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The European Union and Sport

Meeting of Sport Directors under the Czech Presidency of the European Council

On 28 and 29 April, the Sports Directors of the EU Member States met with European Commission representatives in Prague for an informal exchange of views at the invitation of the Czech Presidency of the European Council.

EU2009.CZ

An informal meeting of Sports Ministers is not planned either during the Czech or the Swedish Presidency of the European Council. The Swedish Presidency of the European Council is planning to hold the next meeting of Sports Directors on 1 and 2 October.

The following remains to be reported on the contents of the meeting:

- Economic aspects of sport
The Sports Directors acknowledged the significance of the planned EU study on financing sport ("Internal Market Barriers to the Financing of Sport") and saw the need to make relevant data available.
- NGO working group
The German submission on the compatibility of competition policy and sport was acknowledged. It was also agreed that the current problems in the Member States should be ascertained by means of a questionnaire and the results should be published during the Swedish Presidency of the European Council.
- New working group on "Education and Training"
The Sports Directors decided to set up a new working group on "Education and Training". Its work is to focus on the issue of dual careers.
- The autonomy of sport
The Presidency of the European Council presented specific proposals for better fulfilling the demand for the autonomy of sports associations.
- Fight against doping in sport
With reference to the Second Opinion by data protection experts on the WADA Code adopted on 6 April 2009, the Sports Directors welcomed the progress made at the last meeting held in Madrid on 24 April. In particular, there is support for the agreed establishment of an informal group of experts. It is to discuss the demands made in the Second Opinion by data protection experts.



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Prague Memorandum on volunteering in sport

The Czech Presidency of the European Council has set its priority in the field of sport on the subject of volunteering. Using a questionnaire, the Czech Ministry of Sport collected and analysed data on this subject throughout the EU. Based among other things on the results of the questionnaire, the Prague Memorandum on volunteering in sport was adopted at the informal meeting of Sports Directors held in Prague from 28 to 29 April 2009.



Prague Castle: Founded in the 9th century

The Czech questionnaire showed that volunteering is organised in very different ways in the EU Member States. However, areas of possible cooperation were also identified, such as specific legislation on volunteering, financial support, specific training programs and public recognition of volunteering. The Memorandum recommends using the questionnaire's findings as the basis for further policy initiatives. The Sports

Directors also welcome the recognition of volunteering in this Memorandum as well as the specificity of sport in Article 165 of the Treaty of Lisbon. They invite the European Commission to interpret the legal and political significance of the "sport article". In addition, they recognised both the great significance of volunteering for sport – sport is the largest voluntary movement – and also the need for public and political support for voluntary sports organisations.

The support of the Sports Directors for volunteering as a funding area within the framework of the EU sports funding programmes in 2010 and 2011 is also important for sports organisations.

The memorandum may be obtained from the EU Office.

European Parliament (EP) political groups assure sport of wide support across party lines

The EP's four large political groups (PES, EPP-ED, ALDE and the Greens/EFA), which together represent 83 per cent of MEPs, have explained their positions in a questionnaire carried out on the EU's future policy on sport in the new legislative period from 2009 to 2013.

According to the positions stated by the EU parties, autonomy and specificity are particularly important aspects of sport, which should be protected.



The EU parties also support the system for financing sport for all in Europe through revenues from state-organised or licensed gambling. In the area of sport and schools, both the European People's Party and the European Democrats Socialist Group call for better cooperation of schools with sport organisations and at least three hours of sport in schools each week.

The political groups recognise the important role of sport for a healthy lifestyle and preventive health care. The Liberals therefore call upon the EU to support



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projects that motivate people to engage in more physical activity. The European People's Party also calls for increased investments in sports infrastructure by the EU, the European Council and by Member States.

The European parties identified two problem areas in sport for which a European solution should be found: doping and gambling scandals. In order to be able to fight doping efficiently and effectively, they recommend that anti-doping rules should be made as uniform as possible within EU Member States. Adequate legal instruments should guarantee the strict monitoring of gambling activities within the EU and reveal any irregularities.

Notwithstanding the entry into force of the Treaty of Lisbon, the political groupings call on the EU institutions to improve the integration of sport in the various EU policies and EU funding programs. European parliamentary elections are to take place from 4 to 6 June 2009 in all 27 EU Member States. 375 million EU citizens, of whom approximately 100 million are members of a sports club, are called upon to elect their representatives for Strasbourg.

The EU parties' answers to the eight questions can be obtained from the EOC EU Office by writing to the following e-mail address: info@euoffice.eurolympic.org



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EU Policy matters

Data protection experts from the Member States evaluate new WADA Code

In its Second Opinion of 6 April 2009, data protection experts from the Member States analysed whether and to what extent WADA's anti-doping rules meet the minimum requirements of European data protection regulations. This follows on from the Working Party's First Opinion of 1 August 2008.



World Anti-Doping Agency:
www.wada-ama.org

It underlines that it supports WADA's anti-doping initiative in principle but at the same time insists that the fight against doping should take place in

conformity with the athletes' basic rights and their environment, particularly with regard to data protection rights.

The Working Party made the critical observation that WADA's International Standard for the Protection of Privacy and Personal Information could not on its own guarantee an adequate world-wide level of data protection, as prescribed by EU law. The Working Party underlines that controllers within the EU are responsible for processing data in accordance with inter-state law. If the WADA Code and the International Standard contradict European law, the WADA rules may not be applied.

The report discussed issues arising in the following specific areas:

1. Notification requirements / whereabouts
2. Basis for forwarding data
3. Data transfer to the ADAMS server in Canada and to non-EU countries
4. Data retention period
5. Sanctions

1. Notification requirements / whereabouts:

- The submission of current data on the whereabouts of athletes through ADAMS, which is justified by saying that this is the only effective way to be able to carry out training control programmes, must conform to the general principles of EU data protection.
- Notification requirements must be limited to what is required and appropriate for carrying out training controls. As well as a clear rule based on these prerequisites, no information should be collected that intrudes excessively into the privacy of athletes and/or third parties.
- The Working Party stated that the compilation of the relevant test pool should be based on the extent to which there is a risk of doping abuse by an athlete (selection criteria are, for example, the sports discipline, the level of competition or personal risk factors).
- The Working Party considers a round-the-clock duty to report (24/7) to be



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inappropriate as it could lead to the release of sensitive data.

- According to the opinion, however, it would be appropriate to use the 60-minute time slot under which athletes have to notify their whereabouts (especially at their place of training or their workplace) at a particular hour of the day.
- Furthermore, WADA should reconsider requesting further information on athletes' whereabouts every day in the following quarter, especially from athletes who are not in the top-level category.
- The WADA Athlete Guide should be extended to include a chapter on data protection.

2. Basis for forwarding data:

- The Working Party points out that within the framework of European law, forwarding data is only possible with the permission of the person concerned. The current WADA system does not fulfil this requirement.
- In addition, according to the results of the Working Party, anti-doping organisation should not be allowed to publish data on doping offences on the internet or to pass them on to other databases.

3. Data transfer to the ADAMS server in Canada and to other non-EU countries:

- The Working Party points out that the permissibility of forwarding data to the

ADAMS Server in Canada, which is hosted by WADA, and to other non-EU countries, depends on whether and to what extent personal data are sufficiently protected there. Anti-doping organisations must guarantee an adequate legal framework for the international exchange of data within the WADA system. The Working Party therefore proposes additional protective measures.

4. Data retention period:

- The Working Party questions the need for the current athlete data retention period (at least 8 years) and urges that relevant data be deleted if no infringement of doping rules is established.
- According to the report, the general rule of limitation of 8 years should be reconsidered, as it does not differentiate between different kinds of doping rule infringements.

5. Sanctions:

- The Working Party is of the opinion that it is not necessary to publish doping sanctions on the internet for a period of at least one year.

The full report may be downloaded through the following link:

http://ec.europa.eu/justice_home/fsj/privacy/docs/wpdocs/2009/wp162_en.pdf



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A new era in EU policies for youth – European Commission adopts its strategy for youth for the coming decade

The European Commission adopted its new strategy for youth for the next nine years entitled "An EU Strategy for Youth – Investing and Empowering" on 27 April 2009. As a cross-sectoral programme, it covers the policy areas of youth, education, employment, creativity and entrepreneurship, social inclusion, health and sport.

The objective is to give young people new opportunities and to enhance their social participation. Specifically, the following objectives are being pursued by the EU in a joint action with Member States:

- to create more opportunities in education and employment;
- to improve access to social developments;
- to foster solidarity between society and people.

In order to finance the concept, funds from existing EU funding programmes such as "Youth in Action" and "Life-long Learning" are being activated but no new financial resources are being made available.

The strategy also underlines the important role of youth work. When the aims are to deal with unemployment, failure at school and social exclusion, and to impart social skills and offer leisure opportunities, sports organisations in particular are called upon to

make a contribution. According to an EU study, 49% of all young people are members of a sports club.

The adoption of the strategy was preceded by an extensive consultation exercise undertaken in 2008, involving national authorities, the European Youth Forum and youth organisations. The young people were consulted online and will now be invited to react to the Commission's proposals.



EU-Kommissar Ján Figel` presented a new EU- Youth Strategy

On Monday, the Commission also published its "First EU Youth Report", containing information and analyses of the situation of young people in Europe. This report, which is to be published every three years in the future, is intended to help to ensure that there is an improved basis of knowledge in the youth sector.

Further information:

Summary of the Strategy:

http://ec.europa.eu/youth/news/doc/new_strategy/citizens_summary_3.pdf

European Youth Portal:

http://europa.eu/youth/new.cfm?nid=9708&sid=9706&L_id=en

Youth pages of the European Commission and Youth Report:

http://ec.europa.eu/youth/index_en.htm



On-line betting: France launches its legislative reform

At the end of March 2009, the French government presented a draft legislation which aims to regulate the internet gambling market. It covers the markets of sports, horse racing and poker one-line betting, which are to be opened up from January 2010.

The bill sets up a specific on-line gambling authority, ARJEL ("Autorité de Régulation des Jeux en Ligne"). The latter would deliver a 5-year state licence for online gambling operators and would continually monitor and control gambling websites. Another task of the new authority would be to take action against illegal betting providers.



In order to obtain the licence, operators would be required to fulfil numerous conditions already described by the bill. For example, they would have to guarantee the protection of minors and to take measures in

order to prevent money laundering and gambling addiction.

The bill also currently provides for taxation of 7.5% of stakes from sports and horse racing on-line betting. Another extra 1% of stakes from on-line sports betting would be devoted to support the whole financing of sport in France through the existing national fund, the National Centre for Sports Development (CNDS: "Centre National de Développement du Sport").

The bill will be submitted to the French National Assembly in July this year and will be forwarded to the Senate afterwards during the autumn, enabling the law, once adopted at the end of 2009, to come into force at the beginning of 2010.

Further information is available at the following link:

http://www.budget.gouv.fr/presse/dossiers_de_presse/090305marche_jeux/som_090305marche_jeux.php

German Football Association (DFB) holds event on "Football's social responsibility" in Brussels

Important subjects relating to sports policy, such as "Football's social responsibility" and the effects on sport of the Treaty of Lisbon were discussed at the "DFB Live" event held in Brussels on 29 April 2009. Outstanding German sports representatives including Dr Theo Zwanziger, President of DFB, Dr Thomas Bach, President of the German Olympic Sports Confederation (DOSB), Oliver Bierhoff, National Team Manager, Franz Beckenbauer, DFB's Honorary Captain

and Steffi Jones, President of the Organising Committee for the FIFA Women's World Cup, convened in Brussels to attend.

Dr Theo Zwanziger and Dr Thomas Bach made it absolutely clear at the

beginning of the interviews that sport has



President of the German Football Association
Dr. Theo Zwanziger



societal and social tasks. In this connection, the DFB President stated: "German football acknowledges its responsibility. Football is not just big business. That is why we are committed to pressing ahead with social developments. Thus, we believe that the idea of social responsibility plays an important role in sport alongside performance and competition."

Dr Bach stated emphatically that in ratifying the Treaty of Lisbon, sport will be taken into account with its specific features and that this will have an effect on all European-level initiatives. In this connection,

Dr Bach said: "We must see sport in all its facets and it is therefore important for its interests and specific features to be recognised in the Treaty of Lisbon." In this connection, the DOSB President also



President of the
German Olympic
Confederation
Dr. Thomas Bach

appealed for the introduction of the 6+5 rule, which is supported by Joseph S. Blatter, the President of FIFA: "It is basically our wish that politics does not give sport a special role, but that we are enabled to contribute our special qualities and special values in a democratic process."

Other subjects of the event were the integration of migrants and voluntary commitment in sport. Oliver Bierhoff recalled that it goes without saying that integration not only takes place in amateur clubs, but also in the national team. "We see it as an important task to which we all feel committed." Uwe Seeler, DFB Honorary Captain added: "The many voluntary helpers in clubs are particularly important. That is something of great value in football, and something that we must not underestimate."

Steffi Jones used the event to publicise the upcoming FIFA Women's World Cup in 2011.

Study on Equal Treatment of Non-nationals in Individual Sports Competitions

On 4 April 2009, the European Commission published a prior information notice on the implementation of a "Study on Equal Treatment of Non-nationals in Individual Sports Competitions".



The background to the study is as follows: throughout Europe, there is considerable legal uncertainty among sports federations on the design of conditions for participation in their competitions for national titles. In particular, the federations are focusing on the permissibility of limiting participation based on athletes' nationality. Christa Prets (MEP)

had already requested information on this matter from the European Commission in May 2007 on behalf of various Austrian sports federations. The subject was then included in the EU White Paper on Sport and it was proposed that a study be carried out on this issue; this is now being done.

Thus, the general objectives of this study are as follows:

1. to map the situation concerning discrimination on the grounds of nationality related to the access and to any other aspect of individual sports competitions in the European Union (EU);



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2. to identify and analyse the nature and objectives of the discrimination;
3. to analyse the identified discrimination, taking into account the diversity and specific features of the different sports disciplines affected by the discrimination;
4. to analyse the compatibility of the existing discriminatory measures

Further information:

Parliamentary enquiry:

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+WQ+P-2007-2542+0+DOC+XML+V0//EN>

with the Community legal framework.

Cost of contract:

Estimated cost excluding VAT: € 300,000

Scheduled date for start of award:

15 May 2009

Study:

http://ec.europa.eu/sport/news/doc/prior_in_formation_notice_2009_S%2066-093942_en.pdf



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Funding Programs

„Europe for Citizens“: Call to submit project proposal

The European Commission has issued a call for the submission of new project proposals within the context of the “Europe for Citizens” programme.

The programme’s objectives are to arouse the interest of European citizens in European policy issues and to promote active, civil commitment. Special support is given to subject proposals that deal very specifically with future European policy design.



Deadline for submission:
1 June 2009

Duration of the projects:
The projects should begin between 1 December and 28 February 2010 and not exceed a duration of 12 months.

Financing:
The funding should not exceed 60% of total project costs and should be between € 100,000 and € 250,000.

Project proposals should include the following areas:

- How to develop new methods to promote the discussion on European policy issues affecting the daily lives of EU citizens.
- How to establish European policy competences. The objective should be to formulate specific policy recommendations for European politicians.
- How to promote citizens’ dialogue with EU institutions

Project example:

EU:SPORT:FUTURE is a Europe-wide discussion forum that collects the views of European citizens in connection with the future design of EU sports policies with the objective of making specific recommendations for a European-wide sports policy.

Information:

http://eacea.ec.europa.eu/citizenship/programme/action1_measure2_en.php

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