

EOC

Liaison Office at the European Union



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

June 2008

MONTHLY REPORT JUNE 2008

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General Policy

1st Treaty of Lisbon: European Council conclusions, 19 – 20 June

The conference of the 27 Heads of State and Government held in Brussels on 19–20 June was marked by the negative outcome of the referendum in Ireland on ratification of the Treaty of Lisbon. The Council Members agreed that more time would be needed to analyse the situation. Thus, Ireland has until mid–October to make a proposal concerning further proceedings. In spite of the Irish rejection of the Treaty, the ratification process is to be continued in the other Member States.

Sport is particularly affected by the Irish no since Article 149 of the Treaty of Lisbon provides for the European Union to be partially competent for sport for the first time. The rejection means that plans to prepare a European sports programme and to establish a formal Council of Ministers of Sport have been shelved for the time being.

Timetable:

1 July 2008: French Presidency of the European Council begins

15 October 2008: Council meeting – consultation on further proceedings concerning ratification of the Treaty in Ireland



http://www.ue2008.si/en/News_and_Documents/Press_Releases/June/0620EC_LisbonTreaty.html?

2nd European Commission launches lobby register

On June 23 the European Commission launched its online register of interest representatives. All interest representatives engaged in influencing the policy formulation and decision-making processes of the European institutions are invited to register. When registering, they will be asked to disclose some information to enhance the transparency of the relations between lobbies and the Commission. Organisations should describe their main activities of interest representation as well as their networking efforts. Registrants will also have to disclose financial information, so that the driving forces behind a lobbying effort become clear. Organisations lobbying on behalf of third parties will have to indicate the names of their clients. When registering, interest representatives must sign up to a code of conduct which has been adopted by the European Commission. It sets out general principles — such as openness, honesty and integrity — which should guide the activities of interest representatives when they are dealing with the European Commission. The code also formulates seven clear rules of behaviour that interest representatives are expected to respect.

The multilingual register is publicly accessible online and will be fully searchable.



www.ec.europa.eu/transparency/regrin

Sport

News from the Institutions

3rd French Presidency of the European Council – Priorities in the field of sport

France takes over the Presidency of the European Council from Slovenia in the second half of 2008; it will be followed by the Czech Republic (first half of 2009) and Sweden (second half of 2009), with which France has agreed an 18-month programme.

France's activities in the field of sport relate to the EU Sports Ministers' current agenda, the White Paper on Sport and implementation of the "Pierre de Coubertin" Action Plan. The effects of the Treaty of Lisbon on sport are also taken into account, subject to political progress concerning its ratification.

France's proposals in the field of sport have three objectives:

1. to emphasise the social role of sport

- sport and health
- the fight against doping
- dual career training (sports training and school) for professional players
- adherence to the rule concerning training players locally (home-grown players)

2. to underline sport's economic role

- study on the public and private financing of sport in cooperation with the European Commission
- European sport satellite account

3. to contribute to good governance in sport

- to determine the function of the sports agency
- European institution to monitor the administration of associations (DECG)

Agenda of the French Presidency of the European Council:

7 August 2008	Informal meeting of Sports Ministers in Beijing
25 – 26 September 2008	Meeting of experts to establish a European sports network in Paris for information exchange
30 –31 October 2008	Meeting of sports directors in Versailles
26 – 27 November 2008	European Sport Forum in Biarritz
26 – 27 November 2008	Informal meeting of Sports Ministers in Biarritz



<http://www.ue2008.fr/>

4th Opinion of the EESC on the White paper on sport

On June 17th, the opinion of the European Economic and Social Committee (EESC) on the White paper on sport has been published in the Official Journal of the European Union.

Among its recommendations and proposals the EESC,

- recommends that, when planning new programmes to promote health-enhancing sport, both Community and multidisciplinary dimensions should be taken into account.
- recommends that tertiary education also include opportunities to practise sport, and that physical education classes be made a compulsory element of syllabuses.
- feels that it would be useful to launch information campaigns on new opportunities to apply for funding, given that up to now programmes have only offered limited opportunities for sport
- recommends that a separate envelope be established within the Structural Funds, which could be used for appropriate sport(...) facilities.
- wishes to participate in the Sports Forum as an observer
- recommends that the activities of the working group on sports funding be extended to reviewing sports-related national taxation and social security rules.
- thinks that the directors/executive directors of sports organisations (...) should (...) submit proof every year of the provenance of their income and assets.

Concerning the main orientations of the White Paper, the EESC welcomes most of the propositions made by the Commission. It insists on the fact that the issue of locally trained players requires careful analysis. It is however disappointed that it does not discuss the possibility of making existing EU funding available in future for sport.

Finally the EESC proposes four topics within the European social dialogue

- Athletes' pension funds
- advertising and image rights
- health at work
- home-grown player issues, employment contracts and assistance for athletes in finding new careers once their sporting careers



<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:151:0036:0040:EN:PDF>

5th Football players and employers create a new EU Forum for Social Dialogue

Organisations representing players, leagues and clubs from around the EU sat down together for the first time in Paris on 1 July to discuss labour issues of common concern in the professional football sector. The new social dialogue committee, launched by Employment and Social Affairs Commissioner Vladimír Špidla and Education, Training, Culture and Youth Commissioner Ján Figel' bring together the International Federation of Professional Footballers' Associations (FIFPro) and the Association of European Professional Football Leagues (EPFL). The employers' side is complemented by the European Club Association (ECA). Given the specificity of sport governance, the social partners have invited UEFA to chair their dialogue. Minimum requirements for professional players' contracts were the first item on the agenda. The partners, represented by Sir Dave Richards, Chairman of the EPFL and the Premier League, Philippe Piat, President of FIFPro Division Europe, and Jean-Michel

Aulas (ECA and Olympique Lyonnais), tried to reach agreements on minimum standards in fields like health and safety at work, health insurance, education for young players, obligations and rights of players, conflict resolution and image rights. The social partners also wanted to promote social dialogue and reinforce capacity in the EU Member States.

This latest sectoral social dialogue committee is the 36th of its kind to be set up at EU level and gives the European social partners an opportunity to contribute to governance in employment affairs in an autonomous and participative way. The Commission encouraged social dialogue in the sport sector in its 2007 White Paper on Sport.



<http://ec.europa.eu/socialdialogue>

<http://ec.europa.eu/sport>

Legal Questions

6th MOTOE Case: Application of EU competition law to sport

On July 1st 2008, the European Court of Justice (ECJ) has published its decision on the case MOTOE (case C-49/07), concerning a litigation between an independent Greek motorcycling federation (MOTOE) and the Greek motorcycling federation (ELPA, Greek automobile and touring club, officially recognized by the International Motorcycling Federation (FIM) and the Greek

State.

The facts were the following: MOTOE applied in 2000 to the Greek Ministry of Public Order for authorisation to hold a number of motorcycling events. In Greece, such authorisation is delivered, following a Law from 1999 (the article 49 of the road traffic code), by the ETHEAM, which is the National Motorcycle–Racing Committee entrusted by the ELPA.

In this case, the Court followed the main orientations of the Advocate General KOKOTT, exposed in its conclusions on March 6, 2008 (see Monthly report March 2008).

The Court concludes that article 82 and 86 EC preclude a national regulation such as article 49 of the Greek traffic code “*which confers on a legal person [ELPA], which organises motorcycling competitions and enters, in that connection, into sponsorship, advertising and insurance contracts, the power to give consent to applications for authorisation to organise such competitions, without that power being made subject to restrictions, obligations and review.*” (Point 53)



<http://curia.europa.eu/>

7th Passport and matching chip for horses and other equidae

The European Commission adopted a Regulation that will help to improve the health of horses and other members of the "equine" family, as it creates a better and clearer identification system. The aim of the Regulation is to improve the system for the identification of equidae as laid down for different categories of this family of animals in Commission Decisions adopted in 1993 and 2000 respectively. All equidae will now have to acquire their individual passports within six months after their birth. At the same time, when the passport is issued, the animal will be tagged with an electronic chip that would be injected to its neck. The chip will match the passport. The proposal modernises the identification system of the equidae, which today are recognised via a hand-drawn outline diagram. Identification is not only required for animal health reasons, but also to ensure compliance with certain public health requirements, because equidae may be slaughtered for human consumption.

The new Regulation, foreseen to enter into force on July 1 2009, introduces or details the following main issues:

- a lifetime passport is issued for all equidae when they are born and independently of their movement status;
- the issuing of the passport is recorded in a database under a unique life number that remains the lifelong reference even if the name of the animal is changed
- Member States may set up national databases or network existing databases
- this Regulation does not affect the imports of equidae from third countries, but includes provisions on the identification of equidae definitively imported into the EU



http://www.ec.europa.eu/food/animal/identification/equine/index_en.htm

8th EU legislation on pesticides and its relevance for sport

Two proposals regarding EU legislation on pesticides which have an impact on sport (in particular on sports grounds) are presently discussed in the European Parliament (EP).

1. Regulation of plant protection products on the market (“Pesticides Regulation”)

The proposed regulation is intended to replace the existing legislation in this field.

One of the main aims is to maintain a high level of protection for humans, animals and the environment.

Review:

12.07.2006: proposal for a regulation is adopted by the European Commission (EC)

23.10.2007: EP convened for the first reading

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11.03.2008: amended proposal is adopted by the EC

19.05.2008: discussions at the Council

Forecast:

July 2008: political agreement on a common position of the Council expected

Relevance for sport:

In its first reading the EP added an amendment demanding: *“any restrictions or prohibitions of pesticide use in and around areas used by the general public or by sensitive population groups such as ... sports grounds etc.”*

The COM rejected this amendment in its amended proposal.

The organisation Golf Environment Europe (GEE) sent a position paper regarding the Pesticides Regulation to the EP and supported the need for reduced exposure to pesticides of society and industry.

But GEE emphasized, too, that plant protection products are often an important tool in maintaining golf courses which are fit for purpose. Furthermore GEE believed flexibility should be retained for member states to take appropriate action because in many member states income derived from golf and golf tourism is significant, and deterioration in playing quality could have significant social and economic impact.

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2. Directive to achieve a sustainable use of pesticides (“Pesticides Framework Directive”)

The draft directive seeks to protect human and animal health and the environment from adverse impact of use of pesticides in farming and the ecosystem. It aims at reducing the risks of pesticide use in a way that is consistent with the necessary crop protection.

Review:

12.07.2006: proposal for a directive is adopted by the EC

23.10.2007: EP convened for the first reading

17.12.2007: political agreement on common position in Council

19.05.2008: Council adopted common position

Forecasts:

08.10.2008: discussion in the mini-session

05.11.2008: adoption of the report in the committee responsible

Relevance for sport:

The directive says that “*in places such as public parks, sports grounds ... the risks from exposure to pesticides of the general public are high. Use of pesticides in those areas should, therefore, be reduced as far as possible, or eliminated, where*

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appropriate".

Furthermore the directive includes that "*the use of pesticide shall be prohibited or restricted to the minimum necessary in areas used by the general public or sensitive population, at least in... sports grounds etc*".

In the first reading these two cited points were amended by the EP in the way that not only sports grounds but also recreation grounds are included.

Miscellaneous

9th CNOSF published a contribution on professional sport "Together for a European sport"

The French Olympic Committee has published on June 26 a contribution on professional sport "Together for a European sport". The initiative, launched in July 2007, gathered all national sport actors and aimed at providing recommendations on numerous European issues, before the kick-off of the French EU Presidency.

The President of the CNOSF, Henri Serandour, entrusted to Bernard Lapasset, vice president of the CNOSF and President of the French Rugby Federation, the mission to conduct the overall contribution shared in six working groups:

- White paper on sport and specificity of sport

- Training

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- Solidarity between amateur sport and professional sport
- Release of national players
- Contractual issues
- Players agents

The conclusions of these working groups were presented on June 26 in the presence of sports federations, professional leagues, union of clubs, of players and of coaches, representatives of ministries, the Parliament, European institutions, etc.

Patrick Hickey, president of the European Olympic Committees and Pedro Velazquez, deputy head of the Sports Unit (European Commission), both welcomed this initiative, underlining that it would feed considerations on the future of sport at European level. Manolis Mavrommatis, rapporteur of the report on the White paper on sport published in May 2008 by the European Parliament, was also present. His contribution to the debate was welcomed by the participants.

The conclusions are available on the CNOSF website (only in French for the moment):



http://www.franceolympique.com/files/File/publications/sport-pro/sportpro_LB-TOTAL.pdf