

Procedure file

| Basic information | | |
|--------------------------------|--------------------------------|---------------------|
| INI - Own-initiative procedure | 2007/2261(INI) | Procedure completed |
| White Paper on sport | | |
| Subject 4.10.13 Sport | | |

| Key players | | | |
|---|--|---|------------|
| European Parliament | Committee responsible | Rapporteur | Appointed |
| | CULT Culture and Education | | 27/08/2007 |
| | | PPE-DE MAVROMMATIS Manolis | |
| | Committee for opinion | Rapporteur for opinion | Appointed |
| | ECON Economic and Monetary Affairs | | 13/11/2007 |
| | | UEN RYAN Eoin | |
| | EMPL Employment and Social Affairs | | 11/09/2007 |
| | | PSE BOZKURT Emine | |
| | ENVI Environment, Public Health and Food Safety | The committee decided not to give an opinion. | |
| | IMCO Internal Market and Consumer Protection | | 21/11/2007 |
| | | ALDE MANDERS Antonius | |
| | REGI Regional Development | | 20/11/2007 |
| | | PPE-DE GALEOTE Gerardo | |
| | JURI Legal Affairs | | 19/12/2007 |
| | PSE GILL Neena | | |
| LIBE Civil Liberties, Justice and Home Affairs | | 31/01/2008 | |
| | PPE-DE DE LANGE Esther | | |
| FEMM Women's Rights and Gender Equality | | 06/12/2007 | |
| | PSE LOCATELLI Pia Elda | | |
| European Commission | Commission DG Education, Youth, Sport and Culture | Commissioner FIGEL' Ján | |

| Key events | | | |
|------------|--|-------------------------------|---------|
| 11/07/2007 | Non-legislative basic document published | COM(2007)0391 | Summary |
| 29/11/2007 | Committee referral announced in | | |

| | | | |
|------------|-------------------------------------|---|---------|
| | Parliament | | |
| 01/04/2008 | Vote in committee | | Summary |
| 14/04/2008 | Committee report tabled for plenary | A6-0149/2008 | |
| 08/05/2008 | Results of vote in Parliament |  | |
| 08/05/2008 | Debate in Parliament |  | |
| 08/05/2008 | Decision by Parliament | T6-0198/2008 | Summary |
| 08/05/2008 | End of procedure in Parliament | | |

Technical information

| | |
|----------------------------|--------------------------------|
| Procedure reference | 2007/2261(INI) |
| Procedure type | INI - Own-initiative procedure |
| Procedure subtype | Initiative |
| Legal basis | Rules of Procedure EP 54 |
| Stage reached in procedure | Procedure completed |
| Committee dossier | CULT/6/55895 |

Documentation gateway

| | | | | | |
|---|-------------|-------------------------------|------------|----|---------|
| Non-legislative basic document | | COM(2007)0391 | 11/07/2007 | EC | Summary |
| Document attached to the procedure | | SEC(2007)0932 | 11/07/2007 | EC | |
| Document attached to the procedure | | SEC(2007)0934 | 11/07/2007 | EC | |
| Document attached to the procedure | | SEC(2007)0935 | 11/07/2007 | EC | |
| Document attached to the procedure | | SEC(2007)0936 | 11/07/2007 | EC | |
| Committee draft report | | PE398.399 | 26/11/2007 | EP | |
| Amendments tabled in committee | | PE400.553 | 15/02/2008 | EP | |
| Committee opinion | EMPL | PE398.653 | 27/02/2008 | EP | |
| Committee opinion | FEMM | PE400.386 | 29/02/2008 | EP | |
| Committee opinion | REGI | PE398.681 | 07/03/2008 | EP | |
| Committee opinion | JURI | PE400.484 | 27/03/2008 | EP | |
| Committee opinion | LIBE | PE400.541 | 27/03/2008 | EP | |
| Committee opinion | ECON | PE400.666 | 27/03/2008 | EP | |
| Committee opinion | IMCO | PE402.497 | 27/03/2008 | EP | |
| Committee report tabled for plenary, single reading | | A6-0149/2008 | 14/04/2008 | EP | |
| Text adopted by Parliament, single reading | | T6-0198/2008 | 08/05/2008 | EP | Summary |
| Commission response to text adopted in plenary | | SP(2008)3593/2 | 12/06/2008 | EC | |
| Commission response to text adopted in | | SP(2008)3956 | 07/07/2008 | EC | |

White Paper on sport

PURPOSE: to give strategic orientation on the role of sport in Europe, to encourage debate on specific problems, to enhance the visibility of sport in EU policy-making and to raise public awareness of the needs and specificities of the sector.

BACKGROUND: sport is a growing social and economic phenomenon which makes an important contribution to the European Union's strategic objectives of solidarity and prosperity. It promotes the active contribution of EU citizens to society and thereby helps to foster active citizenship. However, sport is also confronted with new threats and challenges which have emerged in European society, such as commercial pressure, exploitation of young players, doping, racism, violence, corruption and money laundering.

CONTENT: this White Paper focuses on the societal role of sport, its economic dimension and its organisation in Europe, and on the follow-up that will be given to this initiative.

Societal role: sport is an area of human activity that greatly interests citizens of the European Union and has enormous potential for bringing them together, reaching out to all, regardless of age or social origin. It encapsulates the following social issues:

- enhancing public health;
- fighting against doping;
- enhancing the role of sport in education and training;
- promoting volunteering and active citizenship;
- promoting social inclusion, integration and equal opportunities;
- combating racism and violence;
- sharing values with other parts of the world;
- supporting sustainable development.

The Commission supports a wide range of initiatives and proposals concerning these issues, including the development of new physical activity guidelines, anti-doping partnerships and the promotion of dialogue for combating racist and xenophobic attitudes in sport, among others.

Economic dimension: Sport is a dynamic and fast-growing sector with an underestimated macro-economic impact, and can contribute to the Lisbon objectives of growth and job creation. It can serve as a tool for local and regional development, urban regeneration or rural development. On the other hand, notwithstanding the overall economic importance of sport, the vast majority of sporting activities take place in non-profit structures, many of which depend on public support to provide access to sporting activities to all citizens.

Sport organisations have many sources of income, including ticket sales, advertising, sponsorship and media rights, for example. However, some sport organisations have considerably better access to resources from business operators than others. In grassroots sport, equal opportunities and open access to sporting activities can only be guaranteed through strong public involvement. The Commission understands the importance of public support for grassroots sport and sport for all, and is in favour of such support provided it is granted in accordance with Community law.

Organisation of sport: The political debate on sport in Europe often attributes considerable importance to the so-called "European Sport Model". The Commission considers that certain values and traditions of European sport should be promoted. In view of the diversity and complexities of European sport structures it considers, however, that it is unrealistic to try to define a unified model of organisation of sport in Europe. Sport activity is subject to the application of EU law but also has certain specific characteristics, notably in terms of rules and structure. This specificity of sport has been recognised by European courts and the Commission.

There are many challenges to be faced in sport, including combating discrimination, promoting the free movement of EU citizens, protecting minors from exploitation and fighting corruption and money-laundering activities. The Commission is committed to achieving these objectives.

Follow-up: The Commission will follow up on the initiatives presented in this White Paper through the implementation of a structured dialogue with sport stakeholders, cooperation with the Member States, and the promotion of social dialogue in the sport sector.

The White Paper contains a number of actions to be implemented or supported by the Commission. Together, these actions form the "Pierre de Coubertin" Action Plan which will guide the Commission in its sport-related activities during the coming years.

White Paper on sport

The Committee on Culture and Education adopted the own initiative report by Manolis MAVROMMATIS (EPP-ED, EL) on the White Paper on Sport, welcoming the publication of the Commission's White Paper and hoping that it serves as a basis for the sports world and the Commission to engage in a continuous dialogue in this area.

First of all, MEPs recall the importance of sport in society, bearing in mind that it generated an added value of EUR 407 billion in 2004 (3.7% of EU GDP) and employment for 15 million people (5.4% of the labour force). They also recall that 60% of EU citizens regularly participate in a sporting activity either in or outside of some 700 000 clubs. That is why they welcome the fact that sport has been recognised at Community level, particularly since the Lisbon Treaty, which, for the first time, dedicates an article ? Article 49 ? to incentive measures in this area. However, MEPs insist that all European policies on sport should take into consideration specific national features and therefore call on the Commission to promote, but not to regulate, the actions of Member States in this area, for example through clear guidelines on the application of EU legislation.

MEPs call on the Commission to ensure clarity, coherence and public visibility of EU rules applicable to sport. Overall, MEPs support the Commission's position in this area, which recommends, above all, self-regulation. They also believe that it is necessary to promote dialogue between sports organisations and the Commission.

Self-regulation: going by the Commission's position in this area, MEPs promote self-regulation provided that it is in compliance with Community law. Self-regulation should increase good governance and create a level playing field concerning financial transparency and stability of services in sport. MEPs hope to prevent all forms of 'financial doping' by ensuring the transparency of cash flows within sport. They call on sport federations to ensure that the licensing systems they choose do not lead to discrimination and that they comply with the principles of the internal market. In this context, MEPs welcome the Commission's proposal to hold a conference with UEFA, EPFL and Fifpro, as well as the national associations and national bodies responsible for organising professional football events in order to discuss licensing arrangements and best practices within this specific domain.

Doping: MEPs request Member States to agree on a common legislative approach towards doping and to define common positions in relation to WADA, UNESCO and the Council of Europe. In particular, MEPs call on Member States to treat the trade in illegal doping substances in the same manner as the trade in illicit drugs and to actively combat doping by avoiding excessively busy schedules that put pressure on athletes. To combat doping, MEPs recommend checks, increased research and testing, long-term monitoring by independent doctors and measures focusing on prevention and training of athletes. It is also essential that professional clubs and sports organisations adopt a pledge to combat doping. It is in this context that MEPs call for a specific action plan on the fight against doping, in the run-up to the London 2012 Olympics.

Education, young people and health: stressing the role of sport in transmitting the fundamental values of tolerance, honesty and respect for the rules of fair play, MEPs insist on the concrete benefits of sport in terms of health and the fight against obesity. They welcome the Commission's proposal to promote sport and physical exercise in education and support the implementation of strategies, under the educational programmes, which seek to increase children's physical activity from a very early age. They call on Member States to approve the Commission's proposal regarding the award of a European prize to schools actively supporting physical exercise as part of the curriculum. However, to promote quality physical education, there is a need for massive investment in this area, and not only in financial terms. That is why MEPs call on the Commission to recognise the legality of measures favouring the promotion of players who have come through training schemes, such as a minimum number of locally-trained players, irrespective of their nationality, on the professional staff. At the same time, MEPs call on Member States to combat the exploitation of girls and boys in sports and child trafficking. In particular, they deplore the practice of Member State governments selling school playing-fields for development. Furthermore, they consider it necessary to facilitate free access for people under 14 to all national and international competitions. In addition, MEPs call on the Commission to encourage the promotion of environmental and health protection during European sporting events.

Social inclusion and anti-discrimination: MEPs stress that sport is one of the most effective tools for social integration and, as such, should be promoted and supported by the European Union to a greater extent, for example through special programmes for organisers of European, national and local sporting and recreational events. Efforts should also be made to adapt sports' and schools' infrastructure to the needs of disabled people. At the same time, MEPs regret the fact that the gender aspect is not adequately taken into account in the White Paper (for example, on issues such as equal pay for equal value). Particular attention should be paid to access to sport for immigrant women and women from ethnic minorities. Furthermore, MEPs stress the particularly important role of sports for the social inclusion of those from less privileged backgrounds. Therefore, they call on Member States to incorporate sports activities and programmes in initiatives financed by the European Social Fund.

Policing of sports events: in order to prevent and address cases of violence and racism at sports events, MEPs call on Member States to encourage the exchange of best practices and of operational information on risk-supporters between police services. MEPs call on all parties concerned to play an active role by eliciting immediate and more stringent sanctions against racism and violence, be they on the field or in the stands, and to ensure high minimum standards are guaranteed by public authorities and competition organisers. At European level, MEPs call for increased cross-border police cooperation.

Economic aspects: MEPs call for the introduction of legislation to attach particular importance to respecting intellectual property rights relating to commercial communications, trademarks and images, names, media rights and any other spin-offs from sporting events. While they acknowledge the right of all media to access organised sporting events of public significance, they reiterate their support for Member States drawing up a list of events of major importance to the public that should be on free-to-air television. On another level, MEPs believe that an equitable redistribution of income between sport clubs, including the smallest ones, within and between the leagues, and between professional and amateur sport is essential. They also welcome the Commission's recognition of collective selling of media rights as a tool for achieving greater solidarity within sports. In terms of investment in sport, MEPs hope to ensure a continued source of alternative funding for non-professional sport, for example through national lotteries or other means. They voice their concern at a possible deregulation of the market in gambling and call on the Commission to evaluate the possible effects of deregulation of this sector on sport. MEPs also consider the issue of betting on sports and ask the Commission to come forward with a proposal preventing misuse and corruption. They also called for measures relating to tax. In addition, MEPs call for a percentage of the revenue generated by the sale of media rights to be allocated directly to funding the volunteer and non-profit sectors of sport.

Issues related to the employment of sports people: MEPs consider it undesirable for professional athletes to have fewer rights than other contracted workers. It is therefore necessary to ensure equal treatment through EU non-discrimination legislation. On the issue of the transfer of players, MEPs call on Member States to ensure, through their national legislation, that any rule in a European context respects EU law, particularly regarding the free movement of workers. MEPs insist that immigration law must always be respected in relation to the recruitment of young foreign talent in Europe. They call on the Commission to tackle the problem of child trafficking, to subscribe to a European charter for solidarity, to create a Solidarity Fund that would finance prevention programmes in countries most affected by human trafficking and to review the FIFA Regulations for the Status and Transfer of Players in relation to the protection of minors. MEPs also consider that the regulatory provisions concerning players' agents should be strengthened and they call on the Commission to support this initiative, including through a Directive, if necessary.

EU sport funding: lastly, MEPs request for the 2009 budget a special budget line for preparatory actions in the field of sport, bearing in mind that a specific EU funding programme on sport would not be operational before 2011 (assuming the Lisbon Treaty is ratified). At the same time, MEPs call on the Commission to launch preparatory actions in the field of social inclusion and sport and to take into consideration the possibility of creating supporting programmes for students with special physical qualities. Furthermore, they urge the Commission to mainstream sport properly in existing EU policies and EU funding programmes.

White Paper on sport

which was significantly amended in plenary.

The own-initiative report had been tabled for consideration in plenary by Manolis MAVROMMATIS (EPP-ED, EL) on behalf of the Committee on Culture and Education. MEPs recall the importance of sport in society, bearing in mind that it generated an added value of EUR 407 billion in 2004 (3.7% of EU GDP) and employment for 15 million people (5.4% of the labour force).

Parliament welcomes the fact that Member States recognised sport officially in the Lisbon Treaty, enabling the Commission to promote and complement ? but not to regulate ? the actions of Member States and sports organisations. The complementary competences relating to sport contained in Article 149 of the EC Treaty as amended by the Lisbon Treaty should be exercised by the Commission with regard to the principle of subsidiarity, respecting the autonomy of sports organisations and the relevant governing bodies, and with due regard to the specificity of sport. Parliament asks the Commission to have due respect for the specificity of sports, by not taking a case-by-case approach. The Commission is asked to provide more legal certainty by creating clear guidelines on the applicability of European law to sports in Europe and by supporting studies and seminars on the concrete application of the 'acquis communautaire' on sport.

Parliament agrees that most challenges can be addressed through self-regulation in line with good governance principles, provided that EU law is respected. It acknowledges the roles of the principal actors in professional team-sports, i.e. the clubs as the basic unit, employing players and providing the main link with supporters; players' unions as representatives of the employees; leagues, as the competent organisers at national level and employers' representatives, together with the clubs; and the governing bodies as the guardians of the sport and the rules of the game; with all four elements working to achieve good health, integrity and solidarity within sport. It takes the view that a sports body is free to govern its sport where its rules are purely sporting ones, but where they involve restrictions, these must be proportionate, that is, reasonably necessary to achieve their sporting objective(s), within the framework of EU law. Owing to the large-scale movement of capital in the context of transfers, financial transactions should be conducted openly and transparently between all parties involved and, depending on the sport, the system should be run by the relevant governing body. The resolution asks Member States and sports governing bodies to support the creation of supporters' federations and promote their involvement in the management and administration of games. Parliament encourages the Commission to promote the implementation of self-regulatory licensing systems at national and European level.

Doping: MEPs request Member States to agree on a common legislative approach towards doping and to define common positions in relation to WADA, UNESCO and the Council of Europe. In particular, MEPs call on Member States to treat the trade in illegal doping substances in the same manner as the trade in illicit drugs and to combat doping by avoiding excessively busy schedules that put pressure on athletes. They recommend checks, increased research and testing, long-term monitoring by independent doctors and measures focusing on prevention and training of athletes. MEPs call for an action plan on the fight against doping, in the run-up to the London 2012 Olympics. Member States are asked to ensure more comprehensive information and education for young sports competitors regarding performance-enhancing drugs, prescriptions which may contain them and their effect on health.

Education, young people and health: stressing the role of sport in transmitting the fundamental values of tolerance, honesty and respect for the rules of fair play, MEPs insist on the concrete benefits of sport in terms of health and the fight against obesity. They welcome the Commission proposal regarding the award of a European prize to schools actively supporting physical exercise as part of the curriculum. Parliament recommends that Member States recognise the need to provide "dual career" sporting and academic training for young sportsmen and sportswomen, from the outset, in order to ensure that professional sportsmen and sportswomen can reintegrate into the labour market at the end of their careers. The Commission is asked to recognise the legality of measures favouring the promotion of players who have come through training schemes, such as a minimum number of locally-trained players, irrespective of their nationality, on the professional staff. Parliament calls on the Commission to encourage measures by sports organisations to protect young sportsmen and sportswomen, with due respect for the specificity of sport, by openly expressing itself in favour of stricter application of the FIFA regulations banning transfers of players aged under 16 within the EU and endorsing the principle that players should sign their first professional contract with the club which has trained them.

Social inclusion and anti-discrimination: sport is one of the most effective tools for social integration and should be promoted by the EU to a greater extent, e.g. through special programmes for organisers of European, national and local sporting and recreational events. These opportunities should be extended, in particular, to organisers of sporting events that promote integration and involve disabled people. Within the context of the 2008 European Year of Intercultural Dialogue, particular attention must be given to the role of sport as the ultimate arena for intercultural co-existence and a cornerstone for dialogue with third countries. Parliament calls on professional sports organisations and sports clubs to launch campaigns to tackle all forms of discrimination, racism and xenophobia before, during and after sporting activities by participants and spectators, both inside and outside stadiums. It regrets that the gender aspect is not adequately taken into account in the White Paper, especially regarding equal pay for equal value and the fact that female athletes earn less than their male counterparts.

Policing of sports events: Parliament calls on Member States to encourage the exchange of best practices and of operational information on risk-supporters between police services, supporter initiatives, local anti-violence groups and experts and the sports authorities. All parties concerned must play an active role, eliciting immediate and more stringent sanctions against racism and violence.

Economic aspects: MEPs call for legislation and/or the strengthening of existing regulations on intellectual property rights relating to commercial communications, trademarks and images, names, media rights and any other spin-offs from the sporting events organisers are running, so as to protect the professional sport economy, while respecting the right of "short reporting" as stipulated by Directive 2007/65/EC ('Audiovisual Media Services' Directive). In particular, problems of ambush marketing, internet piracy and unlawful sports betting should be addressed as a priority by Member States and the Commission. Parliament repeats its support for Member States drawing up a list of events of major importance to the public that should be on free-to-air television under Article 3a of the Audiovisual Media Services Directive and it condemns FIFA's court actions in this respect. Parliament voices its concern at a possible deregulation of the market in gambling and lotteries. It calls on the Commission and the Member States to adopt regulatory measures which ensure that sport is protected from any improper influence relating to betting, and to carry out a study of the potential effects of full deregulation of the market in gambling and lotteries, and of what types of control mechanisms could be used to protect consumers.

Employment of sports people: professional athletes should have as broad a range of rights as other workers, including the right to enter or refuse to enter into collective agreements and membership of professional trade unions and to have recourse to ordinary courts of law. Member States and sports associations are asked not to introduce new rules that create direct discrimination based on nationality (such as the 6 + 5 rule proposed by FIFA, in contrast to UEFA's more proportionate and non-discriminatory home-grown player scheme). The Commission is asked to support the efforts of sports governing bodies to regulate players' agents, if necessary by presenting a proposal for a directive concerning players' agents.

EU sport funding: lastly, Parliament requests a special budget line for preparatory actions in the field of sport under the 2009 budget. Since

Article 149 of the EC Treaty as amended by the Lisbon Treaty, provides for incentive measures in the area of sport and since a specific EU funding programme on sport would not be operational before 2011 ? assuming the Lisbon Treaty is ratified by the 27 Member States ? Parliament acknowledges the need to prepare the programme through preparatory actions as from 2009. It calls on the Commission to launch preparatory actions in the field of social inclusion and sport, focusing on projects with clear European added value. It urges the Commission to support projects that fulfil this aim, such as the Special Olympics Unified Sports initiative.