
The Relationship Between Olympism and the European Union Roots and Consequences

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Sport is a growing social and economic phenomenon which makes an important contribution to the European Union's strategic objectives of solidarity and prosperity. The Olympic ideal of developing sport to promote peace and understanding among nations and cultures as well as the education of young people was born in Europe and has been fostered by the International Olympic Committee and the European Olympic Committees (European Commission, *White Paper on Sport*, COM (2007), 391 final, "Introduction")

I. The relationship between Olympism and the European Union: the reasons for this study

1. *The similarities between the values and aims of Olympism and the EU*

The similarity between the values and aims of Olympism¹ and the European Union (EU) is something that has become clear over the years from events. In concrete terms it is formally outlined in the relevant founding and organisational texts. For example, the expressions "human dignity", "peace" and "non-discrimination" are to be found in both the Treaty of the European Union

(EU), which expresses the values of the EU², and in the "Fundamental Principles of Olympism" as stated in the Olympic Charter. Likewise the shared aims of Olympism and the EU include, *inter alia*, the defence of human rights, the promotion of "solidarity" and "sustainable development"³.

It is this commonality that explains the excerpt from the White Paper on Sport cited above. This is by no means an isolated and dated perspective. On the contrary: both the Commission and the other EU institutions have, over the years, indicated a confluence between Olympism and the EU.⁴

The stand taken by the then EU Commissioner Viviane Reding in defence of the Olympic Games as an instrument that promotes the solidarity and unity of the European people is also noteworthy in respect of the European Commission⁵.

The EU Council of Ministers has also stressed the need to promote the ethical values of sport and the Olympic ideals in particular⁶ – i.e. "friendship among peoples and the brotherhood of man"⁷ – ideals which are shared with the European project.

In addition, the European Economic and Social Committee has stated that Olympic values must be included in EU youth training policies⁸.

Finally, the European Parliament has stated that Olympic ideals must be viewed as part and parcel of the European sports tradition.⁹ The European Parliament proposed that 1992 be declared an Olympic Year, a proposal which was adopted. The basis for this proposal was the similarity between the Olympic Ideals and the European project.¹⁰ Such was the conviction of the European Parliament regarding the confluence between Olympism and the EU that it recommended that its athletes use a common flag¹¹ – “(circle of stars) or a combination of the European symbol and national colours¹² – and an EU emblem – “wearing a Community emblem or similar symbol together with national colours”.¹³ The Parliament also suggested to creation of a European team¹⁴, but this suggestion was not adopted.¹⁵

In addition to what the institutions have already stated with regard to the relationship between Olympism and the EU, it is also necessary to refer to another common denominator: the activity of the EU in relation to sport, as envisaged by article 165 of the Treaty on the Functioning of the EU¹⁶, is in areas that have, for many years, merited the attention of the Olympic Movement¹⁷, i.e. “volunteer work”, the “protection of the physical and mental health of sportspersons and particularly that of young sportspersons” and “co-operation”, whether between “the organisations responsible for sport”, or with “third countries”.

Given the context described above, the reference in the recent White Book on Sport to a confluence between the aims and values of the EU and Olympism was foreseeable. The fact that solidarity, prosperity, peace and education are identified as common strategic objectives and the fact that the role of the International Olympic Committee (IOC) and the European Olympic Committees¹⁸ (EOC) in the pursuit of these objectives is mentioned are both noteworthy. Moreover, the White Paper commences precisely by quoting Pierre de Coubertin¹⁹, furthermore there is the fact that the programme was named after the Father and Founder of the Modern Olympic Games, which outlines the measures to implement the White Paper, called the “Pierre de Coubertin Action Plan”^{20,21}

2. The structure and order of this study

We hope that we have now demonstrated the relevance of the subject matter of this study. In any event, the aim of this study is much less ambitious than the relationship between the Olympic Movement and the EU. It was the confluence and similarity between the EU and Olympism that provided the impetus for this study²². Our aim is modest: i.e. to seek to improve our understanding of the roots of the relationship between Olympism and the EU and to identify those areas in which the synergies arising from the said relationship are most evident.

This article therefore merely provides a brief and necessarily incomplete, introductory study, which is more descriptive than analytic. This study is written by a lawyer, but seeks to avoid the pitfalls of legal texts. Our approach will be multidisciplinary not only because of the nature of the journal in which it is published, but also for two other reasons: because heterogeneity and transversality

are also a common factor to Olympism and the EU and also because we would, with all due modesty, like this text to stimulate research into this relationship, which, in our view, merits more attention from the various areas of human knowledge.

From a methodological point of view, the structure of this study differs from the standard approach, i.e. the definition of a problem and the search for a solution to it. Given the scope of this study, we shall only deal with some aspects of the relationship between Olympism and the EU, but only after an initial historical account ranging from the Olympic Games of Antiquity to the EU White Paper on Sport.

II. Eurocentrism in the Geography of Olympism

1. The Olympic Games as a European phenomenon

The link between the Olympic Games and the continent of Europe, in both the Ancient and Modern eras, can be described as umbilical²³. It was at Olympia in Greece in 776 B.C. that the Olympic Games of Antiquity were born. The Modern Olympic Games were born in France at the University of the Sorbonne in 1894. The fifth Olympic Games of the Modern Era were held in the European city of Stockholm in 1912.

So far as the Modern Era Olympic Games are specifically concerned, it is noted that Pierre de Coubertin sought to solidify the Olympic Games as a European phenomenon²⁴, perhaps because he had dedicated most of his studies to the political future of Europe²⁵. De Coubertin was convinced that the link with Antiquity would serve to unify Europe²⁶, as Jean-Pierre AUGUSTIN and Pascal GILLON explain, he was certainly aware that Greek culture and its myths are a shared heritage of the European nations, which can be used to good advantage.²⁷ Moreover the conviction that there was an inevitable evolution of civilisation from the national to the European was also expressed in a private document, in 1885, by Demetrius Bikelas, the Greek, who was to be the first President of the IOC (from 1894 to 1896).²⁸

During the first six decades of the existence of the Modern Olympic Games, Europe shared the organisation of the Games with the USA²⁹. Even today, when the unwritten rule regarding the intercontinental rotation of the organisation of the Games is broken, European supremacy operates, i.e. a European city is chosen, e.g. the case of the Games following the Barcelona 92 (Summer Games), the Lillehammer 94 (Winter Games), the Athens 2004 (Summer Games) and the Turin 2006 (Winter Games).

This is one of the features of what can be termed the “Eurocentrism” of Olympism, a phenomenon that was a source of concern to persons such as Carl Diem, who even expressed his concern regarding the need to facilitate the expansion of the Games beyond Europe in accordance with a universalist perspective³⁰ and without denying the European origins of the Olympic Games, which is after all the idea expressed by the Olympic rings: i.e. the unity of the five continents (the blue ring represents Europe).

2. *The supremacy of Europeans as members of the IOC*

Another feature of this “Eurocentrism” of Olympism is revealed by the composition of the IOC Session. In 1894 the vast majority of the members were of European origin and this has been the case ever since³¹. Between 1894 and 1939, 117 of the 196 members of the IOC Session were of European origin, there were 17 from Asia; 5 from Africa; 9 from Oceania; 42 from North America and 16 from Central and South America. At the October 2009 Session, which elected Rio de Janeiro as the host city of the 2016 Olympic Games, 46 of the delegates with voting rights were from Europe, out of a total of 107 delegates. There were 23 delegates from Asia; 4 from Oceania; 16 from Africa, 13 from Central and South America and 5 from the USA.

The EU currently comprises 27 Member States in the continent of Europe and cannot be disassociated from a Eurocentric phenomenon such as Olympism. Experience has shown that the EU has known how to take advantage of this context by using Olympism as a tool for the implementation of some of its policies via grants of financial aid. It is this topic that we shall now consider.

III. Olympism as a Social and Educational Tool of the EU

1. *Olympism in the context of the EU's social concerns*

Olympism has been used as a pretext, example or tool in the EU's efforts to promote certain social and educational causes.

An example of this is the EU's fight against all forms of discrimination; a feature that the EU is aware is shared by Olympism³², e.g. the fight against gender discrimination. It was in this context that the European Parliament, in 1996, adopted a Resolution on the non-participation by women from certain countries at the Olympic Games³³, which condemned the fact that certain countries, i.e. Muslim countries, had prohibited female participation in the Olympic Games.

The EU's concern with regard to sustainable sport is shared by the Olympic Charter, and this is also noteworthy.³⁴ An illustration of this is the European Parliament's appeal to the IOC to conduct an environmental impact study in the wake of the organisation of the 2008 Olympic Games³⁵, and the concerns of some MEPs with regard to the preservation of natural and cultural heritage and the alleged contravention of various EU environment directives at the time of the construction of infrastructure for the Athens 2004 and Turin 2006 Olympic Games.³⁶

Likewise, the EU's efforts with regard to sport for the handicapped, in the context of Olympic competitions, are also noteworthy. An example of this is the involvement of the European Commission in the Paralympic Games for the physically handicapped in Tignes (winter)³⁷ and Barcelona (summer) and for the mentally handicapped in Madrid³⁸, and the Commission's support for the 11th “Special Olympics”³⁹, an event which was also the subject matter of several parliamentary questions.⁴⁰

Finally, there is the joint fight of the Olympic Movement and the organisations of the EU against a social scourge such as doping. The fight against doping has always been a priority of the Olympic Movement. Indeed, it was at the insistence of the IOC that WADA (World Antidoping Agency) was created in 1999. Additionally, the WADA World Antidoping Code was issued after three other documents, which had appeared in which the Olympic Movement took the initiative and leadership: the “IOC Medical Code” of 1975, the 1988 “International Olympic Charter against Doping” and the 2000 “Olympic Movement Anti-Doping Code”. The time when the IOC and the EU worked most closely together within the ambit of the fight against doping, was in 2003, on the occasion of the Spanish Presidency of the of the EU Council, in the context of an unsuccessful attempt to turn WADA into an International Public Law Agency based on an international convention. This setback notwithstanding the IOC and the EU have always been partners in this crucial fight to safeguard public health and for ethics in sport.

2. *Olympism in the context of the EU's in the context of the EU's educational activity*

So far as education is concerned, the Economic and Social Committee of the EU has stated that the Olympic Spirit inherited from Ancient Greece, which is inherent in the interface between education and sport⁴¹, was at the source of European Education Year, instituted by the European Commission⁴², which was a unique opportunity to draw the attention of the EU and its Member States to the educational and pedagogic aspects of Olympism.⁴³

Of the other measures taken by the EU and its Members States⁴⁴ the “voluntary actions at European level during Olympic and other sporting events in 2004” are of particular import.⁴⁵

IV. Olympism as a Political Tool of the EU and its Member States

The Olympic Games are undoubtedly a political intervention tool of and in the EU⁴⁶.

1. *Olympism, Politics and Peace*

The highest level of this type of intervention is undoubtedly that of the use of politics in the service of peace, with the Olympics Games as the backdrop. This involved the promotion of the Olympic Truce.⁴⁷

In addition to the attention given to this issue by the EU Economic and Social Committee⁴⁸, the initiative taken by the European Parliament in 2004 is particularly noteworthy: i.e. the Motion for a European Parliament resolution on the Olympic Truce⁴⁹ – in which it called on the EU Council of Ministers to comply with and seek compliance with the Olympic Truce, as “an instrument to promote peace, dialogue and reconciliation in areas of conflict during and beyond the Olympic Games period”, stressing the fundamental importance of respect for the Olympic Truce by the “Member States and the acceding, candidate and neighbouring countries”. The European Parliament further requested the Council to “support the

International Olympic Committee in its efforts to promote peace and human understanding through sport and the Olympic ideal.⁵⁰

2. The political involvement of the EU in the activity of the Olympic Movement

At another level, the political intervention of the EU in the activity of the Olympic Movement, i.e. its attempts to persuade the IOC to adopt certain courses of conduct, are also noteworthy. An example of this was the EU's attempt to influence the IOC to make Greece the permanent home of the Olympic Games. This movement commenced in 1981 with a resolution⁵¹, in which the European Parliament gave political reasons why the Olympic regulations should be altered and in support of the Greek Governments aims.⁵² In 1984⁵³, the European Parliament took up the issue once again on the basis of political considerations.⁵⁴ Finally, in 1999, an MEP raised the question again⁵⁵, but the European Commission's reply was clear⁵⁶, and stressed respect for the autonomy of the IOC with regard to the establishment of the rules applicable to the Olympic Games.

The attempts made, via motions proposed in the European Parliament, to conduct boycotts, or not, of the Olympic Games are a specific case of political intervention by the EU in the activities of the Olympic Movement. In 1984, at the time of the Los Angeles Olympic Games, the European Parliament took a position contrary to the boycott by the then USSR⁵⁷; in 1996, the European Parliament called on the IOC to prevent the participation of countries that prohibit women from participating in the Olympic Games⁵⁸; in 2001, on the occasion of the 2008 Olympic Games, the European Parliament came out in favour of a boycott on the grounds of alleged human rights violations in China.⁵⁹

As Juan António SAMARANCH stated in his Autobiography, these boycotts impressed on the IOC the need to negotiate politically with national and supranational governments, e.g. with the EU⁶⁰.

3. The political involvement of the Olympic Movement in the activity of the EU

There has also been an inverse political intervention by the Olympic Movement in relation to the EU, in which it sought to make EU institutions aware of the need and interest in resolving matters of common interest.⁶¹ The matters in question were so many and so complex that, at a certain stage it became apparent that the existence of a regional organisation such as the EOC was not sufficient and the need was felt to create a permanent platform for the Olympic Movement's activities in Brussels⁶². What began in 1987 as an informal contact group became gradually institutionalised. The key dates in this process are 1993⁶³ and 2009, particularly the latter date when the EOC Office in Brussels was opened,⁶⁴ to operate as a platform for joint work⁶⁵.

These days, there is an increasing "social dialogue" between the EU institutions and the Olympic Movement, which even has a basis in EU Law, i.e. in the Declaration on sport annexed to the Treaty of Amsterdam⁶⁶, and in

clause no. 2 of the said article 165 of the Treaty on the Functioning of the EU⁶⁷. This dialogue, which is described by the European Commission in the White Paper on Sport as necessarily "structured", involves organisations such as the IOC and the EOC⁶⁸.

4. The Olympic Games as a means to affirm the policies of the EU member states

There is another political aspect of the Olympic Games, which should be mentioned, and is linked to the fact that the organisation of the Games gives the host city and country the opportunity to promote themselves in the world. This was the case of Greece, which used the 2004 Athens Olympics not only to seek to show that it was a (responsible member) "obedient pupil" of the EU⁶⁹, and which, when it held the Presidency of the EU Council, placed such an emphasis on the Olympic Games in the agenda of the Presidency that the Norwegian Government felt that the Games had to form part of the discussion of its possible membership of the EU.⁷⁰

5. Olympic medals at the centre of the EU/USA rivalry

Finally, we shall refer to another type of political affirmation based on the Olympic Games: i.e. when sports competition becomes confused with political competition when the tally is made of the number of medals won by the athletes/teams from the EU and this number is compared with the USA's tally. Even though the medal table is not even officially recognised by the IOC, and even given the fact that the USA normally has the most medals⁷¹, the truth is that there is a confrontation which, when Europe in general and the EU in particular has supremacy, is viewed as positive and constructive in terms of the construction of a European identity.⁷² The 2004 Athens Olympic Games are an example of this, when Romano Prodi, the then President of the European Commission, celebrated the 280 medals won by the competitors from EU nations, 82 of which were gold medals, and took the opportunity to comment publicly that those results were better than those obtained by the competitors from the USA.⁷³

IV. Olympism and EU Economic/Financial Intervention

Whatever the point of view adopted, it cannot be denied that the financial contributions made by the EU have had a direct or indirect influence on participation in and the organisation of the Olympic Games.

1. Membership of the EU as a guarantee and advantage in terms of bids by EU cities to host the Olympic Games

It can be stated at the outset that the very fact a country is a member of the EU invests it with a sense of economic and financial stability, given the varied panoply of funds and aid that it can receive, and that, as consequence of this, it has an increased chance of being able to support an application by one of its cities to host the Olympic Games. Furthermore: if the city in question is successful, more opportunities to offer support become available.

Once again Greece is an example. Had it not been for the fact that Greece had become a member of what was then known as the EEC, it would probably not have been in a position to organise the 2004 Athens Olympic Games.⁷⁴

2. The economic and financial advantages of hosting the Olympic Games

In addition to the many tangible and intangible advantages the city that hosts the Olympic Games obtains, it is undeniable that the city that it and the country of which it is part, as a whole, benefit considerably from the infrastructure created, from the worldwide media exposure and the tourism generated. The EU Economic and Social Committee has referred to all of these advantages and opportunities in what amounted to a clear encouragement of “Olympic bids” by cities from EU states.⁷⁵

3. Direct contributions from the EU budget to the holding of the Olympic Games

The most obvious aspect of the relationship between Olympism and the EU with regard to economic matters is clearly the direct contributions made from the EU budget. Particularly noteworthy in this context is the financial aid given for the organisation of the European Youth Olympic Festival and the Olympic Games in Albertville and Barcelona, in 1992⁷⁶; to the Eurathlon Programme (a fund, which is intended to aid sports organisations in all EU countries, and particularly sports organisations for the handicapped); to the EOCs, for scientific research with regard to doping, via assistance provided by the Sport Help Desk. The benefits for the EU and its Member States lie above all in the high profile that the Olympic Games can produce, as the European Parliament has commented.⁷⁷

V. Olympism: A Tool in the Construction of EU Law

Although there are those who, like Lars HALGREEN⁷⁸, consider that the influence of Olympism on the advance of EU law is limited, the truth is that its influence is a matter of fact, both in the area of the so-called fundamental freedoms (free movement of people, free movement of goods and free supply of services, though there is no influence with regard to the free movement of capital and the right of establishment), in the defence of competition and in the area of public contracting. The Olympic Movement has also contributed to the inclusion of an article on sport in primary EU law.

1. Fundamental freedoms

So far as fundamental freedoms are concerned, the EU legislature has been sensitive to the importance and specificities of the Olympic phenomenon. This has, in practice, led to a temporary suspension of EU legislation, or certain restrictions of fundamental freedoms, being deemed to be objectively justified and not a violation thereof.

For example, so far as the free movement of people is concerned, the EU has, since 2003, introduced legislation⁷⁹ in order to facilitate free entry into the Schengen

space by members of the Olympic family, i.e. athletes, judges, referees, coaches, physicians, journalists and sponsors, in order to participate in the Olympic and Paralympic Games. The procedures for the grant of entry visas have been eased so as to exempt members of the Olympic family from any additional formalities, i.e. via a temporary suspension of the Schengen rules⁸⁰. The matter of the immigration of athletes and their entourages from third countries is still one of the European Commission's priorities.⁸¹

In 2004, the Commission took a Decision⁸² that permitted the derogation of EU veterinary legislation⁸³, in order to permit the participation of uncastrated male horses in the 2004 Athens Olympic Games and Paralympic Games (but obviously without placing animal or human health at risk).

Finally, it should be noted that the Court of Justice of the European Communities, in the *Deliège* judgment⁸⁴, in which it was required to consider the legality of the selection criteria imposed by a sports federation, the sport in this case was judo, for participation in the 1996 Atlanta Olympic Games, held that such criteria do not conflict with the free supply of services, provided that they are proportionate to the ends pursued, which is the case if they are based on a necessity inherent in the organisation of the Olympic Games and are not discriminatory.

2. Competition Law

It is necessary to give a brief account of the contribution that the Olympic phenomena has made to the development of EU Competition Law, i.e. when the European Commission had to take a decision regarding television broadcasting rights and which defined the Olympic Games broadcasting market as a relevant autonomous market⁸⁵, or when the European Commission intervened in order to make sure that the various ways in which tickets for the 1992 Albertville Olympic Games⁸⁶ and the 2004 Olympic Games⁸⁷ were being sold complied with EU Competition Law by providing non-discriminatory sales channels. The most important contribution was made by the Court of Justice of the European Communities in the *Meca – Medina* judgment⁸⁸, which, although subject to some criticisms, held that the IOC was an “undertaking” in accordance with EU Competition Law and that the anti-doping rules issued by the IOC and/or an international sports federation, fall within the ambit of the application of EU Law, even if the same are “purely sporting” rules, and must therefore be scrutinised on the basis of articles 101 and 102 of the Treaty on the Functioning of the EU (which concerns “agreements between undertakings and decisions of associations of undertakings” and “abuses of dominant positions” by undertakings, respectively).

3. Public Procurement legislation

The first occasion when the tender awarding authorities of an EU Member State had to comply with the EU public contracting rules was during the preparations for the 1992 Barcelona Olympic Games. At that time, Directive 89/440/EEC concerning the co-ordination of procedures for the award of public works contracts was in force. The current

Directives are Directive 2004/17/EC of the European Parliament and of the Council of 31 March 2004 coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors and the Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts..

4. The Olympic Movement's steps with a view to the inclusion of an article regarding sport in the Treaties, which confirms the "specificities" and autonomy of sport.

As we have already stated, with the Lisbon Treaty, sport finally gained a place in the primary law of the EU. This objective was achieved partially as a consequence of the efforts of the Olympic Movement and particularly the IOC and the EOC, which had, since the Bosman judgment in December 1995, claimed that sport should be included in the powers and obligations of the EU. To this end, they prepared and submitted various drafts of the proposed text, with a view to the express recognition of the "specificities" of sport and its autonomy, with the result that the former, but not the latter, was enshrined in the treaty. In any event, the autonomy of the IOC has never been threatened, with the exception of the above-mentioned Meca Medina judgment. The sole condition that was always imposed was that this autonomy must be subject to strict compliance with EU law⁸⁹. So far as all other matters are concerned, the EU merely made non-binding suggestions.⁹⁰

Recently, in April 2010, the EOC Office published an important document entitled – Position paper of the Olympic Movement on "Sport and the Lisbon Treaty" – in which the Olympic Movement gave its interpretation of the concepts of "specificity" and "autonomy" and proposed ways in which to interpret article 165 of the Treaty on the Functioning of the EU⁹¹, in practice, together with ideas and proposals.

VI. Conclusion

We are convinced that despite the limitations necessarily involved in a study of this type, that it has been possible to indicate some of the principal roots and consequences of the relationship between Olympism and the EU, which affect various aspects of society, such as Sport, Education, Politics, Economics and Law.

The synergies are clear. We can therefore conclude that the words of Baron Pierre de Coubertin, when he stated that the Olympic Games are "a system of beliefs and practices", or even the motto of Olympism – "Citius, Altius, Fortius" (Further, Higher, Stronger), could perfectly well have been said by Schuman and Monnet, when they started to plan the construction of the European Union. It is also true that one of the best known mottos of the EU – "Unity in Diversity" – fits perfectly with the definition of Olympism in general and the Olympic Movement in particular. ■

Notes and References

- 1 According to the First Fundamental Principle of Olympism in the Olympic Charter, "[O]lympism is a philosophy of life, exalting and combining in a balanced whole the qualities of body, will and mind".
- 2 Cf. article 2 of the EU Treaty, added by article 1-A of the Lisbon Treaty
- 3 Cf., inter alia, article 3 of the EU Treaty, as amended by article 1, no. 4 of the Lisbon Treaty; Olympic Charter: Fundamental Principles of Olympism and Rule 2.
- 4 In the context of its previous position regarding sport, the Council of Europe, in 1980, which then comprised 21 European countries, issued a recommendation in which, independently of its recognition that the Olympic Games have a worldwide impact (§ 278), it justified its intervention in the matter on the grounds that it was a subject so fundamentally European (§ 13 of the Explanatory Memorandum), and noted that the future of the Olympic Games has an important place in the category of problems of our continent, for which the Council of Europe was indeed set up (§ 279) – cf. Recommendation 900 (1980) on the Olympic games and the outlook for their future – Text adopted by the Parliamentary Assembly of the Council of Europe, (Assembly debate on 26 September 1980 (11th Sitting).
- 5 "International sport events like Olympic Games are media events followed by millions of people. The Commission is well aware of the fact that sport could be a useful instrument to demonstrate European unity in the world, to increase a European identity and to promote a feeling of solidarity not only among athletes but also among the high number of spectators." – cf. Answer given by Mrs Reding on behalf of the Commission to the Parliamentary Question E-1983/2004, 15 October 2004.
- 6 Joint Declaration by the Council and the Representatives of the Governments of the Member States Meeting within the Council of 5 May 2003 on 'the social value of sport for young people' (2003/C 134/03), point 9.
- 7 Cf. Resolution of the European Parliament on the Olympic Games, 13 October 1981, Forth recital.
- 8 Cf. Opinion of the European Economic and Social Committee on 'Tourism and sport: the future challenges for Europe' (2005/C 157/02), point 3.10.
- 9 "[t]he values it [sport] promotes which, as is a well-known fact, date back to the first Greek Olympics in the eighth century BC, are very relevant to and find increasing expression in training policies for young people" – cf. Resolution of the European Parliament on Europe's contribution to Olympic Year 1992, 16 September 1988, Recital A.
- 10 "The European Parliament [p]roposes that 1992 should be declared 'European Olympic Year' in order – to give clear expression to the European Community's identification with the ideals of the Olympic movement" – cf. Resolution of the European Parliament on Europe's contribution to Olympic Year 1992, 16 September 1988. The genesis and content of the European Parliament's proposals are in fact one of the most eloquent ways to describe the synergies between Olympism and the EU. The following are some of the more informative passages: "(...) the European Community could express its fundamental affinity with the original ideas of the Olympic movement and help to ensure, by its own contributions, the continuance of the Games (...).By coincidence, this sporting event happens to be taking place in the same year that will see the completion of the European internal market. The fact that the Olympic Games are taking place in the Community in 1992 thus presents us with a unique opportunity to give this year, so crucial to the future of the Community, even more of a European stamp: 1992 could become, quite simply, the European year in which the Community's economic and cultural aspects become clearly recognizable to all.(...) Olympic Year 1992 should further be used to demonstrate the common identity of European sport to the Europeans themselves, the young athletes to whom Europe plays host, and the entire world, with its attention focused on the Olympic Games. This could be done by stressing the athletes' membership of the European Community during the 1992 Olympics in

- accordance with the proposals put forward for a people's Europe. (Emphasis added).
- 11 This idea dates back to 1987 – cf. Mr Rubert de Ventos on the design of a European flag for the Olympic Games (Doc. B2-406/87), referred on 15 June 1987.
 - 12 Report drawn up on behalf of the Committee on Youth, Culture, Education, Information and Sport on Europe's contribution to Olympic year 1992, 9 June 1988, Proposals for Community initiatives.
 - 13 *Idem*. The European Parliament did not fail to make the following proviso: "The introduction of one or several of these common symbols visibly identifying the athletes as belonging to the Community would have to be approved by the IOC or by the national organizing committees. This will require concerted action by all Member States. The Commission would have to be instructed to put out a call for tenders, and to submit its results in good time to undertake the necessary measures by 1992." On the background of these proposals, cf. resolution of 13 April 1984 on sport and the Community based on the report by Mr Bord (Doc. 1-53/84), incorporating the following motions for resolutions: – for a common emblem for athletes of the ten Community countries taking part in the next Olympic Games, – on the participation of the European athletes in the forthcoming Olympic Games in Los Angeles; Resolution of 13 November 1985 on a people's Europe, based on the report by Mr. Brok (Doc. A 2-133/85), incorporating the following motions for resolutions: – on the formation of European sports teams, – on a badge for athletes of the ten Community countries and a European year of sport.
 - 14 *Ibidem*. The European Parliament explained the genesis of the idea "As early as 1984, the European Council at Fontainebleau proposed in its recommendations the formation of European sports teams to represent the Community in international sporting competitions".
 - 15 The comments that the then Commissioner Viviane Reding made in 2004 in this regard are worth noting: "The Commission has already explored the possibility that European athletes wear, beside the national emblem, the European one at the occasion of major sport events, such as the Olympic Games. This idea was raised at the end of the 80's, following the Adonino Report on European citizenship. However, this has not been met with enthusiasm by sports organisations or indeed by athletes themselves. Therefore, the Commission has remained reluctant to pursue such an approach, which could only be based on voluntary agreements." Cf. Answer given by Mrs Reding on behalf of the Commission to the Parliamentary Question E-1983/2004, 15 October 2004. The question asked was as follows: "Given the importance that European policy and, in particular, the draft European Constitution attaches to sport and to the symbols which promote unity, a European consciousness and our image in the world, will the Commission take initiatives to promote the participation and appearance of our athletes at the Olympic Games and other international sporting events by highlighting their European as well as their national identity?". It is also note that also in 2004, the then President of the European Commission, Romano Prodi, was enthused by the results obtained by the teams and athletes of the EU Olympic Committees, returned to the topic of the flag and even made the following appeal: "En 2008, j'espère voir les équipes des États membres de l'UE à Beijing arborer le drapeau de l'Union européenne aux côtés de leur drapeau national en symbole de notre unité" – cf. MESTRE, Alexandre Miguel, *O desporto na Constituição Europeia: o fim do dilema de Hamlet?*, 2004, p. 161.
 - 16 It corresponds to article 149 of the Lisbon Treaty.
 - 17 It is on the basis of the "values of Olympism" that a wide range of "individuals and organisations" acts, agrees and organises under the "supreme authority" of the International Olympic Committee and so give life to the "Olympic Movement" – cf. Olympic Charter, Third Fundamental Principle of Olympism.
 - 18 Cf. 1. Introduction, First paragraph in fine.
 - 19 "Sport is part of every man and woman's heritage and its absence can never be compensated for".
 - 20 Cf. Commission staff Working Document Action Plan 'Pierre de Coubertin', Accompanying document to the WHITE PAPER ON SPORT { COM (2007) 391 final }.
 - 21 Otherwise, references to the Olympic movement are few and far between, some of the more notable being: (i) the need for an inclusive dialogue between the EU, the Olympic Movement and the Paralympic Movement, (ii) the important role of Olympic Solidarity; (iii) the methods of eco-management implemented in the 2006 Turin Games; (iv) the IOC's battle against ambush marketing, (v) the fact that events like the Olympic Games may justify a more favourable tax treatment for the organisers, particularly with regard to VAT. There are obviously other issues in the White Paper associated more indirectly with the Olympic ideals, among which: (i) the promotion of public health through sport; (ii) The fight against doping, corruption, violence, money-laundering, illegal betting, trafficking of minors, racism, xenophobia, and other ills associated with sport; (iii) the role of sports education and training; (iv) the value of volunteering; (v) involvement in and through sport; and (vi) the contribution of sport to sustainable development. There is also a close connection between some contents of the White Paper and the Olympic Charter, especially when it highlights: (i) the role of sport in intercultural dialogue, or as a vehicle for citizenship; (ii) the potential of sport for peace and development; (iii) the need to safeguard the rights of children; (iv) the contribution of sport to non-discrimination and social integration; or (v) the environmental values that must be preserved and disseminated in the context of sport.
 - 22 This was a topic, which first arose in 2005, when it was dealt with for the first time and on an exploratory basis in the article entitled "União Europeia e Olimpismo: dois projectos sinérgicos", published in the January edition of the *Revista Portuguesa de Gestão do Desporto*, Year 2, no. 1, pp. 60-69.
 - 23 The European Parliament already has already commented that in both their original version and in the Modern Era, the Olympic Games has their roots in one country, Greece – cf. Resolution of the European Parliament on Europe's contribution to Olympic Year 1992, 16 September 1988, Recital C.
 - 24 CLOSE, Paul & ASKEW, David & XIN, Xu: *The Beijing Olympiad: The Political Economy of a Sporting Mega-Event*, London 2007, p. 122.
 - 25 MULLER, Norbert (ED.), *Pierre de Coubertin (1893-1937), Olympism, Selected writings*, Lausanne 2000, p. 373.
 - 26 Cf. Note 22.
 - 27 COLIN, Armand: *L'Olympisme: Bilan et enjeux géopolitiques*, Paris 2004, p. 17.
 - 28 "Il faut nous voir avant que nous ne soyons tout à fait civilisés. Mais hâtez-vous, car nous marchons à grand pas. Dans peu de temps nous serons devenus tous des Européens", BIKÉLAS, Demetrius: *De Nicopolis à Olympie. Lettres a una mi, Deuxième Éditipon*, Paris 1885, p. 5.
 - 29 "(...) for the first sixty years of modern Olympic history, the host cities of the Olympic Games were located solely in Europe and the USA. The Games bounced back and forth across the Atlantic, from Athens (1896) to St Louis (1904), from Paris (1924) to Los Angeles (1932), and so on. The Games were a Western revival of something with European Origins" – cf. Note 23, p. 121.
 - 30 Further to Dikaia CHATZIEFSTATHIOU, "[e]specially during the period 1956-1961, Diem was deeply concerned with the expansion of the Olympic Movement beyond Europe, and the interaction between local, national elements, and the international and global values of the Olympic Movement." The author cites the following statement by Diem: "It is true that the Olympic Games originated once in Europe and were also revived there, but today they are a world festival, to which all civilized nations are invited.", – cf. *The Changing Nature of the Ideology of Olympism in the Modern Olympic Era*, A Doctoral Thesis Submitted in partial fulfilment of the requirements for the award of Doctor of Philosophy of Loughborough University, 2005, p. 288.
 - 31 Cf. STELITANO, Antonella: *Olimpiadi e Politica. Il CIO nel sistema delle relazioni internazionali*, Udine 2008, p. 79.
 - 32 "(...) the Olympic Games have always been considered as one of the few universal gatherings of people of all nations, irrespective of cultures, religions or race, apart from nations with declared apartheid; whereas participation in sporting activities and international

- competitions is an excellent opportunity, irrespective of background, for young people to meet and exchange views, thus fostering mutual understanding and peace” – cf. Resolution on the non-participation by women from certain countries at the Olympic Games, OJ C 211, 22/07/1996, p. 36.
- 33 Cf. Footnote 29.
- 34 Cf. Rule 2 (13).
- 35 “The European Parliament (...) 3. Urges the International Olympic Committee in any case to make a thorough environmental impact assessment with regard in particular to the recurrent water shortages, the impact of mass tourism and the social repercussions in the region surrounding Beijing” – Cf. Resolution of the European Parliament on Beijing’s bid to host the 2008 Olympic Games, 5 July 2001.
- 36 Cf. Answer on behalf of the Commission to written question E-2394/00 by Luckas vander Taelen (VERTS/ALE), 26 September 2000 on the Environmental impact of the 2004 Olympic Games infrastructure development in Athens; Answer on behalf of the Commission to written question P-1335/01 by Luckas vander Taelen (VERTS/ALE), 13 June 2001 on the Environmental impact of the 2004 Olympic Games infrastructure on Schinias; Answer on behalf of the Commission to written question P-2273/03 by Pietro-Paolo Mennea, 6 August 2003.
- 37 “The Commission took advantage of the opportunity offered by the Paralympic Games, which this year were held successively in Tignes (winter) and Barcelona and then Madrid (for the mentally handicapped), in the summer, to set up a programme of activities to promote the European idea in general and to publicize specific Community activities to assist the disabled.”
- 38 Communication from the Commission to the Council and the European Parliament – report on the Community’s involvement in the 1992 Olympic Games, 18 December 1992.
- 39 On 19th June 2003, Commissioner Viviane Reding represented the European Commission in Dublin at the opening ceremony of the 11th “Special Olympics”, a four-yearly sports event for the mentally handicapped of all ages, which was taking place in Europe for the first time. The EU provided aid of 6 million euros and financed the travel of 200 young volunteers – Cf. Doc. IP/03/855, 18th of June 2003.
- 40 Cf. Answer given by Mr Oreja on behalf of the Commission to written question E-0026/98 by Ursula Stenzel (PPE), 13 March 1998 on the Support for the disabled.
- 41 “1.6. “The Olympic spirit is an unwritten law. A spirit cannot be codified or written down, and it eludes description. It must be experienced”. Ultimately it is an approach to and “model of living that links culture, sport, education and leisure in an unbreakable whole, in precisely the same way as education of the ancient Greeks.” – cf. Opinion of the Economic and Social Committee on the Proposal for a Decision of the European Parliament and of the Council establishing the European Year of Education through Sport 2004”, SOC/092, Brussels, 24 April 2002, CES 516/2002 FR/MEV/nm.
- 42 Decision No 291/2003/EC of the European Parliament and of the Council of 6 February 2003 establishing the European Year of Education through Sport 2004, OJ L 43, 18.2.2003, p. 1–5.
- 43 “The Olympic and other sporting events in 2004 will heighten media coverage and public awareness of sport. This is an ideal opportunity to underline the educational value of sport.” – cf. Recital 13 of the Decision. Also in 2001, Jaime ANDREO, the then head of the Sports Unit of the General Directorate of Education and Culture of the European Commission hinted exactly this: “Nous voulons profiter de cette échéance magnifique que sont les Jeux olympiques de 2004 à Athènes pour mettre en valeur l’olympisme auprès des écoliers de toute l’Europe, en exposant son apport passé et actuel” – cf. “L’olympisme, éthique du sport européen?”, IN: BONIFACE, Pascal (ED.), L’Europe et le sport, Paris 2001, p. 60.
- 44 For example, the fact that on 22nd June 2004, the Olympic torch left from Rond Point Schuman in Brussels (the Brussels centre of community institutions), and the joint action launched by the European Commission and by the Organising Committee of the 2004 Athens Olympic Games, which enabled 28 “Olympic champions of education” – 13 girls and 15 boys, who were young practitioners of 15 Olympic sports, to join another 450 young people at the “Youth Olympics Camp” to share the values of fair play, mutual aid, teamwork, respect for opponents and the referee, among other values inherent in sport.
- 45 Cf. Article 3 (1) (b) of the Decision.
- 46 “While they appear to be very different – politics and sports – their composition and structures have become very similar and politics has been and continues to be a very relevant factor in sports, and vice versa” – Cf. JOHNSON, Schaelyne, Globalization and international relations: the Olympic Movement and European integration, essay elaborated during her internship at CEO-UAB for the academic course 2008/2009. There are even those, who, like Eric DUNNING, believe that the emergence of Europe as a socio-political entity similar to the USA can be brought about via the preparation of United States of Europe teams in events such as the Olympic Games and the Football World Cup – cited by SONNTAG, Albrecht: Les Identités du Football européen, Paris 2008, p. 255.
- 47 One mark of the stress laid in the Games of Antiquity on abiding by rules and on the symbol of unity referred to above was the inauguration in 776 BC of the institution known as Ekecheiria, a concept equivalent to an armistice (abstaining from the use of arms) rather than, as is sometimes asserted, peace, though it fundamentally betokened a desire for peace and cessation of hostilities and so did in practice amount to a proclamation of peace. At that time the Greek City-States were constantly at war with each other, and so, as mythology has it, Ifitos, King of Elis, in a search for peace, visited the Oracle at Delphi and was advised to break the cycle of conflict every four years, substituting friendly athletic competition for war. Subsequently, Ifitos, together with Lycurgus, the legendary Spartan law-giver, and Cleosthenes of Pisa, signed a long-term treaty setting up the Ekecheiria, which became known as the “Olympic Truce” or “Sacred Truce”. This Truce consisted of a formal proclamation of the inviolability of the regions in which the religious festivals and sporting competitions took place. As applied to the Games, it sought to assure the safety of whoever participated in them, athletes as well as trainers, officials as well as spectators’ During the period of the Truce, Olympia was declared neutral territory, inviolable and sacred, and any troops who entered had to lay down their arms and remained unarmed until they left. Those travelling to the Games – athletes, artists and spectators – enjoyed freedom of movement and immunity, even when they had to cross the territory of cities at war with, or hostile to, their own native city. This Truce was, in fact, always respected, because anyone who violated it was severely punished, thus helping to reinforce the idea that the Games succeeded in imposing strict compliance with principles and rules. The inculcation of an awareness of the importance of this compliance was also based on the profoundly religious character of the event, which was dedicated to the Gods.
- 48 For the Economic and Social Committee, the Olympic Truce is a “(...) universal message relevant to all world sporting events in the coming years. Indeed, it maintains that sport can contribute to spreading the culture of dialogue and increasing the opportunities for people to meet.” – cf. Opinion of the European Economic and Social Committee on ‘Tourism and sport: the future challenges for Europe’ (2005/C 157/02), § 5.7. B5-0177/2004/rev.
- 49 B5-0177/2004/rev.
- 50 Also noteworthy are the following two passages from the Resolution: “(...) 5. Welcomes the establishment, by the International Olympic Committee, of an International Olympic Truce Foundation and an International Olympic Truce Centre to promote further the ideals of peace and understanding through sport, and asks the Council to support these organisations; 6. Welcomes the individual support of European and world personalities for the promotion of the Olympic Truce” (Emphasis added).
- 51 Resolution of the European Parliament on the Olympic Games, 13 October 1981. This matter had already merited the attention of the Council of Europe one year previously, in a recommendation that stated as follows: “284. Actually, with Greece on the threshold of the European Community, the permanent establishment of the Games on its territory could well contribute significantly to guaranteeing its independence and the durability of its democratic regime. The

- Chairman of the Sub-committee on Youth and Sport himself has said, "The return of the Games to Greece would be in the interests of democracy, whose cradle, like that of the Games, is Greece." Since Greece is what it is, and where it is, this is a consideration that the Council of Europe cannot ignore." –cf. Recommendation 900 (1980) on the Olympic Games and the outlook for their future – Text adopted by the Parliamentary Assembly of the Council of Europe, (Assembly debate on 26 September 1980 (11th Sitting).
- 52 "The European Parliament, – Concerned at the steady deterioration of the spirit of the Olympic Games, – aware of the danger to the Olympic ideal of using the Olympic Games for purposes of partisan propaganda or commercial publicity, – regretting this trend, which is not conducive to the establishment of a climate of peace and cooperation in the world, – considering that the Olympic Games can become once again a worldwide festival, extolling the ideal of friendship among peoples and the brotherhood of man, – considering that the holding of the Games in different countries of the world leads to an attitude of rivalry which is detrimental to the basic principle of the universality of the Olympic Games and that the increasing financial sacrifices involved now make it impossible for most countries to host the Olympic Games, – considering the serious events which affected the organization of the Games in 1936, 1972 and 1980, – believing that the Olympic Games should continue, – having considered the Greek Government's proposals regarding the designation of Olympia as the primary site of the Olympic Games, – having taken particular account of the Greek Government's proposal to establish an international status offering appropriate guarantees for the Olympic site (...) 1. Expresses its interest in and support for the Greek Government's plan to play permanent host to the Olympic Games and, in particular, to designate the Peloponnese as their primary site; 2. Considers that the rules governing the conduct of the Games must be re-examined with a view to eliminating and expression of national chauvinism and that the principle of amateurism must be rigorously safeguarded; (...)" (Emphasis added).
- 53 Resolution of the European Parliament on the Olympic Games, 24 May 1984
- 54 "The European Parliament, A. deploring the Soviet decision to boycott the 1984 Olympic Games, B. appealing to all governments, the national Olympic committees and the International Olympic Committee to ensure that participation in the Olympic Games, now and in the future, is as universal as possible, C. regretting the exploitation of the Olympic Games for nationalist and excessive commercial purposes. 1. Proposes that a permanent extraterritorial site for the Olympic Games be established in Greece as soon as possible and in any case, not later than 1996, when the Games are due to be held there, thus accepting the offer already made by President Karamanlis".
- 55 The question was posed in the following terms: "The scandals which have erupted over the accusations and revelations of bribery and corruption involving members of the International Olympic Committee and cities which have hosted the Olympic Games have shocked international and European opinion and bear witness to the fact that the vast financial interests at stake in holding the Games corrupt consciences and result in practices which are totally contrary to the ideals that the Olympics should be serving. In May 1999, a European Symposium on sport is to be held at Olympia. In view of the fact that the above problems are linked to sporting activities, could the Commission include these matters on the agenda for the Symposium together with the proposal to hold the Olympic Games permanently at ancient Olympia, their birthplace, which would prevent any similar financial scandals arising and give a fresh impetus to the revival of the Olympic spirit?" (Emphasis added) – cf. Written Question by Alexandros Alavanos (GUE/NGL) to the Commission No. 353/99 (12 February 1999) Subject: Permanent venue for the Olympic Games in Greece; OJ C 289, 11.10.1999, p. 145.
- 56 Answer given by Mr Oreja on behalf of the Commission (11 March 1999): "The Commission has always expressed its desire to "respect the independence of cooperative effort in general, and in sport in particular (1)." The question put by the Honourable Member relates to the activities of a non-governmental organisation whose decisions the Commission must respect in as far as they do not run counter to Community law. It is more for the members of the International Olympic Committee (IOC) and sports organisations, in particular national Olympic committees and sports federations to take the appropriate measures to resolve these problems. The aim of the First European Union Conference on Sport is to consider the future and the development of sport in Europe. It is already planned that the commercialisation of sport will be discussed. The Commission has to state that the matter of the venue for the Olympic Games is for the IOC to decide.(1) SEC(91) 1438 final." (Emphasis added).
- 57 "The European Parliament, A. deploring the Soviet decision to boycott the 1984 Olympic Games, B. appealing to all governments, the national Olympic committees and the International Olympic Committee to ensure that participation in the Olympic Games, now and in the future, is as universal as possible (...)" – Resolution of the European Parliament on the Olympic Games, 24 May 1984.
- 58 "(...) 4. Asks the Council to call for a ban on participation in future Olympic Games of countries which exercise 'gender discrimination'; 5. Recalls that sport and politics have seldom been separate issues, despite frequent claims to the contrary;(...)" – cf. the above mentioned Resolution on the non-participation by women from certain countries at the Olympic Games.
- 59 "The European Parliament, (...) H. recalling that the International Olympic Committee is due to designate, on 13 July 2001 in Moscow, the city that will host the 2008 Olympic Games, 1. Invites the International Olympic Committee to establish guidelines to include respect for human rights and democratic principles to be applied as a general rule to host countries of Olympic Games. (...)" – Cf. Resolution of the European Parliament on Beijing's bid to host the 2008 Olympic Games, 5 July 2001. (Emphasis added)
- 60 "Los boicots que hemos sufrido, especialmente en los Juegos de Montreal (1976), Moscú (1980) y en Los Ángeles (1984), nos han mostrado hasta qué punto el Comité Olímpico Internacional debe y há debido negociar con los gobiernos.(...) Por este sentido de relación con los poderes políticos es por lo que hemos establecido y reforzado la cooperación (...) con organizaciones políticas regionales, tales como la Union Europea (...)" – Memorias Olímpicas, Barcelona, 2002, pp. 72-73.
- 61 In 1995, the current President of the IOC, Jacques ROGGE, who was then the President of the EOC, published an article in which he recorded a relationship that had commenced with mutual indifference, but which was transformed at a certain stage into a constant and institutionalised dialogue: "Au niveau de l'Europe, le Mouvement olympique a longtemps ignoré les changements politiques. L'Union européenne date de 1957 et il a fallu trente ans pour que les premiers contacts s'établissent. Encore ceux-ci furent conflictuels par l'incompréhension mutuelle. C'est ainsi qu'en 1987, l'Union européenne demande aux douze CNO des états membres de participer aux Jeux de Séoul avec une équipe unique, ce que fut bien sûr refusé par les CNO. Simultanément, UEFA ubissait de plein fouet l'exigence de la Commission de Bruxelles d'instaurer la libre circulation des joueurs de football professionnels. Les CNO et l'UEFA comprirent bien vite qu'un dialogue positif devait remplacer les conflits et ils trouvèrent des interlocuteurs ouverts au sein du monde politique (...) Les CNO obtiennent la création d'un groupe de contact établi à Bruxelles en 1989. Ce groupe devint plus tard le Forum officiel qui réunit une fois par na l'Union européenne, les CNO, les Confédérations des sports et les Fédérations Olympiques Européennes. Il apparut toutefois que les contacts annuels du Forum n'étaient pas suffisants. Comme le Forum ne se reunite qu'une fois par an, il s'avérait bien vite essentiel que d'autres structures permettant un dialogue permanent étaient nécessaires. Les CNO européens créèrent à Bruxelles un Bureau de Liaison avec l'Union européenne regroupant des représentants du CIO, des CNO, de douze Fédérations olympiques Internationales et d'ISL. Ce Bureau de Liaison étudie à l'aide d'une société de lobbying les activités de l'Union européenne, informe cês membres des projets politiques et étudie les stratégies d'adaptation et de contact du monde sportif vis-à-vis de la législation européenne."
- 62 Cf. "Le Mouvement Olympique et l'Union Européenne", in: Revue Olympique, XXV-5, October-November 1995, p. 44.

- 63 "In 1993, the German Olympic Committee and the German Confederation of national Sports federations (DSB) nevertheless reacted by creating a liaison Office with the EU in Brussels whose role was to observe and influence its policies and decisions related to sport. Other NOCs and sports confederations supported this effort (France, Austria, the Netherlands, Denmark, Finland, Sweden, and Norway) as did the European Olympic Committees (the continental association of NOCs). Sport, like many other sectors, began lobbying in Brussels. The director of the small liaison office in Brussels was to become the IOC President's Chief of Staff in 2001." – cf. CHAPPELET, Jean-Loup & Brenda KÜBLER-MABBOTT: *The International Olympic System: The governance of world sport*, Global Institutions, New York 2008, p. 117.
- 64 The existence of this EOC Office was explained by the EOC President as follows: "In Beijing, I told you that the EOC intended to strengthen and upgrade its presence in Brussels with a new EOC EU Office. There was a strong wish amongst all European NOCs – and not only the 27 directly involved with the European Union – to be better informed and closely involved with operations at EU level, everyone being conscious of the fact that, as I said earlier, this has become a matter of crucial importance if we are to defend our autonomy against the EU Commission's encroachments, remembering that what happens at EU level in sport will affect the rest of Europe and, eventually, probably the whole world. This office was inaugurated in January 2009 and is now fully operative. Its task is to monitor EU activity in terms of sport and act as a bridgehead for the European Olympic and Sports Movement's lobbying activity with the EU." – cf. 49th Meeting of the ANOC Executive Council, Lausanne, Lausanne, 14th June 2009, Report from the President of the EOC, p. 4.
- 65 The words of Guy DRUT are relevant in this regard " (...) il existe une réelle prise de conscience des instances sportives de travailler ensemble à l'échelle européenne. La prise de conscience a été progressive mais aujourd'hui elle est réelle. Les autorités sportives européennes sont tout à fait conscientes de la nécessité et de l'importance du sujet. Ainsi sur l'initiative de Jacques Rogge et du Comité olympique allemand a été mis en place un bureau de liaison du sport à Bruxelles, qui représente les intérêts des organisations sportives auprès des institutions européennes." – cf. "Les incidences des présidences tournantes de l'Union européenne sur le sport", Bilan de la Présidence Française de l'Union Européenne, Paris 2009, p.30.
- 66 "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." (Emphasis added).
- 67 "Union shall be aimed (...) developing the European dimension of sport by (...) and cooperation between bodies responsible for sports (...)" (Emphasis added)
- 68 "In view of the complex and diverse sports culture in Europe, the Commission intends to involve notably the following actors in its structured dialogue: – European Sport Federations; – European umbrella organisations for sport, notably the European Olympic Committees (EOC), the European Paralympic Committee (EPC) and European non-governmental sport organisations; – National umbrella organisations for sport and national Olympic and Paralympic Committees; (...)"
- 69 "Début 1996, le social-démocrate Kostas Simitis, fervent européen, remplace le vieux socialo-populiste Andréas Papandréou. Le nouveau Premier ministre n'aura de cesse de montrer à Bruxelles que son pays n'est plus le mouton noir de l'Europe, mais au contraire le meilleur élève de l'EU. L'organisation des JO fait partie de ce plan, d'autant plus qu'il s'agit de montrer que le nouveau bon élève est capable de faire aussi bien que de grands pays: les Etats-Unis à Atlanta, l'Australie à Sydney.", cf. CHICLET, Christophe: "Les enjeux des JO d'Athènes", in *Confluences Méditerranée*, 50 (Été 2004), p. 9-10.
- 70 "On 1 January the Greeks will take over the presidency of the EC. We will have to deal with the Greeks when discussing our application for membership of the EC: As can be seen, the most important political issue in Norway at that time – whether to join the EU or not – also became associated with the Olympics", cf. KLAUSEN, Arne Martín, "The Torch Relay: Reinvention of Tradition and Conflict with the Greeks", IN: KLAUSEN, Arne Martín (ED.): *Olympic Games as performance and public event: The Case of the XVII Winter Olympic Games in Norway*, New York 1999, p. 87.
- 71 "Though the International Olympic Committee (IOC) does not formally sanction such counts, the 'complete all-time medal standings' tabulated by the news media who eagerly cover these national comparisons reveal the Occidental domination of the games. The USA has raked in the grandest haul of this particular component of Olympic legacies, garnering 2197 medals since 1896" – cf. DYRESON, Mark: "Epilogue: Athletic Clashes of Civilizations or Bridges Over Cultural Divisions? The Olympic Games as legacies and the Legacies of the Olympic Games", IN: MANGAN, J.A. & DYRESON, Mark (EDS.), *Olympic Legacies. Intended and Unintended: Political, Cultural, Economic and Educational*, London 2010, p. 237.
- 72 "Les décomptes réguliers des médailles obtenues par les athlètes européens aux Jeux olympiques participent à cette logique de construction et d'affirmation d'une identité européenne en opposition aux autres continents: pour s'affirmer toute identité a besoin d'un affrontement, l'identité se définissant toujours par opposition à l'autre. Le porte-parole de la Commission soulignait d'ailleurs au lendemain des Jeux Olympiques d'Athènes en 2004 que la future "adhésion de la Roumanie et de la Bulgarie nous aideront pour menacer la domination asiatique dans des disciplines comme la gymnastique.", cf. HUSTING, Alexandre, "L'Union européenne contre les identités du football?", IN: DE WAELE, Jean-Michel & HUSTING, Alexandre (EDS.), *Football et Identités*, Bruxelles 2008, p. 124.
- 73 Cf. the following items and stories in the Portuguese press: "UE louva supremacia sobre a UE", in: *Público* (2004), 31st August, p. 32; "UE cantou vitória no jogo das medalhas", in: *Jornal de Notícias* (2004), 31st August, p. 9; "União Europeia arrasa Estados Unidos", in: *Diário de Notícias* (2004), 31st August, p. 31; "As medalhas de Romano Prodi", in: *Sábado* (2004), 3rd September, p. 27.
- 74 John ROSS F.L. is categorical that the moment when Greece joined the EU was decisive: "(...) UE, whose largess since Greece's entry in 1981 helped build the economic basis that made the Olympics possible" – cf. *Olympic Homecoming: Greece's legacy and the 2004 Athens Games*, Athens, 2004, p. 203. If it had not joined the EEC at that time, the 2004 Athens Olympic and Paralympic Games would certainly have been no more than a mirage. Indeed, membership of the EU has become a sine qua non of submission of an application to organise the Olympic Games. Referring to the selection of Barcelona for the 1992 Barcelona Olympic Games, Dominique MALIESKY makes the reasoning of Juan Antonio Samaranch perfectly clear: "Les arrière-pensées du président du CIO rejoignent ici le dessein du gouvernement espagnol qui souhaite célébrer l'appartenance de l'Espagne au concert des États démocratiques entérinée déjà par son adhésion à la Communauté européenne" – cf. "Le Comité international Olympique: une diplomatie parallèle", in: BASSON, Jean-Charles (ED.): *Sport et ordre Public*, Paris 2001, p. 60.
- 75 "3.13 Sport on the one hand takes advantage of tourist infrastructure and services and on the other generates tourism, which benefits considerably from the sporting events which take place in tourist destinations: consider the number of people who travel to watch the World Football Championships or the Olympic Games, and above all the image promotion which a country hosting such events can derive from them." – cf. Opinion of the European Economic and Social Committee on "Tourism and sport: the future challenges for Europe" (2005/C 157/02).
- 76 "(...) the Commission made direct contributions to the committees responsible for organizing the games: – ECU 4 million to COJO (Organizing Committee for the Winter Olympics in Albertville); – ECU 6 million to COBO (Organizing Committee for the Summer Olympics in Barcelona)" – cf. Communication from the Commission to the Council and the European Parliament – report on the Community's involvement in the 1992 Olympic Games, 18 December 1992.

- 77 “In return for these subsidies, the Community image was to be projected in the televised mass-impact spectacles of the opening and closing ceremonies of the Games. The choreographed scenes devoted to the Community served to convey the double message decided on as part of the communication strategy: 1. The Community, as ‘host’ to the Olympic Games in 1992 (Ballet of the Stars in Albertville; European scene in Barcelona, official flags and anthem in Albertville and Barcelona). 2. The Community as a participant in the Olympic Games through the athletes representing its Member States (identifiability of Community standard-bearers in Albertville, Community flag used to lead athletes at the Barcelona closing ceremony).(...)The scenes provided generous exposure for the Community, i.e. a total of 10 minutes (7 minutes television coverage) in Albertville and a total of 20 minutes (16 minutes television coverage) in the Barcelona opening ceremony plus 3 minutes television coverage in the closing ceremony. Among the 200 000 or so spectators present at the ceremonies in the Albertville and Barcelona Olympic stadiums were many opinion leaders including a great many heads of state as well as the entire accredited press (some 25 000 people), which, helped by information (scripts of ceremonies, press releases, etc.) distributed by the Community’s press service, produced articles and photographs serving to relay the Community’s message further. Thanks to the preparatory work (briefing sessions) carried out with the broadcasting associations entrusted with televising the ceremonies, the European scenes were on the whole transmitted very effectively to all viewers. The viewing figures for the 1992 Winter and Summer Olympics were very good. – As regards the opening ceremony in Albertville: a total of 72.6 million viewers in Europe with excellent scores in the ratings (25% in France, 17% in the Netherlands, 10% in Germany, 10% in the United Kingdom and over 40% in all the other European countries). As regards the opening and closing ceremonies in Barcelona: only incomplete figures are so far available but they do clearly confirm the impact achieved in the case of the Winter Olympics. In France alone, 10 million watched the opening ceremony (19.8% in the ratings), more than 6 million watched the closing ceremony (11.9%), i.e. the highest scores for all the Olympic events. These figures, which relate to the Community population alone, are enough to justify the sponsorship expenditure but account should also be taken of the other 4 billion viewers elsewhere in the world to realize what an excellent communication vehicle the ceremonies were for the European Community”.
- 78 “The strong historic relations and ties between Europe and the Olympic Movement are unquestionably important from a European sports law perspective, but they have not had a strong and direct influence on the recent development of European sports law policy, except of course for the adaptation of the WADA uniform code, which in a way can be seen as an admirable attempt to “revive” old Olympic principles in a modern sports world.” (Emphasis added) – cf. *European Sports Law – a comparative analysis of the European and American Models of Sport*, Copenhagen 2004, p. 36.
- 79 Cf. Council Regulation (EC) No 1295/2003 of 15 July 2003 relating to measures envisaged to facilitate the procedures for applying for and issuing visas for members of the Olympic family taking part in the 2004 Olympic or Paralympic Games in Athens, OJ L 183, 22.7.2003, p. 1–5 and Regulation (EC) No 2046/2005 of the European Parliament and of the Council of 14 December 2005 relating to measures envisaged to facilitate the procedures for applying for and issuing visas for members of the Olympic family taking part in the 2006 Olympic and/or Paralympic Winter Games in Turin, OJ L 334, 20.12.2005, p. 1–6.
- 80 This was a community legislative act that was a consequence of the adaptation of EU Law to the provisions of the Olympic Charter, i.e. no. 1 of Rule 53, which provides as follows: “(...) Together with a passport or other official travel documents of the holder, the Olympic identity and accreditation card authorises entry into the country of the host city (...)”.
- 81 This conclusion is drawn from the following passage in the White Paper on Sport. “[r]apid visa and immigration procedures for, in particular, elite sportspersons from non-EU countries are an important element to enhance the EU’s international attractiveness. In addition to the on-going process of concluding visa facilitation agreements with third countries and the consolidation of the visa regime applicable to members of the Olympic family during Olympic Games, the EU needs to develop further (temporary) admission mechanisms for sportspersons from third countries. The Commission will pay particular attention to the sport sector: (27) When implementing the recently presented Communication on circular migration and mobility partnerships with third countries; (28) When elaborating harmonised schemes for the admission of various categories of third country nationals for economic purposes on the basis of the 2005 Policy Plan on Legal Migration.”
- 82 Cf. Commission Decision 2004/177/EC of 20 February 2004 on the temporary introduction of registered horses participating in the Olympic Games or the Paralympic Games in Greece in 2004, OJ L 55, 24.2.2004, p. 64–65. See, in particular, Recital 4 and Articles 1 and 2.
- 83 Cf. Decisions 92/260/EEC or 93/197/EEC respectively as regards equine viral arthritis.
- 84 Judgment of the Court of 11 April 2000, *Christelle Deliège v Ligue francophone de judo et disciplines associées ASBL, Ligue belge de judo ASBL, Union européenne de judo (C-51/96)* and *François Pacqué (C-191/97)*, Joined cases C-51/96 and C-191/97, ECR 2000, p. I-2549.
- 85 Commission Decision 2000/400/EC of 10 May 2000 relating to a proceeding pursuant to Article 81 of the EC Treaty (Case IV/32.150 – Eurovision), OJ L 151, 24.06.2000, p. 18-41, § 38-45.
- 86 The agreements awarded exclusive contracts to tourist operators, who then sold tourist packages that combined various services with tickets to the Olympic Games, thus making it impossible for other tourist operators to sell tickets as well, with obvious consequences in client behaviour. Thus, it constituted an obstacle to free competition.
- 87 “The European Commission has taken the view that the arrangements regarding the sale of tickets for the 2004 Olympic Games in Athens are in line with European Union competition rules. The arrangements, which were notified by organising committee ATHOC, foresee various sales channels for tickets for residents in the European Economic Area (EEA)(1). For the first time residents in the EEA will be able to purchase tickets directly from ATHOC through the Internet. EEA residents will also be able to purchase tickets through any of the National Olympic Committees or their appointed agent(s). Consumers can already now apply for tickets as the first phase of the ticket sales has just started” – cf. IP/03/738, Brussels, 23 May 2003, Commission clears ticketing arrangements for the Athens Olympic Games.
- 88 Judgment of the Court of 18 July 2006, Case C-519/04 P, ECR 2006, p. I – 6991.
- 89 The following was stated in 2000: “The Commission has no competence concerning the organisation of the Olympic Games. However, the large infrastructure works intended for the games and other works indirectly linked to them need to go through the appropriate procedures foreseen in environmental legislation” – cf. Answer on behalf of the Commission to written question E-2394/00 by Lucas Vander Taelen, 26 September. In 2004, the then Commissioner Viviane Reding commented “(...) that there is no legal basis for the European Union to be involved in the organisational aspects of both Olympic Games – cf. Answer given on behalf of the Commission to the Parliamentary Question E-1983/2004, 15 October; “As far as the organization of the Olympic Games is concerned, the Community has no powers. It is a matter for the International Olympic Committee (IOC), a permanent body independent of the governments, with sole powers to change the staging of the Games and the rules governing them. However, once the Games have been awarded to a particular town, the relevant Olympic organizing committee is entitled to prepare and stage them on its own, within the scope of the Olympic rules. The Community should put forward proposals to these two committees, furnish them with ideas, and seek to influence their decisions in accordance with the views outlined above. – cf. Answer given by Mrs Reding on behalf of the Commission, 15 October 2004.
- 90 These are the types of recommendations contained in the texts issued by the European Parliament: “The European Parliament, (...) 1. Invites the International Olympic Committee to establish guidelines to include respect for human rights and democratic principles

to be applied as a general rule to host countries of Olympic Games – cf. Resolution of the European Parliament on Beijing's bid to host the 2008 Olympic Games, 5 July 2001; "(...) Finally, the organizing committees in Barcelona and Albertville must be contacted and requested – to work together in the form of an Olympic partnership on all matters affecting the Games, – to devise a joint campaign; – to standardize the symbols, logos and mascots planned by the two Olympic towns, or at least to coordinate them; – to exchange information on the programmes, preparations, advertising and fringe events of the 1992 Games. The Council of Europe and the Community's Youth Forum should be consulted on all proposed Community activities and invited to collaborate. The proposals put forward here would have to be forwarded to the Council of Europe, the IOC and the organizing committees in Barcelona and

Albertville, as well as the Council and Commission. (...) 8. Urges the Albertville and Barcelona organization committees: – to work together as an Olympic partnership on all matters relating to the Games, – to draw up a joint campaign, – to ensure that the symbols, logos and mascots to be used at the two venues will be of a uniform design or, at the least, mutually compatible, – to exchange programmes, preparations, promotional activities and secondary events relating to the games with each other" – cf. Report drawn up on behalf of the Committee on Youth, Culture, Education, Information and Sport on Europe's contribution to Olympic year 1992, 9 June 1988.

- 91 Cf. http://www.euoffice.euolympic.org/cms/?s=eoc_news&p=248&eid=37&, accessed on September 13, 2010.,