



**Informal Meeting of EU Sport Ministers
6-7 July 2015, Luxembourg**

Discussion paper on the relations between national/European public authorities and the Council of Europe in the field of sport

For the Council of Europe, sport is a major tool for promoting the values of democracy, human rights and rule of law contained in its Statutes. Its action in the field of sport is based on the European Cultural Convention of 1954. With regard to the European Union, due to the absence of "sport" competence before the entry into force of the Lisbon Treaty, its action before 2009 aimed mainly at applying to professional sport activities the basic principles and rules of the European single market.

This explains both the pioneering role played by the Council of Europe in the field of sport, whose initial work dates back to the late sixties, as well as the fact that the intervention of the EU mainly focused on the economic dimension of sport while the Council of Europe dealt with its social, cultural and ethical dimensions.

Thus, the work for fight against doping or against violence in stadiums was first initiated by the Council of Europe and followed by the European Union.

The dichotomy between the Council of Europe (social and cultural dimension of sport) and the EU (economic dimension) has however diminished with the entry into force of the Lisbon Treaty conferring an explicit competence to the EU, which thus also invested the social and educational aspects of sport.

Some overlapping of the activities of the Council of Europe and the EU in the field of sport can therefore be observed today. This applies, for instance, to areas where there is a convention. This is the case for the fight against doping, the manipulation of sporting competitions and the violence in stadiums as well as for some areas in which a convention can have an impact on sport, such as the Convention on gender-based violence¹.

¹ Conventions are available on the website of the Council of Europe:
https://www.coe.int/t/dg4/epas/resources/conventions_fr.asp



It is therefore important that the scope of action of each institution and its methods of intervention be clearly distinguished even though overlaps seem avoided.

Although constituting separate international organisations, the Council of Europe and the EU have many inter-institutional exchanges in the field of sport. This cooperation has been strengthened with the entry into force of the Lisbon Treaty, which makes the Council of Europe a privileged partner, especially in the field of sport. The cooperation of the EU and the Member States "*with the competent international organisations in the field of education and sport, in particular with the Council of Europe*" is encouraged in the treaty (art. 165§4 TFUE). Reinforced cooperation is also recommended by the regulation of 2013 establishing the Erasmus+ programme (recital 20)². A similar invitation for reinforced cooperation is reflected in the two EU Work Plans for sport adopted by the Council (2011-2014 and 2014-2017). The 13th Conference of the Council of Europe of the Ministers responsible for sport, held in Magglingen in September 2014, also drew attention to the need "*to establish an inter-institutional cooperation (...) to ensure coordination of initiatives and avoid overlaps*"³.

Since then, a regular cooperation and coordination have been put in place. For example, representatives of the Commission participate in the convention committees on doping (CAHAMA) or in the executive committees of the EPAS⁴. Conversely, representatives of the Secretariat of the Council of Europe sometimes attend the informal meetings of Ministers and EU Sport Directors as well as the Council expert groups' meetings. In a more publicized way, collaboration between the two organisations resulted in 2014 in the adoption of the Convention of the Council of Europe on the manipulation of sports competitions. Cooperation between the EU and the EPAS is also reflected in the preparatory actions launched in 2013 by the European Commission. Within the framework of preparatory actions designed to "*Protecting athletes, especially the youngest, from health and safety hazards by improving training and competition conditions*", the Commission funded a project introduced by the EPAS

² Regulation (EU) No 1288/2013 of the European Parliament and of the Council of 11 December 2013 establishing 'Erasmus+'.

³ http://www.coe.int/t/dg4/epas/Source/Ressources/2014/INF09revF_SG-Report-MSL13.pdf

⁴ An Enlarged Partial Agreement on Sport (APES) is an agreement between different member states of the Council of Europe which decide to jointly pursue a specific activity in a specific area, in this case sport since 2007, in collaboration with non-member states of the organisation and representatives of international and national organisations and federations of the sporting world. The list of member states and organisations is available on the website of the EPAS: https://www.coe.int/t/dg4/epas/default_fr.asp (37 MS including 17 EU and 29 sports organisations).



entitled "*For a healthy sport for young athletes.*" Other EU funding opportunities are also envisaged for the future.

In the future, it will be important to ensure the best possible cooperation between the EU and the Council of Europe as well as with the EPAS, in order to maximize the possibilities of European integration offered by sport and to avoid financial and thematic duplication.

Issues to be discussed

1. How do the Member States assess the cooperation with the Council of Europe and the EPAS in the field of sport?
 2. How are the activities of the Council of Europe and the EPAS likely to effectively contribute to the EU work in the field of sport?
 3. In which sport projects could cooperation between the Council of Europe and the EU be improved in order to avoid overlaps?
 4. Regarding the relations between the EU and the APES (of which only 17 EU Member States are members), would coordination be necessary to define common priorities and financial support?
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