

Opinion of the European Economic and Social Committee on the White paper on sport

COM(2007) 391 final

(2008/C 151/12)

On 11 July 2007 the European Commission decided to consult the European Economic and Social Committee, under Article 262 of the Treaty establishing the European Community, on the

White paper on sport

The Section for Employment, Social Affairs and Citizenship, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 19 December 2007. The rapporteur was Ms Koller.

At its 441st plenary session, held on 16 and 17 January 2008 (meeting of 16 January 2008), the European Economic and Social Committee adopted the following opinion by 125 votes to 1 with 2 abstentions.

On 11 July 2007, the European Commission adopted a White Paper on sport, containing the first comprehensive analysis of the situation of European sport, together with a discussion of the problems it faces and a specific action plan.

1. Recommendations and proposals

1.1 The EESC recommends that Member States define Community priorities from among the activities described in general terms by the White Paper and in the action plan it contains; this should be done in accordance with the Lisbon Treaty, which will hopefully enter into force in 2009, since Article 149 of the Treaty primarily focuses on the role of sport in relation to education and youth.

1.2 Europe's future depends on the health and productivity of its people. The EESC is deeply concerned that diseases affecting the entire population caused by overweight and a sedentary lifestyle have become a problem for young people too.

1.3 The EESC recommends that, when planning new programmes to promote health-enhancing sport, both Community and multidisciplinary dimensions should be taken into account. A joint approach by several departments at Community level could have a positive impact on the fragmented measures implemented by governmental structures at national level.

1.4 The EESC would draw attention to the importance of implementing measures which are both necessary and consistent with the subsidiarity principle. The EESC calls on the European Commission to continue playing a strong role in coordinating and inspiring the work needed in this field.

1.5 Compulsory physical education in both primary and secondary schools should be increased to at least three hours a week. The Committee recommends that tertiary education also

include opportunities to practise sport, and that physical education classes be made a compulsory element of syllabuses. Physical education in primary and secondary schools and as part of third-level studies must — whether provided individually or as a group — be accessible to all children and young people, including those with disabilities. Moreover, attention should be paid to the conditions under which school sport is carried out, especially the shower and wash facilities; these are often off-putting and do not provide young people with much incentive to practise sport.

1.6 The social partners at all levels should be encouraged to promote healthy lifestyles. Employers should be given incentives for measures to improve employees' health, including exercise programmes.

1.7 We suggest setting up a working group on the subject to review the experiences of Member States and to explore options, not least ways of including people with disabilities.

1.8 The EESC feels that it would be useful to launch information campaigns on new opportunities to apply for funding, given that up to now programmes have only offered limited opportunities for sport. The EESC recommends that awareness-raising initiatives form part of a comprehensive, integrated strategy. Information measures should not be aimed solely at young people, but should be based on awareness of the fact that sport can benefit all age groups, including people with disabilities.

1.9 The EESC recommends that a separate envelope be established within the Structural Funds, which could be used for appropriate sport, leisure, community and multifunctional facilities. It would point out, however, that local and regional authorities often tend more towards the building of large sports stadiums, rather than the construction of sports facilities for the general public. Structural funds resources should above all be used for building precisely the latter type of facility.

1.10 The EESC welcomes the proposal to re-establish the Sports Forum, given its potential to serve as a valuable platform for dialogue between all key stakeholders and to develop concrete measures for securing improvements in the practice of sport.

1.11 The EESC would be very happy to participate in the Sports Forum as an observer, thus enabling the views of civil society to have a direct impact.

1.12 The EESC recommends that the activities of the working group on sports funding be extended to reviewing sports-related national taxation and social security rules and to compiling best practices.

1.13 The EESC feels that there is a need to combat crime in the areas surrounding venues for major national and international sports events, particularly with regard to protecting women and children.

1.14 In the EESC's view, the directors/executive directors of sports organisations that benefit directly or indirectly from Community funding, that participate in competitions with professional teams and athletes and whose annual budget exceeds EUR 5 million should, like public and political office-holders, submit proof every year of the provenance of their income and assets.

1.15 Social dialogue should be broadened to include gyms and non-profit organisations as well as professional athletes, as well as the following activities: sports teachers and coaches, sports scientists, sports doctors, physiotherapists, masseurs, etc. Professional groups which generate significant revenue from sport as trainers, managers, organisers, agents, promoters, marketing specialists, etc., should also be included. Member States should be encouraged to ensure that there is also national-level social dialogue in all fields of sport.

2. Background and objectives of the White Paper

2.1 Sport is linked to various aspects of society: education, culture, economic activity and free competition, the free movement of persons and goods, human rights and healthcare. Apart from its economic significance, there are clearly many other reasons why sport is of great importance for society.

2.2 Over the past few decades, sports clubs have undergone considerable changes: they have become less and less national and amateur (voluntary) in character, while many now operate in the form of companies, and are thus subject to Single Market rules.

2.3 The EU does not yet have direct legal jurisdiction over sports issues. Legal effects on sport arise from secondary European legislation (e.g. case law) or direct application of primary legislation which is applicable to sport as well.

2.4 Prior to publication of the White Paper there was no EU-level strategy on sport, but sport was always covered in a variety of European policy areas. It was mentioned in the Amsterdam Treaty of 1997, followed by the 1999 Helsinki Report on sport, in which the European Commission announced measures to strengthen its social and educational role. All of these documents emphasise the social, societal and educational value of sport.

2.5 In 2000 the Nice Declaration also dealt with sport, and at the 2004 intergovernmental conference it was decided that sport be included in the EU Treaty.

2.6 The European Parliament has likewise adopted two reports on sport-related subjects (⁽¹⁾); in addition, an important paper on European sport has been produced independently of the Commission, by the **Independent European Sport Review** (⁽²⁾), the first part of which discusses European sport in general, the second part analysing sport using European football as a case study.

2.7 The **Lisbon Treaty**, which will hopefully be adopted in 2009, devotes a separate paragraph just to sport, and as a result sport has finally become an area of EU responsibility.

2.8 The drafting of the White Paper was preceded by a lengthy process of consulting government bodies, NGOs and organised civil society in Member States, Olympic committees and decision-makers, as well as conferences and informal ministerial meetings, in parallel with an online consultation lasting several months, which received 777 responses. Several meetings were held by the various EU directorates-general to hammer out agreement on the sport-related aspects of each policy area. The White Paper sets out wide-ranging initiatives for both amateur and competitive sports, while acknowledging that sport remains a matter of national responsibility.

2.9 After analysing the findings of the consultations, it has become clear that the key issues for sport are concentrated in three main areas. They are as follows:

- the societal role of sport;
- the economic dimension of sport;
- organisational issues in sport.

⁽¹⁾ Pál Schmitt: *The role of sport in education* and Ivo Belet: *The future of professional football in Europe*.

⁽²⁾ José Luis Arnaut, *Independent European Sport Review: a wide-ranging report drawn up under the British presidency of the EU in cooperation with several countries, and which looked at the specificities of European sport, real options for policy initiatives, and practical solutions*.

2.10 In addition to these areas, six other separate problems have been identified, all of which are quite different from one another:

- uncertainty due to the lack of an EU legal framework;
- issues connected with sports management, particularly professional sports: illegal practices by players' agents who provide under-age players with insufficient protection, as well as doping, racism and violence in sport;
- challenges connected with financing sport in general and conventional means of funding, and more specifically how to fund sport at local level;
- a lack of data on the sports sector for politicians to base their actions on;
- overweight, obesity, cardio-vascular diseases and arthritis are affecting an increasing number of people, caused by a lack of physical activity; and
- inadequate integration of sport into education.

2.11 As a result of these analyses, the Commission has acknowledged that the European Union needs to take the specific characteristics of sport more into account and to address the challenges identified. It has become apparent that there is a need for existing and planned EU programmes and measures to attach greater importance to sport, and decisions will have to be taken on how EU funding can be used to support sports-related projects. It has also emerged that closer dialogue and political cooperation on sport are needed at EU level.

3. Purpose and content of the White Paper

3.1 The White Paper states that 'its overall objective is to give strategic orientation on the role of sport in Europe, to encourage debate on specific problems, to enhance the visibility of sport in EU policy-making and to raise public awareness of the needs and specificities of the sector. The initiative aims to illustrate important issues such as the application of EU law to sport. It also seeks to set out further sports-related action at EU level' ⁽³⁾.

3.2 The White Paper comprises fifty three specific measures, as well as a discussion of the positive role played by sport in many areas of society. The list of planned measures, named the 'Pierre de Coubertin' Action Plan, is included as an appendix to the White Paper. The plan has two basic objectives:

- to integrate sport into EU policies so that it can be used more often as an EU policy tool; and

⁽³⁾ Quotation from the introduction to the White Paper.

- to establish a more secure legal base to enable better sport governance in Europe.

4. Comments

4.1 The EESC's detailed comments in the following paragraphs are organised in line with the structure of the White Paper.

4.2 The EESC fully concurs with the analysis of the important and positive **role** which sport plays in society.

4.3 The EESC is pleased that the European Commission will make health-enhancing physical activity a cornerstone of its sport-related activities, and therefore approves the guidelines on physical activity, as well as the idea of setting up a health-enhancing physical activity (HEPA) network. It is a scientifically proven fact that a sedentary and inactive lifestyle increases the occurrence of obesity and a number of chronic conditions. The cost of treating such illnesses and of lost working time is a heavy economic and budgetary burden; it is cheaper to spend money on prevention in the form of physical activity. Developing age- and gender-specific sports facilities and promoting sports facilities for pensioners is an effective means of preventing accidents and reducing the risk of dependence on care. For this to happen there will also have to be a change of mindset as a society.

4.4 The EESC agrees that **cooperation across sectors** is important, and that existing Community programmes (research and development, public health, youth, citizenship and lifelong learning) should from now on take sport into account.

4.5 The EESC welcomes the fact that the White Paper discusses the need to coordinate **anti-doping measures**, and sees a need for Member States to coordinate their anti-doping activities with those of existing international organisations, particularly with a view to avoiding possible duplication so that resources can be used more efficiently. At present, anti-doping measures are inadequate, and young people are not being deterred from using performance-enhancing drugs. The EESC recommends carrying out a study into the legislative situation in Member States together with a comparative analysis of legal shortcomings and loopholes.

4.6 The EESC notes that registers set up to prevent doping raise questions about personal data protection, as provided for by Community legislation.

4.7 The EESC is pleased that the White Paper discusses the possibility of supporting sport and physical activity through existing Community programmes covering education and training (Comenius, Leonardo, Erasmus, Grundtvig, EQF and ECVET).

4.8 The EESC welcomes the study on training for young sportsmen and women. It recommends that a study be undertaken on sports clubs' responsibilities to talented young sportsmen and women, the aim being that at the end of their career, they are provided with vocational training and support for their integration into the labour market.

4.9 The EESC stresses that training systems for talented young sportsmen and sportswomen should be open to all and enable the free movement of labour. However, the issue of locally trained players requires careful analysis, given that clubs play a key role in identifying and training young talent, in which they invest substantial resources, thus fulfilling socially useful functions. Clubs must be encouraged to continue these activities.

4.10 The EESC notes with satisfaction that the White Paper devotes considerable space to non-profit sports organisations, **voluntary activity** and grassroots sport, given that much of European sport is played out in this context.

4.11 At the same time, the EESC would point out that, due to the fact that there is such a variety of traditions in this domain, the situation of non-profit organisations differs from country to country in terms of funding, economic activity and support from central or local government. The EESC hopes that the planned study on this subject will investigate these differences.

4.12 The EESC welcomes the recognition given to the fact that EU measures and programmes could help make better use of sport's potential as an instrument for **social inclusion**, with a view to encouraging close cooperation between socially excluded and disadvantaged social groups, and society as a whole.

4.13 The White Paper discusses the issue of sport for **people with disabilities**. The EESC is pleased to note that the document discusses the provision of accessible facilities and of training for staff and volunteers helping people with disabilities.

4.14 The EESC is pleased to note that mention is made of **women** participating more widely in sport and playing a more active role, and of promoting equality between men and women. The pursuit of sports by women can have a positive impact on sport for families and children, thus conferring considerably broader societal benefits.

4.15 The EESC welcomes the idea of cooperating with existing national and international organisations to **prevent violence** at sports venues, and feels that it is vital to avoid duplication of effort so that resources can be used more efficiently.

4.16 The EESC points out that cooperation between EU Member States on preventing violence at sports events currently takes place in the context of cooperation on home affairs in the Police Cooperation Working Party (PCWP).

4.17 The EESC is pleased that the document acknowledges the **economic impact** of sport and its potential for job creation, but is disappointed that it does not discuss the possibility of making existing EU funding available in future for sport, leisure, community and multifunctional facilities which meet set criteria.

4.18 The EESC feels that it would be very helpful for decision-making purposes to put in place a system for standardised statistics on sport at EU level.

4.19 The EESC would also point out that there are differences between national sports structures and statistical systems, and that many of the economic benefits of sport are expressed by indicators which cannot be readily measured (e.g. reducing time on sick leave and expenditure on medicine, and enhancing social cohesion).

4.20 The EESC feels that **Eurobarometer** surveys are useful, and also welcomes the planned study on the links between the sports sector and the Lisbon process, as well as the exchange of experience on major sports events.

4.21 Given the variety of **European sports structures** referred to above, the EESC welcomes the idea of a study by the Commission into funding for sport in the Member States and the associated tax breaks or incentives.

4.22 In the EESC's view, the relationship between the **specificities of sport** and European legislation is a question of crucial importance, and there is a strong need to clarify this point for sports organisations.

4.23 The EESC feels that work must continue towards a more appropriate solution. In the long term, the application of case law does not ensure sufficient **legal certainty** for sports stakeholders.

4.24 The need to align the rules and interests of sports organisations with European legislation ties in with several other issues: the planned impact assessment on players' agents, the planned dialogue on licensing systems for clubs, and the joint selling of broadcasting rights for sports events. The EESC supports these proposals.

4.25 The EESC agrees that there is a need to protect minors engaging in sport and welcomes the activities set out in the White Paper: monitoring the directive on the protection of young people at work, commissioning a study on child labour and informing Member States of existing legislation.

4.26 The EESC fully supports all efforts to combat **sport-related crime (corruption, money laundering)** and to draw up European strategies on this subject.

4.27 The EESC agrees that there should be **stable licensing systems** for professional clubs in the EU, ensuring transparency of their operations.

4.28 The EESC feels that it is very important to share **revenue from the media** by means of solidarity mechanisms, and thus to support amateur sport.

4.29 Concerning the numerous activities referred to in this opinion, the EESC welcomes **further dialogue and**

agreements, both between the Commission, the Member States and NGOs, and also between European institutions.

4.30 The EESC is strongly in favour of setting up European-level social dialogue committees (*) to ensure that such dialogue strengthens the workings of the single European labour market in sport. European-level social dialogue should include not only employers (clubs) and employees (athletes, coaches, and support staff), but also manufacturers of sports equipment and international organisations active in various sports sectors.

4.31 Athletes' pension funds, advertising and image rights, health at work, home-grown player issues, employment contracts and assistance for athletes in finding new careers once their sporting careers are over are possible subjects for European social dialogue.

Brussels, 16 January 2008.

The President
of the European Economic and Social Committee
Dimitris DIMITRIADIS

(*) On the basis of Arts 138 and 139 EC Treaty.