



EU Work Plan
for Sport

2011-
2014

Expert Group "Good Governance"

Report from the 1st meeting (6 December 2011)

December 2011

Report drafted by the European Commission and adopted by the XG GG



1. INTRODUCTION

The Expert Group on Good Governance (XG GG) was created by the Council in adopting its European Union Work Plan for Sport for 2011-2014.¹ The Expert Group reports to the Council. The XG held its first meeting to elect its Chairpersons and adopt its Work Schedule, as foreseen in the EU Work Plan.

The European Commission fulfils a secretarial function to support the work of the Expert Group. The Commission sent a letter to all Member States requesting them to appoint experts for the new Expert Groups in the field of sport and to indicate their interest in the chairmanship of any of these groups by the end of July 2011.

The meeting was attended by Austria, Belgium (Flemish and French-speaking Communities), Cyprus, Denmark, Estonia, Finland, France, Germany (Federal and Länder levels), Hungary, Ireland, Italy, Lithuania, the Netherlands, Poland, Portugal, Romania, Slovakia, Spain, Sweden and the United Kingdom (20 Member States). The Commission was represented by DG EAC.

As part of its introductory remarks, the Commission briefly presented the 8 projects selected under the call for proposals for the 2011 Preparatory Action in the field of Sport in the area of good governance, noting that the results of some of the selected projects may usefully inform the work of the Expert Group.

2. ELECTION OF THE CHAIRPERSONS

The Commission informed that three Member States (Finland, the Netherlands and UK) had submitted their candidature to co-chair the XG GG and asked the three proposed chairs to present their expertise in the relevant areas of work. The presentations were as follows: Mr Harri Syväsalmi (Finland) proposed his candidature as co-chair for the area of fighting against match fixing; Mr Darren Bailey (UK) for the area of promoting good governance principles; and Mr Henk Kesler (the Netherlands) for the area of supervising the activities of sports agents and addressing issues related to transfers. The XG elected the three proposed co-chairs by acclamation. The Commission noted that the candidature of Mr Jan Loorbach, the second Dutch expert in the XG, to assist Mr Bailey in his role as co-chair of the XG in the area of promoting good governance principles would not be formalised and that similar arrangements of this type could be dealt with informally in future.

3. ADOPTION OF THE WORK SCHEDULE

The co-chairs invited the Commission to present its proposal regarding the Work Schedule for the XG GG. The Commission noted that the EU Work Plan for Sport identifies the integrity of sport, in particular the fight against match fixing and the promotion of good governance, as priority themes for EU level cooperation in sport. Annex I specifies three actions based on these priorities, which are: (a) to "Develop a European dimension of the integrity of sport with the initial focus on the fight against match-fixing"; (b) to "Develop principles of transparency concerning good governance"; and (c) to "Address the issues identified related to access to and to supervision of the profession of sport agents and to transfers in team sports, including, in particular, the issue of transfer rules for young players". For these three actions, the XG GG is expected to propose recommendations by (a) mid-2012; (b) end-2012;

¹ Resolution of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on a European Union Work Plan for Sport for 2011-2014. In: Official Journal of the European Union, C 162/1, 1.6.2011, pp. 1-5



and (c) mid-2013 (sports agents) and end-2013 (transfers). Based on these considerations, the Commission proposed four main deliverables corresponding to the output dates set in the EU Work Plan for Sport, to be achieved in six meetings until October 2013. The XG agreed that coordination of work for each of the deliverables would be ensured by the co-chair responsible for the relevant area. The outcomes of the work on these four deliverables would be successively presented to the Council Working Party on Sport (WPS) by the corresponding co-chair and by a specific target date. All deliverables would feed into the Commission's final report on the implementation of the EU Work Plan to be submitted by the end of 2013.

The XG held a discussion on each of the four deliverables, which were introduced by the co-chairs together with the Commission. The XG agreed that Member States should be free to appoint different experts to participate in the work of the XG according to the different areas of work to be covered in each of the meetings. The XG also agreed that it was essential to take stock of existing documents in the various areas of work and that for this purpose the experts were invited to share reports, legislation and other relevant pieces of information existing at national or international level.

The Commission proposed to circulate a questionnaire among the members of the XG in order to collect relevant information concerning the existence of guidelines or legislation setting good governance principles at national level. This proposal was welcomed by the XG.

The discussion also touched upon the role of the State in the organisation of sport, with different models existing across the EU in particular regarding possible conditionality relating to the award of public subsidies to sports organisations. It was agreed that this topic would also be covered by the Commission's questionnaire.

In addition, in order to get informed views of the situation concerning the legal framework applicable to the activities of sports agents, the Commission agreed to circulate a second questionnaire aimed at updating, if relevant, the information included in the 2009 EU Study on Sports Agents.

4. DECISION ON OBSERVERS

The Commission presented the list of 18 organisations that had expressed their interest in participating as observers in meetings of the XG GG. The XG had a detailed discussion about each organisation on the list. Members of the XG thought that, in general, the meetings should not be closed for observers, while also noting that the meetings should remain efficient. There was agreement that other competent organisations active in the areas of work of the XG should also be given the opportunity to attend meetings where relevant. The XG decided that some organisations, on grounds of the scope and nature of their activities, could be admitted as observers to all the future meetings, whereas other organisations, with a more specialised interest in one or more of the topics to be covered, would only be admitted to meetings where the relevant topic was included for discussion.

On the basis of the EU Work Plan for Sport and of the approved Work Schedule, the list of topics to be discussed was established as follows:

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| Topic 1: | Combating match fixing |
| Topic 2: | Develop principles of good governance in sport |
| Topic 3: | Examine ways to supervise the activities of sports agents |
| Topic 4: | Examine ways to address the issue related to transfers of players |



The list of admitted observers was then agreed as follows:

Name of the organisation	Topics on which the organisation can offer contributions as observer
ENGSO	All topics
EOC EU Office	All topics
Norway - Ministry of Culture	All topics
European Elite Athletes Association UNI Europa Sport PRO	All topics
European Club Association (ECA)	Topics 2, 3 and 4
EPAS Council of Europe	All topics
EFAA European Football Agents Association	Topics 3 and 4
FIFPro	Topics 2, 3 and 4
ESSA European Sport Security Association	Topic 1
UEFA	All topics
EPFL European Professional Football Leagues	Topics 2, 3 and 4
AEBA Association of European Basketball Agents	Topics 3 and 4
FIFA	All topics
European Lotteries	Topic 1
IRB – International Rugby Board	All topics

It was also agreed to postpone to the second meeting of the XG GG the decision on whether the organisation "Play the Game" should be considered as an observer or an expert and be admitted to participate in the work of the XG when topic 2 is on the agenda.

The XG decided not to give observer or expert status to a think tank and to an independent consultant.

It was also agreed that in principle observers could attend all parts of the meetings of the XG where topics of relevance were discussed. However, in case the XG considered that there was a need to hold *in camera* sessions, this would be communicated to observers.

The XG asked the Commission, as the Secretariat of the XG, to inform the applicants of its decisions.

5. PREPARATION OF RECOMMENDATIONS ON THE FIGHT AGAINST MATCH FIXING

After an introduction by the Commission, the XG had a detailed discussion on the first topic on its agenda, for which a deliverable should be produced by mid-2012. There was agreement that a series of documents, notably Council Conclusions and existing Codes of Conduct for sportspeople, should be shared among the XG members. The discussion also served to point out that work to be undertaken had to take into account the autonomy of sport and the differences existing among various sport disciplines with regard to the risk of match fixing. It was clarified that the work of the XG should cover both betting-related and sporting-related match fixing. Amongst the different issues to be included in the deliverable, the XG mentioned the possibility of having recommendations on live bets, possible



legislative intervention, the networking of existing bodies and the need to reflect on how best to pursue work on this topic once the XG contribution has been presented to the Council Working Party on Sport. All XG members agreed that the issues of prevention, education and awareness raising, especially amongst young players, had to figure high on the agenda of the XG work. The possibility was mentioned of inviting representatives of law enforcement authorities, notably at European and international level, to attend the next meeting of the XG. Several members of the XG underlined the importance for the XG to achieve concrete and pragmatic results that could be usefully taken up by policy makers; it was suggested that the focus of the XG's work should be on collecting evidence on existing best practices at national level and making suggestions on concrete steps to be undertaken at EU level on what can be done to improve the situation. The need to come to a consensus about an agreed definition of match fixing before the next XG meeting was also underlined.

6. DATE OF NEXT MEETINGS

The XG agreed to hold its 2nd meeting in Brussels on Tuesday, 13 March 2012.

The date of the 3rd meeting was provisionally set on Tuesday, 5 June 2012. The XG agreed that if a final output could not be produced by that date an additional meeting might be organised at the beginning of July 2012.