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European Union and Sport

Eurobarometer on sport reveals high levels of physical inactivity in the EU

According to the results of the last Eurobarometer survey on sport and physical activity taking place between 23 November and 2 December 2013 in all 28 EU Member States, only 41% of European Union citizens exercise or play sport at least once a week. With an increase of 3 % from the previous survey in 2009, 59% of citizens seldom or never engage in some form of physical activity. The survey also reveals that the percentage of activity/inactivity varies between Member States with Northern Europe generally more physically active than the South or East.

70% of respondents in Sweden said they exercise or play sport at least once a week, just ahead of Denmark (68%) and Finland (66%), followed by the Netherlands (58%) and Luxembourg (54%). At the other end of the scale, 78% never do so in Bulgaria, followed by Malta (75%), Portugal (64%), Romania (60%) and Italy (60%).

According to the survey, lack of time is by far the main reason for not being regularly physically active. Other factors include a lack of motivation or interest, having a disability or illness or indicate that sport is too expensive. In addition, the survey shows that local authorities in particular could do more to encourage citizens to be physically active.

In this context, the Commission will implement the recently adopted Council Recommendation on health-enhancing physical activity and continue on with the preparation of the European Week of Sport. In addition, the new Erasmus+ sport programme will provide funding for initiatives to promote health enhancing physical activity (HEPA).

The EOC EU Office, who also partly contributed to the questions of the Eurobarometer survey, very much welcomes the initiative of the European Commission. In its context, this survey is a valuable tool in identifying the motivations and obstacles for European citizens when exercising and in playing sports. Nevertheless, also some weak points of the Eurobarometer can be revealed, for example the question on the existence of sport facilities should have been broadened. Even though a high percentage of people answered that they had sports opportunities in their area, it would have also been interesting to find out more about the quality of the sport facility and if they offer the kind of sport that people actually want to engage in.

Further information:

[Press release: "Eurobarometer on sport and physical activity"](#)

[MEMO: "Eurobarometer on sport and physical activity"](#)

European Parliament adopts report on EU Data Protection reform

In its plenary session of 12 March, the European Parliament finally adopted its report on the proposed data protection

reform package. The report on the draft regulation (Albrecht, Greens/EFA) was approved by 621 votes to 10, with 22

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abstentions. The report on the draft directive (Droutsas, S&D) was approved by 371 votes to 276, with 30 abstentions. The vote on Data Protection Regulation has been delayed several times. It was the overarching interest of the European Parliament to agree on the entire legislative package still under its current mandate before the European elections in May.

To become legislation, the proposed regulation has to be adopted by the Council of Ministers using the "ordinary legislative procedure" (co-decision). The European Parliament is ready to negotiate with the Council of the EU as soon as the Council defines its position. Following the decision of the Heads of States, the Council will adopt its position not before 2015.

For organized sport, the data protection package is of high relevance. The future

transfer of personal data of athletes in the fight against doping and the exchange of data in the fight against match fixing could equally be affected. It is for instance not sure if the newly adopted WADA Code, which is foreseen to enter into force on 1 January 2015, will be completely in line with the new Data Protection rules. Several MEPs tabled amendments illustrating the potential impact on the integrity of sport. Due to the fact that the Parliament abstained from a sectorial approach, none of these amendments have been adopted. The organised sport should therefore use the expected delay of the legislative process to once again raise concerns on the potential impact of sport governance.

Further information:

[MEMO: Progress on EU data protection reform now irreversible following European Parliament vote](#)

European Parliament's ENVI Committee votes on a resolution on EU Alcohol Strategy

On 10 March 2014 the European Parliament's Committee for Environment, Public Healthcare and Food Safety (ENVI) adopted a motion for a resolution on the EU Alcohol strategy (legally not binding for the Member States). In the resolution, the European Parliament states among others that the protection of the physical, mental and moral development of children and minors in the current audio-visual media services are not properly guaranteed. So far operative measures like self-regulatory initiatives and codes of conduct could be used more effectively. **This could play an important role for a potential ban of advertising on alcoholic beverages in regard to television, internet and sport events in the future.** The producers of alcoholic beverages often appear in amateur

and professional sport as sponsor of events or stadiums.

Furthermore, the ENVI Committee called again on the Commission to present the European Action Plan 2014-2017 to provide a better support for national governments to fight against alcohol related harm. The Commission announced its intention to launch the Action Plan between May and September 2014.

The Parliament also called on the Commission to immediately begin its work on a new Alcohol strategy (2016-2022) as the present strategy officially came to its end in 2012 and has not been updated so far.

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Related to this, the European Parliament asked for a harmonised implementation of the EU Audiovisual Media Services Directive in the EU Member States. The Member States will examine whether the prohibition of all advertising and marketing for alcoholic beverages in TV which is aimed at children

and adolescents, notably in connection with the broadcasting of sport events, is feasible.

Further information:

[Alcohol in Europe study](#)
[Motion for a resolution](#)

Commission publishes Communication to support crowdfunding activities

On 27 March 2014, the European Commission published a Communication on the concept of crowdfunding. Crowdfunding is defined as "open calls to the wider public to raise funds for a specific project". Crowdfunding is becoming increasingly popular as a means to complement traditional sources of finance even in sports. The popularity of social media further stimulates the phenomenon.

The Communication

The Communication titled "Unleashing the potential of Crowdfunding in the European Union" follows a public consultation that was held between 3 October and 31 December 2013. The Communication is part of a package of EU measures to stimulate new and different ways to finance and support the European economy and economic growth.

With this Communication, the EU wants to promote and support the emergence of crowdfunding activities based on the following priorities:

- Establishing an Expert Group on Crowdfunding to provide advice and expertise to the Commission;
- Raising awareness with regards to crowdfunding, promoting information and training as well as raising standards;
- Mapping national regulatory developments and holding regulatory

workshops to ensure an optimal functioning of the internal market, and to assess if regulatory intervention is necessary at EU level.

Crowdfunding activities touch upon various regulatory frameworks both at EU and national level including anti-money laundering, advertising and consumer protection. Another issue that the EU wants to examine is the effectiveness and use of tax incentives in different Member States as donations can be deductible in some Member States but not in others.

The Commission announced that they will report back on the future activities including a number of EU studies in the course of 2015.

Crowdfunding and sport

With many traditional sources of financing of sport coming under pressure, some sport clubs and individual athletes have turned to crowdfunding in recent years. Two examples of athletes are the Belgian speed skater Bart Swings and the American short track skater Emily Scott. Swings launched a website to gather resources for his preparation for the Winter Olympics 2014 and 2018 as well as for the development of Belgian speed skating in general. Scott similarly collected money to finance her Olympic campaign for the Sochi Olympic Games. But obviously there are many examples of crowdfunding activities other than those linked to the Olympics.

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Crowdfunding in sport belongs to the category of "crowd sponsoring" due to the fact that there is no financial return provided by the crowdfunding project developer, which is different in the cases of "crowd investing" or "crowd lending". Although sport has not been explicitly mentioned in the Communication (the Communication mainly focuses on Small and Medium Enterprises), it will be interesting to follow the

developments at EU level and to find out if EU action can indeed further increase the financing possibilities for sports clubs and athletes resulting from crowdfunding activities.

Further information:

[Communication of the Commission \(27/03/2014\)](#)
[Press release European Commission \(27/03/2014\)](#)

Six commissioners are granted electoral leave in order to prepare for their EP election campaigns

On 2 April 2014, the Commission's President Barroso announced that seven Commissioners will run for candidate in the elections of the European Parliament (22 to 25 May). Six of them want to actively participate in their home countries in the election campaign and have now been granted by Barroso with unpaid leave in accordance with the Code of Conduct for Commissioners.

Vice-President Reding (Justice, Fundamental Rights and Citizenship), Vice-President Tajani (Industry and Entrepreneurship), Vice-President Šefčovič (Inter-Institutional Relations and Administration), Commissioner Lewandowski (Financial Programming and Budget) and Commissioner Mimica (Consumer policy) will temporarily leave their duties in Brussels between 19 April and 25 May. Vice-President Rehn (Economic and

Monetary Affairs) will take his electoral leave already starting on 7 April. For a seventh Member, Trade Commissioner Karel De Gucht, a special rule applies: As he stands for election in his native country Belgium but is not actively involved in the campaign, he will continue to fulfil his duties as a Commissioner.

All Commissioners on electoral leave will resume their duties in the Commission from 26 May. Their various departments are temporarily managed by other Members. Commissioners, who were elected and decide to take up their mandate in the European Parliament, will resign from the Commission by the end of June.

Further information:

[Press Release of the European Commission](#)

UK Court cases on copyright infringements Premier League

Over the last three months, new cases have been submitted to UK courts concerning the issue of illegal TV transmissions. In January 2014, the Football Association Premier League filed copyright infringement charges against Anthony Luxton and his pub the Rhyddings, in Brynmill. The bar in Swansea used a Danish decoder to broadcast several

Premier League matches between September and December 2012. The Premier League argued that in line with the ECJ decision in the 2012 Karen Murphy case, although using an international decoder to broadcast the games is not illegal, publicly communicating images protected by copyright law constitutes an

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infringement. In this case, showing the opening sequence, Premier League anthem, logo and various graphics without the consent of the Premier League directly breaches the provisions of the copyright law in Great Britain.

The High Court of England and Wales ruled in favour of the sporting institution, issuing a declaration of infringement along with an injunction against any future pub screening of the games. Mr. Luxton was also ordered to pay the legal costs of the proceedings, in the amount of £65,000.

In March 2014, the High Court issued a second ruling with similar reasoning in the case of the Premier League against First National Wine Bar in Liverpool. The pub had been showing live football matches since 1994 via Al Jazeera channel, a Middle Eastern paying television broadcaster. The Court, in acknowledging once again the

existence of a copyright infringement on the same basis as the Swansea case, issued an injunction against the bar and awarded legal cost in favour of the Premier league of an amount of £65,000.

The League has announced that these are just the opening cases in their anti-piracy battle with ongoing investigation of over 4,000 bars and venues that broadcast Premier League games. The same officials estimate that up to 100 future similar cases of copyright claims will be brought against pubs in England and Wales that illegally stream football games using international decoders.

These are two recent and relevant examples of national cases in the UK that directly apply the principles laid out in the Murphy decision issued by the European Court of Justice in 2012.

Internet service providers may block access to copyright-infringing websites

On 27 March 2014 the European Court of Justice ruled that an internet service provider may be ordered to block its costumers' access to a copyright-infringing website. The ruling arose in response to a request from the Austrian Supreme Court. The German company "Constantin Film Verleih" and the Austrian company "Wega Filmproduktionsgesellschaft", became aware that some of their movies could be viewed on the homepage "kino.to" without their consent as rightholders. Due to this fact the Austrian Court prohibited the internet service provider "UPC Telekabel Wien" from providing its consumers access to that site. The internet provider argued however that it did not have any business relationship with the website operators and that it had never actually been verified if its customers had acted illegally.

In the judgment, the European Court of Justice finally ruled that a person, who

makes protected subject-matter available to the public on a website without the agreement of the property right owner, can be considered as an intermediary whose services are used to infringe a copyright. In this specific case, the service provider UPC Telekabel allowed its customers to access protected subject-matter and therefore acted as an intermediate. However, the ruling and its enforcement must ensure a fair balance between the right to information and intellectual property rights. According to European law, the level of protection has to be balanced.

Differently to movies, sport events are not protected by copyright as organisers of sport events do not hold an exclusive right. Therefore, sport event organisers keep on asking for additional legal protection to defend against illegal live-streaming sites, which pose a big threat for the value of audiovisual content from sport events.

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However, the judgement can be considered as a big step in protecting subject-matters and may be of relevance for sport broadcasting in the near future.

Further information:[InfoCuria: Judgment of the Court](#)

Internet piracy: EUROPOL against product counterfeiting and copyright infringement

From 26-28 March 2014, the "European Office for Harmonization in the Internal Market" (OHIM), held a conference jointly organized by Europol and OHIM on "**infringement of the intellectual property rights in sports**" which took place in Alicante, bringing together approximately 110 representatives of national investigating and prosecuting authorities coming together from sporting event organizers and the sporting goods industry.

Paul Maier (Director of the OHIM) initially indicated that the conference covered on the one hand, the fight against illegal counterfeiting and the illegal online distribution of sporting goods and on the other hand, the fight against the illegal use of moving images of sporting events on the Internet. Greater awareness among the state investigation authorities should be developed for the economic importance of these criminal activities.

Berengaria Dreno (Head of Unit for counterfeiting, EUROPOL) understands the event in Alicante as part of a longer series of training conferences for the investigation and prosecution authorities of the Member States. All operators would need to improve their cooperation - especially cross-border and international (e.g. USA, China) - in order to proceed more effectively against the worldwide phenomenon.

Gianluca Monte (European Commission) emphasized the economic importance of sport within the EU. According to a study by

the European Commission on the overall economic contribution of sport in the EU and its Member States, the sports sector would contribute, according to the closest statistical definition, 0.49 percent (48.77 billion Euros) to Gross Value Added (GVA) in the EU and would employ 1.1 million people. After the so-called "broad definition", the proportion of sport would make up 1.76 percent (174 billion Euros) of total EU GVA. In the Member States of the EU, in terms of the general economy, a total of 2.98 % of the workforce would depend directly or indirectly on the economic sector of sports (7.4 million people).

Ulf Wingen (Adidas) and **Alister Baldrick** (Nike) presented respective measures to fight against counterfeiting and the illegal online distribution of their products. The two companies each employ more than 50 experts in order to proceed against the existing networks of counterfeiters worldwide.

Mathieu Moreuil (Sports Owner Rights Coalition / Premier League) drew attention to the increasing activities of illegal live streaming sites on the Internet. The illegal use of audiovisual content of sporting events has increased exponentially over the last five years. The names of the operators of the websites become however ever harder to detect. In order to strengthen the legal protection of sports organizers, the introduction of a property law for sport event organisers as well as the creation of more

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effective procedures for taking-down and blocking illegal sites would be required.

The OHIM is planning more information sessions on the topic of counterfeiting in the coming months.

Internal and visits

EU Commission Vice-President Šefčovič meets a delegation of the European Olympic Committees

Chaired by EOC President Patrick Hickey, a delegation of the Olympic Movement met EU Commission Vice President Šefčovič, in order to exchange views on the future cooperation of the Olympic movement with the European Commission. Vice President Šefčovič will remain Commissioner during the upcoming mandate 2015-2019. President Hickey was accompanied by Janez Kocijancic (EOC Vice-President), Frantisek Chmelar (Member EOC Executive Committee) and Folker Hellmund (Head of EOC EU Office).

President Hickey used the opportunity to promote the project of European Games that will be organised for the first time in June 2015 in Baku, Azerbaijan. Apart from the importance of these Games as a sport event, President Hickey underlined its potential to also strengthen the European identity.

Commissioner Šefčovič was very interested in this event and was furthermore well informed about topics such as the sport chapter in Erasmus+ or the idea of a European Week of sport that will be launched by the EU Commission in September 2015.



EOC EU Office organises Partner Meeting and Workshop on EU Funding

On 1 April 2014, the EOC EU Office organised its annual Partner Meeting. The participants from national, European and international sport federations received a detailed overview on the following topics:

- Recent developments in the fields of data protection, match-fixing/gambling, the European Week of Sport, gender equality and the EU Alcohol strategy as well as their relevance for the sports movement;

- Priorities of the Greek and upcoming Italian EU Presidencies and some information on the European elections;
- The Sport industry initiative by Commissioner Tajani and the EU Work Plan for Sport 2014 – 2017.

After a short update on EU studies, exchanges of views took place with the Head of the Sport Unit, Yves Le Lostècque, and



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Gianluca Monte, Policy Officer at the Sport Unit.

On 2 April 2014, the EOC EU Office organized a workshop on EU Funding in the Representation of the State of Hessen to the EU in Brussels. Representatives from 22 European NOCs attended the seminar.



The presentation focused on the Sport chapter of the Erasmus+ Programme. The

EOC EU Office provided a detailed overview on the application procedures, the registration process, partner search activities and on relevant project examples. Furthermore the office informed on funding opportunities for sport related projects through the Structural funds and the new EU Health programme.

In the afternoon a question and answer session with Mr. Luciano Di Fonzo, Head of the Executive Agency in charge of implementing the Erasmus+ programme took place.

The workshop concluded with parallel discussion groups, where future project ideas were exchanged. The groups covered the following topics: health-enhancing physical activity, dual career, integrity of sport and good governance as well as social inclusion, gender equality and volunteering.

The EOC EU Office would like to thank its partners and the NOCs for their participation.

22nd ENGSO General Assembly in Nice on 15-18 May

The 22nd ENGSO General Assembly will take place in Nice on 15-18 May 2014. The event will be a good opportunity to bring together sports leaders, experts but also a younger generation of the sport movement, as the ENGSO Youth Assembly will be organised in parallel to the ENGSO General Assembly. The General Assembly will showcase an overview of ENGSO activities in 2013 and will give an opportunity to the Member Organisations to have a say in ENGSO's priorities and activities. Results of a member survey, which was sent to the Presidents and

Secretary Generals of ENGSO's Member Organisations, will be discussed. Besides its regular tasks and responsibilities towards its Members, this General Assembly will include an EU Seminar focusing on developments on EU sport policy. To this end, participants will receive information and be given the opportunity to express their views on current European sport issues.

Further information:
[First Calling Notice](#)

Delegation of Nordic NOCs at the EOC EU Office

On 31 March 2014, the EOC EU Office hosted a meeting for a delegation with

representatives from the NOCs of Denmark, Finland, Norway and Swedish Sport

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Confederations. The event was part of the “Nordic education for international leaders’ project”.

In the first part of the meeting, Mr. Folker Hellmund, Head of the EOC EU Office, gave an introductory presentation. The participants learned about the main work of the office, with practical examples of diverse activities undertaken by the office. The following updates on general topics were also covered: EU Presidencies, European elections, EU Work plan for Sport,

Commissioner Tajani’s initiative, and EU public consultations. The discussion then focused on EU Funding programs, with a particular emphasis on the Erasmus+ programme.

The second part of the meeting consisted of a presentation on ENGSO activities given by Ms. Heidi Pekkola, the organisations’ sport policy director. The overview covered some details about the structure of the organisation, its members, its main aims and several activities of ENGSO.

Dates in April 2014

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| 1 | Annual Partner Meeting of the EOC EU Office, Brussels |
| 2 | Workshop on EU Funding by the EOC EU Office, Brussels |
| 3 | EOC Athletes’ Commission meeting, Brussels |
| 6 | UN International Day of Sport for Development and Peace |
| 7 | Council Working Party on Sport, Brussels |
| 8 | ENGSO Executive Committee meeting, London |

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