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Tweets of the month	Editorial
EUSport @EuSport 6 December In 2018, the European Week of #Sport will be celebrated beyond EU borders! We're glad to welcome countries from Eastern	EUROPEAN UNION AND SPORT The European Commission released its decision on the International Skating Union eligibility rules
Partnership & Western Balkans for our next #BeActive edition.	EU Budget 2018 – more money overall, more money for sport
EOC EU Office @EOCEUOffice 6 December	The European Commission presents its "Work Programme 2018" State Aid: COM publishes evaluation grid for sport infrastructure and approves Danish support scheme for horseracing sector
Opening of @EuSport Seminar on #SportDiplomacy by @lelosyv. @Niels_Nygaard newly elected VP of #EOC stresses importance to include all 50 European countries and to look for common initiatives such as #BeActive	The Bulgarian Presidency Programme and its impact on Sport The European Commission organises 2. Sport Diplomacy Seminar The European Commission asks for views on visa policy in public consultation
European Week of Sport and @EUErasmusPlus @EuSport	FUNDING PROGRAMMES, STUDIES AND PROJECTS
EOC EU Office @EOCEUOffice	The European Commission organises Cluster Meeting on HEPA NEXT MONTH
Registration for the @EUErasmusPlus #SportInfoday is open now! Register if you want to find out more about opportunities for sport organisations!	Dates in January
EUSport @EuSport 4 December The Tartu call is a strong signal of 3 Commissioners @TNavracsicsEU @PhilHoganEU	

@V_Andriukaitis working together

to promote healthy lifestyles among Europeans, especially the

most inactive ones. #EUHEPAcluster



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EDITORIAL

Dear readers,

First of all I would like to wish you a Happy New Year! An exciting Olympic Year is ahead of us and recently the North Korean Government has shown increasing positive signals, thus we hope that the Olympic Games in PyeongChang will not be dominated by discussions on security issues.

Discussions on an appropriate reaction on Russia for "systematic manipulation of the anti-doping rules" will continue especially after that the IOC decided to allow certain Russian athletes to compete under the designation "Olympic Athlete from Russia". The controversial comments from media, athletes, federations, NOCs and politicians illustrates that no decision would have pleased all the different stakeholders involved.

After the election in late November 2017 the European Olympic Committees will start its work with the first meeting of the new elected Executive Committee in Lausanne. On this occasion a meeting with IOC President Mr Bach will take place. In due time the new EOC Commissions will be composed. The EOC EU Office appreciated the constructive exchange in the recent EOC EU Commission chaired in the last four years by Juri Tamm und Neinar Seli from the NOC of Estonia. We do hope that the new chair will act with the same enthusiasm and interest as the predecessors.

In 2018 Bulgaria and Austria will hold the EU Presidencies. The EU Sport Forum will be organised under the Bulgarian Presidency on 20-21 March in Sofia. The deadline for submitting applications for the Erasmus+ Sport Programme is scheduled for 5 April. Apart from the ongoing negotiations on the Brexit the most important discussions will take place on the EU multiannual financial framework and the future design of EU funding programmes including Structural Funds and Erasmus+. The Commission is supposed to submit its proposal in June 2018. One year later the Member States are expected to sign the final document for the period 2021-2027.

For the EOC EU Office the start of the year will be quite challenging. First of all we have seen two colleagues that have contributed a lot to the work of the EOC EU Office leaving the last end of 2017. Matthias van Baelen (Deputy Director) will join the Belgian Olympic Committee and Fruzsina Csepi (Office Manager) will continue her career outside the sport sector. On behalf of all colleagues and partners of the EOC EU Office herewith I would like to express my gratitude for their commitment to the EOC EU Office and wish them all the best for the future. The decisions on the successors will be published in the course of January.

The new EU project of the EOC EU Office called "POINTS" will start with a kick-off conference in Brussels on 10/11 January. Implemented with 18 partner organisations the project deals with the setting up of "Single Points of Contact for Sports Integrity" in NOCs and sport federations in order to fight against corruption and match fixing in sport. Apart from that an updated version of the SIGGS good governance tool will be designed.

Enjoy your read,

Folker Hellmund

Director EOC EU Office

Jolb Celevel



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EUROPEAN UNION AND SPORT

The European Commission released its decision on the International Skating Union eligibility rules

On 8 December 2017, the European Commission decided that the International Skating Union (ISU) rules imposing severe penalties on athletes participating in unofficial speed skating competitions breach EU antitrust law. The ISU must now change these rules. The decision could have a wider impact and affect all sport federations.

The investigation carried out by the DG Competition found out that the eligibility rules applied by the ice-skating federation were imposed despite the absence of threat to legitimate sports objectives. At the same time, those restrictions favour the own commercial interest of the ISU, disregarding the athletes and organisers of other events. The Commission stated that it prevents the creation of innovative competition formats since the organisers are unable to attract elite athletes to their new event. By limiting the development of alternative speed skating competition, it restricts the potential competition on the relevant market, to the detriment of ice-skating fans.

The ISU Eligibility rules are binding on all its members and their affiliated clubs. Because of their binding nature the Eligibility rules have the effect of coordinating the behaviour of the ISU Members. The Commission therefore concluded that those rules constitute a decision of an association of undertakings within the meaning of <u>Article 101</u> of the Treaty on the Functioning of the EU.

The European Commission also sees a conflict of interest in ISU being both regulator and organiser of sport competitions. In this regard, all ISU decisions should be non-discriminatory and based on transparent criteria.

The Commission required the ISU to stop its "illegal conduct" within 90 days (*i.e.* by mid-March at the latest). The Commission abstained to impose a fine in this case but - if the ISU fails to comply with the Commission's decision - it would be liable for non-compliance payments of up to 5% of its average daily worldwide turnover.

When assessing the structural impact of this ruling, it seems clear that it is not the Commission's intention to attack the Pyramidal structure of Sport or even to question the role of the federations in safeguarding the integrity, the proper conduct of sport and in guaranteeing safety and health of athletes. Moreover, the abstention from a direct financial fine shows that the EU acknowledges the different steps already taken by the ISU to change their rules.

However, the application of Art. 101 TFEU constitutes a real threat. Following the rationale of DG COMP, all international and European federations could be qualified as cartels. That interpretation is not acceptable. The Commission has applied the competition rules in a purely economic way and has not sufficiently taken into account the societal role of federations, the existing solidarity mechanisms, the investments in youth and women sport as described in Art. 165 TFEU.

FURTHER INFORMATION

Press release

COMP Commissioner Vestager's statement

POLITICO interview with Vestager on the impact of the ruling

Thomas Bach's speech at the EU Council on the social role of Sport (November 2017)



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EU Budget 2018 – more money overall, more money for sport

On 18 November 2017, the Council of the EU and the European Parliament reached an agreement on the EU budget for 2018, which was formally adopted by both institutions on 30 November. The 2018 EU budget is set at €160.1 billion in commitment appropriations (0.2% increase compared to the 2017 EU budget) and €144.7 billion in payment appropriations rising 14.1% from 2017. Payments increase significantly because the implementation of the 2014-2020 programmes' is expected to reach full speed in 2018.

Even though the EU financial support to sport-related activities has always represented a tiny fraction of the total figures, a steady upward development can be clearly seen thanks to the increasing annual allocation under the Erasmus+programme, but also to the introduction of new Pilot Projects.

Compared to the last year, the annual budget of the Erasmus+ programme was increased to the total of over €2.2 billion, of which €43 million in commitments (=35 million in payments) will cover the "Development of the European Dimension in Sport" (Sport Chapter, European Week of Sport, EU Presidency activities etc.), and €1,8 million in payments will be dedicated to the new and ongoing Pilot Projects in the field of sport.

- Exchanges and mobility in sport
 - o NEW Pilot Project
 - €1,2 million in commitments and
 €0.6 million in payments

- Promotion of European values through sport initiatives at municipal level
 - NEW Pilot Project
 - €1 million in commitments and €0.5 million in payments
- Sport as a tool for integration and social inclusion of refugees
 - Second year of the implementation of the Pilot Project
 - Increased budget €1.4 million in payments and € 0.7 million in commitments
- Promoting HEPA Across Europe
 - Last payments to the projects selected in 2016
 - The Pilot Project will not continue

Pilot Projects, are proposed by the European Parliament and can run for a maximum of two years. They are, as a general rule, implemented directly by the European Commission and serve as a "test-case" for a possible future funding streams. Calls for proposals will be published on the website of the Sport Unit of DG Education and Culture in due time.

FURTHER INFORMATION

Erasmus + Annual Work Programme 2018

EU Budget 2018



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Commission presents Work Programme 2018

The European Commission recently published its Work Programme for 2018, which outlines the priorities for the Commission's work in the next fourteen months. The programme contains several annexes, new initiatives, so-called REFIT initiatives, priority pending proposals and withdrawals and repeals.

The focus of the work programme for 2018 is twofold. First, the work programme sets out a limited number of targeted legislative actions to complete work in priority policy areas over the next months ("Completing and delivering the 10 priorities of the Juncker Commission"). The Commission aims to table all legislative proposals no later than May 2018 in order for the European Parliament and Council to complete the legislative work before the EP elections in June 2019. Secondly, the work programme also presents a number of initiatives for the future ("Delivering by 2025: a more united, stronger and more democratic Union"). Furthermore, the Commission presents and withdraws initiatives under the topic of "Delivering better on the ground - better regulation, implementation and enforcement".

Under the priorities of the current Commission, several proposals could have an effect on sport.

- Most of all, this relates to proposals under the Digital Single Market Initiative, which are currently in trilogue negotiations between Council and EP (copyright and related rights in broadcasting, modernised audiovisual framework).
- For 2018, the Commission has also announced to intensify work on reforming systems of Value-Added Tax.
- In the areas of Free Movement the Commission seeks to get back to a fully open Schengen system quickly.
- The Commission will furthermore make proposals to revise the Visa Code and upgrade the Visa Information System and

in that context will withdraw its proposals for a Visa Code and the Touring Visa, which had explicitly included athletes (in the EP-report).

- The Commissions will work on further developing the European Solidarity Corps.
- The institutions will also work on a common transparency register which will not only include Parliament and Commission, but also the Council.

Looking towards future developments until 2025, the Commission mentions the following proposals which could affect sport:

- To expand the Schengen area of free movement to Bulgaria and Romania and to also allow Croatia to become a full Schengen member once it meets all the criteria.
- To ensure a credible European perspective for all countries of the Western Balkans. Within this context, the Commission aims to present a strategy for the EU accession of Serbia and Montenegro as frontrunner candidates in the Western Balkans.
- Following political orientation debates in the College (January 2018) and among EU leaders (February 2018), the Commission also wants to make a comprehensive proposal for the next multi-annual EU budget in May next year. The objective is to complete negotiations on the new Multiannual Financial Framework in the mandate of this Commission.

The EOC EU Office will follow and report on the discussions with the other EU institutions and the individual initiatives.



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FURTHER INFORMATION

European Commission – Press release (24 October 2017): "Commission Work Programme 2018: An agenda for a more united, stronger and more democratic Europe"

Commission Work Programme 2018: An agenda for a more united, stronger and more democratic Europe

State Aid: COM publishes evaluation grid for sport infrastructure and approves Danish support scheme for horseracing sector

On 12 December 2017, the European Commission published an analytical grid for sport and multifunctional recreational infrastructures. With this guidance the Commission provides an overview for public authorities and sport organisations to identify when public funding can be granted without approval under EU State aid rules.

The European Commission has an exclusive competence to exercise a prior control over State Aid to ensure that the Member States do not disturb competition and trade within the Internal Market. However, the General Block Exemption Regulation (GBER), adopted by the EU in 2014, and updated in 2017, offers several possibilities for Member States to provide public support for certain categories of state aid without prior Commission approval, including for sport infrastructure.

Funding for construction, renovation and operation of "sport infrastructure" such as stadiums, multifunctional arenas, sport and wellness facilities, marinas, and climbing halls fall under State Aid rules if the structures are used on commercial basis and thereby has an economic impact. At the same time, there are several options in which the existence of state aid may be excluded:

 If infrastructure is not commercially exploited, for example where it is accessible to the general public free of charge. In cases of use for both economic and non-economic activities by limiting the public funding to the

- net cost of the non-economic activities or if the economic activities are purely ancillary and do not exceed 20% of the infrastructure's overall capacity.
- 2) If there is no potential effect on trade between Member States. This is at the one hand covered by the de minimis rules if the aid granted is lower than 200.000 € to a single undertaking over a period of three years. Above this threshold, cases with purely local impact would not have an impact on trade, i.e. if services are supplied to a limited area within a Member State and it cannot be foreseen that the measure will have more than a marginal effect on the conditions of cross-border investments or establishment.
- 3) If there is no economic advantage to the owner of the infrastructure, for example if the state acted under the same conditions and terms as a private investor in a comparable situation.
- 4) Similarly, if there is no economic advantage to an operator/concessionaire. This can be ensured by a tender or fees that are in line with normal market conditions. Also, The existence of an economic advantage at the level of the operator may be excluded, if operation of the infrastructure entrusted as a service of general economic interest (SGEI) in line with the <u>Altmark criteria</u>. Additionally, regarding SGEI an extended *de minimis* condition of 500.000 € applies.



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5) If there is no economic advantage to the users, in case they are undertakings.

Additionally, there are two conditions under which state aid might be considered compatible with the internal market without notification:

- 1) The measure is exempted from notification if it is granted in conformity with the conditions of the GBER. In particular, Article 55 of the GBER allows aid for sport and multifunctional recreational infrastructures up to 30 million € of total costs up to 100 million € per project, or operating aid of up to 2 million € per infrastructure per year.
- 2) If the sport infrastructure is constructed or renovated to facilitate the provision of an SGEI, it may be considered as part of the SGEI mission. State aid for the compensation of such an SGEI up to 15 million € per year (on average over the whole duration of the entrustment) may be exempted from notification on the basis of the SGEI Decision

If the state aid meets none of these conditions, it requires notification to the Commission, which assesses it either under Article 107(3)(c) TFEU (taking into account Article 165 TFEU) or on the basis of the SGEI Framework, for State aid for sport infrastructure which is necessary for the provision of a genuine SGEI and exceeds EUR 15 million per year.

The detailed information, as well as references to past state aid decisions on sport infrastructure can be found in the document attached below.

On 4 December 2017, the European Commission furthermore published a decision approving the reform of a scheme supporting the horseracing sector in Denmark under EU State aid rules. The sector for horserace betting in Denmark is currently subject to a gambling monopoly but is being liberalised, which will allow the emergence of betting companies. Under the scheme, as of 1 January 2018, the horseracing sector will receive a share of the turnover of betting companies from horserace betting through an 8% levy. The Commission has endorsed the reformed scheme, because it recognises that it is essential for the improvement of horse breeding and horseracing without giving rise to undue distortions of competition.

MORE INFORMATION

<u>Infrastructure analytical grid for sport and</u> multifunctional recreational infrastructures

European Commission – Press release (04/12/2017): "State aid: Commission endorses reform of Danish support scheme for the horseracing sector"

State Aid Case file: SA.48604 Horse race betting in Denmark

The Bulgarian Presidency Programme and its impact on Sport

The end of 2017 also marked the end of the Estonian Presidency. Since 1 January 2018 up until 30 June, it is Bulgaria that will chair the European Council meetings and set its agenda.

In the programme published on the <u>Presidency</u> <u>website</u>, Bulgaria presented its **priorities** for the upcoming semester. **Four topics** will be at the centre of the attention.

 The future of Europe and young people – Economic growth and social cohesion;

- European perspective and connectivity of the Western Balkans;
- Security and stability in a strong and united Europe;
- Digital economy and skills needed for the future.

With regard to sport policy, the Presidency will work towards promoting European values through sport (Council Conclusions will be



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delivered on this issue). The focus will also be set on the **fight against doping**. In this regard, a conference will be organised on the "Prevention of Doping in Professional Sport and Sport for Everyone through Education and Investigation". Finally, the concept of **sport for all** will be used **for social integration** and as a "bridge between tradition and innovation".

Looking at other policy fields, the following initiatives of the Presidency could be relevant for sport:

- The Bulgarian Presidency will continue the debate on the next Multiannual Financial Framework, as well as the future Cohesion and Agricultural Policy;
- The Bulgarian Presidency's goal will be to support all countries from the Western Balkans in their efforts to move forward on their European path, provided that this process is based on the principles of individual merit, established criteria and necessary reforms;
- The Presidency aims to conclude an Inter-Institutional Agreement (IIA) on the Transparency Register, affecting sport organisations getting in contact with EU Institutions.
- Bulgarian Presidency intends to strengthen democracy, stability, prosperity and sustainability of the countries in the European Neighbourhood;
- Bulgarian Presidency will make efforts to achieve significant progress on the introduction of the definitive Value Added Tax (VAT) system, which could have an effect on current tax exemptions for sport activities;

- The Presidency aims to reach agreement in the Council on the proposal to amend the Visa Code as well as to conclude negotiations on the European Travel Information and Authorisation System (ETIAS), which could have effects on sports people travelling to the Schengen area;
- The Bulgarian Presidency will work constructively on the Directive for Copyright in the Digital Single Market and the Regulation on Copyright in online transmission and retransmission, which could have an effect on sports broadcasts;
- The leading priority of the Bulgarian Presidency in the education sector is the preparation of the next generation of the EU Programme for Education, Training, Youth and Sport (Erasmus+);
- It will work towards a general agreement in the Council on the proposal for a Council Recommendation regarding the promotion of social inclusion and shared values through formal and informal education and training;
- It will focus efforts on successfully concluding negotiations with the European Parliament on the legal framework of the European Solidarity Corps:
- It will also organise a debate on the role of young people as a driving force for the sustainable development and equality in Europe of the future.

FURTHER INFORMATION

The 4 Priorities of the Bulgarian Presidency

Programme of Bulgaria for the EU Presidency



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European Commission organises second Sport Diplomacy Seminar

On 6 December 2017 the European Commission organised the second Sport Diplomacy Seminar. Implementing its tasks under the new EU Work Plan for Sport in the area of Sport Diplomacy, the European Commission (DG Education and Culture, Sport Unit) brought together experts and practitioners to discuss, share experiences and network around the topics of the potential of sport in development cooperation and the role of sport as a tool for diplomacy, and to assess the position and activities of the EU therein.

Building on the recommendations of the High-Level Group on Sport Diplomacy - which was set up by Commissioner Navracsics in 2016 as the very first tangible initiative of the European Commission in the field of Sport Diplomacy - on activities of other international organisations, and on best practice examples from the field, the three main sessions of the seminar as well as the afternoon workshops highlighted the growing importance of this particular policy area at EU Level.

The Olympic Movement was represented by the President of the Danish NOC and recently elected EOC Vice-President, Niels Nygaard, who stressed in his speech that in the framework of the EU sport policy, it would be important to consider, and give more attention to, the countries neighbouring the EU not only because of their geographical, historical and cultural proximity, but also because of the way sport is organised in Europe - on a continental basis. On a more global level, Mr. Nygaard also recalled the tradition of the Olympic Truce and the recently adopted Resolution of the United Nations which will apply to the period of the upcoming Winter Olympic Games Pyeongchang.

Following up on the question of the role of the Olympic Games in Sport Diplomacy and development through sport, Marie Barsacq, Director Impact and Heritage, Paris 2024, presented current activities and plans of the

Organising Committee with regard to the legacy of the Games both in France and abroad.

In the afternoon session, the European Commission took the opportunity to inform participants about recent initiatives in the field of sport diplomacy as well as about funding opportunities and related questions.

- Following up on one of the recommendations of the High Level Group on Sport diplomacy, the European Commission has opened the European Week of Sport to Western Balkans and Eastern European countries. There is no Erasmus + funding available for these countries yet, but the support structure, branding, other related materials etc. will be on their disposal. The countries in questions (Ministries responsible for sport) have time until the end of January to inform the European Commission about their interest to take part in the initiative and to nominate a National Coordinating Body. NOCs and national umbrella sport organisations are encouraged to get in touch with their respective Ministry and consider possibility of applying to become a National Coordinator. NOCs and sport confederations coordinate the European Week of Sport in Cyprus, Czech Republic, Estonia, France, Latvia, Iceland, the Netherlands, Slovenia and Sweden.
- Representatives of the European Commission Agency EACEA recalled that the cooperation with organisations based in third (non-programme) countries within <u>Erasmus +</u> <u>Sport projects</u> has been made easier.
- Support to international cooperation beyond the EU borders is an integral part of the Erasmus + Programme, however, sportrelated activities are not explicitly covered by the relevant parts of the Programme. The negotiation of the post-2020 EU financial programmes opens a window of opportunity



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to consider sport both in the international dimension of the future Erasmus + Programme, and in EU external relations support programmes.

 However, as it shows the recent "fact-finding" study of the European Commission entitled "Sport Diplomacy – Identifying good practices", a number of sport-related projects have already been funded by the EU in third countries. The study identifies over 10 best practice examples and several common themes. It will be shortly published at the European Commission website.

The seminar continued with 3 parallel sessions, including the first information meeting for the representatives of Western Balkans and Eastern European countries regarding the implementation of the European Week of Sport.

Commission asks for views on visa policy in public consultation

The European Commission opened a public consultation on "Modernising the EU's common visa policy" in November, which aims to gather the views of the main 'users' of the common visa policy: individuals, interest groups, advocacy groups, think tanks and professional organisations. The Commission aims to develop a new proposal for a common visa policy after the last proposals for a new visa code and a touring visa did not go through European Parliament and Council and have subsequently be withdrawn by the Commission.

The applicable visa rules for the Schengen area have a direct effect on sports people that travel to

Europe for training and sport competitions. The touring visa as it was discussed in the EP last year included an explicit mention of sports people as one of the group of people to be include in such a longer term access.

The consultation is an opportunity for sport organisations and athletes to make their needs regarding visa access to the Schengen area heard. The EOC EU Office is preparing a position and will follow the process closely.

FURTHER INFORMATION

<u>European Commission – Consultation</u>
"Modernising the EU's common visa policy"

FUNDING PROGRAMMES AND STUDIES

European Commission organises Cluster Meeting on HEPA

On 4 and 5 December 2017, the European Commission organised its first Cluster Meeting together with the Executive Agency EACEA on the topic of Health-Enhancing Physical Activity (HEPA). Cluster meetings are a new method under the new EU Work Plan for Sport, which

bring together the coordinators of Erasmus+ project selected under the Collaborative Partnerships of the Erasmus+ Sport Programme and representatives of the EU institutions to discuss ideas and future developments in a specific field. The event on HEPA was the first



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such event. After welcoming statements e.g. from Brian Holmes (Director Education, EACA), and Petra Kammerevert (MEP and Chair of the CULT Committee) a first roundtable discussion on recent policy developments brought together Maria Luisa Fernandez Esteban (Deputy Head of the Sport Unit), Olivier Fontaine (Policy Officer), Ingrid Keller (Policy Coordinator, DG Health and Food European Commission) and Jean-François Toussaint (Chairman of the former Expert Group on HEPA and French HEPA Focal Point). The participants presented the initiatives and activities of the past years, but also looked forward, insisting that implementation should now be in the focus. To strengthen the impact of HEPA across sectors, the panel advised to get active in different EU funding programmes and to also push for an inclusion of HEPA in future programmes. The Tartu Call for Healthy Lifestyles was mentioned as a positive basis of a crosssectoral cooperation in the Commission.

A number of workshops on specific topics followed the opening discussions in the afternoon of the first and the morning of the second day:

- Health (including senior citizens and working environment);
- Education (schools and universities promoting physical activities);
- Sport for all and sport clubs;
- Transport, infrastructure and environment;
- Development of the physical education related curricula and modules;
- Urban and rural infrastructure development related to healthy lifestyle and sports;
- Promotion of grassroots sport;
- Aging, disability and health at the work place;

In the last session of the day, rapporteurs (including Jana Janotová from the Czech Olympic Committee), which had been assigned to each workshop, summarised the discussions they had observed and provided the audience with conclusions stemming therefrom. The Cluster Meeting was closed by the EU Commissioner responsible for sport, Tibor Navracsics.

FURTHER INFORMATION

Agenda and documents of the event

NEXT MONTH

Dates in January 2018

1 January 2018	Beginning of the Bulgarian Presidency of the EU, Brussels
10 - 11 January 2018	POINTS Project kick-off meeting, Brussels
15 - 18 January 2018	European Parliament Plenary, Strasbourg
17 January 2018	EOC EU Office - Executive Board Meeting, Lausanne
18 January 2018	EOC - 1st Executive Committee Meeting, Lausanne
30 January 2018	Erasmus+ Sport InfoDay, Brussels
31 January 2018	Erasmus+ kick-off meeting for project coordinators, Brussels