair trial
Media freedom	Rights of intersex people in sport competitions	Rights of young migrant athletes	Gender equality
Personal data protection	Freedom of expression	Right to health	Freedom of association

# Fundamental differences between the Council of Europe and the EU.

- The EU MS have transferred competences to the European Commission and the European Parliament in some areas of activity → Delegation of sovereignty.
- Council of Europe MS have retained their sovereignty but commit themselves through conventions (international public law) and co-operate on the basis of common values and common political decisions.
- - Council of Europe = co-operation between confederal states.
- - EU law is produced by EU bodies - higher level of integration.



# The Enlarged Partial Agreement on Sport (EPAS)

- Platform for intergovernmental sports co-operation between the public authorities of its member states. It also encourages dialogue between public authorities, sports federations and NGOs. This contributes to better governance, with the aim of making sport more ethical, more inclusive and safer.
- 40 member states
- Recommendations prepared by EPAS have been adopted by the Committee of Ministers on different issues: sports ethics, the autonomy of the sports movement, the protection of young athletes. Older recommendations such as the European Sports Charter are regularly monitored and it is now under a revision process. The Recommendation on extreme martial arts and combat activities is the most recent one adopted in 2021.

# The Enlarged Partial Agreement on Sport (EPAS)



## Adopted texts on Sport policies

### Recommendations on Sport policies (in chronological order)

- Recommendation of the Committee of Ministers to member States on extreme martial arts and combat activities (CM/Rec(2021)3)
- Recommendation of the Committee of Ministers to member States on the promotion of good governance in sport (CM/Rec(2018)12)
- Recommendation of the Committee of Ministers to member states on gender mainstreaming in sport (15/2)
- Recommendation of the Committee of Ministers to member states on the protection of child and young athletes from dangers associated with migration (12/10)
- Recommendation of the Committee of Ministers to member states on promotion of the integrity of sport against manipulation of results, notably match-fixing (11/10)
- Explanatory Memorandum(11/116 add final)
- Recommendation on the principle of autonomy of sport in Europe (2011/3)
- Recommendation on the revised Code of Sports Ethics (2010/9)
- Resolution: The need to preserve the European Sport Model (1602 (2008))
- Recommendation on the principles of good governance in sport (2005/8)
- Recommendation on improving physical education and sport for children and young people in all European countries (2003/6)
- Recommendation on the prevention of racism, xenophobia and racial intolerance in sport (2001/6)
- Recommendation of the Committee of Ministers to Member states on the Code of sustainability in sport: a partnership between sport and the environment (2000/17)



#### KEY TEXT



European Sports Charter

#### SHORTCUTS

##### Resources

- Adopted texts
- Publications
- Activity reports
- Multimedia
- Visibility materials

# A collection of publications

The screenshot displays a website interface for a collection of publications. At the top left, there are social media icons for Twitter, Facebook, LinkedIn, YouTube, and Instagram. The main heading is "Publications".

The content is organized into two columns of book covers:

- Left Column: Collection "Sport policy and practice series"**
  - Sport and prisons in Europe** (Author: Claire Sargent)
  - Ethics and sport in Europe** (Authors: Giovanni Sella and Gailin Aisling)
  - Sport and discrimination in Europe. The perspectives of young European research workers and journalists** (Authors: Willem G. van der Plas, Ina Telle)
  - Autonomy of sport in Europe** (Author: Graham T. Apperly)
  - Sport facing the test of cultural diversity, integration and intercultural dialogue in Europe: analysis and practical examples** (Authors: Willem G. van der Plas and Aurélie Cornet)
- Right Column: Collection of "Good practice handbooks"**
  - Sport in Post-Conflict Societies. Targeting Social Cohesion in Post-Conflict Societies through Sport** (Authors: Ugo Lorenzini, Peter Hogg and Jocelyn Unterberg)
  - Gender equality in sports. Access for Girls and Women to Sport Practices** (Author: Claire Sargent)
  - Disability sport in Europe** (Author: Michael Gatz)
  - LGBT Inclusion in Sport** (Author: Louise Ungsted)
  - Human rights protection in Europe in the context of sports organisations' disciplinary and arbitration procedures** (Authors: Maria Costa, Isabella Cuperlin, Laurent Vidal)
  - Disciplinary and arbitration procedures of the sport movement** (Authors: Peter Duma, Sabina Cuperlin, Laurent Vidal)
  - Inclusive and innovative approaches to physical education and sports training** (Author: Ana Zdravko Caborec)
  - Good governance initiatives in sport at national level** (Author: Peter Neijssen)

On the right side, there is a sidebar menu with a "SHORTLIST" header and the following categories:

- Resources
- Adopted texts
- Publications
- Activity reports
- Multimedia
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At the top right of the sidebar, there is a graphic with the word "SPORT" and a background image of a lighthouse and a field.

# Projects and partnerships



ALL IN



Kazan Action Plan

- Thank you for your attention

