

RECOMMENDATION

Good governance in sport

must require the active involvement
of the sports trade unions
and independent player associations
in the running of their sport.



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GOOD GOVERNANCE OF SPORT

Common Position
of the European Elite Athletes
Association



KEY MESSAGES

- 1 ▶ **Good governance of sport organisations is a condition for their autonomy ; where they engage in economic activity, standards need to be even higher**
- 2 ▶ **Athletes retain their human rights as well as individual and collective rights as workers, which must be respected by sport organisations**
- 3 ▶ **Social dialogue with workers is an absolute minimum precondition for good governance**
- 4 ▶ **Bad governance is the soil for doping, match fixing, corruption, and more**



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EU Athletes notes the European Union's position voiced in the European Commission's White Paper on Sport, its Communication "Developing the European Dimension in Sport" and the European Parliament's "Fisas Report" highlighting the need to raise governance standards in sport as a condition for its autonomy.

Good governance in sport requires national and European laws to continue to have ultimate oversight of sport, as it does with any other sector. Nevertheless, sports, which can prove good governance, should be permitted greater autonomy over sporting decisions.

Democracy, transparency, accountability, stakeholder involvement and other recognized principles of governance need to be applied in appropriate manner to sport organisations across the spectrum.

Sport organizations in elite sport – Olympic committees, federations, leagues, clubs – have moved beyond their role as pure amateur and /or civil-society organizations and in many fields act as business entities with commercial interests. As such, not only are their actions subject to the application of national and European law, but they should also lead the development and adherence of even higher governance and compliance standards of the business world.

As stakeholder involvement is a core condition for good governance, the involvement of athletes in all relevant decision making structures of sport should be a minimum standard on all levels of sport. Where athletes conduct their sport as a profession, their independent representative bodies need to be respected and involved.

It should be obvious that professional athletes retain their human rights, as well as individual and collective right as workers, but too many associations fail to act accordingly.

Too many sports federations do not recognise the athletes' trade unions

When it comes to governance issues affecting the rights of athletes as citizens, workers and key stakeholders there are major problems in too many sports. Too many sports federations do not recognise the athletes' trade unions.

Athletes' freedom to collectively organize and engage in social dialogue exists, is protected by European human rights legislation and needs to be respected by all sport organisations.

Furthermore, when industrial relationships are concerned or decisions are being made affecting the athletes as workers, sport organisations' involvement in social dialogue or collective bargaining should be an absolute minimum precondition for good governance.

As section 4.1 of the White Paper on Sport states, "Sport activity is subject to the application

of E.U. law"; even more strongly so, where sport is conducted as an economic activity. As sport organizations seek to exempt their activities from law from due to the "specificity of sport", EU Athletes takes a strong view that any derogation from the law, which has itself not been accepted by the European judicial system, must be approved by the athletes' representatives through social dialogue.

The concept of "specificity" should be very restrictively interpreted particularly with regards to economic and labour issues, and where fundamental rights and freedoms are concerned, it must not be abused to justify departures from the law. Sporting rules must comply with fundamental rights. Various fields of non-conformity are critically observed and commented by player unions – anti doping and privacy and family life, sports arbitration and fair trial standards, etc.

Finally, attention should be raised to the link between the unsatisfactory governance standards in many sport organizations and other threats to sport's integrity. Poor management, non-transparency of finances, a lack of accountability and more are the soil for phenomena such as doping, match fixing, corruption and money laundering.

