

EU sports policy

Going faster, aiming higher, reaching further

SUMMARY

Sport has a growing impact both on the European Union (EU) economy and on society as a whole. Over 7 million people work in sport-related jobs, and sport-related goods and services amount to nearly 3 % of total EU gross value added.

It was not until 2009, with the entry into force of the Lisbon Treaty, that the Union received a clear mandate to build up and implement an EU-coordinated sports policy supported by a specific budget, and to develop cooperation with international bodies in the area of sport.

However, EU competence in sport is limited and only allows the EU to support, coordinate or complement sports policy measures taken by national governments. This rules out the adoption of legislation or any other legally binding measure. The EU has therefore opted to act via 'soft' policy tools, such as guidelines, recommendations and – most importantly – funding, to support its sport-related objectives.

Over the years, the EU has been actively involved in tackling transnational issues such as doping, match-fixing and lack of physical activity. In recent years, various health-related EU initiatives have grown increasingly popular. In 2018, the European Week of Sport attracted nearly 14 million people to over 50 000 events across Europe, with the Western Balkans and the countries from the Eastern Partnership joining the initiative in 2019. The #BeActive Night, a new feature first introduced in 2018, will continue encouraging participants to discover and try the different sports activities available in their area.

None of this would have been possible without the introduction of a specific budget for sport, in which the European Parliament played a key role. As the popularity of sport-related initiatives grows, so do the Commission's plans and ambitions for the broader role of sport in society. The executive's proposal for the 2021-2027 Erasmus programme confirms this ambition. Accordingly, the amount available for Erasmus would be doubled, to reach €30 billion, with €550 million dedicated to sport.



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Background

Sport plays a vital role, not only in individual health and fitness, but also in shaping wider society. It can improve general wellbeing and help overcome wider societal issues such as racism, social exclusion and gender inequality. Crucially, sport provides significant economic benefits across the European Union (EU) and is an important tool in the EU's external relations.

Over 7 million people work in [sport-related](#) jobs (equivalent to 3.5 % of total EU employment), and sport-related goods and services amount to €294 billion (or nearly 3 % of total EU gross value added). Sport can also directly and indirectly impact regional development and cohesion and can be a very valuable way of engaging with a variety of social groups.

In some areas, sport and physical activity can make virtually unique [contributions](#), for instance, in getting through to marginalised and alienated groups with whom other schemes have failed to engage. At the same time, it can also be associated with advanced forms of economic development, making use of sports science and cutting-edge training facilities, as well as making a contribution to resolving societal challenges such as obesity-related health issues. Interestingly, large-scale sports events can help develop the tourist offer, increasing employment opportunities and lengthening the tourist season. Sports businesses are also a significant element in many local economies.

Growing importance of sports policy

The EU's definition of sport was originally developed by the Council of Europe in its [Sports Charter](#). It encompasses 'all forms of physical activity which, through casual or organised participation, aim at expressing or improving physical fitness and mental wellbeing, forming social relationships or obtaining results in competition at all levels'.

Before the entry into force of the [Lisbon Treaty](#) in 2009, the EU had no direct responsibility for sport, meaning that it could not conduct or finance a specific EU policy in this area. This is not to say, however, that there was no interaction between the EU and the sports world, quite the contrary. For one thing, EU competences in areas such as the single market and competition policy, and its policies and programmes in fields closely related to sport, such as education, health, youth or social inclusion, have had, and continue to have a significant [impact](#) on sport. In addition, the EU approach to sport has been shaped by various European Court of Justice (ECJ) rulings, which, as a result of the growing economic significance of professional sport, has increasingly had to deal with [sports-related cases](#). [Experts](#) argue that the most emblematic of these, the [Bosman case](#) (see box), pushed sport higher up the EU agenda by clarifying EU involvement in sports regulation.

Bosman case

The decision handed down by the ECJ in 1995 on the landmark case brought by Belgian football player Jean-Marc Bosman, led to an overhaul of the players' transfer system in the EU. It substantially affected the world of professional football, giving players the right to move to another club at the end of their contract, without any transfer fee being required. The ruling also banned restrictions on clubs signing foreign players in the EU.

The broader policy context for sport at EU level was framed by the Lisbon Treaty, through which the EU first obtained a specific competence allowing it to build up and implement a coordinated sports policy, and provide a dedicated budget for sport. However, the competence attributed to the EU under [Article 6](#) of the Treaty on the Functioning of the EU (TFEU) is a supporting one. In practice, this means that the EU can only act through 'soft' policies – such as dialogue, policy cooperation, the development of guidelines and recommendations – as opposed to using its legislative powers. Similarly, [Article 165](#) TFEU, listing the aims of EU sports policy, only allows for incentive measures and recommendations, explicitly excluding any harmonisation of the laws and regulations of EU countries. The task assigned to the EU by the Treaty is to 'contribute to the promotion of European sporting issues' and to 'develop the European dimension in sport', in particular through the promotion of fairness and openness in sporting competitions and cooperation between bodies responsible for sports, and the protection of the

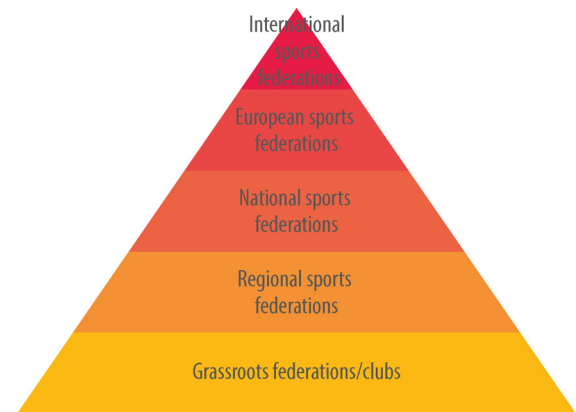
physical and moral integrity of sportspeople. Additionally, the EU's scope for intervention is limited by the need to take the specific nature of sport into account and to respect the autonomy of sport's governing structures.

A specificity to preserve

The term 'specificity of sport' refers to the long-running debate about the application of EU law requirements – such as competition and free movement, for example – to sports, and the existence of a 'sporting exception', a legal concept established and developed through ECJ rulings and the decisional practice of the European Commission, notably as regards competition rules.

[Practitioners](#) claim that sport's inherent characteristics set it apart from other economic and social activities and can 'justify a tailored application of European law and policies'. Recognised in the [European Council's Declaration](#) on the specific characteristics of sport, and further clarified in the 2007 [white paper on sport](#), the specificity of European sport is twofold. On the one hand, there is the specificity of sporting activities and rules (including the 'rules of the game' and selection criteria for sports competitions) and on the other, there is the specificity of a sport's structure (i.e. a '[monopolistic](#)' pyramid structure, with a single national association per sport and per EU country, operating under the umbrella of a single European and a single worldwide federation – see Figure 1). Importantly, the white paper made it clear that the recognition of this specificity can in no way be interpreted as a blanket exemption from the application of EU law, and that assessment of the compatibility of sporting rules with EU law can only be made on a case-by-case basis.

Figure 1 – The pyramid structure of sport



Data source: European Commission, [White Paper on sport](#), 2007.

This approach was however viewed as a source of legal uncertainty by sports federations and organisations for which the specificity of sport is intrinsically linked to the governance of sport and the autonomy of sports governing bodies in regulating and organising their respective disciplines. They therefore welcomed its inclusion in the Treaty¹ and sought to provide guidance for its interpretation.²

Nevertheless, the debate on the specificity and autonomy of sport, which, from the sports authorities' point of view is deeply intertwined with the question of the legitimacy of EU intervention in sport regulation and governance, is far from over. It seems that EU activities in this respect will be closely scrutinised in the years to come.³

Policy tools

As the Treaties rule out the adoption of legislation or any other legally binding measure on sport, the EU uses 'soft' policy tools, such as dialogue, cooperation and funding for projects, networks, studies, surveys and events.

Cooperation at EU level

European cooperation on sports policy is guided by three-year **EU work plans on sport**, which bring together EU countries, the presidencies of the Council, and the Commission, to work on key issues and provide a framework for political coordination. The [first EU work plan on sport](#) was published in 2011, to respond to the need for deepened cooperation following inclusion of sport in the list of EU competences. After a generally positive assessment of its [implementation](#), this was followed by a

[second](#), and more recently by a [third](#) work plan. This latest edition sets out the key topics to be addressed by EU countries and the Commission by 2020: i.e. the integrity of sport, the economic dimension of sport, and sport and society.

To support implementation of the work plans, the Commission set up **Expert Groups**. Each group – which includes experts appointed by the EU countries willing to participate – covers pre-defined areas related to sports policy and has its own work schedule, with specific tasks to fulfil and results to deliver. Progress is regularly reported to the Council working structures.⁴ Some of the results achieved within the Expert Groups serve as a basis for Council conclusions. Two such groups are still active in the current period – 'Integrity and skills' and 'Workforce development in sport'. They benefit from Commission expertise, logistical and secretarial support. The Commission also ensures the follow-up to the outcome of the two **High Level Groups**, on 'Sport diplomacy' and 'Grassroots sport', which delivered their respective reports in 2016. The groups are composed of experienced personalities with various backgrounds, including academics, former athletes, representatives of major sports organisations and think-thanks, as well as politicians having exercised high-level responsibilities in the field of sport.

Cooperation at international level

The EU carries out many projects in the field of education and sport with international organisations, such as the Council of Europe. One recent example is the [Pro Safe Sport+](#) project aimed at combatting sexual harassment and abuse against children in sport. It was implemented in the framework of the Enlarged Partial Agreement on Sport of the Council of Europe (see box below) in cooperation with the European Commission and other stakeholders.

The Council of Europe and sport

Sport was included in the institutional framework of the Council of Europe (CoE) through the creation of the Steering Committee for the Development of Sport in 1976. That year also marked the adoption of the [European Sport for All Charter](#). Since then, numerous recommendations, declarations, resolutions and conventions have been adopted, including strategic documents such as the [European Convention on Spectator Violence](#) (1985), the '[Anti-Doping Convention](#)' (1989), the [European Sport Charter](#) and the [Code of sports ethics](#) (1992, revised in 2001).

In May 2007, the Council of Europe established the [Enlarged Partial Agreement on Sport](#) (EPAS), designed as a platform for intergovernmental sports cooperation between the public authorities of its member states, and for dialogue between these authorities and sports federations and non-governmental organisations making up its consultative committee. In 2019, EPAS counts 37 [member countries](#) (including 18 EU countries). It notably prepared the new [Convention on the Manipulation of Sports Competitions](#) (2014), and various recommendations adopted by the CoE's Committee of Ministers concerning the autonomy of the sports movement, sports ethics or the protection of young athletes from dangers linked to migration. EPAS also supports the organisation of the CoE's Conference of Ministers responsible for Sport.

Stakeholders' opinions matter

EU-level dialogue with the sports movement, formalised by the white paper on sport, takes several forms, the most visible of which is the annual **EU Sport Forum**, organised and financed by the European Commission. Providing the opportunity to debate [topical sports issues](#) and to present EU-funded projects to allow for mutual learning, the Forum attracts representatives from international and European sports federations, the Olympic movement, European and national sports umbrella organisations and other sports-related organisations.

Other structured dialogue platforms organised by the Commission include the **Expert Groups**, in which sports stakeholders can request observer status, **high-level meetings** between the EU Commissioner in charge of sports and leading representatives of the sports movement and **conferences** and **events** on sports-related issues.

Similarly, high-profile representatives of the sports movement, the Council, the European

Commission, and the European Parliament regularly gather for an informal discussion sometimes referred to as 'structured dialogue lunch'.

Although not institutionalised, dialogue with sports stakeholders in the European Parliament takes place on a regular basis, for example in the framework of committee hearings or workshops on sport-related issues or informal exchanges of views within the [Sport Intergroup](#). The [Members](#) of the intergroup have tackled a broad variety of issues, including: empowering women through sport; human rights and mega-sports events; the manipulation of sports competitions; racism and discrimination in football; and sport and regional development.

Funding for projects and networks

Since 2009, upon an [initiative](#) of the European Parliament, funds were allocated for sports policy under what are known as **preparatory actions**. As the name suggests, [preparatory actions](#) are designed to prepare for the further adoption of legislation or programmes. From 2009 to 2013, 88 such [actions](#) were funded, with a budget of €37 million.

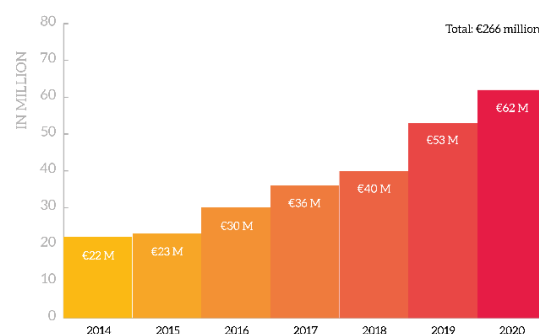
As intended, preparatory actions paved the way for a broader funding stream under the seven-year **Erasmus+ programme** – the EU programme for education, training, youth and sport for the 2014-2020 period. In 2017, the Council adopted a new three-year EU work plan for sport. With the support of the European Parliament, [funding for sport](#) is now available for the first time in the form of a specific chapter in Erasmus+. The allocation – corresponding to less than 2 % of its global budget – amounts to some €266 million over the entire period and serves to fund a range of projects (see Figures 2 and 3).

Figure 2 – Erasmus + funded sport projects



Data source: European Commission, [Sport in the EU](#), 2015.

Figure 3 – EU financial support for sport



Data source: European Commission, [Sport in the EU](#), 2015.

These funds are [intended](#) to support [collaborative partnerships](#), [not-for-profit European sports events](#) involving several countries, dialogue with relevant European stakeholders, studies, surveys or other forms of data collection to feed decision- and policy-making.

Collaborative partnerships allow development, transfer and implementation of innovative practices in different areas relating to sports and physical activity between organisations and actors within and outwith sports policy. They strive in particular to combat doping at grassroots level, notably in recreational environments such as amateur sports and fitness. Other activities include prevention and awareness-raising among stakeholders involved in the fight against match fixing and innovative approaches to tackle violence, racism and intolerance in sport.

The aim of **not-for-profit European sports events** is to increase participation in sport, physical activity and voluntary activities. The events are also designed to raise awareness of the role of sport in the promotion of social inclusion, equal opportunities and health.

[Projects](#) supported under the Erasmus+ programme in the field of sport currently include 547 collaborative partnerships and 54 not-for-profit European sports events (some of which have already come to an end).

Integration of migrants through sport

Social inclusion is among the EU's top priorities. By bringing people together, building communities and fighting xenophobia and racism, sport has the potential to make an important contribution to the integration of migrants in the EU. The European Commission facilitates the exchange of good practices on the topic, and promotes projects and networks for social inclusion of migrants through the European structural and investment funds and the Erasmus+ programme. Such projects include, for example, the [European sport inclusion network](#) and [Social inclusion and volunteering in sports clubs in Europe](#).

Promoting physical activity

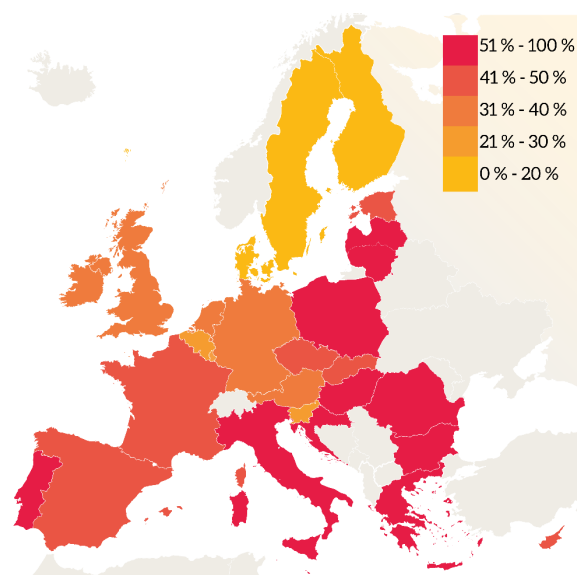
The World Health Organization (WHO) identifies [physical inactivity](#) as the fourth risk factor for global mortality, [provoking](#) 6 % of cases of coronary heart disease, 7 % of type 2 diabetes, 10 % of breast cancer and 10 % of colon cancer – causing an [estimated](#) 3.2 million deaths globally.

Worryingly, the results of the 2018 Eurobarometer [survey](#) on sport and physical activity show that nearly half of respondents (46 %) never exercise or play sport (see Map 1) – up 7 % from 2009. Moreover, data from [research](#) based on [WHO](#) estimates reveal that a quarter of European adults and four-fifths of European adolescents are insufficiently active. The report also affirms that each year, physical inactivity claims over 500 000 lives across Europe and generates more than €80 billion in economic costs for the EU-28. This amount represents 6.2 % of all European health spending, €5 billion more than the annual global spend on cancer drugs, and half of Ireland or Portugal's annual GDP. Conservative estimates put the annual cost of physical inactivity in 2030 at over €125 billion (in 2012 prices).

The **European week of sport** is part of the EU response to physical inactivity. The idea originated in the 2012 European Parliament [resolution](#) on the European dimension in sport, which recommended creation of a large-scale annual event to raise awareness about the role and benefits of sport and physical activity.

This EU-wide initiative is led by the European Commission and implemented at EU, national, regional and local levels, with the help of national coordinators and in partnership with sports organisations and stakeholders. The European week of sport is organised on an annual basis, with funding from Erasmus+, following a fixed calendar (the last week of September). High-profile sportspeople act as ambassadors to promote the week during flagship events. The first edition of the [European week of sport](#) took place in 2015 and was [positively received](#). In 2018, nearly 14 million Europeans participated in over 50 000 events in 35 countries across Europe.

Map 1 – Physical inactivity in the EU



Data source: [Sport and physical activity](#), Special Eurobarometer 472, TNS opinion & social, 2018.

WHO physical activity guidelines

In 2002, the WHO [recommended](#) a minimum of 150 minutes of physical activity per week for adults and 60 minutes per day for children. Following up on its 2007 [white paper on sport](#), in 2008, the European Commission developed the [EU physical activity guidelines](#) proposing concrete policy-related actions based on the WHO recommendations. In a further effort to expand the monitoring and surveillance of physical activity in EU countries, the Commission provided an overview in 2018, through [country factsheets](#), the results of which show wide differences among Member States.

A European week of sport spin-off – the [European school sport day®](#) – first initiated in 2015, takes place on 27 September 2019. So far, it has drawn more than 2.5 million participants and 8 500 schools from 20 countries. To take part in the sport day, students need to #BeActive for at least 120 minutes – run, walk, skip or dance the distance of the given year (i.e. 2 019 metres in 2019).

Finally, in the past two years, [EU funds](#) to promote healthy lifestyles have increased steadily. For example, the budget to support projects promoting physical activity under the Sport chapter of the Erasmus+ programme almost doubled from €6 million in 2017 to almost €11 million in 2019. Under the [EU promotion of EU farm products policy](#) 2019, €8 million is dedicated to supporting healthy eating campaigns. In addition, the third [EU health programme](#) co-funds a joint action to share best practices in the field of nutrition between EU countries with a €6 million contribution.

Preserving sport's integrity

Fighting doping: keeping sport safe and fair

Background

Doping represents a threat to sport in several respects. It constitutes a serious violation of its ethical values and of sporting principles such as fair play, it tarnishes the public image of sport, and, last but not least, endangers sportsmen's and sportswomen's health. Doping in professional sport has a long history, with high-profile cases regularly hitting the headlines.⁵ Over time, [doping](#) has evolved from an isolated act performed by an individual sportsperson to an organised practice at team level. Worryingly, [experts](#) see a correlation between growing financial stakes in high-level sport and the spread of performance-enhancing substances and techniques.

Responsibility for the [fight against doping](#) lies primarily with sports organisations and public authorities. The former are charged with conducting testing, providing education programmes, and disciplining those who breach anti-doping rules, while the latter are responsible, among other things, for facilitating doping controls and supporting national testing programmes, taking measures against manufacturing and trafficking, and funding anti-doping education and research.

International cooperation in anti-doping matters was long limited to the Council of Europe, which was also at the origin of the first international legally binding instrument in the field: the [Anti-Doping Convention](#) (1989). The drive towards harmonisation of anti-doping efforts gained momentum in the aftermath of the 1998 Tour de France scandal,⁶ with the creation of the World Anti-Doping Agency ([WADA](#)) and the development of the World Anti-Doping Code, which entered into force in 2004.

The World Anti-Doping Agency

The World Anti-Doping Agency (WADA), based in Montreal, was founded in 1999 in Lausanne under an initiative of the [International Olympic Committee](#) (IOC), with the aim of promoting and coordinating the fight against doping in sport internationally. Set up as a Swiss private-law foundation, it is composed and funded equally by the sports movement and public authorities.

Besides scientific research, education and development of anti-doping capacities, WADA's main activities involve monitoring of the World Anti-Doping Code ([WADC](#)), which harmonises anti-doping policies and rules within sports organisations and among public authorities all over the world. It also clarifies the role and responsibilities of stakeholders at all levels, from athletes to the IOC, national and regional anti-doping agencies and international federations.

As the code is a non-governmental document that applies only to members of sports organisations and is not legally binding for public authorities, governments signalled, by signing the Copenhagen declaration on anti-doping in sport, their intention to formally recognise and implement the code through an international treaty that would provide the necessary legal framework. It took the form of the United Nations Educational, Scientific and Cultural Organization (Unesco)⁷ [International Convention against Doping in Sport](#), adopted in 2005.

EU action

The rationale for EU action in the field of doping clearly lies in the transnational nature of the issue. However, from the foregoing, it appears that other actors, such as WADA, the Council of Europe, Unesco and the individual EU countries, hold a prominent place in anti-doping policy worldwide. This [raises the question](#) as to where EU intervention might fit in this configuration.

EU action is guided by the need to foster convergence between the different approaches and coordinate the various actions taken to combat doping, identified by the European Parliament as early as 1998.⁸ In the international context, the EU seeks to strengthen unity between its Member States and to speak with one voice in international fora, as indicated by initiatives such as the 2010 [Council conclusions](#) on the role of the EU in the international fight against doping, calling for coordination of EU and Member State positions under the responsibility of the Council presidency; the 2011 [Council resolution](#) aimed at implementing a new system for EU representation in WADA's Foundation Board; and the EU revisions to the World Anti-Doping Code, submitted in 2012. In the EU context, the focus is on the exchange of information and best practices, both as regards law-enforcement, and the health and prevention dimensions of the fight against doping.

EU participation in WADA

Together with its Member States and the Council of Europe, the EU played an active part in WADA's creation, insisting on the Agency's independence, transparency and accountability. Initially, the European Community was represented on the Foundation Board, WADA's supreme decision-making body, by the President-in-office of the Council and a member of the European Commission, and a Community contribution to WADA's operating budget was envisaged as from 2002.

However, considering that the legal and political conditions had not been met, in 2001, the Commission announced that the EU (as a body) would not participate in the future functioning or financing of WADA. The EU is therefore represented on the [Board](#) by individual EU countries (currently Belgium, Portugal, and Romania). EU Member States contribute individually to WADA's budget. Coordination of their financial commitments towards WADA takes place within the Council of Europe.

It is also within this framework, more specifically in the Council of Europe's ad hoc European Committee for the World Anti-Doping Agency, that the European continent's positions are coordinated prior to WADA meetings. The agency is structured on a continental basis and the Council of Europe has two seats on its Foundation Board.

In July 2019, Europol, together with Interpol, the Joint Research Centre, the European Anti-Fraud Office, the World Anti-Doping Agency, 23 EU countries and 10 third-party countries, joined forces in operation '[Viribus](#)' for a large-scale crackdown on the trafficking of doping materials and counterfeit medicines. Led by the Italian Carabinieri and the Financial Unit of the Hellenic Police (*Ελληνική Αστυνομία*), this was the largest operation of this kind to date. It resulted in the seizure of 3.8 million illicit doping substances and counterfeit medicines, dismantling of 17 organised groups, closure of 9 underground labs, the arrest of 234 suspects and 839 judicial cases.

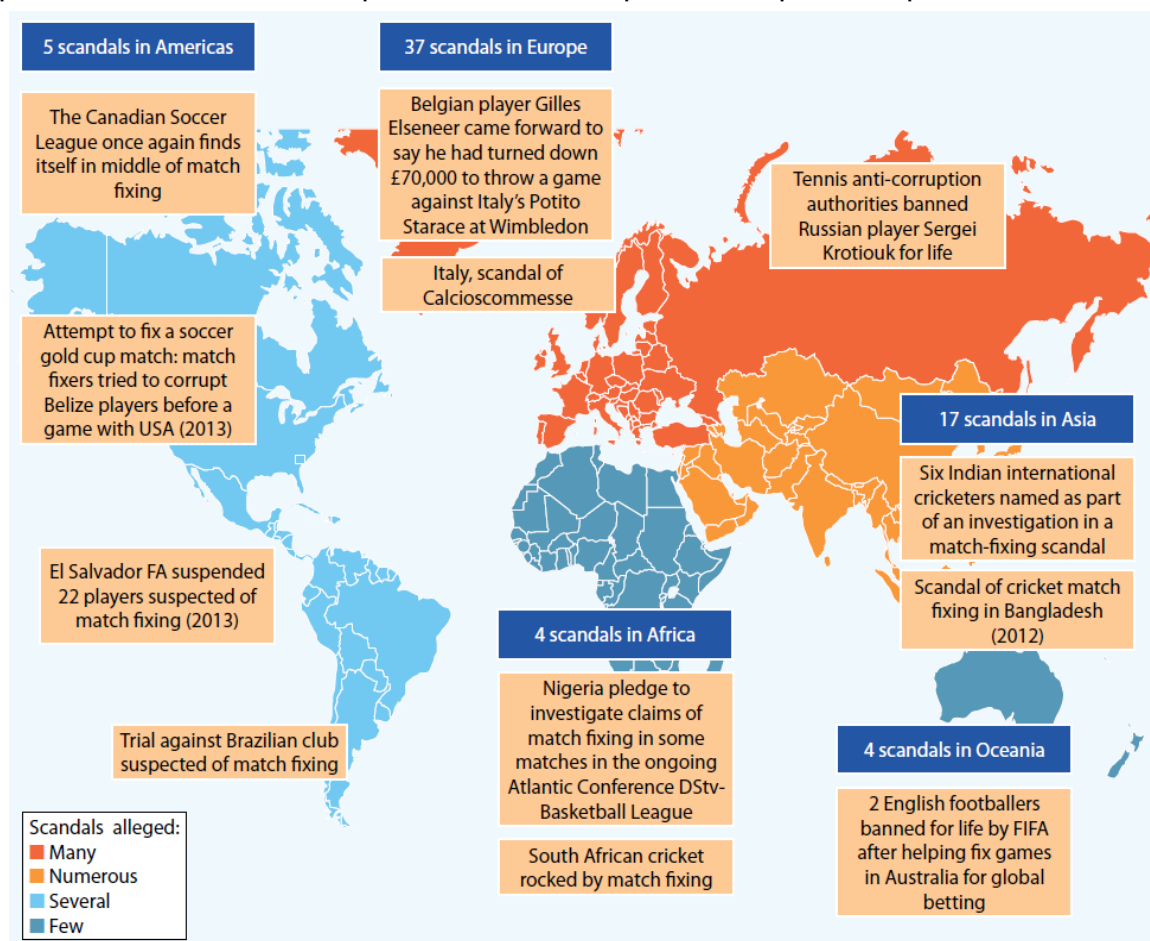
Match-fixing: the plague that kills sport

Background

Despite having been [identified](#) as an issue as far back as the Olympic Games in ancient Greece in 388 BC, [experts](#) argue that match-fixing (i.e. the manipulation of results of sporting contests, or elements within a game, match or race) – along with doping, hooliganism and racism – is one of the most serious problems facing sport in the 21st century. An [Interpol estimate](#) for the 2011-2013 period indicates that, for football alone, match-fixing has been reported in between 60 and 80 countries (see Map 2).

Globalisation has further aggravated the phenomenon, with transnational criminal organisations taking advantage of changes in regulations, flaws in legal and judicial systems, the opening-up of borders and the growth of free trade.

Map 2 – Global distribution of reported cases of manipulation of sports competitions 2012-2014



Source: Sorbonne-International Centre for Sport Security (ICSS), [Fight against the manipulation of sports competitions](#), 2014.

Revelations about the [ramifications](#) of the 'Kelong Kings', a criminal syndicate from Singapore, highlighted the global nature of the problem, prompting the then [Interpol Secretary-General](#), Ronald K. Noble, to comment that it requires a 'global and holistic' response. In 2014, this led the Union of European Football Associations (UEFA), the governing body of European football, and Europol, the EU's law-enforcement agency, to [pool](#) efforts to fight match-fixing practices.

Research shows that match-fixing is the most common type of [corruption](#) in sport across EU countries. Two types of match-fixing exist: **betting-related match-fixing** (with the primary aim of achieving an economic gain) and **sports-related match-fixing** (motivated essentially by the desire to qualify for a competition). The former has attracted greater focus, mainly due to the substantial sums involved. Interpol suggests that [sports-related betting](#) attracts US\$1 trillion a year, with nearly three quarters of that sum gambled on football. A case in point for the latter is the 'end-of-season-phenomenon', when deals are [made](#) to avoid relegation to a lower division. While economic benefits are not necessarily the primary objective in this case, at a later stage, maintaining a position in a higher division may have substantial financial consequences in terms of television rights or sponsorship contracts, for example. Also, club executives have wider obligations, particularly in terms of the financial profitability of their teams.

Even though certain sports seem particularly affected by match-fixing (notably [cricket](#), [football](#), and [tennis](#)), cases also occur in [badminton](#), [boxing](#), [basketball](#), [handball](#), [horse racing](#), [snooker](#), [sumo wrestling](#), and [volleyball](#).

Policy responses to match-fixing in the EU

It should be stressed that match-fixing cannot be penalised by way of criminal or administrative sanctions at EU level without a harmonisation instrument. The only such instrument in place is the 2003 [Framework Decision](#) on **combating corruption in the private sector** which, however, leaves EU countries free to set levels of sanctions and penalties. EU countries are in particular required to penalise active and passive corruption with a penalty of a maximum of one to three years of imprisonment.

At national level, various [legal provisions](#) allow sanctions against the manipulation of sports competitions.

Germany has introduced two criminal provisions covering sports betting fraud and the manipulation of sports competitions, partly motivated by the [Bochum case](#), one of the biggest scandals in football history.

France has a legal framework in place since 2012, with two new articles introduced in the Criminal Code to include a specific reference to the manipulation of sports events on which bets have been placed. Previously, action was only possible based on a proven link with private corruption.

In **Italy**, legislation has evolved significantly, and new provisions have widened the scope of existing legislation to include the confiscation of goods and properties connected to fixers since 2015.

At EU level, the two agencies in charge of cross-border police and judicial cooperation – Europol and Eurojust – are also actively involved in the fight against match-fixing, mainly through the establishment of joint investigation teams.

Europol – the EU's law enforcement agency – has a [mandate](#) comprising organised crime, terrorism and other forms of serious crime. However, it is primarily a support service and any operational action undertaken by Europol must be carried out in liaison and agreement with Member State authorities. The application of coercive measures continues to be exclusively a matter for the competence of national authorities.

In 2014, Europol created a dedicated operational project under the name of [Analysis project sports corruption](#) to tackle organised crime groups involved in sports corruption and associated crimes, with the support of 14 Member States, two non-EU countries, and Interpol (see box). The project offers a unique platform to collect, exchange, analyse and disseminate criminal intelligence received from national law enforcement agencies and third parties regarding sports corruption related investigations.

In 2014 Europol and UEFA signed a [memorandum of understanding](#) aimed at strengthening the fight against match-fixing in European football.

Eurojust – the EU's judicial cooperation unit – is another institution with key relevance to the prosecution of sports corruption affecting two or more EU countries. It strives to strengthen judicial

Making use of international police cooperation

Interpol – the international criminal police organisation – has two units dealing with match-fixing – the 'Integrity in Sport Unit', working on capacity-building and prevention, and the 'Match-fixing Unit' in charge of operational support to member countries working on match-fixing investigation cases, as well as illegal and irregular betting across the globe. This happens through the [Match-Fixing Task Force](#), which currently counts 83 member units (82 jurisdictions and Europol), with more than 120 national points of contact worldwide. The Task Force monitors media coverage of competition manipulation and compiles an overview of open source reports in a bi-weekly newsletter, which is shared with more than 3 000 parties.

The European Parliament against match-fixing

Parliament has given consideration to the issue in its various resolutions related to online gambling (2009 and 2011), match-fixing and corruption in sport (2013), and on high-level corruption cases in the Fédération Internationale de Football Association (FIFA) (2015). Parliament has highlighted that online gambling 'is not a market like any other because of the risks involved regarding consumer protection and the fight against organised crime'. It has repeatedly called on sports organisations to adopt a zero tolerance policy on corruption and to set a 'common definition of sport fraud and cheating'.

cooperation in criminal matters and promote the coordination of investigations and prosecutions between the competent authorities of EU countries.

At **international level**, the EU has taken an active part in the preparation of the Council of Europe's **Convention on the Manipulation of Sports Competition**. The [Convention](#) offers a solid basis for strengthening pan-European coordination and cooperation in the fight against match-fixing, and is the first legally binding international tool to fight match-fixing for the parties that choose to ratify it. It focuses on key aspects of the fight against match-fixing – prevention, law enforcement, the exchange of information among the various actors and, of course, international cooperation. Three years of effort and mobilisation by a large number of national and international actors have made it possible for the Convention to enter into force on 1 September 2019.

Joint anti-corruption probe

A concrete example of European cooperation in criminal matters is an [operation](#) conducted between 2011 and 2013, by joint investigation teams from Europol, Eurojust, Interpol, and police units from 13 EU countries, and which resulted in the dismantling of a complex criminal network involved in widespread football match-fixing. It concerned over 380 professional football matches and 425 match and club officials, players, and criminals from over 15 countries. Betting profits generated by this wide-scale fixing operation amounted to more than €8 million, while corrupt payments to people involved in matches reached over €2 million.

Latest developments

In 2018, the EU launched the [#BeInclusive](#) sport awards to crown the achievements of organisations that have successfully developed sports projects aimed at social inclusion of ethnic minorities, refugees, people with disabilities, or any other group facing challenging social circumstances.

The [#BeActive](#) campaign is also gaining momentum. Since its launch five years ago, the [European week of sport](#) has drawn over 40 million Europeans to more than 100 000 events in 38 countries and its popularity continues to grow. It is the largest public-funded sports initiative worldwide. In 2019, the Western Balkans and the countries from the Eastern Partnership will be organising national events under the umbrella of the week of sport, officially inaugurated on 23 September in Espoo (Finland). The [#BeActive Night](#), a new feature first introduced in 2018, will continue encouraging participants to discover the different sports activities available in their area.

As the popularity of these initiatives grows, so do the Commission's plans and ambitions for the broader role of sport. The Commission's budgetary proposal for the next Erasmus programme for 2021 to 2027 is a confirmation of this ambition. The amount currently available would be substantially increased, to reach €30 billion, with €550 million of this dedicated to sport, to tackle, among other things, some immediate challenges, such as physical inactivity, good governance and the integrity of sport.

As part of the effort to fight gender stereotypes and promote women's access to decision-making roles in sport, the Commission is also seeking to ensure that 30 % [of sports decision-making](#) roles are held by women by 2020.

Using sport as a diplomatic tool has also been a key policy driver. A High-Level Group set up to assess the potential of sport in EU diplomacy examined the positive impact that sports projects can have in strengthening international relations, taking into consideration such issues as education, economy, culture, health and employment. Following on from this work, EU ministers of sport adopted [Conclusions on sport diplomacy](#) in 2016, confirming the rising status of sport in international relations.

European sports index

The [European sports index](#) compares the social significance of sport in the 28 EU countries. The index uses seven indicators that help visualise the social significance of recreational, club and school sports, the population's access to sport, the socio-political and economic significance of sport, and the significance of professional sport within the countries observed. The resulting overall ranking displays a north-south divide, with Germany, France, and Denmark coming on top, while Greece, Portugal, and Bulgaria bring up the rear.

As [Commissioner for Sport](#), Tibor Navracsics remarked, 'sport is not the answer to all of society's problems, but ... it can make an important contribution to addressing them.'

ENDNOTES

- ¹ See for instance the media release published in October 2007 on FIFA's website: '[Olympic and sporting movement satisfied with reference to specific nature of sport in EU reform treaty](#)'.
- ² See for example the Union of European Football Associations (UEFA)'s [position on Article 165 of the Lisbon Treaty](#) (2010).
- ³ In 2011, the EU Office of the European Olympic Committees [drew attention](#) to the Commission activities related to good governance in sport and the establishment of the dedicated EU Expert Group, indicating that this could be considered as problematic as regards the autonomy of sports organisations.
- ⁴ The Working Party on Sport was [established](#) in February 2010. Ministers discussed sports policy in a formal Council setting for the first time in [May 2010](#). In [September 2010](#), the European Council officially incorporated sports policy in the 'Education, youth and culture' configuration.
- ⁵ Proven doping cases include, for example, Canadian sprinter Ben Johnson, who tested positive for the steroid stanozolol in 1988; American track and field athlete Marion Jones, who in 2007 admitted to steroid use; and seven-time *Tour de France* winner Lance Armstrong, found guilty of doping in 2012. All were consequently stripped of their titles. More recently, [expert analysis](#) of a leaked database of 12 000 official drug tests belonging to the International Association of Athletics Federations (IAAF) suggested that roughly a third of the athletes who won medals in endurance events at the Olympics and World Championships between 2001 and 2012 had suspicious blood values. The [IAAF](#) rejected the allegation of a doping cover-up.
- ⁶ In a 1998 raid during the *Tour de France*, French police found a large number of prohibited substances in a vehicle belonging to the cycling team Festina, whose director [admitted](#) a 'concerted' and controlled doping programme for the riders.
- ⁷ Besides facilitating the development of the Convention, Unesco has established a 'Fund for the Elimination of Doping in Sport' (amounting to over US\$2.6 million), aimed at providing financial assistance to states parties to help them develop or implement effective anti-doping programmes.
- ⁸ See European Parliament resolution on urgent measures to be taken against doping in sport, [OJ C 098](#), 9 April 1999. The European Parliament adopted another [resolution on combating doping in sport](#) on 14 April 2005, calling on the European Commission to implement an effective and integrated policy in all fields relating to the fight against doping and to encourage cooperation between Member States.

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