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Implementation of the White Paper on Sport and consultations for implementing the Lisbon Treaty in the field of sport

Ladies and gentlemen,

You have just heard my Director speak about the new policy framework for sport which results from the entry into force of the Lisbon Treaty. While we are of course excited about this new Treaty competence, we should not forget that we are not starting from scratch. In July 2007, the Commission adopted the White Paper on Sport, which included 53 concrete actions, known also as the "Pierre de Coubertin" Action Plan. 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 4th column of this document, you will notice that practically all the actions have either been completed, or are in the process of being implemented. Although the "Pierre de Coubertin" Action Plan was designed for an implementation period of 5 years, until late 2012, we have already reached an implementation rate of roughly 90%. This good result has been made possible by good cooperation with stakeholders, including sport organisations and the Member States.

I will briefly present a number of areas from the "Pierre de Coubertin" Action Plan where progress has been particularly good since the Sport Forum in Biarritz in November 2008. There are 4 important topics that I will not cover: anti-doping, the financing of sport, licensing systems for clubs, and the results of the recent Eurobarometer Survey on sport. These 4 topics will be covered separately at session no. 3 tomorrow morning. I will also not cover sport for disabled people and gender equality in sport, since these topics were mainly addressed through our Preparatory Action in the field of sport and will be discussed by Mr Jaume Bardolet, the next speaker.

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

Let me start with health-enhancing physical activity. It is no coincidence that this topic was placed right at the beginning of the White Paper. From a public policy perspective, one of the most obvious positive functions of sport and physical activity is their contribution to public health and, in particular, the fight against overweight and obesity. The key question is here how we can get more people to become more physically active in their daily lives.

The results from our recent Eurobarometer survey on sport and PA, which will be presented tomorrow morning, show that there are major disparities between EU Member States in terms of how active people are. Those Member States where people are relatively active are often Member States which have policies in place that make it easier for people to move more. Such policies must be cross-sectoral, covering e.g. health insurance, transport, education, urban planning and services for specific groups such as senior citizens. To help other countries adopt good practices, we developed EU Physical Activity Guidelines in 2007-2008, which were endorsed by EU Sport Ministers at their informal meeting in Biarritz in late 2008, the day after the previous Sport Forum.

The Guidelines are non-binding but represent an important reference at EU level. Since 2008, many Member States and some sport organisations, especially sport-for-all organisations, have started using the EU Guidelines when planning their activities. Some Member States have developed national guidelines, such as Spain's "Plan A+D", a comprehensive programme for physical activity and sport.

What does this mean for sports organisations? It implies a recommendation to mix competitive, selective activities with less competitive or non-competitive activities of an inclusive character. From a HEPA perspective, it may be interesting for many organisations present here to reflect on where you would like to be, as an organisation, in 5 or 10 years. Some of you already offer a strong mixture of competitive and non-competitive activities, but many do not.

We as Commission are eager to foster the exchange of good practices. Under our 2009 budget we had four objectives, of which one was HEPA. The interest in HEPA projects was so overwhelming that finally half of the projects selected were HEPA projects. This is an area where major progress can still be achieved in most European countries and I hope that sport organisations will choose to play an active role.

Education and training in sport (actions 6-7)

The Commission encourages support for sport and physical activity through various initiatives in the field of education and training. More and more sport projects are getting support through various EU programmes, such as notably the Lifelong Learning Programme, which financed sport-related projects to the tune of €1.2m in 2009 alone.

The subject of dual careers, in other words the combination of sports training with general education, has been addressed as a follow-up to the Declaration on

Sport of the European Council of December 2008, which calls for the strengthening of a constructive dialogue with the International Olympic Committee and representatives of the world of sport, in particular on the question of combined sports training and education for young people. Only a very small percentage of talented athletes reach the top in their sports in such a way that they do not have to think about a new career after their sports career. That is why it is so important that a lot of attention is given not only to the training of the athletes in their sports, but also to general education. 4 transnational pilot projects on dual careers have been supported through our 2009 Preparatory Actions for sport.

We are looking into these issues together with the Member States in an informal Working Group on Education and Training in Sport. This group is also trying to clarify issues relating to qualification frameworks and the mutual recognition of diplomas of trainers, coaches and instructors in all types of sports. We are working on very concrete problems, such as correcting and updating the EU database of regulated professions for all sport professions that are regulated in one or more Member States. One challenging topic is the relation between education systems for coaches of the sport movement and national qualification structures.

Volunteering in sport (actions 10–14)

In the field of volunteering, a big study on volunteering in the EU was finalised early this year. Almost half of it is devoted to the sport sector, including 27 national fiches.

The study illustrates the particularities of the sport sector, such as the high numbers of volunteers in sport, the dominance of male volunteers, the low share of paid staff compared to volunteers, and the role of public funding and tax benefits regarding the specific funding needs of the sport sector.

The study contains a number of recommendations for the EU, the Member States and the sport movement. Let me give you a few examples:

- The EU is asked to encourage the recognition and validation of volunteering in sport as a non-formal learning experience, so that the experience as a volunteer would be recognised more appropriate.
- Member States are called upon to consider the effects on volunteering in sport when setting in place general licensing procedures and qualification requirements, in order to avoid making life more complicated for volunteers.

- It is suggested to the sport movement to inform the Member States about obstacles with regard to taxation and to provide suggestions for improvements.
- It is also suggested to the sport movement to identify education and training needs in line with current trends, taking account for instance of the limited time spent on volunteering by many volunteers.
- And sport organisations are encouraged to improve their organisational set up by strengthening links with mainstream volunteering centres, networks or agencies. We intend to follow up on notably this last recommendation through our Call for Proposals under the 2010 Preparatory Action in the field of sport, about which Jaume Bardolet will tell you more.

We have put the Executive Summary of the study, including all the recommendations, at your disposal outside this meeting room, and you can of course find the full document on our website.

Late last year, the EU Council decided that 2011 would be designated the "European Year of Volunteering". The Year will be the next step in the Commission's efforts to foster volunteering in Europe and to help civil society, local and regional communities and Member States to work towards a facilitating environment for volunteering in the EU, to reward and recognise achievements gained in volunteering activities, and to raise awareness of the value and importance of volunteering.

The European Year of Volunteering is envisaged as a bottom-up initiative which would include a large input from civil society and voluntary organisations. The European Parliament has approved €11m in EU funding for the Year. Since sport is the sector with the largest amount of voluntary activity in the EU, we expect that it will find its rightful place within this initiative.

Sport statistics (action 33)

Let me turn to sport statistics. Many Member States do not yet have reliable economic and employment statistics about the sport sector. This makes it more difficult for policy makers to take well-informed decisions based on evidence.

Good progress has been made by statistical experts from 12 EU Member States who have worked on this issue in our Working Group on Sport & Economics over the past 3 years. The Working Group has developed a common European statistical definition and method for assessing the importance of the sport sector by means of a statistical tool which is called a Sport Satellite Account.

A number of Member States have started data collection based on this new methodology. The results for 3 Member States, namely Austria, Cyprus and the UK, are already available. In your conference folder, you will find a brochure which summarises our statistical work until today and outlines the results for the 3 frontrunner countries. It also includes information on the political context and on the purpose of Satellite Accounts.

As a next step in the process, we will bring together national authorities, Eurostat, sport departments and academics in the field of sport economics by organising a conference on sport statistics in the second half of 2010. Moreover, we intend to launch a study on the contribution of sport to the Europe 2020 strategy later this year.

Free movement and nationality (actions 39-40)

A permanent priority for the Commission is to combat discrimination based on nationality in all sports. The White Paper says that we should do this through political dialogue, recommendations, structured dialogue with stakeholders and, if necessary, infringement procedures. A number of cases involving potential infringements of free movement rules are being studied regarding some Member States. As always, we remain open to discussion with Member States and sports organisations to solve any potential problems in this respect. You are probably aware of our exchanges of views with FIFA about the so-called 6+5 rule, which in its current form is clearly unacceptable from an EU law perspective.

At a more discreet level, several other sport organisations have approached us over the past couple of years to consult certain rules that they wished to introduce. These consultations have generally been very useful to prevent legal conflicts in the future, and I would therefore like to repeat: if your organisation is considering the introduction of new rules and has doubts whether they are legal under EU law, please do come and discuss them with us. Our door is always open, and since we are not a law firm, it won't even cost you anything.

I also wish to mention that work has recently started on an independent study on the equal treatment of non-nationals in individual sports competitions. Results are expected by the end of this year. The general objectives of the study are to map the situation concerning discrimination on grounds of nationality relating to access to competitions in individual, as opposed to collective, sports; to identify and analyse the conditions and objectives of such discrimination; to analyse the compatibility of the existing discriminatory provisions with the EU legal framework; and to put forward suggestions for possible alternative solutions that comply with EU law. This study will take full account of the concept of specificity of sport, as mentioned in the new Treaty. The results of the study

should provide a good basis for providing legal guidance to the sport movement and public authorities on the complex issue of nationality in individual sports.

Sport agents (action 41)

The activities of sports agents have been a matter of debate for a long time. In particular, there have been reports of bad practices among some agents, which are damaging for sport and raise governance questions. Last year, we financed an independent study on the situation of sports agents in the European Union. We published the study on our website in December in French and the English translation became available two weeks ago. We have put a number of printed copies of the study at your disposal on a table outside this meeting room.

The study provides high-quality research and insights into the current situation regarding sports agents in the EU. The first part of the study presents interesting figures, giving for the first time a comprehensive view of the role of agents in the sports sector. For example, the study estimates that around 6,000 agents are active across Europe in more than 30 sports disciplines. The UK, Italy, Spain, France and Germany represent around 75% of the total number of agents in the EU. Football is the only sport where agents are active in all EU Member States. The presence of agents is stronger in the most commercialised sports, with football, rugby, basketball and athletics gathering 95% of agents in Europe.

The second part of the study presents the legal framework applying to the activity of sports agents, including regulations adopted by private entities such as sports federations. Specific laws and regulations on sports agents are rare. Among the Member States, they exist fully only in FR, and to some extent in Bulgaria, Greece, Hungary and Portugal. Four international federations, namely those for football, basketball, athletics and rugby, have adopted regulations applying to agents' activities in those sports. This part of the study also presents the different problems raised by the activity of some sports agents, including financial crime, trafficking of sportspeople and lack of protection of minors.

The third part of the study examines the relationship between the activity of sports agents and the EU regulatory framework, in particular with regard to Internal Market and competition law. The fourth part of the study provides a synthesis of the findings and presents a series of recommendations addressed to sport stakeholders, Member States and EU institutions.

We consider this study as useful input for future discussions with governmental and non-governmental stakeholders in view of addressing the issues raised by activities of sports agents at EU level. Since the study is very recent, it is too

early to say what action the EU could take as a follow-up. There is, however, considerable political pressure to do something.

Social dialogue (action 53)

The last White Paper topic I wish to discuss is European social dialogue.

In the football sector, a European Social Dialogue Committee for professional football was launched in July 2008. The committee is gradually 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. The agreement would be fixed-term and renewed regularly. It seems that progress towards reaching the agreement has recently slowed down. We encourage the social partners and UEFA to resume work in order to finalise the talks.

Separately, the Commission has supported projects for establishing social dialogue in the sport sector as a whole for almost a decade and the work is slowly moving toward the creation of a cross-disciplinary social dialogue committee for sport. The major obstacles to reaching this goal are the great differences between the various sub-sectors, such as voluntary sport, 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.

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Finally, let me briefly turn to one other topic that I should inform you about: **consultations for implementing the Lisbon Treaty in the field of sport.**

While preparing our future policy initiatives as well as a future Sport Programme, we are carrying out various consultation exercises during the first semester of 2010.

EU Member States are consulted through informal and formal meetings of EU Sport Ministers and EU Sport Directors. In addition, we have 6 informal sectoral working groups with the Member States, which are equally used for this purpose.

Regular and structured dialogue with the European sport movement has been a key condition for implementing the 2007 White Paper on Sport and is instrumental for the preparation of our future initiatives. This Sport Forum is an

important part of the consultation, and I encourage you in particular to be active in the two workshops this afternoon. You have received background papers for each of the workshops, and my colleagues and I look forward to your reactions.

We are also conducting bilateral consultations with a large number of stakeholders, ranging from the IOC and the EOC to various international and European sport federations, umbrella organisations and international organisations.

Last but not least, we launched an online consultation on the strategic choices for the implementation of the new EU sport competence on 8 April. This consultation will remain open until 1 June and we encourage everybody to participate. I would like to call your attention to the fact that if somebody replies to the consultation as an individual, all the replies will be in multiple choice format. If, however, someone replies as an institution, the questionnaire will draw his attention to the fact that he or she can send additional comments in writing to a functional mailbox administered by my unit. If, therefore, there are certain topics which you feel very strongly about and which, in your view, are insufficiently covered in the questionnaire, then don't hesitate to submit additional comments. At the same time, please keep in mind that I have quite a small team, so if you could keep your additional comments short, this would make us very happy.

Thank you for your attention.