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NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Open Method of Coordination (OMC) Group on 'Promoting athletes' rights within the context of good governance in sport' - Mandate

Delegations will find attached the mandate of the Open Method of Coordination (OMC) Group on 'Promoting athletes' rights within the context of good governance in sport', as agreed by the Working Party on Sport on 16 April 2025.

**Open Method of Coordination (OMC) Group on
‘Promoting athletes’ rights within the context of good governance in sport’
under the EU Work Plan for Sport 2024-2027**

- Mandate -

A. BACKGROUND

1. The EU Work Plan for Sport 2024-2027 (Council Resolution 9771/24, 14 May 2024)¹ identifies as a key topic under ‘Priority area I: Integrity and values in sport’: ‘Athletes’ rights and good governance development and promotion within sport’.

As the working method for both topics, the EU Work Plan for Sport foresees the creation of a dedicated Open Method of Coordination (OMC) group. The scope of the OMC group is further defined by this mandate. The work of the OMC group will provide a framework for cooperation, exchange and sharing of good practices among Member States and relevant stakeholders allowing for the development of non-binding recommendations for Member States and relevant stakeholders.

2. Sport plays a fundamental role in our societies and athletes are the real backbone of the sport movement. In addition to fundamental human rights as individuals, athletes have a set of rights and responsibilities in organised sport. These are defined in a number of documents such as ‘The Athletes’ Rights and Responsibilities Declaration’² developed by athletes themselves with the support of IOC, or the ‘Universal Declaration of Players Rights’³ by the world’s leading player associations. Athletes’ rights constitute a fundamental pillar for ensuring good governance in sport. Good governance is a broader concept that also encompasses other areas not included in this mandate. Good governance is a prerequisite for maintaining and protecting a European Sport Model.

¹ [Official Journal C/2024/3527 3.6.2024](https://eur-lex.europa.eu/eli/reg/2024/1452/oj)

² <https://olympics.com/athlete365/athletes-declaration/>

³ https://uniglobalunion.dev-zone.ch/sites/default/files/files/news/official_udpr.pdf

3. Athletes' rights are a very important element of the physical and moral integrity of sportsmen and sportswomen which according to article 165 of the TFEU⁴ the EU has the duty to protect, especially the youngest sportsmen and sportswomen. The EU's values of respect for human dignity, freedom, democracy, equality, rule of law and respect for human rights are laid out in article 2 TEU⁵. Furthermore, the Charter of Fundamental Rights of the EU⁶ enshrines a wide array of societal, political and economic rights for EU citizens and residents, with dignity, freedoms, equality, solidarity, citizens' rights and justice forming the core elements of the Charter.
4. Rights of athletes are at the core of values-based organised sport in Europe as emphasised by the key features of a European Sport Model⁷. Organised sport is characterised by a high degree of autonomy and its governance lies mainly in the hands of international, continental and national federations. While there have been significant improvements in athletes' representation and access to decision-making processes in the sport sector, such as through sports-specific bodies or athletes' committees within sport organisations, the role of athletes is still rather limited in comparison to the impact of sport governing bodies' decisions to their careers and lives.
5. All athletes should be granted fair and equal access to sports, should be entitled to equality of opportunity in the pursuit of their sport irrespective of their abilities and should be protected against any form of discrimination. Principles of safeguarding such as empowerment, prevention, proportionality, protection, partnership and accountability should therefore be reflected within good governance principles of various sport governing bodies. This includes the right to play free from any physical, emotional, or verbal abuse or violence from the opposition, teammates, coaching staff, spectators, grounds staff, or officials. The athletes should also be protected against any form of harassment and abuse. Appropriate rights should be considered for young athletes, female athletes (e.g. right to maternity), athletes with disabilities and other athletes at risk of exclusion, in order to ensure equal participation in organised sport.

⁴ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12008E165>

⁵ https://eur-lex.europa.eu/eli/treaty/teu_2016/art_2/oj/eng

⁶ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:12012P/TXT>

⁷ 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, p. 1.

6. Athletes should be entitled to fair and just working conditions as well as comprehensive learning opportunities, such as the support for dual careers or in-service training. The duty of care of employers in sport with its ethical and legal obligation for safety and welfare should be reflected as basic concept within governing regulations. In this context, particular attention should also be paid to the mental health of athletes.
7. Within their professional life athletes are often at the centre of public attention, not only in the course of major sporting events but also as role models within our society. Athletes, in most cases, do not only represent themselves but are also representatives of sport associations or sport clubs. With the rise of social media and progressing globalisation, athletes are facing extensive media duties. Their obligatory commitments derive from multiple contracts, imposed by sponsors of the sporting events or sport governing bodies or simply by the necessity of appearing on the global stage. This entails on the one hand the need for protection of the athletes' right to freedom of opinion and expression but furthermore may also encompass essential guarantees in the multi-layered context of the right to privacy and the protection of personal data.
8. With regard to athletes' rights, it is crucial to consider various perspectives. The situation can differ for male and female athletes. Female athletes face particular challenges, e.g., in terms of media exposure, lower salary, financial support, fewer training and competition opportunities, as well as the impact of social and cultural norms. It is also important to take existing differences into consideration when asserting rights for those involved in parasports. Athletes with disabilities often face barriers that limit their access to sports activities. Various social and economic factors also influence the possibility for participation.

9. In the course of their career athletes often are subject to disputes and might even face disciplinary or other proceedings. In these cases, athletes should not only be entitled to due process but also to accessible dispute resolution through impartial panels and respective grievance mechanisms. Essential part of good governance rules in sport should be to respect and reflect the rule of law and/or guarantees of due process.
10. Yet, the level of protection and respect afforded to athletes' rights may vary depending on the specific sport and discipline and often on their nationality. International events have a huge influence on athletes' sporting life as well and pressure on athletes is particularly strong during major international sport events such as Olympic and Paralympic Games and World and Continental Championships. On such occasions, the combination of a particularly high attention of the public opinion, the possible political propaganda, the use and planetary echo of social media create a huge pressure on athletes. Athletes' rights may also include a role in the choice of the locations, venues, programmes and schedules of such events.
11. In its analysis and discussions, the OMC Group 'Promoting athletes' rights within the context of good governance in sport' will consider existing governance statutes and policies, studies - including the European Commission 'Study on athletes' rights in and around big sport events'⁸ - and current practices (good and bad), especially in relation to major sporting events.

⁸ <https://op.europa.eu/en/web/eu-law-and-publications/publication-detail/-/publication/d0c89b02-343a-11ef-b441-01aa75ed71a1>

B. ROLE, SCOPE AND EXPECTED RESULTS OF THE OMC GROUP

1. In accordance with the principle of subsidiarity and in full respect of Member States' competences in the field of sport policy as laid down in the EU Treaties, taking into account the role of the sports movement and its autonomy, this OMC Group should identify and analyse situations when current sport governance principles, statutes and practices are at odds with the protection of athletes' rights. The scope of this OMC Group will cover issues regarding all athletes participating in organised sport.
2. Taking into account the relevant documents addressing athletes' rights and the general principles of promoting and safeguarding the key features of a European Sport Model, this OMC Group will aim to make non-binding recommendations to Member States and sport organisations, with a view to establishing clear governance standards to ensure that the rights of athletes within sports organisations are taken into account; in particular, with regard to human rights, gender equality, the comprehensive protection of integrity, to fair and equitable working conditions and learning opportunities, to digital and media rights as well as to fair and equal access to sport and due processes, to safeguarding, to fair trials and to ensure transparent and democratic representation and participation of athletes in decision-making processes based on policy analysis and the identification of good practices. The OMC Group will propose ways to raise awareness among organisers of sporting competitions, notably sport federations at various levels, about situations in which sport governance structures and statutes negatively affect athletes' rights.

3. To achieve this objective, the OMC Group could, *inter alia*:
- a) Analyse and discuss relevant studies and research on athletes' rights;
 - b) Identify, analyse and discuss exemplary cases of potential or ascertained disrespect, violation or infringement of athletes' rights, covering different situations (e.g. female, male athletes, young athletes, para athletes) and in different contexts (at sport events, in online media platforms, etc.);
 - c) Analyse cases of infringements of athletes' rights in sport, in view of better understanding the challenges and the impact on athletes' well-being and careers;
 - d) Identify, collect and analyse evidence, good practices and data, on local, regional, national and EU level, with a view to identifying good examples with the biggest potential to be adaptable to different national contexts and regulatory frameworks and effectively implemented in EU Members States;
 - e) Elaborate recommendations on possible measures to strengthen and protect athletes' rights within the context of good governance in sport;
 - f) Propose ways to raise awareness among organisers of sporting competitions, notably sport federations at various levels, about situations in which sport governance structures and statutes negatively affect athletes' rights;
 - g) Identify measures to safeguard athletes from potential non-sporting circumstances, beyond their individual responsibility, which may lead to potential misconducts undermining their integrity.

C. WORKING APPROACHES AND FINAL OUTPUT

1. The OMC Group will be composed of representatives to be designated by the EU Member States. The Member State representative should have relevant expertise in addressing athletes' rights and/or good governance in sport.
2. The duration of activities of the OMC Group should not exceed 18 months.
3. The designated representatives by Member States for the OMC Group will elect a chair and vice-chair amongst them. The European Commission will act as a secretariat and support the chair and vice-chair.
4. The OMC Group will decide about the frequency of meetings. Meetings will be held in-person, in principle in Brussels, and/or online, as appropriate. Indicatively, three in-person meetings could be foreseen for the duration of the OMC group.
5. Upon request of the Council Presidency, the OMC Group will report on its work to the Council Working Party on Sport.
6. The OMC Group may decide to invite experts from third countries, as defined in the EU Work Plan for Sport, as observers.

The OMC Group may decide to involve additional external experts as observers or guest speakers, including representatives of relevant organisations, for further inspiration and input, such as: experts from organisations dealing with athletes' and workers' rights, e.g. the Council of Europe, International Labour Organisation; and from the sport ecosystem, including clubs, federations, representatives of athletes or of athletes' unions; organisations that represent female or young athletes or athletes involved in parasports, as well as academics or others whose profile and experience the OMC Group considers of relevance to its work. The OMC Group may also invite relevant Commission services to participate in the meetings.

7. The non-binding recommendations, backed by evidence and examples of good practice, will be compiled in a final report, drafted by the representatives designated by the EU Member States.
 8. The OMC Group will aim to publish its final report no later than 3 months after the finalisation of works of the group and its last meeting and in due time with a view to providing input for the Commission's report on the implementation of the EU Work Plan for Sport 2024-2027.
 9. The OMC group will adopt Rules of Procedure governing the procedural aspects of the work of the OMC Group.
 10. The work of the OMC group 'Promoting athletes' rights in the context of good governance in sport' will be conducted in a transparent manner. The OMC group's secretariat will publish the mandate, Rules of Procedure and composition of the OMC group as well as the agendas and minutes of the meetings on a website.
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