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Time to act: Europe's political response to fighting the manipulation of sports competitions

Reply to Recommendation[1]: Recommendation 2178 (2020)
Committee of Ministers

1. The Committee of Ministers has carefully examined Parliamentary Assembly Recommendation 2178 (2020) "Time to act: Europe's political response to fighting the manipulation of sports competitions" and communicated it to the Enlarged Partial Agreement on Sport (EPAS) and to the Follow-up Committee of the European Convention on the Manipulation of Sports Competitions for information and possible comments.

2. The Committee of Ministers attaches great importance to the Council of Europe Convention on the Manipulation of Sports Competitions (CETS No. 215, "Macolin Convention") and to the principles it upholds. It welcomes its entry into force on 1 September 2019 and encourages all member States which have not yet done so to sign and ratify the Macolin Convention as soon as possible.

3. The Committee of Ministers notes with regret that the issues identified in the Assembly's recommendation have delayed the widespread implementation of the Macolin Convention and the international co-ordination of efforts to combat the manipulation of sports competitions, including criminal activities that are connected to it.

4. The Assembly's proposals to reflect the reality of post-Lisbon European Union (EU) competences in the Rules of Procedure of the Committee of Ministers or of intergovernmental committees and to draft a common agreement with the EU defining the general principles of the EU's participation in Council of Europe conventions, while interesting, could represent a politically and legally complex and long-term task. Furthermore, the question of the determination of respective competences of the EU and its member States cannot be decided by a body outside the legal order of the EU.

5. With regard to the issue of the ratification of the Macolin Convention, the Committee of Ministers is in favour of maintaining a constructive dialogue with the EU considering the findings of the recent Opinion 1/19 of the Court of Justice of the European Union in respect of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, "Istanbul Convention").[2]

6. On 21 May 2021 in Hamburg, the Committee of Ministers "encouraged EU participation in or accession to Council of Europe instruments, as appropriate, as a way of achieving coherence and complementarity and promoting synergies". Against this background, the Committee of Ministers encourages EU member States and the EU to become Parties to the Convention as soon as possible.

7. It is essential that the Macolin Convention, the only international legal instrument aimed at preventing the manipulation of sports competitions, be widely ratified and implemented to ensure the implementation of the standards it sets.

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1. Adopted at the 1418th (Budget) meeting of the Ministers' Deputies (23 November 2021).
2. This opinion deals in particular with the practice of "common accord" of EU member States to be bound by a mixed agreement which may also have implications for the Macolin Convention.