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*Committee on Culture and Education*

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# **DRAFT REPORT**

on the European dimension in sport  
(2011/2087(INI))

Committee on Culture and Education

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## CONTENTS

	<b>Page</b>
MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION .....	3
EXPLANATORY STATEMENT.....	8

## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### on the European dimension in sport (2011/2087(INI))

*The European Parliament,*

- having regard to the Commission communication of 18 January 2011 entitled ‘Developing the European Dimension in Sport’ (COM (2011)0012 final),
- having regard to the Commission White Paper on Sport (COM (2007)0391),
- having regard to its resolution of 14 April 2005 on doping in sport<sup>1</sup>,
- having regard to its resolution of 29 March 2007 on the future of professional football in Europe<sup>2</sup>,
- having regard to its resolution of 13 November 2007 on the role of sport in education<sup>3</sup>,
- having regard to its resolution of 8 May 2008 entitled ‘White Paper on Sport’<sup>4</sup>,
- having regard to its resolution of 10 March 2009 on the integrity of online gambling<sup>5</sup>,
- having regard to Council Decision 2010/37/EC of 27 November 2009 on the European Year of Voluntary Activities Promoting Active Citizenship (2011),
- having regard to the Council conclusions of 18 November 2010 on the role of sport as a source of and a driver for active social inclusion<sup>6</sup>,
- having regard to the Council conclusions of 17 June 2010 on the new strategy for jobs and growth, notably the part confirming the headline targets on the improvement of education levels,
- having regard to the Council resolution of 1 June 2011 on a European Union Work Plan for Sport 2011-2014<sup>7</sup>,
- having regard to the opinion of the Committee of the Regions<sup>8</sup> of 11-12 October 2011 and the opinion of the European Economic and Social Committee of 26-27 October 2011 entitled ‘Developing the European Dimension in Sport’<sup>9</sup>,

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<sup>1</sup> Texts adopted, P6\_TA(2008) 0198.

<sup>2</sup> Texts adopted, P6\_TA(2007) 0100.

<sup>3</sup> Texts adopted, P6\_TA(2007) 0503.

<sup>4</sup> Texts adopted, P6\_TA(2008) 0198.

<sup>5</sup> Texts adopted, P6\_TA(2009) 0097.

<sup>6</sup> OJ C 326, 03.12.2010, p 5.

<sup>7</sup> OJ C 162, 01.06.2011, p 1.

<sup>8</sup> CdR xxx/2011.

<sup>9</sup> SOC /xxx.

- having regard to Articles 6 and 165 of the Treaty on the Functioning of the European Union,
  - having regard to the Declaration of Punta de l’Este of December 1999 and to UNESCO’s round table meeting on traditional sports and games (TSG)<sup>1</sup>, dealing with recognition of traditional sports and games as part of intangible heritage and a symbol of cultural diversity,
  - having regard to the case-law of the EU Court of Justice and the Tribunal and the Commission’s decisions on sports matters,
  - having regard to Rule 48 of its Rules of Procedure,
  - having regard to the report of the Committee on Culture and Education and the opinions of the Committee on Economic and Monetary Affairs, of the Committee on Environment, Public Health and Food Safety, of the Committee on Internal Market and Consumer Protection, of the Committee on Legal Affairs, of the Committee on Civil Liberties, Justice and Home Affairs, of the Committee on Women’s Rights and Gender Equality (A7-0000/2010),
- A. whereas sport contributes to achieving the EU’s strategic objectives, as it highlights fundamental educational and cultural values and is a vector of integration, since it is open to all members of the public, regardless of their sex, ethnic origin, religion, age, nationality or social situation,
  - B. whereas sport is a key factor for health in modern society and is an essential part of a high-quality education,
  - C. whereas doping in sport infringes the values of sport and places sportspeople at serious risk,
  - D. whereas many top-level athletes face an uncertain future at the end of their sporting career,
  - E. whereas violence and discriminatory behaviour may occur during sports competitions,
  - F. whereas women’s participation in sport is not sufficiently valued, and women are under-represented within the decision-making bodies of sports organisations,
  - G. whereas sport plays an important part in the European economy, as it directly or indirectly employs 15 million people, i.e. 5.4% of the working population, and represents an annual added value of approximately € 407 billion, or 3.65% of Europe’s GDP,
  - H. whereas major events and participation in sport provide extraordinary opportunities to exploit the potential of tourism development in Europe,

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<sup>1</sup> Almaty, Kazakhstan, 5-6 November 2006.

- I. whereas the European model of sport is based on a federation for each sports discipline, and mechanisms for sports and financial solidarity are organised on an autonomous, democratic and territorial basis and in a pyramid structure,
- J. whereas 35 million amateurs assist the development of mass-participation sport, as do clubs and charitable sports associations,
- K. whereas the specific nature of sport arises from the sum of sport's individual and essential aspects which make it different from all other sectors of economic activity, and must be considered on a case-by-base basis,
- L. whereas national teams have a key role to play and must be protected,
- M. whereas the very nature of competitions between national teams implies that federations can enhance the training of their national sportspeople,
- N. whereas professional sport is vulnerable to financial instability,
- O. whereas sports federations do not have the structural or legal means to take effective action against match-fixing,
- P. whereas sport can play a part in various areas of the EU's external relations,

### **The social role of sport**

1. Underlines the importance of encouraging participation in sports activities in schools and universities;
2. Calls on sports organisations to pay attention to the needs of disabled sportspeople;
3. Stresses the need to support the fight against doping, while respecting athletes' individual freedom; urges the Member States to treat trafficking in illegal performance-enhancing substances in the same way as trafficking in illegal drugs and to adopt national legislation to this end;
4. Encourages Member States to take account of the experience of former sportspeople when they wish to become trainers, and to establish specific career paths for high-level athletes who decide to pursue a course of higher education and provide tutors for them;
5. Calls on Member States to refuse access to stadiums to supporters who have displayed violent or discriminatory behaviour and to set up a European database of those who have been banned;
6. Points out that, where sports take place in the natural environment, a balance must be ensured between their societal benefits and the health of the natural environments in which they take place;

## **The economic dimension of sport**

7. Reiterates the importance of volunteers in sport; is in favour of creating a legal and tax framework that is suitable for the activities of sports associations; is also in favour of sponsorship in sport;
8. Considers that sportspeople should be entitled to the same social security rights as workers;
9. Underlines the fundamental importance of commercial exploitation of audiovisual rights for sports competitions being carried out on a centralised, exclusive and territorial basis;
10. Considers that betting on sport is a form of commercial exploitation of competitions and calls on the Commission and the Member States to protect betting from unauthorised activities, in particular by recognising organisers' intellectual property rights with regard to their competitions, guaranteeing a significant contribution from betting operators towards funding mass-participation sport and by protection the integrity of competitions;
11. Calls for sport to benefit from the European Structural Funds;

## **Organisation of sport**

12. Notes that sports structures in Europe are based on the principles of nationality and territoriality;
13. Reaffirms its attachment to the European model of sport, within which federations play a central role and which has clubs and volunteers at its base;
14. Recalls that good governance in sport is a condition for the autonomy and self-regulation of sports organisations, in compliance with the principles of transparency and democracy; underlines the need for appropriate representation of all stakeholders in sports institutions;
15. Maintains that clubs should make players available when they are selected for national teams, with fair compensation and collective insurance;
16. Underlines that training for players at local level is needed for the sustainable development of European sport;
17. Underlines the importance of training allowances, as these provide an effective protection mechanism for training centres and a fair return on investment;
18. Considers that, as a regulated professional activity, the profession of sports agent should be subject to a minimum qualification from a higher education establishment, and that sports agents' fiscal residence should be within EU territory;
19. Proposes the setting up of a European register of sports agents, in which agents would list the players that they represent, and the amount they are paid;
20. Clearly states its support for licensing systems and financial fair play, as they encourage clubs to compete within their actual financial means;

21. Urges Member States to make any form of attack on the integrity of competitions a criminal offence;
22. Recognises the legitimacy of sports courts for resolving disputes in sport, as long as they respect people's right to a fair trial; calls for the creation of a European chamber of the Court of Arbitration for Sport (CAS), to be based in Brussels or Luxembourg, to settle sports disputes within the EU;

### **Cooperation with non-member States and international organisations**

23. Calls on the Commission and the Member States to include on the agenda for cooperation with non-member States problems such as international player transfers, exploitation of underage players, piracy and illegal betting;
24. Calls on clubs to ensure compliance with immigration laws when they recruit young people from non-member States and to ensure that they return to their country of origin under satisfactory conditions if their career does not take off;

### **European identity through sport**

25. Calls on the Commission:
  - to organise a 'European Day of Sports' every year;
  - to support the designation of a 'European capital of sport' every year, under the leadership of ACES (European Capitals of Sport Association), with financial support and the necessary controls;
  - to draw up a European map of local, traditional sports and support its dissemination;
  - to set up a mobility programme for young athletes, to enable them to learn new training methods and develop their European awareness and to encourage intercultural dialogue;
26. Proposes that the European flag should be flown at major sports events held on EU territory and suggests that it should be displayed on the clothing of athletes from Member States;

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27. Instructs its President to forward this resolution to the Council and the Commission, the governments and parliaments of the Member States, and to European, international and national sports federations.

## EXPLANATORY STATEMENT

Article 165 of the Treaty on the Functioning of the European Union (TFEU) gives the EU a new competence for sport, calls on the EU to contribute to the promotion of sporting issues and provides that EU action should be aimed at developing the European dimension in sport.

The communication from the Commission is the first policy document issued in the field of sport after the entry into force of the Lisbon Treaty, which gives the EU a mandate to support, coordinate and supplement sport policy measures taken by MS.

During the last term, to reflect the importance of this, the European Parliament produced other related motions for resolution, namely 'The Future of professional football in Europe'<sup>1</sup>, 'The Role of Sport in Education'<sup>2</sup> and 'The White Paper on Sport'<sup>3</sup> (implemented by the Commission in 2007)

### - Why sport matters to society

Sport itself constitutes an important social phenomenon and a public good. For many, it is one of the most important forms of recreation, whether they take part themselves or if they are a spectator. At its best, sport brings people together, no matter what their origin, background, religious beliefs or economic status. Sport promotes the active contribution of European citizens to society and helps foster a sense of social inclusion.

### - Enhancing health through sport

Physical activity is one of the most important health determinants in modern society. Lack of physical activity has an adverse effect on the health of European citizens, since it increases the risk of individuals becoming obese, overweight and contracting serious diseases. These adverse consequences are a burden on the health budget and the general economy of Member States.

### - Doping, violence and intolerance

Doping remains an important threat to sport. Many stakeholders call for a more active EU approach in the fight against doping, for example by joining, to the extent that the competences in this area entitle the Union to do so, the Anti-Doping Convention of the Council of Europe.

Spectator violence and disorder also remain a Europe-wide phenomenon and there is a need for a European approach comprising measures designed to reduce the associated risks.

### - Sport and the economy

Sport represents a large and fast-growing sector of the economy and makes an important contribution to growth and jobs, with value added and employment effects exceeding average growth rates. The sustainable funding of sport however is an issue which needs to be examined in closer detail.

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<sup>1</sup> Texts Adopted , P6\_TA(2007) 0100.

<sup>2</sup> Texts Adopted , P6\_TA(2007) 0503.

<sup>3</sup> Texts Adopted , P6\_TA(2008) 0198.



- The organisation of sport

Good governance in sport is a condition for addressing challenges regarding sport and the EU legal framework. Such challenges include: the free movement of citizens and nationality of sportspeople, transfers of players (the legality of the acts and transparency of financial flows are frequent concerns), the integrity of sporting competitions and European social dialogue in the sport sector.

*The Commission Communication:*

On 18 January 2011, the European Commission adopted a Communication entitled 'Developing the European Dimension in Sport'. It sets out the Commission's ideas for EU-level action in the field of sport. It proposes concrete actions for the Commission and/or the Member States within three broad chapters: the societal role of sport, the economic dimension of sport and the organisation of sport.

Main message of the Communication:

- identifies key challenges related to sports (e.g. doping by amateur athletes, violence linked to sporting events)
- respects the autonomy of sport governing structures and recognises the competences of MS in the organisation of sport
- nonetheless states that action at EU level in the organisation of sport can provide significant added value
- concludes each chapter with a list of possible follow-up actions for the Commission --and the Member States to address
- recognises the complexity of the proposals in the field of sport
- suggests the continuation of informal cooperation structures between MS in order to ensure the continued exchange of good practice and dissemination of results.

The Communication states that EU action contributes to the overall goals of the Europe 2020 Strategy by improving employability and mobility, through actions promoting social inclusion in and through sport, education and training and European guidelines for physical activity.

The actions proposed in the Communication aim to encourage debate among stakeholders, address challenges in sport and help the sector develop. Athletes, sport organisations and citizens are expected to benefit from the plans, which flow from the EU's new role under the Lisbon Treaty to support and coordinate sport policy in the Member States.

Currently, the Commission provides support for projects and networks in the field of sport either through sport-specific incentive measures, notably the Preparatory Actions in the field of sport, or through existing programmes in various relevant fields. These include life-long learning, public health, youth, citizenship, research and technological development, social inclusion, fight against racism, environmental protection and others.

*The Rapporteur's remarks and challenges for the future:*

On the value of sport

- The Rapporteur strongly believes that sport can contribute to the strategic objectives of the European Union, given its educational and cultural value.

- Sport is a vector of integration, since it is open to all citizens regardless of gender, ethnicity, religion, age, nationality and social status.
- The Rapporteur recognises that the practice of sport among women is not sufficiently valued and that women are underrepresented in decision-making bodies of sports organisations.
- The Rapporteur encourages MS to consider the experience of former athletes when seeking access to the coaching profession, and to establish specific pathways for athletes who choose to pursue higher education and provide tutors to monitor them.
- Volunteers enable the smooth-running of many sporting events. The Rapporteur would like to underline the importance of their contribution.

#### On tackling the big issues

- The Rapporteur is of the opinion that promoting the health benefits of sport should be the responsibility of Member States. At EU level, the focus should be on bigger issues such as doping, trafficking, mobility of athletes, racism and violence in sport.
- Every effort should be made to prevent criminal activities that pose a threat to sport e.g. money laundering, match fixing, human trafficking and exploitation of minors.
- The Rapporteur calls upon Member States to prohibit access to the stadium of fans who have displayed violent or discriminatory behaviour. Suggests a European register of those banned from stadiums be created.

#### On good governance

- Standards of sport governance through exchanges of good practices should be promoted.
- Member States' legislations on the selling of media rights should be harmonised, in order to prevent a situation in which only large associations benefit.
- The Rapporteur recognises the importance of the fair distribution of income among sports club of different sizes, and between professional and amateur sports.
- The importance of training allowances, as they are an effective protection mechanism for training centres and a fair return on investment, are also emphasised.

#### On the fairness of sporting competitions

- The integrity of sporting events is important. Member States should adopt regulatory measures to ensure sport is protected from any improper influences such as betting or match fixing.
- The Rapporteur urges Member States to make it a criminal offense to all forms of attack on the integrity of competitions.
- The fairness and openness of sport competitions is vital, in order to protect the integrity of sportsmen and sportswomen.
- Sports federations do not have the structural and legal means to act effectively against the rigging of games
- The Rapporteur supports the licensing systems and Financial Fair Play.
- The Rapporteur recognises the legitimacy of sports courts in resolving disputes in the field of sport, therefore calls for the creation of a European Chamber of the Court of Arbitration for Sport (CAS).

#### On the budget

- Appropriate budget coverage for sport needs to be considered, in order for the preparatory action to pass to a specific programme dedicated to the new competence.

#### On opportunities and jobs

- Member States' educational programmes should be coordinated in such a way to allow young athletes to combine learning with sports training.
- There should be courses to provide for young people wanting to pursue an athletic career, and combining that with studies.
- Sport should be promoted at schools, given its benefits such as breaking down social barriers, integration of marginalised groups.
- Sport has the potential to contribute to job creation and smart, sustainable and inclusive growth.

#### On tourism

- Synergies between sport and tourism need to be identified, notably through the upgrading of collective infrastructures.
- The Rapporteur notes that major events and sport offer tremendous opportunities to exploit the potential of tourism development in Europe.

#### On traditional sports and games

- The Rapporteur strongly believes that we should preserve local, traditional sports, as these are part of our cultural heritage and reinforce the sense of European citizenship. This is a true symbol of cultural diversity in our societies.
- The Rapporteur notes that some traditional games and sports have already disappeared and those that still survive are at risk of imminent disappearance.
- The Rapporteur invites the Commission to draw up a European map of aboriginal sports and to support its dissemination.

#### European identity through sport

- The Rapporteur invites the Commission to organise an annual 'European Day of Sports' to raise public awareness of the benefits of sport.
- Possible initiatives include conferences and debates on sport, discounts on sports equipment in shops and the promotion of a healthy lifestyle.
- The Rapporteur invites the Commission to support the annual designation of a 'European capital of sport' under the leadership of ACES, with financial support and the necessary controls.
- The Rapporteur proposes that the European flag fly at major sporting events within European Union and suggests that it appears on the jersey of the athletes of Member States.

#### Training and Mobility in sport

- Emphasises that the training of players at local level is needed for sustainable development of sport in Europe.
- The Rapporteur suggests that a mobility program for young athletes should be created, the aim of which would be to allow athletes the possibility to train with foreign teams.
- Students and school pupils on sports teams would be eligible to take part in these exchanges. The students would have the opportunity to learn new training methods and develop their European awareness. The program would enhance intercultural dialogue.

#### On cooperation with third countries and international organisations

- The Rapporteur invites the Commission and Member States to consider issues such as international player transfers, the exploitation of underage players, piracy, and illegal betting with the cooperation of third countries.
- Sports clubs should be required to comply with immigration legislation when recruiting young people from third countries. This will ensure that the sportsmen are treated well until they return to their country of origin.

#### On sports agents

- The Rapporteur believes that like any other regulated professional activity, sports agents should be subject to a minimum qualification, issued by an institution of higher education. Their fiscal residence should also be within EU territory.
- The Rapporteur proposes the establishment of a register of European players' agents, in which the names of athletes with whom they work and their salaries would be listed.