

---

## FOREWORD

I am honoured to have been invited to write the foreword to this book. Since the publication of *Professional Sport in the EU: Regulation and Re-regulation* (edited by Andrew Caiger and Simon Gardiner, T.M.C. Asser Press 2000), there have been a number of developments in the European Union in sports law, both in the European Commission and the European Court of Justice. The most significant of these was probably the adoption by the Commission of the White Paper on Sport on 11 July 2007.

The White Paper takes stock of the *acquis communautaire* – the rather prodigious body of European Law including judgements and preliminary rulings of the ECJ – in the sports field and sets out the position of the Commission on three significant aspects of European sport: its societal role, its economic dimension, and its governance. The White Paper also contains concrete proposals for further EU action as part of an Action Plan named after Pierre de Coubertin, the founder of the modern Olympic Games.

The Commission has moved swiftly to implement the Action Plan. To name but a few examples: the Commission published an independent study and a press release in June 2008 on the question of ‘home grown players’, stating that it considers that UEFA has opted for an approach which seems to comply with the principle of free movement of workers while promoting the training of young European players, and it will launch a study on sport agents in the European Union in the autumn of 2008 to feed into a future impact assessment on whether EU action might be necessary in this field.

The influence of the principles of the White Paper on Sport, such as the promotion of self-governance respectful of EU law, can be felt in recent developments in the governance of football, such as the letter of intent signed by FIFA, UEFA and a number of top European clubs which resulted in the creation of the European Club Association (ECA), the signature of a memorandum of understanding with UEFA and subsequently the dissolution of G-14 with the withdrawal of its claims in court, and a series of commitments by UEFA and FIFA including financial contributions for player participation in European Championships and World Cups.

The subsequent creation of a European Social Dialogue Committee for professional football is in line with the ideas for governance promoted by the White Paper and corresponds with one of the 53 actions of the ‘Pierre de Coubertin’ Action Plan.

The White Paper has also had an endogenous impact on the way the Commission approaches sport, leading to a more coordinated approach among different Commission services to sport-related issues. While one cannot talk of an ‘EU sport policy’, the White Paper makes an important contribution to better cooperation and coordination. It is based on a comprehensive approach, covering all areas of the *acquis communautaire* which may have an impact on sport. It is also the first Commission document to discuss, and in much detail, the specificity of sport, providing useful guidance for sport stakeholders on this sensitive and complex issue.

As Professor Roger Blanpain noted in his Foreword to *Professional Sport in the EU: Regulation and Re-regulation*, this book also ‘comes at a critical time for the future devel-

opment of sports law', when the entry into force of the sport provisions of the new Treaty will of course depend on the destiny of the new Treaty itself. It should be noted in this context that, while its entry into force would facilitate the implementation of the White Paper on Sport and allow for further developments toward a possible EU sport policy, the White Paper was designed to function within the context of the existing Treaties. This has given it particular importance in the political situation after June 2008.

I therefore welcome this book and its timely appearance, warmly congratulate the editors on bringing the fascinating and ongoing story of European sports law up to date, and wholeheartedly recommend it to those who are professionally involved in the theory and practice of sport at the European level, whether as academics, researchers, administrators, players, officials, marketers, broadcasters, agents or in another capacity, as well as their legal, financial and other professional advisers.

*Brussels, July 2008*

Dr. Michal KREJZA  
*Head of Sport Unit*  
*Directorate-General for Education and Culture*  
*European Commission*