



**Resolution 2199 (2018)<sup>1</sup>**

Provisional version

## Working towards a framework for modern sports governance

Parliamentary Assembly

1. The Parliamentary Assembly deplores the fact that the recent scandals around doping, match-fixing, cases of corruption, including bribery, vote-buying for major events bidding, financial malpractice, money laundering, tax evasion, illegal betting, human exploitation or trafficking of young athletes have tarnished the image of international sport and brought into the spotlight the lack of transparency and accountability in major sports governing bodies. The crisis in confidence seems far from over. The failures are systemic and call for a major overhaul of sports governance structures and practices.
2. The Assembly underlines the importance for sports to enjoy autonomy; yet autonomy triggers responsibility and should be allowed to flourish only where there is good governance in practice. The Assembly believes that the sports movement cannot be left to resolve its failures alone. It needs to accept to take on board new stakeholders to embrace the necessary reforms.
3. The Assembly acknowledges the reform path already embarked upon by several major international sports federations, including the International Association of Athletics Federations (IAAF), the International Federation of Football Associations (FIFA), the Union of European Football Associations (UEFA) or the International Cycling Union (UCI); however, more needs to be done. The International Olympic Committee (IOC) needs to demonstrate bolder leadership and make headway in speeding up reforms.
4. Restoring public trust begins with ending impunity and bringing to justice those responsible for crimes. Above all, the sports movement itself needs to demonstrate that it is able and willing take proactive measures in rooting out the culture of corruption and lawlessness within its ranks and to bring to justice those who commit crimes.
5. The Assembly maintains that it is also the responsibility of governments to create a robust legislative framework that would enable the prosecution of sports leadership for acts of bribery, embezzlement of funds or other forms of corruption; foster effective investigation, prosecution and mutual legal assistance with police and judicial co-operation; and impose conditionality of awarding public funds for sports events to comply with good governance standards. The Assembly commends the Government of Switzerland – home to over 60 international sports federations – for having introduced complex legislation that allows prosecution for private corruption in sport and classifies leaders of sports organisations as “politically exposed persons”, thus allowing investigators to examine their financial holdings and transactions.
6. While there is no one-size-fits-all solution for sports governance, common basic criteria of good governance should apply to all – from the smallest clubs to international umbrella organisations. These basic criteria significantly overlap with the governance principles applied in the corporate, public and non-profit sectors. Given the specificities of sport, the regulatory framework must nevertheless be complemented by sports-specific rules and regulations that protect athletes, guarantee the integrity of sports events and social and environmental responsibility, and introduce strict control mechanisms on the allocation and use of development funds.

---

1. *Assembly debate* on 24 January 2018 (5th Sitting) (see [Doc. 14464](#) and [addendum](#), report of the Committee on Culture, Science, Education and Media, rapporteur: Mr Mogens Jensen). *Text adopted by the Assembly* on 24 January 2018 (5th Sitting).

See also [Recommendation 2120 \(2018\)](#).



7. The Assembly commends the initiatives taken by national and international sports governing bodies to introduce codes and standards of good governance. However, apart from a few mandatory national codes, only the IOC Basic Universal Principles are binding on the Olympic movement and may give rise to sanctions. Moreover, these principles, introduced a decade ago, need to be brought into line with modern governance standards.

8. In order to allow proper monitoring and compliance assessment of good governance standards across the sports sector, the Assembly strongly calls for the development and implementation of a solid set of harmonised good governance criteria, which should be drawn up through the system of a globally recognised and indisputable standardisation body such as the International Organization for Standardization (ISO), by creating an ISO certification standard on governance of sports organisations. Member States should be encouraged to request that their national sports organisations be certified to the currently applicable ISO 37001 (anti-bribery) and ISO 20121 (event sustainability) standards.

9. At the European level, the Assembly sees the necessity to build on the same set of harmonised good governance criteria a Council of Europe convention on good governance in sport. This new convention could complement the existing conventional basis covering doping, match-fixing and spectator violence, bind its member States by the observance of the same harmonised standards and enable a monitoring of their implementation.

10. The Assembly strongly believes that the global harmonisation of standards goes hand in hand with the introduction of a proper monitoring and compliance assessment system of the implementation of these standards. To this end, it welcomes the exercise of self-evaluation recently carried out by the Association of Summer Olympic International Federations (ASOIF) of its 28 international federations as a first step in the right direction. However, it remains convinced that self-evaluation, like any “ticking-the-boxes” exercise based on filling out a questionnaire, is far from being a sufficient basis for achieving long-term goals of good governance in sport.

11. The Assembly also underscores that, whereas the adoption of harmonised standards and the monitoring and assessment of their implementation are fundamental elements of ensuring good governance, they cannot on their own instigate the change needed for successful governance reform in sport, or help sports organisations to overcome some of the major issues they are currently facing, including damage to their reputation, mistrust from key stakeholders, etc.

12. The Assembly therefore urges the sports world to set up an independent sports ethics rating system, which should be created and operated by third-party professional agencies with an impeccable international reputation, similar to existing environmental, social and governance rating agencies. In the same way as in the corporate world, introducing rating would enable sports organisations to prove and make visible their efforts towards enhanced governance and management strategies. The sports ethics rating would be the first tool to enable systematic assessment of organisational culture change.

13. The Assembly believes that the lead in setting up such a rating system should be taken by an inclusive international multi-stakeholder platform or alliance, which could be responsible for monitoring, assisting and consulting. In this context, the Assembly welcomes the recent launch of the International Partnership against Corruption in Sport (IPACS) and the Sports Integrity Global Alliance (SIGA). However, it further recalls that monitoring should be kept strictly apart from compliance control, which, for the sake of guaranteeing full independence, must be carried out by an external professional and fit-for-purpose agency. Advisors must not act as judges.

14. The Assembly welcomes the adoption of an ever-growing number of codes of ethics and the setting up of an increasing number of ethics and disciplinary committees within international sports governing bodies. It recalls that independence is the key component of any such body, and urges sports organisations where such committees have been created, to grant these bodies full structural, budgetary and operational independence. Members of these committees must be free from any undisclosed, actual or potential conflict of interest.

15. The diversity of stakeholders in sport is particularly large. In order to bring about change in governance culture, all these different groups need to take a public stand on integrity issues. This applies in particular to sponsors of athletes, teams or sporting events, who must be encouraged to introduce good governance clauses in their sponsorship contracts.

16. Sports governance needs to become inclusive of different societal groups, in particular with regard to empowering young people and women to be involved in the decision-making process and to take leadership positions in sports governing bodies.

17. In light of the above, the Assembly calls on Council of Europe member and observer States and States whose parliaments enjoy observer status with the Parliamentary Assembly, to:
  - 17.1. foster good governance of sports organisations acting on their territory and adopt binding national codes, based on the recommendations presented in the Appendix to this resolution;
  - 17.2. encourage the leaders of national sports movements to actively promote good governance while acting within the framework of international sports organisations;
  - 17.3. make the award of public grants to sports organisations and for sports events conditional on compliance with good governance standards;
  - 17.4. implement the final resolutions of the 14th Council of Europe Conference of Ministers responsible for Sport (Budapest, 28-30 November 2016), in particular as regards adopting and effectively enforcing clear criminal provisions on the crackdown of private corruption applicable to sport, protection of whistle-blowers and provisions on the fight against money laundering and corruption in the field of sport, for example by encouraging financial institutions to consider some leaders of sports organisations as “politically exposed persons”;
  - 17.5. support the work of the Council of Europe Enlarged Partial Agreement on Sport (EPAS) and in particular the preparation of the draft recommendation of the Committee of Ministers to member States on the promotion of good governance in sport and the collection and publication of good practices in sports governance.
18. The Assembly calls on the International Olympic Committee to step up modern governance reforms and uphold changing governance culture by:
  - 18.1. revising its Basic Universal Principles of Good Governance within the mandate of its Agenda 2020, by bringing them into line with the ASOIF Key Governance Principles and Basic Indicators and the recommendations presented in the Appendix to this resolution;
  - 18.2. supporting and actively participating in the elaboration of an ISO certification standard on governance of sports organisations;
  - 18.3. developing a comprehensive good governance implementation and compliance strategy, including external professional compliance assessment; assistance to federations in terms of counselling, training, financial aid and capacity building; and a fair rewards and sanctions system;
  - 18.4. further strengthening its Code of Ethics and removing any ambiguities of conflict of interest within the structures of its Ethics Commission, which should have the power to investigate *ex officio* cases of ethical misconduct and to apply appropriate sanctions, and have sufficient and secured financial resources and an independent secretariat;
  - 18.5. consolidating the rules and building firewalls into the procedures that have recently proved to have serious lacunae, for example bidding rules for major sporting events, ticketing rules, etc.
19. The Assembly urges the ASOIF leadership to publish detailed data on the assessment of all its indicators and the results of the second round so as to compare them with an independent external assessment carried out by the Sports Governance Observer or other non-governmental bodies.
20. The Assembly further calls on international multi-stakeholder platforms to:
  - 20.1. include in their work as varied a range of stakeholders as possible in order to foster fresh thinking, innovative ideas and modern approaches in facing new challenges; besides individually offering new complementary dynamics and solutions to the issues of sports governance and integrity, to draw upon their strengths and synergies and co-operate actively with one another;
  - 20.2. undertake a broad-based discussion on harmonising good governance standards and elaborating an ISO certification standard on governance of sports organisations;
  - 20.3. offer monitoring, consultancy and coaching to sports organisations of various sizes in order to help them through institutional reforms;
  - 20.4. as a prerequisite for securing independent oversight over governance of sport and getting truthful, objective and credible results of the evaluation, to establish an independent compliance assessment of the implementation of the accepted common standards, in particular through developing a sports ethics rating system that would be implemented by (a) professional fit-for-purpose agency(ies).

21. The Assembly invites stakeholders, including sports governing bodies, governments, non-governmental bodies, sports industry, sponsors, etc., to jointly set up a global sports governance foundation with its own multi-stakeholder board of advisors, a proper board of directors and independent funding. This foundation could, *inter alia*, focus on the creation and evolution of the rating model and offer grants to sports organisations that are willing to voluntarily solicit their rating and to governments or sports governing bodies who wish to commission unsolicited rating of any sport organisation.

22. The Assembly also encourages the European Sponsorship Association to promote making financial support conditional on the assessed practice of good governance principles.

23. The Assembly is willing to strengthen its co-operation with intergovernmental partner organisations such as the European Union, the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Office on Drugs and Crime (UNODC) and the Organisation for Economic Co-operation and Development (OECD) and encourages them to shoulder – within their remits – international initiatives fostering good governance and integrity in sport. In particular, it invites the European Commission to support, through its Erasmus+ programme, the promotion of global sports governance standards, notably as regards the harmonisation of core governance criteria and the setting up of a modern sports ethics rating system.

24. Finally, the Assembly regrets that there is little co-ordinated parliamentary action or international parliamentary partnership that would allow parliamentarians to have a credible stakeholder voice in the current debate on sports governance and integrity outside the scope of individual reports. To this end, the Assembly invites its Committee on Culture, Science, Education and Media to consider setting up a parliamentary alliance for good governance and integrity in sport with the aim of bringing together national parliaments and international parliamentary bodies around a meaningful discussion on sports governance and integrity issues. This alliance could have as a first task to contribute to the preparations of the 15th Council of Europe Conference of Ministers responsible for Sport in October 2018 in Tbilisi and to hold a parliamentary conference on the margins of this event.

## Appendix

1. Sports organisations at local, national and international level are called upon to:
  - 1.1. concerning transparency:
    - make public their vision/mission/values and a strategy plan that specifies how to achieve them;
    - make public their statute, rules and regulations on their website;
    - make public the list of members and the basic information of their officials;
    - make public the agenda and minutes of the their General Assembly meetings;
    - make public reports/decisions taken by executive bodies and commissions;
    - make public an annual general activity report on their websites;
    - make public an annual financial report, externally audited according to recognised international standards, including compensation, benefits and/or salary of its president, board members, executive staff and senior officials (where applicable);
  - 1.2. concerning democracy:
    - hold regular, transparent, free and fair elections of the governing bodies. These have to be based on a detailed electoral regulation, including secret ballots, term limits, eligibility check carried out by a specific independent committee, opportunities for the candidates to present their programme/manifesto, guarantees for gender equality on the board and with regard to the leading officials;
    - ensure that the distribution of representative positions in governing bodies reflects gender balance and encourages, to the extent possible, diversity and fair geographical representation;
    - put in place a clear governance structure, taking into account the principle of separation of powers;
    - establish procedural guarantees for a democratic decision-making process: meeting of their General Assembly at least once a year; meeting of the governing bodies on a regular basis; written reports on the basis of the bodies' decisions, with sound regulations for open or secret ballots be used depending on the need either to ensure higher transparency or to safeguards anonymity of choices;
    - set up guarantees for an efficient decision-making process: clear and auditable separation of functions between executive, administrative and commercial activities; appointment of the management (e.g. directors and top officials) on the basis of objective criteria (integrity, relevant knowledge, skills and experience) and an impeccable professional history; internal management communication and coordination;
    - develop external cooperation with governments, Olympic movement, international and non-governmental agencies on integrity issues;
  - 1.3. concerning integrity:
    - set up independent audit and compliance committees, responsible for: ensuring the adequacy of the organisation's financial reporting and the integrity of the Organisation's financial statement; assisting the board for the compensation of company executives in the absence of a remuneration committee; checking the organisation's nominations and appointments and carrying out the eligibility check for the elective offices in the absence of a nomination committee; elaborating risk management strategy and processes;
    - conduct an ethical and disciplinary control based on: ethics/integrity code, inspired by the IOC Code of Ethics; clear rules on conflicts of interests; disciplinary rules to combat match-fixing and doping; independent bodies (Ethics and Disciplinary Committees) and a mechanism to manage comments and allegations by whistle-blowers;
    - ensure internal appeal mechanisms and external channel of complaint and dispute resolutions;
  - 1.4. concerning development and responsibility:
    - adopt a financial redistribution policy and programmes for their main stakeholders;
    - allocate resources in declared non-profit objectives, in particular in grassroots activities;

- set up an environmental and social responsibility strategy or programme(s), including social and sporting legacy requirements for those (countries, cities, communities) hosting all their events and a close cooperation with governmental and non-governmental agencies on social responsibility issues;
- elaborate an athletes' policy comprising: a clear anti-discrimination policy; education programmes and assistance during and after career; specific actions to promote health and safety, in accordance with the relevant regulations on the protection of the athletes, spectators, workers, children, youth and other vulnerable groups;

2. Sport has other specific sides that need to be taken into consideration when developing proactive policies and regulatory frameworks. These concern ensuring:

- level playing field and protection of athletes, including against doping, match-fixing, illegal betting, abuse or trafficking; minimum requirements for athletes' contracts; youth development in sport;
- the integrity of sports events, including bidding processes and selection of event hosts, ticket pricing and distribution, selection of sponsors, granting media broadcasting rights, building event infrastructure for major events, respect of the bidder and its commercial partners to human rights and labour standards.

3. Following in the steps of the new 2016 IOC Code of Ethics, the core criteria of good governance in sport should explicitly refer to the respect for international conventions on protecting human rights, notably but not exclusively as regards the respect of human dignity, rejection of discrimination of any kind on whatever grounds and rejection of all forms of harassment, be it physical, professional or sexual, and any physical or mental injuries.

4. When elaborating the core criteria of good governance in sport, convergence should also be sought with the United Nations Convention against Corruption, the Council of Europe conventions on corruption [the Criminal Law Convention on Corruption (ETS No. 173), the Civil Law Convention on Corruption (ETS No. 174), the Additional Protocol to the Criminal Law Convention on Corruption (ETS No. 191) as well as with the G20/OECD Principles of Corporate Governance.