

Michal Krejza, Head of the Sport Unit, European Commission

Implementation of the White Paper on Sport – Progress Report

The White Paper on Sport which was adopted by the Commission in July 2007 included 53 concrete actions, known also as the "Pierre de Coubertin" Action Plan. At the time, the Action Plan was designed for an implementation period of 5 years, until late 2012, and although some parts of the White Paper have been superseded by the new Communication on Sport, other parts of the White Paper remain highly relevant also for the future. I will provide you with an overview of where we stand with the implementation of the White Paper.

You all have an Implementation Report in your conference folders. When you look at the 3rd column of this document, you will notice that practically all the actions have either been completed, or are in the process of being implemented. This good result has been made possible notably by good cooperation with stakeholders, including sport organisations and the Member States. Allow me to express my appreciation and gratitude for this state of affairs.

You will also notice that the Implementation Report in your conference folders covers 2 types of actions: on the one hand, actions included in the 2007 White Paper on Sport, and on the other hand actions included in the 2011 Communication. Since the Communication follows the same logic and structure as the White Paper, we thought that it might be helpful to list the actions from the 2 documents in a single report. For ease of reference, the 53 actions of the White Paper have Arabic numbers, while the 31 actions of the new Communication have Roman numbers. Since the implementation of the Communication is only just beginning, the 2nd and 3rd columns of the table are empty for the 31 new actions. For the same reason, my presentation will only cover actions included in the 2007 White Paper. I will restrict myself to those areas where progress has been most pronounced since the Sport Forum in Madrid in April 2010.

Health-enhancing physical activity (HEPA) (actions 1–3)

Let me start with health-enhancing physical activity. This topic was a major theme in the White Paper on Sport and is an area where the Commission will continue to push for further progress. Individual and public health depend to an important degree on the question whether citizens have access to regular sport and physical activity. Such access in turn depends heavily on policy choices made at national, regional and local levels. From a public policy perspective, one of the most obvious positive functions of sport and physical activity is their

contribution to public health, including the fight against overweight and obesity. There is also a clear link between physical activity and a healthy workforce, which in turn increases productivity and thus contributes to the Europe 2020 agenda.

There is increasing acknowledgement in public policies of EU Member States of the importance of physical activity in people's daily lives. Yet, a lot remains to be done in many Member States to get more people to move more. This is where the EU can make a contribution through the further promotion of the 2008 EU Physical Activity Guidelines. These Guidelines, which were endorsed at the meeting of EU Sport Ministers in Biarritz in late 2008, are based on a cross-sectoral approach, covering e.g. health insurance, transport, education, urban planning and services for specific groups such as senior citizens. It is encouraging to note that over the past year additional Member States, e.g. Spain and Austria, have adopted national physical activity guidelines that use the EU guidelines as a source of inspiration.

But some Member States are making less progress, as also illustrated by the results of our Eurobarometer Survey on Sport and Physical Activity in 2010. A monitoring tool is currently being developed within the EU Working Group on Sport and Health, under whose supervision the EU Guidelines were developed. Our new Communication suggests to the Member States to take a step forward by considering the adoption of a Council Recommendation on health-enhancing physical activity.

The EU guidelines have also become a reference tool for sport organisations, especially those active in the field of sport for all. This is an encouraging development. To be able to continue to attract members, sport organisations are advised to play an active role in promoting physical activity and to broaden their offer beyond competitive activities. Ideas how this could be done are currently being developed through some of the HEPA projects supported through the 2009 Preparatory Action, e.g. the project "Sport Clubs for Health".

The fight against doping (actions 4–5)

Regarding the fight against doping, the White Paper stresses the need for all actors to tackle doping as a societal problem. Our EU Working Group on Anti-Doping has been making a contribution in this regard, notably by helping to develop the concept for the anti-doping priority in the 2010 Preparatory Action, which focuses on anti-doping in amateur sport and fitness.

EU Sport Ministers meeting in the formal framework of the EU Council have become active in the field of anti-doping. In November 2010, the Council

adopted Conclusions which foresee coordination of EU positions before meetings in WADA.

One area where WADA rules do not always point in the same direction as EU rules is the protection of personal data. Within the Council of Europe's Expert Group on Data Protection, the Commission, the Council of Europe and WADA have continued to look for ways to reconcile WADA and EU rules. We have made progress in areas such as retention times for personal data, transfers of data from Europe to WADA, and transfers of data from WADA to third countries. Work has also started on a European contribution to the review of the WADA Code.

The White Paper includes a recommendation that trade in illicit doping substances be treated in the same manner as trade in illicit drugs throughout the EU. The trend towards criminalisation of trade in doping substances has continued among the Member States and we hope to further facilitate this trend in the future.

Education and training in sport (actions 6-7)

In the field of education and training, fruitful cooperation with the Member States through the informal meeting of Sport Ministers in Antwerp in October 2010 and in the Working Group on Education and Training in Sport has led to more clarity regarding qualification frameworks and the mutual recognition of diplomas of trainers, coaches and instructors. The gradual inclusion of sports qualifications in National Qualification Frameworks, with reference to the European Qualification Framework should improve the transparency of qualifications of coaches during the next 2-3 years. This process is supported through projects financed by the Lifelong Learning Programme, in which the European Observatoire of Sport and Employment, the European Health and Fitness Association and a number of sport organisations play a leading role. We have intensified our contacts with international sport organisations such as the European Coaching Council to increase the transparency of diplomas issued by the sport sector itself and to include sport in the European and national discussions on how to recognise and validate non-formal and informal education in sport.

Exchange of good practices in the field of dual careers, the combination of high-level sports training with general education, has been another focus of our recent activities. The results of the 4 transnational pilot projects on dual careers, presented yesterday afternoon, should contribute to a proposal for future action in which quality standards and accessibility will be key concepts to facilitate the

employability and integrity of athletes after the end of their high-level sports careers.

Social Inclusion and Equal opportunities (actions 15–17)

In the area of social inclusion and equal opportunities, sport has been included in the recently adopted EU Strategy on Equality between Women and Men 2010-2015 and the EU Disability Strategy 2010-2020, which is an important step forward at the policy level. But there have also been concrete actions.

Thanks to international initiatives such as the Sydney Scoreboard and EU projects, we have a better overview of the extent to which women are represented in international sports governing bodies. Through support for two women leadership training projects, we hope to contribute to a more balanced representation.

Based on an initiative of the European Parliament, Special Olympics has received a lot of EU support which has gone beyond the organisation of the European Special Olympic Games in Warsaw. Volunteers were trained, coaches were educated in different Member States and a youth leadership programme as well as awareness activities were implemented throughout Europe. An interesting element in these projects has been the concept of unified teams in which people with an intellectual disability play together with partners without disabilities. Meanwhile the Paralympic Movement has received support to collect relevant information for an inclusive Sport for All strategy.

Sport-related projects to promote social inclusion are being increasingly supported through various EU programmes. In particular, projects financed through the ERDF and the ESF are underway in several Member States.

An EU Working Group on Social Inclusion and Equal Opportunities in Sport was created in 2010 and held its 2nd meeting earlier this month. Discrimination and racism in sport are part of the mandate of the WG as well. You will get a presentation on the recently published study on racism and intolerance, carried out by the EU Agency for Fundamental Rights, later this morning.

Sport statistics (action 33)

The White Paper on Sport noted the lack of comprehensive EU-wide information on the sport sector's economic role as a basis for evidence-based policies. Policy-making should be underpinned by a sound knowledge base, including comparable EU-wide data, especially in the current economic and budgetary climate.

Good progress has been achieved by experts from a number of Member States which are working on this issue in our Working Group on Sport & Economics. Building on a common European statistical definition of sport, the Group developed a method for assessing the importance of the sport sector by means of Sport Satellite Accounts. Austria, Cyprus, the UK and very recently Poland have finalised their national satellite accounts including comprehensive datasets on the share of the sport sector in GDP and employment.

To achieve a Sport Satellite Account for the whole EU is an ambitious longer-term target. In order to get a scientifically coherent approximation of the growth and employment effects of sport for the 27 Member States, we have recently launched an EU study which will be finalised in the spring of 2012.

As a next step, we will bring together experts from the fields of statistics and sports data collection by organising an EU Conference on Sport Statistics on 23 March in Brussels. The Conference will discuss the challenges related to measuring the economic importance of sport, and it will explore elements for a possible future sport monitoring function in the EU.

Free movement and nationality (actions 39-40)

Let me turn now to governance issues. The organisation of sport on a national basis is part of the traditional European approach to sport. At the same time, the Treaty prohibits discrimination based on nationality and establishes the principle of free movement of workers. This underlying conflict between Internal Market principles and the organisation of sport has been dealt with by the European Court of Justice on several occasions in the past. The Court has notably developed the concept of the specific nature of sport, now recognised in the Treaty, to justify special treatment of sport under EU free movement rules, in fields as diverse as the composition of national teams or deadlines for transfer rules for players in team sport competitions.

Most recently, less than a year ago, the Court stressed again in the Olivier Bernard ruling that sport is subject to EU Internal Market law but that some specific characteristics of sport, in this case compensation schemes for training of young players, may be accepted even though in principle they are an obstacle to free movement. A rule of similar nature, UEFA's Home Grown Players rule, was equally considered as in principle compatible with EU free movement rules by the two competent Commissioners in 2008. We will carry out an analysis of the rule next year to assess its practical effects.

Free movement rules apply not only to workers and professional players in the framework of an economic activity. They also apply to amateur sport as a consequence of EU rules on free movement of citizens laid down in Article 21 of the Treaty. The Commission considers that following a combined reading of Articles 18 on non-discrimination on grounds of nationality, 21 on free movement for EU citizens, and 165 on sport, the general EU principle of prohibition of discrimination on grounds of nationality applies to sport for all EU citizens who have used their right to free movement, including those practising an amateur sport activity.

Our study to assess the implications of the Treaty provisions on non-discrimination in individual sports was completed late last year and is available on our website. The study will be presented later this morning by the contractor. We intend to use the conclusions and recommendations of the study to further continue our dialogue with Member States and the sport movement on the application of EU free movement rules to sport.

The field of free movement is an area where sport stakeholders have been repeatedly asking for additional guidance from the Commission. A concrete step in this direction is the Staff Working Document which accompanies the new Communication on Sport, which presents a detailed analysis of the points that I have just raised. You have this Staff Working Document on free movement in your conference folders.

Sport agents (action 41)

Since receiving the results of an independent study on sports agents last year, we have continued our discussions with interested stakeholders in view of finding possible solutions to the problems presented in the study. The European Parliament adopted in June 2010 an own-initiative Resolution calling for an EU initiative on sports agents.

According to the findings of the study, there seem to be very few, if any, problems in terms of obstacles to the free provision of the activities of agents in the Internal Market. Problems identified are rather of an ethical nature – they relate to bad practices such as financial crime, trafficking of sportspeople and lack of protection of minors.

These issues are complex since they fall within the remit of criminal law while also being addressed by relevant sporting regulations. It appears that in some cases, better enforcement of existing legislation is needed while in other cases transparency of transactions should be improved. Overall, the governance of agents in sport, particularly in football, should receive further attention. Last

year, discussions were also ongoing about a possible overhaul of the existing system put in place by FIFA to establish a recognition of the profession of players' agents through a licence. Meanwhile, FIFA also took steps to increase the transparency of the transfers market by implementing the Transfers Matching System.

A contribution we intend to make to these complex debates is to organise a conference where all interested parties will be invited to share their knowledge and expertise and come up with possible elements for solutions. This is what we propose in the Communication. We will consult all the relevant stakeholders before embarking on the organisation of this event. At the same time, we want to analyse more in-depth the situation concerning transfers in team sports, where some of the problems that I have mentioned seem to concentrate. We will therefore launch a study on transfers, possibly as soon as in the second half of this year.

Social dialogue (action 53)

The last White Paper topic I wish to address is European social dialogue. In the football sector, a European Social Dialogue Committee for professional football was launched in July 2008. The committee has been working towards the conclusion of an autonomous European agreement on minimum requirements for contracts of professional football players. This would turn guidelines that were developed by FIFPro, the EPFL and UEFA into a binding European agreement. Next week, on 28 February to be precise, the plenary session of the Social Dialogue Committee for professional football will take place in Brussels. We hope that current discussions will soon reach a positive outcome and that other important topics may be added to the agenda of this committee.

Separately, the Commission has supported projects for establishing social dialogue in the sport sector as a whole and the work is slowly moving toward the creation of a cross-disciplinary social dialogue committee for sport. Major obstacles to reaching this goal are the great differences between the various sub-sectors, such as sport based on voluntary activity, professional sport and commercial sport, as well as the difficulty of identifying credible and representative social partners for the whole sport sector at European level. Nevertheless, the Commission is committed to supporting steps in this direction and has launched a representativeness study which will be completed by the end of the summer. Based on the results of the study, a conference should be organised with all relevant social partners in the second half of 2011 and a test-phase for this larger social dialogue committee may possibly be launched in 2012.