

MONTHLY REPORT

July 2022



EUROPEAN
OLYMPIC
COMMITTEES



EU
Office

FACTS AND FIGURES

EYOF 2022 in Banská Bystrica, Slovakia
24 - 30 July 2022

- 48 countries 
- 2.200 athletes 
- 1.300 volunteers 
- 10-15.000 visitors 
- 10 sports 



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EDITORIAL

Dear Readers,

The summer break has finally begun in Brussels with the European's Parliament Plenary on recess until September. Against this background, the next issue of the Monthly Report will be published only at the end of September.

In the last editorial, I have already referred to the European Court of Justice hearing on the legal dispute between the European Super League and UEFA/FIFA. In the hearing itself, the expected points of conflict were raised, but no indication was given on the direction in which the judges will decide next spring. While the Attorney General is to deliver his legal opinion on 15 December, the Court's Rapporteur on the case (one of the judges) does not have to abide by it. Of particular importance will be the Court's assessment of the dual function of many federations as regulators and organisers of the respective of sport. It is indisputable that the Court will demand from sport federations to implement transparent and non-discriminatory criteria in the licensing procedures for sporting events. All sports federations should already prepare themselves for this and review and, if necessary, revise their respective statutes. Only on this basis can possible sanctions be justified.

It was noticeable that the European Commission was rather reticent about the legal significance of the article 165 of the Treaty on the Functioning of the EU - TFEU ("sport article" of the Lisbon Treaty). It had rather to be encouraged by the judges to propagate the objective of open and fair competitions formulated in the article. It could be heard at the court that the openness of competitions could possibly be recognised as a legitimate objective to justify decisions restricting competition.

The Court will deliver its judgement in spring 2023 and it is hoped that it will contribute to strengthening the European Sports Model and Art. 165 TFEU.

Next to the big sporting events such as the Tour de France, which has just ended, other less commercially-significant sporting events such as the European Youth Olympic Festival are perhaps somewhat pushed into the background. However, their social impact and significance for the development of youth sports is in many respects at par with the globally known professional sporting events. At the biggest youth sports event in Europe, which opened on 24 July in Banská Bystrica (Slovakia), the best young European athletes compete in 10 sports. For the 2200 athletes, such events are of paramount importance, especially in times of a pandemic that has not yet been overcome, to further motivate them and to ensure that sport does not lose them. Thanks go to the Slovak Olympic and Sport Committee, which did an excellent job and made the Games a great sporting event for all involved!

For the upcoming or already started summer holidays, the whole team of the EOC EU Office wishes you a good rest!

With kind regards,



Folker Hellmund
Director EOC EU Office



EU SPORT POLICY AND FUNDING NEWS

Hearing on the Super League case at the European Court of Justice

The hearing on the legal dispute “European Super League v. UEFA/FIFA” took place at the European Court of Justice (CJEU) on 11-12 July, with the Super League trying to prove that UEFA has broken competition law by blocking its creation. UEFA and FIFA denounced the attempt to disrupt the established order of open sport competitions in European football and create a breakaway (closed) league only led by commercial interests.

Previously to the hearing at the CJEU, 15 Member States (MS) submitted written statements and mostly backed UEFA. This was confirmed in the hearing itself, in which 21 representatives of EU Member States made oral contributions. Nearly all MS condemned the idea of setting up a closed league that would guarantee a fixed number of clubs higher revenues without taking into account their sporting merits. In this regard, the MS referred to Art. 165 of the Treaty on the Functioning of the EU (TFEU), which foresees “open and fair competitions” in Europe.

Furthermore, the following aspects have been discussed:

- Alleged misuse of a dominant position (Art. 102 TFEU) and conflict of interest on the part of UEFA being both, regulator and organiser of competitions. Previous CJEU decisions (e.g. MOTOE-case) have not excluded that both positions can be conducted by one organisation if it acts in a transparent and non-discriminatory way and applies clear criteria.

- Proportionality and necessity of sanctions. This will be a major point of the Court's judgement. The CJEU will assess what kind of pre-authorisation system was in place and which criteria was applied for authorising competitions. In this regard, the question of the legal basis for sanctions on clubs and players have been questioned by the rapporteur of the ECJ.
- The meaning of Art. 165 TFEU, and in particular its legal relationship to competition policy, has never been clarified. The judgement is supposed to provide clearance if and to which extent elements of this sport article will have an impact on EU competition rules and could be regarded as legitimate objectives to restrict competition (e.g. “fair and open competitions”).

The President of the Court has underlined that the European Sport Model and the Solidarity mechanism will not play a major role in the decision of the Court. A written opinion by the Advocate General will be delivered on 15 December and the judgement of the CJEU can be expected in the springtime of next year.



Complaint by a Luxembourg football club against UEFA and Luxembourg Football Federation

Following the European Super League hearing between European Super League Company S.L. and UEFA together with FIFA, another request for a preliminary ruling at the CJEU was filed on 21 June to a Luxembourg-based court.

Led by the same lawyer representing the Super League against the football authorities, Jean Louis Dupont, the latter has opened another case against both UEFA and the Luxembourg Football Federation (FLF) on behalf of FC Swift Hesperange.

The Luxembourg-based football club challenges a number of rules implemented and enacted by UEFA, extending to the FLF, which it deems to breach EU laws. Specifically, the club's request for an interpretation of the European treaties from the CJEU is centered around the belief that UEFA and FLF rules and statutes infringe upon free competition (Article 101 TFEU), affect the free movement of capital (Article 63 TFEU), hinder the free movement of workers (Article 45 TFEU) and forestall any freedom linked to the provision of services (Article 56 TFEU).

The complaints revolve, among others, around the following allegations:

- UEFA and FLF rules preventing clubs from creating and running transnational competitions (for example, the BENELUX league) or even a pan-European competition. The plaintiffs see a restriction of competition (Article 101) and an abuse of a dominant position (Article 102 TFEU) as well as the creation of unjustified obstacles to the freedom to provide services (Article 56 TFEU).

- UEFA and FLF rules imposing quotas for “locally trained players” or “home grown players”, which are applied both at European level and in Luxembourg and question their justification in terms of Article 101 TFEU on free competition and Article 45 on free movement of workers.
- FLF rules prohibiting players returning to Luxembourg from signing up with all potential employers, with the exception of the one who was his employer before the worker concerned exercised his right to free movement by leaving Luxembourg and signing up with an employer in another Member State, are questioned in regard to Article 45 TFEU, guaranteeing free movement of players.
- Restrictive FLF statutes which prohibit clubs from forming commercial companies are questioned in the light of Article 63 TFEU in which the movement of capital is guaranteed and also in the light of Article 101 TFEU by which restriction of investments is prohibited.

The current case has links to the European Super League case. In this regard, it remains to be seen if the ECJ finally will accept the request for a preliminary ruling.

FURTHER INFORMATION

[Press Release FC Swift Hesper](#)

[Questions for preliminary ruling submitted to the CJEU](#)

[EU Law provisions](#)

[UEFA Statutes](#)

European Youth Olympic Festival gathers young champions from 48 countries in Slovakia



On 24 July, the opening ceremony of the 16th Summer European Youth Olympic Festival (EYOF) kicked off a week of competitions in the city of Banská Bystrica, Slovakia.

The traditional event of the European Olympic Committees (EOC), the EYOF is the biggest Olympic multi-sports event for young athletes. This edition gathers more than 1,300 volunteers and 2,200 young athletes from 48 countries, who compete in 10 sports (athletics, badminton, basketball, cycling, judo, handball, gymnastics, swimming, tennis, volleyball), as a gateway to the Olympic Games.

Among the 2,200 athletes are 46 Ukrainian athletes, whose participation to the flag parade triggered emotion and a standing ovation from all attendees.

While the opening ceremony was aired live on Slovak TV, the EOC Channel streams competitions live throughout the week, allowing a wide audience to enjoy the performance of those young athletes who, one day, will be competing at the highest level in senior categories.

Volunteers promoting European and Olympic values during the EYOF

More than a sports events, the EYOF offers athletes and volunteers an incredible opportunity to connect with youngsters from all over Europe and experience European and Olympic values in practice.

The success of the volunteers' programme has been made possible thanks to the support of the European Union, as part of the Erasmus+ Sport project "European Sports Volunteers" linked to the EYOF. In the framework of the project, a set of communications tools and materials, such as learning programmes and handbooks on "Green Sport Events" and "Olympic Values and Culture" have been developed. With this, the EYOF provides volunteers with tools to reflect on the social and environmental legacy of sports events, for the sports world and beyond.

The EOC EU Office supported the "European Sports Volunteers" project application and was happy to see its successful implementation onsite in Banská Bystrica.

FURTHER INFORMATION

[EYOF's website](#)

[EOC's press release on the opening ceremony](#)

European Parliament CULT Committee adopts a report on the impact of Covid-19 closures of educational and sports activities on young people

The European Parliament's Committee on Culture and Education (CULT) adopted a resolution on "the impact of COVID-19 closures of educational, cultural, youth and sports activities on children and young people in the European Union" on 13 July. The report states that closures of early childhood education and care providers, schools, spaces for youth work, cultural spaces and sports facilities due to Covid-19, have resulted in long lasting mental health effects for children and young people in the European Union.

The issue of mental health of children and young people is already classified as being among one of the more serious challenges, which the EU is grappling with. However, with the mental health-related impact of the Covid-19 pandemic that is connected to mass closures of educational, cultural, youth, and sporting spheres of life, more long-term negative effects on European social and health systems are expected, and that particularly on children and youth. The adoption of the report thereby provided an opportunity for MEPs to make a clarion call for increased public spending on education and training by Member States in order to improve mental health services and promote mental health literacy as such.

Several of the proposed measures also touched on the aspect of sport, in regards to how it can play a role in addressing and preventing mental health challenges caused by the pandemic-related effects. Some of these included:

- Promotion of sporting activities in schools, including activities for children and youth with disabilities; while also integrating sport in the curricula can help combat learning difficulties and learning disorders, as well as bullying and hate-speech, while also reducing the risk of psychosocial illnesses;
- Ensuring funding for small local cultural and sports organisations to allow them to pursue leisure and informal-learning activities

which play an essential role in the formation and well-being of young people, by providing material and psychological support resources;

- More coordination at European level between Member States, regional authorities and local representatives of sports and cultural associations, youth organisations, educational and university bodies, in order to strengthen dialogue and cooperation and create dynamic multi-level social networks that can respond and adapt to future challenges;
- Development of sports infrastructure by Member States and public authorities in order to comprehensively increase the amount of physical education and extracurricular physical activities in schools;
- Increasing financial support for grassroots sports which have been disproportionately affected by the pandemic; yet form the basis for sports at the elite level and play a role in the well-being and socialisation of young people.
- The adoption of the report reiterates that sporting activities must be integrated into projects aimed at supporting people suffering from mental health issues following Covid-19. The report will be voted on by the Plenary of the European Parliament on 12 September.

FURTHER INFORMATION

[Draft report on the impact of COVID-19 closures of educational, cultural, youth and sports activities on children and young people in the EU](#)

[Draft amendments on the impact of COVID-19 closures of educational, cultural, youth and sports activities on children and young people in the EU](#)

[Press Release](#)

[Legislative procedure](#)

The European Sport Movement can benefit from the #BEINCLUSIVE EU Sport Awards



The European Commission has launched the 6th edition of the #BEINCLUSIVE EU Sport Awards. These awards are designed to recognise the achievements of sport organisations working with girls, refugees, people with disabilities, ethnic minorities, youth and other groups with fewer opportunities.

For this edition, the European Commission has decided to open two new categories, which will accompany the “Breaking Barriers in Sport” award known from previous years.

- NEW CATEGORY - Promoting Gender Equality in Sport “Be Equal”. Aligned with the [Report of the High-Level Group on Gender Equality in Sport](#), this category rewards projects, which deliver concrete actions in promoting gender equality in sport; accordingly, empowering women in the sport realm.

- NEW CATEGORY - Sport for Peace. This category focuses on projects using sport as a catalyst to promote EU values and peace; accordingly, it targets initiatives enhancing the inclusion of refugees – i.e., from Ukraine.
- Breaking Barriers in Sport. This category is designed to reward sport projects aimed to support disadvantaged and/or vulnerable groups; hence, project activities, which encourage inclusion, dialogue, tolerance and enhance the participation of all.

The winners of each category are expected to receive €10.000 each; the finalists – those who ranked 2nd and 3rd – are awarded €2.500 each.

The deadline to apply for the # BEINCLUSIVE EU Sport Awards is on 29 September 2022 at 17.00 (Brussels Time).

Further Information

[Call Document #BEINCLUSIVE EU Sport AWARDS](#)

[#BeInclusive - Promoting Gender Equality in Sport “Be Equal”](#)

[#BeInclusive - Sport for Peace.](#)

[#BeInclusive - Breaking Barriers in Sport.](#)

GAMES Project launches the “Questionnaire to assess Gender Equality” in National Olympic Committees and National Federations

GAMES GUIDANCE TO ACHIEVE MORE EQUAL LEADERSHIP IN SPORT



Following the successful submission of the previous deliverables, the GAMES consortium submitted its third deliverable namely “Questionnaire to assess Gender Equality” in July 2022.

The “Questionnaire to assess Gender Equality” is a strategic document designed to obtain a holistic understanding of where National Olympic Committee (NOC) when it comes to gender equality in leadership positions, and to help identify governance-related obstacles which may prevent improvements in this area.

The questionnaire has been designed to better understand the organisational structure of each participating organisation, its current procedures for gender equality, as well as the socio-cultural context and the role of sport in the country. Accordingly, the questionnaire has been tailored to be also disseminated by the NOCs among a set of selected National Federations (NFs) including aquatics, athletics, basketball, football, gymnastics, skiing, tennis, volleyball, and one/two federations of choice. Both versions of the questionnaire include qualitative and quantitative elements to ensure an adequate and holistic understanding of gender equality in the governance structures and cultures of the participating NOCs and NFs.

Further Information about the GAMES project

GAMES is a 24-month project co-funded by the European Union through the Erasmus+ Sport Programme 2021. GAMES focuses on improving gender equality in the key leadership and decision-making positions of National Olympic Committees (NOCs) by promoting structural changes in their governance, enhancing the understanding of the existing cultural barriers and encouraging the NOCs to work with their member federations to create a sustainable change.

The EOC EU Office is implementing GAMES together with 8 NOCs (Belgium, Czech Republic, Germany, Greece, Ireland, Latvia, North Macedonia and Turkey) and renowned experts in the field of gender equality and good governance, including Professor Emerita Kari Fasting from Equal Rights in Sport and I TRUST Sport. Furthermore, the International Olympic Committee (IOC) also acts as a key player in terms of promoting and disseminating the project deliverables worldwide.

For further information, please visit the [GAMES website](#).



Co-funded by the
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PARTNERS' CORNER

DOSB: making sports clubs fit for the outdoors with the EU-funded "SPORTOUT" project

Restrictions on the use of sports facilities due to the Covid-19 pandemic, the use of sports halls as emergency accommodation for refugees, an urgent need to renovate sport infrastructure or a fundamentally insufficient range of sports facilities - there are many reasons why sports clubs have to offer their services outdoors. Many of the approximately 90,000 sports clubs in Germany face the challenge of developing alternative ways of practising sports together and/or adapting their sports offerings to changing conditions.

The project "SPORTOUT: Making sports clubs stronger outdoors - Organising healthy and sustainable sports activities in nature", led by the German Olympics Sports Confederation (DOSB), is designed to support clubs precisely in this area. SPORTOUT aims to provide answers to the current challenges of recruiting and retaining members in sports clubs through innovative measures and forms of exercise. The project is intended to contribute to making clubs fit for the challenges of the present and the future and to motivate them to dare to innovate in the areas of offer and membership development - with a special focus on health-promoting outdoors offers.

Michaela Röhrbein, Director of Sports Development at the DOSB, says: "We are very pleased that the EU has agreed to fund our interdepartmental project. It makes an important contribution to making sports clubs aware of the potential, but also the challenges, of outdoor sports activities. At the same time, the project contributes to environmental education and health promotion. In addition, SPORTOUT provides impulses for shaping the role of clubs in society in a sustainable and innovative way".

Interest in sports "outdoors" increases

The project motivates sports clubs to use nature and the open countryside as well as green and other open spaces as a supplementary sports area. Outdoor sports are beneficial to health (especially after two years of pandemic-related restrictions) - both physically and mentally. Sport "outdoors" is fun, strengthens social contacts, relaxes and contributes to people's quality of life. Sport and exercise in urban natural spaces also stand for experiencing nature in one's own immediate living environment. With the increased interest in sports "outdoors", nature as a space for the practice of sports is increasingly coming into focus.





However, the increased use of nature for sport activities is not perceived exclusively positively by all stakeholders. The project therefore develops forms of dialogue to promote mutual understanding and proactively prevent conflicts. Sports clubs will be made aware of the many opportunities, but also the necessary restrictions, of outdoor sports activities. The project will help to form new networks of sports clubs and associations, environmental and nature conservation institutions as well as health actors and municipal land management offices.

These and other results of the project will be communicated nationwide using examples of good practice.

In addition to a comprehensive analysis of existing measures and initiatives, the project will include a survey of DOSB member organisations, which will also analyse the needs of sports clubs and associations. An essential component of the project will be three-to-five pilot projects in sports clubs yet to be selected, which will be financially supported by the project. The pilot projects are intended to show how nature-compatible sporting activities can contribute to the population's awareness of nature and at the same time provide added value for their health.

SPORTOUT is co-financed by the European Union (Preparatory Actions in the field of sport, Call "grassroots sports programmes and infrastructure innovations").

Contact: Maxi Catharina Kullmann, Department Sports Facilities, Environment and Sustainability, kullmann@dosb.de

FURTHER INFORMATION

[DOSB News on SPORTOUT](#)



UPCOMING EVENTS

23 - 29 September 2022

European Week of Sport - European Commission

29 September 2022

Executive Committee Meeting - EOC (Olympia, Greece)

30 September - 01 October 2022

Seminar - EOC (Olympia, Greece)



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