

COM-7/016

Brussels, 1 October 1999

OPINION

of the Committee of the Regions

of

16 September 1999

on

The European Model of Sport

The Committee of the Regions,

HAVING REGARD TO the consultation document of the European Commission's Directorate-General X on "The European Model of Sport" and the working document of Directorate-General X on "the evolution and prospects of the Community's action in the field of Sport";

HAVING REGARD TO its Bureau's decision of 15 July 1998, under the fourth paragraph of Article 198c of the Treaty establishing the European Community, to draw up an opinion on this subject and to direct Commission 7 (Education, Vocational Training, Culture, Youth, Sport and Citizens' Rights) to undertake the necessary preparatory work;

HAVING REGARD TO the draft opinion (CdR 37/99 rev. 2) adopted by Commission 7 on 1 July 1999 (rapporteurs: **Mr Mientus** (D) (PSE) and **Mr Grafé** (B) (PPE));

HAVING REGARD TO the COR's Opinion of 20 November 1997 on Equal opportunities for girls and boys in leisure activities and especially in EU youth and sport programmes (CdR 182/97 fin) (rapporteur: **Mrs Barbro Sundback**)¹

Unanimously adopted the following opinion at its 30th plenary session of 15/16 September 1999 (meeting of 16 September):

1. Introduction

1. In the face of the challenges currently facing sport, the Committee of the Regions

believes that the EU should make a contribution to the debate on improving the sporting environment, without losing sight of the principle of subsidiarity, the responsibilities of national, regional and local authorities in this sector and, above all, the independence of sports bodies. It therefore welcomes the Commission's full analysis of the distinctive features of European sport in the consultation document produced by DG X - "The European Model of Sport". It particularly welcomes the process of open consultation used to produce this analysis, as it enabled all the parties concerned to express their standpoints.

1.2 The COR calls on the Commission to take note of its views in this matter in the report that the Vienna European Council invited it to submit to the Helsinki European Council on safeguarding current sports structures and maintaining the social function of sport in the Community framework.

2. General comments

1. By raising the issue of sport in the EU, the Commission highlights its undoubted importance for the Member States, especially at regional and local level. It has evolved into an important and indispensable factor in society.
2. European sport and the structures which have been developed to support it - described by the Commission as the "European model of sport" - are enormously varied and complex. They have led on the one hand to the idea of "sport for all", which places the emphasis on the social value of sport in education, environment and health, and on the other to a multifaceted model of competition which, as the Commission clearly brings out, is characterised by a promotion/relegation system.
3. As sport has acquired an increasingly high media profile, it has had to take on board two new aspects, which may both be relevant, depending on the popularity of the sport: (a) the economic aspect and (b) the idea of sport as entertainment.
4. Sport has come to play a significant economic role, both for the individual and from the point of view of trade, industry, tourism, entertainment etc. The funding of sport at all levels, particularly the top amateur and professional levels, and the pressures and influence exerted by television and commercial sponsors on the organisation of competitions call for budgetary and business strategies which no longer relate solely to sporting considerations. The original status of sportsmen and women has thus changed radically and the sporting movement is faced with constraints which are beyond the scope of the traditional structures of federations and clubs as originally conceived.
5. Sports federations are increasingly faced with commercial issues; they have evolved into enterprises providing services in the sports sector or have even become, in certain areas of top-level competitive sport, businesses subject to the laws of the market. More and more they are taking on the role of employers in their own right. This implies in particular the obligation to become more involved in the training of sportsmen and women.
6. Consequently the COR stresses that the European sporting movement must show pragmatism and consistency in tackling the economic constraints which have arisen because of the way it has developed. In this connection, the promotion/relegation system, which the Commission quite rightly points to as the main feature of the European model of sport, would seem to be an important factor. Although this system may well satisfy sporting requirements, it is no longer adequate for a professional

sector seeking the financial investment required for its development.

7. It is a considerable challenge to preserve the cultural, educational and social values of the European model while integrating it into a coherent business framework which reconciles sporting interests with the economic stakes of the sporting world. To this end, proposals should be drawn up for harmonising the general conditions governing professional sportsmen and women. This would include initiatives to combat unfair competition between financially strong and financially weak associations.

3. Specific comments

1. Chapter 1: The European Model of Sport

1. In its analysis in Chapter 1, the Commission tries to demonstrate the problems it has encountered in applying economic criteria to sport, and identifies the various interest groups (associations, clubs, organisers, the media, etc.) and main problems.
2. The COR would emphasise that sports clubs play a fairly considerable part in the cultural and social development of our society. It feels that the Commission has ignored the essential role of local authorities in providing support for local sporting activities, in terms both of funding and infrastructure. The COR feels that the Commission should highlight this aspect and state its readiness to preserve and support it.
3. The Commission contrasts the European system with the one in North America. In the COR's view, the latter is centred too much on a business and market-oriented approach to sport, making a clear distinction between professional and amateur sport and giving them totally separate structures. The COR therefore retains its faith in and asserts its preference for the European socio-cultural model.
4. The COR, like the Commission, would emphasise the special characteristics of the European model and does not want the inclusion of an economic factor to jeopardise traditional values. It asks the Commission to pay particular attention to the role of schools in sport in general, and to their role in the academic education of top amateur and professional sportsmen and women
5. The COR realises that the high profile and media impact of sport may also lead to manipulation action in political, economic, social and individual terms. However, the sport itself should not be held responsible for what society or individuals choose to do with it. The COR calls on the Commission to always make a sharp distinction between the sport itself and any misbehaviour.
6. On the subject of changes (point 2) the COR considers that the description of developments is inaccurate, incomplete and also partly untrue. A large number of sporting events other than competitions were already taking place before 1950. The parallel drawn between European integration and European sports competitions seems contrived, given that European championships have existed since as early as 1886.
7. The COR would emphasise that, although the contribution of sports lotteries in most EU Member States is not negligible, sport is funded chiefly by national, regional and local authorities. Although business sponsorship has now become

an inevitable financial top-up, in most cases this only applies to sports where the professional sector has a high media profile. The COR would therefore like to see some thought given to appropriate measures to reduce the differences between the financial resources of federations administering high-profile sports and those promoting activities which do not meet media and in particular ratings criteria. The COR feels that the Commission should not play down the contribution which sportsmen and women, their families and thousands of volunteers make to sports funding.

2. **Role of the national federations** (point 4.1)

1. European sport is managed on the basis of one federation at EU level and of national and regional federations, in accordance with the legal structure of each Member State. The COR considers it important to preserve this rule for European sport by means of political and administrative measures. This should be backed up by the EU's business legislation.
2. In the developed European world of sport (the European model of sport), each level of the federation system (pyramid model) has its own specific role. At the top of the pyramid, the European federations are primarily responsible for technical rules, competition provisions, organisation of competitions at European level and cooperation between national federations to promote and develop sports. Furthermore, one of the federations' key roles is to train and permanently monitor the officials needed for the development of athletes at all levels. The question of whether a European league can be properly and effectively managed must be decided by the relevant federations themselves.
3. The COR would point out that real market opportunities exist for only a very few federations (football, tennis, motor sports). The national federations are usually able to fulfil their commercial role.
4. The idea of "sport for all", which is widespread in Europe, involves individual sporting activity independently of sports associations. It is therefore an important factor in promoting the health and well-being of the general public. Investment by the public sector or by public associations in this area is consequently appropriate to this type of activity. The COR would stress that this in no way clashes with the activities of sports federations, which are more closely geared to their own specialities.
5. The COR feels it is unlikely that federations will lose grassroots members or top members if conditions ensure that the sports federations at national and European level are sufficiently robust.
6. The COR would emphasise that the federations must be free to decide autonomously which events, measures and competitions they want to organise at European level. The role of the EU here is simply to create the economic and social environment in which sport can develop satisfactorily.

3. **Closed competitions** (point 4.2)

1. The COR would point out that this is primarily a technical issue. The necessary decisions will have to be taken by the federations concerned as a matter of their own responsibility. It is not appropriate for the state to intervene here. However, if federations are not strong enough to resolve the issue themselves in a spirit of

solidarity, then sound economic principles should always be applied.

4. **Solidarity** (point 4.3)

1. The COR would emphasise that solidarity is a principle intrinsic to sport. The educational and social role of sport is to a large extent determined by the concept of solidarity. This social function is a fundamental part of the European system, and the Vienna European Council in December 1998 specifically asked that it be maintained within the Community framework. Sport can only be entitled to "special treatment" if solidarity is practised at every level of sporting activity. This applies both to clubs, which must make their contributions to sports associations at regional and supraregional level, and to associations, which must fulfil their duties towards clubs and their members.
2. One of the objectives of EU sports policy should be to fight against the distinction between top-level sport and youth and amateur sport. It is unwise to base the approach to sport on this distinction, for these two facets intermingle permanently and influence one another.
3. Whether the principle of solidarity can be upheld depends on the formation of supranational leagues. If such leagues are set up under the competence of the European federation, the solidarity principle "holds good". However, if a "closed league" is set up outside the federation, then sound economic principles should always be applied.
4. The COR believes that the few federations which can raise substantial revenue through marketing activities and broadcasting rights should be eligible for exemptions, e.g. from the competition restriction.
5. To date, sports federations at national and European level have not been applying the solidarity principle adequately. Almost all income from the sale of television rights remains in the professional sector. A large part (as much as possible) of this revenue should in future be passed on to the youth and amateur sectors, so as to take pressure off the sports promotion budgets of local and regional public bodies.
6. Though the equality principle is not yet being put into practice, it could be achieved if certain exceptions from sound financial practice were made absolutely conditional on compliance with appropriate requirements.

5. **Promotion of sport** (point 4.4)

1. The problem of how to attain the objective of promoting sport is dealt with in point 3.4.6.
2. Public funding for sports is based on the principle of subsidiarity and can only become relevant where clubs and associations are unable adequately to fulfil their social role using their own resources. The contribution to be made by clubs and associations themselves should therefore be topped up by revenue from commercial activities.
3. The COR considers that use of public funding is only justified for areas of sport that are in the public interest (welfare-oriented) or non-profit making. Hence public funds may not be drawn on to provide financial support for the promotion

of professional sport and commercial activities of sports organisations.

4. The COR would stress that, with a few exceptions (football, tennis, motor sports), the national federations are unable to provide funding for youth and amateur sports from their own resources, which means they are dependent on regional authorities (municipalities and Länder) for promotion of these sectors.
5. The question of whether sport can be adequately promoted with a system of closed competitions is dealt with in point 3.3.

6. **European model of sport** (point 4.5)

1. The COR considers that the sports structure developed in Europe should in principle be supported and maintained. It would emphasise that it is not the government's task to oversee sports structures and organisations. That must remain the responsibility of independent sports organisations. However, the state must regulate so as to create an environment in which sport and sports organisations can fulfil their role.

7. **Chapter 2 - Sport and Television**

1. The chapter on sport and television essentially gives an accurate picture of the problems faced, although the analysis is occasionally cursory, inaccurate and on certain points imprecise. For instance, the COR would say that sport and television have been developing in tandem only in respect of the small number of sports that attract media attention, which are more in the public eye than the world of mass sport.
2. The media strongly influence the development of sport, but this factor is not adequately illustrated by the examples given. It is wrong to say that income from television broadcasts has become the main source of funding for most types of sport. Only a very small number of sports attract the level of media interest required to achieve this.
3. The focus on the narrow sector of media sports is understandable given the role of the broadcasting market, but this should not be allowed to obscure the world of sport as a whole, which represents a much broader sphere in economic terms. Since media sports have an indirect impact on the whole spectrum of sports in Europe, decisions about the legal framework for this sector have both medium- and long-term implications for the future structure and organisation of sports in Europe, with which the majority of Europeans identify through belonging to clubs and associations - and even in other contexts.

8. **Collective selling and duration of exclusivity** (point 9.1)

1. Sport in Europe is essentially shaped by the work of sports associations and clubs, which deliver an important and comprehensive public service by providing sports facilities and competition opportunities for everybody, on a voluntary basis and throughout the European Union. This effort deserves to be supported and encouraged through public funding, especially at regional level, where development has been guided by the principles of subsidiarity and solidarity. The principle of subsidiarity requires that public funding can only be in the form of top-ups, i.e. to supplement existing resources and means.

2. Solidarity means that the commercial gains made in a certain small number of sports should not be amassed by privileged sectors of the sporting world, but be available to help fund the costly youth and amateur sectors. The trend towards privatising "commercially viable sports" and promoting youth sports through public money must be resisted. This can only be achieved by making sport associations better able to provide support. This should be one objective of an EU sports policy.
 3. An important and appropriate way of ensuring that joint (or association) interests prevail over private interests is through collective selling (i.e. by several associations grouping together) of copyright, retransmission rights or television rights.
 4. Only very few associations (football, tennis motor sport) are able to derive substantial income from collective selling. They should be invited to make proposals to the Commission for a differentiated and transparent system of allocating revenue. In the COR's opinion, as much income as possible from television rights should be earmarked for youth and amateur sport activities in order to relieve the pressure on public regional sports promotion budgets.
 5. Institutional coordination is also essential if there is to be effective cooperation between professional sport and sport for young people and the general public. Such coordination could operate either within a sports association spanning both sectors or on the basis of contractual agreements.
 6. As to whether collective selling should be permitted as a means of guaranteeing fair competition or whether it should be linked to a solidarity fund, the COR considers that, as mentioned in point 3.8.2 as high as possible a proportion of television revenue - which is tax-exempt for the beneficiaries and/or sports associations - should go to the youth and amateur sectors. Here the solidarity fund issue is less important.
 7. Sporting events and competitions of commercial interest to the media are organised by associations at certain times of the year (competitions, tournaments, cups). It would be sufficient if exclusive rights were granted for only **one** of those occasions. Holders of exclusive rights should also be able to authorise their sale to third parties or to effect such sales themselves.
 8. Associations should be obliged to call for tenders when exercising their collective sale rights.
9. **Interpenetration between sport and the audiovisual industry (point 9.2)**
1. The COR considers that the purchase or control by the media or business of national league sports club facilitates the corruption of sport. Sports associations should be given the legal means to prevent such takeovers through their articles of association.
 2. The conversion of sports clubs into business organisations would allow interpenetration and make it possible to control several clubs involved in **sports** competitions. It would then become easier to manipulate competition results and compromise the future of sport.
 3. To safeguard the sporting ethic, businesses should not be allowed to purchase

sports clubs. That would run counter to the principles underpinning sport as well as the objectives of cooperation between sports organisations.

10. **The right to information (point 9.3)**

1. The COR sees pay-TV as posing a risk to sport if pay-TV channels acquire exclusive rights with excessively lengthy, and therefore generally unacceptable, lifespan. They could be tempted to pay large sums of money for such exclusive rights in order to secure a foothold and develop markets. Public access to televised major sporting events would then be seriously impeded and market distortion would result. So as to safeguard the aforementioned social role of sport, it is necessary to ensure that public channels retain broadcasting rights to sports events and consequently to regulate in an appropriate manner the world of pay-TV which, because of its exclusive rights to broadcast certain sports events, is undermining the right of everyone to enjoy sport as a spectator.
2. In view of their socio-political responsibility and the principle of solidarity sports associations should be encouraged to reject agreements that might well bring them short-term financial gains but would prevent the general public from seeing sporting events on television. Such practices would compromise the development of sport in Europe and ultimately rebound on the sports associations themselves.
3. If TV channels become shareholders in major European clubs, they will affect the decisions taken by leading European sports bodies. In other words, they will influence the rules of the game more, making sports more of a spectacle and above all dictating the organisation and timing of matches. Sports ethics are therefore under threat.
4. In order to ensure that the broadcasting of major sports events is not monopolised by coded or pay-TV channels, the TV without frontiers directive must be applied by all Member States so as to guarantee free access for television to major sports events.

11. **The role of public TV (point 9.4)**

1. In view of their basic public service role, public broadcasting companies must provide comprehensive and well-publicised coverage of the full range of sporting activities. Besides shaping opinions and fostering political awareness, the traditional broadcasting role has a cultural dimension, embracing culture in the broader sense, which naturally includes sport.
2. At the moment public broadcasting companies are barely meeting this requirement, if at all. More pressure must be put on them to respect this obligation.
3. Public television should show minority sports as part of its public service role. In Germany, public TV channels are required to give adequate programming time to all sports, including "minority sports".
4. With regard to question 1, the COR challenges the Commission's view that the public service role does not encompass sports programmes. However, a list of criteria should be drawn up that can be used to assess whether a given event falls into the category of **pure** entertainment, and should therefore not be shown by

public TV, or whether it is one where the nature and objectives of sport are central and hence covered by the public service role.

12. Chapter 3: Sport and Social Policy

1. In Chapter 3 the Commission tackles the social aspect of sport. It highlights the social functions of sporting activity and the areas where they operate: (a) education, (b) environment, (c) health and (d) employment.
2. In the face of today's social challenges, clubs and associations have tended to monopolise the concept of sport, an idea often conveyed by political decision-makers. A similar phenomenon can be observed in the health and welfare sector, which has been taken over by the private sector for purely commercial purposes (fitness centres).
3. In the education sector, the COR believes the EU has a key role to play in recognition of the qualifications, vital to organisation of the sporting movement. In addition, the EU should make it easier for sportsmen and women and coaches to practise in the various Member States by encouraging the removal of obstacles to free movement.
4. The COR would emphasise that sport is a cultural component of our societies, a vector of individual and social values; it contributes to the well-being of all and to their integration into society. These are important values, flowing naturally from the practice of sport and the structure of the sporting movement.
5. We may therefore ask: "Can using sport for purposes other than leisure and transcending one's limits provide constructive answers to the problems of society? If so, does there need to be a special policy for implementing this aspect which is alien to the sporting movement and its spirit?"
6. The sporting movement is an integral part of our society. The COR would stress that there is nothing better than the club for promoting this ideal and helping young people to develop their personalities and physical fitness and become socially integrated, possibly via the sport itself. One of the basic aspects of the social role of sport is also its capacity to further the social integration of the physically or mentally handicapped. The task of the sporting movement should therefore be recognised and confirmed. This calls for genuine recognition of the sporting movement as a social partner. The COR would emphasise that sports clubs are not businesses and sports associations are not industrial organisations in the company law sense but associations which fulfil a public function, essentially on the basis of a voluntary commitment by members of the public. The sports sector is nevertheless an important economic sector, representing more than 1,5% of the EU's GNP, and as a service sector it offers a wide range of outlets.
7. The COR therefore believes it essential that the sporting movement's relationship with the EU should be founded on principles which, while respecting the individual rights of sportsmen and women, safeguard the independence of the sporting movement and hence its ability to move with the times and adapt to changes in the rules laid down by the world sporting movement. The Commission must also intervene, where it has the authority to do so, to further the individual protection of sportsmen and women and their personal fulfilment.
8. A warning note nevertheless needs to be sounded. Managing sport by means of

regulations and circulars is no easy matter. Sport is an extremely varied activity, both in sporting and in political terms.

9. Apart from the fact that each sport has very specific characteristics, the institutional approach to sport varies from one EU country to another (see annex), thus complicating the task of coordination at European level.
10. Further, the various aspects of sport which could prompt the EU to intervene, encompass a number of very different fields - education, health, safety, environment, employment, training, infrastructure etc. - which in many Member States do not come within the remit of the minister for sport.
11. The COR would emphasise that the Commission's introduction of an overall policy for sport must give appropriate pointers so that the sporting movement has rules which enable it to set up structures which guarantee that everyone can practice a sport, whatever their level of competence.

13. **Sport and equal opportunity**

1. The COR would stress that a "sport for all" policy based on the principle of equal opportunity is an integral part of the European model of sport and must be supported and promoted. This means guaranteeing that all citizens, including those with disabilities and regardless of age, sex, race or social/economic background, are able to practice sport. This approach includes measures to create conditions encouraging girls and women to take part in sporting activities and in the management of decisionmaking and administrative bodies, in the light of their own particular needs as highlighted in the COR opinion on equal opportunities for girls and boys in leisure activities and especially in EU youth and sport programmes (CdR 182/97 fin - rapporteur: **Ms Sundback**). Promoting such accessibility to sport means that sports facilities must be expanded. Some countries of the European Union are currently discussing changes to the school year, and this will mean rationalizing the use of infrastructure and hence new investment by local authorities, who are responsible for the sports facilities attached to schools.

14. **Sport and doping**

1. The COR notes with satisfaction that, at its meeting in Vienna on 11 and 12 December 1998, the European Council emphasised the need to intensify the fight against doping and invited the Member States, the Commission and international sports bodies to look in particular at better coordination of existing national measures.
2. The COR would stress that national measures need to be coordinated and harmonised if prevention, investigations and sanctions are to be effective, since this is a problem which goes beyond national frontiers. The COR therefore supports the European Parliament's call for the Commission to submit proposals for a harmonised public health policy to combat doping (Resolution of 17 December 1998).
3. The COR would draw particular attention to the need to compile a common list of substances which are banned in the EU, to avoid an abnormal situation in which substances are permitted in some Member States and banned in others.

4. The COR notes the proposal to set up an international anti-doping agency recently tabled by the IOC at its World Conference in Lausanne in February 1999. The Committee believes such an agency should be independent and should be responsible for verifying compliance with minimum standards for checks and sanctions.
5. The COR notes with satisfaction the conclusions of the informal meeting of Sports Ministers of the EU in Paderborn, on 31 May-2 June 1999, which stressed that the course of the IOC World Conference on Doping in Lausanne demonstrated the importance and interest for Europe to speak with one voice on the establishment of an Anti-Doping Agency and endorsed coordination with the Council of Europe on this matter. It welcomed the creation of an independent and transparent international Anti-Doping Agency which would involve the European Union.
6. The COR notes that very young athletes can be involved in doping (sometimes as young as 12) and advocates paying particular attention to protecting young people against this practice. It also backs the European Parliament's call for EU support for education and awareness campaigns, particularly in schools, youth clubs and youth organisations.
7. In this context the Committee notes the need to oppose the trend towards the unbridled commercialisation of sport and distortion of the public image of sport in the media, which can lead to the destruction of purely sporting values as a result of drug-enhanced performance.

4. Conclusions

1. Sport is an everyday fact of life for Europeans. More than 100 million Europeans practice a sport and there are thousands of sports clubs as well as many associations and federations. From the point of view of a citizens' Europe, sport has more to contribute than any other measure to the formation of personal identity; because of what it can achieve in terms of education, health and social integration it represents a cultural and social phenomenon which is increasingly coming to be recognised as an important factor both in the lives of people in Europe's regional and local authority areas and for the whole process of European integration.
2. The aim of a European Union sports policy should therefore be to introduce and develop, by suitable changes to European legislation, a framework of conditions which will enable sport in European regional and local authority areas to fulfil its socially valuable tasks and which will promote its development, with due regard to the principle of subsidiarity and the responsibilities of national, regional and local authorities, as well as the independence of sports organisations. The COR welcomes the invitation put forward at the informal meeting of sports ministers of the European Union in Paderborn on 31 May - 2 June 1999, which called on the European Commission to set up a working group to work out how the concerns of sport can be taken into account in the EU Treaty. The subsidiarity principle is in fact vital here since local and regional authorities play a key role in social integration. Against this background, these authorities are in a position to use sport as a means of promoting integration. They should therefore be allowed sufficient freedom of action to achieve this, in addition to the establishment of a global European Union sports policy.
3. The COR notes with satisfaction the conclusions of the 1st EU Conference on Sport, on 20-23 May 1999 in Olympia, which highlighted the conviction that European Sport

as diverse as it may be, has common characteristics that need to be preserved from possible commercial distortions. It was stressed that democracy and solidarity, the two principles defining European sport, need to be preserved and that sport should be able to fit into the new commercial framework in which it has to evolve without losing its identity or autonomy, upon which its social dimension rests.

4. The COR notes that because the powers conferred on the EU by the Treaty have so far been limited to the economic aspects of sport, the basic premises of sport and its importance for a citizens' Europe have been unduly obscured. The COR considers that a European policy for sport should be developed with greater emphasis on the vital cultural and socio-economic role of sport in Europe. This policy, quite apart from purely economic questions such as sporting competitions and legislation governing restrictive agreements law, the free movement of professional sportsmen and women or television without frontiers, should cover topics such as the contribution of sport to Agenda 2000, the public utility of clubs and foundations, and the special importance of voluntary activity, the contribution of sport in the context of a European voluntary service, its input in revision of the European programmes for youth, integration of persons with disabilities, measures to assist women, action against hooliganism, and the impact of the tobacco and alcohol advertising ban on the financing of sporting events.
5. The phenomenon of sport in European regional and local authority areas also depends on the general conditions framed at European level. Any future European policy for sport should therefore aim to preserve and develop European sporting structures along the lines of a "European model of sport".

Brussels, 16 September 1999

The President

The Acting Secretary-General

of the

of the

Committee of the Regions

Committee of the Regions

Manfred Dammeyer

Vincenzo Falcone

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N.B.: Appendix overleaf

HOW SPORT IS ORGANIZED IN EUROPE

APPENDIX TO THE OPINION ON THE

EUROPEAN MODEL OF SPORT

CdR 37/99 fin

How sport is organized in Europe

GERMANY

GENERAL FRAMEWORK FOR SPORT

Germany has a federal structure comprising 16 "Länder" (states). This federal structure means that responsibilities pertaining to matters of sport are shared between the different "Länder".

Organized sport falls mainly within the remit of non-government sporting organizations.

The federal government, "Länder" and local authorities provide the legal and material basis and support for sports bodies which have insufficient staff and financial resources. The subsidiarity principle is applied to any promotional measures. The constitutional division of responsibilities, sponsorship and the public promotion of sport come under the responsibilities of the "Länder".

The federal government is principally concerned with national and supranational sporting issues.

AUSTRIA

GENERAL FRAMEWORK FOR SPORT

The way sport is organized in Austria is based on the activities of autonomous federations and clubs.

The state does, however, have a number of responsibilities for providing support, particularly at the level of the nine "Länder", but also at national level.

GOVERNMENT STRUCTURES

National

The Federal Ministry for Education and Cultural Affairs is responsible solely for school sport (physical education). Other tasks such as the allocation of subsidies to sports bodies, clubs and local authorities and the promotion and organization of national sporting events come under the responsibility of the federal chancellery.

Regional

Legally, sporting issues fall within the (autonomous) competence of the nine federal "Länder" which are thus responsible for promoting sport in general. The sports councils (Landessporträte) are responsible for the administrative side of sport. Cooperation has been set up between the federal and "Land" bodies to coordinate promotional measures of national interest.

BELGIUM

GENERAL FRAMEWORK FOR SPORT

Sport in Belgium is organized on a voluntary, independent basis by sports associations. Public authorities have a mainly complementary role to play which consists of measures to encourage people to practise sport and to support private initiative, subject to certain conditions. This complementary role does not prevent public authorities taking their own initiatives (such as Sport for All, training for sports administrators, etc.).

Sport comes under cultural issues and therefore falls within the responsibility of the three communities which make up Belgium.

DENMARK

Sport in Denmark is covered mainly by the non-government sector and is amateur-based. Despite growing support from the public authorities, the freedom and independence of voluntary bodies are not only respected, but considered a key tool in teaching practical democracy. Public authorities must create the framework necessary for people to be able to practise sport, while it is the job of voluntary bodies to encourage and organize sport within this framework.

The public and voluntary sectors favour recreational sport rather than competitive sport, and attach key importance to sport at local level.

Local authorities grant financial aid to local sports clubs in the form of investment for building and operating sporting facilities. In addition, there are grants for local club activities and for the hire of halls and sports fields.

SPAIN

At present sport in Spain is organized on the basis of cooperation between the public and private sectors. Both sectors are responsible for the promotion and development of physical and sports activities.

The main public bodies are:

- the Higher Sports Council;
- generally, in each autonomous community, a Directorate General for Sports;
- at local level, a Sports Council.

Sport in the private sector is organized in parallel with the allocation of administrative responsibilities:

1) at national level:

- the Spanish Olympic Committee (COE);
- sports federations for the various disciplines;
- professional leagues with professional teams;
- a number of multi-sports associations;

2) at autonomous community level:

- regional federations for the various sporting disciplines;
- regional sporting associations;

3) at local level:

- sporting associations and clubs.

FINLAND

GENERAL FRAMEWORK FOR SPORT

The general aims of Finnish sporting policy were set out in the law on sport which came into force in 1980.

Responsibilities are shared out as follows: public administration of sport is responsible for creating conditions favourable to sporting activity, while sporting organizations are responsible for holding sporting events.

FRANCE

GENERAL FRAMEWORK FOR SPORT

Sport is organized and developed on the basis of a specific system which brings together public bodies and private groups within a specific legislative and regulatory framework.

This particular approach to the public administration of physical and sporting activities is based on the recognition that these activities are in the public interest and is a special feature of the French sports system.

GREECE

GENERAL FRAMEWORK FOR SPORT

The Secretariat-General for sport and the Ministry for Education are developing Greece's sports system with two main objectives:

- high level economic and scientific support for sport in cooperation with sporting federations and scientific sports centres;
- economic and organizational support for sport amongst the general public, both at central and local level, in collaboration with local authorities, clubs and other social and sporting institutions.

"Sport comes under the supreme protection and supervision of the State" (Article 16 of the Constitution).

IRELAND

GENERAL FRAMEWORK FOR SPORT

Irish sports policy is firmly based on the principles of the European sports charter, but factors such as research into participation levels and strategy also influence decision-making.

The government's sports policy recognizes the independence of sporting associations and has undertaken to make a contribution to the development of sport.

ITALY

GENERAL FRAMEWORK FOR SPORT

Sporting activities are organized by the sports movement, from the clubs at grassroots level to the Italian National Olympic Committee (CONI) at its head.

The State plays a complementary role and undertakes to promote the conditions for the general public to be able to freely practise their preferred sports.

The "institutional" law on the CONI (1942) did not delegate any of the State's powers to this Committee but formally recognized the role and responsibilities it had already been exercising since it was set up.

The State allocated the proceeds of sports betting to fund the CONI (1948) and confirmed its status as public body.

The CONI therefore has three key functions:

- it is a non-governmental public body;
- it is the Federation of Sports Federations;
- it is the National Olympic Committee recognized by the IOC (International Olympic Committee).

LUXEMBOURG

GENERAL FRAMEWORK FOR SPORT

Sport in Luxembourg is hallmarked by a complementary approach and division of tasks between the autonomous sports movement and public authorities at national and local level.

PORTUGAL

GENERAL FRAMEWORK FOR SPORT

The government is involved in organizing sport through the State Sports Secretariat, which is answerable to the Prime Minister and has government administrative back-up from three public bodies: the IND, CAFD and CAAD.

The Secretary of State for Sport is responsible for sport at government level and is responsible for policy and decision-making. He is supported on the operational side by the three public bodies responsible for the coordination and development of State action and administrative and financial support for sporting activity, under the supervision of the member of government responsible for sport.

UNITED KINGDOM

GENERAL FRAMEWORK FOR SPORT

The bodies responsible for sport and leisure are the Department of National Heritage, the Scottish Office, the Welsh Office and the Northern Ireland Education Department; the Welsh Sports Council, the Scottish Sports Council and the Northern Ireland Sports Council; local authorities; national associations; federations; and the voluntary and commercial sectors.

Local authorities' commitment to sporting needs is covered by a variety of official measures which are not, however, mandatory. Local authorities are under no legal obligation to provide conditions favourable to practising sport.

The UK Sports Councils of England, Scotland, Wales and Northern Ireland are the agencies for developing and financing sport and are responsible in a variety of ways for promoting sport, improving participation in sport, raising performance standards and improving infrastructure.

SWEDEN

GENERAL FRAMEWORK FOR SPORT

Sport in Sweden is a vast, independent movement managed by a central body: the Swedish Sports Confederation.

Local sports clubs do, however, constitute the basis of the sports movement.

The Swedish system allocates a central role to the Swedish Sports Confederation. Although the confederation is a strictly non-government body, the government has delegated a number of tasks to the confederation. The government finances the confederation and provides a minimum of finance for the administrative work of the federations.

NETHERLANDS

GENERAL FRAMEWORK FOR SPORT

The development and implementation of sports policy come under the shared responsibility of the public authorities and autonomous sports organizations. The private sector is free to determine its own policy for which public authorities provide financial, organizational and infrastructure support.

The basic principle is therefore that public authorities are not involved in determining policy, insofar as national sports organizations are capable of taking responsibility for this themselves. Nevertheless, this principle does not prevent the public authorities - as part of the trade-off between public support and private initiative - from retaining some policymaking independence on the basis of their own responsibilities for sports.

¹ O.J. C 64 of 27.2.1998, p. 81

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CdR 37/99 fin F-E/ET/nm

CdR 37/99 fin F-E/ET/nm .../...

CdR 37/99 fin F-E/ET/nm .../...

CdR 37/99 fin Appendix F-E/ET/nm

CdR 37/99 fin Appendix F-E/ET/nm