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NOTE

from: General Secretariat of the Council
to Permanent Representatives Committee (Part 1) / Council

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Subject: Good governance in sport
- *Policy debate*
(Public debate pursuant to Article 8(2) CRP [proposed by the Presidency])

Following consultation of the Working Party on Sport, the Presidency has drawn up the attached discussion paper as a basis for the policy debate on the above subject at the EYCS Council meeting on 29 November 2011.

Draft discussion paper

Good governance in sport

1. Introduction

One of the key priorities of the Polish Presidency is the topical issue of the integrity of sporting competitions. However, the Presidency is of the opinion that effective debate on this subject has to be done in the framework of a broader discussion on good governance, in the context of relations between public authorities and autonomous sports organisations.

Following this approach, the Polish Presidency wishes to hold a policy debate on good governance in sport during the November EYCS Council. The intention of the Polish Presidency is to have an exchange of views on different aspects of the issue of good governance in sport sector.

2. Definition of good governance in sport

Before opening the European debate on the relations between public authorities and sport organisations and more precisely on good governance, it seems necessary to first define the notion of good governance, which can be understood differently by the various stakeholders.

With this in mind one should recall the definition from the Council of Europe Recommendation CM/Rec(2005)8 on the principles of good governance in sport:

Good governance in sport is a complex network of policy measures and private regulations used to promote integrity in the management of the core values of sport such as democratic, ethical, efficient and accountable sports activities; and that these measures apply equally to the public administration sector of sport and to the non-governmental sports sector.

Building on this definition, it is useful to identify the principles of good governance to be followed by sport organisations. The following elements would seem to be pertinent :

- autonomy within the framework of law,
- democracy, clear and regular electoral and appointing procedures,
- transparency,
- accountability in decision-making,
- appropriate code of ethics and procedures for dealing with conflicts of interest,
- financial solidarity,
- gender equality,
- integrity of sporting competitions
- inclusiveness in the representation of interested stakeholders.

It has to be admitted that these principles cannot be implemented by sports organisations alone. Dialogue and cooperation with other stakeholders is essential in order to achieve an equitable partnership between the public authorities and the sports movement.

3. Good governance and autonomy

Good governance in sport is a condition for the autonomy and self-regulation of sport organisations. These two notions go hand in hand with each other and the relations between them could be foreseen by law or by other means.

According to the Polish Act on Sport, for instance, the State grants exclusive rights for the activities of sport organisations provided that certain rules of good governance, like the term of office, are followed. The State will only intervene if the rules are not implemented. In this way good governance guarantees autonomy.

Successful implementation by sports non-governmental organisations of effective good governance policies in their organisations is a way to strengthen their self-governance and autonomy and would further strengthen their position in relation to public authorities based on mutual respect and trust.

In May 2011, the Council adopted an EU Work Plan for Sport¹ that established integrity of sport (including the promotion of good governance) as a priority theme. The Council established an expert group of "Good governance in sport" to address this priority theme and to develop principles of transparency concerning good governance.

Given the importance of the matter, the Polish Presidency would like to hold a policy debate so as to allow EU Sports Ministers to give their initial views on this subject. This input could also be useful in guiding the work of the expert group.

Ministers are kindly invited to reply to the following questions:

- 1. *What are the most important elements of good governance ? How can they be measured ?
Are there any aspects of particularly urgent concern ?***

- 2. *Are there examples of best practices in sport governance, in Member States or
internationally, from which lessons could be learnt?***

¹ OJ C 162, 1.6.2011, p. 1.