

# Sport as part of the agreements between the European Union and non-member countries

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Mancoš, M. Sport as part of the agreements between the European Union and non-member countries. *Právny obzor*, 104, 2021, special edition, pp. 44-59 <https://doi.org/10.31577/pravnobzor.specialissue.2021.03>

## Sport as part of the agreements between the European Union and non-member countries.

In connection with the development of sports policy and sports diplomacy of the European Union, it is important to explore the individual possibilities of using sport in foreign policy, public diplomacy, and the field of external relations. Recent advancements in the development of sports diplomacy and the use of sport as a tool in foreign policy suggests that cooperation in the field of sport will rarely be part of agreements between the EU and non-member countries. The aim of this paper is to identify references to sport and cooperation in the field of sport in the various agreements between the European Union and non-member countries and to subsequently identify the implementation and fulfilment of the provisions of these agreements. The paper shows that the absence of references on cooperation in sport in the agreements between the EU and non-member countries are not an obstruction for cooperation in the mentioned area. There are many tools and means through which such cooperation between various actors from EU Member States and non-Member countries can take place.

**Keywords:** European Union, sport, sports diplomacy, European dimension in sport, European sport model, external relations

## Introduction

Looking at the chronology of the regulation of sport in the European Union, according to Parrish<sup>1</sup>, it can be stated that until the ratification of the Treaty on the Functioning of the European Union (TFEU) in 2009, the European Union had very little competence in the field of sport. However, through Article 165 TFEU<sup>2</sup>, the European Union has acquired the power to support, coordinate and complement the sports policies of the individual Member States. Article 165 TFEU also provides the legal basis for a specific program to finance sport and develop the European dimension in sport. This idea is more defined in the 2007 White Paper on Sport, which is based on three broadly themed chapters<sup>3</sup>. Due to its specific nature, sport can be linked to various policy areas, such as education, health and youth, but it can also serve as a tool to promote the social inclusion of minorities, social ties and the ideals of peace, solidarity, tolerance and justice<sup>4</sup>.

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<sup>1</sup> PARRISH, R.: *Sports Law and Policy in the European Union*. European Policy Research Unit Series. Manchester University Press. 2003. s. 280

<sup>2</sup> EUR-LEX: Communication from the Commission to the European parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Developing the European Dimension in Sport, [online], 2011, [cit. 18.3.2021]. Available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011DC0012&from=EN>>

<sup>3</sup> The social role of sport, the economic dimension of sport and the organization of sport.

<sup>4</sup> GARAMVÖLGYI, B.: Sport: A Tool for Reaching EU External Policy Goals? in GAL, A., KOSIEWICZ, J., TERBENZ, T., *Sport and Social Sciences with Reflection on Practice*. Warsaw : University of Physical Education, 2016. s. 324

Considering previous arguments, the European Union has identified sport as a tool that can be used in its foreign policy and diplomacy to promote, disseminate, and share values representing a common European identity and a European dimension in sport. Based on previous findings, we can say that it is now possible to talk about the existence of a common European identity. One of the reasons for such a statement may be the results of the survey<sup>5</sup> on European citizenship in 2018. Respondents most often describe peace, guaranteeing human rights, respect for human life, democracy, personal freedom, equality, tolerance and solidarity as the most important common values representing European identity. We theorize that the successful connection between sport and Europe is based on the specificity and attractiveness of the European sports model, which by its nature influences and determines the possibilities of using sport in foreign policy and diplomacy. It can be argued that sport is firmly connected to Europe also because of its interconnection with the beginnings of modern sport.

Article 165 TFEU states: *“The Union shall contribute to the promotion of European sporting issues, while taking account of the specific nature of sport, its structures based on voluntary activity and its social and educational function<sup>6</sup>.”* We can say that this article supports our argument that the connection between Europe and the European Union and sport takes place through a specific European model. This is confirmed by another part of the article, which focuses on the development of the European dimension in sport: *“2. Union action shall be aimed at: - developing the European dimension in sport, by promoting fairness and openness in sporting competitions and cooperation between bodies responsible for sports, and by protecting the physical and moral integrity of sportsmen and sportswomen, especially the youngest sportsmen and sportswomen<sup>7</sup>.”* As Zuev and Popova<sup>8</sup> point out, the development of the European dimension in sport is also a major goal in all the main documents that have been issued since the adoption of the new TFEU.

Analysis of the perception of the European Union and its policies abroad<sup>9</sup> emphasized that negative connotations with problems and the role of the European Union in solving them are noted in non-member countries. These are mostly issues and events related to migration, multiculturalism, and human rights. Although some values, such as human rights, good governance, democracy, and peace, are perceived as natural and inseparable

<sup>5</sup> EUROBAROMETER: Standard Eurobarometer 89 Report – European citizenship. 2018

<sup>6</sup> EUR-LEX: Communication from the Commission to the European parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Developing the European Dimension in Sport, [online], 2011, [cit. 18.3.2021]. Available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011DC0012&from=EN>>

<sup>7</sup> EUR-LEX: Communication from the Commission to the European parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Developing the European Dimension in Sport, [online], 2011, [cit. 18.3.2021]. Available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011DC0012&from=EN>>

<sup>8</sup> ZUEV, V., POPOVA, I.: The European Model of Sport: Values, Rules and Interests. International Organisations Research Journal, 2018, Vol 13, No 1, [19.3.2021].

<sup>9</sup> NCRE: Analysis of the Perception of the EU and EU's Policies Abroad, [online], 2015, [cit. 20.3.2021]. Available at: <[https://ec.europa.eu/fpi/sites/fpi/files/eu\\_perceptions\\_study\\_executive\\_summary.pdf](https://ec.europa.eu/fpi/sites/fpi/files/eu_perceptions_study_executive_summary.pdf)>

in the context of the European Union, the results of the analysis do not consider the European Union to be an international norm setter in these areas. The finding that the general public lacks knowledge of the European Union's development and education programs not only in non-member but also in Member States of the European Union is also crucial. It was, therefore, important to review the tools, means and resources used by the European Union to achieve its external relations objectives. It can be argued that sport is an increasingly used tool to revitalize foreign policy and international relations in the world, as it has the potential to reach the general public more effectively and improve its international image. The High-Level Group for Sports diplomacy<sup>10</sup>, in its final reports from 2016, states that the objectives and values of the foreign policy of the European Union and European sport largely coincide. For this reason, the Group emphasizes its conviction that sport and its added value can contribute to achieving the European Union's external relations objectives. The group also recommends the use of sport in various aspects, such as part of development programs or part of the dialogue with non-member countries<sup>11</sup>. Activities of this type are facilitated and supported by the TFEU, which states in Article 165 the following: "3. *The Union and the Member States shall foster cooperation with third countries and the competent international organisations in the field of education and sport, in particular the Council of Europe*".<sup>12</sup>"

## 1. Methodology

The aim of this paper is to identify references to sport and cooperation in the field of sport in the various agreements between the European Union and non-member countries and to subsequently identify the implementation and fulfilment of the provisions of the agreements. In order to define the role and position of sport in agreements with non-member countries of the European Union, the method of systematic search in the list of international agreements will be used. For the access to European Union Law and the list of international agreements we used the EUR-Lex portal and narrowed the search to candidate countries<sup>13</sup>, potential candidate countries<sup>14</sup> and countries that are part of the European Neighbourhood Policy, European Enlargement Policy and European

<sup>10</sup> The High Level Group on Sports Diplomacy was set up in 2015 on behalf of the then Commissioner for Education, Culture, Youth and Sport, Tibor Navracsics. Its task was to assess the potential and importance of sport for the European Union's foreign policy and public diplomacy. The group consisted of 15 members with valuable experience and knowledge in the field of sports. Among them, for example, active and former athletes, politicians, scientists, writers, or representatives of sports organizations. (See the reference below)

<sup>11</sup> HIGH LEVEL GROUP ON SPORT DIPLOMACY: Report to Commissioner Tibor Navracsics, [online], 2016, [cit. 23.3.2021]. Available at: <[https://ec.europa.eu/assets/eac/sport/library/policy\\_documents/hlg-sport-diplomacy-final\\_en.pdf](https://ec.europa.eu/assets/eac/sport/library/policy_documents/hlg-sport-diplomacy-final_en.pdf)>

<sup>12</sup> EUR-LEX: Communication from the Commission to the European parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Developing the European Dimension in Sport, [online], 2011, [cit. 22.3.2021]. Available at: <<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011DC0012&from=EN>>

<sup>13</sup> Albania, Montenegro, North Macedonia, Serbia, Turkey

<sup>14</sup> Bosnia and Herzegovina, Kosovo

Development Policy. Then, we did a full-text search for the word “sport” in the international agreements from the narrowed area, which provided us with a basis for the subsequent comparison of individual references and mentions of sport in agreements. Our intention was also to examine whether the identified references to sport in individual international agreements coincide or differ. This may indicate whether the EU seeks to work with non-member countries in the same or different areas in the field of sport.

As part of the fulfilment of the second part of the objective, we will identify and analyse the financial and other EU instruments that may contribute to the fulfilment of the above mentioned provisions in each individual international agreement. In the case of the identification of EU instruments, we will draw upon the existing list developed by the High Level Group on Sports Diplomacy and add those that by their nature and focus have the potential to contribute to the fulfilment and implementation of sports provisions from the international agreements. Then we perform the full-text search for the word “sport” on the official websites and its documents of the identified EU instruments, to look for mentions of sports initiatives and projects. In the search results, we identify cooperation in the field of sports with non-EU countries, which we have defined in the first part of the objective. The retrieved data can then be analysed, compared, and evaluated. A specific example is the search in Erasmus+ database, where we anticipated a high number of sports related projects. We used the official website of the European Commission to search. Using the advanced search function, we have selected completed projects, activity years from 2014 to 2020, and all project topics related to sport and physical activities. Thanks to the search results, we were able to filter out those projects, in which non-EU countries participated as participating countries.

## **2. Sport in agreements with non-member countries of the European Union**

In this paper, we will pay particular attention to the position of sport in agreements with third parties, respectively non-member countries of the European Union. It can be argued that cooperation between the European Union and non-member countries takes place through various platforms and initiatives. These undoubtedly include the neighbourhood, enlargement, development, and cooperation policies.

In stating that until the ratification of the TFEU in 2009, the European Union had very little competence in the field of sport, we assumed the absence of any reference to the sport in agreements with non-member countries signed before 2009. Based on a systematic search in international agreements with candidate countries and potential candidate countries, we note that there is no mention of sport in them. This may be due to the fact that international agreements with these countries were signed before 2009<sup>15</sup>. However, in the framework of the European Neighbourhood Policy, we find mentions of sport in international agreements with seven countries. These are, in particular, Armenia,

<sup>15</sup> Apart from the Stabilization and Association Agreement between the European Union and Kosovo, which was signed in 2014.

Egypt, Georgia, Israel, Lebanon, Moldova, and Ukraine. In four cases, there is a reference to sport in the context of the Comprehensive and Enhanced Partnership Agreement and the Association Agreements, respectively.

Cooperation in the field of sport and physical activity is part of the Comprehensive and Enhanced Partnership Agreement between the European Union and Armenia of 2018. In particular, Article 101 states: *“The Parties shall promote cooperation in the field of sport and physical activity, in particular through the exchange of information and good practices in order to promote a healthy lifestyle, good governance as well as the social and educational values of sport and in order to fight against threats to sport such as doping, match-fixing, racism and violence within the European Union and the Republic of Armenia<sup>16</sup>.”*

The Association Agreement between the European Union and Georgia in 2014, the sport was given Article 368 on cooperation in the field of sport and physical activity, which is the version very similar to the previous example: *“The Parties shall promote cooperation in the field of sport and physical activity through the exchange of information and good practices in order to promote a healthy lifestyle and the social and educational values of sport, mobility in sport and in order to fight global threats to sport such as doping, racism and violence<sup>17</sup>.”*

The second Association Agreement, which contains a reference to sport, is the Association Agreement between the European Union and Moldova, also from 2014. Article 126 is specifically devoted to sport, with the following wording: *“The Parties shall promote cooperation in the field of sport and physical activity through the exchange of information and good practices in order to promote a healthy lifestyle, the social and educational values of sport and good governance in sport within the societies of the EU and the Republic of Moldova<sup>18</sup>.”* An interesting omission is part of mobility within the sport and the fight against global phenomena threatening the sport compared with an association agreement between the EU and Georgia and replacing them with good governance in sport.

However, the most elaborate example of the inclusion of sport in an agreement with a non-member state of the European Union is in the Association Agreement between the European Union and Ukraine<sup>19</sup>. In addition to the basic description of cooperation,

<sup>16</sup> EUR-LEX: Comprehensive and enhanced partnership agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part, [online], 2018, [cit. 24.3.2021]. Available at: <[https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22018A0126\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22018A0126(01)&from=EN)>

<sup>17</sup> EUR-LEX: Association agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part, [online], 2014, [cit. 24.3.2021]. Available at: <[https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22014A0830\(02\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22014A0830(02)&from=EN)>

<sup>18</sup> EUR-LEX: Association agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part, [online], 2014, [cit. 24.3.2021]. Available at: <[https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22014A0830\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22014A0830(01)&from=EN)>

<sup>19</sup> EUR-LEX: Association agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part, [online], 2014, [cit. 24.3.2021]. Available at: <[https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22014A0529\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22014A0529(01)&from=EN)>

modelled on the previous agreements mentioned, Article 441 in Chapter 25 of Title V is much more detailed in the specific areas of cooperation, which makes the EU-Ukraine cooperation in the field of sport more complex:

*Article 441*

*“1. The Parties shall cooperate in the field of sport and physical activity in order to help develop a healthy lifestyle among all age groups, to promote the social functions and educational values of sport and to fight against threats to sport such as doping, match-fixing, racism and violence.*

*2. Such cooperation shall, in particular, include the exchange of information and good practices in the following areas:*

- (a) promotion of physical activity and sport through the educational system, in cooperation with public institutions and non-governmental organisations;*
- (b) sports participation and physical activity as a means to contribute to a healthy lifestyle and general well-being;*
- (c) development of national competence and qualifications systems in the sport sector;*
- (d) integration of disadvantaged groups through sport;*
- (e) the fight against doping;*
- (f) the fight against match-fixing;*
- (g) security during major international sporting events<sup>20</sup>.”*

Chapter 25 on cooperation in the field of sport and physical activity also includes Article 442, which is absent in previous agreements and provides for a regular dialogue on Article 441 issues:

*Article 442*

*“A regular dialogue will take place on the issues covered by Chapter 25 of Title V (Economic and Sector Co-operation) of this Agreement<sup>21</sup>.”*

During the elaboration of this paper, we asked the question of why sport is a part of these four mentioned agreements, which were signed in 2014. There can be several reasons. Despite the fact that in 2009 the European Union acquired stronger competences in the field of sport, its added value in the field of external relations was only identified later. The EU Work Plan for Sport 2011-2014 could be a document that significantly contributed to the establishment of sport in agreements with non-member states of the European Union. Despite the fact that no expert group was set up during this period to examine the role of sport in external relations, the Work Plan Resolution contains a reference to cooperation

<sup>20</sup> EUR-LEX: Association agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part, [online], 2014, [cit. 24.3.2021]. Available at: <[https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22014A0529\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22014A0529(01)&from=EN)>

<sup>21</sup> Also EUR-LEX: 2014.

with non-member countries in the field of sport: “*The Council of the European Union and the representatives of the governments of the Member States, invite the Member States and the Commission, within their respective spheres of competence, with due regard for the principle of subsidiarity, to: 4. foster cooperation with third countries, in particular candidate countries and potential candidates, and the competent international organisations in the field of sport including the Council of Europe*”<sup>22</sup>.

Another reason may be the events related to the 2012 UEFA European Football Championship, organized by Poland and Ukraine. Already during the preparations, UEFA expressed concern and stated that the preparatory process of the event was slowed down by political instability in Ukraine<sup>23</sup>. The European Union responded to the incident by negotiating the content of a bilateral association agreement with Ukraine at the time. However, following an agreement on the wording of the bilateral agreement, the European Union threatened not to conclude the agreement if then-President Yanukovych and his regime did not allow the opposition to run in the upcoming parliamentary elections. Nevertheless, the President’s priority was not to improve relations with the European Union but to strengthen his position through the successful organization of the event. To make this happen, Yanukovych even extended the term of parliament by one year. In this context, several national representatives of the Member States, together with representatives of the European Union institutions, decided to boycott the 2012 UEFA European Football Championship, and send a political message through their personal non-participation in the event. The Ukrainian president likened the boycott to Cold War tactics or attempts to politicize a sporting event that should improve relations. Based on later events, we can assume that the European Union has used the 2012 UEFA European Football Championship to intensify its efforts to integrate Ukraine into Euro-Atlantic structures<sup>24</sup>.

Although these events do not represent the best example of the use of sport to achieve external relations and foreign policy goals, we argue that these events may have supported efforts to include the sport in agreements with non-member countries. This is one of the reasons why the article on cooperation in sport and physical activity in the EU-Ukraine Association Agreement may have been more elaborate and detailed, compared to similar agreements with Armenia, Georgia and Moldova. This is also referred to in the section on security of major international events, which is in Article 441 of Title V of the EU-Ukraine Association Agreement<sup>25</sup>.

<sup>22</sup> EUR-LEX: Resolution of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on a European Union Work Plan for Sport for 2011-2014, [online], 2011, [cit. 26.3.2021]. Available at: <[https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:42011Y0601\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:42011Y0601(01)&from=EN)>

<sup>23</sup> COLLETT, M.: UPDATE 1 – Soccer – UEFA warns hosts to speed up Euro 2012 plans, [online], 2008, [cit. 26.3.2021]. Available at: <<https://uk.reuters.com/article/soccer-uefa-euro/update-1-soccer-uefa-warns-hosts-to-speed-up-euro-2012-plans-idUKL3018483420080130>>

<sup>24</sup> LAVERTY, A.: Euro 2012: A hard power tool of sports diplomacy? USC Center on Public Diplomacy: [online], 2012, [cit. 26.3.2021]. Available at: <<https://uscpublicdiplomacy.org/blog/euro-2012-hard-power-tool-sports-diplomacy>>

<sup>25</sup> EUR-LEX: Association agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part, [online], 2014, [cit. 26.3.2021]. Available at: <[https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22014A0529\(01\)&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:22014A0529(01)&from=EN)>

In the previous parts of this article, we mentioned the incorporation of sport into agreements with seven non-member states of the European Union within the framework of the European Neighbourhood Policy. While four cases involved references to cooperation in the field of sport under the Association Agreements and the Comprehensive and Enhanced Partnership Agreement, respectively, the other three can be seen in the Action Plans for Egypt, Israel and Lebanon.

In order to reaffirm the commitment to deepen political, economic and social relations through close cooperation and strategic partnership, the European Union and Egypt concluded an agreement on an action plan in 2007. Such a plan shall include a reference to people-to-people contacts in the field of youth and sport, which states: “- *promote a dialogue between EU and Egypt on sport issues; - exchange of experience with the EU Member States on the management of various sports sectors*”<sup>26</sup>. We note the same reference and wording in the case of the Lebanon Action Plan.<sup>27</sup>

In the case of the 2004 Action Plan for Israel, the reference to sport is only very brief. In section 2.6. concerning people-to-people contacts, the plan generally emphasizes “*enhance co-operation in the field of Youth and Sport*” but other references in this area are no longer mentioned in sport compared to the action plan for Egypt and Lebanon<sup>28</sup>.

It is interesting in this case to include references to sport in documents signed before 2009. As the action plans were agreed in 2007, 2006 and 2004, the inclusion of sport in these agreements could not be affected by the reference to sport in the TFEU or the first EU Work Plan for sport for the years 2011-2014. However, we argue that the following facts could be influencing in the inclusion of the sport in the mentioned agreements. The Treaty of Amsterdam amending the Treaty on the European Union from 1997 states that sport builds identities, brings people together and gives people a sense of belonging to a particular group and contributes to social stability. A reference to sport can also be found in the Declaration of the Council of the European Union in Nice of 2000, which confirms that sports organizations and Member States are responsible for sport, and the Council recognizes that “...*the Community must, in its action under the various Treaty provisions, take account of the social, educational and cultural functions inherent in sport*...”<sup>29</sup> The 2004 initiative announced by the European Commission to highlight the link between education and sport, the European Year of Education through Sport (EYES), could also have been an influencing factor. The aim of the project was to raise Europeans’ awareness of the importance of sport as a tool for education, which also could have been

<sup>26</sup> EUROPEAN PARLIAMENT: EU/EGYPT ACTION PLAN, [online], 2007, [cit. 28.3.2021]. Available at: <[https://www.europarl.europa.eu/cmsdata/123584/egypt\\_enp\\_ap\\_final\\_en1\\_0.pdf](https://www.europarl.europa.eu/cmsdata/123584/egypt_enp_ap_final_en1_0.pdf)>

<sup>27</sup> EUROPEAN PARLIAMENT: EUROPEAN NEIGHBOURHOOD POLICY EU - Lebanon Action Plan, [online], 2006, [cit. 28.3.2021]. Available at: <[https://www.europarl.europa.eu/cmsdata/124062/lebanon\\_enp\\_ap\\_final\\_en.pdf](https://www.europarl.europa.eu/cmsdata/124062/lebanon_enp_ap_final_en.pdf)>

<sup>28</sup> EUROPEAN PARLIAMENT: EU/ISRAEL ACTION PLAN, [online], 2004, [cit. 28.3.2021]. Available at: <[https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/eu-israel\\_action\\_plan\\_2005.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/eu-israel_action_plan_2005.pdf)>

<sup>29</sup> GARAMVÖLGYI, B.: Sport: A Tool for Reaching EU External Policy Goals? in GÁL, A., KOSIEWICZ, J., TERBENZ, T., Sport and Social Sciences with Reflection on Practice. Warsaw : University of Physical Education, 2016. s. 324



an inspiration for the use of sport in relation to non-member countries of the European Union<sup>30</sup>.

The role of sport in development cooperation is also mentioned in the European Parliament's resolution on development and sport from 2005. The resolution emphasizes the important educational and social functions of sport and recognizes the societal importance of sports organizations. At the same time, it calls on the European Union institutions on several points:

*“6. Calls on the Commission to consider supporting sports-based development programmes and projects, through an earmarked budget;*

*7. Calls on the Commission to promote a study of the results of projects that have been carried out by development organisations and sports organisations on development and sport, the potential of policy in this field and the possible role of the EU, the Member States and/or NGOs in development and sport;*

*8. Calls on the Commission to create programmes to increase knowledge and experience among teachers of physical education in the field of development through sport;*

*9. Calls upon the Council to incorporate sport and development explicitly in national policies targeting poverty reduction, and calls on the Council and the Commission to cooperate with national and inter-national sports organisations in order to achieve these aims,<sup>31</sup>”*

As reported by Garamvölgyi<sup>32</sup>, this resolution laid the basis for creating documents relating to sports and its involvement in the field of external relations of the European Union, as shown in the White Book of Sport and TFEU. We fully identify with this statement and adding that the above mentioned facts could also contribute to the inclusion of sports in the action plans for Egypt, Israel and Lebanon.

### 3. Fulfilment of provisions from agreements

The High Level Group for Sports diplomacy in its final report from 2016 notes that the existing European Union financing programs do not allow sports and non-member states to use their full potential. For example, in relation to EU neighbouring countries, the Erasmus+ Sport programme is limited only to *“Programme Countries”*. The Group also stated shortcomings in the event of the inclusion of sports in the negotiations and work of the Directorate General for Development and Cooperation programmes and European Neighbourhood Policy and Enlargement Negotiations, although focusing on countries outside the European Union. At the same time, the Group calls on the European

<sup>30</sup> NEW EUROPE BRUSSELS TEAM: 2004 „Year of Education through Sport“ in EU, [online], 2003, [cit. 29.3.2021]. Available at: <<https://www.neweurope.eu/article/2004-year-education-through-sport-eu/>>

<sup>31</sup> PUBLICATIONS OFFICE OF THE EU: European Parliament resolution on development and sport, [online], 2005, [cit. 30.3.2021]. Available at: <<https://op.europa.eu/en/publication-detail/-/publication/e608cd39-a445-49cb-b462-df1f4f66d9f4>>

<sup>32</sup> GARAMVÖLGYI, B.: Sport: A Tool for Reaching EU External Policy Goals? in GÁL, A., KOSIEWICZ, J., TERBENZ, T., Sport and Social Sciences with Reflection on Practice. Warsaw : University of Physical Education, 2016. s. 324

Commission in the final report to examine the ways to allow sports to play a more prominent role in the EU's external relations<sup>33</sup>.

In its report, the Group also recommends to “*Ensure that sport, and the contribution it can make to achieve the EU's external relations ambitions, is fully taken into account in the agreements with third countries, including within the framework of Accession, Association, Co-operation and European Neighbourhood agreements*”<sup>34</sup>. It is also worth mentioning a challenge for reviewing the eligibility criteria of the EU's financial programs, to include sports and use of its potential in the context of projects to which non-member states can be included. It can be argued that the European Union can use considerable knowledge in sport to provide technical and political support to public authorities and sporting organizations of non-member states and share best practices to assist in the implementation of sports projects in accordance with the values of the European Union. The Group also emphasizes the importance of implementing the steps to implement the provisions relating to sport in existing agreements with non-member states, including the adoption of new instruments in the form of bilateral memoranda cooperation<sup>35</sup>. It is therefore important to examine what steps from 2016 have been taken by the European Union institutions and how the references relating to sport from agreements with non-member states are being implemented.

In order to answer these questions, we identified the funds that, even on the basis of a high-level group for sports diplomacy, can contribute to the fulfilment of the mentioned provisions. They are the European Neighbourhood Instrument (ENI), Twinning projects, Instrument for Pre-Accession Assistance (IPA), the European Instrument for Democracy and Human Rights (EIDHR), Development Cooperation Instrument (DCI), the European Development Fund (EDF), Technical Assistance and Information Exchange instrument (TAIEX), Asylum, Migration and Integration Fund (AMIF) and Erasmus+ Programme<sup>36</sup>.

To monitor the implementation of the provisions, we proceeded to search in these projects. It can be concluded that, based on browsing the web sites of identified resources has resulted in a narrowing of the searched area. The European Neighbourhood Instrument (ENI), Instrument for Pre-Accession Assistance (IPA), the European Instrument for Democracy and Human Rights (EIDHR) and Development Cooperation Instrument (DCI) often refer to Twinning Projects<sup>37</sup>, Technical Assistance and Information Exchange instrument (TAIEX) and Erasmus + Programme. However, the absence of the mention of sports projects or initiatives in available Twinning Activities Report from 2014-2018 is disappointing<sup>38</sup>.

<sup>33</sup> HIGH LEVEL GROUP ON SPORT DIPLOMACY: Report to Commissioner Tibor Navracsics, [online], 2016, [cit. 1.4.2021]. Available at: <[https://ec.europa.eu/assets/eac/sport/library/policy\\_documents/hlg-sport-diplomacy-final\\_en.pdf](https://ec.europa.eu/assets/eac/sport/library/policy_documents/hlg-sport-diplomacy-final_en.pdf)>

<sup>34</sup> Also HIGH LEVEL GROUP ON SPORT DIPLOMACY: 2016.

<sup>35</sup> Also HIGH LEVEL GROUP ON SPORT DIPLOMACY: 2016.

<sup>36</sup> Also HIGH LEVEL GROUP ON SPORT DIPLOMACY: 2016

<sup>37</sup> Twinning projects are an implementation tool for building state and public administration institutions through cooperation between EU Member States - states providing expertise and know-how and beneficiary states. (See the reference below)

<sup>38</sup> EUROPEAN NEIGHBOURHOOD POLICY AND ENLARGEMENT NEGOTIATIONS (2021): Twinning, [online], 2021, [cit. 3.4.2021]. Available at: <[https://ec.europa.eu/neighbourhood-enlargement/tenders/twinning\\_en](https://ec.europa.eu/neighbourhood-enlargement/tenders/twinning_en)>

In the case of Technical Assistance and Information Exchange instrument (TAIEX), we managed to find a few sport and non-member state related initiatives through the program search portal. Suitable examples are three missions of experts, respectively study visits for sharing verified procedures with Georgia from 2016<sup>39</sup>, 2018<sup>40</sup> and 2019<sup>41</sup>, to assist the development of a local sports strategy and an action plan. Another example is 2020 expert mission to share the best European experience in sports, cultural and artistic activities related to people with disabilities with the Ministry of Youth and Sport in Egypt. The implementation of these initiatives thus confirms the cooperation of the European Union with Georgia and Egypt in sport and movement activities<sup>42</sup>. An interesting finding for us, in this case, was the finding of similar initiatives with EU non-member states such as Turkey, Northern Macedonia, Kosovo<sup>43</sup>, Montenegro<sup>44</sup> and Serbia<sup>45</sup>.

Following the High Level group for Sports diplomacy finding that, as of 2015, the limitation of participating under the Erasmus+ program, which do not sufficiently involve the non-member states of the European Union, we considered that it is important to verify that fact. Because of the conditions listed on the project website, we note that in the 2014-2020 programming period, it was also possible to participate fully in addition to the member states of the European Union and the following non-member states: North Macedonia, Iceland, Liechtenstein, Norway, Turkey, and Serbia. All other non-member states listed in the program guide are considered partner countries. Partner countries *“can take part in certain Actions of the Programme, subject to specific criteria or conditions”*<sup>46</sup>. *Applicants and participants must respect any restrictions placed on EU external assistance imposed by the European Council. Applications have to be in line with the overall EU values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities as foreseen in art 2 of the Treaty of the European Union*<sup>47</sup>.” We theorize that

<sup>39</sup> TAIEX SEARCH: TAIEX Expert Mission on Sharing EU Best Practices in the Development of Grassroots Sport, [online], 2016, [cit. 4.4.2021]. Available at: <<https://webgate.ec.europa.eu/TMSWebRestrict/resources/js/app/#/library/detail/63163>>

<sup>40</sup> TAIEX SEARCH: Study Visit on Grassroots Sports Development, [online], 2018, [cit. 4.4.2021]. Available at: <<https://webgate.ec.europa.eu/TMSWebRestrict/resources/js/app/#/library/detail/66327>>

<sup>41</sup> TAIEX SEARCH: TAIEX Expert Mission on Grassroot sports development, [online], 2019, [cit. 4.4.2021]. Available at: <<https://webgate.ec.europa.eu/TMSWebRestrict/resources/js/app/#/library/detail/68314>>

<sup>42</sup> TAIEX SEARCH: TAIEX Expert Mission on Institutional Capacity Building of the Ministry of Youth and Sports in the disability field, [online], 2020, [cit. 4.4.2021]. Available at: <<https://webgate.ec.europa.eu/TMSWebRestrict/resources/js/app/#/library/detail/67811>>

<sup>43</sup> TAIEX SEARCH: TAIEX Study Visit on Crowd Control at Sports Events, [online], 2016, [cit. 4.4.2021]. Available at: <<https://webgate.ec.europa.eu/TMSWebRestrict/resources/js/app/#/library/detail/61560>>

<sup>44</sup> TAIEX SEARCH: TAIEX Expert Mission on the Law on Prevention of Violence and Misconduct at Sports Events, [online], 2016, [cit. 4.4.2021]. Available at: <<https://webgate.ec.europa.eu/TMSWebRestrict/resources/js/app/#/library/detail/61779>>

<sup>45</sup> TAIEX SEARCH: TAIEX Workshop on the Prevention of Disorder at Sport Events, [online], 2016, [cit. 4.4.2021]. Available at: <<https://webgate.ec.europa.eu/TMSWebRestrict/resources/js/app/#/library/detail/59687>>

<sup>46</sup> Partner countries cannot be the applicants for funding, can only be partnered in the form of participation. (See the reference 47)

<sup>47</sup> ERASMUS+ PROGRAMME GUIDE: Eligible countries, [online], 2020, [cit. 6.4.2021]. Available at: <[https://ec.europa.eu/programmes/erasmus-plus/programme-guide/part-a/who-can-participate/eligible-countries\\_sk](https://ec.europa.eu/programmes/erasmus-plus/programme-guide/part-a/who-can-participate/eligible-countries_sk)>

these conditions are a guarantee of the interconnection of entities from non-member countries with entities from the member states of the European Union. At the same time, the promotion of the European Union's values and the possibility of developing a European sports dimension is also ensured and indirectly. Therefore, these conditions remained unchanged also for a new programming period for 2021-2027. The importance and efficiency of Erasmus+ also testifies that the European Parliament and the Council of the European Union agreed to increase funding for a programming period 2021-2027 by EUR 11.5 billion<sup>48</sup> in December 2020<sup>49</sup>. The program directly follows up on its predecessor and increases its budget by more than 40% compared to the previous program. Sport is directly integrated into Erasmus+ in the new programming period and has its own subcategory compared to the previous programming period. On this basis, it can be concluded that the EU is fully aware of the importance and strength of sport, which can help with its nature in various areas not only the life of citizens, but also good governance management. What's more, by 2023 there should be implemented a new activity in the field of sports that support mobility. It should be a similar system with exchange study residents and exchange within youth organizations. The result should be to obtain support and new opportunities for sports organizations that will be able to send their coaches, referees, and employees to exchange experience and closer cooperation with different partner entities<sup>50</sup>. It is also worth noting that strong support for Erasmus+ is set out in the main objectives of the new EU Work Plan for sport 2021-2024<sup>51</sup>.

Based on the search in individual projects, we note that Erasmus+ is an increasingly effective tool for financing cooperation with non-member states of the European Union. Out of the total number of 650 sports related projects during the 2014-2020 programming period, we recorded 192 projects in which entities from non-EU member countries participated. The participation of non-EU countries is thus present in almost one third of the total number of sports related projects. It can be argued that, based on the search results, there is a notable interconnection of individual entities from EU member states with entities from the Union's external environment. Thanks to this interconnection, it is possible to promote good governance in sports, a European sports model and all other principles that are part of it and which the EU has been committed to by their documents to support and develop through sports. In the case of searching in Erasmus+ projects, there is an interesting fact that there are many projects with EU non-member states that do not have sport references included in their agreements with the Union. Participation

<sup>48</sup> The total budget for the Erasmus+ program for the programming period 2021-2027 was set at EUR 26.2 billion (compared to EUR 14.7 billion for 2014-2020). (See the reference below)

<sup>49</sup> EUROPEAN COMMISSION: Erasmus+: over €28 billion to support mobility and learning for all, across the European Union and beyond, [online], 2021, [cit. 8.8.2021]. Available at: <[https://ec.europa.eu/commission/presscorner/detail/en/IP\\_21\\_1326](https://ec.europa.eu/commission/presscorner/detail/en/IP_21_1326)>

<sup>50</sup> ERASMUS+: Erasmus+ Programme Guide 2021. [online], 2021, [cit. 7.4.2021]. Available at: <[https://ec.europa.eu/programmes/erasmus-plus/resources/documents/erasmus-programme-guide-2021\\_en](https://ec.europa.eu/programmes/erasmus-plus/resources/documents/erasmus-programme-guide-2021_en)>

<sup>51</sup> EUR-LEX: Resolution of the Council and of the Representatives of the Governments of the Member States meeting within the Council on the European Union Work Plan for Sport (1 January 2021-30 June 2024), [online], 2020, [cit. 8.4.2021]. Available at: <[https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:42020Y1204\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:42020Y1204(01))>

in any projects, including those related to sports, is allowed by program rules on participants from partner countries. The Erasmus+ Program Guide defines up to 14 regions of the partner countries that are sorted by the EU's financial instruments<sup>52</sup>.

## Conclusion

Based on the findings from the paper, it can be stated that we managed to identify the mention of sport in agreements between the European Union and non-member states. However, due to the gradual identification of the benefits of sport and its added value in the field of external relations, we assumed that references of cooperation in the sports field will be incorporated in agreements with non-member states to a much greater extent and with more states. In particular, the reason for this condition may be timely in the development of sports diplomacy and the use of sports as part of the European Union's foreign policy. It can be argued that the inclusion of the sport in agreements with non-member countries occur gradually as from 2014. However, it is surprising that some agreements signed after 2014, such as with Kosovo, do not contain sport references.

We argue that the most effective reference on sport is set out in the Association Agreement between the EU and Ukraine. A large positive is the availability of data on the implementation of the Agreement sports provisions, which are listed on the website dedicated to the process of Ukraine's integration into Euro-Atlantic structures<sup>53</sup>. It can be assumed that the fact has also helped the existence of an article on a regular dialogue on issues regulated in the agreement. Based on the data from the portal, we can say that the Ukrainian Government and Parliament approved new concepts, programs, strategies, and laws aimed at the popularization of sports and the creation of an effective system to combat the negative sports phenomenon set out in the Association Agreement with the European Union<sup>54</sup>. The world's events suggest that such a similar and specific reference could also benefit from agreements with other non-member states of the European Union, which would be applicable to different situations. Such as the situation from 2019, when the final match of UEFA Europa League was held in the capital of Azerbaijan - Baku. For concerns about his safety, the Armenian football player Henrikh Mkhitaryan decided not to travel to the final match between Chelsea FC and his employer Arsenal FC. This was due to the current conflict between Azerbaijan and Armenia over the disputed region of Nagorno-Karabakh. The case was perceived very sensitively, particularly in the sporting public, which expressed dissatisfaction with granting the organization of such a major sporting event to a state in this conflict<sup>55</sup>. In this case, it is

<sup>52</sup> ERASMUS+: Erasmus+ Programme Guide 2021. [online], 2021, [cit. 8.4.2021]. Available at: <[https://ec.europa.eu/programmes/erasmus-plus/resources/documents/erasmus-programme-guide-2021\\_en](https://ec.europa.eu/programmes/erasmus-plus/resources/documents/erasmus-programme-guide-2021_en)>

<sup>53</sup> EUROPEAN INTEGRATION PORTAL: Sport and physical culture: asociation4U - A4U, [online], 2019, [cit. 8.4.2021]. Available at: <<https://eu-ua.org/en/sport-and-physical-culture>>

<sup>54</sup> Also EUROPEAN INTEGRATION PORTAL: 2019.

<sup>55</sup> LAWRENCE, A., INGLE, S.: Arsenal's Henrikh Mkhitaryan to miss Europa League final over safety fears, The Guardian, [online], 2019, [cit. 8.4.2021]. Available at: <<https://www.theguardian.com/football/2019/may/21/arsenal-henrikh-khitaryan-miss-europa-league-final-safety-chelsea-baku>>

our understanding that the reference on security during major international sporting events in the aforementioned Association Agreement between the EU and Ukraine could provide guarantees and be beneficial.

Also, it can be stated that the absence of references on cooperation in the field of sports and movement activities is not an obstacle to involving EU non-member states into activities financed by the European Union. Projects and initiatives of the TAIEX and Erasmus+ is the evidence that we have identified on the official projects' web sites. As already mentioned, the participation of non-EU countries in these programs is allowed by the rules of these initiatives. Another reason may be the fact that, at the time of signing the agreements between the European Union and the non-member states before 2009, sport was generally perceived as part of the areas of culture and education. Such cultural and education references include a vast majority of the authorized agreements with non-member states. A very important means, in terms of assurance of funding effectiveness, is the interconnection and cooperation between the EU member states and non-EU countries. Thus, this link results in cooperation, which is consistent with the values representing European identity and their promotion in non-EU countries. From the above, it can be concluded that the EU is to some extent dependent on the individual subjects of the member countries, with an important role different willingness to engage in EU-funded projects and their ability to collaborate with entities from non-member countries.

Regarding the use of sports as a means of foreign policy, which should assist in achieving the EU's external relations objectives, we must not neglect the role of the European Sports Model and the development of the European dimension in sports. We theorize that the mentioned model effectively complements the role of sports references in cooperation with those non-EU countries, which do not have such references in their agreements with the EU. It can also be added that the European sports model plays an important role in the regional integration processes. It is generally known that the EU requires certain values and functional principles as a fundamental basis for the functioning of European sports organizations. In this case, the membership of countries outside the EU in these European sports organizations is the key, because they require strict compliance with the functional principles, and in the event of their infringement there is a threat of strict sanctions. It can therefore be argued that there is a spread of the European dimension in sport, which includes the development of social, economic, cultural and organizational functions of sport, with the support of European practices of good governance in sport outside the EU. The interest of the EU in these activities is also confirmed by one of the main objectives in the EU Work Plan for sport 2021-2024, which constitutes strengthening the international dimension of EU sport policy, in particular, through cooperation with governments and stakeholders outside the EU<sup>56</sup>. Finally, it can be assumed that, together with the increasing number of projects in the field of sport, new references on cooperation in sport will be formed and added in agreements with other non-EU member states.

<sup>56</sup> EUR-LEX: Resolution of the Council and of the Representatives of the Governments of the Member States meeting within the Council on the European Union Work Plan for Sport (1 January 2021-30 June 2024, [online], 2020, [cit. 8.4.2021]. Available at: <[https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:42020Y1204\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:42020Y1204(01))>

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