Rationalizing Sport Policy in the European Union (not published)

Spyros A Pappas, Attorney at Law, Senior Policy and Legal Adviser in European Affairs, Former Director General at the European Commission

In 2004 the first Olympic Games in the New Millennium will again take place in their birthplace, Athens. However, contemporary Sport does not remind at all the old way. "Cotinos" has been replaced by money. Behind sponsorships there are the most of the times marketing reasons and other back thoughts, not love for the athletes or honor. Instead of fighting for fair competition, doping became the scientifically not transparent way for fake "excellence". And, at the end of the day, money. After all, everything results in that and ...in politics. It is not by accident that media owners are interested in getting their foothold into sport. Its claimed autonomy becomes a good excuse for the un-explicable. Needless to say that Europe bears a particular responsibility for such a cultural heritage and could not remain indifferent. At the political level the voices are many and the papers more than enough in pointing out the distortion of the original sporting spirit. The following are the major steps towards rationalizing sport in the European Union and subsequently in the entire World:

- 1. First of all, the Treaty of Amsterdam: 29th Declaration on sport "The Conference emphasizes the social significance of sport, in particular its role in forging identity and bringing people together. The Conference therefore calls on the bodies of the European Union to listen to sports associations when important questions affecting sport are at issue. In this connection, special consideration should be given to the particular characteristics of amateur sport"
- 2. Second, the Presidency conclusions of the Vienna European Council –11 and 12 December 1998: "XII. Sport. 95. Recalling the Declaration on Sport attached to the Treaty of Amsterdam and recognizing the social role of sport, the European Council invites the Commission to submit a report to the Helsinki European Council with a view to safeguarding current sports structures and maintaining the social function of sport within the Community framework. 96. The European Council underlines its concern at the extent and seriousness of doping in sports, which undermines the sporting ethic and endangers public health. It emphasizes the need for mobilization at European Union level and invites the Member States to examine jointly with the Commission and international sports bodies possible measures to intensify the fight against this danger, in particular through better coordination of existing national measures".
- 3. Thirdly, the Conclusions of the First European Union Conference on Sport in Olympia 1999: "1...2...European sport, as diverse as it may be, has common characteristics that need to be preserved from possible commercial distortions. Sport, and in particular "sport for all", is for European society an excellent means of social cohesion as well as an activity which goes beyond the strictly economic framework. Two principles define European sport: democracy and solidarity. It is in the interests of both public authorities and sports organizations that they are preserved...1.1 It is important that sport be able to keep its operational autonomy safe from any political or economic manipulation...".
- 4. The Helsinki Report on Sport from the European Commission to the European Council (COM (1999) 644 and /2) with the view to safeguarding current sports structures and maintaining the social function of sport within the Community framework.
- 5. And finally, the Proposal for a Decision of the European Parliament and of the Council establishing the European Year of Education through Sport 2004 (OJ C 025 E of 29/01/2002).

What will be the impact of all of that is difficult to predict. However, if it is certain that the sporting world needs to have a clearer legal framework to develop its sporting and economic activities —and in that the added value of competition rules is out of any doubt-, it is more than obvious that rationalization of sport is a matter, which goes beyond regulation: it is the affair of the society itself, it is a matter of culture and education, of all civil society.