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NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council
Subject: The role of the key features of a European Sport Model
- *Policy debate*

Delegations will find attached a Presidency background note on the above subject, to guide the policy debate at the Education, Youth, Culture and Sport Council meeting on 25-26 November 2024.

Policy debate
on the role of the key features of a European Sport Model

The Resolution of the Council on the key features of a European Sport Model¹ (the 2021 Council Resolution) recognises that the organisation of sport in Europe is based on the fundamental right of freedom of association and 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. The 2021 Council Resolution also recognises that 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. 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.

¹ 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, OJ C 501, 13.12.2021.

Consequently, the 2021 Council Resolution invites the Member States, the European Commission and the sport movement to 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. It also invites Member States, the European Commission and the sport movement to further explore and continue on-going discussions with all sport stakeholders on the key features of a European Sport Model.

The European Parliament also acknowledged the importance of a European Sport Model based on values, voluntary activities and solidarity in its resolution of 23 November 2021 on EU sports policy². It also acknowledged the diversity of approaches across sports and countries while considering that the common foundation of European sport needs to be further enhanced and protected, in particular the links between grassroots and elite sport. In this respect, it called for a European Sports Model that recognises the need for a strong commitment to integrating the principles of solidarity, sustainability, inclusiveness for all, open competition, sporting merit and fairness.

² European Parliament resolution of 23 November 2021 on EU sports policy: assessment and possible ways forward (2021/2058(INI)), OJ C 224, 8.6.2022, p. 2–10.

The study on the European Sport Model – A report to the European Commission³, April 2022, considered the continuing relevance of the key features of a European Sport Model, such as the pyramid structure, open competition, solidarity, autonomy, volunteering and the role of European values. The study also examined how some major trends affect the evolution of the European Sport Model, like internationalisation and commercialisation, the redistribution of revenues from elite to grassroots sport, potential closed competition structures, increasing importance of good governance, volunteering trends, sporting habits and some other key trends. The study also mentions some gaps, for example as regards the scope of the European Sport Model, its connection with European values and the need for clearer guidelines towards redistribution and solidarity mechanisms.

Recent judgements of the Court of Justice of the European Union published on 21 December 2023⁴ and 4 October 2024⁵ also impact the ongoing discussions about the key features of a European Sport Model. Against this background, in February 2024, 26 EU sport ministers issued a declaration in which they recalled the importance of protecting and strengthening a solidarity and values-based sport in line with the Council Resolution on the key features of a European Sport Model⁶. In the declaration, ministers, among others, called to further strengthen the key features of a European Sport Model as the EU's vision and framework for the long-term future of European sport and invited the Commission to reflect on appropriate ways to pursue the 2021 Council Resolution regarding the safeguarding of the openness of competitions, sporting merit, integrity, solidarity and values in sport.

³ European Commission, Sennett, J., Le Gall, A., Kelly, G. et al., 'Study on the European Sport Model – A report to the European Commission', Publications Office of the European Union, 2022.

⁴ 1: European Court of Justice, Request for a preliminary ruling in the proceedings European Superleague Company SL v Fédération internationale de football association (FIFA), Union of European Football Associations (UEFA), C-333/21, Judgment of 21 December 2023;

2: European Court of Justice, International Skating Union v European Commission, C-124/21 P, Judgment of 21 December 2023;

3: European Court of Justice, Request for a preliminary ruling in the proceedings SA Royal Antwerp Football Club v Union royale belge des sociétés de football association ASBL (URBSFA), C-680/21, Judgment of 21 December 2023.

⁵ European Court of Justice, Request for a preliminary ruling in the proceedings Fédération internationale de football association (FIFA) v. BZ, C-650/22, Judgment of 4 October 2024.

⁶ <https://www.sports.gouv.fr/declaration-des-ministres-des-sports-europeens-pour-un-modele-sportif-base-sur-la-solidarite-le>

To support, further explore and continue on-going discussions on the key features of a European Sport Model is one of the guiding objectives of the European Union Work Plan for Sport (2024-2027)⁷. The EU Work Plan for Sport invites the European Commission to develop a new long-term strategic document on the future of EU sport policy, including on promoting the key features of a European Sport Model and on sport mainstreaming into other EU policies, by the end of 2026. The EU Work Plan for Sport also envisages a study on the future developments, threats and opportunities impacting the European Sport Model.

In the light of the above, it is timely that EU sport ministers have the possibility to express their views on recent developments and future perspectives as regards the key features of a European Sport Model, in the context of the future of EU sport policy.

QUESTIONS FOR THE DEBATE

1. What key features of a European Sport Model do you think should be further strengthened to preserve the values of sport in Europe and how? In your opinion, how can future work envisaged in the EU Work Plan for Sport 2024-2027 best support this, also with a view to the upcoming long-term strategic document on the future of EU sport policy and the planned study?
2. What methods and actions at national and/or EU level can motivate the sport movement to strengthen the link between professional and grassroots sport, including financial solidarity mechanisms?

⁷ 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 July 2024 - 31 December 2027), OJ C, C/2024/3527, 3.6.2024.