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European Union and Sport

Lisbon Treaty gives a boost to sport

The International Olympic Committee (IOC) is delighted to see the position of sport in the European Union (EU) strengthened through the Lisbon Treaty. The new EU Treaty will come into effect on 1 December 2009 and, for the first time ever, will provide a legal basis for sport – something for which the Olympic and Sports Movement has been fighting for the last 15 years. Articles 6 and 165 stress the significance of sport in Europe, recognise its specific nature and define the promotion of sport as a Community objective.

Jacques Rogge, President of the International Olympic Committee (IOC), said: "We have come a long way. I thank the member states for their strong commitment to sport over the last years. The impact of sport in the EU is huge, as is the influence of EU policies on sport. It really is time to move from a case-by-case approach to an environment where the specific characteristics of sport can be taken into account properly."



The reference to sport in the Lisbon Treaty, which also mentions the "specific nature of sport", provides the necessary instrument to do so. It should allow sport to be looked at not only from a purely economic point of view, but also from its voluntary structures as well as its social and educational role. Furthermore, sport's fundamental principle of financial re-distribution for the purpose of sporting development distinguishes it from other industries. In this regard, the Olympic and Sports Movement has been confronted

with several challenges in the past, especially when it came to judgments of the European Court of Justice on pure sporting rules. For instance, the protection of national teams and the regulations concerning free movement of professional athletes need to be addressed in the light of sport-specific rules and the particular characteristics of international sport.

Whilst the European Union is not given any direct legal competences for sport, its role will be to support and promote actions of the member states in this field, following the principle of subsidiarity. "We fully support this approach since the European Union should support and not regulate sport", stated **Patrick Hickey**, President of the European Olympic Committees (EOC).



This indicates that sport organisations in Europe will gain momentum through more funding opportunities. The reference to sport in the Lisbon Treaty enables the set-up of a specific EU sports funding programme as well as a better mainstreaming of sport in existing programmes.

In the coming months, the focus of the Olympic and Sports Movement, which took a clear and unified position on the autonomy and specificity of sport last year, will now be on the proper implementation of articles 6 and 165. It is about protecting sport's autonomy on the one side, and safeguarding the integrity of sporting competitions on the other side. "We are ready to contribute with

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our expertise to fill the new articles on sport everybody. The Spanish government has already invited us to work closely together in the first half of 2010. We are ready to do so and also to continue with the regular and structured dialogue that we have built up with the EU institutions”, said **Mario Pescante**, IOC Vice-President and Chairman

with life and make it a success story for of the IOC International Relations Commission.

Under the Spanish Presidency, a formal Council of Sports Ministers will take place for the first time ever.

European Council's future presidencies' programme: Sport shall be included

According to plans of the future Council presidencies of Spain, Belgium and Hungary, sport shall be part of the Council's 18 months programme.

Their key activities in the sport sector will include the following aspects:

- **Social role of sport:** The Council presidencies intend to promote the acknowledgement of the potential of sport for social inclusion, integration and volunteering as well as for combating poverty. Within this framework they will additionally address the health benefits of physical activity, taking into account the “EU Physical Activity Guidelines” endorsed by the EU Sport Ministers in November 2008.
- **Fight against doping:** Another important aspect will be to promote

joint actions amongst the Member States in the combat against doping.

- **EU Sport Funding Programmes:** The strategic principles, objectives and criteria of the future Sport Programme will be defined, in due consideration of the specific characteristic of sport, its positive contribution to the improvement of the mental health of the population, to the social cohesion as well as to economic growth.

It is very likely, that the Permanent Representative Committee (COREPER) and the Council of the European Union will approve this draft programme.

Further information:

<http://register.consilium.europa.eu/pdf/en/09/st16/st16771.en09.pdf>



Commissioner Šefčovič sets out priorities for the upcoming years

Speaking to the European Parliament Culture and Education committee **Maroš Šefčovič** set out the DG Education and Culture priorities of action for the upcoming years. Apart from cultural and educational funding, a special focus will be on sport funding, which became part of the European Union's policy after the ratification of the Lisbon Treaty. In this context the DG Education and Culture intends to draft two new communications on the "impact of the Lisbon Treaty on Sport"



next year. Several members of the European Parliament referred to the younger generation's massive lifestyle change which requires special attention within the world of education: young people's lack of physical activity is a problem, the internet and video games have taken over from sport and have changed their behaviour. Šefčovič agreed with this statement and promised to assist schools in taking new initiatives and making sports more popular. Apart from the health-promoting aspect, sport, as a way of integrating and exchanging is highly important in young people's education, the Commissioner said.

Italy's Supreme Court refers sports gambling case to the ECJ

Italy's Supreme Court has decided to refer a case on sports bets to the European Court of Justice. The pending case concerns two Italian sports gambling intermediaries who have been operating so-called data transmission centres for the British bookmaker Stanleybet International for which they did not have a valid Italian gambling licence. Their parent company, Stanleybet, which is officially licensed in Liverpool, was excluded from applying for an Italian licence when tender offers were invited and has already appealed to the European Commission a number of times on that account, referring to the freedom of services guaranteed by the Treaty on European Union. This has been refused by the Italian authorities to date, which alluded to the national competence in gambling legislation.



European Court of Justice
in Luxembourg

Following the doubts of the Supreme Court's Third Chamber concerning the compatibility of Italian gambling regulation with European law, it is now the ECJ's task to achieve final clarification of the legal position.

In the past, the ECJ has already passed judgments to the advantage of sports betting operators in the "Gambelli and Placanica cases". It substantiated its decision by saying that a country may only regulate the gambling market restrictively if the focus really is on protecting citizens against abuse and gambling addiction and not on the state's financial interests. However, since in Italy's case state lottery companies advertise their products on a large scale, thereby encouraging citizens to gamble, there is no justification for refusing to grant gambling intermediary licenses on regulatory policy grounds.

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Thus, according to the ECJ rulings, the principle of preventing addiction takes precedence over the freedom of the internal market, but the finance ministries' tax revenue interests does not.

It is therefore likely that the ECJ will follow its previous assessment in the present case.

Further information:

http://www.isa-guide.de/law/articles/27808_italienischer_oberster_gerichtshof_legt_sportwettenverfahren_dem_eugh_vor.html



EU-policy matters

President Barroso unveils his new team

José Manuel Barroso, President of the European Commission, announced on 27 November 2009 the portfolio responsibilities for the next Commission which will consist of 27 commissioners designated by the various Member States.

The Cypriote Commissioner **Androulla Vassiliou** will be in charge of sports. Having



been head of the Directorate General "Health and Consumers", she now changes to the Directorate General "Culture and Education" to which sport is

allocated as well. Androulla Vassiliou is a liberal politician and was a Member of the Cyprus House of Representatives from 1996 to 2001 as well as the Vice President of the European Liberal Party ELDR (European Liberal Democrats) from 2001 to 2006. During this period she was active in the field of human rights and in European politics. In the area of sport, her experience up-to-date has been limited. In February 2008, Vassiliou was nominated to succeed Markos Kyprianou as European Commissioner for Health. She is married to Dr. George Vassiliou, former President of the Republic of Cyprus (1988-1993) and Chief Negotiator for Cyprus' accession to the EU.

Another important Commissioner in the field of Sport is the former French Foreign Minister **Michel Barnier**, who will assume the Directorate General "Internal Market and Services". One of his main topics is the future legislation of the European Gambling market. More than ten Member

States are currently reforming their gambling and sport betting legislation which, in future, will exert a significant impact on funding for leisure sports.



Furthermore, President Barroso has given a new look to the College of his second mandate by announcing a number of new portfolios: "Climate Action"; "Home Affairs"; "Justice, Fundamental Rights and Citizenship". He refigured a number of other portfolios: "Education, Culture, Youth and Multilingualism"; "Health and Consumer Policy"; "Industry and Entrepreneurship"; "Research and Innovation"; "International Cooperation, Humanitarian Aid and Crisis Response". There will be a new emphasis on inclusion in the Employment, Social Affairs and Inclusion portfolio, and a renewed focus with the Digital Agenda portfolio.

Next steps to be taken: The Commission must gain approval from the European Parliament before it can assume office for a term of office running until 31 October 2014. Commissioner-designates will appear in individual hearings before Parliamentary committees from 11-19 January 2010. On the basis of the vote of consent, the Commission shall be appointed by the European Council. Then it can start work.

Further information:

http://www.ec.europa.eu/commission designate_2009-2014/index_en.htm



EU lifts visa obligation for Serbia, Macedonia and Montenegro

From 19 December 2009, citizens of Serbia, Macedonia and Montenegro may travel to Schengen countries without a visa. This decision was taken by European Union's Home Affairs Ministers at their meeting on 30 November. The visa obligation remains in place for the time being for the citizens of Albania



Serbia: 7,5
Millionen
inhabitants

and Bosnia and Herzegovina. These countries are currently still working on implementing the internal

and security policy criteria for visa exemption drawn up by the European Commission, such as introducing biometric passports, improving border controls and internal security and combating crime and corruption.

A new evaluation of the situation by the Commission is to be made early next year, making it likely that the visa obligation for these countries will also be lifted in 2010. At the request of the European Parliament, a dialogue on visa questions is also to be started with Kosovo in the foreseeable future.

Thus, just in time for Christmas, Serbs, Macedonians and Montenegrins will be able to travel to 25 EU countries (but not Great Britain and Ireland, which are not part of the Schengen territory) and to Norway, Iceland and Switzerland for 90 days without a visa as long as they have a biometric passport. This will also make it much easier for sportsmen and sportswomen to enter the EU.

The possibility of visa-free movement is at the heart of the EU's integration policy for the countries of the Western Balkans, as formulated by the European Council in the Thessaloniki agenda in 2003. It is to facilitate personal contact, sports meetings and improve business opportunities. The objective is for the region's population to become better acquainted with the EU.

Further information:

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/09/1852&format=HTML&aged=0&language=EN&guiLanguage=de>
<http://www.euractiv.com/en/enlargement/macedonians-montenegrins-serbs-plan-eu-vacations/article-187833>



Commission starts consultation on EU strategy to 2020

The Commission has launched a public consultation on the EU strategy to 2020. It presented its ideas on the objectives of a future EU policy in a working document published back in November. The new document is based mainly on the priorities of the so-called Lisbon Strategy and explains how the EU plans to overcome the repercussions of the economic and financial crisis until 2020. According to the document, future action should concentrate on three areas: creating value by basing growth on knowledge, empowering people in inclusive societies and creating a competitive, connected and greener economy.

In the view of the Commission, this shift of emphasis should also be reflected in the Community's future budget for the period from 2013 to 2020. EU funds should be re-channelled accordingly, away from agriculture and regional policy and more towards research, innovation, a European employment initiative and combating climate change. The discussion is not new and was already held in the run-up to the Commission's most recent Financial Perspective in 2003 (Sapir Report).

The Commission's ideas are of particular significance in context of the discussion that is beginning on the future form of the EU's structural policy. In the past, many sports infrastructure projects have been financed from the European Regional Development Fund (ERDF), as well as from the European Social Fund (ESF), one of the European Structural Policy's funding instruments.

The Commission is receiving positions and proposals on the working document until 15 January 2010 (EU20@ec.europa.eu). The contributions will be published on the internet. The consultation document is to be the basis of discussion for the European Council's spring meeting.

In addition, the Commission is also planning to publish its Financial Perspective for 2014 to 2020. The announcement, originally planned for 24 November, has been postponed until February/March next year. A legislative proposal by the Commission for the Financial Perspective for 2014 to 2020 is expected in the summer of 2011.

The complete consultation paper may be downloaded from the following website:
<http://ec.europa.eu/eu2020>.



Germany's top sports leagues found interest group

Germany's four largest professional leagues joined forces on 26 November 2009 to form the German Professional Sports Initiative. Its aim is to give added weight to professional sport in the political arena.



The initiative represents the interests of the Football Bundesliga, the Beko Basketball League, the German Ice Hockey League and the Toyota Handball League.

The new association has already defined a number of subject areas in which it would like to press ahead with its activities in the coming months:

- Restructuring the betting market, taking into account the financing of amateur sport

- Combating internet piracy
- Adopting a law relating to event organisers
- Creating reliable framework conditions with regard to taxes and social insurance
- Taking the specific features of sport into account in the context of competition law

Further information:

http://www.dosb.de/de/leistungssport/spitzensport-news/detail/news/top_ligen_gruenden_interessenvereinigung/8279/na/2009//cHash/7c68d948a6/



Funding programs and studies

2011 to be the European Year of Volunteering

The EU Cultural ministers decided on Friday 27 November 2009 that the year 2011 will be designated the "European Year of Voluntary Activities Promoting Active Citizenship" and approved an EU funding of € 8 million for this purpose.



In the European Union more than one million people engage in active citizenship through volunteering and by doing so they strengthen common European values such as solidarity and social cohesion. In their leisure time they are active in various fields such as education, youth, culture, health and community welfare or sport. In Germany, for instance, 2.7 million volunteers contribute more than 500 million working hours in 90.000 sports clubs every year.

By dedicating 2011 to the topic of volunteering, the EU intends to give additional recognition to volunteers and to motivate more citizens to become active themselves. To achieve this aim, Member States, regional and local communities and civil society are supposed to implement the following measures:

1. Work towards an enabling and facilitating environment for volunteering in the EU.
2. Empower volunteer organisations and improve the quality of volunteering.
3. Reward and recognise volunteering activities.
4. Raise awareness of the value and importance of volunteering.

Moreover, emphasis will be placed on funding projects, such as "Youth in Action", "Lifelong Learning" and the "Citizenship Programme". These programmes are accessible for sport organisations as well and have successfully been implemented in the past.

Further information:

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/09/1836&format=HTML&aged=0&language=EN&guiLanguage=de>



EOC: Internal topics

European Evening of Sport in Brussels

"Sport brings together all parts of European societies" – this was one of the key statements made by **Patrick Hickey**,



President of the European Olympic Committees (EOC), during the "European Evening of Sports" that took place on 10 November 2009 in Brussels. The evening was organised by the representation of the State

of North Rhine Westphalia in collaboration with the EOC EU Office in Brussels and brought together 300 representatives from the sport movement as well as political decision-makers. The evening was dedicated to European sporting issues: The Lisbon Treaty and its implications for sport; the subject "integration through sport"; and the issue of "dual career", i.e. the question of how athletes can combine education and sporting career.

In his welcome statement, Patrick Hickey, President of the European Olympic Committees (EOC), emphasised the importance of the "Structured Dialogue" between the Olympic Movement and the European Institutions initiated in 2007 as a result of the White Paper on Sport. "The Olympic Movement is looking forward to intensify the dialogue with you in the near future in order to find satisfying solutions for the problems sport is still facing on a European level", Mr. Hickey stated, addressing the representatives from the EU institutions. Referring to the entry into force of the Lisbon Treaty, Mr. Hickey noted that the latter "could be regarded as a kind of political pinnacle as it clearly recognized sport as the biggest and most important

social movement in Europe". Furthermore, he welcomed the incorporation of the sport in the Lisbon Treaty by stating: "The EU shall support and not regulate sport".

Dr. Ingo Wolf, Minister of Home Affairs of the State of North Rhine Westphalia, also acknowledged the important social role of sports for both Europe and the state of North Rhine Westphalia. Pál Schmitt, Vice President of the European Parliament, stressed in his welcome note that the "Lisbon Treaty would bring a new dynamism for sport in Europe", outlining that, for the first time, a clear reference was made to the "specific nature of sports" and its important "social and educational role".

In the panel discussion **Jan Truszczyński**, who will become new Director General of the DG Education and Culture of the European Commission as of May 2010, hinted that future EU actions could focus on the social and educational role of sports as well as health related aspects. In this regard Mr. Truszczyński mentioned the topics dual career, social inclusion or sport for disabled persons. Mr. Truszczyński also said that the Lisbon Treaty provided the legal basis for a proper EU Sports Funding Programme which could become effective as of 2012.



Pál Schmitt argued that future activities should concentrate on promoting the physical education of children in schools and the qualification of coaches and trainers. Moreover, all



participants in the discussion agreed on the importance of allowing athletes to combine education and sporting career.

Claudia Bokel, former world champion and Member of the IOC Athletics Commission,

emphasized that combining both requires a great deal of personal discipline. Pál Schmitt added that sports federations and politicians should create favourable conditions to help athletes tackle these challenges.

EOC General Assembly re-elects Patrick Hickey as President



On the occasion of the General Assembly of the European Olympic Committees, held 27 / 28 November 2009 in Lisbon, the current EOC-President Patrick Hickey (IRL) was

confirmed in his office and re-elected for another four years.

The General Secretary, Raffaele Pagnozzi (ITA), the Treasurer, Kikis Lazarides (CYP), and the Vice-President, Alexander Kozlovsky (RUS), were reconfirmed as well. The staff of the EOC EU Office was on-site and provided

useful information about the "European Union and Sport". Furthermore, the staff members reported during the Executive Committee meeting and at the plenary session about the "Impact of the Lisbon Treaty on Sport".

In 2010 the General Assembly will be held in Belgrade, Serbia.

Further information:

<http://www.eurolympic.org>

EOC EU Office provides information on sport and the EU in Georgia

A seminar on the EU's influence on sport took place in the Georgian capital, Tbilisi, on 27 November 2009.



The seminar was held in cooperation with the Georgian Ministry of Sport, the European Commission's Technical Assistance and Infor-

mation Exchange Instrument (TAIEX) and the EOC EU Office.

In his welcoming speech, Mr. David DARCHIASHVILI, Chairman of the Committee on European Integration in the Georgian Parliament, underlined that it is very important for Georgia to receive information about European developments in the field of sport and he therefore thanked

the organisers for holding this sports seminar. More than 50 participants from the Sports Ministry, Parliament, National Olympic Committee and other sports associations attended the sports experts' presentations. The subject of best practices in the field of sports legislation met with particular interest since the Georgian sports law of 1996 is to be revised. In initiating this seminar, the EOC EU Office made a successful contribution to transferring knowledge on sport and Europe.

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