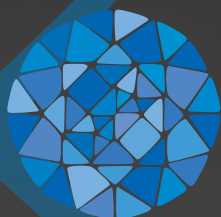


GUIDE TO EU SPORT POLICY



EUROPEAN
OLYMPIC
COMMITTEES



EU
Office



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Dear friends,

Eight years have passed since the Lisbon Treaty entered into force. With this Treaty, the EU was given an official competence in the field of sport. Throughout these eight years, the EOC EU Office has seen the EU sport policy taking shape with the European Commission's Communication on Developing a European Dimension in 2011 and the three EU Work Plans for Sport of the Council of Ministers.



It has been roughly six years since the EOC EU Office published its previous "Guide to EU Sport Policy" and it is needless to say that a lot of things have changed. In many policy areas, the EU has started activities to develop the European dimension of sport. You will be able to find more information on the various policy fields in the fourth chapter of this brochure. Nowadays, the EU sport policy covers a variety of topics that are not only exclusively linked to sport. This brings me back to the idea of the mainstreaming of sport, which was already included in the Communication of 2011. The EOC EU Office has always advocated for a better implementation of mainstreaming sport in relevant EU policy areas. Today, we can see some positive examples such as the block exemption regulation in the field of State Aid or the inclusion of sport within the funding Programme for Education, Training and Youth called Erasmus+. Nevertheless, mainstreaming sport remains a recurring challenge for topics such as taxation, visa policy or the Structural Funds.

Another remaining challenging is the recognition of the European Sports Model and the specificities of the organised sport. The first chapter of this brochure provides some background to the historical evolution and explains the current legal situation in relation to concepts such as the specificity and the autonomy of sport. Indeed, we see today that the inclusion of sport in the Lisbon Treaty has not provided the legal certainty that sport organisations were hoping for.

Throughout the different activities of the EU institutions, the EOC EU Office has always looked for ways how it could get involved to the benefit of organised sport in Europe. The aim of the EOC EU Office is to give sport a voice in Europe by engaging in a dialogue with the European institutions to establish a framework that allows the organised sport to achieve its goals in the challenging times of today and tomorrow. With this brochure, we want to give you an overview of some of these challenges, but also of the opportunities for sport organisations in EU sport policy.

Enjoy your read!

A handwritten signature in black ink that reads "Folker Hellmund". The signature is written in a cursive style.

Folker Hellmund, Director EOC EU Office

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Chapter 1

THE LEGAL AND SPORT POLICY FRAMEWORK



Introduction: the Evolution of EU Sport Policy

Until the adoption of the Lisbon Treaty in 2009, the European Union did not have an explicit competence for sport and therefore an official EU sport policy did not exist. However, many other EU policies already had an impact on sport – particularly following the introduction of the Single Market in 1993. The EU’s influence on sport had been shaped to a great extent by the case-law of the European Court of Justice (ECJ), stretching from Walrave (1974) to Bosman (1995) and the Meca-Medina (2006) ruling. Throughout this period, the ECJ firmly established the rule that sport must comply with EU law whenever it constitutes an economic activity.

In 2007, the European Commission published the White Paper on Sport, which provided the basis for a more comprehensive EU sport policy. This was followed in 2009 by the entry into force of the Lisbon Treaty, which gave the EU an explicit competence for sport. Following this, EU sport policy has rapidly developed over the last decade, with the adoption of three EU Work Plans for Sport by the Council of Ministers (2011-2014, 2014-2017 and 2017-2020).



1.1 Milestones of EU Sport Policy

2007

The White Paper on Sport

[The White Paper on Sport](#) was the first document in which the European Commission addressed sport-related issues in a general way, applying a holistic approach to sport. The main objectives of the White Paper were to give strategic orientation on the role of sport in Europe, to encourage debate on specific problems, to enhance the visibility of sport in EU policy-making and to raise public awareness of the needs and specificities of the sport sector. In the accompanying [“Action Plan Pierre de Coubertin”](#), the Commission made concrete proposals for further EU activities in a number of fields – ranging from health-enhancing physical activity to volunteering, players’ agents and media rights. Many of these topics are still relevant a decade later.

2009

The Lisbon Treaty

With the entry into force of the Lisbon Treaty on 1 December 2009, sport became anchored in the EU Treaties for the first time. In Article 6 and Article 165 of the [Treaty on the Functioning of the European Union](#), the importance of sport is legally acknowledged and the promotion of sport as an EU objective is emphasised. Article 165 calls on the EU to *“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”*. For more information on the legal and institutional implications, see part 1.2 of Article 165.

2009-
2013

Preparatory Actions in the Field of Sport

Since there was no legal basis for a sports funding programme prior to the Lisbon Treaty, the Commission created a budget line called “Preparatory Actions in the Field of Sport” in 2009 to prepare future EU actions in the field of sport from 2014 onwards. Between 2009 and 2013, a total of 77 projects were funded through this budget line, for a total of 15.6 million EUR. This included the EOC EU Office’s “Athletes2Business” (A2B) and “Sport 4 Good Governance” (S4GG) projects.



The European Commission's Communication on Sport

In January 2011, the European Commission published the Communication [“Developing the European Dimension in Sport”](#), a legally non-binding initiative. The Communication complemented the White Paper on Sport by setting out the Commission's view on how the provisions of Article 165 of the Lisbon Treaty should be put into practice. The Communication proposed concrete actions for the Commission and/or Member States within three chapters: the societal role of sport, the economic dimension of sport and the organisation of sport. It was accompanied by a [Staff Working Document on the free movement of professional and amateur sportspeople in the EU](#). Following the Commission's Communication, the Council adopted its first Work Plan for Sport in 2011.



The First Council Work Plan for Sport

On 20 May 2011, EU Sport Ministers adopted the first [Work Plan for Sport](#). The Council's Work Plan set out priorities in the field of sport for the next three years (2011-2014) and created new working structures. The Work Plan created six “Expert Groups” (XGs) in line with the priorities outlined in the plan. In these Expert Groups, Member States were represented by national experts. The Expert Groups replaced the informal working groups that previously existed and worked according to a timetable for implementation and actions outlined in the Work Plan. More information on the Expert Groups can be found in 2.1 Institutional Structures.

The Council defined priorities along the lines of three key themes, which could be “complemented by each Presidency” in the light of new developments:

- › integrity of sport, in particular the fight against doping, match-fixing and the promotion of good governance
- › social values of sport, in particular health, social inclusion, education and volunteering
- › economic aspects of sport, in particular sustainable financing of grassroots sports and evidence-based policy making.

Furthermore, the Council emphasized that “there is also a need for the EU to work closely with the sport movement and relevant competent organisations at national, European and international levels such as the Council of Europe, in particular through structured dialogue”. For the Expert Groups, these organisations were able to apply for observer status allowing them to contribute to certain parts of the meeting without having formal voting rights. More information on the Expert Groups can be found in chapter 2.1.



Erasmus+ Sport

2014 also saw the launch of **Erasmus+**, the EU Programme for education, training, youth, and for the first time sport. The [sports chapter of Erasmus+](#) aims to support European partnerships on grassroots sport in accordance with the themes and topics established in the EU Work Plan. Further information on Erasmus+ can be found later in this brochure in the EU Funding for Sport section and in the EOC EU Office's brochure "Funding for sports in the European Union 2014-2020".



The Second Council Work Plan for Sport

In January 2014, the Commission presented a [report](#) on the implementation of the first Work Plan for Sport. This report served as a basis for the [Second EU Work Plan for Sport](#) for the period 2014-2017. While some specific topics were changed in order to adapt to developments in the field of sport, the second plan showed a strong continuity from the first Work Plan, and its three key themes largely resembled those previously established:

- › integrity of sport, in particular anti-doping, the fight against match-fixing, protection of minors, good governance and gender equality
- › the economic dimension of sport, in particular sustainable financing of sport, the legacy of major sport events, economic benefits of sport and innovation
- › sport and society, in particular Health-Enhancing Physical Activity (HEPA), volunteering and employment in sport, as well as education and training in sport.

Five Expert Groups were established, covering match-fixing, good governance, economic dimension, HEPA and human resources development in sport. The system of observers, that allowed approved sport organisations to take part in these Expert Groups, remained largely unchanged.

In addition to these groups, Presidency conferences, meetings of Sport Ministers and Directors, Commission studies and conferences, as well as pledge boards were mentioned as potential working methods. A more detailed description of the outcomes and results of the Second EU Work Plan can be found in the [Commission's evaluation report](#).

2015

High Level Groups on Sport

In 2015, two High Level Groups were set up (on Sport Diplomacy and Grassroots Sport) on the initiative of [Commissioner for Education, Culture, Youth and Sport Tibor Navracsics](#). These High Level Groups were composed of various experts from different backgrounds (academics, former athletes, representatives of major sport organisations). Both High Level Groups held several meetings over one year and produced a final report; the HLG Sport Diplomacy prepared 15 recommendations, whereas the HLG Grassroots Sport made suggestions to the Commission on ways to better promote grassroots sports through policy initiatives or programme priorities.

September
2015

The First European Week of Sport

In September 2015, the European Commission organised the first European Week of Sport (EWOs). This event, originating from an idea launched in the Fisas Report in 2012, aims to raise awareness on the benefits of physical activity and to encourage as many as European citizens as possible to be active. As a result, the EU uses the hashtag #BeActive in its communicational activities when referring to the European Week of Sport. From 2015, it became an annual event, taking place between 23 and 30 September.



The Third Council Work Plan for Sport 2017-2020

In May 2017, the EU Sports Ministers adopted a new [Work Plan for Sport](#), which will run for three and a half years, until the end of 2020, in line with the EU's Multi-annual Financial Framework. The new Work Plan has been drafted according to three main priorities:

- ▶ the integrity of sport; in particular promoting good governance including the safeguarding of minors, the specificity of sport, combatting corruption and match fixing, as well as fighting doping
- ▶ the economic dimension of sport; in particular innovation in sport, and sport and the digital single market
- ▶ sport and society; in particular social inclusion, the role of coaches, education in and through sport, sport and health, sport and environment and sport and media, as well as sport diplomacy.

To implement these actions, the Work Plan contains a variety of working methods. One of these methods is through Expert Groups, although only two Expert Groups were created. One Expert Group will focus on "integrity", while another Expert Group will work on "skills and human resources development in sport". Furthermore, these groups will not work under the control of the Council; instead responsibility will be given to the Commission. This means that different rules might apply to their implementation, regarding both Member State representatives and sport organisations. The Sport Unit of the European Commission plans to define the selection criteria for

experts by the end of 2018.

The new Work Plan also includes two new working methods. The first of these are cluster meetings, with the objective of bringing decision-makers together with successful Erasmus+ Sport projects and other funding Programmes covering a certain topic in order to discuss policy-relevant outcomes. An example foreseen in the Work Plan is a meeting to promote health-enhancing physical activity. The second new working method is "groups of interested Member States". This working method is aiming at facilitating peer learning activities among participating Member States. These groups may be organised at the initiative of one or several Member States on subjects of common interest. These working methods also provide more flexibility to the new Work Plan.

Flexibility has indeed been a key concern for the third EU Work Plan as a lack of flexibility in terms of topics, agenda and working structures was one of the general criticisms levelled at the previous Work Plans. This is in line with the EOC EU Office's assessment of the first two Work Plans and the position paper with recommendations for the third EU Work Plan. Another way in which flexibility in the Work Plan was increased was with the introduction of the possibility of covering additional topics during its implementation. Future Presidencies also already included their priorities and proposed events, but are free to add new topics in the light of any possible new developments or their own priorities.

1.2 Most Important EU Cases Related to Sport

The European Court of Justice (ECJ) has been active in the field of sport for a longer period of time than the European Commission. The general principle that sport falls under EU law when it constitutes an economic activity has been established in case-law, but other areas of EU law can also influence the world of sports (e.g. environment). The cases that are highlighted here are cases that established general principles on how the ECJ treats sport. A short overview of recent ECJ cases related to sport is also given, but those cases will be discussed in more detail within the sections on the policy fields influenced by their outcomes.

► 1974: Walrave and Koch Case

This case addressed nationality rules in sport set by the Union Cycliste Internationale (UCI). These rules were challenged by two Dutch pacemakers who wished to work for non-Dutch teams at the World Championships. With its decision, the European Court of Justice (ECJ) underlined for the first time that the prohibition of discrimination on grounds of nationality also applies to the rules of sports federations and stressed that **sport falls within the scope of EU law in so far as it constitutes an economic activity**. This verdict provided the basis for the Bosman ruling in 1995.

► 1995: Bosman Case

With its decision on the Bosman Case, the ECJ rendered an **important judgment on the freedom of movement for sportspeople** while simultaneously exerting a profound effect on the transfer rules of football leagues within the EU. The verdict also banned restrictions against non-nationals within national leagues and allowed professional football players in the European Union to move to another club without a transfer fee at the end of their term of contract with their current team.

► 2000: Deliège Case

In this ruling, the ECJ confirmed that the selection of athletes for international sporting events lies within the responsibility of national sport federations since such a limitation is inherent to the organisation of sport. Stating that selection rules for international tournaments are not contrary to EU law, this case **supports the specificity of sport structures and strengthens the autonomy of sport** with regard to the setting up of sporting rules.

► 2006: Meca-Medina Case

In this case, the ECJ addressed the compatibility of International Sport Federations' anti-doping rules with EU competition rules. In its verdict, the ECJ approved the anti-doping jurisdiction but held that the assessment whether a **sporting rule is compatible with EU law** can only be made **on a case-by-case basis**. The Meca-Medina ruling has shown that even a regulation that is inherent to the organisation of sport competitions can be required the ECJ to undergo the proportionality test. In this, the Court checks if the restrictions are inherent to the objectives pursued by the contested regulation and whether they are "proportionate" and "limited to what is necessary to ensure the proper conduct of competitive sport".

► 2010: Bernard / Olympique Lyonnais Case

In the Olympique Lyonnais ruling, the Court of Justice confirmed most of the elements developed in the Bosman judgment. Rules which require a player to sign his first professional contract with the club which trained him are a **restriction on freedom of movement for workers**. However, football clubs may seek **compensation for the training of young players** if those players wish to sign their first professional contract with another club. The compensation fee should be based on the costs borne by the clubs in training both future professional players and those who will never play professionally.

Recent Developments at the ECJ

Besides these landmark cases establishing general principles on how to treat sport according to European law, there have been several recent cases that were of particular importance to their respective policy fields:

- Freedom of Movement: [Striani 2015](#)
- Media Rights: [Murphy 2011](#)
- Tax Policy: [English Bridge Union 2017](#)
- State Aid: [Hamr-Sport 2016](#) and [Deutscher Alpenverein-Magic Mountain u.a. case T-162/13](#).

For further information on these cases, see the respective policy fields found later in this brochure.



1.3 A Closer Look at The Lisbon Treaty: Article 165

Relevance to Sport

With the entry into force of the Treaty of Lisbon on 1 December 2009, the EU gained an official legal basis to promote sport at the EU level. This article had its basis in the previously published [Nice Declaration on the specific character of sport and its social functions \(2000\)](#) and, more importantly, the EU White Paper on Sport of 2007. Already in opening discussions on a European “constitution” in 2002, sport organisations had argued in favour of the inclusion of a “sport article” in a future treaty. The main objectives were to obtain better funding possibilities and more legal certainty by introducing the principle of the autonomy of sport. After the failure of the European “constitution” the Olympic and Sports Movement intended to incorporate the principle of autonomy into the Lisbon Treaty. It was hoped that an article in the Lisbon Treaty about sport would allow sports organisations to set their own rules and determine their own structure and governance. In this way, the Olympic and Sports Movement wanted to ensure an interpretation of EU law that would take the specific characteristics of sport and its societal role into account. In the end, this concept was not included in the final Article 165. A different concept, created from scratch, namely “the specificity of sport”, was instead added to the text. These two concepts are further explained in chapter 1.4.

Developments

Together with Article 6, Article 165 of the [Treaty on the Functioning of the European Union](#), defines the scope and objectives of sport policy at the EU level. Firstly, Article 6 defines the type of competence the EU has with regard to sport: “*The Union shall have competence to carry out actions to support, coordinate or supplement the actions of the Member States. The areas of such shall, at European level, be: [...] (e) education, vocational training, youth, and **sport***”. This is the weakest type of competence within the EU’s treaties, compared to areas where the EU has exclusive competence (such as the customs union or the common fisheries policy), and areas where the EU shares competence with the Member States (such as consumer protection, energy or environment). In accordance with the principle of subsidiarity, this means that the main responsibility for sport remains with the Member States.

Article 165 is more detailed and describes that the Union can 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*”. According to the Article, the EU should develop “*the European dimension*” in sport, through:

- › *promoting fairness and openness in sporting competitions;*
- › *promoting the cooperation between bodies responsible for sport;*
- › *protecting the physical and moral integrity of sportsmen and sportswomen, especially the youngest sportsmen and sportswomen.*

However, the wording of the article is rather unclear and thus leaves room for interpretation. In January 2011, the European Commission therefore published its Communication on “[Developing the European Dimension in Sport](#)”, in which it sets out its view on how the provisions of Article 165 should be put into practice (see 1.1 Cornerstones).

Perspectives

The implications of Article 165 are difficult to assess from a legal point of view. On the one hand, the specificity of sport is explicitly mentioned. On the other, the article contains no clear reference to the autonomy of sport organisations and does not provide a clear-cut definition of “specificity of sport”. In terms of instruments, Article 165 allows the EU to adopt recommendations, as well as “incentive measures” (e.g. funding programmes). Recommendations are adopted by the Council. Incentive measures are adopted by the Council and the European Parliament in accordance with the ordinary legislative procedure. Recommendations in the field of sport are not legally binding for the Member States. Both tools have been used over the last years, with the funding Programme Erasmus+ Sport being the most visible, while several Council recommendations have been adopted on topics such as “health enhancing physical activity” (HEPA) across sectors.

As stated above, the main responsibility for sport remains clearly with Member States, and Article 165 explicitly excludes the adoption of EU legislation on sport. The Article does however give political recognition to the role of sport, including the promotion of sport at EU level, and has created a new EU policy field. Through the Article, a formal Sport Ministers’ Council has been created, moving cooperation between Member States from informal to a formal level. Finally, it created the basis for sport funding at the EU level, most importantly through Erasmus+, but also through other funding Programmes.

Other EU Policies and EU Law with Impact on Sport

Apart from the legal basis established in Article 165, sport has been and will continue to be impacted by developments in other EU policy fields. Since the EU’s competences in other areas are often stronger, the effects on the sport movement can be a lot more immediate and profound. For example, provisions in other fields such as education, health, culture, social affairs, employment or the internal market impact the free movement of sportspeople, transfer rules, central marketing of media rights, intellectual property, sport organisers’ rights, gambling and sport betting, and state subsidies for sport federations and clubs. Sport will also remain subject to EU law and the jurisdiction of the European Court of Justice (ECJ). This principle has been firmly established by the ECJ in a number of important rulings, as outlined above. Legal provisions from the following areas are especially important:

- ▶ Internal Market (Art. 45-66 TFEU) – free movement of people, goods, services and capital
- ▶ Competition Policy (Art. 101-109 TFEU) – restrictions of competition, abuse of dominant market position, state aid.

1.4 Autonomy of Sport and Specificity of Sport

As a concept, the autonomy of sport has been around for a long time. However, in the Lisbon Treaty, a new concept, the specificity of sport, was referred to instead of autonomy. The current interpretation of Article 165 has not increased legal certainty. Recent developments in certain policy areas as well as the jurisdiction of the European Court of Justice also give rise to concern. The short description below explains the difference between the two concepts and the practical takeaways from the debate as it currently stands.

Autonomy of Sport: Relevance

In the field of sport, autonomy generally refers to the right and capacity of sport federations to define their rules and policies independently of third party influence. For sport organisations, autonomy has been defined by the IOC in the Olympic Charter: *“sports organisations within the Olympic Movement shall have the rights and obligations of autonomy, which include freely establishing and controlling the rules of sport, determining the structure and governance of their organisations, enjoying the right of elections free from any outside influence and the responsibility for ensuring that principles of good governance be applied.”*

In the 2007 White Paper on Sport, the Commission acknowledged the *“autonomy of sporting organisations and representative structures (such as leagues)”*, which was followed by a similar statement in the 2011 Communication on the European Dimension of Sport, where it recognised *“the autonomy of sport governing structures as a fundamental principle relating to the organisation of sport”*.

Although governance structures vary widely across Europe, the autonomy of sport organisations is a main feature of the “European Sport Model”. However, the impact of EU decisions in the field of sport goes far beyond the borders of EU Member States: the non-compliance of a national or European sporting rule with EU law would have consequences on international sporting rules worldwide.

The definition of autonomy of sport, and the entitlements it brings, applies specifically to non-governmental sports authorities, which are usually non-profit making, such as the IOC, IFs, European, national and regional federations and sports clubs, all of which are private entities, legally independent of public authorities and the commercial sector. Historically, it is these organisations that have regulated sport in Europe and worldwide.

Finally, autonomy is strongly linked to good governance; within the Olympic Movement, good governance and autonomy of sport are seen as two sides of the same coin. Without good governance, sports organisations cannot expect to have their autonomy respected.





Autonomy of Sport: Recent Developments

The first EU Work Plan for Sport (2011-2014) contained a firm commitment to the autonomy of sport. It mentions autonomy twice, stating that Member States should work together for the implementation of the Work Plan and, *“whilst respecting the principle of subsidiarity and the autonomy of sport’s governing structures take due account of this Work Plan when developing policy at national level”*.

Simultaneously, the Work Plan created an Expert Group (XG) on Good Governance in Sport, dealing with issues such as match-fixing and transfer rules. This XG delivered various reports, including a set of ‘EU Principles for Good Governance in Sport’. In these principles, it is mentioned that *“autonomous self-regulation by the sport movement remains the best option and is consistent with the structure of the international sport movement.”*

The second EU Work Plan continued with this Expert Group on Good Governance and saw the completion of four additional deliverables. These ranged from the promotion of gender equality in sport to promoting existing principles of good governance and the protection of young athletes and minors. The recent Work Plan 2017-2020 continues with good governance as one of its themes.

Specificity of Sport: Relevance

The term “specificity of sport” refers to the special characteristics of sport which set it apart from other social and economic activities. Since the entering into force of the Lisbon Treaty in December 2009, Article 165 (see section 1.2) has called on the EU institutions to take into account *“the specific nature of sport, its structures based on voluntary activity and its social and educational function”*.

Through the White Paper on Sport (2007), the European Commission explained that it sees the specificity of sport through two prisms:

1. The specificity of sporting activities and of sporting rules, such as separate competitions for men and women, limitations on the number of participants in competitions, or the need to ensure uncertainty concerning outcomes and preserve a competitive balance between clubs taking part in the same competitions.
2. The specificity of the sport structure, including notably the autonomy (see previous section) and diversity of sport organizations, a pyramid structure of competitions from grassroots to elite level and organised solidarity mechanisms between the different levels and operators, the organisation of sport on a national basis, and the principle of a single federation per sport.

As far as EU law is concerned, the specificity of sport means that, even if sport rules may contain restrictions to EU law, they can still be admissible. They may be justified and accepted by the EU institutions (EC, ECJ), considering the specificity of sport, its organisation, its principles such as “purely sporting rules” or its strong social and educational anchoring.

During the 1990s, when sport was becoming a substantial economic sector, EU law started to influence sport significantly, beginning with the famous Bosman case in 1995. From that moment on, numerous rulings developed the jurisprudence of the ECJ and slowly but surely defined what the concept of specificity of sport means in EU law today. While sport governing bodies express a desire for a more extensive interpretation of the legal concept, leading to more legal certainty and acknowledgement of the international organisation of sport, the European Commission has thus far continued with its case-by-case approach.

Specificity of Sport: Recent Developments

As mentioned previously in the section regarding ECJ cases, the Meca-Medina ruling of 2006 established the principle that every sporting rule can be assessed on a case-by-case basis with regard to its compliance with EU competition law. While previous judgments have implicitly taken the specificity of sport into account, the Bernhard vs. Olympic Lyonnais case in 2010 referred to the “specific characteristics of sport” explicitly for the first time. This could hopefully mean that the concept will play a more prominent role in future judgments.

The EU Work Plan for Sport 2017-2020 has the specificity of sport mentioned as one of their key topics for the first time, under the theme of “integrity of sport”. It also includes a planned discussion in the form of a “Group of interested Member States” meeting on “EU Law in relation to sport and sport organisations” and a potential seminar on the topic of specificity of sport within the EU. These events are scheduled for 2019, with Sweden, France, Spain and the Netherlands expressing interest so far.

Practical Advice / Perspective

While both the autonomy of sport and specificity of sport have featured in EU discussions throughout the years, sport organisations still do not have increased legal certainty, although that was an aspiration of the Olympic and sports movement with the adoption of the Lisbon Treaty. While the application of the concept of specificity as described by the European Commission in its White Paper on Sport could be beneficial for sport, there are currently several cases where the application of EU law does not seem to take this specificity into account (e.g. see the policy field on antitrust policy).

The fact that the Commission does not seem to have a comprehensive approach to the sporting world as a whole is exacerbated by the case-by-case approach of the ECJ, causing further uncertainty regarding the application of EU law to sport. Because of this lack of an all-encompassing approach, regular cooperation between the Olympic and Sports Movement on the one hand and the European Commission on the other is important.

In this sense, it is potentially promising that EU Member States intend to discuss the specificity of sport within the EU as a topic during the next EU Work Plan. Hopefully this will lead to the type of legal certainty that the sports world would benefit from.

It is by now an established principle within the Olympic Movement that good governance and autonomy are two sides of the same coin; one is not possible without the other. The EOC EU Office has actively contributed to the development of good governance in sport through various EU-funded projects, such as S4GG, SIGGS, and the upcoming POINTS Project, kicking off in January 2018.



Chapter 2

INSTITUTIONAL STRUCTURES

Since the entry into force of the Lisbon Treaty, the EU's institutional structures and decision-making procedures in the field of sport have developed rapidly. Based on Article 165 TFEU, cooperation between Member States in the area of sport has been formalised through its inclusion in the Education, Culture, Youth and Sport (ECYS) configuration of the Council of Ministers. In addition to the role played by the European Commission and the European Parliament, the different Council EU Work Plans for Sport have also established various working structures, including a significant number of Expert Groups. The following chapter explains in detail who the key actors in European sport policy are, what they do, and what influence they have in decision-making procedures. The dialogue of the EU institutions with the sport movement will be discussed in more detail in chapter 3.

2.1 The Council of Ministers

The Lisbon Treaty was responsible for some major changes in the way the EU functions. With regard to sport, this evolution came about through the creation of the Sports Ministers Council. The Council of Ministers of the EU, as the institution representing national governments, convenes in different configurations, depending on the topics on the agenda. The Sports Ministers Council brings together the ministers in charge of sport in the 28 EU Member States. As mentioned above, sport falls under the [ECYS configuration of the Council](#). Formal Council meetings are held twice a year, but Sport Ministers can also meet on a more informal basis depending on the willingness of the different EU presidencies.

Article 165 TFEU allows the Sports Ministers Council to adopt recommendations and “incentive measures”, including the Erasmus+ Sport funding programme that was established in 2014 with the approval of the European Parliament as foreseen by the ordinary legislative procedure.

It is the Council of Ministers that adopts the EU Work Plans for Sport as a strategic document outlining priorities and topics where the EU Member States can work together and exchange best practices.

ORDINARY LEGISLATIVE PROCEDURE

The ordinary legislative procedure (or co-decision procedure COD prior to the Lisbon Treaty) is the main decision-making process for most areas of legislation (regulations, directives and decisions) in the EU. In this procedure, the Commission proposes legislation, which is internally discussed and amended by the EP and the Council before adoption. Sport in general remains a national competence, meaning the EU can only propose recommendations and incentives, following the ordinary legislative procedure. For more details, see: <http://www.europarl.europa.eu/aboutparliament/en/20150201PVL00004/Powers-and-procedures>

Working Structures

The technical preparation for the Sport Ministers' Council is carried out by a special working group: the Council Working Party on Sport. This is composed of delegates from national ministries in charge of sports and specialised technical staff from the Member States' Permanent Representations in Brussels. The main role of the Working Party is to prepare documents which will be discussed and adopted during the Sports Ministers Council. It is chaired by the rotating Presidency of the Council.

There is another level of support for the Council: the Committee of Permanent Representatives of the Governments of the Member States to the European Union, colloquially known as Coreper. In the case of the ECYS configuration of the Council, it is the deputy permanent representatives (Coreper I) of each country that meet to prepare the agenda for the meetings. They even set the agenda for the Working Party for Sport. The final decisions are then made by the Council of Ministers themselves.

ROTATING PRESIDENCY OF THE COUNCIL OF THE EU

The rotating Presidency of the Council of the EU chooses a set of priorities it wishes to focus on during the 6-month period it holds the position. The presidency is also responsible for chairing the Council Working Party. As an example, the Maltese presidency had fighting childhood obesity as one of its priorities, whereas the current Estonian Presidency organised a conference on the role of sport coaches in society.

Upcoming 10 Presidencies:

Estonia	July-December 2017
Bulgaria	January-June 2018
Austria	July-December 2018
Romania	January-June 2019
Finland	July-December 2019
Croatia	January-June 2020
Germany	July-December 2020
Portugal	January-June 2021
Slovenia	July-December 2021
France	January-June 2022
Czech Republic	July-December 2022

Other Configurations

It is important to note that several other Council configurations can have an impact on sport as well. For example, with regard to the policy area of spectator violence, the Justice and Home Affairs Council configuration might have a significant role to play. There is also a Law Enforcement Working Party (LEWP) that is active in this area. The Environment Council configuration could also impact on sport and there are several other examples. It is important to keep this in mind when trying to follow EU legislation and policy processes.

2.2 The European Commission

The European Commission (EC) is the main institution dealing with sport at the European level. In the political system of the EU, the European Commission has the right of initiative. In the field of sport, the EC has the power to:

- ▶ propose recommendations and “incentive measures” (see Article 165 TFEU);
- ▶ propose regulations or directives in other policy areas which may also affect sport (e.g. Internal Market, Competition, Employment and Social Affairs);
- ▶ publish green papers or white papers on sport related issues. Green papers usually launch a debate, whereas white papers contain concrete proposals for future policies;
- ▶ initiate infringement procedures if a Member State (or an organisation; see antitrust policy) fails to comply with EU law and refer the case to the European Court of Justice;
- ▶ implement the EU Work Plan for Sport.

The Commission also finances sport-related projects and studies (published in the EU Bookstore [here](#)), and engages in regular dialogue with sport stakeholders. The overall responsibility for sport falls within the Directorate General for Education and Culture (DG EAC), which covers the topics of Education, Training, Youth, Sport and Culture. For the period 2014-2019, it is led by Commissioner [Tibor Navracsics](#) from Hungary. Within DG EAC, the “Sport Unit” is in charge of all sport-related issues. With sport being affected by other EU policy areas, other Directorates-General such as for the Internal Market, Competition, or Employment and Social Affairs are of utmost relevance for sport as well.

Expert Groups and Cluster Meetings

With six and five Expert Groups respectively, the Council’s two previous EU Work Plans relied heavily on this working structure for meetings and deliverables. These Groups, which were officially under the leadership of the Council, consisted of experts from interested Member States, while sports stakeholders were able to apply for observer status to attend certain parts of meetings (without voting rights) or could be invited to provide presentations or other contributions. These Expert Groups elected a chair from among the Member States in their first meeting. The Commission was responsible for providing expertise and secretarial support. The activities of the Expert Groups fed into the activities of the Council Working Party on Sport.

The latest EU Work Plan for Sport (2017-2020) has only two Expert Groups (on Integrity and on Skills and Human Resources Development), but these follow new rules and fall under the direction of the European Commission rather than the Council. Indeed, on 30 May 2016, the Commission established new [“horizontal rules on the creation and operation of Commission expert groups”](#). The EC now not only provides the secretariat for XGs, but also chairs the meetings.

The 2017-2020 Work Plan also includes other new working structures, which are prepared and organised by the European Commission, such as cluster meetings. Cluster meetings bring together decision-makers and successful Erasmus+ Sport projects (and other funding Programmes) covering a certain topic in order to discuss policy-relevant outcomes.



THE EUROPEAN WEEK OF SPORT

Relevance to Sport

The idea of a European Week of Sport (EWOs) was first raised in a European Parliament own-initiative report on sport in 2012, which included the idea for a European Day of Sport. Similarly, in 2012 the Council Conclusions on the Promotion of HEPA asked the Commission to consider the establishment of an annual European Week of Sport. After the European elections in 2014, the new Commissioner for Education, Youth, Culture and Sport, Tibor Navracsics, further developed the concept after consulting various stakeholders. The decision was taken to focus on motivating citizens to exercise and be physically active, after the latest Eurobarometer on Sport and Physical Activity had shown that engagement in sport and physical activity was at an all-time low, with 59% of Europeans never or seldom exercising. Subsequently, the EWOs adopted the slogan **#BeActive**.

The week is organised through National Coordinating Bodies (NCBs), which are ministries or civil society organisations, some of which from organised sport. They arrange the coordination and communication of activities on the national level. Simultaneously, the European Commission organises EU-wide events, working together with a number of European partners such as the European Olympic Committees (EOC), who also participate in the EWOs Advisory Board.

Recent Developments

To this date, three editions of the EWOs have been organised. The first one of these, in 2015, had its kick-off in Brussels, Belgium, and saw a total of 7000 events across 31 countries. A flagship event, concentrating on the topic of integration, was also held in Brussels. During the week, four themed focus days were held for 'education', 'workplace', 'outdoors' and 'sport clubs'. NCBs were also asked to organise one national event during September and nominate candidates for #BeActive awards in the categories "grassroots sport" and "citizen ambassador".

#BEACTIVE

The 2016 edition included a flagship event on good governance in Brussels, while the official opening event took place in Košice, hosted by the Slovakian Council Presidency. It has since been established as official practice that the opening event should take place in the country holding the rotating Council Presidency, with the official opening event for 2017 taking place in Tartu, Estonia. While no flagship event took place, a High-Level Roundtable meeting on Healthy Lifestyle was organised simultaneously with the opening event and three EU Commissioners signed the Tartu Call for a Healthy Lifestyle. The Communication campaign was kicked off on Olympic Day (23 June), and the EWOs was followed by an Awards Gala presenting the #BeActive award to initiatives and individuals in the same areas as in 2016 ("Education", "Workplace" and "Local Hero").

While in the first two years the national weeks could be placed relatively freely during the month of September, it has been decided that from 2017 the week must take place between from 23-30 September.

Practical Advice / Perspectives

During 2017, five NOCs have taken up the role of National Coordinating Body for their country. Because EWOs is still a developing concept, it remains to be seen if it will continue to grow and if NOCs will take an even bigger role in the organisation of the week. In 2016, EWOs doubled in size compared to the 2015 edition, both in the number of participants and the number of events. The EOC EU Office will continue its dialogue with the Sport Unit of the European Commission and other stakeholders and attempt to contribute to this initiative.

Further Information: [Commission Website on the European Week of Sport](#)

2.3 The European Parliament

The Lisbon Treaty strengthened the competences of the European Parliament (EP) significantly. The EP obtained new powers in budgetary matters and it is now involved in legislative decisions through the ordinary legislative procedure in most policy areas (over 40 were added in the Lisbon Treaty). When the Erasmus+ funding Programme for sport was established, the EP was required to approve this funding possibility for sport. Besides their role in EU legislation, the European Parliament also has the power to:

- › adopt opinions, reports and resolutions on sport-related matters;
- › commission sport-related studies;
- › submit parliamentary questions to the Commission;
- › organise hearings on sport-related matters.

The technical work is done in Parliamentary Committees. The general responsibility for sport lies with the [Committee for Education and Culture](#) (CULT), chaired by German MEP Petra Kammerevert (of the S&D Party Group). Other committees, such as the Committee for Internal Market and Consumer Protection (IMCO) and the Committee for Employment and Social Affairs (EMPL) may also be relevant for sport.

The European Parliament is able to put pressure on the other EU institutions to push forward various policies, for example by asking parliamentary questions, or writing own-initiative reports, such as the Fisas Report and more recently, the Takkula Report from 2017. The EP also provides funding for various projects through calls for proposals for pilot projects.

Intergroups

Besides the formal committees, MEPs can also form formal and informal Intergroups, in order to hold informal exchanges of views on particular subjects or promote contact between MEPs and civil society. A formal intergroup receives funding from the EP for its activities and needs to fulfil certain criteria according to the official rules of the EP. An informal group does not have the same status as a formal Intergroup. It does not have the requirements regarding the amount and type of members and does not receive any financial support from the EP for its events. Currently, a formal Sport Intergroup (see the list of members [here](#)) and an informal Rugby Intergroup are active in the EP. Other Intergroups not specifically related to sport might be relevant as well when discussing sport-related topics.



2.4 Other EU Institutions

The European Court of Justice (ECJ)

The European Court of Justice of the European Union interprets EU law to make sure it is applied in the same way in all EU countries. It also settles legal disputes between individuals, companies, organisations or even national governments and EU institutions.

The ECJ gives rulings on several types of cases that could be brought before it:

- ▶ Preliminary rulings: if a national court is in doubt about the interpretation or validity of an EU law, it can ask the Court for clarification. This can also be used to determine whether a national law or practice is compatible with EU law (e.g. the 2017 English Bridge Union Case).
- ▶ Infringement proceedings: this type of case is taken against a national government for failing to comply with EU law. It can be started by the EC or another EU country.
- ▶ Actions for annulment: if an EU act is believed to violate EU treaties or fundamental rights, the Court can be asked to annul it.
- ▶ Actions for failure to act: the Parliament, Council and Commission must make certain decisions under certain circumstances. If they do not, EU governments or other EU institutions (and under certain conditions individuals or companies) can complain to the ECJ.
- ▶ Actions for damages: any person or company who believes their interests were harmed as a result of the action or inaction of the EU or its staff can file a case against them at the ECJ.

As described in Chapter 1.3, the jurisprudence of the ECJ has strongly influenced the EU's approach to sport. However, the court has failed so far to clearly define and clarify the meaning of the "sporting specificity" associated with the European Sport Model. From this perspective, legal uncertainties remain as the application of EU laws to sporting rules is assessed on a case-by-case basis with rules of "pure sport interest" also being potentially submitted to the ECJ proportionality test (see 1.2 on the Meca-Medina case).



The Committee of Regions and the European Economic and Social Committee

The Committee of Regions (CoR) is the consultative committee that provides regional and local levels with a voice in EU decision-making and legislation, whereas the European Economic and Social Committee (EESC) is a consultative body that gives representatives of Europe's socio-economic interest groups and other stakeholders of civil society a formal platform to express their points of view on EU issues. Both Committees currently have 350 members from 28 EU countries.

The Treaties oblige the European Commission, the Parliament and the Council to consult the Committee of Regions whenever new proposals are made in areas that affect regional or local levels. Consultation of the EESC by the European Commission or the Council is mandatory in certain cases, while in other situations it is optional.

In the Committee of Regions, sport matters are dealt with by the Commission for Education, Youth and Research (EDUC). However, the role of the Committee of Regions in sport is limited, in a similar way to the EESC. Both Committees can provide opinions on certain initiatives of the Commission in the field of sport. The recommendations in these opinions are not binding. Although the Committee of Regions and the EESC do not have any legal power, opinions of these advisory bodies can potentially have an impact on the positions of the Parliament or the Council when adopted early in the process.

EU Agencies

EU Agencies are distinct bodies from the EU institutions: separate legal entities set up to perform specific tasks under EU law. There are five types of Agencies in the EU, of which two types are relevant for sport:

- › Decentralised Agencies: these are set up to contribute to the implementation of specific EU policies and support cooperation between the EU and national governments. Examples include the European Institute for Gender Equality (EIGE) and the European Chemicals Agency (ECHA), which decides on the maximum amount of (potentially) harmful substances used in artificial turf, to give a sports-related example of its activities.
- › Executive Agencies: these are set up by the European Commission to manage specific tasks related to EU programmes. For sport, the Education, Audiovisual and Culture Executive Agency (EACEA) is responsible for the management of the Erasmus+ sport chapter.

2.5 Relevant Non-EU Institutions

The Council of Europe

The Council of Europe (CoE) **is not an EU institution**. It was founded on 5 May 1949. It currently has 49 member countries and covers virtually the whole continent. Based in Strasbourg, the Council of Europe functions separately from the EU, even though the EU's 28 Member States are also members of the Council of Europe. The Council of Europe is the oldest European institution and promotes cooperation between European countries in the areas of human rights, democratic development, legal standards and culture. The Council of Europe has its own jurisdiction: the European Court of Human Rights (different from the European Court of Justice mentioned in 2.4).

Contrary to the EU Council of Ministers, the Council of Europe cannot take binding decisions for its members. However, the work of the Council of Europe has resulted in important conventions, such as the European Convention on Human Rights. The Council of Europe also promotes European cooperation in the field of sport, notably with the adoption of the following conventions:

- › European Convention on Spectator Violence, 1985, replaced in 2016 by the Council of Europe Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events. It will come into force once ratified by a sufficient number of states.
- › Anti-Doping Convention, 1989.
- › Convention on the Manipulation of Sports Competitions, 2014. It will come into force once ratified by a sufficient number of states.

The application of the provisions in the conventions is monitored through special mechanisms. Furthermore, the Council of Europe has a special body for sports: [EPAS – Enlarged Partial Agreement on Sport](#). EPAS was created in 2007 and provides a platform for intergovernmental sports cooperation between the public authorities of member states of the agreement. It also encourages dialogue between public authorities, sports federations and NGOs. EPAS currently has 37 member countries. Besides these countries, 26 sports organisations, including the EOC, ENGSO and UEFA, act as non-governmental partners of EPAS. They take part through a specific consultative committee. The activities of EPAS include:

- › standard development (i.e. recommendations)
- › ministerial meetings of Council of Europe ministers responsible for sport organised on an annual basis
- › sport-related reports and studies
- › conferences.

The cooperation between the EU and the Council of Europe has also been included in Article 165 TFEU, as it is stated that “*the Union and 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*”. One concrete example of this cooperation in the field of sport is the fact that the European Commission provides direct funding out of the Erasmus+ sport Programme for a number of Council of Europe collaborative partnerships in sport.

Court of Arbitration for Sport (CAS)

The Court of Arbitration for Sport, colloquially known simply as CAS, has been active as an independent arbiter for the sporting world since 1984. In this regard, CAS is an independent institution, based in Lausanne and established under Swiss law, involved in resolving legal disputes in the field of sport. In the “Paris Agreement” of 1994, CAS was modified to ensure its independence from the IOC. After its signing, all Olympic International Federations and many NOCs have recognised the jurisdiction of CAS and included an arbitration clause in their statutes, referring disputes to the CAS. The CAS is also the appeals body for all international doping-related disputes.

Nevertheless, questions on the applicability of EU law or the impartiality of CAS have been raised in the past. Although there are more examples, the most well-known case questioning CAS’s legitimacy is the “Pechstein Case”. The case was brought to the German Federal Tribunal (BGH) that dismissed the case in June 2016 confirming CAS as an independent, genuine arbitral tribunal.

World Health Organisation

The World Health Organisation (WHO) was founded in 1948 as the United Nations’ specialised health agency. The WHO is active in various health-related topics, and thus also in the field of Health-Enhancing Physical Activity (HEPA). The WHO also works together with the European Commission, sharing information on objectives and priorities, and exchanging best practices. In addition, they run several joint EC/WHO projects across various Commission Directorates-General. The latest cooperation document stems from 2015, outlining [the priorities, principles and modalities for continued cooperation](#).

A swimmer is captured in the middle of a stroke in a pool, with water splashing around them. The Olympic rings are overlaid on the top half of the image. The rings are colored blue, yellow, black, green, and red from left to right. The swimmer is wearing a blue and white cap and a black watch on their left wrist. The background shows a green landscape with trees and a stone bridge structure.

Chapter 3

REPRESENTATION OF THE SPORT MOVEMENT / EUROPEAN SPORT MODEL

3.1 The European Sport Model

Although there are differences between countries, there are several key features in the way sports are organised throughout Europe that could be described as “The European Sport Model”. This model has its own specificities and features, which are very different from the US model.

The most distinctive feature of sports in Europe is that it is organised in a pyramidal structure. The IOC is the highest sporting body of the Olympic Movement. The IOC has the 206 different National Olympic Committees (NOCs) as its constituents, with continental umbrella Olympic Committees (EOC) in between. In terms of sport federations, at the top, there are the international sports federations, followed by continental sport federations (e.g. European), national and regional sport organisations, leading down into grassroots sports. A key component here is the cooperation between professional sports at the top, and the base of the pyramid formed by grassroots clubs, largely run by volunteers. Revenue created at the top is redistributed through solidarity mechanisms throughout the pyramid in order to encourage mass participation, to educate referees, to invest in youth sport, to develop sport, as well as to ensure a competitive balance among clubs. Other features typically mentioned as part of the European sport model are:

- › a system of promotion and relegation: clubs may move up or down from year to year, giving small- or medium-sized clubs a better chance to reward merit and to enhance competition;
- › grassroots involvement: a strong commitment to voluntary, grassroots leadership, with large amounts of people volunteering to organise competition and clubs in their communities.

RECOGNITION OF THE EUROPEAN SPORT MODEL IN THE EU AND CoE

The EU and its institutions have recognised and expressed their support for the European Sport Model on numerous occasions:

- › The [Takkula Report](#) (2017) in the European Parliament “reiterates its attachment to the European organised sports model, insofar as it balances the numerous diverging interests between all stakeholders”
- › The [Fisas Report on the European Dimension in Sport](#) (2011) emphasizes the EP’s commitment to “The healthy development of the European sports model”.
- › The Council of Europe adopted a resolution in 2008 titled “[The Need to Preserve the European Sports Model](#)”

As mentioned in chapter 1, the specific structure of European sports has also been enshrined in EU treaty law, through Article 165 TFEU mentioning “*the specific nature of sport, its structures based on voluntary activity and its social and educational function*”. The European Sport Model has also received recognition in several documents adopted by EU institutions.

Although professional sports cannot be considered separately from grassroots sports and the sport movement as a whole within the European Sport Model, topics and subjects related to professional sports generally tend to be the most visible or attract the most attention. For professional sports, economic policies are often the most important components of EU policy. Topics of interest for professional sports include:

- › competition policy: State aid and anti-trust regulations at the European level
- › taxation policy (e.g. VAT Directive)
- › online betting and gambling policy
- › licensing, broadcasting and media rights
- › the fight against corruption in sport / fight against match-fixing.

At EU level, negative topics, such as the fight against doping or the fight against match-fixing, have received the most attention as they provide more media exposure for both the institutions themselves and their members, and thus often come under the spotlight. However, these are not always the topics where the most added value for the sports world can be provided at the European level. Policy related to grassroots sports, volunteering and social inclusion are also worthy of a European focus and can often provide plenty of added value in terms of the benefits these policies can bring compared to their costs.

Indeed, it can be seen that attention for grassroots sports at EU level is growing with grassroots sports being a major focus in the various EU Work Plans for Sport during the last few years. In addition, a High Level Group on Grassroots Sports was created in 2015 with a report with various recommendations in 2016. Furthermore, also as a result of the efforts of the EOC EU Office, the Erasmus+ sport funding Programme now also provides opportunities for “small collaborative partnerships”, which only require three partner organisations of which at least one local or regional sport club. These small partnerships thus specifically cater for grassroots sports.

Some argue that this pyramidal system is currently under threat. Although several of the EU’s institutions have expressed their support for the European Sport Model and the need for its protection, there is still a major on-going challenge in achieving full recognition of this model outside of the sport-related EU structures, such as in the application of EU antitrust policy. Another major challenge is that sport at EU level tends to be generalised mainly to highly professional sports, overlooking the large grassroots base of the pyramid that is struggling to find sufficient resources and support. In order to harness all the benefits of sport for society, its health, educational and cultural aspects, it is crucial that this European Sport Model is safeguarded and developed further. It is therefore also important that sport speaks with one voice, taking into account all the different stakeholders and aspects of organised European sport. The IOC, together with the EOC and its EU Office, resemble this one voice through their discussions with the European Institutions. The way in which the dialogue with the sport movement is implemented at EU level can be found below.

3.2 The Olympic Movement

The International Olympic Committee (IOC) was created on 23 June 1894 by Pierre de Coubertin. It governs the organisation and running of the Olympic Movement and establishes the rules and conditions for the Olympic Games and has grown to be the voice of organised sport in the world. The IOC is run according to the guiding principles of the Olympic Charter (the codification of the Fundamental Principles, Rules and Bylaws adopted by the IOC). The Olympic Movement further consists of the International Federations (IFs) and National Olympic Committees (NOCs). The IOC’s mission is to build a better world through sport, by promoting the Olympic values, ensuring the regular celebration of the Olympic Games and supporting all its member organisations. In December 2014, the IOC established the [Olympic Agenda 2020](#), a set of 40 (20+20) recommendations as a strategic roadmap for the future of the Olympic movement, aimed at protecting the uniqueness of the Games and safeguarding the relevance of Olympic values in society.



3.3 The European Olympic Committees EU Office

The EOC EU Office, recognised by the European Commission as one of the most relevant sport actors in Europe, represents the interests of the Olympic and Sports Movement in Brussels. It is based on the thousands of non-profit sport clubs all over Europe. The EOC EU Office fights for the best conditions possible for both grassroots and professional sport. Together with its partner organisations, the EOC EU Office gives sport a voice in Europe by engaging in a dialogue with the European institutions to establish a framework that allows organised sport to achieve its goals in the challenging times of today and tomorrow.



The EOC EU Office was established in 1993 as the “EU Office of German Sports”. Over the next 16 years, sport organisations from other EU countries joined and the office was transformed into a genuine European representation office under the umbrella of the European Olympic Committees in 2009. The EOC EU Office has the following core tasks:

- › identify, monitor and analyse subjects of relevance to sport at European Level
- › provide support for and promote the interests of our partners
- › organise and attend events, seminars and conferences (e.g. the biennial European Evening of Sports)
- › manage EU sport-related projects (e.g. S4GG, SIGGS and POINTS)
- › compile position papers and reports
- › provide assistance and expertise.

These core tasks are focused on several main policy areas:

1. **Societal role of sport**, including: education and training, environment, health, physical activity, social inclusion, equal opportunities and volunteering;
2. **Economic dimension of sport**, including: employment, licensing, media rights, regional development, competition policy, state aid and taxation policy;
3. **Integrity of sport**, including: the fight against corruption in sport, against doping and against match-fixing;
4. **Financing of sport**, especially the sustainable financing of sport and funding possibilities for sport provided by the EU-funding Programmes;
5. **Good governance in sport** and the organisations of sport in general.

More detailed information on the EOC EU Office, its activities and projects can be found in the last chapter.

The European Olympic Committees have several commissions to deal with particular aspects of the Olympic Movement. For example, there is a commission to promote Gender Equality in Sport, a Commission on Environment and a Commission on Sport for All. Of these commissions, two are of particular importance in the context of the European Union:

EOC EU Commission

The EOC European Union Commission focuses on all matters relevant to sport at the European level. The Commission is composed of a Chair, a representative of the Athletes' Commission, a representative of the EOC Executive Committee and various members nominated by their respective NOCs. The EOC EU Office provides direct support to the EOC EU Commission, in close cooperation with the Chair, through the organisation of its meetings and through the coordination of its various activities. In principle, the EOC EU Commission meets at least once a year, although other opportunities (e.g. EU Sport Forum) are generally used to organise additional meetings.

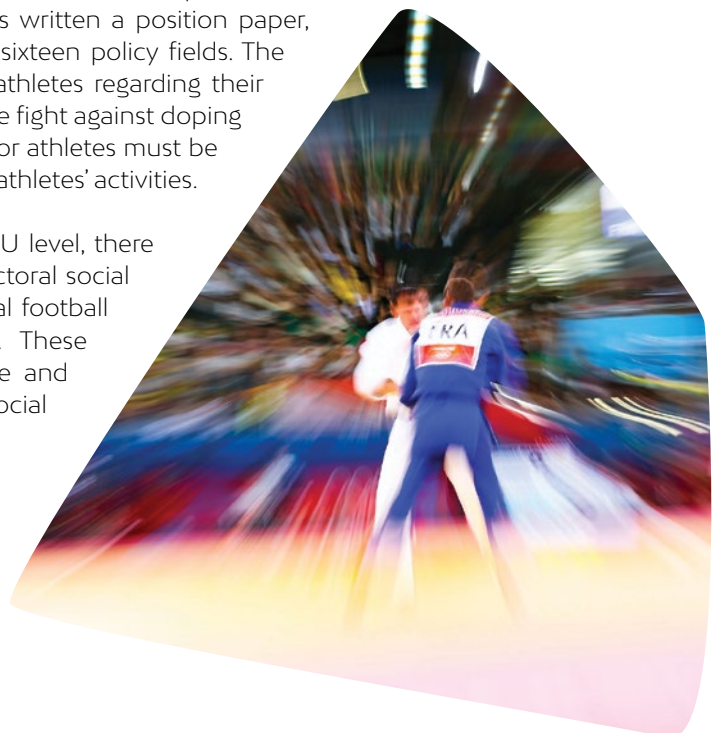
The role of the EOC EU Commission is to discuss EU sport-related issues and topics of relevance to NOCs within, as well as outside of the European Union. The latter is especially important, as the EOC EU Commission represents the EOC consisting of EU and non-EU member NOCs. Furthermore, the Commission attempts to voice the concerns of the NOCs directly to the EU Institutions, through cooperation with the EOC EU Office and by organising meetings with EU officials.

EOC Athletes' Commission

The EOC Athletes' Commission, as the voice of athletes from all 50 European NOCs, is a consultative body of the EOC that acts as a mediator between European athletes and the EOC Executive Committee. It consists of a chair, vice-chair, secretary and 6 additional members. Members of the EOC Athletes' Commission are elected by athletes themselves through National Athletes' Commissions and the chair of the Commission is also a member of the EOC Executive Committee.

The Commission meets several times each year and its members participate in EU events such as the EU Sport Forum. The EOC EU Office also has a supporting role in the organisation of the IOC/EOC Athletes' Forum, gathering athletes from around the world, on behalf of the Athletes' Commission. With the help of the EOC EU Office, the EOC Athletes' Commission has written a position paper, adopting opinions and recommendations in sixteen policy fields. The Commission argues for a strong position of athletes regarding their image rights, the rights of athletes regarding the fight against doping and match-fixing (education and prevention for athletes must be improved), good governance, and funding for athletes' activities.

Regarding the representation of athletes at EU level, there have also been attempts to set up formal "sectoral social dialogue structures" in the field of professional football and the "sport and active leisure" sector. These structures are still in the initial testing phase and major obstacles for the functioning of this social dialogue still exist today.



3.4 Dialogue with the Sport Movement

More than the EU institutions, sport organisations are the key stakeholders of EU sport policy. Regular dialogue on sport-related matters is fruitful for both sides. However, it is also a challenging task for the EU institutions given the diversity of the sport structures in Europe. As described above, both the IOC and the EOC EU Office actively take part in this dialogue, but also other sport-related actors seek to get access to EU decision-makers (see Chapter 3.5).

The so-called “structured dialogue” between the sport movement and the EU Institutions can take various forms. The following section provides an overview on how these mechanisms work and what means sport organisations have at their disposal to get their voices heard.

Structured dialogue at the Council of the EU

The structured dialogue between the sport movement and the Council was formalised in a [Council resolution of November 2010](#). The objective of the dialogue is to exchange views on priorities, implementation and follow-up to EU cooperation in the field of sport. With a view to establishing a high-level component of this dialogue, the Council created the “structured dialogue lunch” during the Sport Ministers Council meetings, to be organised by the Presidency of the EU (every six months). This lunch aims to bring together leading representatives of the sport movement and the EU institutions (Council, Parliament and Commission) for an informal meeting. In practice, this structured dialogue lunch in its current form has some considerable shortcomings that undermine the possible added value of these meetings. The outcomes have therefore been limited so far. The format of the lunch may be reviewed in the near future.

Besides this formal structured dialogue lunch, there are various other meetings organised by the Council within the framework of the structured dialogue, including:

- › informal meetings of the Sport Ministers
- › meetings of the Sport Directors (organised during each Presidency)
- › Presidency Conferences and events.

As each EU Presidency has an important role in setting the agenda of the meetings listed above, it depends on the particular topic and the willingness of the Presidency to involve the sport movement in these meetings. In general, meetings such as the Sport Directors meetings have the potential to contribute to a continuous and cooperate dialogue, although this potential has generally not been exploited so far.

Dialogue of the European Commission

According to the Treaties, the European Commission is required to consult interested parties on initiatives in most policy areas. The Commission engages in regular dialogue with the sport movement through the following means:

- › the annual EU Sport Forum, organised and financed by the European Commission, which offers a platform for discussion with sport stakeholders from all over Europe
- › public consultations or green papers on specific issues
- › conferences on sport-related issues



- › bilateral meetings with relevant stakeholders
- › high-level meetings between Commissioners on the one hand and leading representatives of the sports world on the other hand.

The EOC EU Office is one of the main partners of the European Commission in the framework of the EU structured dialogue. At the working level, regular meetings are held between the “Sport Unit” of the European Commission and the EOC EU Office to exchange views on sport-related matters.

Dialogue with the European Parliament

There is no institutionalised dialogue between the European Parliament and sport stakeholders similar to the structures of the Council or the Commission. However, the Sport Intergroup can invite sport stakeholders to provide contributions and discuss subjects of relevance to the Parliament. In addition, Committees or political groups of the European Parliament sometimes organise hearings on sport-related matters. Besides these meetings, sport stakeholders regularly exchange views with Members of the European Parliament (MEPs), especially in the context of reports related to sport, as MEPs often benefit from the expertise of the sport movement.

3.5 Other Sport-Related Actors

The Olympic Movement, and its representation to the EU, is not the only sports actor active at EU level. There are many other stakeholder groups trying to gain influence in European decision-making processes. Lobby organisations that for example represent specific sports, sporting goods manufacturers (such as those producing sports equipment or artificial turf) or other particular sectors (such as the fitness industry or company sports) are all present at the European level.

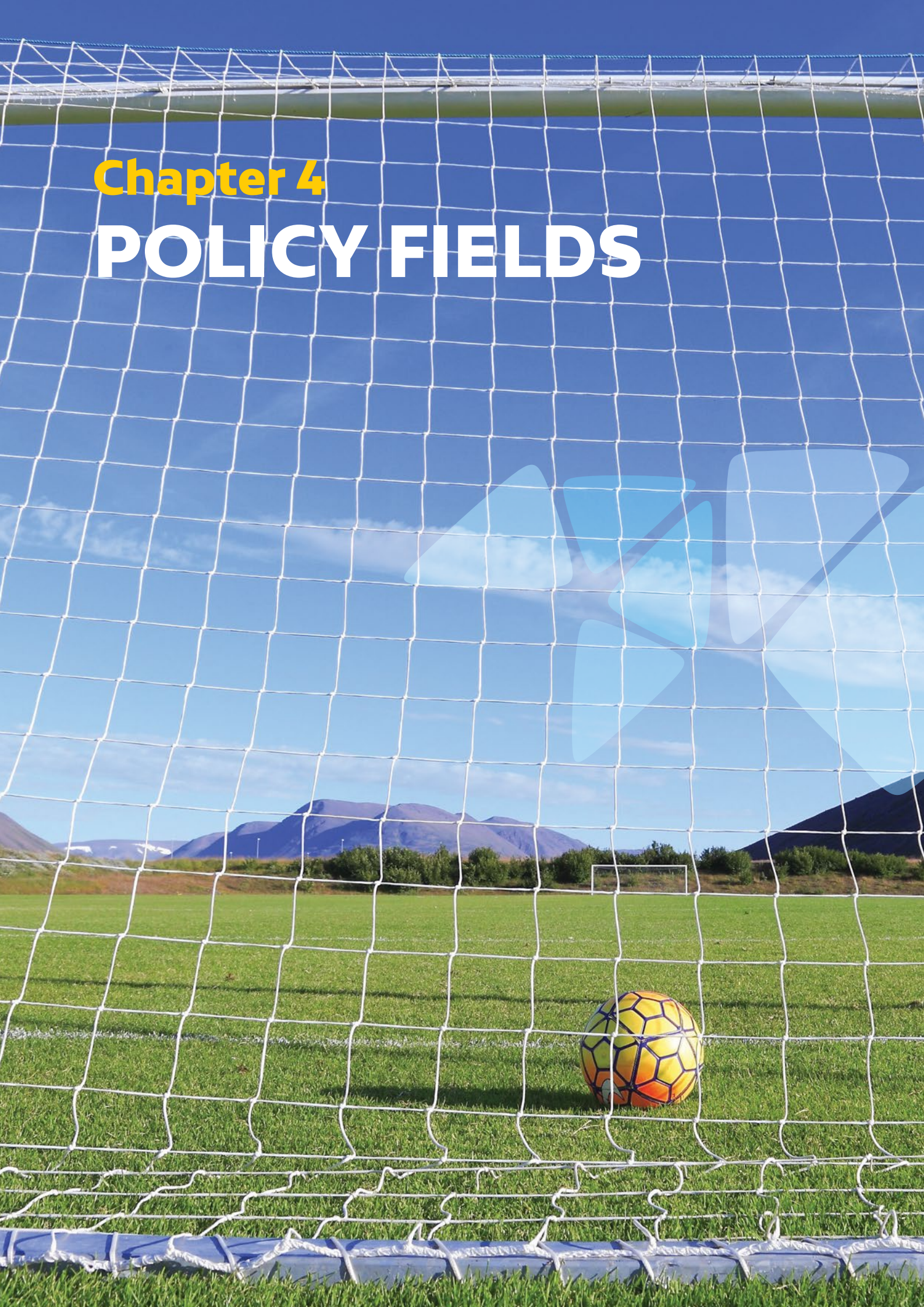
Professional sports are represented in numerous ways at the European level. It is important to realise that professional sports do not consist of a heterogeneous group. There are European stakeholder organisations that represent clubs, players/athletes, players' agents, leagues and even fans. For these organisations, it is the interests of their specific group that is most important, which does not always coincide with those of the sporting world as a whole. These groups are also not represented to the same extent; some interest groups are better organised and are therefore able to gain influence at European institutions more efficiently. Another concern can be their level of representativeness, as their ability to speak on behalf of a certain group largely depends on the members that they represent and the mandate that they are given.

In general, grassroots sports are less organised at the European level than their professional counterpart. This should not come as a surprise, as grassroots sports are often more based on voluntary activities, and have fewer financial means at their disposal. With the inseparable and vital connection between professional and grassroots sport within the European Sport Model, the EOC EU Office plays a crucial role in advocating for both professional and grassroots sports, together with its partner organisations, among them also the European Non-Governmental Sports Organisation (ENGSO).

Finally, there also consultancies and other professional organisations that use sports for their agenda and financing. These organisations attempt to get benefits for their own members or clients, which might not be beneficial for organised sport in the long run. It is therefore important to be aware of these different actors and stakeholders when looking at sport policy and funding at the European level.

Chapter 4

POLICY FIELDS



Chapter 4.1

ORGANISATION AND GOVERNANCE OF SPORT

4.1.1 Free Movement, Nationality & Non-discrimination

Relevance to Sport

The principles of free movement for workers, non-discrimination and citizenship rights are firmly established in EU law (Art. 18 and 45 [Treaty on the Functioning of the European Union](#)). Over the past two decades, the question of the application of these fundamental EU principles to sport has been central in the discussion. According to the European Court of Justice (ECJ) and the European Commission, freedom of movement in sport means guaranteeing that professional and amateur sportspeople can freely compete all over the EU, regardless of their nationalities. However, the institutions also acknowledge the necessity to take the specific characteristics of the sport sector and the needs of individual sporting disciplines into account.

Recent developments

As a general principle, the Treaties enshrine the principle of free movement of workers and prohibit discrimination on grounds of nationality. Regarding sport rules, the Court of Justice of the European Union provided clarifications in several judgments, among them the well-known [Bosman case C-415/93](#), in which the Court clarified the scope of free movement provisions as well as the question of nationality quotas. The ruling indicated that, for EU citizens, discrimination based on nationality is not compatible with EU law, while adding that professional and semi-professional athletes are regarded as workers, meaning that the principle of free movement of workers is applicable to them. The question of application to amateur athletes remained opened until the [Communication on “Developing the European Dimension of Sport”](#) in which the European Commission considered that following a combined reading of Articles 18, 21 and 165 TFEU, the general EU principle of prohibition of any discrimination on grounds of nationality applies to sport for all EU citizens who have used their right to free movement, including those exercising an amateur sport activity.

In concrete terms, both the ECJ and the European Commission declared that any direct discrimination based on nationality (e.g. quotas of players on the basis of nationality, excessive residency requirements or nationality as a condition to participate in competitions), in both professional and amateur sport, is not in line with EU laws. Restrictions can be accepted only in cases where a rule does not address activities of “an economic nature” and which are therefore of “sporting interest only”, in particular as regards:

- › the composition of national teams;
- › the designation of national champions;
- › the attribution of national records.



EU institutions also considered that indirect discrimination – differentiation not directly based on nationality, but leading to the same results – or obstacles to free movement can be considered compatible with EU law, if they are necessary and proportionate to pursue and to achieve a legitimate objective (e.g. training of young players, maintenance of competitive balance). For instance, in the [“Bernard” case](#), in 2010, the ECJ ruled that obliging a professional player to conclude his first contract with the club that has trained him represents an infringement to the free movement of workers but that a compensation fee can be justified as the recruitment and training of young players can be considered as a legitimate objective to justify restriction of free movement.

The recruitment and training of young players and the “balance of sporting competitions” had already been declared as a legitimate objective to justify sporting rules which are indirectly discriminatory when the European Commission [declared, in 2008, the UEFA’s “home-grown players” rule to be compatible with EU law](#), following an independent study.

Perspectives

With the clarifications provided by the ECJ and the European Commission’s decisions, discussions around the application of the principle of free movement to sportspersons decreased at the EU level. For example, the topic was not included in the latest Work Plans for Sport adopted by the Council of Minister. However, some questions regarding the application of one of the EU major principles remain open and sport organisations are still advised to eliminate any discriminatory provisions from their regulation and organise competitions open to all the participants in order to avoid legal proceedings.

From this perspective, it is important to recall that the UEFA home-grown players rules, which have also been adopted by other sport organisations, are still under the scrutiny of the EU to assess the benefits of the rules for competitive balance and the training and development of young players and discuss whether less restrictive alternatives could deliver more substantial improvements.

Further Information

- › [Judgment of the Court Bosman case](#)
- › [Judgment of the Court \(Grand Chamber\) Bernard case](#)

4.1.2 Fight against doping

Impact on Sport

As well as being linked to serious health issues amongst individual sports professionals, doping negatively affects public perception of sport, seriously undermining the principles of open and fair competition. Doping is not only a problem in professional sport. Education and prevention should therefore target wider audiences and not only elite competitive athletes. The Commission, together with Member States, is working towards a way to coordinate the various actions needed to combat the problem of doping. In this regard, measures have been taken to better coordinate the EU's position within the World Anti-Doping Agency (WADA) and ensure that anti-doping rules and the WADA code are in accordance with EU law and respect fundamental rights. This work is also reinforcing measures against trade in doping substances by criminal networks.

Recent Developments

On several occasions (e.g. in the Communication on Developing a European Dimension in Sport), the European Commission has emphasised its support for the fight against doping and the important role of the WADA, the Council of Europe (e.g. the Anti-Doping Convention) as well as National Anti-Doping Agencies (NADAs). The EU also played an important role in the revision of the WADA Code 2015. Various contributions were prepared through the Expert Group on Anti-Doping as part of the [EU Work Plan for Sport 2011-2014](#). The fight against doping was again included in the [second EU Work Plan 2014-2017](#). However, contrary to the first Work Plan, no specific Expert Group on Anti-Doping was created in the second. In December 2014, the European Commission also published the [Study on Doping Prevention in the EU](#).



Since the adoption of the revised 2015 WADA Code, the role of the EU has mainly been focused on the coordination of the position of the EU and its Member States in the framework of the Council of Europe's [Ad Hoc European Committee for the World Anti-Doping Agency](#) (CAHAMA Group) and the contribution to [the WADA Foundation Board](#). The coordination and the representation of the EU Member States in the WADA Foundation Board were arranged by the [Resolution of the Council of November 2011](#). Following this Resolution, the EU has three nominated representatives (at ministerial level): one representing the current Trio Presidency, one representing the future Trio Presidency and one expert at governmental level. The [Council conclusions of November 2015](#) confirmed that this coordination and representation system will remain in place.

In the fight against doping, the EU plays an important role in ensuring the protection of athletes' data. The EU [Article 29 Data Protection Working Party](#), which was set up in 1995, has the task of ensuring that the WADA Code respects EU provisions relating to the protection of data. The discussion on data protection and the fight against doping was a key topic in the recent data protection reform, which was adopted in April 2016. More information can be found under the section related to data protection (chapter 4.1.7). On this subject, the European Commission also launched a study with a view to make an inventory of the current legislation, identify gaps in terms of lawful data processing and provide guidance. the [final report](#) was published in October 2017.

In general, the EU has been less active on doping in recreational sports. One particular initiative that is worth mentioning dates back to May 2012 when the Sports Ministers adopted [Council conclusions on combating doping in recreational sports](#).

Perspectives

Recent doping scandals have turned attention back to doping at EU level. Consequently, the fight against doping has been included as a priority in the [third EU Work Plan for Sport 2017-2020](#), for which it foresees the preparation of EU contributions (in particular in terms of compatibility with EU law) in the framework of any forthcoming revision of the WADA Code as well as the preparation of the EU's and Member States' position for the CAHAMA and WADA meetings, supported as necessary by meetings of experts.

In addition, the Work Plan foresees the organisation of a Presidency Seminar on 'ways of preventing the use of doping by young people in professional and in grassroots sports' during the second half of 2017 under the Estonian Presidency of the EU.

The EU also provides funding opportunities for sport-related projects in the field of anti-doping, for instance through its Erasmus+ Sport Programme.

Further information

- › [EU Sport Unit website on Doping](#)
- › [Council of Europe Anti-Doping Convention](#)

4.1.3 Fight against match-fixing

Impact on Sport

Match-fixing (or the manipulation of sports competitions) poses a serious threat to the integrity of sport and damage the image of sport as a whole. The European Commission plays a role in combating match-fixing, as part of wider efforts to ensure that competitive sports are fair and their reputation is not compromised. The fight against match-fixing requires close cooperation between the sport movement, governments, betting operators, law enforcement authorities and international organisations and must address issues such as illegal and irregular betting, the respect for sport organisers' rights, persecution of criminal activities and prevention. Online gambling and sports betting aspects (e.g. the fight against illegal betting) can be found under a separate section 4.2.10. As match fixing has a strong European and international dimension, these problems must be dealt with at European and international level.

Recent Developments at EU Level

Match-fixing was first mentioned indirectly in the EU's White Paper on Sport of 2007. In its subsequent Communication on Developing the European Dimension in Sport of January 2011, the Commission referred to the fight against match-fixing by announcing that the Commission will cooperate with the Council of Europe to contribute to fighting match-fixing at national, European and international levels.

The fight against match-fixing was included in both the first and the second EU Work Plan for Sport. For the first Work Plan, the Expert Group on Good Governance was tasked with drafting a deliverable on "[Input on the EU's role in fighting match-fixing](#)". For the second Work Plan, a separate Expert Group on Match-fixing was created. This Group drafted a report on the [state of play in the fight against match-fixing](#) in July 2016. Besides the Work Plans, both the Council and the European Parliament have been active in the area of

match-fixing: the former adopted [conclusions on combating match-fixing](#) in November 2011, while the latter adopted a [Resolution on match-fixing and corruption in sport](#) in March 2013 in which they asked the Commission to develop a coordinated approach.

The Commission itself has always tried to acquire in-depth knowledge on the subject by launching various studies including: one on "[Mapping of criminal law provisions in the EU 27](#)" (March 2012) and two additional studies on "[Risk assessment and management and prevention of conflicts of interest in the prevention and fight against betting-related match fixing in the EU 28](#)" and the "[Sharing of information and reporting of suspicious sports betting activity in the EU 28](#)" (both published in September 2014). It is also important to note that due to the close link with initiatives related to online gambling and sports betting, the Commission's DG GROW (former DG HOME) is also undertaking activities in the fight against (betting-related) match-fixing.

At international level, cooperation in the fight against match-fixing has resulted in the [Council of Europe Convention on the Manipulation of Sports Competitions \(2014\)](#), which contains detailed measures to be implemented by member states both within Europe and potentially beyond. The Convention aims to enhance the exchange of information and collaboration among national and international authorities concerned and other stakeholders involved. In October 2017, the Convention had still not entered into force as the requirements in terms of signings and ratifications were not met yet. One of the main concerns related to the entry into force has been the signature of the EU, which has been blocked for several years. Despite several attempts to resolve the situation, a solution is not likely to be found any time soon. The signature of the EU would most likely significantly speed up the signing and ratification process by Member States. However, despite the fact that the Convention did not enter into force yet, several Member States have already started to implement several provisions, including the setting up of national platforms.

Perspectives

The fight against match-fixing was included in the [third EU Work Plan for Sport 2017-2020](#). Activities will take place within the framework of the newly created Commission Expert Group on Integrity for the period 2018-2020. Besides these activities, cooperation between relevant stakeholders including the Council of Europe and the Olympic Movement will remain high on the EU's agenda. The IOC has been very active in this field, for instance by adopting the [Olympic Movement Code on the Prevention of the Manipulation of Competitions](#) in 2015 and by setting up the [Integrity Betting Intelligence System \(IBIS\)](#). The EOC EU Office encourages the EU to find a solution on the signature of the Convention in the near future to further continue the actions to fight against match-fixing.

The EU also provides funding opportunities for sport-related projects in the fight against match-fixing. It is one of the priorities of the Erasmus+ Sport Programme. Furthermore, other funding opportunities such as pilot projects by other DGs have been launched on several occasions providing additional possibilities for projects in this field.

Further information

- › [EU Sport Unit website on match-fixing](#)
- › [Council of Europe Convention on the Manipulation of Sports Competitions](#)



4.1.4 Good Governance

Impact on Sport

With examples of bad governance exposed in sport, the support to implement good governance principles in sport organisations also became a topic of importance at EU level. Taking into account the autonomy of sport and the supporting competence of the EU, the EU's activities have been mainly aimed at identifying EU-wide principles of good governance in sport, collecting examples of good practice and providing support to organisations and initiatives that engage in the implementation of good governance principles at EU level. The EOC EU Office has been very active in the field of good governance, for instance through the implementation of various EU-funded projects including S4GG, SIGGS and the on-going POINTS Project. Good governance also links with various other related policy areas, which can be found under separate chapters including “gender equality” and “major sport events”.



Recent Developments at EU level

Even though good governance was already mentioned in the White Paper on Sport of 2007, it was mainly through the Preparatory Actions in the field of sport of 2011 that good governance in sport became a topic of importance at EU level. Within this budget line, eight projects were selected under the header of ‘promoting innovative approaches to strengthen the organisation of sport in Europe’. One of these projects was the [Sport4Good Governance \(S4GG\) Project](#), managed by the EOC EU Office.

Good governance was also included as a topic for the first EU Work Plan for Sport and an Expert Group (XG) on Good Governance was tasked with developing principles of transparency concerning good governance. This led to the adoption of [‘EU Principles of Good Governance in Sport’](#) in 2013, which lists 10 general principles. The section on implementation of these principles also mentions that “*autonomous self-regulation by the sport movement remains the best option*”. The second EU Work Plan for Sport 2014-2017 continued the work on good governance that had been started during the first Work Plan. The XG Good Governance adopted an [implementation report in July 2016](#) assessing the current situation in the sports world. On the basis of recommendations made in this report, the Commission decided to launch a [‘Pledge to implement Good Governance in European sport’](#). With this, sport organisations can voluntarily “*pledge to promote and, where appropriate, to implement and follow-up the principles of good governance in sport*”. The way in which the Commission intends to follow-up on this pledge is currently still unclear.

In addition to the Council and the Commission, the Parliament has also been active regarding good governance in sport, in particular through the [EP resolution of 2 February 2017 on an integrated approach to Sport Policy: good governance, accessibility and integrity](#). This document, also known as the Takkula report (after its Rapporteur Hannu Takkula, ALDE, Finland), contains 43 articles related to integrity and good governance, such as Article 2, in which the European Parliament “*calls on international, European and national sports organisations to commit to good governance practices*”.

Good Governance has furthermore been included as one of the objectives of the Erasmus+ Sport Chapter. One of the first projects selected was the [“Support the Implementation of Good Governance in Sport” \(SIGGS\) Project](#) of the EOC EU Office. This project resulted in a unique self-evaluation tool for national sport organisations (see more information in Chapter 5).

Practical Advice and Perspectives

The [EU Work Plan for Sport 2017-2020](#) includes good governance as a key priority once more. The newly created Commission Expert Group on Integrity 2018-2020 will discuss the application of internationally-recognised good governance and anti-corruption standards and initiatives in particular from outside sport to be applied in the field of sport. These discussions should lead to an exchange of best practices and a report. Furthermore, Council conclusions will be prepared for ‘Recommendations on possible future actions against corruption in sport at the EU level’ during the Finnish Presidency of the EU (second half of 2019). This focus on the fight against corruption in sport is relatively new. It demonstrates that the EU is applying a more holistic approach to integrity and sports governance.

As mentioned above, the EOC EU Office has been actively involved in promoting and implementing good governance in sport organisations. It has been the position of both the IOC and EOC that the autonomy of sport is directly intertwined with the responsibility for good governance of sport organisations, as these are *“two sides of the same coin”*. To continue this contribution to good governance in sport, the EOC EU Office will implement the ‘Single Points of Contact for Sports Integrity’ (POINTS) Project, supported by the Erasmus+ Sport Programme, from January 2018 until December 2020. Together with the IOC, the EOC EU Office will work together with a wide consortium including several NOCs, European Federations and INTERPOL in order to enhance sports governance and the integrity of sport organisations and combat corruption, match-fixing and other fraud in sport.

Further Information

- › [EU Principles of Good Governance in sport](#)
- › [EU Sport Unit website on good governance](#)
- › [Commission’s pledge to implement good governance in European sport](#)
- › [Website of the SIGGS Project](#)
- › [Link to the SIGGS self-evaluation tool for NOCs and national sport federations](#)

4.1.5 Major Sport Events

Impact on Sport

Major sport events have been in the focus of EU institutions for some time, partly due to their high media profile and visibility. Nevertheless, the topic has gained added attention in recent years, also due to being closely intertwined with several other topics such as legacy, sustainability, integrity, good governance, and human rights. Similar reflections are taking place within the Olympic and sports movement, especially with the IOC’s [Olympic Agenda 2020](#) with its 20+20 recommendations as the “strategic roadmap for the future of the Olympic Movement”. Many of these recommendations are directly related to elements linked to the bidding procedure (e.g. integrity and cost of bidding) and the hosting of major sport events (e.g. sustainability and legacy).

Recent Developments

At EU level, major sport events were included in the second Work Plan for Sport 2014-2017. An Expert Group on Good Governance was tasked to deliver '[Guiding principles relating to democracy, human rights and labour rights, in particular in the context of the awarding procedure of major sport events](#)', whereas a different Expert Group on the Economic Dimension focused on the legacy of major sport events, leading to '[Recommendations on major sport events, in particular on legacy aspects with a focus on social, economic and environmental sustainability](#)'. Both deliverables were adopted in January 2016.

The timing of these deliverables was no coincidence: Both documents fed into the work of the Dutch EU Presidency (first half of 2016). This Presidency had good governance and major sport events as one of their priorities. Because of this, Sport Ministers adopted [Council conclusions on enhancing integrity, transparency and good governance in major sport events](#) on 31 May 2016. These Council conclusions were accompanied by a Joint Declaration of Intent between the Dutch Presidency and the Sport Movement (IOC, EOC, FIFA and UEFA) on enhancing a regular dialogue on major sport events (this declaration can be found on the EOC EU Office's intranet). One of the elements of this declaration was the intent to organise a "*regular high-level dialogue as part of the EU structured dialogue on sport*". A first follow-up meeting was organised in December 2016, but it remains to be seen how this initiative will develop in the future.

Besides the good governance and legacy aspect of major sport events, the EU also covers the security component in the organisation of these events. The [Law Enforcement Working Party](#) of the Council is working on 'ensuring security of major events and sports events'. A group of experts on major sport events discusses various security issues (e.g. policy cooperation and spectator violence) on a regular basis. This group also drafts an Annual Report with progress made on strategic and operational objectives (the [2016 Annual Report](#) was published in June 2017).

Practical Advice and Perspective

Major sport events have been under scrutiny from the public, media and policymakers for several reasons. Often, these events required large public investments, for instance into large sport venues that would not always remain in use after the event, while the public often fears the costs of such an event would lead to fewer funds being available for other areas. Corruption allegations for some international sport organisations have led to further doubt among the public. With the Olympic Agenda 2020, the IOC aims to alter this situation. With its implementation in full swing, the first concrete measures such as [changes to the host city contracts](#) relating to human rights, anti-corruption and sustainable development can already be seen.

At EU level, major sport events are likely to keep attracting attention in the coming years, although no concrete actions are scheduled. The Dutch EU Presidency's approach in engaging in a regular dialogue on major sport events was very positive. The Olympic Movement is hopeful that the EU institutions continue to acknowledge these on-going developments such as the Olympic Agenda 2020 and that these institutions will take initiatives such as those of the Dutch Presidency to explore ways in which public authorities and sport organisations in Europe can work together in the framework of major sport events in the future.

Further Information

› [Olympic Agenda 2020](#)

4.1.6 Gender Equality

Relevance to Sport

Gender equality is a fundamental right and an important transversal issue which is to be mainstreamed in all EU policy fields, including sport. The core of the EU's competences in this area is linked to its legislation on non-discrimination in the single market and the fight against gender-based violence. All major areas, which are generally addressed by the EU are also reflected in sport – equality in decision-making, equal pay and treatment for professionals in sport, gender-based violence, and the fight against negative stereotypes.

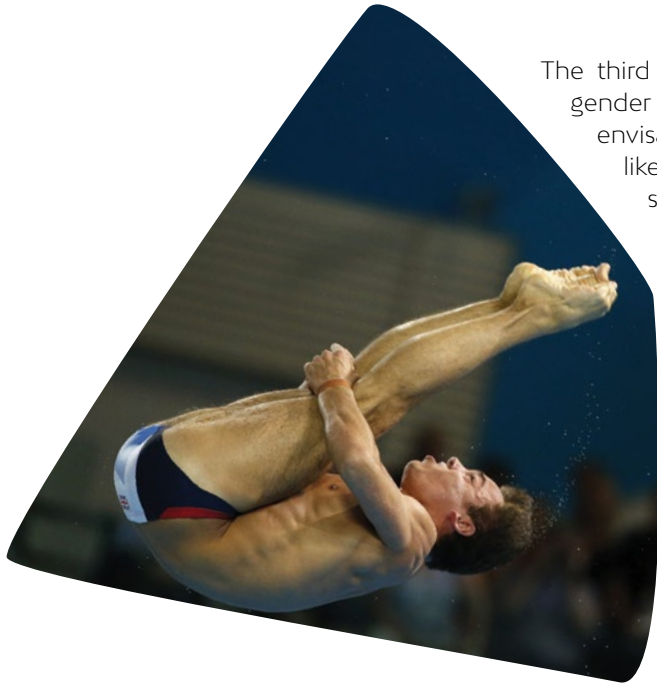
More generally, the new global strategy on gender equality ([Strategic engagement for gender equality 2016-2019](#)), adopted by the European Commission in December 2015, takes the specific area of sport into account for the first time. It binds the Commission to, in particular, supporting “*measures promoting gender balance in political decision-making and public life, including sports*” and continuing “*to gather comparable data on gender-based violence in sport through a specific study.*” The European Parliament, too, has dedicated a specific section to sport in its general appraisal of the state of equality between women and men in the EU ([2015 Report on progress on equality between women and men](#)).

The issue of equal opportunities has been on EU sport policy agenda since the mid-2000s (the [2003 EP's report](#) and 2007 EC [White Paper on Sport](#)), however it took until 2013 for it to rise to the forefront of stakeholders' interest with the creation of an ad-hoc Group of Experts on Gender Equality in Sport. The “[Proposal for Strategic Actions](#)” presented by the ad-hoc Group of Experts in 2014 set out the framework for future developments in this area. The document focuses on four main areas – decision-making, coaching, gender-based violence, and the fight against stereotypes in the media – in which it makes concrete recommendations to all major stakeholders. The proposal served as a basis for [Council Conclusions](#) on gender equality in sport. Adopted in May 2014, this political declaration of Member States confirmed the growing importance of the topic at the EU level.



Recent developments

As a result of the growing importance of the topic, the second EU Work Plan for Sport 2014-2017 included gender equality among its priorities, under the heading of good governance (rather than “societal role of sport” which had previously been the case). The XG Good Governance subsequently produced “[EU Recommendations on Gender Equality in Sport](#)”, which propose a set of minimum standards to be adopted by all relevant stakeholders in the four main areas identified in the 2014 Proposal for Strategic Actions. The experts further recommended that Member States and sport organisations adopt specific strategies on gender equality. They also recommend the European Commission to encourage and support these actions. Gender-based violence and the protection of minors in sport are included as topics in the recommendations as well, but have been treated as separate topics in EU policy to a certain extent. For more information on these topics, see their respective policy fields in this brochure.



The third Work Plan for Sport 2017-2020 lists the promotion of gender equality as one of its guiding principles, yet it does not envisage any specific action to this end. The topic will most likely be treated through mainstreaming rather than through specific initiatives. It is possible, though, that new actions will be added during implementation of the Work Plan, as this includes more leeway for changes. It is also important to note that the topic of safeguarding of minors, inherently linked to gender-based violence and equal opportunities, is very prominent in the new agenda.

In terms of funding, the sport chapter of the Erasmus+ Programme has identified gender equality in sport as one of its priorities ever since its inception in 2014 and several projects have been supported with funding from the programme. Other EU programmes, in particular the Rights, Equality and Citizenship Programme, also support equal opportunities and equal treatment by funding of specific projects.

Practical Advice/ Perspective

The Sports Movement has identified gender equality as an area in which a lot progress can and still should be made. It features prominently in the [Olympic Agenda 2020](#) (Recommendations 11 and 38) and in many of the IOC's initiatives and projects (including in cooperation with the UN). Following the example of the IOC, other international and national sport organisations across Europe have been also very active in this area. It could be recommended that even closer cooperation and dialogue between the sport sector and the EU, including making use of the possibility to obtain EU funding for projects, should be pursued by sport organisations.

Further Information

- ▶ Ad-Hoc XG on Gender Equality in Sport: [Proposal for Strategic Actions 2014-2020](#)
- ▶ XG Good Governance: [EU Recommendations on Gender Equality in Sport](#)
- ▶ Council [Conclusions on gender equality in sport](#)
- ▶ The EU's [Strategic engagement for gender equality 2016-2019](#)

4.1.7 Data Protection

Relevance to Sport

The management of personal data is an integral part of sport organisations' activities, notably with the development of methods to fight against doping and match-fixing, which require the transfer of sensitive data. Indeed, personal data is used by sport organisations on a daily basis, as they are responsible for the development and the management of their sport, from grassroots participation to elite competitions as well as for the protection of the integrity of competitions against doping and match-fixing. In addition, the organisation and the hosting of sport events also requires the collection and transfer of sensitive data. These different activities may lead the IOC, the EOC and other sports organisations to process personal data of athletes and other participants on several occasions including in the investigation on match-fixing cases linked to betting, anti-doping controls and investigations, accreditation of athletes and other participants to sport events, the sale of tickets and the management and transfer of competition results.

Recent Developments

Since the introduction of the 1995 "Data Protection Directive", the EU has provided Member States with a general framework regarding the management and the transfer of personal data. However, with the rapid development of digital technologies and the emergence of a data-driven society, the European Commission decided, in 2014, to propose a new general framework on data protection consisting of two legislative proposals:

- › a Regulation on the protection of individuals with regard to the processing of personal data and the free movement of such data (General Data Protection Regulation)
- › a Directive on the protection of individuals with regard to the processing of personal data by competent authorities for the purposes of prevention, investigation, detection or prosecution of criminal offenses or the execution of criminal penalties, and the free movement of such data.

The Olympic Movement has closely followed this legislative process as some provisions could have a direct and significant impact on the activities carried-out by sport organisations and prevent them from organising fair and open competitions and fighting efficiently against doping and match-fixing.

Adopted after four years of negotiations on 14 April 2016, [the final version of the reform](#) did not fulfil all of the sport movement's expectations by creating legal uncertainties regarding the legal basis to be used to process and transfer athletes' personal data.

By providing stricter requirements on consent without foreseeing specific provisions relating to sport activities and anti-doping, the new Regulation will require sport organisations to use another legal basis when dealing with personal data in order to provide legal certainty in their activities. From this perspective, the new Regulation includes the possibility of using "the public interest" as a justification for the sharing of this personal data. However, the EU decided not to define the areas covered by "public interest", thus leaving the definition of this concept in the hands of each Member State. As it currently stands, there are two possible lines of action to ensure legal clarity and the continuation of the fight against doping and match-fixing in sport regarding data protection: Member States could adopt a national law or administrative act on doping and/or match-fixing or Member States could actively include the fight against doping and match-fixing in the list of areas of public interest.

Practical Advice / Perspective

This new legal framework will become effective on 24 May 2018, as the EU Member States have two years to apply the Data Protection Regulation and to transpose the Directive into national law and implement it. In this regard, the European Commission decided, during the first half of 2017, to launch [a study on data protection and anti-doping](#), with the objective of making an inventory of current legislation, to identify gaps in lawful processing of data and to provide guidance to Member States and sport organisations.

Since the adoption of the reform, the EOC EU Office has encouraged national sport organisations to engage with their national ministries in order to raise the concerns prompted by the new EU framework and to ensure that the necessary provisions will be included within national legislations.

Further Information

- › [EU Data Protection Framework 2016](#)

4.1.8 Spectator Violence

Relevance to Sport

Spectator violence and misbehaviour surrounding sporting events have occurred in Europe for an extended period of time. It became a major topic in the 1980s following the tragedy in the Heysel Stadium in 1985. This led the Council of Europe to adopt the "[European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches](#)". The objective of this Convention was to increase the cooperation between European public authorities and sport organisations. Ratified by 39 CoE members, the Convention notably set out restrictions on the sale of alcoholic drinks, strict control of ticket sales and measures to ensure effective crowd control and crowd safety. Since then, the Committee monitoring the implementation of the Convention has organised preparatory meetings in the run-up to the different European and World Cup football championships.

On the EU side, despite the fact that judiciary and police competences remain largely in the hands of the Member States, the Council of Ministers (Justice and Home Affairs configuration) adopted a "*handbook for international police cooperation and measures to prevent and control violence and disturbances in connection with international football matches*" in 1999, with several updates since.

Recent Developments

In 2016, EU Ministers adopted an [updated version of the EU handbook](#) with an enlarged scope compared to the original. The handbook now covers areas such as exchange of police information, cooperation with Interpol and Europol and task forces to prepare international sport events hosted in a Member State. In addition, the [Law Enforcement Working Party](#) of the Council has established an informal EU expert group to coordinate EU Member States' activities regarding security issues surrounding the organisation of major sport events.

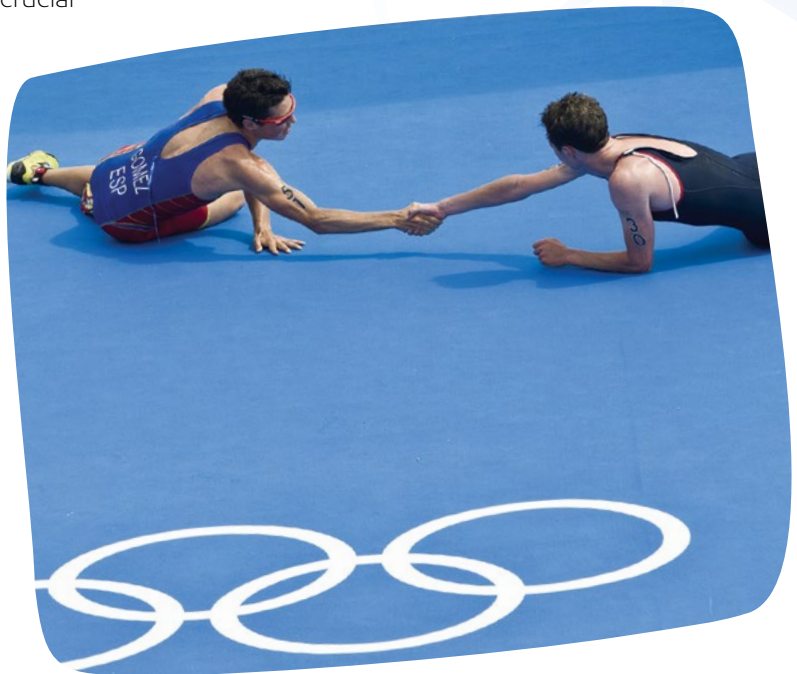
The European Parliament has also discussed the topic of spectator violence, with its [Resolution on the European dimension in sport](#) in 2011 calling for a coordinated approach with sport organisations, and for establishing and enforcing sanctions against “*supporters who have displayed violent or discriminatory behaviour*”.

Finally, the Council of Europe has reinforced its activities in this field by adopting a revised version of its previous Convention. [The Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events](#) was opened for signature on 3 July 2016, and moves the document from a violence-focused approach towards an integrated approach based on safety, security and service. The Convention officially entered into force on 1 November 2017 following the third ratification.

Practical Advice / Perspective

Cooperation between actors in this field is crucial and the recent launch of two [joint projects](#) by the EU and the Council of Europe - ProS4 (2016) and ProS4+ (2017), in which the EU is co-financing the respective projects under the lead of the CoE - is a positive signal. The aim of these projects is to assess the current situation in Europe, to exchange best practices between Member States and to improve the competence of relevant governmental agencies and sport event organisers.

There is no reference to spectator violence in the new EU Work Plan for Sport. However, the EU will continue its current activities in this field. The main priority in the upcoming years will be the signature, ratification and implementation of the Council of Europe Convention. The EOC EU Office encourages all Member States to sign and ratify the Convention in the near future.



Further Information

- › [European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches \(1985\)](#)
- › [Updated Handbook for international police cooperation and measures to prevent and control violence and disturbances in connection with international football matches \(2016\)](#)
- › [Convention on an Integrated Safety, Security and Service Approach at Football Matches and Other Sports Events \(2016\)](#)

Chapter 4.2

ECONOMIC DIMENSION OF SPORT

4.2.1 EU Competition Policy: Antitrust & State Aid

Developments in the area of competition policy can have a profound impact on sports. Indeed, EU Competition policy is one of the few areas in which the EU has an exclusive competence. Composed of EU antitrust policy and EU State aid policy, EU competition policy is entirely in the hands of the European Commission, under the judicial control of the European Court of Justice (ECJ). With the general objective of encouraging companies to offer consumers goods and services on the most favourable terms as well as ensuring fair competition between the different actors, EU competition policy is developed from rules set out in the TFEU under Title VII:

- › Antitrust policy from Article 101 to Article 106 TFUE
- › State Aid policy from Article 107 to 109 TFUE.

Antitrust

The EU has established an antitrust policy to ensure the prohibition of practices restraining trade within the European area. To be effective, competition requires companies to act independently of each other and to be subject to the competitive pressure exerted by the others. EU antitrust policy is developed from two central rules set out in the TFUE:

- › Article 101: prohibits agreements between two or more independent market operators which restrict competition (e.g. cartels)
- › Article 102: prohibits firms that hold a dominant position on a given market to abuse that position (e.g. abuse of dominant position).

The European Commission has the power to investigate potential infringement of these articles. Investigations can be started either internally by the EC, or brought to its attention on the basis of an external complaint.

The outcome of such an investigation could be the closure of the file, an agreement between the different actors, or the EC can impose fines or other penalties on undertakings violating the rules. This decision can then be contested in front of the ECJ.

Relevance to Sport

Regarding sport, the ECJ ruling in the 1995 Bosman Case led to several complaints concerning the rules governing international transfers of football players and the application of EU competition rules to sport and related activities. The sport movement and the European Commission then cooperated to reach agreements on various areas, such as:

- › sport organisations rules (e.g. FIFA transfer system / FIA case)
- › the joint sale of sport media rights (e.g. UEFA champions league/ Premier league / Bundesliga)
- › ticket sales arrangements (e.g. FIFA-Mastercard).

In general, the situation has created intense discussions on the concept of the “specificity of sport” (more information in Chapter 1) and the recognition of this concept within EU treaties, including its application when implementing EU laws. The ECJ Meca-Medina ruling of 2006 provides clarifications regarding the methodological framework (based on the Wouters test - Court judgement of 2002) used for the examination of the compatibility of sporting rules with EU antitrust provisions. Following a case-by-case approach, several aspects need to be assessed when dealing with sporting rules and before deciding to formally open an investigation:

- › Is it purely a sporting rule or is there a link with an economic activity? If there is a link, does the rule create a restriction of competition?
- › What is the objective of the rule? Are the restrictive effects inherent to the pursuit of the objectives? Are they proportionate?

Recent Developments

The recent years have seen an increased number of complaints to DG COMP of the Commission as well as national cases decided by national competition authorities on topics questioning the role and the competences of sport federations, including their ability to control the organisation of sporting competitions. Indeed, an increase in the numbers of private entities competing with the traditional not-for-profit sport organisations over the organisation of sporting events endangered the whole European Sport Model, which is based on solidarity mechanisms allowing grassroots sport organisations to develop and survive.

Several complaints linked to sport activities are currently in the hands of the DG COMP, including three pending complaints concerning the FIBA/Euroleague case and an in-depth investigation on the ISU case.

Practical Advice / Perspective

The cases currently under investigation by the EC could have consequences far beyond the parties involved. They could significantly impact sport organisations’ daily activities and could endanger the role of sport federations in governing their respective sports. Differentiation should be made between non-profit sport organisations and commercial providers of sport services. The sustainability of grassroots sports and its social benefits such as social inclusion depend on it. The Olympic Movement is closely following these cases, as it is of vital importance for the European Sport Model that the specific nature of sport, as recognised in Article 165 TFEU, is taken into account when applying antitrust policy. In this regard, it is key that that EC does not apply a purely economic approach.

State Aid

EU State aid policy is covered by Articles 107, 108 and 109 of the TFEU in which State aid is defined as “*an advantage in any form whatsoever conferred on a selective basis to undertakings by national public authorities*”. This means that public funding to support sporting infrastructure or other sport activities and clubs, falls under this definition. In general, State aid is prohibited by EU Law, since, similar to cartel or trust-forming, it could distort the working of the EU’s internal market. However, for an important number of policy objectives, listed in the legislation, State aid can be considered compatible with EU Law. In this area, the European Commission also has the power to investigate and rule on potential infringements. The general rule is that EU Member States have to notify the EC when they plan to allow State aid, unless said aid falls under certain exceptions.

Relevance to Sport

At the grassroots level, sport organisations are often dependent on public funding for the financing of infrastructure and other sporting activities. Without the support of public authorities, many sport infrastructure projects would be difficult to finance. From a more general perspective, when it comes to amateur clubs, support from the state does not usually constitute an infringement of EU State aid rules as intra-Community trade in the EU’s internal market is not impacted enough by this support to fall under the rules. However, as discussed in the European Commission White Paper on Sport in 2007, support to professional sport organisations does fall under EU State aid rules due to their economic activities.

Recent Developments

The [General Block Exemption Regulation](#) (GBER) adopted by the EU in 2014, and updated in 2017, provides more certainties for State aid in the field of sport. With the new regulation, over 95% of state measures are now exempted from Commission scrutiny. State aid for sport and multi-sports arenas falls under Article 55, containing the following criteria:

- ▶ The infrastructure shall not be used exclusively by a single professional sport user and the use by other professional or non-professional sport users shall account for at least 20% of time capacity.
- ▶ The maximum aid shall not exceed 75% of the total eligible costs.
- ▶ Notification is not necessary for aid under 30 million EUR with total project costs of 100 million EUR.

In addition to the GBER, the application of the rules for government funding of sports infrastructures has been clarified in the last few years. In 2016, two State aid cases in sport were decided in favour of supporting sport organisations and strengthening organised sport facing commercial actors. Indeed, in the cases of [Hamr-Sport \(T-693/14\)](#) and [Deutscher Alpenverein-Magic Mountain u.a. case T-162/13](#), the ECJ confirmed that the subsidies granted were compatible with the internal market, as the infrastructure were to be used by grassroots organisations, clearly arguing for sport as a practice in the general public interest. Several cases regarding support for professional football clubs in the Netherlands and Spain were also decided on by the Commission, deeming them in line with EU law.

During the recent revision of the GBER, the Commission declared that “*Public support in these areas is rarely State aid, since they do not usually involve economic activities, and where aid is involved it does not pose a threat to competition.*”

Practical Advice/ Perspective

It is interesting to note the stark contrast between competition policy in the area of antitrust rules and that of State aid. Whereas there are still a lot of legal uncertainties and risks for sport organisations regarding antitrust cases, rules on State aid have been clarified over the last few years. The boundaries of State aid are clearly described in the updated General Block Exemption Regulation, and both the Commission and ECJ have clearly argued in favour of investment in sport being a matter of public interest.

Further Information

- › [EC Information on Competition policy and sport](#)
- › [EC Information on GBER 2014 and 2017 Update](#)

4.2.2 Tax Policy

Relevance to Sport

Sports clubs provide important services of general interest by generating a real contribution to the economy, enhancing public health and promoting social inclusion. The not-for-profit nature of most sport organisations means they tend to be substantially dependent on public financial support to carry out their activities, including benefits resulting from tax measures. Despite important variations between taxation rules within Member States, the implementation of tax deductions or exemptions foreseen at the EU level allows sport organisations to retain a higher share of their revenues and consequently to reinvest these revenues into the provision and accessibility of services for their members.



Recent Developments

In terms of EU taxation policy, differentiation should be made between direct taxation, a competence which remains mainly in the hands of the Member States and consequently decided on a country-by-country basis, and indirect taxation, regulated by the [EU Council VAT directive 2006/112/EC](#). EU provisions in this legal framework do not aim to harmonise VAT systems between Member States, but rather to ensure that different Member States' legislations on VAT and their application do not distort competition or hinder the free movement of goods and services. The Directive establishes a common system for VAT which is based on a uniform definition of taxable transactions while allowing a flexible interpretation by Member States via exemptions and deductions in a defined list of areas. The exemptions and deductions linked to sport activities foreseen in the Directive are crucial for the daily functioning of sports; notably grassroots sport organisations.

For sport organisations, two articles in the Directive are of particular importance:

- ▶ *Article 132* allows Member States to exempt from VAT, activities carried out in the public interest including “*certain services closely linked to sport or physical education provided by non-profit-making organisations*”.
- ▶ *Article 98* offers the opportunity for Members States to apply one or two reduced VAT rates, of not less than 5%, to supplies of goods or services to a list of categories mentioned in the directive. “*Admission to sporting events*” and the “*use of sporting facilities*” are part of the above-mentioned list.



The EU regularly reiterates its support to VAT deductions and exemptions for sport notably in the European Commission White Paper on Sport, the conclusion of the Council Expert Group on the ‘Sustainable Financing of Sport’ in 2012, [the recommendations of the High Level Group on Grassroots Sport in 2016](#) and the European Parliament report on “[An integrated approach to Sport Policy: good governance, accessibility and integrity](#)”.

From a more general perspective, the EU Commission considers the current VAT framework as a transitional system that needs to be reformed in order to face the challenges of today’s global economy. Following a consultation period with stakeholders and a first communication in 2011, the European Commission published the “[Communication on an Action Plan on VAT](#)” on 7 April 2016 setting out the progressive steps required towards a single European VAT area.

Regarding deductions and exceptions, the Commission included two possibilities:

- a) an extension and a regular review of the list of goods and services eligible for exemptions and deductions
- b) an abolition of the list allowing more flexibility in Member States’ VAT policies.

Another interesting legal development concerns the [English Bridge Union Case](#). In 2016, the English Upper Tribunal referred a case between the English Bridge Union (EBU) and Her Majesty’s Revenue and Customs (HMRC) to the ECJ, in order to determine what exactly constitutes a sport within the Council Directive of 2006 on VAT. The EBU is attempting to get VAT paid over tournament fees back from HMRC based on the exemption in Article 132. According to the Opinion of the Advocate General of June 2017, the ECJ should decide on a number of prerequisites a sport needs to fulfil, in order to be granted a VAT exemption under one of the relevant articles in the VAT Directive. It is suggested that most activities commonly referred to as ‘sport’ have the following attributes in common:

- ▶ a sport requires a certain effort to overcome a challenge or an obstacle (and is thus not purely recreational);
- ▶ the overcoming of this challenge trains a certain physical or mental skill and thereby yields benefits for the physical or mental wellbeing of the persons engaging in the sport;

- › such activities are usually practised not solely in a purely commercial context;
- › (local) public perception or international recognition. These serve as an indication pointing to the existence of a 'sport'. There is a cultural component to this, as some sports are regional or more prevalent in certain countries.

In 26 October 2017, the ECJ released its decision, stating that "Duplicate bridge is not a 'sport' for the purposes of the VAT Directive".

Practical Advice/ Perspective

Following its 2016 Communication, the Commission opened a public consultation on the reform of VAT rates which ended in March 2017. The EOC EU Office and its partners contributed to this consultation by sending in a position paper. The EOC EU Office stated that *"the Commission should aim to maintain the current system and the existing VAT deductions and exemptions applied by the EU Member States for the non-profit sport sector. In addition, the Olympic Movement is also in favour of the Commission's suggestion to open the super-reduced rate to elements mentioned in the Annex 3 as well as to regularly review the Annex 3 in case this review bring additional elements allowing Member States to better support grassroots sport and then safeguard its sustainability in Europe."*

The Commission intends to publish a detailed legislative proposals defining the new legal framework for VAT rates, in the second half of 2017.

Further Information

- › [2006 EU Council VAT Directive](#)
- › [April 2016 Communication on an Action Plan on VAT](#)

4.2.3 EU Funding for Sport

Relevance to Sport

The EU can provide funding for sport-related projects and activities. The most well-known funding Programme for sport is of course the specific sports chapter within the Erasmus+ EU funding Programme for education, training and youth. However, there are several other sources of EU funding with relevance to sport, depending on the objectives and structure of the project. The following pages will discuss both Erasmus+ and the other EU policies that can benefit sport.

Recent Developments: Erasmus+

[Erasmus+](#) is the EU's programme to support education, training, youth and sport in Europe with an overall budget of €14.7 billion for the period of 2014-2020. The possibility for a funding programme for sport was first tested with [Preparatory Actions in the field of sport](#) during 2009-2013. Following successful results and the inclusion of sport as an EU competence in the Lisbon Treaty, sport was included in the Erasmus+ Programme for the first time during the financial framework of 2014-2020 with a total budget of 266 million EUR for the seven-year period. The funding chapter dedicated to sport (and in particular grassroots sports) aims to support European partnerships and not-for-profit European sport events with the following objectives:

- › to tackle cross-border threats to the integrity of sport, such as doping, match-fixing and violence, as well all kinds of intolerance and discrimination;
- › to promote and support good governance in sport and dual careers of athletes;
- › to promote voluntary activities in sport together with social inclusion, equal opportunities and awareness of the importance of health-enhancing physical activity, through increased participation in, and equal access to sport for all.

The implementation of the Erasmus+ Sport chapter has been developing during its existence. Thanks to the efforts of the EOC EU Office, Erasmus+ Sport has become more accessible to grassroots sports actors throughout this period. The Programme now also includes 'small collaborative partnerships', which only require 3 partners from 3 Programme Countries.

The Programme is currently in the process of a mid-term evaluation by the European Commission, aimed at preparing a possible follow-up Programme from 2020 onwards. The EOC EU Office contributed to this process, for instance by publishing a position paper with recommendations for the future of the sport funding Programme. In general, in particular due to the Commission making considerable improvements to implementation conditions, experiences of the Programme have been positive, although the participation of the organised sport sector could still be improved. The main recommendations for a future Programme would be to ensure the future of the sport funding Programme (preferably within Erasmus+), to provide further administrative and financial simplifications and to consider further supporting structures for sport organisations, for instance at national level.

Other EU Funding Programmes

There are several other EU funding programmes for the 2014-2020 period that can also be used for the benefit of sport. What follows here is a short description of these programmes, the goals of these policies and how sport could benefit:

- › **EU Regional Policy:** This policy is designed to reduce economic and social disparities among the EU's Member States, and is closely linked to the [Europe 2020 Strategy](#) for smart, sustainable and inclusive growth and jobs. Regional Policy is funded through the [European Structural and Investment Funds \(ESIF\)](#), of which the European Regional Development Fund (ERDF) and the European Social Fund (ESF) are the most relevant for sport. In practice, the ERDF allows the financing of small-scale infrastructures providing "recreational services" in order to promote social inclusion and combat poverty, especially among marginalised communities. If the project is part of a broad territorial development strategy, there is an even higher chance of obtaining funding. The ESF is aimed at promoting access and participation in the labour market, by contributing to job creation, promoting mobility and helping people acquire skills. In practice, a broad range of project that focus on education, training, social inclusion, combating poverty or any kind of discrimination, or the promotion of employment or labour mobility in the sport sector could be eligible for funding from the ESF. The ESF includes the [Youth Employment Initiative \(YEI\)](#), as well as the [Fund for European Aid to the Most Deprived \(FEAD\)](#), which is also used for projects promoting social inclusion through sport in some countries.
- › **Rural Development:** Funding for rural development comes from the European Agricultural Fund for Rural Development (EAFRD), another fund within the ESIF, supplemented by national/regional and sometimes private sources. Sport projects can benefit if they contribute to the objectives listed in the national/regional Rural Development Programmes. Small sports infrastructure or sport-related development projects (fostering local employment or promoting social inclusion) can consider applying for funding.

- › **Health Programme:** The third [EU Health Programme \(2014-2020\)](#) is intended to foster health in Europe by encouraging cooperation between Member States and improving their health policies. The programme has four overarching objectives, of which “to promote health, prevent disease and foster supportive environments for healthy lifestyles” is the most relevant for sport. In general, funding possibilities are rather limited under this Programme, but since the first objective also aims specifically at preventing unhealthy dietary habits and physical inactivity, there are some opportunities for sport. There is also the possibility of obtaining funding for projects related to “health in an ageing society”.
- › **Horizon 2020:** [Horizon 2020](#) is the biggest EU Research and Innovation Programme, which bundles together all research and innovation initiatives with an emphasis on their contribution to the Europe 2020 Strategy. Limited opportunities for sport-related research and innovation projects exist, in particular in the ‘societal challenges’ pillar of the Programme.
- › **Europe for Citizens Programme:** [This Programme](#) supports projects related to European integration through the engagement of citizens and development of a sense of ownership of the European Union. Volunteering is an essential element in active citizenship, and this provides some limited opportunities for sport projects to receive funding under this strand (democratic engagement and civic participation).
- › **Rights, Equality and Citizenship Programme:** [The Rights, Equality and Citizenship Programme](#) is the European instrument for promoting democracy and human rights. It focuses specifically on non-discrimination, combating racism, xenophobia, homophobia and other forms of intolerance. It also promotes the rights of disadvantaged persons/groups, preventing violence, and promoting rights deriving from EU citizenship. Sport projects with any of these objectives can apply for funding through the programme, which also offers opportunities for operating grants.
- › **Environment and Climate Action:** in these fields, the EU provides funding through the [LIFE Programme 2014-2020](#). Any sports project linked to environmental aspects could benefit.

Practical Advice / Perspectives

The current EU Funding programmes with relevance for sport, including Erasmus+, are based on the Multi-annual Financial Framework (MFF) that runs until 2020. The first proposals for new programmes and a new budget are expected to be presented in 2018. With the consequences and developments of Brexit still unclear, it remains to be seen how the new programmes and MFF will look and if they will provide similar opportunities for sports organisations to apply for funding.

If you are interested in applying for funding at EU level, the EOC EU Office has a separate guide ‘Funding for Sports in the European Union 2014-2020’ with more in-depth information on how to apply for these Programmes and with various examples of EU-funded projects and events.

Further Information

- › [Erasmus+ Sport](#)
- › [Europe 2020 Strategy](#)
- › [European Structural and Investment Funds \(ESIF\)](#)



- › [Youth Employment Initiative \(YEI\)](#)
- › [Fund for European Aid to the Most Deprived \(FEAD\)](#)
- › [EU Health Programme \(2014-2020\)](#)
- › [Horizon 2020](#)
- › [Europe for Citizens Programme](#)
- › [The Rights, Equality and Citizenship Programme](#)
- › [LIFE Programme 2014-2020](#)

4.2.4 Broadcasting rights (Digital Single Market)

Impact on Sport

The sale of broadcasting rights for sporting events is an important revenue stream for sport organisations on an international, continental and national level. Through solidarity mechanisms, the income from these rights is also redistributed to member organisations of federations, financing youth development, grassroots sports and volunteers. Most sport content is sold on a territorial and exclusive basis, as cultural and language preferences differ by country or even region, regarding both the sport in question and the focus of interest within the same competitions (e.g. local athletes/teams). This is referred to as the principle of territoriality: exclusive audiovisual content acquired and distributed by a broadcaster is only available for consumers in a specific territory, defined in the broadcasting contract. This allows sales to different broadcasters that are not in direct competition, as their rights can also be regionally exclusive.



The sale of media rights falls under different EU legislation, which are affected by the EU's [Digital Single Market](#) (DSM) strategy, launched on 6 May 2015. This strategy aims to remove potential barriers for the full functioning of the single market online, similar to the freedom of movement of goods, people, services and finances that underpins the EU. By aiming to provide citizens with EU-wide access to content as much as possible, the objective of the Digital Single Market is at odds with the principle of territoriality underpinning the sale of sport broadcasting rights.

Recent Developments

In course of the DSM initiative, several legislative proposals have been published. The [regulation on portability](#) was agreed on 14 June 2017 before entering into force in March 2018. It gives EU citizens access to their online content services not only in their Member State of residence, but also during temporary stays in other Member States. Key issues for its implementation by broadcasters are the verification of a customer's country of residence and the duration of access from abroad to avoid abuse of this freedom. Providers of free

online content services (such as public broadcasters) are also offered the opportunity to opt-in and provide portability under the regulation by applying the same rules and verification mechanisms.

Secondly, a [regulation has been proposed to address unwanted geo-blocking](#) with the objective of opening markets for all Europeans. Geo-blocking is the main technology used to prevent access to content for people from outside of a licensed territory, maintaining the principle of territoriality. Audiovisual content was excluded from the original Commission proposal, but added to a review clause by the European Parliament, which could see the discussion resurface for sport rights owners in several years.

Most problematic regarding territorially exclusive sport broadcasting rights is the proposal for a [“Regulation on certain online transmissions of broadcasting organisations and retransmissions of television and radio programmes”](#) which was published by the Commission in September 2016. It proposes to extend certain elements of the Cable and Satellite Directive to online services – most notably, the Country of Origin (CoO) principle, which regulates that where rights are cleared in one country, a broadcaster will be able to make such content available to the whole of the EU. While the EU has stressed that the proposal being assessed recognises contractual freedom (i.e. sports bodies can maintain territorial exclusivity through contractual terms), there is a realistic possibility that a [competition law case](#) on cross-border access to pay-TV may result in such territorial-based contractual restrictions being regarded as anti-competitive. An extension of the Country of Origin principle to online transmissions therefore poses a serious risk to the current model of territorially-exclusive media rights sales. This extension of CoO is politically controversial with some Member States and EP committees willing to exclude sport content from its application. Secondly, the regulation seeks to extend the system of compulsory collective management currently applicable to cable retransmission to other equivalent digital retransmissions. This measure aims to simplify the clearance of rights to programmes from other Member States for retransmission operators. The Commission proposed to widen the Satellite/Cable regime to the retransmission of broadcasts through other means than cable, meaning IPTV, satellite, DTT and mobile networks (considered by the COM as ‘closed networks’, which it defines as those that can only be accessed by a consumer through an electronic communications network, dedicated fully or partially to the retransmission service). For sport organisations it is vital to limit such a retransmission right to clearly closed networks and to uphold a veto right against retransmission for broadcasters as is already the case in the current satellite and cable directive. Furthermore, contractual freedom is a key prerequisite to guarantee sufficient protection for rights holders. The votes of both the Council and the European Parliament are expected for the end of 2017, with an expected trilogue to start afterwards.

Furthermore, the Commission has also launched a [proposal to amend the Audiovisual Media Services Directive \(AVMSD\)](#). The relevance for sport in this directive lies mostly in the “listed events” regulated through the AVMSD, which give Member States the right to determine which events are deemed to be of national importance, and therefore have to be broadcast on free-to-air channels (if they are broadcasted at all). Sport events can be and often are on these lists. The Commission’s proposal does however not include any changes to the rules on listed events.

Practical Advice / Perspective

The principle of territorial exclusivity of sport broadcasting rights is under threat, both because of the discussions on the proposed new regulations and amendments, and the above-mentioned competition case concerning cross-border access to pay-TV. The effects of such a drastic change from the current method of licensing could be profound, with consequences not only for professional sports, but also for grassroots sports which depend on redistribution of the income generated through broadcasting.

The EU should ensure and improve the legal protection of sport event organisers with regard to the commercial exploitation and integrity of their events. This is particularly important in the framework of the European Commission's initiative of the Digital Single Market. In this sense, there is a real need for sport to be mainstreamed into other policy fields if the EU is to contribute positively to the development of European sport. The EU Work Plan for Sport 2017-2020 does reflect such ambitions by taking up the digital single market and its effects on sport within its future topics – a planned discussion in 2019 will however be too late to have an effect on the proposals discussed above.

Further Information

› [European Commission website on the Digital Single Market](#)

4.2.5 Intellectual Property Rights and their enforcement

Relevance to Sport

Intellectual property rights (IPRs) such as copyright, trademarks, images and media rights, represent a high economic value for sport organisations and especially for those organising sport events. However, as the technological development around for instance the internet and smartphones has changed the environment of intellectual property rights, it has also created new challenges for sport rights owners. These are especially related to piracy, which is no longer solely related to counterfeit products, but which now encompasses illegal live streaming on the internet. These phenomena cause significant financial damage and sufficient protection is subsequently necessary.

The European Union has recognised the impact of intellectual property rights regulation on the sport sector in documents related to sport policy, such as the Communication on Sport (2011). Specifically its contribution to economic development, the need for protection and the importance of IPRs for organisers of major sport events or holders of sport rights with high economic value is recognised.

Recent Developments

For sport organisations, the most important aspects regarding intellectual property are the recognition of their rights following their subsequent enforcement.

Regarding recognition, there are unfortunately no provisions which adequately protect the legal positions of sport event organisers at EU level. However, it was stipulated by the European Court of Justice (ECJ) in the [2012 “QC Leisure” case](#) that sport events deserve protection comparable to a copyright.

In 2017, in the course of the negotiations concerning a “[Directive on copyright in the digital single market](#)”, which the Commission proposed in September 2016, sport organisations are aiming to strengthen their own rights through a so-called *neighbouring right*. The proposal already includes such a *neighbouring right* for press publishers, which aims to protect their content from being freely shared online. The aim of the sport movement is to include similar right for sport in the directive with the objective of strengthening the legal basis for sport event organisers to better fight illegal internet piracy. A decision is not expected before spring 2018.

Considering the enforcement of rights, the European Commission published an “[Action plan to better protect and enforce intellectual property rights](#)” on 1 July 2014. This for instance envisaged the promotion of due-diligence among all actors involved in production of goods with a high degree of intellectual property. It also envisaged the provision of a comprehensive training programme for Member State authorities with a view to achieving faster preventive actions against commercial scale IP-infringing activities across the EU and the identification of barriers to cross-border cooperation. Furthermore, the action plan set out to engage in a dialogue with stakeholders (e.g. online advertising agencies and payment service providers) to reduce profits from commercial-scale infringements on the internet (also known as “follow the money”). This work to prevent the financing of illegal internet sites, which make audiovisual content publicly available on the internet without the consent of the right holder, continues with the aim of voluntary declarations of intent which should ban advertising on illegal websites and restrict the settlement of such revenues via digital payment systems and channels. . On 28 September 2017, following increased debate on illegal online content in the areas of terrorism and hate speech, the Commission also published a Communication on “[Tackling Illegal Online Content](#)”. This Communication constitutes a first element of measures to ensure the swift and proactive detection and removal of illegal content. The Commission expects online platforms to take swift action and will assess progress by May 2018 to possibly start additional measures, including possible legislative measures.

In the aforementioned proposal for a new copyright directive, the COM has also proposed that internet service providers, which store and provide access to works uploaded by their users, must take measures to ensure the functioning of agreements concluded with right holders.

Practical Advice / Perspective

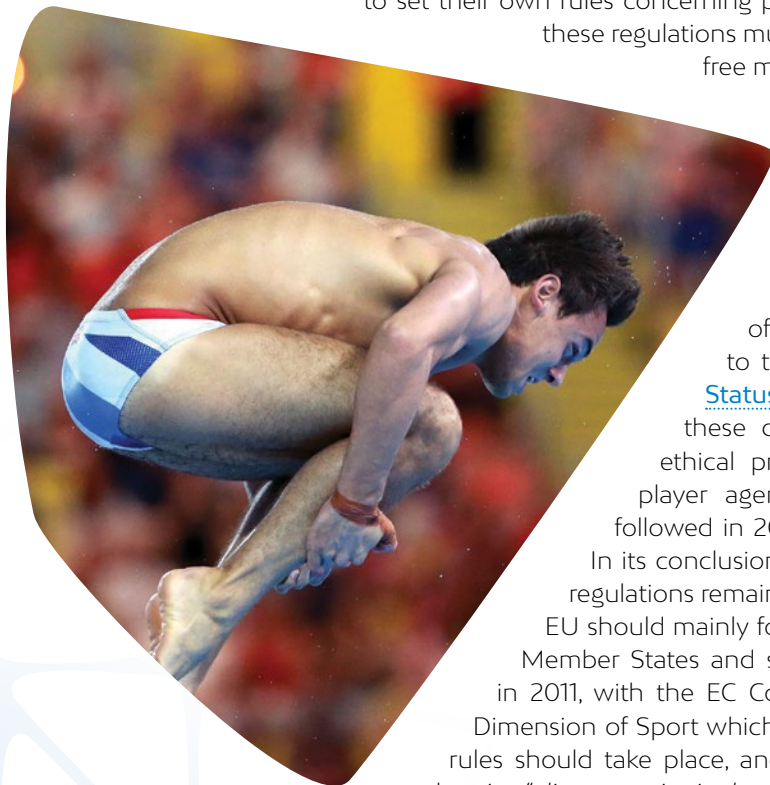
The EOC EU Office is monitoring the process and discussions regarding property rights and their enforcement. For the sport movement, adequate protection for its rights is needed, with a neighbouring right being one option for a sound legal basis. It is important that this revenue stream for sports, which reaches grassroots sports directly and indirectly (i.e. through various solidarity mechanisms), is maintained, so that clubs and federations can provide sporting opportunities and further contribute to society.



4.2.6 Sport Agents

Relevance to Sport

As in several other policy fields, the ECJ-ruling on the Bosman case (C-415/93) worked as a catalyst for the further development of sport agents' activities at the European level. Indeed, the development of a single European market in professional sport created a significant number of transactions increasing the level of players' salaries as well as the activities of player agents. Within the EU, the functions of agents for sportspeople are regulated by different legislations including general employment laws or specific rules, mainly established at national level. Although the European Union has recognised the right of sports authorities to set their own rules concerning players' agents' activities on several occasions, these regulations must be in line with the EU competition and the free movement of worker.



Recent Developments

The first exchanges at the EU level on the topic of sport agents has been conducted by the European Commission, in the frame of more general discussions with FIFA, leading to the modification of [FIFA's Regulation on the Status and Transfer of Players](#), in 2001. Besides these discussions, the EC mentioned the risks of ethical problems linked to the transfer market and player agents in the White Paper on Sport (2007), followed in 2009 by a [study on Sports Agents in the EU](#). In its conclusion, the study recommended that sport agents' regulations remain in the hands of sport organisations while the EU should mainly focus on providing assistance and guidance to Member States and sports organisations. EU activities continued, in 2011, with the EC Communication on Developing the European Dimension of Sport which argued that an overall evaluation of transfer rules should take place, and highlighted the results of the 2009 study, showing "*discrepancies in the way the activity of agents is regulated by public authorities and private bodies in Europe*". Also in 2011, an [EU Conference on Sports Agents](#) was organised by the Commission, while the European Parliament adopted a [Resolution calling for the development of an EU wide agents' licensing system](#). A second EU study, this time on [the economic and legal aspects of transfers of players](#), was published in 2013 with a specific section dedicated to sport agent regulations. Finally, as part of the second EU Work Plan for Sport, the XG Good Governance also adopted a [Set of recommendations on the supervision of the activities of agents and player transfers](#) in 2014.

Issues regarding sport agents have also been discussed in a broader perspective with the [Striani Case, rejected by the ECJ in 2015](#). This case was brought to the ECJ by a Belgian football players' agent, who argued that UEFA's Financial Fair Play rules (FFP) were a restriction on free movement of capital, free movement of workers, and free movement of services. This was based on the argument that it restricted investments, caused a reduction in the number of transfers, and could reduce players' salaries and the revenues of player agents.

Practical Advice / Perspective

The role and function of player agents is a topic that is regularly a focus of media attention, and thus is often discussed in European politics. This was the case during the EU Sport Forum 2017 and during the EP sport intergroup meeting on “*International transfer market of players: what’s next?*” in June 2017, where player agents were one of the topics covered by the panellists. From the point of view of the Olympic and Sports Movement, it is crucial that the role of player agents is properly regulated in order to ensure the prevention of financial crimes or misconduct and the protection of young players. From this perspective, better cooperation between Member States and sport organisations is necessary to ensure a common implementation of the rules within the EU.

Further Information

- › [FIFA’s Regulation on the Status and Transfer of Players \(2001\)](#)
- › [Study on Sports Agents in the EU \(2009\)](#)
- › [EP resolution calling for the development of an EU wide agents’ licensing system \(2011\)](#)
- › [EU study on the economic and legal aspects of transfers of players \(2013\)](#)

4.2.7 Sport Statistics / Evidence-Based Policymaking

Relevance to Sport

Sport statistics and data are vital for policy-making. Unfortunately, at EU level there has generally been a lack of European-wide data (or national statistics that are comparable across countries) on various aspects of sport and physical activity. In its 2011 Communication on Developing the European Dimension of Sport, the European Commission stressed that “*Policy-making to implement the sport provisions in the Lisbon Treaty needs a sound evidence base, including comparable EU-wide data on social and economic aspects of sport*”. In order to facilitate this evidence-based policymaking, the Commission promoted the establishment of ‘Sport Satellite Accounts’ (SSAs). A satellite account is a statistical framework that measures the economic importance of a specific industry (in this case, the sport sector) for the national economy. Besides the SSAs, the European Commission gathers data and statistics on sport through European studies.

Recent Developments

The process of creating these SSAs in the various Member States of the EU began in 2006, and is currently still on going. A study on the possible [Monitoring role of the EU](#) with regard to sport was also finalised in May 2013 to analyse the potential of the EU to “*analyse trends, collect data, interpret statistics, facilitate research, launch surveys and studies, and promote exchange of information*”. Evidence-based policymaking was included in the actions for the first EU Work Plan for Sport 2011-2014, which led to the creation of an Expert Group on Sport Statistics (XG STAT). This XG adopted a [Manual for the Construction of a Sport Satellite Account](#), as well as ‘Policy recommendations based on the study on a sport monitoring function and proposals for future EU level work in the field of sport statistics’. These results

led to the adoption of Council conclusions on “[Strengthening the evidence-base for sport policy making](#)” in November 2012. In the second EU Work Plan for Sport, a newly created Expert Group on the Economic Dimension of Sport (XG ECO) was tasked with preparing another set of [Recommendations on SSAs](#), which were adopted in January 2016.

Another way in which the European Commission gathers data and statistics on various policy fields is through EU studies. For this purpose, the Commission has different tools at its disposal. One option is to launch a general study on a certain topic. For these studies, which can usually take several from months up to a year and a half, a call for tender is launched to select the contractor or consortium. Depending on the topic, the study can be commissioned by either DG EAC or another responsible DG. Another option, which is used more and more frequently in the field of sport, is a short-term expertise study. These expertise studies only take two months and are awarded directly through existing framework contracts (without an open call for tender). Another option is the Eurobarometer. In March 2014 for instance, the Commission published a special [Eurobarometer on Sport and Physical Activity](#).

In addition to the SSAs at national level, Eurostat and DG EAC of the European Commission started the regular dissemination of harmonised statistics during the EU Work Plan 2014-2017. As no Eurostat data collection is devoted specifically to sport, sport statistics are derived from already existing EU surveys. An overview is provided in the [Eurostat publication on sport statistics of 2016](#).

Practical Advice / Perspectives

The [third EU Work Plan for Sport 2017-2020](#) foresees the organisation of a cluster meeting to exchange best practices on ‘The economic benefits of sport through Sport Satellite Accounts (SSA) and the ‘practical use of SSAs for sport policy makers’ in the first half 2018. The Austrian Presidency of the EU (second half of 2018) has identified innovation as one of their presidency priorities, and sport statistics will be a part of this priority.

In addition, the Work Plan foresees a number of studies that will be launched by the European Commission. One example is a study on ‘Access to sport for people with disabilities’, scheduled for the second half of 2018. Furthermore, the Commission will likely launch a number of short-term expertise studies to prepare some of the meetings in the framework of the Work Plan (e.g. to prepare cluster meetings).

Further Information

- › [European Commission – Sport Unit website on Sustainable Funding](#)
- › [Eurostat website](#)
- › [Eurobarometer website](#)

4.2.8 Sustainable Financing of Sport

Impact on Sport

Ensuring a secure, stable and sustainable method of financing, through both public and private means, can be challenging, however, it is vital for sport. In particular for grassroots sports, sustainable financing has been a challenge that the EU has paid attention to. For this purpose, the EU has considered the developments in other policy fields and the resulting impact on the financing of sport (e.g. VAT policy), sport's access to EU financial instruments and the exchange of best practices between organisations and Member States.

Recent Developments

The sustainable financing of sport has been on the EU's agenda since it was mentioned in the 2007 White Paper on Sport. Through the White Paper, the Commission announced an [Independent study on the financing of grassroots sports](#), which was finalised in June 2011. Besides analysing the financial sources for sport and the legal and fiscal frameworks in different member states, the study highlighted several good practices, and discussed the sustainability of revenue streams for grassroots sports, including a list of recommendations for the future.

The first EU Work Plan for Sport 2011-2014 also included sustainable financing of sport and had a specific focus on strengthening financial solidarity mechanisms between professional and grassroots sport. A Council Expert Group on the 'Sustainable Financing of Sport' (XG FIN) was set up for this purpose, and finished [its report](#) in December 2012, which built on the findings of the 2011 study on the funding of grassroots sports. Various recommendations, such as the need for guidance with the application of EU State aid rules to sport, the necessity to take the specific nature of sport into account in the VAT system, and the need for improving the long-term sustainability of sport were included in the report.

The second EU Work Plan for Sport 2014-2017 continued these reflections within the Council Expert Group on 'the Economic Dimension of Sport' (XG ECO). A report on "[Practical guidance on how to encourage transparent and long-term investment in sport, including EU funding, based inter alia on 2012 Recommendations on sustainable financing of sport, including state aid](#)" was finalised in May 2016. The guidelines were divided into three topics: maximising the net benefit of sport through investment, diversifying the financing of sport rate and encouraging the development of decision-making tools.

The sustainable financing of grassroots sports was also a topic of discussion of the High-Level Group on Grassroots Sport, established in 2015 by Commissioner Navracsics. This Group drafted a final [Report](#), which contained 10 key recommendations for the promotion of grassroots sport in Europe including advice on improving accessibility to EU funding and securing strong and stable financial support for grassroots sport.



Practical Advice / Perspective

Although sustainable financing has not been explicitly included as a key topic in the third EU Work Plan for Sport 2017-2020, the topic remains on the agenda through a number of other EU initiatives that could potentially impact sustainable financing of sport. A general revision of the VAT Directive, which includes exemptions for the promotion of physical activity and sport, is also currently on going. Furthermore, the activities within the framework of the Digital Single Market, which could impact the existing financial solidarity mechanisms to grassroots sports by influencing the financial revenues of broadcasting rights, might also prove significant for the sustainable financing of sport. More information on the Digital Single Market or VAT policy can be found under the respective chapters in this brochure.

In addition, with the negotiations on the upcoming Multi-Annual Financial Framework of the EU beyond 2021 starting in the near future, sport's access to EU Funding Programmes not directly linked with sport (e.g. Structural and Investment Funds, the Health Programme, etc.) will soon become a topic of discussion once again. In addition, it is yet to be seen if and how the EU intends to continue its direct funding possibilities for sport which currently exist within Erasmus+ Sport beyond 2020.

Further Information

› [Sport Unit website](#)

4.2.9 Advertising

Relevance to Sport

Advertisement is an important source of income, both for sport organisations and for broadcasters of sport content. There are several EU regulations that affect the type and, with television, the length of potential adverts. These regulations are often aimed at banning advertising for harmful products such as tobacco and alcohol or at limiting the total amount of advertising time.

The [Tobacco Advertising Directive of 2003](#) put an EU wide ban on advertising and sponsorship by producers of tobacco products in place for all media except television, which is arranged separately through the [Audiovisual Media Services Directive](#) (AVMSD). The AVMSD regulates all commercial communication, defining rules on duration and placement, while forbidding advertisement for medicines and tobacco and restricting commercials for alcohol. The 2003 [Council Recommendation on the Prevention of Smoking](#) covers promotion through other means, recommending banning e.g. brand names on other products; billboards; samples and sales promotions.

Furthermore, in 2006, the EU agreed on an [Alcohol Strategy](#), aimed at helping governments and stakeholders to reduce alcohol-related harm. This strategy relied on policy coordination and the exchange of best practices, also affecting the field of advertisement.

Recent Developments

The Alcohol Strategy expired in 2013, without a follow-up policy document being presented by the Commission since. Both the European Parliament and the Council have called for a new proposal to follow up the strategy. Most recently, on 21 July 2017, the [EU's health ministers discussed EU-wide solutions to tackle alcohol-related harm in Europe](#), where they stressed the need to protect youth from alcohol advertising, in particular related to new media.

The AVMSD has been up for review under the Commission's Digital Single Market initiative, one of the main priorities highlighted by the Juncker Commission. The Commission published a proposal for a review in May 2016, which proposes to deregulate commercial communications, but maintains a 20% limit on advertising time. It also encourages the adoption of self- and co-regulation seeking to protect the most vulnerable. This method has already been part of the AVMSD until now, but had not specifically considered the protection of vulnerable groups. It further encourages media service providers to develop codes of conduct on commercial communications around children's programmes, in particular for foods high in fat, salt and sugar. With trilogue negotiations being underway between the Commission, Council and EP in the second half of 2017, an agreement is expected for the end of the year.

On 25 April 2017, the European Parliament's CULT Committee agreed on its [Compromise amendments](#), which include banning advertising and product placement for tobacco, electronic cigarettes and alcohol in children's TV programmes. In May 2017, the Council also agreed on a [General approach for the proposed revision](#), paving the way for inter-institutional trilogue talks, which began in July 2017. With regard to the promotion of unhealthy food targeted at children and adolescents, different initiatives on obesity (see specific policy field) also call on self-regulation of commercial communications in this area.

Practical Advice / Perspective

The sport movement supports efforts to foster healthy lifestyles in children and adults by improving nutrition and access to sport. At the same time, it is important that the advertisement income for sports, which reaches grassroots sports directly and indirectly (i.e. through various solidarity mechanisms), is maintained, so that clubs and federations can provide sporting opportunities and further contribute to society.

4.2.10 Online Gambling and Sports Betting

Impact on Sport

Revenues generated by state-owned or state-licensed lotteries and gambling operators constitute an important source of income for sport in general and specifically amateur sport. In its Communication on Sport of January 2011, the European Commission pointed out that gambling activities, sport betting and lotteries run by private operators or by the state directly or indirectly contribute to the financing of sport in all EU Member States. An [EU Study on the financing of grassroots sport](#) conducted that same year also demonstrated the importance of this income for amateur sport in particular. In this regard, the liberalisation of gambling and online markets constitutes a real challenge for the financial stability of sport organisations and more specifically grassroots sports. The study also touched upon the discussion on the legal recognition of sport events organisers' rights.

Furthermore, online gambling is a topic that has links to many different fields: money laundering, fraud and the fight against match-fixing (see policy field 4.1.3) are all related to regulating online gambling. Preventing illegal online betting activities and providing consumer protection (gambling addiction or the protection of minors) are important aspects, as well as the need to ensure compliance of national legislation with the EU Treaties.

Recent Developments

The [Green Paper on Online Gambling in the Internal Market](#), launched by the Commission in 2011, resulted in a Communication "[Towards a comprehensive European framework on online gambling](#)" in October 2012. This Communication highlighted five priority areas for the EU:

- › compliance of national regulatory frameworks with EU law
- › enhancing administrative cooperation and efficient enforcement
- › protecting consumers and citizens, minors and vulnerable groups
- › preventing fraud and money laundering
- › safeguarding the integrity of sports and preventing match-fixing.

The Communication announced various actions in these areas. One of these announced activities was the creation of an [Expert Group on Gambling Services](#). This group, consisting of experts from Member States, provides the Commission with advice and expertise for the preparation of policy initiatives. It also facilitates the exchange of regulatory experience and good practice between EU countries. Other measures included in the Communication cover for instance the extension of the [Anti-Money Laundering Directive](#) to all forms of gambling (reached in 2015 through the fourth AML Directive) and the facilitation of cross-border cooperation between national gambling regulatory authorities of EEA Member States. Regarding the latter, a [Cooperation agreement](#) ensures that exchange of technical expertise takes place and best practices are shared, while making it easier to supervise compliance with national laws and preventing money laundering, fraud, and match-fixing.

Another initiative resulting from the Communication was the adoption of the '[Recommendation on principles of consumers and players of online gambling services and for the prevention of minors from gambling online](#)' in July 2014. This Recommendation sets out a number of principles that Member States are invited to take up in their gambling regulations including basic information requirements, mechanisms to protect minors and responsible advertising and sponsorship.

In addition to the European Commission, the European Parliament has also adopted several reports and resolutions on online gambling. The EP for instance adopted its [‘Report on online gambling in the Internal Market’](#) (Creutzmann Report) in October 2011 and an additional ‘Resolution on online gambling in the internal market’ in September 2013. Both are non-binding own-initiative reports.

Practical Advice and Perspectives

Following the guidance provided by a series of Court of Justice rulings, state monopolies or state-licensed lotteries and gambling operators (as a limitation of operators in one country or cross-border supply) are only allowed under certain conditions mostly based on public interest objectives (e.g. consumer protection). In these cases, Member States have to be able to demonstrate the proportionality, suitability and necessity of these measures and the fact that they are pursued in a “*consistent and systematic manner*”. With the opening of gambling markets and declining revenues from lotteries, an important financial revenue stream for sport - in particular grassroots sports - is under pressure. The EOC EU Office will continue to highlight this challenge for the sustainable financing of sport at EU level.

Further Information

- › [Sport Unit website](#)
- › [Website DG Grow on Gambling](#)

4.2.11 Transfer Rulings and Third Party Ownership

Impact on Sport

Topics surrounding athletes’ working conditions are central to European sport policy as it questions the compatibility of sport organisation’s rules with important aspects of EU laws, including the freedom of movement, competition rules or labour regulations. From that perspective, negotiations between the EU and football organisations regarding the FIFA transfer system at the end of the 1990s were a decisive turning point in the relationship between organised sport and the EU as well as in the involvement of the EU within sport policies. As for other areas, the challenge is to establish the right balance between acknowledging the autonomy of sport and ensuring that these provisions are compatible with the EU’s fundamental principles.

Recent developments

Following the ECJ-ruling on [the Bosman case C-415/93](#) from 1995, as well as several complaints regarding the compatibility of the football transfer system with EU rules, the European Commission started to investigate into FIFA rules in 1999. The aim was to



THIRD PARTY OWNERSHIP

The increase of revenues and economic interest in sport during the last few decades has created new opportunities for private investments in sport. One of the new methods, the Third Party Ownership (TPO), covers agreements between a club and a private third party which allow the third party to receive a share of the player's future marketing or transfer revenues. This practice was mainly used in the Balkans, Portugal and Spain until it was banned by FIFA in [May 2015](#) leading to the launch of several complaints in front of national and European courts as well as with the DG COMP of the Commission. In February 2015, the Spanish and Portuguese professional football leagues each filed a complaint with the DG Comp to act against the ban of TPO by FIFA. It is argued that TPO helped to ensure competition balance as smaller clubs and leagues were given access to additional sources of finance. Two months later, UEFA also filed a complaint with DG COMP contrary to the above stated, arguing that TPO damages the interest of players, clubs and fans. The three complaints are still pending, as the Commission has not yet decided whether it will open an investigation or reject these cases.

determine their compatibility with EU legislation on the freedom of movement, labour laws and competition rules. Exchanges between the Commission and FIFA led to the creation of a Transfer Task Force including FIFA, UEFA, players unions and European professional leagues. After an agreement on 5th of March 2001, the Commission officially closed its investigation [on 5 June 2002](#).

During the next decade, discussions on the transfer system at the EU level were always related to other activities, including issues surrounding sport agent regulations (see chapter 4.2.6). However, bearing in mind that "*transfers of players regularly came to public attention because of concerns about the legality of the acts and about transparency of financial flows*" ([EC Communication on the European Dimension of sport](#)) the Commission published a study [On "the economic and legal aspects of transfers of players"](#) in 2013. This ensured that transfer systems adopted by team sport organisations can help to ensure fairer competition. The issue has also been treated by the Council Expert Group on Good Governance, which adopted a set of recommendations on the "[Supervision of sports agents and transfers of players](#)", in December 2013, providing support to several recommendations made in the Commission study.

Perspectives / practical advice

Third Party Ownership (see the dedicated box) and issues related to transfer systems are still being discussed at the EU level as the decision on the Bosman case did not clearly establish the legality of transfer rules with EU laws. The question returned to the top of the agenda in September 2015, when the World Player's Union FIFPro filed [a competition complaint against the FIFA transfer system](#). FIFPro argued that transfer regulations restrict clubs from fair competition on the market to acquire sporting talents and harm the interests of players. A decision on whether the Commission will officially open an investigation or close the case is still pending.

The European Parliament has also been very active in the past few years; notably with official support for the ban of TPO in its report on an "*integrated approach to sport policy: good governance, accessibility and integrity*" (2017). They called for athletes to be "*protected from abusive practices such as third-party ownership*"; stated that TPO "*raises numerous questions of integrity and broader ethical concerns*" and that the Commission should "*consider the prohibition of third-party ownership under EU law*". The Sport Intergroup also tackled the topic with respective hearings on "Third-party ownership of football players' economic rights" (2016) and on "International transfer system of players: what's next?" (June 2017).

Further information

- › [Bosman case C-415/93](#)
- › [Study on "the economic and legal aspects of transfers of players"](#)

Chapter 4.3

SOCIETAL DIMENSION OF SPORT

4.3.1 Protection and Safeguarding of Minors

Relevance to Sport

Sport, as an integral part of society, often mirrors the rest of society, including negative phenomena such as violence against children or even abuse of this vulnerable group. A number of serious criminal cases have been recently emerging in the sport environment around the EU and sport organisations are faced with important challenges on how to limit the risks and prevent such abuse or violence from occurring. To counter and stop this phenomenon, the protection and safeguarding of minors is an important point on the agenda of the sports world.

In the EU, the promotion and protection of children's rights have been on the agenda for a significant amount of time. In 1994, the Council of the EU adopted a Directive on the protection of young people at work, and more recently, in 2011, the [EU Agenda for the Rights of the Child](#) was published by the Commission. This agenda includes eleven concrete actions to contribute to children's wellbeing and safety.

Protecting the rights of the child is also mentioned as one of the aims of the EU in Article 3 (3) of the Treaty on European Union. More specifically, for the field of sport, the Lisbon Treaty Article 165 states that *"Union action shall be aimed at developing the European dimension in sport by (...) protecting the physical and moral integrity of sportsmen and sportswomen, especially the youngest sportsmen and sportswomen."*

Recent Developments

The first and second EU Work Plans for Sport both covered the topic of safeguarding and protection of minors as one of their key themes. During the first period, the topic was looked at from an "organisational" point of view with the issue of young players' transfers at its forefront. In its report on the ["Supervision of sports agents and transfers of players, notably young players"](#) (2013), the Council Expert Group proposed 11 recommendations, two of which were directly aimed at protecting minors by regulating the profession of sport agents and harmonising rules for young players entering the EU from third countries.

In the [second Work Plan for Sport](#), attention shifted to the issue of the integrity of sport (the creation of a safe environment for young athletes, protection against abuse and violence, education, dual careers etc.). The Expert Group on Good Governance published its final report - [Recommendations on the protection of young athletes and safeguarding children's rights in sport](#) - in July 2016. The report proposes a detailed list of recommendations for national authorities, sports organisations and the European Commission. It is important to highlight in this regard that the topic of the protection of minors is very closely interlinked with the issue of gender-based violence, victims of which are very often minors. An [EU study on Gender-based violence in sport](#) was published in 2016, including a discussion on child protection and policies in this field at Member State level.

Based on the positive experience from projects funded under its Preparatory actions ([2013 call for proposals](#)), the European Commission has decided to dedicate a part of the Erasmus + Sport funding (small collaborative partnerships) to projects aiming to “protect athletes, especially the youngest, from health and safety hazards by improving training and competition conditions”. [The Rights, Equality and Citizenship Programme 2014-2020](#) also has child protection as one of its themes and could provide funding for projects focusing on this issue.

Practical Advice / Perspective

As mentioned above, the issue of violence and abuse in sport, in particular violence against, and abuse of, minors, has been rising on the political agenda, also as a consequence of the recent criminal cases in a number of Member States. This is clearly reflected in the recently adopted [3rd EU Work Plan for Sport \(2017-2020\)](#) which envisages (1) *Council Conclusions on Protecting physical and moral integrity of minors in grassroots and elite sport* to be adopted in 2019, (2) a *seminar on the follow up of the Recommendation on the protection of young athletes and safeguarding children in sport* to be organised the same year, and finally (3) a *study on the prevalence of child abuse in sport* to be commissioned. The forthcoming study will be of outmost importance since comparative data across Europe is missing.

The sport sector, however, does not lag behind. Not only have many initiatives been successfully launched in a number of Member States, but also the IOC, as leader of the Olympic movement, has adopted [guidelines for all NOCs and International Federations](#) to implement their own policies to safeguard athletes from harassment and abuse in sport.

Many other initiatives in this area are expected in the upcoming months and years.

Further Information

- › [EU Agenda for the Rights of the Child](#)
- › 2013 XG Good Governance: [Supervision of sports agents and transfers of players, notably young players](#)
- › 2016 XG Good Governance: [Recommendations on the protection of young athletes and safeguarding children’s rights in sport](#)
- › [EU study on Gender-based violence in sport](#)
- › [The Rights, Equality and Citizenship Programme 2014-2020](#)

4.3.2 Sport and Health / Childhood Obesity

Relevance to Sport

Sport and physical activity are essential for health and wellbeing and can play a significant role in preventing diseases and obesity for people of all ages. The EU has been active in this area for over a decade. In 2005, even before sport was included as an EU competence, an informal EU Working Group on Sport and Health was set up to encourage cooperation between Member States regarding the promotion of Health-Enhancing Physical Activity (HEPA). [The EU platform for action on diet, physical activity and health](#), a forum for European level organisations, and a High-Level Group on Nutrition and Physical Activity were subsequently set up in the same year.

In 2007, two EU White Papers set out the aims and reach of EU policy on sport and health as well as more specifically childhood obesity: The EU White Paper on Sport and the [“Strategy for Europe on Nutrition, Overweight and Obesity related health issues”](#). Since childhood is an important period to instil healthy behaviour and to learn the life skills necessary to maintain a healthy lifestyle, children and young people were identified as a priority target group for EU measures in the field of sport and health. The White Paper on Sport also asked Member States to develop new [EU Physical Activity Guidelines](#), which were subsequently approved by the EU Sport Ministers in November 2008. A special [Eurobarometer on sport and physical activity](#), published in 2010, indicated the necessity of further policies to encourage citizens to practice more sport.

Recent Developments

The First EU Work Plan for Sport 2011-2014 contained HEPA as one of its priority themes, and an Expert Group on Sport, Health, and Participation was established, resulting in [EU Council Recommendations on promoting HEPA across sectors](#). These recommendations were aimed at having Member States coordinate and collect data on physical activity for a monitoring framework.

The second EU Work Plan 2014-2017 expanded on this work with another Expert Group on HEPA, which created [recommendations to encourage physical education in schools](#). 2014 also saw the initiation of the [EU’s Action Plan on Childhood Obesity 2014-2020](#), which aimed to guide stakeholder actions, although specific policy in this area remains an exclusive competence of Member States. The implementation of this Action Plan is the responsibility of the previously mentioned High-Level Group on Nutrition and Physical Activity and the Platform for Action on Diet, Physical Activity and Health. So far, a database has been compiled to view, analyse and compare actions in various Member States through the platform, and Member States share best practices regarding policy in the High-Level Group.

In 2017, the Maltese Presidency chose the fight against childhood obesity as one of its priorities, leading to [Council Conclusions on the topic of childhood obesity](#) on 16 June 2017. A study has been commissioned to review the implementation of the Action Plan on Childhood Obesity, with results expected in the last quarter of 2017. In course of the opening of the European Week of Sport 2017 in Tartu (Estonia), the EU Commissioners



[Tibor Navracsics \(Education, Culture, Youth and Sport\)](#), [Vytenis Andriukaitis \(Health & Food Safety\)](#) and [Phil Hogan \(Agriculture & Rural Development\)](#) signed the common [Tartu Call for a Healthy Lifestyle](#). This common initiative is a positive sign regarding the necessary mainstreaming of sport into other policy areas, including health.

The new Work Plan for Sport 2017-2020 includes a HEPA cluster meeting in December 2017 (bringing together Erasmus+ projects on the topic), and a seminar on sport at the work place during the Austrian Presidency in 2018.



Practical Advice / Perspective

Funding for sport and health-related projects, including childhood obesity, is available through both the [EU Health Programme](#) and the Erasmus+ Sport chapter. The EU sees organised sport as a very important actor in promoting physical activity and providing sport opportunities for everyone. The European Week of Sport (see Policy Field 4.1.9) also serves as a platform to raise awareness on using sport for health. Research for a new Eurobarometer on the topic of physical activity and sport was undertaken in the framework of the third edition of the Week in September 2017.

The EOC EU Office seeks continued EU promotion of access to sport for all EU citizens. To reach the full potential of European sport policy as a health-enhancing factor, it is important that the EU also encourages investment in sport infrastructures through, for example the European Structural and Investment Funds, and that sport organisations get full recognition for their work in the area of health and prevention. Collaboration between schools and sport clubs should be strengthened and the number of physical activity classes in schools should be increased to improve the results of the fight against childhood obesity.

Further Information

- › [Sport Unit website](#)
- › [EU Physical Activity Guidelines \(2008\)](#)
- › [EU Council Recommendations on promoting HEPA across sectors \(2013\)](#)

4.3.3 Youth

Relevance to Sport

EU Youth Policy is related to sport policy in various ways. Both fall under the ECYS configuration of the Council, and both fields are covered by the Erasmus+ funding Programme. The EU has developed a long-term [Youth Strategy 2010-2018](#), which covers initiatives in eight areas, including several with a significant overlap with sport policy, social inclusion, education & training, health and well-being (including sport participation) and voluntary activities. These all benefit from a synergy with sport, and vice-versa. Since 2002, a European Youth Sport Forum has been organised to bring together young people from the sport and youth sector. For example, in March 2017, the Maltese Presidency organised the Forum in cooperation with the European Commission and ENGSO Youth, the youth section of ENGSO, one of the partners of the EOC EU Office.

Recent Developments

As a part of the [EU Work Plan for Sport 2014-2017](#), several recommendations have been drafted that link to youth:

- › XG Good Governance [Recommendations to protect young athletes and safeguard children's rights in sport](#) (see 4.3.1 Protection and safeguarding of minors)
- › XG Human Resources Development [Recommendations on the contribution of sport to the employability of young people, including young professional sportsmen and women, and the creation of jobs in the sport and sport-related labour market](#)
- › XG HEPA [Recommendations to encourage physical education in schools, including motor skills in early childhood, and to create valuable interactions with the sport sector, local authorities and the private sector.](#)

Within EU Youth Policy, the EU Youth Strategy aims to focus on “promoting mental and sexual health, sport, physical activity and healthy lifestyles” and “promoting cooperation between schools, youth workers, health professionals and sport organisations” through its chapter on health and wellbeing. Initiatives in this area are also linked to the EU [Strategy on nutrition, overweight and obesity-related health issues](#) and [EU Action Plan on Childhood Obesity](#) (see 4.3.2 Sport and Health / Childhood Obesity).

Furthermore, during the European Youth Sport Forum of 2017, the participants of the Forum developed a set of recommendations known as the [Pink Paper](#). These recommendations on healthy lifestyle through sport, social inclusion and sport diplomacy were presented to Commissioner Navracsics and shared with stakeholders in the youth and sport sector.

In 2017, the Commission also launched a new initiative, called the [European Solidarity Corps](#). This initiative creates opportunities for young people to volunteer or work in projects all across Europe. Sports organisations can also benefit from the Solidarity Corps with funding or with finding volunteers for projects and events.

Practical Advice / Perspective

Both within the EU and in general, the policy field of youth has a significant overlap with sport, which can be used to the mutual advantage of stakeholders. European funding is available through the same Erasmus+ Programme, but finding inter-sectoral partnerships may increase the chances of getting a project funded. In addition, EOC EU Office is of the opinion, that sport should be taken into account in the future youth policies and funding opportunities, as sport can play a big role in the life of young people, for example by empowering and providing them with skills.

Further Information

- › [EU Youth Strategy 2010-2018](#)
- › [European Solidarity Corps](#)

4.3.4 Education and Training

Relevance to Sport

Already in 2004, as one of the first topics related to sport in policy terms, the EU put education and training on the agenda by dedicating the European Year of 2004 to “Education through Sport”. The 2007 EU [White Paper on Sport](#) also called for action in this particular area, eventually leading to its inclusion in the first [EU Work Plan for Sport 2011-2014](#). An Expert Group on Education and Training was established and was tasked with drafting the [EU Guidelines on Dual Careers of Athletes](#). Besides dual careers (see separate section 4.3.5), topics often discussed in this context are non-formal and informal education through sport, qualifications, physical education (and activity) in schools, as well as coaching.

Recent Developments

Under the second [EU Work Plan for Sport 2014-2017](#), the area of education and training was included in the portfolio of the Council Expert Group (XG) on Human Resource Management in Sport. This XG drafted [Practical guidance on compliance of national qualifications with international qualification standards of international sport federation](#), and a report with recommendations on how to incorporate sport qualifications into national qualification frameworks and the European Qualifications Framework (EQF). Two further deliverables of the XG on Human Resources are also related to education and training:

- › [Recommendations to encourage volunteering in sport, including best practices on legal and fiscal mechanisms](#) (for more information see policy field 4.3.6.)
- › [Recommendations on the contribution of sport to the employability of young people, including young professional sportsmen and women, and the creation of jobs in the sport and sport-related labour market](#) (for more information see policy field 4.3.3.).

Under the Latvian Council Presidency in 2015, [Council Conclusions on maximising the role of grassroots sport in developing transversal skills](#) were adopted, focusing on informal learning through sports. The [New Skills Agenda for Europe](#), adopted in June 2016, also acknowledges the potential of sport to help people acquire valuable skills.

With regard to the topic of qualifications in sport, the EU has commissioned several studies to map (1) [Existing international qualification standards of international sport federations](#) and (2) [Professional qualifications for ski-instructors](#) and (3) to provide an in-depth analysis of the [Sport Qualifications Acquired Through Sport Organisations and \(Sport\) Educational Institutes](#).

Following up on previous developments, the third [EU Work Plan for Sport 2017-2020](#) lists the area of education in and through under its “sport and society” theme, and adds, for the first time, the topic of the role of coaches to the list with following activities: (1) a Conference on the “Role of sport coaches in society - adding value to people’s lives” in July 2017, and (2) a Conference on “Sport, education, university: joining efforts for athletes’ dual career and active societies” in September 2017 and (3) Council Conclusions on the role of coaches in November 2017.

At expert level, the topics falling under this area will be discussed by the members of the newly established “Commission Expert Group on Skills and Human Resources Development in Sport”. The European Commission is set to carry out further work on the evidence-base in this area. One such example is the short [Study](#) published in July 2017 which maps and analyses education schemes for coaches from a gender perspective.

Practical Advice/ Perspective

The role of sport in non-formal and informal learning and the acquisition of skills has been recognised on numerous occasions at the EU level. The EU has also tried to contribute to the recognition of qualifications for and through sport by drafting guidelines and recommendations. Furthermore, projects on this topic can be funded through the Erasmus+ Sport chapter (with a focus on volunteering and dual careers) as well as the education and youth chapters of the Erasmus+ Programme. The EU has also positively contributed to the evidence-base for policy-making by commissioning several studies on this topic.

In the view of the EOC EU Office, the EU should further promote the recognition of informal and non-formal learning and experience acquired in sport (e.g. through volunteering) within the framework of the implementation of the EQF.

Further Information

› [Sport Unit website](#)

4.3.5 Dual Careers

Relevance to Sport

The term dual careers describes the possibility for sportspeople to combine their high-level sporting career with education and/or work without subjecting themselves to undue pressure. All the main sectors concerned – education, labour market and sport – have an equally important role to play in creating an environment in which a dual career is a feasible and real option. The development of such an environment has been strongly encouraged and facilitated by both the international sport movement and the European Union. Falling under the policy area of education and training (for more information see 4.3.4), dual careers can be considered one of the most developed agendas of the EU sport policy.

Recent Developments

Indeed, the issue of how to ideally combine high-level sport performance and education/employment has been a priority for the EU for over a decade, with the 2007 [White Paper on Sport](#) stressing its importance, the 2011 [Communication on Developing the European Dimension in Sport](#) reiterating the need for action, and subsequently, with the first [EU Work Plan for Sport](#) setting out concrete actions for implementation. Furthermore, during the Preparatory Actions in the Field of Sport (2009-2013), the EU has already funded several projects on dual careers, including the EOC EU Office project [Athletes2Business](#) in 2010-2011, the results of which helped moving the agenda forward with a direct impact on the Guidelines mentioned below.





In 2012, the dual careers agenda at the EU level was given a clear framework for an in-depth development with the publication of the [EU Guidelines on Dual Careers for Athletes](#) by the Commission Expert Group on Education and Training. The document has since served as a point of reference for the development of dual career policy not only by the EU, but more importantly by Member States. The guidelines emphasise, in particular, the need for a cross-sectoral and inter-ministerial approach (sport, health, employment, education), as well as for close cooperation between the sport sector, government, educational sector and the labour market. The inclusion of dual careers as a topic in the first EU Work Plan for Sport also led to the [Council Conclusions on dual careers for athletes](#) in 2013.

The EU institutions have paid due attention to the issue of dual careers also under the second [EU Work Plan for Sport 2014-2017](#). In 2016, the European Commission published a study on [the Minimum quality requirements for dual career services](#), which not only provides information on the development of dual careers in all EU Member States, but also presents a set of minimum quality requirements for dual career service based on a number of good practice initiatives and systems. The European Parliament has also been active in the field: in 2016, the Committee on Culture and Education (CULT) published a study on [Qualifications/Dual Careers in Sports](#); it has also organised several events dedicated to this topic.

To ensure continuity and monitor progress at policy level, the implementation of the EU Dual Careers Guidelines was assessed by the Council XG Human Resources Development in Sport, which delivered its report in July 2017. Furthermore, the EU also supports the implementation of the Dual Careers Guidelines financially, through its Erasmus+ Sport Programme. So far, over 20 projects have received funding.

Practical Advice / Perspective

The topic of dual careers will remain high on the EU sport policy agenda in, at least, the next 4 years. The third [EU Work Plan for Sport 2017-2020](#) gives the topic a status of a “guiding objective”. For this purpose, it included a conference on “*Physical activity, sport and athlete’s dual career with the focus on university and education*” (organised second half 2017). Further development of the topic is to be ensured by the newly established Expert Group on Skills and Human Resource development in Sport. Furthermore, dual careers will also remain one of the priorities of the Erasmus+ Sport Programme.

It should be noted that dual careers development is a priority issue also for the European and international sport movement. The IOC’s Athlete Learning Gateway and the recent initiatives of national and European federations are but a few examples. Further cooperation between the sport movement, the EU institutions, and national-level stakeholders must be encouraged as a cross-sectoral and long-term approach is the only way to move forward.

Further Information

- › [Sport Unit website - Dual Careers](#)
- › [EU Guidelines on Dual Careers of Athletes \(2012\)](#)

4.3.6 Volunteering

Relevance to Sport

Sport, and grassroots sport in particular, is dependent on a large number of volunteers that dedicate their energy and time to the organisation of sport competitions, trainings, events and various other sporting activities. Every year, between 92 and 94 million adults engage in voluntary activities in EU Member States, and the sports sector attracts the highest number of volunteers of the various fields these volunteers engage in. The 2007 [White Paper on Sport](#) identified volunteering as one of the main elements of the societal role of sport. The work of voluntary sport organisations is directly affected by European legislation in the fields of VAT, the Working Time Directive or public financing and State aid.

Recent Developments

Both the first and second EU Work Plan for Sport ([2011-2014](#) and [2014-2017](#)) included volunteering as one of its topics under the theme of sport and society. During the European Year of Volunteering, 2011, the Council adopted [Conclusions on the role of voluntary activities in sport in promoting active citizenship](#). This was followed by [Council conclusions on sport as a platform for social inclusion through volunteering](#) under the Maltese Presidency in 2017. These conclusions invited Member States to “*promote volunteering through the organisation of major sport events in partnership with the sport movement*”, and to “*promote the recognition and validation of non-formal and informal learning gained through volunteering in sport*” (together with the EU Commission).

Furthermore, the High-Level Group on Grassroots Sport, set up by Commissioner Tibor Navracsics, identified volunteering in their [report](#) in 2016 as one of the fundamental issues for grassroots sport. One of the ten key recommendations of the report is “*to recognise the important contribution of volunteering to grassroots sport and to promote volunteering through EU funding programs, particularly those related to sport (mapping best practices)*”.

While volunteering has not been explicitly mentioned in the third [EU Work Plan for Sport 2017-2020](#), it does foresee the creation of guidelines on skills and human resource development by an Expert Group with the same name. These guidelines will likely discuss the issue of volunteering as well. Furthermore, other initiatives such as the [New Skills Agenda for Europe](#) and the [European Solidarity Corps](#) are also aimed at skills development and using volunteering or traineeships across Europe to do so. Besides opportunities through the Erasmus+ Programme, these initiatives could also provide opportunities to encourage volunteering in sport organisations and sport events.

Practical Advice / Perspective

As mentioned in chapter 3, the volunteers who help out in grassroots sport are an integral part of the European Sports Model, and this important component of European sports pyramid should be safeguarded and promoted. As mentioned in the education and training policy field (for more information see 4.3.4.), it is important for the sport movement, that the EU further promotes the recognition of informal learning and experience acquired in sport through volunteering, in order to ensure that volunteers continue to find their way to sport organisations. The EU should help to raise awareness for the value of voluntary activities, help to ensure good working conditions and promote the benefits of the international exchange of volunteers. In addition, it should ensure that volunteers are not burdened with any unnecessary administration or bureaucracy.

Further Information

- › [Report of High-Level Group on Grassroots Sport \(2016\)](#)
- › [Council conclusions on sport as a platform for social inclusion through volunteering \(2017\)](#)
- › [New Skills Agenda for Europe](#)
- › [European Solidarity Corps](#)

4.3.7 Social Inclusion and Discrimination

Relevance to Sport

Social inclusion and discrimination are broad topics with many facets. Both can refer to various groups that risk exclusion: persons with disabilities, migrants, elderly people, people with low incomes, or people facing discrimination on any other grounds. There are also many different ways public bodies attempt to foster inclusion of these groups into society. The European Union pursues both a general agenda fighting discrimination and a number of EU actions focusing on social inclusion, particularly in relation to people with a disability, or those from minority and migrant groups. Based on the [Charter of Fundamental Rights of the European Union](#) (2000) and the horizontal Article 10 of the [Lisbon Treaty](#) (TFEU, 2009) any discrimination shall be prohibited. Therefore the EU constantly seeks to remove barriers that prevent people from participating in society on an equal basis.

Sport is an important field which can foster social inclusion. Because of its potential for bringing people together, the 2007 [White Paper on Sport](#) discusses the potential of sport to support social inclusion, integration and equal opportunities. In 2010, even before the various Work Plans on Sport, the Council adopted [Conclusions on the role of sport as a source and a drive for active social inclusion](#). These conclusions encourage both the Member States and the Commission to promote social inclusion efforts through sport, for example by ensuring that social inclusion is considered in future proposals for EU sport funding.

Recent Developments

The [2011 Communication on the European Dimension of Sport](#) emphasised social inclusion once more, mentioning people with disabilities and migrants as beneficiaries of projects for social inclusion through sport. The Communication furthermore encouraged the mainstreaming of gender issues into sport-related activities.

Regarding the rights of people with disabilities, the EU and its member states have signed the [UN Convention on the Rights of Persons with Disabilities](#) (UNCPRD), Article 30 of which addresses participation in cultural life, recreation, leisure and sport. The [European Commission's European Disability Strategy 2010-2020](#), adopted in 2010, equally mentions sport, aiming to enable full access to cultural, recreational, leisure and sports activities.

With migration being generally high on the agenda in the last few years, the integration of refugees and migrants has also been addressed in the area of sport policy, e.g. in the recommendations of [the High-Level Group on Grassroots sport](#) and in the [2017 Council conclusions on sport as a platform for social inclusion through volunteering](#). The Commission has furthermore funded several projects on social inclusion of migrants and ethnic minorities under the Preparatory Actions and the Erasmus+ Sport Programme. In addition, the Commission launched two specific pilot project calls related to the topic in 2017 (“Monitoring and coaching, through sports, of youngsters at risk of radicalisation” and “Sport as a tool for integration and social inclusion of refugees”), which could lead to an even stronger focus of this topic under Erasmus+ Sport.

Since social Inclusion is a general political priority for the EU, it is no surprise that the [EU Work Plan for Sport 2017-2020](#) includes social inclusion once again as one of its key themes. A series of activities is planned on social inclusion:

- › a possible Council Conclusion on promoting European values through sport (2018)
- › a conference on grassroots sport as a tool for integration (2018)
- › a study on Access to sport for people with disabilities (2018)
- › Council Conclusions on Access to sport for people with disabilities (2019)
- › a conference on the advantages of practising sport in an organised environment for people with fewer opportunities, leading to a handbook collecting best practices (2019).

Practical Advice / Perspective

With the importance of social inclusion as a general objective for the EU, funding opportunities exist through various EU funding Programmes: not only does the Erasmus+ Sport chapter offer opportunities, but also other funds such as the ESF and ERDF mention social inclusion as one of their objectives. Even the Fund for European Aid to the Most Deprived can be used for social inclusion projects through sport in some EU Member States.

The EU should continue to emphasise the unifying and educative role sport plays within societies, and the EOC EU Office considers EU support for the various initiatives already taken by sport organisations in the field of social inclusion a priority for the coming years.

Further Information

- › [Sport Unit website - Social Inclusion](#)
- › [Sport Unit website - Sport and migrants](#)
- › [UN Convention on the Rights of Persons with Disabilities](#)



4.3.8 Environment

Relevance to Sport

The importance of sport for the environment should not be underestimated. For instance in terms of the choice of location and design of sport facilities, choice of transport, use of materials as well as the practice of outdoor sporting activities, there are various opportunities to consider eco-friendly and sustainable methods for sport and sports activities.

With the adoption of the Single European Act in 1987, the environment officially became a part of the legal competence of the European Community. The objectives of the European Environmental policy are “*preserving, protecting and improving the quality of the environment, protecting human health, prudent and rational utilisation of natural resources, and promoting measures at international level to deal with regional or worldwide environmental problems, and in particular combating climate change*” (Article 191 TFEU). On the basis of this Article, the European Parliament and the Council formally adopted the 7th [EU Environment Action Programme](#), which guides EU environmental policy until 2020.

Global warming is a threat to all aspects of human life, and this logically includes sport. In this regard, the 2007 White Paper on Sport stated that “*the practice of sport, sport facilities and sport events all have a significant impact on the environment*”, and called for sport organisations and sport event organisers to make their activities environmentally sustainable.

Recent Developments

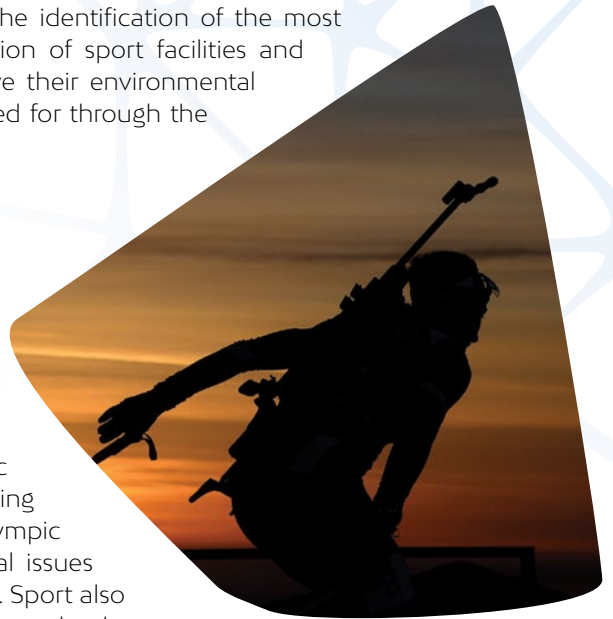
While the first EU Work Plan for Sport did not include references to environmental policy, the Council defined environmental, social and economic legacy as one of the key topics for Member States and the Commission in the second EU Work Plan for Sport 2014-2017. The Expert Group on the Economic Dimension of sport subsequently published [its recommendations on the legacy of major sport events](#), which provided advice on how to ensure a sustainable event and bidding process.

During its evaluation of the Work Plan 2014-2017, the Commission suggested that the priorities of the following Work Plan should be linked to the political priorities set out by the EU, including combating climate change. The third EU Work Plan for Sport 2017-2020 therefore includes Sport and Environment as a new topic, to be developed in a Group of Interested Member States (presumably in 2020).

Besides these initiatives on environment in the field of sport, the Commission also encourages international and European sport stakeholders to participate in the EU Eco-management and Audit Scheme (EMAS), which enables the identification of the most critical environmental aspects of the building and operation of sport facilities and events, and gives recognition to organisations that improve their environmental performance. Funding for EMAS projects can also be applied for through the LIFE Programme (see 4.2.3 EU Funding).

Practical Advice / Perspective

With consequences of climate change becoming more and more visible each year, climate change presents a real threat to many sport events. Winter sports need certain weather conditions for their organisation, but extreme weather also presents a threat to sports that are not dependent on colder temperatures. The IOC's Olympic Agenda 2020 includes several recommendations on improving the sustainability of the Olympic Games and the Olympic Movement's daily operations. It is likely that environmental issues will become a bigger focus of sport policy in the near future. Sport also presents an excellent opportunity to inform and educate people about climate change and the environment, and should be used as such.



Further Information

- › [EU Eco-Management and Audit Scheme \(EMAS\)](#)
- › [LIFE Programme 2014-2020](#)

Chapter 4.4

EXTERNAL RELATIONS

4.4.1 External Relations and Sport Diplomacy

Relevance to Sport

For the EU, external relations (with countries and regions outside of the EU) are an important part of its activities. From bilateral and multilateral [trade relations](#) with countries all over the world (the EU negotiates on behalf of the Member States), through [Common defence and security policy](#), to [development cooperation](#), [Enlargement](#) and [European neighbourhood policy](#), the EU's foreign affairs are a complex world in itself. The aim of the EU is to develop and pursue such policy, which would enable the Member States to speak and act as one in world affairs. Therefore, its actions in each of the areas are embedded in a clear strategic framework. Acting together allows the EU's 28 members to have a larger impact globally than if each pursued its own policies.

Sport is a relatively new topic in the EU's external relations; and this is true especially with the concept and practice of sport diplomacy. Even though the first concrete reference to foreign affairs in the context of EU sport policy was made in the [2007 Commission White Paper on Sport](#), it was not until 2015 and the establishment of the [High-Level Group on Sport diplomacy](#) that the EU made its first steps in dealing with this area in a coherent way.

The EU, collectively with its Member States, is the biggest development aid donor in the world. It manages a plethora of foreign assistance programmes focused either at a certain territory (e.g. EU accession countries, or theme (Democracy and Human Rights). Even though none of these programmes, and very few strategy documents (e.g. [Association Agreement between the EU and Georgia](#) - Ch. 19) refer to sport directly, a small number of sport-related projects have been co-financed by the EU (see pg. 30 of the [High-Level Group's report](#)). A common denominator in these projects is that they use sport as a tool in areas such as health promotion, education, intercultural dialogue, gender equality, or socio-economic development.

Sport can also play an important role as a part of public diplomacy, as it can appeal directly to the general public, foster multi-cultural understanding and thereby provide a favourable environment for a dialogue between countries, be it on political, economic or cultural issues. Many countries cooperate closely with sport actors on putting such sport diplomacy into practice. At the EU level, however, this "soft power" potential of sport has not been taken into account until very recently – for the first time in the report of the above-mentioned High-Level Group.



Recent developments

Having regard to both the potential of sport in foreign affairs and to the limits of any EU action in this area (limited competences in both sport policy and foreign affairs), European Commissioner responsible for sport, Tibor Navracsics asked a group of high-level personalities to prepare recommendations on how to tap into this potential and make sport an integral part of EU's foreign affairs. The experts prepared [15 recommendations in 3 areas](#): EU external relations, promotion of EU values in the context of major sport events, and advocacy and development of an organisational culture of sport diplomacy.

Furthermore, for the first time ever, the topic of sport diplomacy has crept on the agenda of the Council, with the Slovak Presidency drafting Conclusions on the subject. Adopted by the Education, Culture, Youth and Sport Council in November 2016, the [Conclusions](#) build substantially on the High-Level Group's report and on the outcomes of the Slovak Presidency conference titled "*Education in and through Sport. Beyond Borders*", organised in July 2016.

Both the Commission and the Council have expressed a clear wish to further pursue and strengthen their work on the topic, drawing inspiration, among other things, from the development of cultural diplomacy at EU level (i.e. [EU Strategy for International Cultural Relations](#)).

The European Commission organised a first cross-sectoral seminar dedicated solely to sport diplomacy in December 2016 (its [outcomes can be found here](#)). It repeats the exercise in December 2017, following the recently adopted [third EU Work Plan on Sport](#) (2017-2020). For the first time in this strategic document, the Council has decided to include a reference to sport diplomacy and suggested concrete actions, among which the above-mentioned seminar and a study on "Sport in support of EU external relations."

Practical Advice / Perspective

Besides activities at the EU level, several European NOCs are already active in what can be called "sustainable development"; implementing projects in developing countries. At the forefront of these activities is the IOC, which closely cooperates with the United Nations on the implementation of the [Sustainable Development Goals](#) (SDGs). The international community ([UN General Assembly](#)) has officially recognised that sport is as an important enabler for realising these goals in areas such as gender equality or education.

The recommendations from the High Level Group have already led to a tangible result: the European Commission has recently approved a [change in the Erasmus+ calls for proposals](#), which will hopefully make it easier for project leaders to include organisations from countries outside of the EU (partner countries) in the project consortia.

Although the growing EU initiatives and potential for financial support is a positive development, it remains to be seen whether these activities will match the needs and actions of the sport movement, and to what extent closer cooperation on concrete matters will be possible.

Furthermore, it needs to be stressed that the organised sport movement is an important non-state actor in international relations, and also has the potential to play a more prominent role in EU relations with the rest of the world.

4.4.2 EU Enlargement and Neighbourhood Policies

Relevance to Sport

In the context of its external affairs, the relationship of the EU with the countries with which it shares (maritime and land) borders is, in many respects, a special one. Geographical proximity and common historical and cultural development, together with strong economic ties and the objective of a group of these countries to join the EU in the future (Enlargement countries), charges this relationship with depth and intensity and provides the EU with a particular set of tools and means.

According to EU Treaties, any European country may apply for membership if it respects the EU's democratic values and is committed to promoting them. More specifically, countries wishing to join the EU must meet 3 basic groups of membership criteria - [political, legal and economical](#). The accession process follows several stages, in which the countries get gradually ready to meet the above criteria and adopt all parts of EU legislation. While providing important financial ([Instrument for Pre-accession Assistance](#) - IPA), technical and political support ([EU Enlargement Strategy](#)) for the necessary reforms, the EU has - logically - an important leverage in the negotiations. Currently, the [Western Balkans countries and Turkey](#) are part of the process.

The [European Neighbourhood Policy \(ENP\)](#) was launched in 2004, and subsequently updated in 2011 and 2015. Currently, the policy concerns 16 countries of the so-called *Eastern Partnership and Southern Neighbourhood* in the vicinity of the EU. The ENP aims to build on common interests with partner countries and work towards a stable environment in political, socio-economic and security terms. Due to the differences between the countries involved, the EU pursues a differentiated political approach (different degree of the relationship - e.g. association, cooperation agreement, political agreements etc.), and provides the countries with differentiated financial and technical support ([European Neighbourhood Instrument](#) - ENI). In all cases, though, the EU and the concerned country establish joint priorities in the form of [action plans](#).

The relationship of the EU with its neighbours and the initiatives, policies and activities stemming therefrom can be of particular importance to the sport movement in Europe, as its continental way of organisation requires a wider outlook, beyond the borders of the EU. However, as pointed out in the [Report](#) of the High-Level Group on Sport Diplomacy (for more information see policy field 4.4.1), “existing EU funding programmes (and policies) do not fully allow sport to match its potential” [to play a more prominent role in helping the EU achieve its external relations objectives].

Recent developments

Only a very limited number of strategy/political documents between the EU and the ENP/Enlargement countries refer to sport. One such exception is the [Association Agreement](#) with Georgia (CH. 19), which requires the parties to “promote cooperation in the field of sport and physical activity through the exchange of information and good practices.” The [negotiations](#) with the candidate countries, in particular, could have the potential - given their intensity and detailed nature - to enhance cooperation in sport-related matters. The High-Level Group on Sport Diplomacy has recommended, in this regard, to “make use of the considerable sporting expertise in Europe to provide technical and policy support to

third country public authorities and sports organisations. The [TAIEX](#) instrument, through which technical expertise is provided in both regions, has been employed several times in sport-related matters (e.g. anti-doping, border controls etc.), but its use in this field could be certainly further enhanced.

As mentioned above, the EU financially supports the implementation of the joint priorities and strategies through several geographical programmes (ENI and IPA). It also disposes of [cross-border cooperation programmes](#), and thematic instruments focused, for instance, on the promotion of [democracy and human rights](#). None of these, though, has had sport as a particular target of its actions. A number of sport-related projects, however, has been supported by these instruments in the past (see the examples in the [Report](#) of the High-Level Group). Nevertheless, it needs to be stressed that a more articulate and long-term approach has been missing.

Practical Advice / Perspective

Currently, the EU's budgetary framework, including its external support programmes, is set until 2020. As the priorities and calls of these programmes are established jointly with beneficiary countries/regions, a window of opportunity opens for sport stakeholders to enter the process (contact the respective ministries and [EU delegations](#)) and give sport a more prominent role in the framework of the cooperation between the EU and the ENP/Enlargement countries.

Furthermore, as mentioned in policy field 4.4.1, the recent change in the Erasmus+ Sport chapter requirements has the potential to make it easier to include partner organisations from third countries in project applications.

All in all, a more coherent and long-term approach to using sport in external relations, in particular for the countries in close vicinity to the EU, would be beneficial for both the EU and the European sport movement.



Further Information

- › [List of candidate countries and negotiation status](#)

4.4.3 Visa Policy

Relevance to Sport

Free movement of persons is a fundamental right clearly established within EU treaties. The Schengen Agreement allows citizens, from the signatories' countries, to travel within the EU, without being subject to border controls. Visa requirements remain for citizens coming from European countries which are not part of the Schengen Area. From this perspective, requirements to hold a visa as well as the length of the short-stay visa (maximum of 90 days during any 180 days period) impact on the attractiveness of the European Union to host sport events.

Recent developments

At the European level, the first initiative came from the Council of Europe. Indeed, in 1999, its Committee of Ministers was already aware of the need to facilitate the participation of sportsmen and sportswomen in major international sports events and drafted a [recommendation on the granting of visas to sportsmen and sportswomen](#). With this recommendation the CoE invited its members to take all possible steps to speed up and facilitate the granting of visas to sports delegations from other member states taking part in international sports events held on their territory and, if possible, issue the visa free of charge or at least at reduced cost.

The necessity to improve visa facilities for athletes was acknowledged for the first time by the EU in 2007, in the [White Paper on Sport](#), as "an important element to enhance the EU's international attractiveness". In parallel, the EU has lifted visa requirements for several non-EU countries including Albania, Bosnia, Serbia, Montenegro and Macedonia.

In 2017, the EU also adopted Visa Liberalisation agreements with Georgia and Ukraine. Citizens from these countries are allowed a short-stay (90 days during any 180 days period) within the Schengen Area without requiring visa.

A positive development in 2009, was the adoption of a European Parliament regulation and the establishment of a Visa Code by the Council which includes specific provisions aimed at facilitating the issuing of visas, in the frame of the organisation of Olympic and Paralympic Games.

However, these specific conditions do not apply to other major sport events and the limited time-period still creates difficulties for athletes who need to train and compete for a longer period within the Schengen Area.

From this perspective, the proposal of the Commission in April 2014 to renew the legal framework for visas with a [Regulation establishing a Visa Code](#) and a [Regulation establishing a touring visa](#) has been seen by the sport movement as a good opportunity to improve the situation.



The new Regulation establishing a touring visa, should allow citizens from third countries to stay up to 1 year within the Schengen Area. Sportspeople were not directly mentioned as beneficiaries in the first proposal made by the European Commission while the Rapporteur of the European Parliament called for a reduction of the scope of the touring visa to two categories including sports athletes and their entourage. First discussions are still expected to take place at the Council level.

Perspectives

The evolution of the security context within the EU in recent years has led the Commission to make proposals enhancing its internal and external security. They proposed to set up an automated system that would gather information on visa-exempt travellers prior to their arrival, in order to determine any irregular migration, security or public-health risks associated with them. The [European Travel Information and Authorisation System \(ETIAS\)](#) will screen people from visa-free countries before they travel to check whether or not they can enter the EU. Border controls will still apply but should be simplified for ETIAS-authorized travellers. Travellers will have a reliable early indication of entry into the Schengen Area which will thus substantially reduce the number of refusals of entry. Athletes, coaches and sport delegations could benefit from the reduced burden from the new ETIAS system.

Freedom of movement will also be a key element discussed during the negotiation on Brexit. Indeed, citizens' rights and border issues are among the priorities established by the EU before starting the negotiations.

SCHENGEN AREA :

The Schengen area covers 26 countries ("Schengen States") without border controls between them. These countries are: Austria, Belgium, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden and Switzerland.

FACILITATION AGREEMENTS:

The EU has concluded visa facilitation agreements with the following non-EU countries: Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Cape Verde, FYROM, Georgia, Moldova, Montenegro, Serbia, Russia, and Ukraine.

Based on these agreements, both the EU and non-EU citizens benefit from facilitated procedures for issuing visas.

Chapter 5

EOC EU OFFICE PROJECTS



Over the years, the EOC EU Office has developed extensive expertise in applying for and implementing EU-funded projects in various fields. Below you will find a short description of each of these projects, including their results and outcomes. If you or your organisation is interested in applying for EU funding for a project idea, feel free to contact the EOC EU Office for information. Further information can also be found in the separate brochure “Funding for Sports in the European Union”.

Athletes 2 Business (A2B): Jan 2010 – March 2011

Athletes 2 Business was one of the first sport projects funded by the EU, through its Preparatory Actions in 2009. The project brought together a consortium of different stakeholders in the field including athletes, companies, educational institutions and sport organisations. The project thus contributed to a closer collaboration to promote and enable a framework for dual careers for sportspeople in Europe. The project developed a number of important tools, such as the A2B questionnaire and its analysis as well as the A2B Guidelines. Through the data and information acquired, the project contributed significantly to the establishment of the “EU Guidelines on Dual Careers of Athletes”, that were developed by the Council Expert Group on Education and Training in Sport” in 2012.



Sport 4 Good Governance (S4GG): Jan 2012 – June 2013

The EOC EU Office again applied successfully for EU funding for the realisation of the “Sport 4 Good Governance” (S4GG) Project in 2011. In the S4GG project, the EOC EU Office brought together a wide range of partners from various fields, including: ENGSO, the National Olympic Committees of Denmark, Croatia, the Netherlands, Cyprus, Italy, Estonia and Slovakia, the German Sport University of Cologne, the Leadership Academy of the DOSB, the Austrian region of Styria, the European Observatory of Sport and Employment (EOSE) and the University of Louvain-la-Neuve.



This project official ran from January 2012 until June 2013. During this period, the project developed an extensive questionnaire for sports organisations, which looked at the implementation of three of the seven “Basic Universal Principles of Good Governance” of the IOC, and was completed by 137 sport organisations. Furthermore, an educational toolkit “Your key to good governance” was developed with a special focus on national umbrella sport organisations and national sport federations. It contained several elements, including a master presentation, implementation examples and a basic self-evaluation tool. The main aim of the S4GG Project was to raising awareness for good governance in sport. The educational toolkit was an important outcome to contribute to this objective.

The findings and project outcomes contributed significantly to the “EU Principles of Good Governance in Sport”. These Principles were established by the Council Expert Group on Good Governance in 2013. Specific information on the project was also added in Annex to the EU Principles.

More information: www.s4gg.eu

Support the Implementation of Good Governance in Sport (SIGGS): Jan 2015 – Dec 2016



As a follow-up to the S4GG project, the “Support the Implementation of Good Governance in Sport” (SIGGS) project built on the success and the partnership to further deepen the knowledge in terms of good governance in sport and to develop practical and customised tools that can help national sport organisations with implementing principles of good governance in practice. Partners for this project were the National Olympic Committees of Germany, Lithuania, Belgium, the Netherlands, Slovenia, Turkey, Portugal and Luxembourg, as well as EOSE, the University of Louvain-la-Neuve and the Leadership Academy of the DOSB. The project, which was officially supported by the IOC, was funded through the Erasmus+ Sport Programme (selected during the first call for proposal in 2014) and ran from January 2015 to December 2016.

One of the main outcomes of the SIGGS Project was the [SIGGS self-evaluation tool](#) for National Olympic Committees and national sport federations, which is freely available online. The tool allows sport organisations to not only evaluate themselves, but also provides practical and customised guidance to improve its analysed strengths and weaknesses. The tool tailors the questionnaire depending on the type of organisation and provides Roadmaps for each 'headline' or sub-principle, forming a customised Action Plan for each individual organisation. The project also organised National Strategic Workshops, in close cooperation with the NOCs, which were attended by representatives of national federations. In total, six Workshops have been organised, bringing together over 180 federations in the six participating countries. These Workshops provided information on good governance and the project and facilitated exchange of good practice examples. Various NOCs decided to organise follow-up activities based on the success of these workshops.

At the end of the project, a sustainability report was drafted. This Report contains several guidelines and recommendations, taking into consideration the unique starting point of the respective NOC. The report also compiled a list of 10 essential recommendations for NOCs.

More information: www.siggs.eu

Single Points of Contact for Sports Integrity (POINTS): Jan 2018 – Dec 2020

In July 2017, the European Commission selected the project application for the “Single Points of Contact for Sports Integrity” Project for EU funding out of the Erasmus+ Sport Programme.



The Project will start in January 2018 and will run for three years. For this project, the EOC EU Office will work together with a large network of 17 project partners (including 11 NOCs, 3 European Federations, INTERPOL, Sport & Recreation Alliance and EOSE), while the IOC will contribute as an associated partner of the project.

The main objective of the POINTS project will be to help National Olympic Committees, European Federations and national sport federations in Europe to safeguard the integrity of their sport and to strengthen their governance. The project will focus on a broad definition of integrity, encompassing issues such as anti-corruption, personal integrity and integrity of sport competitions (fight against match-fixing) as well as good governance. The project will aid in setting up “Single Points of Contact for integrity”, a concept developed by the IOC within the Integrity Betting Intelligence System (IBIS) related to the fight against match-fixing. Specifically, the project will develop this structure within NOCs and European Federations. It aims at developing an educational programme and educational tools to provide practical guidance.

Additionally, National Strategic Workshops on integrity and good governance will be organised. In this sense, the POINTS project will continue the successful work of the S4GG and SIGGS Projects and will contribute to the development and implementation of good governance practices in European sport.

More information: www.points-project.com

About the EOC EU Office

Who we are

The representation of the European Olympic Committees (EOC) and other major sport organizations at national, international and European levels

What we do:

- › Identify, monitor and analyse EU sport-related topics
- › Provide support for and promote the sport-related interests of our partners
- › Organise and attend events, seminars and conferences related to our policy fields
- › Manage EU-sport related projects
- › Edit position papers, reports and articles for our partners and EU Institutions
- › Provide assistance and consultancy regarding any EU sport-related issue

Which policy areas we cover

- › Organisation and governance of sport, including free movement, nationality and non-discrimination, fight against doping, fight against match-fixing, good governance, major sport events, gender equality, data protection and spectator violence
- › Economic dimension of sport, including EU competition policy: antitrust and state-aid antitrust, tax policy, EU funding for sport, broadcasting rights(Digital Single Market), intellectual property rights, sport agents, sport statistics, sustainable financing of sport, advertising, online gambling and sports betting, transfer rulings and Third Party Ownerships
- › Societal dimension of sport, including: protection and safeguarding of minors, sport and health / childhood obesity, youth, education and training, dual careers, volunteering, social inclusion and discrimination, environment
- › External relations, including: external relations and sport diplomacy, EU Enlargement and Neighbourhood Policy, Visa Policy.

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