

White Paper on sport

2007/2261(INI) - 08/05/2008 - Text adopted by Parliament, single reading

The European Parliament adopted, by 518 votes to 49 with 9 abstentions, a resolution welcoming the Commission's 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.