



Report:

Sixth Annual Conference of the Association for the Study of Sport and the European Union

The sixth annual Sport&EU conference was hosted jointly by Nottingham Law School and the School of Education at Nottingham Trent University. The conference took place over the 30th June and 1st July in the pleasant surroundings of the University's Newton Building, on the City Campus in the heart of Nottingham.

The conference featured a keynote address and six themed research panels.

Keynote Address: David Conn

The conference was opened by the award-winning journalist and writer, David Conn. David has won a fearsome reputation for his investigations into and critique of football's structure and governance, as well as being a passionate advocate of collectivity and supporter representation in football clubs.

David gave a compelling view of the relationship between sport, in particular football, and the European Union from an external perspective. David also offered absorbing insights into issues of governance and regulation, particularly surrounding the FIFA Presidential elections and the processes leading to the award of the right to host the FIFA World Cup to Qatar and Russia.

Research Panel 1: Towards a Common Debate on EU Sports Politics

The opening panel, chaired by Karen Petry, featured papers by Jürgen Mittag (German Sports University, Cologne), Jolanta Żyśko (University of Physical Education, Warsaw) and Ian Henry (Loughborough University). The panel considered the approaches to sports governance in three jurisdictions – Germany, Poland and the UK respectively – and the range of reactions to the soft competence in sport introduced by the Lisbon Treaty.



Jürgen Mittag highlighted the federal structure and vertical division of powers in the German system and the relative autonomy of sport within it. In particular the division of powers between the Federal state and the Länder and the representation at European Union level was emphasised.

Jolanta Źyśko outlined the more interventionist, centralised and bureaucratic model followed in Poland and emphasised the substantial differences between this and the conception outlined by the *European Model of Sport* and the stark contrast with the principle of subsidiarity.

Ian Henry considered the impact of the new UK coalition government on sports policy; focussing on expenditure and noting on-going commitments to fund the Olympic Games in London in 2012 and, consequently, elite-level sport, whilst recognising an abandonment of commitments to increase grass-roots participation.

Research Panel 2: Member States and EU Sports Policy

The second panel, chaired by Geoff Pearson, featured papers by An Vermeersh (Project Manager Belgian EU Presidency & Ghent University) and Ivana Petričević (Policy Officer/ Belgian Presidency for Sport), Simona Kustec Lipicer (University of Ljubljana) and Renata Slabe Erker (IER), and Jutta Prochaska (TU Darmstadt), brought together three papers connected with Member State approaches to EU Sports Policy.

An Vermeersh and Ivana Petričević considered the Belgian experience of the EU Presidency, highlighting the increased significance of the Presidency in the build up to the acquisition of the new competence under Article 165 TFEU and exploring the vigorous approach in the post-Lisbon practise.

Simona Kustec Lipicer and Renata Slabe Erker presented the findings of a research project considering the capacity of state and the EU, as guarantors of the 'public interest', to effectively reconcile the competing concerns and interests in the regulation of sport.

Jutta Prochaska delivered a paper centred around discourse analysis as a means of identifying the social and cultural factors underlying the behaviour of the various actors. The paper emphasised how actors use storylines to support their particular agenda.



Research Panel 3: Challenges of Modern Sport and the Lisbon Treaty

An Vermeersh chaired the final session of the first day in which Daniel Geey (Field Fisher Waterhouse) presented a solo paper, as well as a joint paper with Katrien Lefever (ICRI-KU Leuven), with the panel being completed by a joint paper from Jean-Patrick Villeneuve, Jean-Loup Chappelet (both Swiss Graduate School of Public Administration) and Madalina Diaconu (University of Neuchatel).

Daniel Geey focussed on a discussion of the then undecided 'pub-casting' cases, correctly predicting the outcome of the case before the Court of Justice; before contributing, with Katrien Lefever to a discussion of major events 'listing' mechanisms within and across the EU.

The day's papers were concluded with a joint paper on the appropriate responses to cheating through deliberately losing – drawing on the experiences of the World Anti-Doping Agency and making proposals as to how such cheating might be effectively regulated in the EU and beyond.

Close of Day 1

The close of the day's formal proceedings was followed by a conference dinner at the Le Mistral restaurant in Nottingham City Centre.

Research Panel 4: The Regulation of the Player Market

The final day's proceedings were opened by a panel, chaired by Richard Parrish, focussing on the regulation of professional athlete's economic relationships under EU law. Papers were presented by Gareth Farrelly (Edgehill University), Yann Haffner (University of Neuchatel) and Antoine Duval (EUI, Florence).

Gareth Farrelly reflected on his own experience of challenging FIFA's player registration rules through the Court of Arbitration for Sport, in particular the justification of the objective of protecting the regularity and proper functioning of competitions and maintaining contractual stability.

Yann Haffner considered the possible extension of EU law to athletes engaged in nationality 'swapping' or, indeed 'shopping'. The paper challenged the damage done to the link between nationality and representative sport by such changes in allegiance.

The panel was completed by Antoine Duval's assessment of the *Bernard* case, recently decided in the Court of Justice and the way in which it developed the law as set out in the *Bosman* decision.



Research Panel 5: The Europeanisation of Football

The conference's penultimate panel was oriented around a recently published collection of essays – *The Transformation of European Football: Towards the Europeanisation of the National Game* (2011: Manchester University Press) edited by Arne Niemann, Borja Garcia and Wyn Grant.

Wyn Grant, Borja Garcia and Richard Parrish presented an overview of the collection and each discussing their own contributions. Wyn Grant contributed 'England: a liberal model under challenge?', Borja Garcia a Spanish perspective and Richard Parrish a consideration of the extent to which football has become 'Europeanised'.

Research Panel 6: The Societal Role of Sport

Simona Kustec Lipicer chaired the conference's final panel, focussed on sport in society, but with a particular focus on discrimination, participation and inclusion. Papers were presented by Steven Bradbury (Loughborough University) and Seema Patel (Nottingham Trent University).

Steven Bradbury presented findings from a research project, commissioned by UEFA, examining issues of representation and structural discrimination in European football. The paper highlighted the low levels of representation of women and drew parallels with discriminatory institutional practice. The paper evaluated the viability of quotas and other means of redressing gender imbalance.

Seema Patel presented a paper building upon her wider work in inclusion and participation in competitive sport. The paper proposed an audit of sports rules and regulations as a means of eradicating exclusionary practices. In particular the impact of the changes effected by the Lisbon Treaty were considered with particular emphasis on the capacity to combat exclusion.

Summary and Closing Address

The conference closed with a brief address and thanks to the organisers by the President of the Association, Professor Richard Parrish.