

X EUROPEAN AND NATIONAL POLICIES IN THE FIELD OF SPORTS

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Abstract: Education, training, and youth and sports policy play an essential role in a knowledge-based economy. These factors support economic growth and employment by encouraging the emergence of an adaptable and highly skilled population, while also strengthening social cohesion and active citizenship within the European Union. Through programs aimed at education, youth training, and sports, the EU develops and strengthens a European dimension, promoting mobility and encouraging international cooperation. Additionally, the EU supports and complements the actions of member states in accordance with the Treaty on the Functioning of the European Union. The Union contributes to the development of quality education by encouraging cooperation among member states and, when necessary, by supporting and complementing their actions, fully respecting the responsibility of the member states for the content and organization of the sports system.

Key words: european, policies, sports, program.

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INTRODUCTION

On July 11, 2007, the European Commission presented the White Paper on the role of sport in the European Union. This document affirms the impact that sport can have on all European policies and identifies the needs and specificities of the sports world.

The White Paper aims to provide strategic guidelines and encourage debates, while an action plan complements this White Paper. The Commission proposes a series of concrete actions regarding the social and economic aspects of sport, such as health, social inclusion, volunteering, education, or external relations.

Thanks to the Treaty of Lisbon, which came into force on December 1, 2009, sport became a "supporting competence" of the European Union. This means that no binding legal acts (regulations and directives) can be adopted, nor can there be any harmonization of national legislation in the field of sport. However, these new provisions allow the EU to support, coordinate, and complement the actions of member states regarding the development of sports policies by promoting neutrality and transparency in sports competitions, as well as by fostering cooperation among sports organizations. They also protect the physical and moral integrity of athletes, particularly young ones (Brooks, 1994).

In other words, the Union contributes to the promotion of European sports objectives, taking into account the specific nature, structures based on sports policies, as well as the social and educational functions of sport (Foster et al., 2006).

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Belgium

Belgium does not have a very strong tradition in sports, apart from football, cycling, and a few other unpaid sports. It is composed of three distinct linguistic districts and ethnic communities (French, Flemish, and German), and sports policies are exclusively the responsibility of each province, with the central government having extremely limited responsibilities.

In each community, there is a Ministry of Sports. Since each Community provides funding for sports only within its respective community, most sports domains are organized into federations within each community.

With the institutional reform of 1980, the French Community became responsible for sports policy and the management of sports infrastructure. In 1983, ADEPS (Administration of Physical Education and Sports) became one of the general directorates of the Ministry of the French Community. On January 1, 1994, the French Community transferred the exercise of its powers regarding sports infrastructure to the Walloon Region and the French Community Commission (COCOF) (Scheerder et al., 2013).

The decree of December 8, 2006, on the organization and subsidization of sports in the French Community regulates the general rights and obligations of clubs and their members, the recognition of high-level athletes, sports hopefuls, and training partners, the recognition of sports federations and associations, the scholarships granted to federations, or the training of instructors.

Chapter V of the mentioned Decree also addresses the issue of subsidies. Thus, according to Article 30.1, each year, the Government grants a fixed operating subsidy to each recognized sports federation, recreational sports federation, and sports association. This subsidy is intended to cover part of the expenses incurred by the recognized federations and associations to ensure both their basic operation within the context of fulfilling their corporate purpose, as well as the remuneration of the administrative staff of the recognized sports federations and the association mentioned in Article 25, paragraph (1), and the directors and sports directors of the recreational sports federations and sports associations (Scheerder et al., 2011).

The Government may grant an additional subsidy to support the implementation of a high-level sports program development plan, including the necessary sports personnel for its implementation. In the event of an exceptional event or a new situation involving a recognized federation or association, the Government may, on its initiative or at the request of the concerned federation or association, evaluate the factors that could lead to a significant change, positive or negative, in operating expenses and accordingly adjust the fixed annual operating subsidy granted to it (Russel et al., 2015).

Additionally, to encourage children's participation in sports, Belgium offers sports vouchers, which are financial assistance provided by the French Community to promote sports practice among children aged 6 to 18 years old, particularly those in fragile socio-economic situations. The sports voucher can be used specifically for: affiliation with a sports club, registration for a sports camp, purchasing equipment, and the amount subsidized for sports vouchers is left to the discretion of local authorities.

With their own structures and budget, in Belgium, each community wing of the split federations has taken control of the destiny of its sport within the Community, without having to worry about what happens with their counterparts in other Communities.

Germany

Germany does not have federal legislation specific to sports activities, but the Constitution and civil law stipulate that German citizens have the right to participate in sports competitions. At the local level, each state has developed its own sports regulations that encourage people to participate in national and international competitions. At the federal level, the Ministry of the Interior is responsible for sponsoring and promoting sports. German sports policy is based on the

following principles: autonomy, funding of sports activities, and cooperation with sports organizations (Petry et al., 2013).

Sports organizations in Germany are governed by the Civil Code. Germany is also an active participant in international sports competitions and a promoter of international sports policies.

One of the most important aspects of sports is funding, which is present at both the federal and regional levels. The Ministry of the Interior has developed several regulations regarding the financing of sports activities. The funds received by associations or companies involved in such activities are provided by the state budget through subsidies or lottery revenues, and the government ensures that these funds are used appropriately (Haring, 2010).

The fiscal code provides tax exemptions for non-profit sports organizations. Additionally, donations to sports clubs are tax-deductible. Taxes in Germany are applied at the federal government level (Bund), at the state level (Länder), and at the municipal level (Städte/Gemeinden).

Germany has both direct and indirect taxes applicable to individuals and businesses. Corporate tax is paid by companies such as public and private enterprises, limited liability companies, cooperatives, associations, and foundations. Economic studies conducted at the EU level have shown that ancillary activities such as advertising, sports betting, etc., also contribute to strengthening budgets, with a large portion of the financial sums returning to sports in the form of funding; 7% of GDP is generated by sports activities.

Most clubs that have capitalized their football section into commercial companies comply with the economic jurisdiction imposed by the Professional League and the EU. There are also FC companies limited by shares, where shareholders personally cover any deficits.

The 91,000 sports clubs operating in Germany, with more than 27 million members, are considered a binding force that strengthens German society. These figures were made public following two studies initiated by the Federal Ministry of Economics and Technology in Germany, one on the theme "The Importance of Mass and Performance Sports in the Fields of Advertising, Sponsorship, and Media Rights," and the other on "The Economic Importance of Sports Consumption in Germany." Both studies highlighted that both performance and mass sports play a remarkable role in private consumption, with beneficial effects on the German economy, as well as in social life (Petry et al., 2013).

It should also be noted that Germany has issued national guidelines that govern the development of local sports facilities, and these guidelines are used for the development of urban infrastructure to promote an active lifestyle. Every year, a series of measures, defined by methodology as "planning the development of integrated sports activities," are taken to evaluate, develop, and build local infrastructure for physical activity.

Italy

When the new Constitution was adopted in 1947, the Italian legislator did not yet consider it necessary to include provisions related to sports. However, the remarkable development of sports in the following decades and the significant role that sports gained in Italy led to the inclusion of provisions on this subject in the 2001 Constitution. At that time, a constitutional amendment that reallocated the legislative competence of the Italian state and regions in the field of sports was added to Article 117.

This reallocation of competencies occurred in accordance with the principle of subsidiarity and the process of decision-making and fulfilling public duties as close to the citizen as possible. Article 117 states that the regulation of sports activities must be carried out by the Italian state and regional authorities. Legislative powers regarding sports issues are now primarily in the hands of various regional authorities. However, the rules established by the national government will always take precedence over regional rules.

Italian sports legislation has certain characteristics that prevent it from being integrated into either of the two models (liberal or interventionist); indeed, not only has the Italian state recognized the Italian National Olympic Committee (CONI) for its role as part of the IOC and its leadership position in the sports movement as a "federation of sports federations," but it has also entrusted CONI, as a public institution, with the task of promoting and developing sports activities for the physical and moral well-being of citizens.

In Italy, the basic sports law was born from the legislator's will to delegate the state's functions in sports to a public organization, CONI. CONI was regulated by Law No. 426 of February 16, 1942, as a public entity. This body was tasked with organizing and consolidating national sports, with powers of control, discipline, and supervision over all those engaged in sports.

Later, the institutional structure of Italian sports organization was rewritten by Legislative Decree No. 242 of July 23, 1999, aimed at reorganizing the Italian National Olympic Committee. Although Decree 242/99 was recently amended and supplemented by Decree 15/2004, it marked a fundamental stage in the evolution of sports regulations. The Meandri Decree, in fact, even though it has been partially modified, still represents a reference point for Italian sports legislation.

With Constitutional Law No. 3/2001, Article 117 of the Constitution was reformed, inserting for the first time the word "sport" into the text of our highest normative act, recognizing the regions' concurrent legislative power in the organization of sports.

The status of the "professional" athlete is regulated by the Law of March 23, 1981, No. 91, according to which a professional athlete is someone who earns their livelihood through remunerated and continuous sports activities.

The regional administration has regulated, in a unified manner, a series of aspects related to sports practice and its promotion, prioritizing the establishment of sports facilities, the development of sports associations, and sports initiatives that make it possible to recognize their tourist value (Scheerder et al., 2010).

On the one hand, the sports phenomenon is interpreted as a main component of leisure activities related to free time; on the other hand, the connection between sports and tourism is based on a regional economic profile (Vos et al., 2013).

The fundamental role recognized for the social character of sports is evident in Judgment No. 3/2004, and through this provision, the promotional function is enhanced beyond the regional territory: in fact, it is planned to grant subsidies in favor of competitive activities of national importance and activities carried out by sports promotion bodies recognized by CONI.

From an organizational point of view and based on the law, it is necessary to create a consultative body, the Regional Directorate for Sports, which aims to formulate proposals and develop opinions on this topic; in addition, other legislative texts are built on the principle that the promotional function must be exercised to pursue the development of sports activities in a social sense, thus as instruments for personal development.

This has created a successful sports model that, even today, after many years, still retains its strength and originality. CONI is a unique model in the world, and the School of Sport, representing CONI's commitment to sports culture, confirms this uniqueness.

Half a century ago, just as today, the purpose for which this model was created was and is to train highly specialized personnel, to cope with technical, scientific, and methodological progress in the field of sports, through studies, research, and cultural and technical exchanges with the international community (Vos et al., 2013).

Romania

Given the importance of the role played by physical activities in ensuring a high level of health, stable economic development, a responsible social climate, and in response to national economic, social, and educational transformations, with the help of authorities, the Romanian state must aim to relaunch and support a sports policy through strategies that focus on significant changes in the organization of this field. These strategies should be in line with international trends and partnerships, as well as with Romania's long-term interests, because there are many aspects that need improvement concerning the existence of concrete sports policies in our country.

In some cases, we could even say that these policies are almost non-existent in Romania, so the need to develop such programs is paramount and should not be overlooked.

Sport is an integral part of Romania's social, cultural, and economic reality as a factor in strengthening the country's image and international relations. Therefore, the state must assume the mission of developing and supporting the national sports system through means specific to a state governed by the rule of law with a functional market economy.

Through an adequate strategic plan, the main points of policies based on appropriate strategies should be oriented towards elements such as: increasing the level of public participation in permanent sports activities to maintain individual health, societal cohesion, and the integration of society's members; increasing the participation rate in sports activities, especially among children and youth, to prepare them as active citizens in the future; enhancing the involvement of human factors that generate added value and economic development through private initiative and encouraging investments in sports; representing Romania in high-performance sports at the highest levels of global sports competitions.

METHODS

In an individual study conducted using the questionnaire method among several individuals holding leadership positions in sports clubs, such as presidents or coaches, I aimed to synthesize their opinions regarding the state of sports and the effectiveness of existing policies and programs in Romania.

The sample was designed to obtain conclusive responses on which the final conclusions could be based, and at the same time, to highlight the problematic segments that require improvement in this regard.

The responses to the question, "What proposals do you have for developing an appropriate set of national sports policies in Romania?" were synthesized and grouped into similar categories, as presented in the figure below (Figure 1).

Although the provisions of the international legislation described above regarding sports are very clear, in Romania, the principles of autonomy are often violated, and private law structures cannot compete with public law structures because the latter operate exclusively with public funds, overshadowing private law structures that lack lucrative mechanisms such as sponsorship laws, the provisions of the Fiscal Code regarding sponsorship mechanisms, patronage, or the financing of sports programs.

In practice, even though there is a legislative framework for financing sports programs, public administration authorities do not always comply with the legislation and are reluctant to finance these programs initiated by private law structures, or national policies are not properly implemented. Therefore, a reform is needed in developing programs that provide real support for the sports sector.

Additionally, public law structures, especially those subordinated to municipalities, do not have effective policies because they are often led by political figures or individuals lacking the necessary competence, even though this is not permitted, as outlined by international sports

regulations. However, in Romania, political involvement in sports management has become a common practice in many cases.

These conclusions are based both on the opinions of experts in the field and on the responses collected from the respondents who participated in the aforementioned study

RESULTS

If we synthesize the responses received from sports club presidents, coaches, or individuals who hold the position of physical education teachers, we can observe a general dissatisfaction among them regarding the functioning mechanisms, funding sources, or the level of state involvement in the field of sports.

Unfortunately, most administrations involved in sports tend to see themselves as a sort of patron of the club, adopting inappropriate attitudes or involvement. They end up financially manipulating the clubs they "own" to the detriment of the sporting goal, which should be to promote young people and create cohesion in the community.

Figure 1. Responses Collected Based on the Applied Questionnaire
(Source: personal analysis)

The development of a clear, concise, and well-defined set of sports policies for the medium and long term

- Amendment and supplementation of sports legislation to ensure it is easily applicable (e.g., sponsorship laws, public-private partnership laws, or volunteerism laws).
- Reorganization of the mass and performance sports system for various categories of people.
- Encouragement of sports participation by facilitating access to individual or collective sports activities for as many citizens as possible.
- More visible promotion of the cultural and educational values of sports.
- Combating corruption, doping, and violence in sports by promoting preventive, educational, and punitive measures.
- Fair funding of sports, especially competitive sports, which will yield long-term benefits.

Improvement of the organization and functioning of the national physical education and sports system.

- Encouragement of access to European non-reimbursable funding and public-private partnerships for investments in sports (e.g., modernization of sports facilities).
- Clear implementation of sports and healthy lifestyle programs.
- Support for mass sports infrastructure in partnership with public authorities, local communities, and the private sector, by ensuring adequate infrastructure at the local community level (e.g., multifunctional fields, stadiums).
- Greater stimulation of high-performance sports.
- Development of special programs for the enhancement of sports activities in rural areas, in alignment with national rural development programs.
- Fair funding of sports, especially competitive sports, which will bring long-term benefits.

Stimulation of sports through appropriate fiscal policies, involving the private sector in its financing, based on clear and accessible legislation.

Regarding management, there should be adequate qualifications, with the condition that decisions are not made by a single person but by a group of experienced individuals, including

those who have been in the locker rooms, on the benches as officials or athletes, and who have practiced the sport themselves. This subject has so many implications and involves so many individuals with diverse characters and accumulated knowledge that the list within the marketing field could reach many people (O'Brian et al., 2015).

The training of coaches is good enough, but it largely depends on the passion for the sport or the material resources. A thorough training is completely useless if there is no passion to apply it.

Sports funding in Romania is currently quite chaotic. There are very few sports clubs with short, medium, or long-term objectives, making it difficult to justify the funding they receive. Moreover, club managers have no accountability in this regard.

Sponsorships from the private sector should be transparent, with all money or product amounts being transparent.

The government can support football by enacting laws that encourage companies, including multinationals, to direct a portion of their profit tax or turnover to sports clubs.

The management of public law clubs is entirely different from that of private law clubs. Public law clubs are subordinate to the community's mayor, and in most cases, we observe that municipalities invest or seek results only in the year preceding elections.

As a result, the management cannot be beneficial. However, in private law clubs, the manager has well-defined objectives, and the level of responsibility is much higher.

This ties into marketing because managers in the private sector are much more involved and eager to achieve results.

As a final conclusion of the study, we can state that to ensure a higher level of professionalism and quality of services necessary in sports management and marketing within sports clubs, it is necessary to introduce this field as a mandatory requirement, with appropriate funding.

Sports management and marketing represent a necessity in Romanian sports as a standalone specialization if we want the financial, sports, and social evolution of sports clubs in Romania.

The management and marketing of sports structures should be designed using methods and techniques that allow for the effective understanding and application of economic laws, the optimal use of resources, and the optimization of the decision-making process and the functions of sports management and marketing (Merz, 2008).

DISCUSSIONS

Sports policy should be grounded in concrete data, and public funding for sports science should encourage research activities aimed at identifying new knowledge related to activities that enable the broader population to be physically active (Quinn, 2009).

Sports organizations must provide attractive activities and events for all individuals and encourage interaction between people from different social groups and with varying abilities, regardless of race, ethnicity, religion, age, gender, nationality, physical and mental health.

Sports organizations should cooperate with universities and vocational training institutions to develop training programs for coaches, instructors, and other sports professionals to recommend and prescribe physical activities for sedentary individuals and those with physical or mental disabilities who wish to start practicing a sport (Harvey et al., 1993).

Accessible physical activity programs associated with health, targeting a wide range of social and age groups, and including as many sports disciplines as possible (athletics, running, swimming, ball sports, cardiovascular and strength training, courses for the elderly and youth) should become an integral part of the services offered by sports organizations.

To ensure the integration of policies that lead to increased physical activity in daily life, there should be close and consistent cooperation between the targeted public and private actors

when developing policies in the fields of sports, health, education, transportation, urban planning, work environments, leisure, etc. (Felfe et al., 2016).

If policies promoting physical activity are successfully integrated, the immediate option available to citizens should be the choice of a healthy lifestyle. Consequently, these guidelines are particularly addressed to decision-makers in member states as a source of inspiration for formulating and adopting national guidelines on physical activity, oriented towards action (Porter, 1980).

Ultimele decenii au demonstrat că organizațiile sportive internaționale și-au câștigat, datorită rolului pe care îl au în societatea contemporană, un drept binemeritat în rândul sistemului general al organizațiilor internaționale.

Statul este răspunzător în cea mai mare parte și de viitorul acestui domeniu și de aceea este nevoie de o reglementare a acestei teme printr-o modificare legislativă, unde managementul și marketingul trebuie să primească un rol prioritar pentru toți cei care desfășoară activități sportive indiferent de forma lor de organizare.

Simbioza dintre politicile publice în domeniul sportului și realizările sportive înalte ale multor state europene, coroborate cu personalități din conducerea multor cluburi de renume din Europa, ne arată faptul că asociațiile sportive, cluburile sportive ar trebui să coopereze mai mult cu instituțiile, universitățile sau centrele de formare profesională pentru a elabora anumite programe de formare care trebuie să fie orientate spre conducerea acestora.

CONCLUSIONS

Public authorities in many states, whether at the national, regional, or local levels, spend considerable amounts of money on sports activities. Taxes, as well as sports lotteries, are significant sources of funding. However, it is crucial that these budgets be utilized to support physical activities carried out by the general population.

From the perspective of physical activity, the general objective of a sports policy should be to increase participation in quality sports activities across all segments of society.

As a basis for informed decisions, physical activity behaviors of the population should be closely monitored through health surveys. Maintaining a physically active lifestyle over time requires a national system of sports facilities that are cost-effective and accessible to all.

Sports infrastructure must become easily accessible to all layers of the population. This includes public funding for the construction, renovation, modernization, and maintenance of sports facilities and equipment, as well as reduced-cost or free access to public sports spaces.

In the EU, sports encompass all forms of physical activities that, through organized participation, primarily aim to improve physical fitness, develop social relationships, or achieve positive results in competitions at various levels.

Sports represent a social and economic phenomenon that is continually evolving, with a significant contribution from the European Union in terms of solidarity and prosperity. Therefore, Romania cannot diverge from European legislation regarding physical education and sports, the organization, and the financing of this system (Clivaz, 2005).

It is important to align with EU sports policies, especially in Romania, to improve the situation in the field of sports by holding political entities and communities accountable for identifying and implementing appropriate systems or policies.

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