



European Union and Sport

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European Union and Sport

Council of Europe: Ministers responsible for Sport support fight against match-fixing at conference in Belgrade

At the invitation of the Serbian Government, the 12th Council of Europe Conference of Ministers responsible for Sport took place in Belgrade on 15 March 2012. The conference was part of the activities organised within the Enlarged Partial Agreement on Sport (EPAS), a platform for national sport ministries of 33 member states to address the current challenges facing sport in Europe.

The main topics of the meeting were:

- The fight against match-fixing
- The current issues in Pan-European sports co-operation

During the first stage of the meeting, the Ministers responsible for Sport adopted a resolution addressing the "international co-operation on promotion of the integrity of sport against the manipulation of results (match-fixing)". Acknowledging that manipulation in sport

constitutes a threat for the integrity of sport, the Ministers invited the EPAS among others to begin the negotiation of a possible new international convention against match-fixing in coordination with the European Union. Notably, the Ministers argued both for an instrument that may be opened for signature to non-European states as well as for the establishment of an international network of national authorities in charge of the policy regarding the betting market.

The position of the European Olympic committees was represented by the President of the NOC of Iceland, Olafur Rafnsson.

The second stage included the adoption of a resolution in which the Ministers invite the Council of Europe and the European Union:

- To strengthen their co-operation
- To bolster the monitoring capacities of the convention on spectator violence

Further information:

[Final resolutions from the Conference in Belgrade](#)

CJEU – Case DATACO Football: The Court rules on copyright protection for football fixture lists

On 1 March 2012, the CJEU ruled that "*a football fixture list cannot be protected by copyright when its compilation is dictated by rules or constraints which leave no room for creative freedom. The fact that the compilation of the list required significant labour and skill on the part of its creator does not justify, in itself, it being protected by copyright.*"

(Judgment in Case C-604/10, Football Dataco and others versus Yahoo! UK Ltd and Others).

In the main proceedings, the UK company Football Dataco, which is responsible for protecting the rights acquired in the English and Scottish football league fixtures, and the organisers of those leagues (Premier



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League), accused Yahoo! UK, Stan James (a bookmaker) and Enetpulse (a sports information provider) of having infringed their intellectual property rights in the football fixture lists, by having used those fixture lists without paying financial compensation.

The national court (UK) raised the question of the possibility of those lists being eligible

for copyright protection. In that context, the CJEU was asked, via a preliminary ruling, to clarify the conditions which are required in order to be eligible for protection.

Further information:

[CJEU – Press release “Football Dataco and others versus Yahoo! UK Ltd and others”, March 1, 2012](#)

Doping: Update on the reform of the World Anti-Doping Code and the EU contribution

The CNOSF's annual conference on doping was held on 2 March 2012. A presentation of the on-going revision process of the World Anti-Doping Code was provided by WADA representative Olivier Niggli. Furthermore, the European Commission, represented by Jacob Kornbeck (DG EAC – Sport Unit), gave an overview of the (new) role of the EU in the fight against doping.

World Anti-Doping Code's on-going revision process

In November 2013, the World Anti-Doping Agency (WADA) Foundation Board will meet in Johannesburg (South Africa) in order to adopt the new version of the World Anti-Doping Code, which will enter into force in 2015.

Up until then, three rounds of consultation will take place. The first Code consultation phase was completed mid March 2012, ending the three-and-half month period during which WADA stakeholders were able to contribute their first recommendations for amending the World Anti-Doping Code.

The Code Drafting Team has taken all submissions into consideration. **The first draft of the 2015 Code will be presented for review and approval by WADA's Executive Committee and Foundation Board in May 2012.**

The second phase begins on 1 June 2012 and will last until 10 October 2012. It will give stakeholders the opportunity to provide feedback on the first draft and also review comments made earlier on in the process. The second draft will be approved by the WADA Executive committee and Foundation board on 17 – 18 November 2012.

The third and last phase of consultation will begin on 1 December 2012 and continue until 1 March 2013. During the course of May 2013, a third and final draft version will be presented, launching the final run until the adoption in November 2013.

First EU contribution to the World Anti-Doping Code revision process

In accordance with the abovementioned process, the Danish Presidency submitted on 8 March 2012 an EU contribution to the first consultation phase. This position was coordinated and approved by the Council of the EU following the discussion held during the last meeting of the Experts Group on Anti-Doping in February 2012.

The EU's contribution refers only to the EU Charter of Fundamental Rights and the Directive 95/46/EC (data protection) - and surprisingly not to the article 165 of the Treaty on the Functioning of the EU – and



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focuses on the following issues, proposing some amendments to the current World Anti-Doping Code:

- Emerging data privacy principles,
- The use of ADAMS,
- RTPs (Registered Testing Pools) and whereabouts,
- Involvement of Governments and
- Public disclosure.

It is likely that the EU will also contribute a second reaction once WADA reveals the first draft of the new World Anti-Doping Code at

the end of May 2012. This contribution would then be coordinated during the EU Presidency of Cyprus in the second semester of 2012.

Further information:

[WADA website](#)

[EU contribution to the revision of the World Anti-Doping Code](#)

SportVision2012 Conference held in Copenhagen

On 19-20 March 2012 the SportVision2012 Conference, the major event of the Danish Presidency on sport, was held in Copenhagen bringing together 375 participants including decision-makers, experts and other stakeholders within the field of sport. The Conference was also attended by the Danish Minister for Culture and Sport Mr. Uffe Elbæk, the European Commissioner for Education, Culture, Multilingualism and Youth Ms. Androulla Vassiliou and the European Parliament Rapporteur on the European dimension in sport Mr. Santiago Fisas Ayxela.

In her speech Ms. Vassiliou emphasized the importance of grassroots sports. She stated for instance that: *"At grassroots level, at amateur level, there are immeasurable benefits, in terms of both public health and social cohesion. At all ages, practising sport is more than mere entertainment: for many, many people it is a lifeline."*

During the two-day conference discussions were held on three topics. These were the main conclusions and recommendations with regard to these topics:

Concerning **volunteering** it was highlighted that voluntary activities constitute a cornerstone in grassroots sports and that there is a need to:

- Recognize and support voluntary work, including through removing barriers and regulations which complicate doing voluntary work.
- Promote and support volunteering in relevant national and international life-long learning strategies and programmes, and further the validation of competences acquired in non-formal and informal learning through volunteering.

Regarding **fitness doping** it was stressed that there is a need to:

- Strengthen international coordination in the fight against fitness doping, in particular through the development of partnerships and practices for exchange of information and good practices between anti-doping organizations, sports associations, the health and fitness industry, national law enforcement agencies and relevant international actors.



With regard to **financing and health** it was concluded that there is a need to:

- Exploit the possibilities to get more European to practice sport and be physically active in order to improve and strengthen public health and social inclusion.

Further information:

[SportVision2012 Conference conclusions](#)

[SportVision2012 Conference presentations](#)

[Opening keynote addresses of the SportVision2012 Conference](#)

Common agreement of UEFA and European Commission on Financial Fair Play

On 21 March 2012 the European Commission and UEFA published a joint statement on the relation between the application of the UEFA Financial Fair Play rules to professional football and the control of State Aid in professional football by the Commission. This joint statement is a result of an exchange of letters between UEFA President Michel Platini and European Commission Vice-President Joaquín Almunia (Commissioner for Competition) following their meeting in December 2011 in Brussels.

The main elements of the agreement are the following:

- The “break even” rule [which means that clubs cannot spend more than what is allowed by the Financial Fair Play regulations] reflects a sound economic principle. (Point 4)
- The objectives of the UEFA Financial Fair Play are also consistent with the aims and objectives [that European undertakings should compete on a level playing field] of the European Union in the field of State aid. (Point 7)

- Financial Fair Play and State Aid policy are also consistent insofar as each legal framework provides for specific treatment in the case of expenditure directed towards matters such as youth training and development, social and community projects and investment in grassroots sport-related infrastructure. (Point 10)
- This joint statement forms a basis for further cooperation between UEFA and the Commission [...]. (Point 14)

Although this agreement is important for the future entry into force of the Financial Fair Play rules, it is not legally binding. The European Commission only approved that it is one good way to promote financial stability in professional sport and to improve the competitive balance between clubs. National measures in favour of indebted clubs can still be regarded as state aid and thus conflicting with EU law.

Further information:

[Press release European Commission 21 March 2012](#)

[Press release UEFA 21 March 2012](#)

[Joint statement of UEFA and the European Commission of 21 March 2012](#)



Funding programs, studies and projects

EU Funding Programme: Call for proposals for the Life+ Projects

On 13 March, the European Commission published the call for proposals for the Life+ funding programme 2012. The Life+ Program funds projects which contribute to the development and the implementation of the environmental policy.

Every year the Commission launches a call for proposals taking into account the multiannual strategic programme and the national priorities which have been transmitted to the European level. The national authorities pre-select some projects and present them to the Commission.

The rate of the Union financial support shall be a maximum of 50 % of the eligible costs.

To be eligible, the projects are required to:

- Have transnational aspects and contribute to the development and the implementation of the European environmental policy.
- Be technically and financially coherent and realizable.
- Present innovative policy approaches, technologies, methods or instruments.

For the year 2012, the overall budget for project action grants under LIFE+ is EUR 276,710,000. Within this budget, 15% are reserved for transnational projects.

The relationship to sport

In the White Paper of Sport (2007), the article 29 and especially the article 32 (Page 12) the Commission announced that it will “take sport into account as part of the Information and Communication component of the new Life+ programme.” The organization of environmental friendly sport events could be an issue in this regard.

It is important to recall that since the installation of the Life+ program in 2008, no project involving sport and environment has been proposed.

Calendar of the LIFE+ 2012 selection procedure

- 13/03/2012: Publication of the call in the Official Journal of the EU
- 26/09/2012: Deadline for applicants to send proposals to Member State authorities
- 02/10/2012: Deadline for the Member States to forward proposals to the European Commission
- 01/07/2013: Earliest project start date

Further information:

[Call for proposals - Life+ 2012](#)

“Creating a Level Playing Field” Final Conference takes place in Helsinki

The final conference of the ENGSO “Creating a Level Playing Field” (CLPF) initiative took place in Helsinki on 22 – 23 March 2012. Around 50 participants, from partner organisations as well, including ENGSO President Birgitta Kervinen attended the

meeting. The European Commission was represented by Bart Ooijen from the Sport Unit.

The conference presented the findings of the project in the form of a booklet illustrating the best practice examples and analyzing the

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key elements to be taken into account when organizing sport activities to migrants and ethnic minorities. The booklet will be disseminated among the partner organisations and their networks. A panel discussion with representatives from European, national, regional and local level focused on concrete recommendations to decision-makers in order to encourage social inclusion of migrants and ethnic minorities in sports.

Before the final conference a study visit took place where CLPF partners German Olympic Sports Confederation, Bulgarian Ski Federation and Regional Government of Styria from Austria were hosted by the Finnish Sports Federation. Visitors experienced practical field examples such as Icehearts which is an ice hockey team to fight against social exclusion.



The project is granted by the European Commission from the preparatory actions in the field of sport 2010 under the theme social inclusion in and through sport. ENGSO is the lead partner and have been implementing the project together with 11 partners.

Further information and the booklet:

[Press release Creating a Level Playing Field: Final Conference Presents Results to Decision-Makers](#)

Internal and visits

20th Jubilee ENGSO General Assembly in Bulgaria in May

The 20th ENGSO General Assembly will take place in Sunny Beach, Bulgaria on 25 – 26 May 2012. On Friday 25 May the programme begins with a traditional EU Seminar. In the afternoon an extraordinary General Assembly will take place with the aim to adopt the modifications of the Statutes. After

the extraordinary meeting the ordinary General Assembly will be held and will continue on through Saturday.

Further information and registration:

[ENGSO Website - General Assembly programme and registration](#)

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Dates in April

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| 10-15 | ANOC-Conference in Moscow |
| 24 | Council Expert Group on "Sport Statistics" in Brussels |
| 25 | Annual Partner meeting of the EOC EU Office in Brussels |
| 26-28 | EOC Seminar in Budapest |

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