

EOC

Liaison Office at the European Union



**Report on the impact of the activities
of the European Union
on sports**

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Sport

News from the Institutions

1st The White Paper on Sport in the EU Institutions

a) European Parliament (EP)

On 19 November, the EP's Commission for Culture, Education and Research held a discussion for the first time on the Draft Opinion on the White Paper by Manolis Mavrommatis (EPP/GR).

Mr Mavrommatis saw a particular need to take action in the field of combating doping and called for more awareness training vis-à-vis sportsmen and sportswomen. In this connection, he pointed out that the EP is preparing a resolution on doping which is to be submitted before the Winter Olympics.

Shadow Rapporteur Guy Bono (PSE/FR) criticised the White Paper because it does not bring any legal security for sports organisations and merely refers to the ECJ's case-by-case decisions.

Pál Schmitt (EPP-HU) made particular reference to the social role of sport and warned against corruption in sport.

The Draft Opinion will be available in translation in January and will then be communicated to six other EP Commissions for their comments.

b) Committee of the Regions

On 26 November, the Draft Opinion by the Committee of the Regions on the White Paper on Sport was dealt with by the specialist Commission for Culture, Education and Research. The submissions made previously by the EU–Office of German Sports were accepted in full. The relevant individual articles are as follows:

10. in view of the fact that an independent EU support programme for sport will not be feasible before 2011, proposes that a budget heading for preparatory measures and pilot projects to implement the White Paper be included in the EU budget for 2009;

11. is in favour of integrating sport more closely than previously in EU policies and support programmes. In the Committee of the Regions' view, including sport in the treaty amending the Treaty on European Union and the Treaty establishing the European Community is sufficient legal basis to justify explicit provision for supporting coordinating or complementary measures in the next funding period starting in 2013;

12. urges its members to back the White Paper's call for integration of sport in implementation at regional level of EU support instruments from the European Regional Development Fund, the European Social Fund and the European Agricultural Fund for Rural Development;

13. appreciates that the White Paper has identified the mainstreaming of sport as a key task and asks the Commission to report regularly on implementation of this task;

52. together with the Commission, acknowledges the autonomy of sporting organisations and representative structures, and feels that the White Paper fails to emphasise the importance of such autonomy as described and acknowledged in the Nice Declaration;

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53. feels that the specific characteristics of sport are fundamental and feels that the White Paper fails to take a clear position on this point. The Committee is concerned that a case-by-case approach to dealing with the specificity of sport will be unsatisfactory from the perspective of sporting organisations and will entrench existing legal uncertainty;

67. proposes that a conference on sport and regional development should be held, to explain the benefits of sport for regional development and to identify best practices;

The report is to be adopted by the Plenary Session of the Committee of the Regions on 6 – 7 February 2008.

2nd European Commission: Conference “Violence in sport”

The European Commission (EC), jointly with the Portuguese Presidency of the Council, the European Parliament and in association with UEFA, held a conference discussing combating violence in sport as one of the first steps in implementing the Pierre de Coubertin Action Plan. The conference gathered more than 150 experts from clubs, national federations, governmental bodies and other sport related organisations, mainly representing football.

The themes emphasised in the keynote speeches were prevention, co-operation and education. The speakers underlined that the sport movement must be engaged in preventing violence together with the law enforcement, information needs to be shared efficiently, and the educational aspect should also be developed, taking into consideration both the volunteers and professionals working in the security sector.

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The conference conclusions included recommendations concentrating mainly on the themes discussed during the conference in workshops, comprising safety and security at sports events, changing fan culture and tackling racism, developing partnerships and judicial instruments such as stadium bans.

The role of the Commission will be in the future especially to provide funding to projects that prevent violence in sports and to facilitate co-operation and operations on a high level. A similar conference discussing doping will take place in the spring 2008.

3rd Parliament report on physical education in schools

In November the European Parliament published a report on the role of sport in education, presented by IOC member Pál Schmitt. While the number of overweight children is growing from the estimated 3 million by 400 000 every year, the average time allocated to physical education (PE) has fallen from 121 to 109 minutes per week since 2002, according to a study commissioned by the Culture and Education Committee.

The report brings out a number of problems related to school sport. In addition to the decreasing time allocated for PE, the report criticises the choice of sport in schools as limited, and the lessons often too competitive. Moreover, according to the report, the coordination between sport inside and outside of schools is insufficient, and sports facilities often lack funding.

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In the report it is suggested that PE should be made compulsory, and that in primary and secondary schools there should be at least three lessons of PE a week. Furthermore, "a higher degree of integration" between sports and academic subjects ought to be ensured by the member states. MEPs also stress the need for better sports facilities and recommend that EU structural funds be used to create school and other sports facilities in disadvantaged areas.

The European Commission (EC) has announced that they will, together with member states, develop physical activity guidelines by the end of 2008.



<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A6-2007-0415+0+DOC+XML+V0//EN>

Legal Questions

4th Uniform EU weapons legislation

The European Parliament passed the European Commission's amended draft on the control of the acquisition and possession of weapons on 28/29 November upon the First Reading (see the monthly report of October 2007).

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5th Audiovisual Media Services Directive passed

The European Parliament has approved in its second hearing the new Audiovisual Media Services Directive, based on the Common Position accepted by the Council, as recommended by the Commission.

The objective of the directive is to deepen the internal market for non-linear or on-demand audiovisual services, such as tv-programmes available on-demand from the internet, and to modernize the rules for linear or broadcast services especially in advertising. This includes a view on the protection of minors, a legal framework for product placement, new rights for citizens and the protection of European values. The directive is based on the country-of-establishment principle.

The accepted directive follows May's political agreement by the European Parliament and Council on the main aims and provisions of the Directive, which were discussed in the Monthly Report of May 2007.

The Member States now have two years to convert the new rules into national law. Commissioner Reding has asked Member States not to add too many stricter national provisions, which would prevent their audiovisual industries to fully benefit from the freedom brought by the Audiovisual Media Services without frontiers Directive.



http://ec.europa.eu/avpolicy/reg/tvwf/modernisation/proposal_2005/index_en.htm#

6th Doping – Kazakh athlete referred to Swiss court

A court in Liège – the chosen place of residence of Kazakh cyclist Andrej Kashechkin – decided on 28 November that it was not territorially competent to deal with his appeal against the Union Cycliste Internationale (UCI). The court ruled that Switzerland, where the UCI has its headquarters, was competent for dealing with his appeal.

It also ruled that in signing the licence application, Kashechkin had committed himself to recognising the UCI's statutes and provisions, and in particular its doping control procedures.

The background to the case is as follows: in August Kashechkin was subjected to a doping test during his holiday in Turkey, which later proved to be positive. His appeal relates to a contravention of the European Human Rights Convention. Specifically, the time (holiday, 10.00 p.m.), place (holiday) and procedure (insufficient quantity of blood) are called into question. Since his attorney, Luc Misson, contests the legality of the sample that ultimately led to the termination of his employment contract, the lawyers face an evaluation of appropriacy like that in the earlier case involving David Meca-Medina. Ultimately, the issue concerns the specificity of the sport and the right of sports federations to combat doping themselves with all the far-reaching consequences for the cyclists.

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Aid Programms

7th A town twinning project using sport as a tool

“The days of Europe 2006 – Solidarity in Europe, hundreds of ideas, thousands of friendships” was a project led by the Polish town of Wagrowiec with partner towns from Germany, Hungary, France, Russia and Denmark. This town twinning project received funding from the Europe for Citizens Programme.

The project placed an accent on solidarity especially towards disabled persons and the elimination of biases and stereotypes. The goals were pursued during a "Days of Europe" celebration, involving more than 5000 people from Wagrowiec and the partner towns, including disabled people and people working with them. The Days of Europe consisted of three blocks: a conference block, a cultural block and a sport block, which involved the participants from invited towns in sporting European events.

This project also won a Golden Star Award, which is given to successful examples of projects around Europe that encourage active civic participation in EU issues.



http://ec.europa.eu/citizenship/index_en.html

Miscellaneous

8th German Football Association opens Brussels Office

Since 3 December 2007, the German Football Association (DFB) has been among the sports associations represented by the EU–Office of German Sport. The DFB is represented in Brussels by the lawyer Stefan Brost. Mr Brost previously worked for the Brussels office of the Federation of the German Waste Management Industry for three years. Focal areas of his work were EU competition law and internal market policy. The ardent footballer has very good contacts to the European institutions and is looking forward to lobbying on behalf of German football.

9th Conference in France on European law and sport

The National Olympic and Sporting Committee CNOSF (French umbrella organisation for sport) invited the representatives of national associations and professional leagues, social partners of sport, representatives of the International Olympic Committee and a number of European Olympic Committees, politicians as well as representatives of national and European institutions to attend an exchange of views on 26 November at its Paris headquarters. The subjects were major current challenges in Europe, such as the specificity of sport in European legislation, the provision of players for national teams and issues relating to sports gambling.

At the beginning of the event, CNOSF President Henri Sérandour underlined that the autonomy and specificity of sport were two important principles of the sports movement that should be mentioned in Community legislation.

It became evident in the course of the participants' interventions that the previous contacts between the EU and sport were not always without their problems. However, the time for dialogue has now begun, offering real perspectives in the political and legal fields.

The CNOSF is planning to publish the conference documents by the end of the year.