



European Union and Sport

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Belgium EU-Presidency Conference: Regulating Gambling

A conference on the “Role of Authorities in Regulating Gambling” organized by the Belgium-EU Presidency was held in Brussels on 12 October.

At a time where gambling is becoming a major issue for sport financing, the CJEU has already ruled several cases on this issue since 2009. The main objective of this conference was to propose solutions in order to regulate gambling market and prevent problems related to gambling such as crime, money laundering, addiction...

In this regard, many specialists from different horizons have expressed their points of view during the day. It is interesting to note that the new French law on gambling was presented in detail by a member of the ARJEL. Furthermore, the new Belgium law on gambling which is soon going to enter into force was also been commented upon.

The leitmotiv of this conference was to implement measures at the European level in order to facilitate cooperation between regulators amongst the EU Member States. Some speakers even mentioned the possibility to launch European regulation. Indeed it is not possible to prevent European citizens to cross the border and bet or play in casinos in another EU Member State. Moreover it was that gambling regulation is

an issue which has to be tackled also on a global level.

At the conclusion of the conference the Commissioner for Internal Market, Mr. Barnier reminded that of a Green Paper on gambling will be published by the end of the year or the beginning of next year. He also gave some details on the public consultation he wants to launch and specifically the main themes covered:

- The societal impact of the on-line gambling: de-socialization, indebtedness ...
- Public order issues: Prevention of fraud risks, money laundering, tax evasion, ...
- Contribution of gambling to public interest: question of the financial support to sport
- Methods forcing the operators to apply rules defined by regulators

The European Union has been asked to tackle the gambling issue and especially to promote common rules for national regulators in the EU Member States.

Outcomes of Sport Directors' meeting in Genval

An informal meeting of the EU Sport Directors took place on 16-17 September in Genval under the Belgian presidency. The meeting provided an opportunity to discuss and exchange views on current EU policy

issues. The main issues discussed during the meeting were the future EU initiatives in the field of sport, education and training, volunteering and the fight against doping. Referring to the planned Communication on



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Sport, the Sport Directors welcomed the "Commission's commitment to work toward adoption until the end of the year". The Communication should be presented in due time "in order to give a strong signal to the sport movement that the entry into force of the Treaty of Lisbon brings an added value to sport". Concerning education and training, the Sport Directors expressed their support for continued implementation of the European Qualifications Framework (EQF) in the field of sport. Member States are currently in the process of reviewing the existing structures, drafting national qualification frameworks (NQF) and aligning them to the EQF. As of 2012, all qualifications issued on national level should contain a reference to the respective level of the EQF. The main objective of the EQF is to

increase the transparency of qualifications and to promote cross-boarder mobility. As for anti-doping, a study on the implementation of the WADA Code in the EU was presented, showing large discrepancies across Member States.

Further information is available under the following link:
http://ec.europa.eu/sport/news/news960_en.htm

*The CNOSF debates with the European Parliament on the implementation of the EU competence on sport
Brussels – 26 October 2010*

A delegation led by the President of the



CNOSF, Denis Masseglia, participated in a lunch-debate in Brussels with several French MEPs. The European Commission and the permanent representation of France to the EU were also present.

The objective of this meeting was to exchange thoughts on the EU sport policy. The framework of the EU action is not yet

defined in this sector. Furthermore, it was an opportunity to get an overview on the EU future actions on sport and to present the expectations of the French sport movement. President Masseglia reiterated the position of the French Olympic and sport movement on the implementation of the new EU competence on sport granted by the Lisbon Treaty. He emphasized the recognition of the autonomy of the sport movement; the acknowledgment of the specificity of sport based on article 165 of the TFEU; the structured dialogue between the EU and the sport movement; the ensuring of the financing of sports organizations without forgetting to mention the social and educative functions of sport.



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The MEPs also evoked the current topics at the European Parliament related to sport. Mrs. Auconie reminded of the importance of future discussions relating to sport governance. Mr. Bennahmias evoked the finance and management control of sports



clubs. Mr. Audy insisted on the disparities among the regional legislation regarding to labor law issues in the sport sector and linked this point to the home-grown players whereas Mr. Cadec mentioned the necessity to defend the solidarity mechanisms between professional and amateur sport. Mrs. Sanchez-Schmid indicated that the

European Parliament is currently working on how to promote sport and especially in regards to its financial aspect. Moreover the idea of an EU day devoted to sport and health has been launched.

Due to important issues related to sport within the coming months (Communication on sport of the European Commission, hearing of the sport movement at the European Parliament and Sports Ministers meeting) it was necessary for the CNOSF to express its point of view to the French MEPs.

Also available on the French Olympic Committee website in French version:
<http://www.franceolympique.com/article.php?id=1458>

EU-policy matters

Vassiliou exchanges views on Sport Policy with members of CULT-Committee

EU Sport Policy was among the issues discussed during an exchange of views between Commissioner Androulla Vassiliou (GD EAC) and members of the Committee for Culture and Education (CULT) of the European Parliament on 26 October. In her introductory remarks, Vassiliou stated that the Commission's long awaited "Communication on the Impact of the Lisbon Treaty on Sport" was about to be finalised and would be presented by the end of the year.



The Communication will complement the "White Paper on Sport" (2007) and propose new measures with a view of implementing

the treaty provisions on sport (Article 165 TFEU). The Communication would "provide guidance to all levels" and build on the following core elements: the social and educational role of sport, including sport structures, grassroots sports and volunteering; the fairness and openness of sport competitions; the physical and moral integrity of sport people and the cooperation and dialogue with the sport movement and relevant stakeholders. However, the Commissioner emphasized also that "budgetary constraints did not allow to set up an EU Sport Programme" for the years 2012 and 2013, contrary to what was initially planned. "They gave us a competence, but not the money", Vassiliou



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stated, pointing to the Member States, but without mentioning the lack of political willingness from the Commission itself. Referring to a question from MEP Joanna Senyszyn, the Commissioner replied that perspectives for the funding of sport projects were “not that gloomy” in the long run. However, Vassiliou remained ambiguous and reluctant to make any firm commitments. On the one hand, Vassiliou promised that “the Commission will pave the way for a substantial sport programme for the next financial period (2014-2020)”. On the other, she stated that a final decision could only be taken after a thorough evaluation of the current Preparatory Actions. Moreover, Vassiliou did not provide any answers to the question posed by Ms. Senyszyn on how the Commission intended to mainstream sport into the already existing EU funding programmes (e.g. Youth in Action, Lifelong Learning, Europe for Citizens, Health Programme, Structural Funds, Daphne, Life,

7th Framework Programme, etc.). Instead, a large part of the Commissioner’s reflections centred on how “cultural creative industries” could be better included in the structural funds, whereas the contribution of sport to regional development and employment was completely ignored. Hopefully, some of the missing answers with regard to sport funding will be provided in writing in response to the parliamentary question (P-8604-2010) submitted by Ms. Senyszyn on 19 October. In accordance with the Parliament’s rule of procedures, the Commission has to come up with a reply within three weeks.

The parliamentary question (P-8604/2010) is available under the following link:
<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+WQ+P-2010-8604+0+DOC+XML+V0//EN&language=EN>

CJEU – Hearing concerning the joined cases “Football Association Premier League (FAPL)” and “Karen Murphy”

On 5 October 2010, the CJEU held a public hearing concerning the joined cases “Football Association Premier League (FAPL)” and “Karen Murphy”.

Briefly summarized, these complex legal disputes raise the issues of copyright, territoriality of TV broadcasting rights and competition law. More specifically, the English Premier League is seeking in this case to defend its TV football rights, and to stop two importers and suppliers of non-UK decoding equipment, QC Leisure and AV Station, from giving UK pubs - Karen Murphy is a pub owner in UK caught in 2006 with the Greek card decoder - the necessary decoder cards to watch the games via Greek broadcaster Nova, a lot cheaper alternative to view these sport events.

The Grand Chamber of the CJEU hosted lawyers from 4 EU institutions and 4

European governments, as well as those representing the Premier League and its opponents (QC Leisure, AV Station, Karen Murphy), all seeking to steer the court either towards a free market for satellite cards and broadcasting services across EU borders, or a more regimented approach where broadcasters can limit their shows to particular territories.

The importance of the dispute goes potentially much further than football games.

The EOC EU Office, accompanied by a delegation of the Olympic and Sports Movement, attended this public hearing. Advocate-General Juliane Kokott will present her opinion on 13 January 2011. The judgment of the Grand Chamber of the CJEU shall be published before summer 2011.



13th ENGSO Forum in Dubrovnik on social inclusion and education in sport

The 13th Forum of the European Non-Governmental Sports Organisation ENGSO, hosted in Dubrovnik by the Croatian Olympic Committee in cooperation with the Ministry of Science, Education and Sports, discussed the themes social inclusion and education through sports on 8th and 9th October.



The Forum brought together representatives of sport organisations and experts from across Europe to learn and share about the above topics. Bart Ooijen from the Sport Unit of the European Commission outlined the future developments in EU Sport Policy in general and the Commission's actions on social inclusion. Ewa Markowics spoke on behalf of the Council of Europe about the resolutions of the recent Informal Conference of Ministers responsible for sport, and Zlatko Matesa, President of the Croatian Olympic Committee and member of the Executive Board of the European Olympic Committees, welcomed cooperation between ENGSO and EOC.

The second day of the Forum was reserved for a workshop on education and sport, notably dual careers, in the framework of the Athletes 2 Business project. Project examples on both social inclusion and education through sports implemented by ENGSO members were showcased at the forum and are summarised in the Proceeding Book of the Forum, which is available on the ENGSO website.

During the Forum, ENGSO hosted a group of sport organisations working on sport for all to a joint meeting to discuss cooperation and the promotion of sport for all. The participants of the Round Table discussed cooperation notably in the field of education. The next Round Table Sport for All is to be organised in 2011.

More information, including presentations of the speakers: http://www.engso.com/clanek.php?id=48&tab=latest_news and http://www.engso.com/clanek.php?id=47&tab=latest_news

Funding programs and studies

Lifelong Learning Programme – 2011 call for proposals published

The general call for proposals for 2011 for the EU's Lifelong Learning Programme has just been launched.

For the first time five common priorities have been defined for the Lifelong Learning Programme in order to reinforce the cohesion within all its activities:

- Develop strategies for lifelong learning and mobility
- Encourage cooperation between the worlds of education, training and work
- Support initial and continuous training of teachers, trainers and education and training institutions' managers



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- Promote the acquisition of key competences throughout the education and training system
- Promote social inclusion and gender equality in education and training, including the integration of migrants

These overarching priorities reflect main issues at stake of the political agenda for education and training in the European Union.

Sport can be involved in this programme in the framework of training for coaches or exchange of young people for example. The

total budget earmarked for this call is estimated at EUR 1,065 million.

The deadlines for the submission of applications for each programme can be found in the Official Journal of the European Union.

<http://eur->

[lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:290:0013:0014:EN:PDF](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:290:0013:0014:EN:PDF)

For further information:
http://ec.europa.eu/education/news/news2628_en.htm

Asser-Clingendael International Sports Lecture: "The Lisbon Treaty and EU Sports Policy: New Possibilities for the EU"

The 2010 edition of the Asser-Clingendael International Sports Lecture took place in the Hague, Netherlands, on 6 October. Following the recent publication of a study commissioned by the European Parliament on the Lisbon Treaty and EU Sports Policy (see Monthly Report September 2010), the lecture, chaired by Dr. Robert Siekmann, discussed the implications of the Lisbon Treaty on European sports law and EU sports policy, and the results of a stakeholder consultation related to the study.

Professor Stephen Weatherill (University of Oxford) estimated that the sports provisions of the Treaty would not necessarily change the approach of the Court of Justice of the European Union, but rather codify the existing practice, and change the rhetorical shape of arguments by the sport movement from sport not being an EU competence towards invoking the specificity of sport. He also pointed out, as the sports movement has well observed in practice, that while the Treaty enables incentive measures, the

implementation of these measures depends on the available budget – or lack of it. Professor Richard Parrish (Edge Hill University) addressed especially implications to legal certainty and the specific nature of sport, which remain undefined. He reminded that there is no horizontal clause for sport in the Treaty which would oblige other actors to take sport into consideration, and thus the sports provisions only complement the existing judicial opportunities. He also urged sports organisations to take a leading role in defining the specificity of sport.

Doctor Borja Garcia Garcia (Loughborough University) presented the results of the stakeholder consultation, where health, volunteering, social inclusion and education and training had been among the themes most supported by respondents. MEP Toine Manders (ALDE) also made a contribution. As a final point, eight representatives of sport stakeholders gave their views on what the EU's priorities for sport should be, among them ENGSO, UEFA and SportAccord.



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A2B Workshop on Sport Organisations in Dubrovnik

On 9 October 2010, the project team of Athletes2Business (A2B) organized a workshop during the 13th ENGSO Forum hosted by the Croatian Olympic Committee in Dubrovnik, Croatia. The event brought together more than 40 representatives from national Olympic committees and sports confederations from all over Europe who discussed in depth the question how sport organisations can contribute to providing a better environment for dual career.

In the first session of the seminar, Bart Ooijen from the European Commission presented dual career from an EU perspective and stressed the point that this topical issue has been and will continue to be an EU policy priority. After the Croatian athlete Mihovil Spanja presented his successful dual career path, ENGSO members had the floor to present national

initiatives and best practices related to dual career.

In the following session, workshop participants formulated and evaluated concrete recommendations on the central question "How can sport organisations create an enabling environment for dual career and what kind of responsibilities should they bear?"

The results of the discussions are now being evaluated and will be available online within the coming weeks on www.athletestobusiness.eu

A2B would like to thank ENGSO and the Croatian organizers for sharing their platform with A2B and for providing an excellent seminar.

At a glance

Important dates in November:

- 9. - EOC EU Office Board meeting in Vienna
- 15-16. - Special Competence Seminar EOC EU Office in Brussels
- 18. - Formal Sports Ministers Meeting
- 18. - EP Hearing on sports policy
Patrick Hickey (President of the EOC) to participate**
- 26.-27. - EOC General Assembly in Belgrade

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