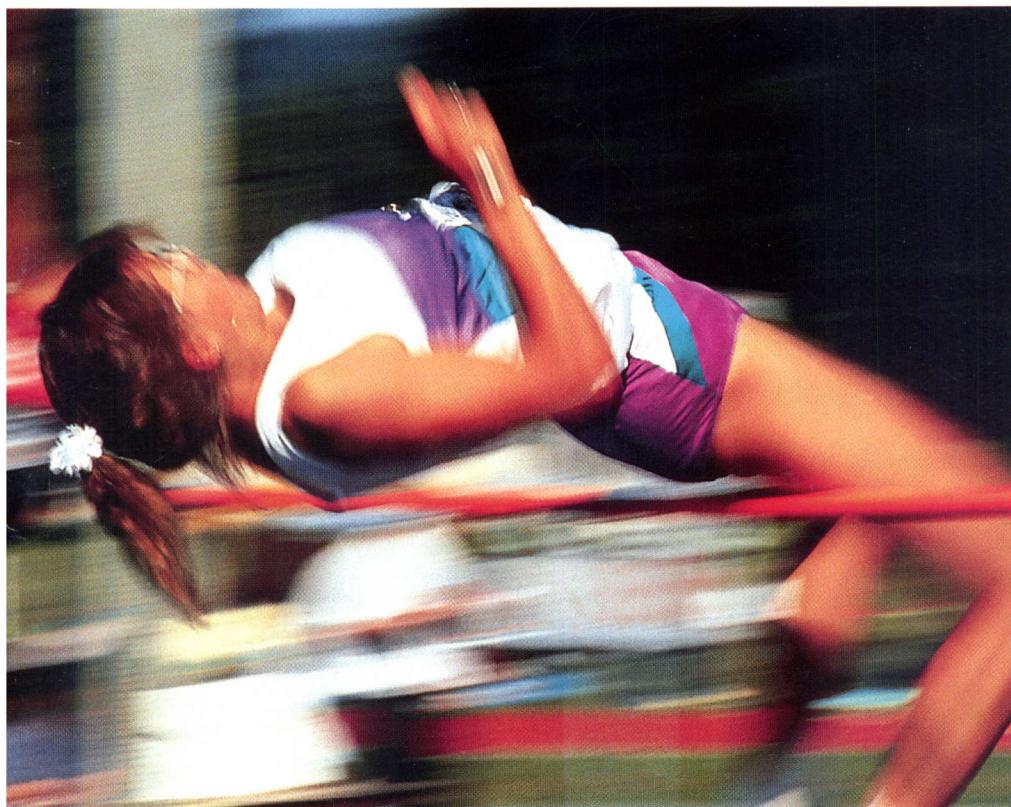




THE EUROPEAN UNION AND SPORT



Europe
on the move



Fotostock

Sport is one of the most widely practised human activities. Whether it be for money or pleasure, regularly or occasionally, millions of people in the European Union take part in various forms of sporting activity. Some practise individual pursuits such as fishing, running and cycling. Others prefer team games whether they be football, rugby or basketball.

Sport can improve an individual's physical well-being. It helps to develop a range of personal skills useful in daily life, like stamina and teamwork. Sport brings a lot of people into organizations and associations where they are actively involved in cultural networks and exercise democratic responsibility. It bridges national and cultural divides, helps the social integration of the disabled and brings people together as players and spectators alike. In short, it is an excellent way to promote international understanding — a goal strongly supported by the European Union.

But professional sport is also a serious economic business. Millions of ecus and thousands of jobs are at stake. Financial interest is not just focused on the result on the football pitch or in the sports stadium itself, but also in broadcasting rights, product endorsement and scores of other downstream activities.

The European Union has no intention of meddling in different sports just for the sake of it. It neither wants to duplicate what is already being done, nor try to do what can be better accomplished at national and regional levels. But it can use its influence to bring together people involved in sport to exchange ideas and promote best practice. It can encourage specific activities like sports for people with disabilities. It can also ensure that where sport is a genuine economic activity, EU rules are fully implemented. In short, a vast swathe of EU activity directly impinges on the sporting world.

EUROPEAN UNION SUPPORT FOR SPORT

The European Union's involvement in sport is no new endeavour. It goes back several years and continues to expand. Out of a total of 24 separate European Commission departments, 20 deal on a regular basis with policies which have a direct interest for the sporting world. These activities range from the free movement of people to sports funding and taxation.

The Union's competition rules, for instance, can have a direct bearing on television broadcasting rights. Union legislation on advertising has



Sport is a leisure activity favoured by Europeans. Professional sport is also a serious economic business.

Sport and statistics

Sport is both a major leisure activity and a creator of employment.

- About 125 million EU citizens take part in one sport or another — equivalent to more than one person in every four. Their expenditure is equal to some 2% of household spending and has considerable potential for growth.
- A detailed study in Germany shows that there are 85 000 sports clubs and organizations in the country, that some 700 000 jobs are dependent on sport and that sport provides about 1.4% of the nation's GNP.
- France has calculated that 15 000 jobs could be created in the sports sector by the end of the century.
- Sport frequently means savings in medical services.
- Research shows that men average 10 minutes a day of sport during the week and 15 minutes at weekends. For women the figures are five minutes and six minutes.
- There are noticeable differences within the Union. Swedish women on average spend eight and a half minutes on sport every day. In Greece the figure is less than one minute.

implications for the financing of sporting events. The creation of a single European insurance market opens up the possibility of buying insurance policies against sporting injuries from companies established in other Member States.

As the Union fights to bring down unemployment, the sports sector is one area where new jobs could be created and where the EU can use its support for infrastructure investments, new technology and education and exchange programmes to good effect. Job opportunities now exist for experts in new sports, in the growth in sport-related clinics, sanatoria and new spa businesses and in the growing interest shown by people seeking to stay healthy as they grow older.

The sporting goods sector, whether it be clothing, equipment or toys, is a good example of the close relationship which now exists between the industry and the Union.

The sector employs around 40 000 people in the 15 Member States and manufacturers must keep abreast of EU moves to harmonize standards, protect intellectual property rights and enforce competition policy. Their activities will also be affected by the volume of sporting goods the Union allows to be imported from various developing countries and by legislation on aspects of design and manufacturing norms, misleading advertising and user instructions.

The Commission's main interest in sport is in constructing an active and permanent dialogue with all those involved on issues of common interest. Information flows in both directions. The Union needs to be aware of the concerns and opinions of the sports world when preparing new EU rules, while sports authorities must be well-informed on Union developments which will affect their activities.

Since 1991, a key meeting place for this dialogue has been the annual European Sports Forum ensuring better coordination between the world of sport and the Commission. It brings together people involved in sport from national ministeries and non-governmental organizations as well as officials from international and European federations. Typical themes discussed are: health and safety issues, educational funds, the

sports sector as a job creator and whether a specific article on sport should be included in the revised Maastricht Treaty.

These multilateral contacts are reinforced with bilateral meetings between the Commission and European and national sports organizations. The practice has grown up of holding biannual meetings of European sports directors to consider how to improve cooperation even further.

The European Parliament also plays a key role in providing a bridge between sport and the Union. The main responsibility for fostering these contacts lies with the Parliament's committee on Culture, Youth, Education and the Media. But since 1992, a cross-party intergroup of MEPs has met regularly to examine the implications of developments in the Union on sport.

A key player in the extensive two-way information flow is a special help desk in the Commission: SPORT INFO EUROPE. It can help people both inside and outside the institution find the information they need from the Commission's various departments and acts as a useful channel to funnel data and ideas to policymakers. It can be contacted on: tel.: (32 2) 29 69 258 and fax: (32 2) 29 57 747.

The Union's aim is 'sport for all'. In 1996 it has a budget of ECU 3.5 million¹ to meet this challenge. It has devoted special attention to two specific programmes.

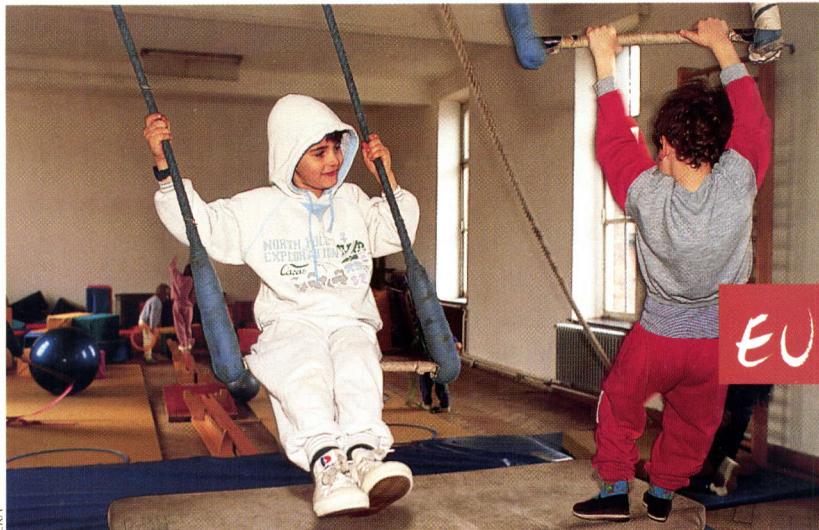
Eurathlon was launched by the Commission in 1995 with the clear remit of providing a framework for EU subsidies to different sports. Its overall objective is to use sport as a vehicle

The point of view of the European Parliament

Sport today is no longer regarded as secondary and pointless activity, as used to be the case. It is an integral part of education and culture. It has a prime economic role to play. It arouses passions — some healthy, others less so — and it can involve enormous sums of money. Cases concerning sport are even coming before the highest courts. There are few other activities which can equal sport's function for integrating people into society. In March 1996, when the European Parliament was setting its priorities for the Intergovernmental Conference, it stated that 'sport must be included in the European Treaty, in the context of education, training and employment policy, as well as cultural policy. The Union should encourage in particular transnational initiatives, while respecting national sporting identities'.

¹ECU 1 = UK £ 0.826, IRL 0.794,
USD 1.287 at exchange rates
current on September 1996.

The physical education of young people is one of Eurathlon's principal areas of interest.



EURATHLON

for better understanding between people and in so doing to break down social barriers and promote health education. Many of the schemes have a specific purpose such as tackling unemployment, racism and violence or promoting equality of opportunity between men and women. Others develop training programmes for managers and sportspeople and encourage sport exchanges.

In its first year, the programme had an ECU 700 000 budget and backed over 80 projects selected by independent juries in a score of sports. In 1996 it supported 175 projects covering 50 different sports ranging from athletics and roller skating to fencing, volleyball, rowing and parachuting. The single most popular sport represented was football. The projects all involved individuals, sportsmen or administrators from at least three EU countries.

Sports for people with disabilities is a clear reflection of the Union's belief that all citizens in the EU should have the same opportunities, regardless of their background or abilities. About 10% of the Union's population — over 36 million individuals — have some

form of disability, whether physical, mental or sensory.

The range of activities supported by the Union in the programme bears testament to the spirit, dedication and skills of individuals who have overcome personal tragedy to hold their



Photo Press

The European Commission provides grants to finance activities that promote the social integration of disabled sportspeople.

own in a variety of sporting arena. High profile events include Winter Paralympic Games in Lillehammer, European Wheelchair Basketball Championships, European Athletics Championships for the Blind and the 1996 Paralympic Games in Atlanta. But other activities are also encouraged. The programme has also seen almost 80 people with heart transplants running in the annual Brussels 20 kilometre road race, scores of disabled sportsmen participate in a 1 500 kilometre relay on the Paris to Santiago de Compostella pilgrim route and a congress in Germany for over 400 delegates on rehabilitation by sport.

Other initiatives include:

- a joint campaign with the Council of Europe in the fight against drugs in sport. The 'Clean sport guide' is a comprehensive information and education pack for athletes, teachers, coaches and doctors;
- measures to end restrictions on the temporary import of sports equipment for competitions or other events;
- specific legislation on animals used in sport such as horses, dogs and pigeons.

EUROPEAN LAW AND SPORT

Realization that European law with its emphasis on the free movement of people and cardinal principle of non-discrimination on grounds of nationality also applies to economic activities such as professional sports struck home with a landmark ruling by the European Court of Justice (ECJ) in December 1995. The case involved football and a professional Belgian player, Jean-Marc Bosman. But it has far wider repercussions.

All Sport



Ensuring the free movement of people and combating discrimination according to nationality: professional football must also respect the guiding principles of European rights.

The Bosman case

Jean-Marc Bosman was a professional Belgian football player, who previously played for RC Liège. In 1990 he was in dispute with his club, which was then in the Belgian first division, and was suspended for the 1990-91 season. The player brought his legal action against the club — and later against the Belgian Football Federation and the European Football Association UEFA — on the grounds that UEFA-FIFA transfer rules had prevented his move to the French club, US Dunkerque.

The Belgian footballer attacked the rule of transfer fees being paid by a club when a player's contract has expired. He also called into question the widespread practice of limiting the number of other EU nationals in a side to three players plus two others considered assimilated because they had played in the country for an uninterrupted period of five years (the 3 + 2 rule).

The European Court of Justice based its reasoning on Article 48 of the Treaty of Rome and its guarantee of the right of free movement for people within the Union. It ruled that transfer fees (except when they applied to transfers within a Member State) directly affected a footballer's access to the employment market in another EU country. They were, therefore, an obstacle to the free movement of workers, and illegal under the Treaty.

The Court also ruled against any limit on the number of other EU players who could be fielded in a club team on the grounds that it could restrict a footballer's chances of being employed by a club in another Member State. The exclusion of foreign players, however, is still permitted in matches between national football teams. After considering the consequences of the historic judgement, UEFA accepted the ruling in February 1996 and began to adapt its rules.

The ruling confirmed unequivocally that the Union's fundamental principles, aimed at removing obstacles which prevent workers or employees from plying their skills in another Member State, also apply to professional sports. Transfer fees once a contract has expired, are now considered to be such an illegal obstacle.

The case is already having a major impact on football as the sport comes to terms with the demise of the transfer system between Member States (although it may continue within a Member State).

The implications will spread to other sports whether they be hockey, rugby, basketball or judo. Sporting associations and administrators may also have to consider the complex structures which frequently exist between professional, semi-professional and amateur players. The ruling means changes to the sporting world, not just in the 15 EU Member States, but also in Norway, Iceland and Liechtenstein, which are linked to it through the European Economic Area.

The Bosman case is the most high profile example of the impact of the European Union on sport. But it was by no means a unique illustration.

The Union's competition policy rules were applied for the first time to ticket sales for sporting events in 1990. As football fans prepared for the world cup, the European Commission ruled that the arrangement whereby one tour operator had the exclusive rights to sell entry tickets as part of a package tour to the world's premier soccer competition was an exclusive distribution agreement that restricted competition to the detriment of football fans. Supporters now have a choice between several distributors when they wish to buy tickets or package tours for football matches, athletics events or other major sporting occasions.

Working as a team and battling against the elements, other people and oneself: sport can be an important learning experience.

The European Union encourage specific sporting activities; the Commission is constructing an active and permanent dialogue with the sports world.



European law also ensures that sports instructors who have trained and received professionally recognized qualifications in one EU Member State can have these accepted in another without taking a further series of tests. This mutual recognition system, for example, is designed to allow qualified tennis instructors trained in the United Kingdom or Austria to teach tennis players in France or Italy.

EU legislation on trans-frontier broadcasting, much of which involves sports programmes, lays down requirements for television advertising and sponsorship. These ban any advertising of tobacco products at sporting events. Moves are now afoot to establish EU-wide rules for satellite broadcasting and cable retransmission.

The Union is also keeping a close eye on the arrangements for exclusive broadcasting rights for sporting events and the development of pay television channels to ensure that the general interest of viewers is protected. In 1996 the European Court of First Instance in Luxembourg annulled a decision allowing the European Broadcasting Union with its 67 public broadcast members exclusive rights to broadcast sporting events.

HOOLIGANISM

Unfortunately, sport, particularly football, can also have its anti-social, dangerous side with the violent behaviour of small groups of supporters spoiling the enjoyment and endangering the lives of the majority. As the Union's provisions on the free movement of people make it easier to travel from one EU country to another, so the phenomenon is spreading. The Union is increasingly considering ways of preventing such hooliganism, especially as preparations are put in place for the 1998 World Cup finals in France.

In March 1996 EU governments adopted a joint strategy. It involves the exchange of information on known troublemakers, assessment of the global risks involved, details of travel arrangements to away fixtures and a network of liaison officers on hooliganism. The measures have to strike a balance between protecting public order and respecting individual rights and the EU's rules on freedom of movement and non-discrimination on the basis of nationality.

The European Parliament has also identified the need for a coordinated EU approach on ticket sales, the consumption of alcohol at sports grounds and the design and safety of sports areas. It has organized meetings with representatives from football associations, police federations and others involved in the sport to work out effective measures.

THE FUTURE

As the last few years have shown, the European Union has an ever increasing impact on sport. In the future it will continue to use its resources to encourage specific sporting activities. It will also act as a referee to ensure that EU rules are applied correctly to enable everyone to be treated fairly and enjoy the same opportunities. As the Union prepares for enlargement, sport will be a useful bridge between the peoples of existing and future Member States. For all these reasons it is important that the dialogue and contacts between the Union and the sporting world be well coordinated and as frank and constructive as possible.



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A great deal of additional information on the European Union is available on the Internet. It can be accessed through the Europa server (<http://europa.eu.int>).

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