

# The European normative framework on the protection of well-being of young athletes : which instruments shape national safeguarding policies ?



**Stanislas FROSSARD**

EPAS Executive Secretary

[stanislas.frossard@coe.int](mailto:stanislas.frossard@coe.int)

# The Council of Europe

-  Founded in 1949
-  47 member states
-  An intergovernmental body (GO level)
-  A values-oriented organisation
  -  Human Rights
  -  Democracy
  -  Rule of Law
-  Based on the European Convention on Human Rights

# Council of Europe and Sport

- 🏛️ European Cultural Convention, since 1955
- 🏛️ Cooperation bodies in the field of sport since 1970's (CDDS 1975 – EPAS 2007)
  - 🏛️ Promote of CoE values through sport
  - 🏛️ Defend CoE values in Sport
- 🏛️ Standard setting
- 🏛️ Monitoring
- 🏛️ Co-operation
- 🏛️ Ministerial meetings



# Sport

International  
organisations

State

Region

Municipality

International  
Federations / IOC

National Federations / National  
Sports Confederation

Associations

Clubs

# Structures

## Ministerial conferences

EPAS  
Governing  
Board

EPAS  
Consultative  
Committee

T-DO  
Monitoring  
Group

T-RV  
Standing  
Committee

T-MC  
Follow-up  
Committee

CAHAMA

e

# Establishment of EPAS

-  Set-up in 2007
-  To build on the CDDS's achievements
  -  + develop dialogue with sports movement
  -  as a Partial Agreement
  -  open to non-European Countries

# Reform of Intergovernmental Sport Cooperation



## Why **partial**?


-  A Partial Agreement: activities on themes open to interested Countries

## Why **enlarged**?

-  Open to non-member states of the Council of Europe

## 35 Member states:





 Albania, Andorra, Armenia, Azerbaijan, Belarus, Bosnia-Herzegovina, Bulgaria, Cyprus, Croatia, Denmark, Estonia, Finland, France, Georgia, Greece, Hungary, Iceland, Israel, Latvia, Liechtenstein, Luxembourg, Malta, Monaco, Montenegro, Morocco, Netherlands, Norway, Poland, Portugal, Russian Federation, San Marino, Serbia, Slovenia, Switzerland, "the former Yugoslav Republic of Macedonia".

 Observer: New Zealand

 NGOs: ENGSO, UEFA, FIRA-AER, European Judo Federation, Peace&Sport, EGLSF, ESFAN-TAFISA, EOC, EPC, FIBA-Europe, ISCA, EFPM, Homeless World Cup, Sport Accord, ICSSPE, ...



# Activities

-  Standard Setting (conventions, recommendations)
-  Monitoring
-  Assistance (training, conference)
-  Ministerial Conferences

# European Sport Charter & Code of Sport Ethics

-  adopted in 1992; updated in 2001 and 2010
-  a common set of principles for all Europe
-  the framework for sports policy to which all European governments have to put their name



Two Recommendations

# Two Conventions

European Convention  
on Spectator Violence  
(1985)



European Anti-Doping  
Convention  
(1989)







# A new Convention

Manipulation of  
sportscompetitions

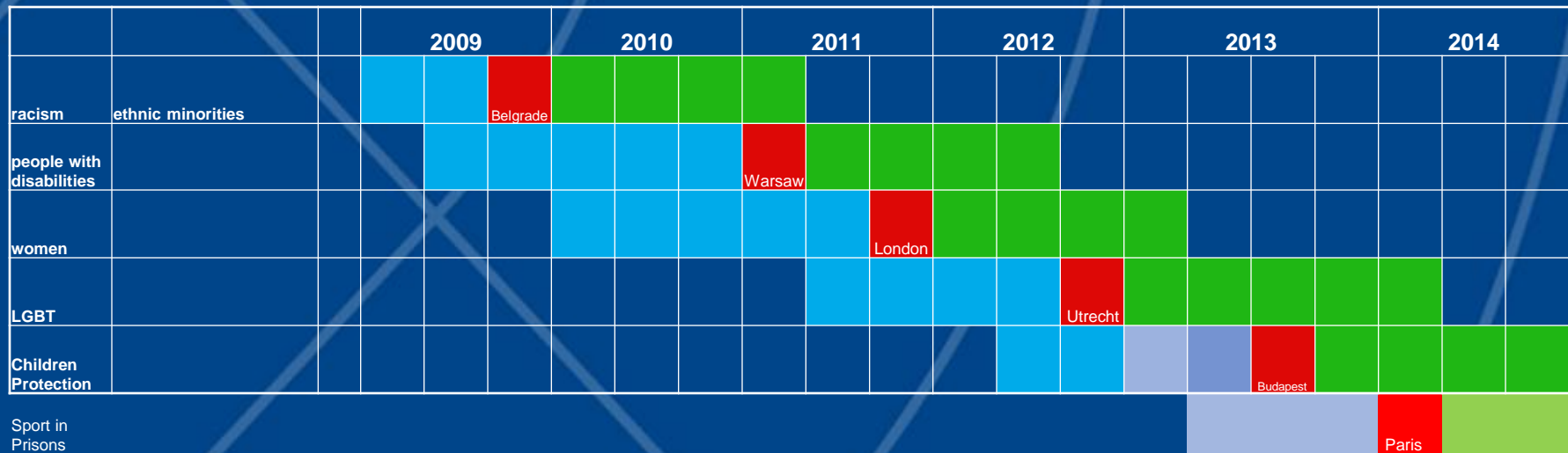
(2014)



# Other recent recommendations

-  Recommendation of the Committee of Ministers to member states on the protection of child and young athletes from dangers associated with migration (12/10)
-  Recommendation of the Committee of Ministers to member states on promotion of the integrity of sport against manipulation of results, notably match-fixing (11/10)
-  Recommendation on the principle of autonomy of sport in Europe (2011/3)
-  Recommendation on the revised Code of Sports Ethics (2010/9)

# Promotion of diversity

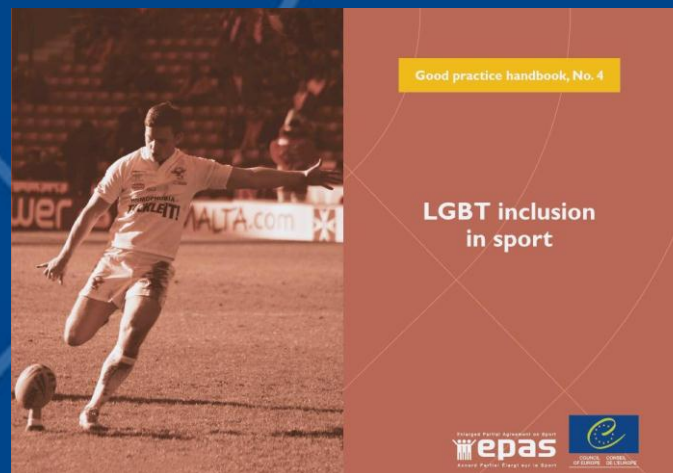
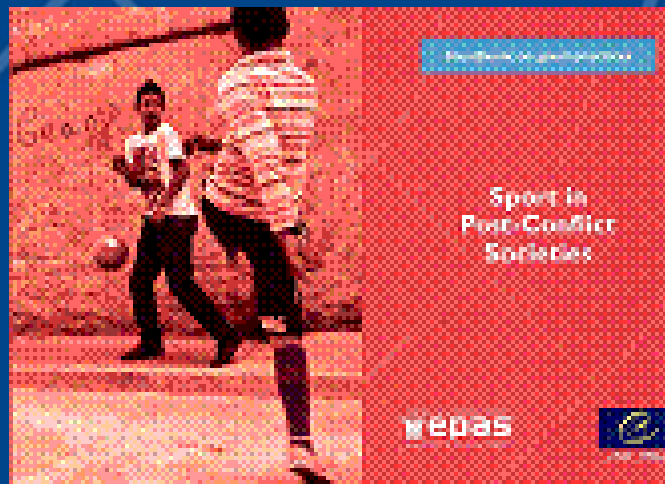


-  preparation study, survey, analyse
-  political conference
-  follow-up awarness raising, training publications

# Publications



# Publications





# Protection of well-being of young athletes



## Existing Conventions

-  Human Rights
-  Children Rights
-  Sport



## Recommendations

-  General
-  Sport specific

# Human Rights Instruments

-  The Geneva Declaration of the Rights of the Child, adopted in 1924 by the Assembly of the League, was not state obligation but of duties declared and accepted by "men and women of all nations" and according to which "the child must be given the means requisite for its normal development, both materially and spiritually."
-  Universal Declaration of Human Rights of 1948 : a basic catalog of internationally recognized human rights, equally applicable to children and adults. Two of its provisions are specifically concerned with children - article 25 (2), "motherhood and childhood are entitled to special care and assistance," and article 26 "right to education."

# Human Rights Instruments

-  1959 Declaration of the Rights of the Child. Stressing that "mankind owes to the child the best it has to give," the Declaration's 10 principles affirm the right of the child to receive special protection, to be given opportunities and facilities to enable him to develop in a healthy and normal manner, to enjoy the benefits of social security, including adequate nutrition, housing, recreation and medical services, to receive education and to be protected against all forms of neglect, cruelty and exploitation.
-  Most of these rights were transposed in treaty form in the International Covenant on Economic, Social and Cultural Rights adopted in 1966

# Children Rights

-  UN Convention on the Rights of the Child 1989
-  The Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse 2008
-  Council of Europe Convention on Action against Trafficking in Human Beings 2005

# European Sports Charter (Appendix to Recommendation No. R (92) 13 rev)

- ▣ Article 1 Aim of the Charter
- ▣ Governments, with a view to the promotion of sport as an important factor in human development, shall take the steps necessary to apply the provisions of this Charter in accordance with the principles set out in the Code of Sports Ethics in order to:  
[...]
- b. protect and develop the moral and ethical bases of sport and the human dignity and safety of those involved in sport, by safeguarding sport, sportsmen and sportswomen from exploitation for political, commercial and financial gain and from practices that are abusive or debasing, including the abuse of drugs and sexual harassment and abuse, particularly of children, young people and women.

# Code of Sports Ethics CM/Rec(2010)9

3. [...] the Code of Sports Ethics sets out to:

a. identify and promote educational and preventive measures intended to reinforce best practice. One of the main issues is therefore the promotion of fair play among children and young people; [...]

4. In so doing, the code promotes the dissemination of examples of good practice for promoting diversity through sport and combating discrimination of all kinds in sport. It promotes the right of children and young people to participate and enjoy their involvement in sport, while also emphasising the responsibilities of institutions and adults to promote sports ethics and fair play and to ensure that these rights are respected.

# Code of Sports Ethics CM/Rec(2010)9

6. Fair play is defined as much more than playing within the rules. It incorporates the concepts of friendship, respect for others and sportsmanship. Sports ethics is defined as a way of thinking, not just a way of behaving. It incorporates issues concerned with the elimination of cheating, the use of unfair strategies whilst respecting the rules, doping, misuse of nutritional supplements, violence (both physical and verbal), sexual harassment and abuse of children, young people and women, trafficking in young sportspeople, discrimination, exploitation, unequal opportunities, excessive commercialisation and corruption.

# Code of Sports Ethics CM/Rec(2010)9

7. [...] Sports ethics must be given the highest priority by all those who, directly or indirectly, influence and promote sporting experiences for children and young people. These include: [...]

Governments / Sports organisations / Individuals



# Code of Sports Ethics CM/Rec(2010)9

Sports and Sport related organisations [...]

Concerning work with young people:

10.8. to ensure that the structure of competition acknowledges the special requirements of growing children and young people and provides the opportunity for graded levels of involvement from recreation to high-level competition;

10.9. to encourage modification of the rules to meet the special needs of young people and put the emphasis not only on success in competition but also on sports ethics;

# Code of Sports Ethics CM/Rec(2010)9

10.10. to ensure that safeguards are in place within the context of an overall framework of support and protection for children, young people and women, both to protect them from sexual harassment and abuse and to prevent the exploitation of children, particularly those who demonstrate precocious ability;

10.11. to ensure that all those within or associated with a sports organisation who have responsibility for children and young people are qualified at an appropriate level to guide, train and educate them, and in particular that they understand the physiological and psychological changes associated with the child's process of development and that they are familiar with and take into account the emotional and relational functioning of human beings.

# Code of Sports Ethics CM/Rec(2010)9

## Individuals

[...]

Concerning work with young people:

11.3. to make the health, safety and welfare of the child or young sportsperson the first priority and ensure that such considerations come before all else (reputation of the school, club, coach or parent);

11.4. to extend the initiatives taken by the international federations and organisations in order, if possible, to promote quality standards in respect of the activity of sports agents;

11.5. to provide a sporting experience for children that encourages a lifelong commitment to healthy physical activity;

# Code of Sports Ethics CM/Rec(2010)9

11.6. to avoid treating children as small adults, but be aware of the physical and psychological changes which accompany their development and how these affect sporting performance;

11.7. to avoid placing expectations on children which they are unable to meet;

11.8. to make the participant's pleasure and enjoyment the priority and never exert undue pressure on the child which impinges on their right to freely choose to participate;

11.9. to take the same level of interest in all young people regardless of their talent and emphasise and reward personal levels of achievement and skill acquisition in addition to competitive success;

# Code of Sports Ethics CM/Rec(2010)9

11.10. to be attentive and responsive to children's needs, so that each child feels appreciated as an individual, irrespective of his or her sporting prowess;

11.11. to encourage young children:


- to devise their own games with their own rules, to take on the roles of coach, teacher, official or referee in addition to that of participant;

- to devise their own incentives and sanctions for fair or unfair play; and


- to take personal responsibility for their actions;

11.12. to provide young people and their families with as much information as possible to ensure awareness of the potential risks and attractiveness of reaching high levels of performance.


# Other recommendations

 Recommendation Rec(2000)16 of the Committee of Ministers to member states on common core principles to be introduced into national legislation to combat the traffic in doping agents

# Other recommendations

-  Recommendation of the Committee of Ministers to member states on the protection of child and young athletes from dangers associated with migration  
CM/Rec(2012)10

# Challenges

-  Connect sport and children protection (monitoring, cooperation, ...)
-  Gather and promote good practices
-  Strengthen co-operation between Sport and Governments





# Merci de votre attention.

For more information on EPAS:

[www.coe.int/epas](http://www.coe.int/epas)  
[stanislas.frossard@coe.int](mailto:stanislas.frossard@coe.int)