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18. Notes the Commission's draft code of conduct for interest representatives; reminds the Commission that Parliament has already had such a code in place for over 10 years and asks the Commission to negotiate with Parliament for the establishment of common rules; is of the opinion that any code should contain a strong monitoring element with regard to the conduct of lobbyists; stresses that sanctions should apply to lobbyists who breach the code of conduct; emphasises that sufficient resources (staff and funding) must be set aside for the purposes of verifying the information on the register; considers that for the Commission's register sanctions may include suspension from the register, and in more serious cases removal from the register; believes that once a common register is established, non-compliance by lobbyists should lead to sanctions in relation to access to all institutions to which the register applies;

19. Emphasises the need for the register to be user-friendly and easily accessible on the Internet: the public must be able to easily find and search the register, and it must include not only the names of the lobbying organisations but also the name of the individual lobbyists themselves;

20. Stresses that the register should contain separate categories in which lobbyists should be registered according to the type of interests they represent (e.g. professional associations, company representatives, trade unions, employers' organisations, law firms, NGOs, etc.);

21. Welcomes the Commission's decision to request that the requirement of financial disclosure by interest representatives joining the register apply to the following:

- the turnover of professional consultancies and law firms attributable to lobbying the EU institutions, as well as the relative weight of their major clients;
- an estimate of the costs associated with direct lobbying of the EU institutions incurred by in-house lobbyists and trade associations;
- the overall budget and breakdown of the main sources of funding of NGOs and think-tanks;

22. Stresses that the requirement of financial disclosure must apply equally to all registered interest representatives;

23. Asks the abovementioned joint working group to propose specific criteria which would involve the requirement of financial disclosure, for example an indication of lobbying expenditure within meaningful parameters (exact figures would not be necessary);

24. Calls on the committee responsible to prepare any necessary amendments to Parliament's Rules of Procedure;

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25. Instructs its President to forward this resolution to the Council and the Commission.

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## White Paper on Sport

P6\_TA(2008)0198

**European Parliament resolution of 8 May 2008 on the White Paper on Sport (2007/2261(INI))**

(2009/C 271 E/07)

*The European Parliament,*

- having regard to Article 6 of the EU Treaty and Article 149 of the EC Treaty as amended by the Lisbon Treaty concerning the EU contribution to the promotion of European sporting issues while taking account of the specific nature of sport, its structures based on voluntary activity and its social and educational function,
- having regard to the White Paper on Sport (COM(2007)0391),

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- having regard to the Helsinki report of December 1999 and the Nice Declaration of December 2000 on the specific characteristics of sport and its social function in Europe,
- having regard to the UK Presidency's initiative in respect of European football which led to the drawing up of the 'Independent European Sport Review 2006',
- having regard to the case law developed by the European Court of Justice and the Court of the First Instance and Commission decisions on issues relating to sport,
- having regard to Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin <sup>(1)</sup>, which prohibits all forms of racial discrimination in the areas of employment, education, social security, health care and access to goods and services,
- having regard to Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation <sup>(2)</sup>,
- having regard to its resolutions of 13 June 1997 on the role of the European Union in the field of sport <sup>(3)</sup> and of 5 June 2003 on women and sport <sup>(4)</sup>,
- having regard to its resolution of 29 March 2007 on the future of professional football in Europe <sup>(5)</sup>,
- having regard to its resolution of 13 November 2007 on the role of sport in education <sup>(6)</sup>,
- having regard to its resolution of 14 April 2005 on doping in sport <sup>(7)</sup>,
- having regard to its resolution of 14 March 2006 on tackling racism in football <sup>(8)</sup>,
- having regard to the World Anti-Doping Code of 2003 and its revision in 2007,
- having regard to the report and the conclusions of Europe's first conference on the Governance of Sport 'The rules of the Game' (Brussels, 26-27 February 2001),
- having regard to the Memorandum of Understanding signed by the Commission and FIFA in 2006 to make football a force for development in the African, Caribbean and Pacific countries,
- having regard to the experience gained from the European Year of Education through Sport (2004) and the Recommendation 2006/962/EC of the European Parliament and of the Council of 18 December 2006 on key competences for life-long learning <sup>(9)</sup>,
- having regard to Rule 45 of its Rules of Procedure,
- having regard to the report of the Committee on Culture and Education and the opinions of the Committee on Economic and Monetary Affairs, the Committee on Employment and Social Affairs, the Committee on the Internal Market and Consumer Protection, the Committee on Regional Development, the Committee on Legal Affairs, the Committee on Civil Liberties, Justice and Home Affairs and the Committee on Women's Rights and Gender Equality (A6-0149/2008),

<sup>(1)</sup> OJ L 180, 19.7.2000, p. 22.

<sup>(2)</sup> OJ L 303, 2.12.2000, p. 16.

<sup>(3)</sup> OJ C 200, 30.6.1997, p. 252.

<sup>(4)</sup> OJ C 68 E, 18.3.2004, p. 605.

<sup>(5)</sup> OJ C 27 E, 31.1.2008, p. 232.

<sup>(6)</sup> Texts Adopted P6\_TA(2007)0503.

<sup>(7)</sup> OJ C 33 E, 9.2.2006, p. 590.

<sup>(8)</sup> OJ C 291 E, 30.11.2006, p. 143.

<sup>(9)</sup> OJ L 394, 30.12.2006, p. 10.

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- A. having regard to the role of sport in promoting integration and its potential contribution to social cohesion and the internal cohesion of the regions,
- B. whereas European sport is an inalienable part of European identity, European culture and citizenship, and whereas European sport is based upon the commitment and the enthusiasm of millions of athletes, volunteers and supporters who are active in a large number of sports clubs and federations, a broad movement that has created many outstanding sportswomen, sportsmen and sports teams and that has made sport a highly valued aspect of our society, in which sporting events are extremely popular,
- C. whereas sport plays a very important role in European society, parts of competition sport, however, are confronted with new threats and challenges, such as commercial pressure, the exploitation of young players and sportsmen and sportswomen, doping, racism, violence, match fixing, corruption, betting fraud and money laundering,
- D. whereas sport has a special role in society as an instrument of social inclusion and integration, and whereas sport constitutes an important instrument for promoting intercultural dialogue and makes an outstanding contribution to the development and promotion of important societal, cultural and educational values, such as fairness, tolerance and mutual respect, solidarity, respect for rules, team spirit, and self-discipline; whereas sport plays a particularly important role in European society in terms of health, education, social integration and cultural values, thanks to organisations structured on voluntary lines,
- E. whereas under Article 149 of the EC Treaty as amended by the Lisbon Treaty, EU action shall be aimed at developing the European dimension in sport, by promoting fairness and openness in sporting competitions and cooperation between bodies responsible for sport, and by protecting the physical and moral integrity of sportsmen and sportswomen, especially the youngest sportsmen and sportswomen; whereas action at EU level should complement that taken by other actors without changing the existing attribution of competences,
- F. whereas, with a view to the ratification of the Lisbon Treaty and Article 149, the role of sport in Europe must be given strategic direction by clarifying the application of Community law to sport; whereas a case-by-case approach to deal with the specificity of sport is unsatisfactory from the perspective of sports organisations which will entrench existing legal uncertainty, and whereas there must be further sports-related action at EU level while respecting the autonomy, specificity and self-regulation of sports organisations;
- G. whereas Article 149 of the EC Treaty as amended by the Lisbon Treaty calls on the Community to promote fairness and openness in sporting competitions, and whereas the application of competition rules to sport is leading to a widening gap between sports clubs to the advantage of the richest, or most popular, which is harmful to the fair conduct of sporting competitions and therefore contradicts the objective laid down in that Article,
- H. whereas account must be taken of the independence of sports organisations and representative bodies such as those organising professional championships, together with the fact that organisational responsibility weighs principally on the governing boards of sports bodies and, to a certain extent, on the Member States and social partners,
- I. whereas professional sport is constantly gaining in importance and is helping to enhance the role of sport within society; whereas competition law and internal market provisions apply to professional sport to the extent that it constitutes an economic activity,
- J. whereas sport falls within the scope of EU law, notably with regard to the principle of representative and participatory democracy in the decision-making bodies of European sports institutions and Article 13 of the EC Treaty, which prohibits discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation; whereas in certain instances, in view of the specific characteristics and essential and singular features of sport, it cannot be compared with an ordinary economic activity,

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- K. whereas voluntary activities in the sporting sector strengthen social cohesion and inclusion and promote local democracy and active citizenship and also have an implicit economic value, as without volunteers sporting activities would come at a much higher cost and many of the social activities related to sport would disappear; whereas there is a need to promote voluntary sports structures and to encourage voluntary services in sport by means of measures providing appropriate protection for and acknowledging the economic and social role of volunteers,
- L. whereas a lack of physical exercise leads to an increase in cases of obesity and chronic conditions, such as cardiovascular diseases and diabetes, and as a consequence this puts a burden on the health budgets of Member States,
- M. whereas the number of hours of physical education in both primary and secondary schools has declined over the last decade, and there are major differences between Member States with regard to sporting facilities and the stock of equipment; whereas sport offers young people welcome opportunities for participation and personal commitment within society and can help to steer them away from delinquency,
- N. whereas doping undermines the principle of transparent and fair competition and puts sportsmen and sportswomen under unreasonable pressure,
- O. whereas the 2003 World Anti-Doping Code has succeeded in becoming a model for the harmonisation of national legislation worldwide; whereas efforts deployed by the World Anti-Doping Agency (WADA), however, are mainly focused on sport at the top level,
- P. whereas the Union would benefit from a more coordinated approach in the fight against doping, in particular by defining common positions in relation to WADA, Unesco and the Council of Europe, and through the exchange of information and good practice between governments, national anti-doping organisations and laboratories,
- Q. whereas, despite some progress having been made in the area of gender equality at European level, inequities between sportsmen and sportswomen persist; whereas training systems for talented young sportsmen and sportswomen should be open to all and must not lead to discrimination between EU citizens and residents based on nationality or gender,
- R. whereas all residents should have access to sport and the specific needs of some groups therefore need to be addressed, such as people with disabilities, immigrants and people from less privileged backgrounds, and whereas, in particular, disabled sportsmen and sportswomen must not suffer discrimination compared to their able-bodied counterparts as regards equal access to sport within the Member States,
- S. whereas sport is intended for all citizens, regardless of gender, race, age, disability, religion, nationality, sexual orientation and social or economic background; whereas sport can be a force for social inclusion and integration, and whereas the Parliament and Commission have repeatedly condemned all displays of violence, racism and xenophobia,
- T. whereas violence during sporting events remains an unresolved problem and can take various different forms; whereas major sporting events attract prostitution and trafficking in women and children whilst they are taking place,
- U. whereas according to a study presented during the Austrian Presidency in 2006, sport generated added value of EUR 407 billion in 2004, accounting for 3,7 % of EU GDP and providing employment for 15 million people or 5,4 % of the labour force; whereas sport, thus, contributes to the Lisbon objectives of growth and job creation and serves as a tool for local, regional and rural development, and whereas it can also have synergies with tourist development through the upgrading of infrastructures and the emergence of partnerships for financing sports and leisure facilities,
- V. whereas growing digital piracy (and in particular the unauthorised live and re-transmission of sporting events) is a major threat to the sporting sector, though there is little awareness of the problem,

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- W. whereas the overwhelming majority of sporting activities are run on a non-profit-making basis and many of them depend on financial support to ensure that they are accessible to all; whereas financial support is important for grass-roots sport and sport for all, subject to compliance with Community law; whereas organised sport in almost all Member States is built on specific non-profit making governing structures at grass-roots level, heavily reliant on the commitment of volunteers, with specific forms of legal personality or status that provide the preconditions for a range of financial and fiscal advantages,
- X. whereas Member States have not clearly defined what sport is, and have not clarified whether or not it is a service of general interest which justifies favourable financial treatment (for example tax relief),
- Y. whereas the amount of donations and government funds are decreasing, and whereas in order to survive, the majority of non-profit sports organisations need to raise revenues from some kind of commercial activity, enabling them to fulfil effectively their social objectives, and therefore these organisations are subject to EU law,
- Z. whereas sports organisations have many sources of income, such as club fees and ticket sales, advertising and sponsorship, lotteries, media rights, re-distribution of income within the sports federations and leagues, merchandising and public support, with revenues generated by state-owned or state-licensed lotteries and gambling operators being by far the most important source of income in many Member States,
- AA. whereas media rights are a primary source of income for professional sport in Europe, income which is, inter alia, also reinvested in grass-roots training, facilities and community projects, and sporting events are a popular source of content for many media operators,
- AB. whereas sports organisations in the European Union consider the contribution made to the financing of non-professional sport by state-run lotteries and licensed gambling bodies operating in the general interest as indispensable; whereas no other sustainable and politically feasible solution has so far been either proposed or seriously discussed to make up for the substantial losses from these sources of financing to be expected if profit-making enterprises were authorised to operate in Member States which have thus far applied restrictive gambling policies,
- AC. whereas sports betting activities have developed in an uncontrolled manner (particularly cross-border betting on the Internet), whereas a growing number of matches have been fixed and whereas betting-related scandals have recently come to light in Member States, threatening the integrity of sport and sporting competitions,
- AD. whereas the economic and social developments common to most Member States through growing commercialisation, encouragement to increase public spending and the growing number of participants and the number of volunteers remaining unchanged, have created fresh challenges regarding the organisation of sports in Europe,
- AE. whereas national teams play an important role not only by establishing their own credentials but also by ensuring solidarity with sport at grass-roots level and therefore deserve support,
- AF. whereas the development of a truly European market for sportsmen and sportswomen and players and the rise in the level of their salaries in some professional sports have resulted in an increase in the activities of players' agents, and whereas for this reason there is a need in the Member States for specific training of sports managers and players' agents,
- AG. whereas the sector's high degree of internationalisation has led to cross-border corruption in the sporting sector; when governing bodies face cross-border corruption problems with a European dimension they should be able to call on the Commission for assistance if and when it is needed,
- AH. whereas licensing systems, approved by the respective competition organisers, aim to ensure that all professional clubs respect the same basic rules on financial management and transparency and whereas they should be compatible with competition and internal market provisions and should not go beyond what is necessary to achieve a legitimate objective relating to the proper organisation and conduct of sport,

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- AI. whereas, by the very nature of organised sports, sporting structures at European level are as a rule less developed than at national and international level, while sport at European level is organised continent-wide and not at the level of the European Union,
  
- AJ. whereas the White Paper on Sport refers frequently to the mainstreaming of sport within European funding programmes, and whereas the Union shall also take the sporting dimension into account when it acts, in particular in order to respect the autonomy, specificity and self-regulation of sports organisations and to promote sport at European level; whereas the outcome of a structured dialogue between all stakeholders is very important in understanding the special nature of sport,
  
- AK. whereas the Commission has decided to make health-enhancing physical activity a cornerstone of its sport-related activities; whereas the Council of Europe has demonstrated an innovative and effective dialogue with the sports movement in Europe, bringing together governmental and non-governmental sports stakeholders in its meetings,
  
- AL. whereas social dialogue at European level may allay the concerns shared by employers and sportsmen and sportswomen by including an examination of agreements concerning relations between them and working conditions in the sector,
  
- AM. whereas sport can contribute to various aspects of the EU's external relations in the context of external aid programmes, contributing to dialogue with partner countries in the framework of EU public diplomacy,
  
- AN. whereas European sports organisation, the organisers of sporting events and all bodies responsible for sports must set themselves environmental objectives with a view to ensuring the environmental sustainability of their activities,

### ***The organisation of sport***

1. Welcomes the publication of the White Paper on Sport and hopes that it serves as a basis for the sports world and the Commission to engage in a fruitful and continuous dialogue; appreciates the importance the Commission attaches to sport by adopting this White Paper;
  
2. Welcomes the fact that Member States recognised sport officially in the Lisbon Treaty in order to establish a consistent future European policy in this sector; while taking into account the specific nature of sport, its structures based on voluntary activity and its social and educational function while enabling the Commission to promote and complement — but not to regulate — the actions of Member States and sports organisations; notes that existing structures for sport in Europe are based on the principle of nationality;
  
3. Believes that 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;
  
4. Asks the Commission to have due respect for the specificity of sports, by not taking a case-by-case approach and 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; invites the Commission to ensure clarity, coherence and public visibility of EU rules, so that sports services of general interest can fulfil their objectives and contribute to a better quality of life for European citizens; further asks the Commission to monitor and regularly review the application of EU law in accordance with the EC Treaty to take account of new realities so as to identify and solve pending or emerging issues;

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5. Agrees with the Commission that most challenges can be addressed through self-regulation in line with good governance principles, provided that EU law is respected; believes a structured partnership and dialogue between the Commission and the sports movement is essential for the good governance of sport and for avoiding legal uncertainty in respect of autonomy and self-regulation of sports organisations; agrees with the Commission regarding the holding of a structured dialogue in two parts: (a) an annual European sports forum attended by all those involved in sports and (b) thematic discussions with a limited number of participants;
6. Welcomes the participation of the following in the proposed structured dialogue:
  - European sports federations,
  - European interdisciplinary sports organisations, in particular the European Olympic Committees, the European Paralympic Committee (EPC), Special Olympics and European non-governmental sports organisations,
  - national sports organisations and national Olympic and Paralympic committees,
  - others involved in sports represented at European level, including the social partners,
  - other European and international organisations, in particular the sports bodies of the Council of Europe and UN bodies such as Unesco, and the WTO;
7. 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;
8. 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;
9. Recommends that the specific associations for the different categories of persons involved in sport (players, trainers or coaches, referees, etc.) should all be appropriately represented in the decision-making bodies of international and national federations;
10. Takes the view that, 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 believes that, depending on the sport, the system should be run by the relevant governing body;
11. Stresses the importance of volunteer work in the field of sport in that it acts as a major factor in stimulating and promoting social integration and greater awareness among young people; calls on the Member States and the Commission to give more encouragement to volunteer initiatives with regard to sport and sports organisations in the context of policy-making at national and European level;
12. Asks Member States and sports governing bodies to actively promote the social and democratic role of fans by supporting the creation and development of supporters' federations and promoting their involvement in the management and administration of games; believes that the Supporters Direct initiative serves as an example of best practice in this respect and calls on the Commission, the Member States and the sports governing bodies to promote its dissemination;
13. Calls on the Commission to promote greater involvement of non-governmental sports organisations in the dialogue between the Member States and the Commission by organising governmental meetings together with the non-governmental sports organisations akin to ministerial or sports director meetings or the Commission's working group meetings;

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14. Welcomes the Memorandum signed by France and the Netherlands on the White Paper on Sport and invites the Commission to clarify the status of sport in EU law with regard to specific points, such as the composition of teams, the status of players' agents, audiovisual rights etc.;

15. Calls on the Commission, when pursuing the new structured dialogue, to pay particular heed to the Committee of the Regions, taking into account its contribution at regional and local levels to the supervision and implementation of the measures set out in the White Paper on Sport;

16. Calls on international, European and national sports federations to accept in their statutes the right to have recourse to ordinary courts, but recognises that the principle of self-regulation by national authorities, leagues and competitions underpins and justifies the structures of the European sport model and the fundamental principles governing the organisation of sport competitions;

17. Encourages the Commission to promote the implementation and strengthening of self-regulatory licensing systems at national and European level in order to increase good governance and to create a level playing field concerning financial transparency and stability; recommends that measures should be taken that lead to the achievement of financial transparency and cost control in European sport, to ensure not only stability but also a level playing field among European competitors in the sports sector; and recognises the benefit of organisers of national and European competitions granting licences to professional clubs to ensure that those clubs have the necessary structure and meet the required material conditions for taking part in competitions;

18. Calls on the national and European sports competition organisers to ensure that their procedures for licensing sports associations comply with the basic principles of financial transparency, are non-discriminatory and are in accordance with basic internal market provisions and principles, so as to curb distortions of competition; considers that sports organisations must ensure that the requirements regarding transparency and licensing are complied with and that non-compliance is punished;

19. Welcomes the Commission's proposal to hold a conference with UEFA, the Association of European Football Leagues (EPFL), the International Union of Professional Footballers (Fifpro), the national associations and national bodies responsible for organising professional football events in order to discuss licensing arrangements and best practices within this specific domain and calls on the Commission to invite other representative associations concerned to this conference;

### **Doping**

20. Requests Member States to agree on a common legislative approach towards doping in order to ensure similar legal treatment in all Member States and to define common positions in relation to WADA, Unesco and the Council of Europe; calls on those Member States that have not yet signed the Unesco Convention against doping in sport to do so;

21. Calls on the Union, as a participant of WADA, with a view to combating doping, in the first instance to reinforce existing networks, and only then to develop new partnerships between law enforcement agencies, laboratories accredited by WADA, Europol and Interpol to exchange information about new doping substances and practices in a timely manner and in a secure environment;

22. Invites the Commission to implement actions nos. 4 and 5 of the 'Pierre de Coubertin' Action Plan so as to promote the development of partnerships between Member State law enforcement agencies, laboratories accredited by WADA and Interpol to exchange information about new doping substances and practices in a timely manner and in a secure environment, and to facilitate and support actively the creation of a network of national anti-doping organisations of Member States;

23. Urges Member States to treat the trade in illegal doping substances in the same manner as the trade in illicit drugs and to adjust their national legislation accordingly; and invites the Commission to reflect on how to take this recommendation, made in the White Paper further;

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24. Calls for a policy aimed at preventing and combating doping that includes avoiding excessively busy schedules that put pressure on athletes; stresses the need to fight irregularities through checks, research, testing, long-term monitoring by independent doctors and through education and, at the same time, prevention and training; calls on professional clubs and sports organisations to adopt a pledge to combat doping and to monitor compliance through internal and external independent checks;

25. Requests the development of an action plan on the fight against doping in the run-up to the next Olympics scheduled to take place in the EU (London 2012);

26. Requests that funding be made available for research on doping through the Framework Programme on Research and the Public Health Programme;

27. Calls on the Member States 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***

28. Stresses the role of sport in education, teaching young people the values of tolerance and mutual respect, honesty and respect for the rules of fair play, and health care prevention, in particular efforts to tackle obesity;

29. Welcomes the Commission proposal to promote sport and physical exercise as major factors regarding education standards, so as to make schools more attractive and improve academic standards; supports the Commission's recommendations to the Member States to develop strategies at national level which, under their educational programmes, would seek to increase and enhance children's and school-children's physical activity from a very early age; emphasises the importance of funding physical activity in schools, which is fundamental to the psychological and physical growth of the youngest children, as well as being a major healthcare instrument for the young and the not-so young;

30. Calls on the Member States to encourage further measures to promote sport and physical exercise as a major factor in raising national education standards and make full use of the opportunities offered by community programmes regarding mobility at all levels of education, vocational training and lifelong learning;

31. 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 — with special attention to the education of the youngest — for which purpose stricter supervision and regular checks on training are required so that its quality can be guaranteed and to provide high quality local training centres to safeguard their moral, educational and professional interests;

32. Calls on the Commission and the Member States to step up preventative measures and health checks for young sportspeople and ensure that all the rights enshrined in the United Nations Convention on the Rights of the Child are respected;

33. Welcomes the Commission proposal regarding the award of a European prize to schools actively supporting and promoting physical exercise as part of the curriculum;

34. Agrees with the Commission that investment in young talented sportsmen and sportswomen is crucial for the sustainable development of sport and believes that there is a real challenge for the sports movement to ensure the local training of players; believes that the UEFA home-grown rule can serve as an example to other federations, leagues and clubs;

35. Refers in this respect to the task of the Union, conferred on it by the Lisbon Treaty, of protecting the physical and moral integrity of the youngest sportsmen and sportswomen in particular;

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36. Calls on the Commission 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;
37. 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;
38. Calls on the Commission and the Member States to combat the exploitation of girls and boys in sports and child trafficking by strictly enforcing existing laws and rules; suggests that a higher level of legal security, in particular in the application of the 'home-grown players rule', is desirable;
39. Deplores the practice of Member State governments selling school playing-fields for development; considers that Member States should be encouraged to ensure that children have sufficient facilities to engage in sports and physical activities at school; invites the Member States to facilitate free access for people under 14 to all national and international competitions;
40. Given the need to adopt a horizontal approach to questions concerning the protection of the environment and health, recommends that the Commission encourage the promotion of environmental and health protection during European sporting events; welcomes the Commission decision to promote green procurement in its political dialogue with the Member States and other concerned parties;
41. Acknowledges the importance of sport in health protection and for this reason recommends that the owners of the broadcasting rights promote sport with this objective in mind;
42. Points out that the link between sport and health is an important consideration, so that cooperation between sports organisations or associations and health insurance funds and doctors has become an increasingly common practice which represents an enormous added value for health care services and, at the same time, a financial saving; and considers it crucial that young people are educated to become aware of the importance of healthy food, under the circumstances of an inter-relationship between food and physical exercise, through Europe-wide events, such as 'E-free Food Day';
43. Stresses the importance of physical exercise and sport in curbing obesity and eliminating unhealthy lifestyle habits, since this phenomenon has a significant positive impact on citizens' health on the one hand and as regards reducing the cost of health insurance funds on the other; expresses, however, concern at the fact that the extension of working hours and existing employment conditions in general deter workers from taking regular exercise and devoting themselves more single-mindedly to sport; calls on the Commission to develop and issue, together with sport federations, European guidelines and recommendations on physical activity before the end of 2008;
44. Invites the Member States to create the framework for organising European School Championships and European University Championships, in order to prepare young people for performing and to encourage intercultural dialogue;

#### ***Social inclusion and anti-discrimination***

45. Stresses that sport is one of the most effective tools for social integration and, as such, should be promoted and supported by the European Union to a greater extent, e.g. through special programmes for organisers of European, national and local sporting and recreational events; considers that these opportunities should be extended, in particular, to organisers of sporting events that promote integration and involve disabled people; considers that 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 and cooperation with third countries;
46. Stresses the importance of promoting sports, guaranteeing access to sport for all and equal opportunities and investing in training for sports instructors and coaches and more public sports facilities;

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47. Calls on the Commission and the Member States to regard sport not only as a prerogative of the able-bodied, but also as an important instrument for the rehabilitation and social inclusion of people with disabilities; in this context, urges the Commission and the Member States to support practical measures and initiatives to promote greater integration of disabled participants into traditional sporting disciplines;
48. Welcomes the Commission's initiative to encourage the sports organisations and the Member States to adapt sports' and schools' infrastructure to the needs of disabled people and requests that it be made easier for physical education teachers to undertake kinetotherapy and physical therapy studies, thus enabling them to work with partially disabled students, according to the conditions they have;
49. Welcomes the decision of the Commission and Member States to support further measures for persons with disabilities; urges the Commission to ensure that all rights earmarked for sportspeople are equally accessible to their disabled counterparts;
50. Welcomes the Commission's comprehensive White Paper on Sport; regrets, however, that the gender aspect is not adequately taken into account, especially regarding equal pay for equal value and the fact that female athletes earn less than their male counterparts;
51. Welcomes the Commission's intention to introduce gender mainstreaming in all its sports-related activities, with a specific focus on access to sport for immigrant women and women from ethnic minorities, women's access to decision-making positions in sport and media coverage of women in sport;
52. Calls on the Member States to give equal recognition to women's sporting achievements, providing appropriate financial awards without delay, and to introduce legal provisions to ensure that women are not awarded less valuable financial or other prizes in sporting events;
53. Calls on the Member States to encourage media coverage of women's sporting activities in order to foster the emergence of female role models and overcome gender stereotyping and afford women career opportunities in sport-related areas, including in decision-making positions;
54. Calls on the Member States progressively to adapt their sport infrastructure to take into account the needs of people, and especially children, with disabilities, but also the elderly and women, in view of the increase in active life expectancy and the importance of sport in supporting physical and mental health, as regards access to such infrastructure, and to learn from best practice in this area; calls on the Member States to monitor the use of public funds earmarked for sport and to check that these are allocated equally to the needs of sportswomen and sportsmen;
55. Stresses the particularly important role of sports for the social inclusion of those from less privileged backgrounds, in particular migrants; calls on the Member States in this connection to incorporate sports activities and programmes in initiatives financed by the European Social Fund with a view to achieving social integration and participation by those belonging to less privileged categories;
56. Takes a positive view of the Commission's stance in recognising the role of sport as a useful instrument for integrating migrants and, more generally, as an instrument of social inclusion; proposes that access to sport and integration in social sports infrastructures should be considered an indicator of social integration and a factor for analysing the phenomenon of social exclusion;
57. Stresses the role of regions and local authorities in organising professional and recreational sporting events, developing infrastructure and promoting sport and a healthy lifestyle among EU citizens, particularly schoolchildren;
58. Calls on sports organisations and Member States to adopt the strictest of measures to combat racism and discrimination in sports; considers the sporting arena the working place of the professional athlete and calls on the Commission and Member States to ensure a workplace free of discrimination;

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59. Calls on the Commission and all the Member States to transpose and implement Council Directive 2000/43/EC of 29 June 2000 on implementing the principle of equal treatment between persons irrespective of racial or ethnic origin <sup>(1)</sup> and Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation <sup>(2)</sup> effectively;

60. 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 and matches by participants and spectators, both inside and outside stadiums.

#### ***Sport and third countries***

61. Insists that development through sport should never lead to 'muscle drain' and calls on the Union to address this issue in its policy dialogue and cooperation with partner countries;

62. Calls on the Commission and the Member States to extend the scope of dialogue and cooperation with third countries to issues such as transfers of international players, exploitation of underage players, doping, money-laundering through sport and safety during major international sporting events;

63. Calls on the Member States to provide more facilities to accommodate sportsmen and sportswomen from third countries in accordance with recent pronouncements concerning cyclical migration, partnership arrangements with third countries regarding mobility and the legal migration policy of 2005;

64. Calls on the Commission and the Member States, when addressing sport in the EU's development policies, to create synergies with existing programmes of the UN, Member States, local authorities, NGOs and private bodies;

#### ***Policing of sporting events***

65. 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, in order to prevent and address cases of violence, racism and xenophobia at sporting events; calls on all parties concerned to play an active role, eliciting immediate and more stringent sanctions against racism and violence, be they on the field or in the stands and to draw upon the existing experience of competition organisers and clubs in this field at a domestic and European level to ensure high minimum standards are guaranteed by public authorities and competition organisers in implementing procedures and match security plans; underlines the need to create the conditions for a more comprehensive approach, involving all the stakeholders in a strategy designed to strengthen the non-repressive aspects of the response to challenges, with a strong focus on education and training;

66. Calls on the Commission and the Member States to implement an 'intelligence-led policy' of cross-border police cooperation in the field of sport, including the exchange of information and intelligence between security services, while ensuring respect for freedom, fundamental rights and data protection rules;

67. Draws particular attention to the valuable experience gained through the NFIPs (National Football Information Points, responsible for coordinating and facilitating cross-border police information exchange, including risk assessments and data on high-risk supporters) and the handbook for international police cooperation, which can play a key role in this 'intelligence-led policy'; calls on the Commission and the Member States to cooperate more extensively and to develop and update this approach further where necessary;

68. Welcomes the Commission's initiative to prevent violence during sporting events and recommends developing measures to combat violence in school sports;

69. Welcomes the development of club licensing systems at national and European level and believes that such systems should also include provisions related to the prevention of racism, xenophobia and violence, the protection of minors and respect for fundamental rights;

<sup>(1)</sup> OJ L 180, 19.7.2000, p. 22.

<sup>(2)</sup> OJ L 303, 2.12.2000, p. 16.

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**Economic aspects**

70. Calls on the Commission and Member States to introduce legislation and/or strengthen existing regulations and to attach particular importance to respecting 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<sup>(1)</sup> ('Audiovisual Media Services' Directive) and the self-sustained and balanced development of sport, without putting at stake the proper balance between a sporting organisation's legitimate concerns and the needs of the public to be able to access and create objective, informative and topical information in the forms of written, pictorial and audio content; points out that it is also important to ensure that recipients are guaranteed the possibility of having access to sporting events at cross-border level within the EU at a distance; in particular, problems of ambush marketing, Internet piracy and unlawful sports betting should be addressed as a priority by Member States and the Commission;

71. Acknowledges the right of all media to access and report on organised sporting events of great interest to the public in order to guarantee the right of the public to receive such news and information in news programmes; acknowledges the right of the Member States to be able to take measures to protect the right to information and to ensure wide access by the public to television coverage of national or non-national sporting events of major importance for society, such as the Olympic Games, the Football World Cup and the European Football Championship;

72. 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 abovementioned Audiovisual Media Services Directive and condemns FIFA's court actions in this respect;

73. Recommends that Member States and national sports federations and leagues introduce collective selling of media rights (where this is not already the case); considers that there needs to be, in the interests of solidarity, an equitable redistribution of income between sports clubs, including the smallest ones, within and between the leagues, and between professional and amateur sport, so as to prevent a situation in which only big clubs benefit from media rights;

74. Recognises that sports rights require the same protection as other media rights; welcomes the Commission's recognition of collective selling of media rights as a tool for achieving greater solidarity within sports and its insistence on the creation and maintenance of solidarity mechanisms; calls on those leagues which do not foresee such mechanisms to introduce them and calls on the Commission to accept collective selling of media rights as generally compliant with EU competition rules, alternatively setting up a block exemption for the collective selling of media rights in the area of sport, thus ensuring legal certainty for both sport event organisers and media investors;

75. States that sport must ensure the interdependence of competitors and the need to guarantee an unpredictable outcome of the results of competitions, which could justify sports organisations implementing a specific framework on the markets for the production and the sale of sporting events; however, these specific features do not warrant an automatic exemption from EU competition rules of any economic activities generated by sport;

76. Asks the Commission and the Member States to further strengthen Intellectual Property Rights (IPR) in the sport sector, and demands concrete action which protects the IPR of sports event organisers with regard to the results and the sporting event as a whole, without prejudice to the freedom of the press;

77. Calls on the Commission to pay sufficient attention to sports piracy in its strategy for the online content sector and its fight against piracy; calls on the Commission and Member States to strengthen the rights of the sports sector in the context of the World Intellectual Property Organization (WIPO) and their dialogue with third countries;

<sup>(1)</sup> Directive 2007/65/EC of the European Parliament and of the Council of 11 December 2007 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities (OJ L 332, 18.12.2007, p. 27).

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78. Notes that there is often a mismatch between supply of and demand for tickets for major sporting events, which is detrimental to consumers; stresses that the interests of consumers should be fully taken into account when organising the distribution of tickets and that non-discriminatory and fair ticket sales should be guaranteed at all levels;
79. Calls on the Commission and the Member States to develop a European statistical method for measuring the economic impact of sport as a basis for national statistical accounts for sport, which could in time lead to a European satellite account for sport;
80. Calls on the Commission to include in the scope of its plans for the immediate future an evaluation of the direct contribution made by sport to GDP, development and employment, and its indirect contribution, through education, regional development and greater EU appeal, to the Lisbon Agenda;
81. Recommends that Member States make more effective use of the potential of sport to create jobs and promote economic growth and revitalisation, particularly in disadvantaged areas and that Member States and the Union support sport accordingly through existing EU funding programmes and in this light underlines the important role sport can play in the field of social inclusion; recognises the role of income from media and other intellectual property rights in the growth of expenditure on revitalisation and community projects,
82. Calls on the Member States, with the help of the Commission, to organise the exchange of best practices between themselves and the sports federations regarding the organisation of major sporting events with a view to promoting sustainable economic development, competition and employment;
83. Proposes that an effective mechanism be set up for promoting cross-border and inter-regional cooperation so as to make better use of infrastructure investments connected to sporting events; further proposes to encourage the promotion of sport through the European grouping of territorial cooperation as provided for by Regulation (EC) No 1082/2006 of the European Parliament and of the Council of 5 July 2006 on a European grouping of territorial cooperation (EGTC) <sup>(1)</sup>;
84. Supports strengthening of solidarity between professional and amateur sport so as to encourage small clubs, promote school sports and develop the relevant local infrastructures; welcomes the Commission's acknowledgement of the particular challenges faced by amateur and non-profit sport and by sport dependent on volunteering and calls for this to be reflected in all economic aspects of future sports policy;
85. Draws attention to non-professional sport, which is often neglected; points to the need to provide greater financial support, better working conditions and other incentives and benefits for non-professional sports, including for non-profit clubs, athletes, managers, trainers/coaches and amateur and voluntary referees;
86. Stresses also the need to guarantee that the State covers the safety costs of non-professional competitions organised by non-profit bodies;
87. Calls on the Commission to help maintain, with a view to ensuring continued sources of financing for non-professional sport, the current system of public financing of non-professional sport through contributions from state-run lotteries and licensed gambling bodies operating in the general interest;
88. Awaits with interest the findings of the independent survey regarding both public and private funding in the Member States for grass-roots sport and sport for all and the impact of the ongoing changes taking place in that sector;
89. Voices its concern at a possible deregulation of the market in gambling and lotteries; considers it appropriate to use the profits derived from such lotteries for purposes that are in the public interest, including the continuing financing for professional and amateur sport; 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, which guarantee the sporting events' integrity and ensure the respect of the competitions organisers intellectual property rights; calls on the Commission to carry out a study of the potential effects on society and sport of full deregulation of the market in gambling and lotteries, and of what types of control mechanisms could be used to protect consumers;

<sup>(1)</sup> OJ L 210, 31.7.2006, p. 19.

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90. Asks the Commission to come forward with a proposal ensuring a clean sports betting sector in the Union, preventing misuse and corruption and respecting the sporting event organisers' rights; and asks the Commission and the Member States to explore with sports and betting operators the creation of a workable, equitable and sustainable framework to ensure that all sports in the European Union remain free from illegal betting practices and that public confidence in their integrity is retained;
91. Points out that the discriminatory tax treatment favouring sports people, in application in the Member States, can have distorting effects on competition;
92. Stresses, together with the Commission, the need to continue to provide for the possibility of reduced VAT in respect of sports activities, given the important social role it fulfils and its close links with the local community;
93. Encourages sports organisations to reinvest a percentage of the revenue generated by the sale of media rights and market ventures relating to a particular sport, such reinvestment to be allocated directly to funding and aiding the volunteer and non-profit sectors of that sport;
94. Considers it important to recognise the specific nature of non-profit sports organisations and asserts that account must be taken in Community law of the difference between volunteer organisations, non-profit organisations and profit-making enterprises; calls on the Member States, together with the Commission, to define the principal challenges facing non-profit-making sports associations and the principal nature of the services provided by them;

#### ***Issues related to the employment of sports people***

95. Considers it undesirable for professional athletes to have fewer rights than other contracted workers and therefore considers it important that professional athletes have as broad and transparent 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;
96. Affirms the basic applicability of EU non-discrimination legislation to the field of sports in Europe and calls on the Commission to ensure that any derogations due to the specificity of sports are both legal and limited in scope; considers that there are certain instances, in view of the specific characteristics of sport, where limited and proportionate restrictions on free movement may be appropriate, useful and necessary in order to promote sport in Member States;
97. Calls on Member States to ensure, through their national legislation, that any rule on the transfer of players in a European context respects EU law, with due regard to the specificity of sport and other fundamental principles such as the maintenance of contractual stability and the stability of competitions;
98. Calls on the Member States and sports associations 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); advocates political dialogue with the Member States as a means of combating discrimination in sport by way of recommendations, structured dialogue with those involved in sport and infringement procedures when considered appropriate;
99. Calls on the Member States and relevant regulatory bodies to examine allegations of corruption and exploitation in the recruitment and employment of athletes, in particular under-age athletes from outside the Union;
100. Condemns bad practices in the activities of some representatives of professional sports players which have resulted in instances of corruption, money laundering and the exploitation of under-age players and sportsmen and sportswomen, and takes the view that such practices harm sport in general; believes that the current economic reality surrounding players' agents requires that sport governing bodies at all levels, in consultation with the Commission, improve the rules governing players' agents; in this respect calls on the Commission to support the efforts of sports governing bodies to regulate players' agents, if necessary by presenting a proposal for a directive concerning players' agents; supports public-private partnerships representative of sports interests and anti-corruption authorities, which will assist in the development of effective preventive and repressive strategies to counter such corruption;

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101. Notes that recognition of players' agents' professional qualifications is covered by Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications <sup>(1)</sup> where the profession is subject to regulation at national level;

102. Insists that immigration law must always be respected in relation to the recruitment of young foreign talent and calls on the Commission to tackle the problem of child trafficking in the context of Council Framework Decision 2002/629/JHA of 19 July 2002 on combating trafficking in human beings <sup>(2)</sup> and/or in the context of the implementation of Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work <sup>(3)</sup>;

103. Calls on the Member States and sports associations to cooperate in protecting the mental and physical health of young people by means of information regarding the applicable legislation, health insurance for sports people, the establishment of minimum standards and the exchange of best practices;

104. Calls on the sports governing bodies and the clubs to engage in the fight against human trafficking by:

- subscribing to a European charter for solidarity in sports, that commits subscribers to respect good practices concerning the discovery, recruitment and reception of young foreign sports players;
- the creation of a Solidarity Fund that would finance prevention programmes in countries most affected by human trafficking;
- reviewing Article 19 of the FIFA Regulations for the Status and Transfer of Players in relation to the protection of minors;

105. Welcomes the encouragement given to establish European committees for social dialogue in the sports sector; supports efforts by employers and employees in this area and calls on the Commission to continue its open dialogue with all sports organisations regarding this matter;

106. Underlines the importance of social dialogue promoted by the Commission as a valuable platform to promote social consultation and stable relations between employer and employee representatives and ensure legal certainty and contractual stability in sport; in this respect, welcomes the fact that the EPFL and Fifpro, mutually recognising each other as social partners, and have jointly requested to the Commission the formal establishment of an EU social dialogue committee in the professional football sector, with the clubs and UEFA taking part as equal partners;

107. Considers that players' agents should have a role within a strengthened social dialogue in sports, which, in combination with better regulation and a European licensing system for agents, would also prevent cases of improper action by agents;

### ***EU sport funding***

108. 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, foresees 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 — acknowledges the need to prepare the programme through preparatory actions as from 2009;

109. Asks to start the implementation process for the various actions mentioned in the 'Pierre de Coubertin' Action Plan;

110. Welcomes the idea of an EU sport policy programme foreseen under the provisions of the Lisbon Treaty and looks forward to the ensuing proposal from the Commission;

<sup>(1)</sup> OJ L 255, 30.9.2005, p. 22.

<sup>(2)</sup> OJ L 203, 1.8.2002, p. 1.

<sup>(3)</sup> OJ L 216, 20.8.1994, p. 12.

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111. Calls on the Commission to launch preparatory actions in the field of social inclusion and sport, focusing on projects with clear European added value, and urges the Commission to support projects that fulfil this aim, such as the Special Olympics Unified Sports initiative; urges the Commission to devote part of any possible future preparatory action in the field of sport to the issue of the protection of minors;

112. Invites the Commission and the Member States to take into consideration the possibility of creating supporting programmes for students with special physical needs;

113. Calls on the Commission and the Member States, as part of their sustainable development strategies, to provide funding for sports-related infrastructures and projects under the European Regional Development Fund, as well as providing for the possible use of new funding instruments (including Jeremie and Jessica);

114. Urges the Commission to mainstream sport properly in existing EU policies and EU funding programmes and report on the progress of its mainstreaming several times a year;

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115. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States and the European, international and national sport federations as well as to national leagues and competitions.

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## Microcredit

P6\_TA(2008)0199

### Declaration of the European Parliament on microcredit

(2009/C 271 E/08)

*The European Parliament,*

— having regard to Rule 116 of its Rules of Procedure,

- A. whereas microcredit represents a method of lending small amounts that can be accessed by disadvantaged persons,
- B. whereas microcredit has permitted the extremely successful development of self-help employment projects, while also enabling the improvement of living conditions, and is also an important vehicle for the empowerment of women,
- C. whereas microcredit is a key tool for the combating of poverty and an instrument for achieving the Millennium Goals,
  1. Requests the Commission and the Council to recognise the importance of microcredit in the context of the Barcelona Process and in the neighbourhood and development policies;
  2. Calls on the Commission and the Council to lend greater support to microcredit projects and to bolster programmes to help women in that connection;
  3. Calls for human and financial resources to be allocated to microcredit projects in developing countries and in Mediterranean countries;
  4. Suggests that a joint microcredit association be created to certify the credibility of projects;
  5. Instructs its President to forward this declaration, together with the names of the signatories, to the Council and the Commission.