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OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
To: Delegations
No. prev. doc.: 13711/21
Subject: Resolution of the Council and of the representatives of the Governments of the Member States meeting within the Council on the key features of a European Sport Model

Delegations will find in the annex the resolution of the Council and of the representatives of the Governments of the Member States meeting within the Council on the key features of a European Sport Model, as approved by the Council (Education, Youth, Culture and Sport) at its meeting on 29-30 November 2021.

**Resolution of the Council and of the representatives of the Governments of the Member States
meeting within the Council on the key features of a European Sport Model**

RECALLING THAT

1. Article 6 of the Treaty on the Functioning of the European Union (TFEU) refers to sport as an area where action at EU level should support, coordinate and supplement the actions of Member States.
2. According to Article 165.1 of the TFEU, "the Union shall contribute to the promotion of European sporting issues, while taking account of the specific nature of sport, its structures based on voluntary activity and its social and educational function".
3. According to Article 165.2 of the TFEU, Union action shall be aimed at "developing the European dimension in sport, by promoting fairness and openness in sporting competitions and cooperation between bodies responsible for sports, and by protecting the physical and moral integrity of sportsmen and sportswomen, especially the youngest sportsmen and sportswomen".
4. The conclusions of the Council on the impact of the COVID-19 pandemic and the recovery of the sport sector invite the Member States to "promote the solidarity among sport federations, clubs, organisations and athletes to contribute to the sustainable recovery and further development of the sport sector and recognize the European Model of Sport¹ as such example based on a solidarity system".

¹ 'Although due to the diversity of European sport structures there is no common definition of European Model of Sport, some key features make it recognizable. Such features include pyramidal structure, open system of promotion and relegation, the grassroots approach and solidarity, role in national identity, structures based on voluntary activity and its social and educational function.'

5. The European Union Work Plan for Sport 2021-2024 refers to European Model of Sport as a key topic within the priority area 'Protect integrity and values in sport'.
6. The Revised European Sports Charter, adopted on 13 October 2021 by the Council of Europe, 'highlights the common features of a framework for European sport and its organisation, understood by the sports movement as the European sport model'.

RECOGNISING THAT

7. Organisation of sport in Europe is based on the fundamental right of freedom of association. It is also based on values, such as solidarity between different levels in sport, in particular between professional and grassroots sport, fairness, integrity, openness, gender equality and good governance.
8. The key features for most of the values-based organised sport in Europe represent an organisation of sport in an autonomous, democratic and territorial basis with a pyramidal structure, encompassing all levels of sport from grassroots to professional sport, comprising both club and national team competitions and including mechanisms to ensure financial solidarity, fairness and openness in competitions, such as the principle of promotion and relegation.
9. Values-based organised sport in Europe is usually structured on a national basis and in principle organised by one federation per sport, allowing for a comprehensive approach to rules, regulations, and standards as well as respecting competition calendars and qualifications for competitions. These organisations are committed to financial solidarity between professional and grassroots sport as well as to highest levels of good governance, fundamental and human rights, mental and physical health and to the safety of athletes, to the prevention of any form of discrimination and to the promotion of integrity of sport.

10. Sport is also an important economic sector in Europe in its own right, contributing to economic growth, development and employment opportunities², with new stakeholders and approaches in sport, such as sport industry, sponsors, media, major events, new types of sport, athletes' role, etc. These new stakeholders and approaches should also be taken into account in the further development of sport in Europe.

EMPHASISING THAT

11. Sport federations should have a central role in overseeing the organisation and functioning of their respective sport, and should reconcile in a democratic, balanced and cohesive manner the interests of athletes, clubs and leagues, fans and other stakeholders, and other sport organisations in order for all to contribute to the healthy development of sport.
12. Mechanisms for safeguarding athletes' rights and responsibilities, such as non-discrimination, access to information, representation within sport organisation, privacy and fair trial, and athletes' use of these mechanisms are essential in upholding principles of good governance in values-based organised sport where athletes 'voice is to be heard and taken into account.
13. Financial solidarity is a key feature of values-based organised sport. It can help to establish, maintain and reinforce the link between professional and grassroots sport, co-financing of commercially less attractive competitions as well as training of volunteers, athletes, coaches, officials, etc. Furthermore, support should also be given to activities endorsing the respect of values in sport, such as fundamental and human rights, democracy, solidarity, social integration, gender equality, development of youth, rights of the child and education through sport.

² European Commission, Research Report, Study on the economic impact of sport through sport satellite accounts, April 2018.

14. Organised sport in Europe has been facing internal and external threats, such as cases of poor governance, corruption, sport manipulations, financial instability, human rights violations, doping, racism, violence, gender inequality, increasing commercialisation and a tendency to buy rather than train young athletes. This all requires a response, in close co-operation with relevant authorities and organisations, which should safeguard the values and integrity of sport, promote good governance, and should ensure a positive future for sport.
15. Good governance in sport is a prerequisite for the autonomy and self-regulation of sport organisations and federations, in compliance with the principles of democracy, transparency, integrity, solidarity, gender equality, openness, accountability and social responsibility. It is essential that sport organisations and federations uphold and, where possible, raise their standards of good governance by giving voice to athletes and to fans.
16. It is fundamental for the long-term viability of sport to maintain, and, where necessary, enhance competitive balance to prevent unfair advantage. A broad range of measures addressing both short-term needs and long-term developments should be considered in order to promote fair, competitive and balanced sport competitions.

CONSIDERING THAT

17. National team competitions are integral part of organised sport in Europe.³ They play an essential role not only in terms of promoting national identity and inspiring young athletes to reach their highest potential of sporting performance, but also by promoting solidarity with grassroots sport and portraying role models for younger generations.
18. Sport organisations of all types and at all levels shall commit to developing a culture of transparency and establish procedures based on good governance principles which ensure the irreproachable management of their financial resources, stringent controls to prevent conflict of interests, corruption and limited periods of elected positions.

³ See, for example, Tsjalle van der Burg: EU competition law, football and national markets, Research article, 30 December 2020.

19. The increasing commercialisation of professional sport is making sport an even more profit-oriented activity, driven in particular by the value of broadcasting rights. Although it contributes to the creation of financial resources for a greater number of athletes, the development of the commercial dimension of sport is not without risk for the values of sport.
20. At a time when modernisation of sport is bringing new financial opportunities from the economic potential of sport, it is of overriding importance that values-based organised sport preserves the integrity of sport, adheres to good governance principles, respects national, EU and international law and maintains the level-playing field necessary to effectively implement the solidarity values between all actors.
21. Certain values and traditions of European sport have a positive effect on society and should be promoted while emphasizing the diversity and complexity of European sport structures. This Resolution highlights the key features of a European Sport Model, mainly focusing on values-based organised sport.

INVITE THE MEMBER STATES, IN LINE WITH THE SUBSIDIARITY PRINCIPLE AND AT THE APPROPRIATE LEVELS, TO

22. Support the key features of a European Sport Model, such as freedom of association, pyramidal structure, open system of promotion and relegation, grassroots approach and solidarity, role in national identity, community building and structures based on voluntary activity as well as its social educational, cultural and health functions, in accordance with relevant provisions of EU law.

23. Further explore and continue on-going discussions with all sport stakeholders on the key features of a European Sport Model by acknowledging the diversity of approaches and new developments across different types of sport, in line with values-based organised sport, for example through the EU structured dialogue on sport.
24. Promote values in sport and sport organisations, governed in compliance with the principles of democracy, transparency, integrity, solidarity, gender equality, openness, accountability, accessibility, social responsibility and respect for fundamental and human rights.
25. Acknowledge and preserve the specific nature of sport and its structures based on voluntary activity, and the autonomy of the sport governing bodies to organise the sport for which they are responsible while respecting national, international and EU law.
26. Recognise the contribution of volunteers, grassroots sport clubs, families and local communities in the field of sport and support them when appropriate.
27. Strengthen policies designed to encourage the training and education of athletes, and sport staff since they contribute to promoting the social, educational, economic and wider interests of sport.
28. Draw the attention to the consequences closed sport competitions could have on organised sport in Europe, such as fundamental change in the sport qualifying processes usually based on sporting merit.
29. Include European sporting issues in the debates at the Conference on the Future of Europe.

INVITE THE EUROPEAN COMMISSION TO

30. Support the key features of a European Sport Model, such as freedom of association, pyramidal structure, open system of promotion and relegation, the grassroots approach and solidarity, role in national identity, community building and structures based on voluntary activity as well as its social, educational, cultural and health functions, in accordance with relevant provisions of EU law.
31. Further explore and continue on-going discussions with all sport stakeholders on the key features of a European Sport Model by acknowledging the diversity of approaches and new developments across different types of sport, in line with values-based organised sport, for example through the study by the Commission on European Sport Model(s), the EU structured dialogue on sport, etc.
32. Support the role of sport and its educational dimension, such as dual careers of athletes, and their sustainable combination within the scope of its competence with respect to EU and international law.
33. Continue acknowledging and giving practical effect to the specific nature of sport and its structures based on voluntary activity, which should operate with a high degree of good governance, transparency, accountability, social responsibility, inclusivity, integrity, democracy, self-regulation and respect of fundamental and human rights.
34. Foster cooperation and structured dialogue with the sport movement, athletes' groups, commercial organisers and other relevant stakeholders within the scope of its competences, while taking into account the specific nature of sport.
35. Draw the attention to consequences closed sport competitions could have on organised sport in Europe, such as fairness and openness in sporting competitions, structures based on voluntary activity and social and educational function.
36. Include European sporting issues in the debates at the Conference on the Future of Europe.

INVITE THE SPORT MOVEMENT, TAKING INTO ACCOUNT THE AUTONOMY OF SPORT ORGANISATIONS, TO

37. Support the key features of a European Sport Model, such as freedom of association, pyramidal structure, open system of promotion and relegation, the grassroots approach and solidarity, role in national identity, community building and structures based on voluntary activity as well as its social, educational, cultural and health functions, in accordance with relevant provisions of EU law.
38. Further explore and continue on-going discussions with all sport stakeholders on the key features of a European Sport Model by acknowledging the diversity of approaches and new developments across different types of sport, in line with values-based organised sport, for example through the EU structured dialogue on sport.
39. Promote solidarity among sport organisations at all levels to contribute to the recovery from Covid-19 pandemic, sustainability and further development of the sport sector.
40. Respect and align the requirements of the international sporting calendar and to participate in solidarity schemes.
41. Commit to financial solidarity between professional and grassroots sport and to the highest levels of good governance, safety and integrity standards for athletes, staff, officials and spectators.
42. Work together with all stakeholders, especially with sport governing bodies, to preserve and strengthen fundamental and human rights, particularly the rights of the athletes in all sport-related activities and athletes' health due to multiplication of sport competitions, as well as gender equality and social inclusion by avoiding all forms of discrimination.

43. Ensure that effective internal and external mechanisms are in place to ensure compliance with good governance principles and respect of fundamental and human rights as well as with appropriate monitoring, reporting and sanctions mechanisms.
44. Ensure the organisation of top-level and professional sports competitions in compliance with the principle of openness in sporting competitions, giving priority to sporting merit.
45. Work together with educational institutions to give practical effect to a sustainable combination of sport and education for a holistic development, wellbeing and integrity of athletes.
46. Promote and facilitate the access of young athletes and underrepresented groups to participate and be engaged in decision-making in sport, where appropriate.
47. Develop mechanisms for safeguarding athletes' rights and responsibilities, such as non-discrimination, access to information, representation within sport organisations, privacy and fair trial, and encourage athletes to make use of these mechanisms.
48. Respect fundamental and human rights and in this regard take accountable decisions on the hosts for major sporting events both within and outside the European Union⁴.

⁴ Based on the letter signed by 27 Ministers, responsible for sport, on 27 January 2021 and sent to the Commissioner Ms Mariya Gabriel.

ANNEX I TO THE ANNEX

Definition

For the purpose of this Resolution:

Values-based organised sport in Europe

Values-based organised sport is based on freedom of association and values, such as good governance, safety, integrity, solidarity, including financial solidarity, the health and safety of athletes, respect of fundamental and human rights and gender equality as well as voluntary activity. It is usually structured on a national basis and in principle organised by one sport federation per sport, allowing for a comprehensive approach to rules, regulations, and standards as well as to competition calendars and qualification for competitions.

ANNEX II TO THE ANNEX

POLITICAL BACKGROUND

1. Council of Europe, Recommendation CM/Rec(2021)5 of the Committee of Ministers to member States on the Revised European Sports Charter, adopted on 13 October 2021.
2. European Parliament resolution of 10 February 2021 on the impact of COVID-19 on youth and on sport (2020/2864(RSP)).
3. Resolution of the Council and of the Representatives of the Governments of the Member States meeting within the Council on the European Union Work Plan for Sport (1 January 2021-30 June 2024), 2020/C 419/01.
4. Conclusions of the Council and the Representatives of the Governments of the Member States meeting within the Council on the impact of the COVID-19 pandemic and the recovery of the sport sector, 2020/C 214 I/01.
5. Conclusions of the Council and of the Representatives of the Governments of the Member States meeting within the Council on empowering coaches by enhancing opportunities to acquire skills and competences, 2020/C 196/01.
6. European Parliament resolution of 2 February 2012 on the European dimension in sport (2011/2087(INI)).
7. European Commission Communication on Developing the European Dimension in Sport, COM/2011/0012 final.
8. European Council, Nice 7-10 December 2000, Conclusions of the Presidency: Annex IV – Declaration on the specific characteristics of sport and its social function in Europe, of which account should be taken in implementing common policies.

9. European Council Declaration on sport – Presidency conclusions 2008, 17271/1/08 REV 1.
 10. Council of Europe Parliamentary Assembly Resolution 1602 (2008): The need to preserve the European Sport Model.
 11. European Parliament resolution of 8 May 2008 on the White Paper on Sport (2007/2261(INI)).
 12. European Commission White Paper on Sport {SEC (2007) 932} {SEC (2007) 934} {SEC (2007) 935} {SEC (2007) 936}.
 13. Opinion of the Committee of the Regions on ‘The European Model of Sport’ (1999/C 374/14)
 14. Report from the Commission to the European Council with a view to safeguarding current sports structures and maintaining the social function of sport within the Community framework - The Helsinki Report on Sport, COM/99/0644 final.
 15. European Commission Directorate-General X on ‘The European Model of Sport’ and the working document of Directorate-General X on ‘the evolution and prospects of the Community’s action in the field of Sport’, 1998.
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