



# Racism, ethnic discrimination and exclusion of migrants and minorities in sport:

The situation in the European Union

Summary Report

2010

This report addresses matters related to the freedom to choose and occupation and right to engage in work (Article 15), the principle of non-discrimination (Article 21), and the freedom of movement and residence (Article 45) falling under the Chapters II 'Freedoms', III 'Equality' and V 'Citizens' rights' of the Charter of Fundamental Rights of the European Union.

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# **Racism, ethnic discrimination and exclusion of migrants and minorities in sport:**

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## Foreword

Sport brings together millions of people, regardless of their sex, colour, gender, age, nationality or religion, and has thus the potential to play an important role in creating an inclusive society. Sports activities ranging from the local to the national and international level, embracing leisure as well as competitive sport, can support the integration of migrants and persons belonging to minorities into society as whole. In other words, sport events could be an ideal platform to foster inclusion, acceptance of diversity and mutual respect while combating racism, discrimination and exclusion.

This potential of sports to convey human values is of increasing interest for the European Union. With the entry into force of the Treaty of Lisbon in December 2009, the European Union holds now an explicit competence in the field of sport. Union actions shall aim to develop 'the European dimension in sport, by promoting fairness and openness in sporting competitions and cooperation between bodies responsible for sports, and by protecting the physical and moral integrity of sportsmen and sportswomen, especially the youngest sportsmen and sportswomen.' The new Treaty also introduces a horizontal clause that obliges the Union to combat discrimination on the grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation in all contexts – that is, whenever the Union is 'defining and implementing its policies and activities'.

Against this background, the European Union Agency for Fundamental Rights (FRA) has carried out research on racism, discrimination and exclusion in sport, focusing on different sports and levels of practice. The findings show that despite significant progress made in past years, sport continues to face a number of challenges related to racism and ethnic discrimination. Incidences of racism and ethnic discrimination affect sport at professional as well as at amateur level. Particularly at amateur level, there is reluctance to recognise such incidents. Moreover, few Member States have established effective monitoring systems to record racism and racial discrimination in sport.

Policy makers are increasingly interested in the role of sport in combating racism and discrimination. This research provides some useful assistance in their efforts to explore the rich potential of sport for promoting equality.

**Morten Kjaerum**  
Director

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## Purpose, scope and structure of the research

This publication provides a summary of the results of the FRA research on racism, ethnic discrimination and exclusion of migrants and minorities in sports in the EU. The main report is available on the FRA website. <sup>(1)</sup>

The research is based on information provided by the National Focal Points (NFPs) of the RAXEN network of the European Union Agency for Fundamental Rights (FRA) based on interviews with relevant experts and stakeholders and on secondary data and information covering the period 2003-2008. In addition, input was provided by stakeholders at European and national level including national sport federations. The research examined professional and amateur sports engaging men, women and children or youth. Football and athletics were examined in all Member States; in addition, a third sport, different for each Member State depending on its national popularity, was also covered. The research also highlighted models of good practice at national and EU level.

Nine good practice initiatives combating racism, ethnic discrimination and the exclusion of migrants and minorities in sports are presented in a separate FRA publication.

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<sup>(1)</sup> [www.fra.europa.eu](http://www.fra.europa.eu).

## 1. The European level: actors and measures

Over the past decade, the perception and awareness of racism and discrimination in sport have considerably changed at European level, at least in football, with an emerging need for action. Several documents issued by European and international actors and stakeholders active in the field of sport corroborate this development of a more active approach against racism and discrimination in sports. <sup>(2)</sup>

The governing bodies in football, such as the Union of European Football Associations (UEFA) and the Fédération Internationale de Football Association (FIFA), as well as political institutions of the European Union have acknowledged problems of racism and ethnic discrimination in sport, and support or cooperate with national and European civil society actors active in this field, such as the Football Against Racism in Europe (FARE) network.

However, with some notable exceptions, the focus is still predominantly on addressing racist incidents, mainly attributed to spectators and mostly in professional sports, with less emphasis on other forms of discrimination. In comparison with other sports, the actions taken by UEFA in combating racism and ethnic discrimination in football can be considered an example of good practice. European and international umbrella sports organisations have adopted anti-racism or anti-discrimination clauses in their statutes or similar documents, although many of these provisions are not supported by detailed disciplinary measures. Other good practice examples at European level can be found among the following initiatives: the fan network Football Supporters Europe (FSE), the anti-racism network Football Against Racism in Europe (FARE) and the International Federation of Professional Footballers' Associations (FIFPro).

Over the years, the EU has taken several measures related to sport as many of its rules, policies and programmes have an impact on sport or are of interest to it. In 2007, the European Commission acknowledged the essential role of sport in its White Paper on Sport <sup>(3)</sup> that aimed to “enhance the visibility of sport in EU policy-making, to raise awareness of the needs and specificities of the sector, to ensure that the specificity of sport is taken into consideration in the development and implementation

of EU policies, and to promote sport-related action at EU level.” <sup>(4)</sup> Specifically with regard to social inclusion and integration, the White Paper noted that sport can be an effective tool for social inclusion indicating that “[...] measures which help to promote a shared sense of belonging and participation may be instrumental in promoting integration. In this context, it is important to make available spaces for sport and support sport-related activities in order to allow immigrants and the host society to interact together in a positive way”. <sup>(5)</sup>

The adoption of the Lisbon Treaty allowed the EU to become more active in the promotion of European sporting issues, by promoting fairness and openness in competitions and by protecting the physical and moral integrity of sports people, while respecting the distinct role of sport organisations and Member States.

In this context, sport was discussed for the first time in a formal European Council meeting of Education, Youth and Culture in Brussels on 10-11 May 2010, which on 16 September 2010 changed its name to Education, Youth, Culture and Sport Council. <sup>(6)</sup> Among the areas suggested for EU action were “fairness and openness in sport, including the fight against racism, discrimination and violence”. <sup>(7)</sup> The European Commission is currently preparing a Communication on an EU agenda for sport and a proposal for the first EU Sport Programme scheduled to run initially in 2012-2013. Furthermore, a European Union Working Group ‘Social Inclusion and Equal Opportunities in Sport’ was established and held its first meeting in Brussels on 8 July 2010.

One of the key principles in the European Union law is prohibition of discrimination as laid out in Article 21 of the Charter of Fundamental Rights of the European Union. The Racial Equality Directive, <sup>(8)</sup> adopted in 2000, is the key piece of EU legislation combating racial or ethnic discrimination. It emphasises that individuals should receive no less favourable treatment regardless

<sup>(2)</sup> In September 2010, the Council of Europe has issued a book on *Sport and discrimination in Europe*, including an interview with the former French national football player Lilian Thuram on education to prevent racism.

<sup>(3)</sup> European Commission (2007) *White Paper on Sport*, COM(2007) 391 final, Brussels, 11 July 2007, available at: [http://ec.europa.eu/sport/white-paper/whitepaper104\\_en.htm](http://ec.europa.eu/sport/white-paper/whitepaper104_en.htm).

<sup>(4)</sup> European Commission, ‘Sport and the European Union’, available at: [http://ec.europa.eu/sport/about/about23\\_en.htm](http://ec.europa.eu/sport/about/about23_en.htm)

<sup>(5)</sup> European Commission (2007) *White Paper on Sport*, COM(2007) 391 final, Brussels, 11 July 2007, available at: [http://ec.europa.eu/sport/white-paper/whitepaper104\\_en.htm#2\\_5\\_1](http://ec.europa.eu/sport/white-paper/whitepaper104_en.htm#2_5_1)

<sup>(6)</sup> See European Commission news, ‘EU has now Sport Council’, Brussels, 21 September 2010, available at: [http://ec.europa.eu/sport/news/news958\\_en.htm](http://ec.europa.eu/sport/news/news958_en.htm).

<sup>(7)</sup> See Council of the European Union, Press Release, 3013th Council meeting, Education, Youth and Culture, Brussels, 10 and 11 May 2010, available at [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/educ/114361.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/educ/114361.pdf)

<sup>(8)</sup> Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, *Official Journal L 180*, 19 July 2000 pp. 22-26.



their racial or ethnic characteristics. The directive prohibits discrimination in the areas of employment, education, social protection including social security and healthcare, and access to and the supply of goods and services, including housing.

In addition, according to Council Framework Decision 2008/913/JHA of 28 November 2008 <sup>(9)</sup> on combating certain forms and expressions of racism and xenophobia by means of criminal law, racist and xenophobic behaviour must constitute an offence in all EU Member States punishable by effective, proportionate and dissuasive penalties of a maximum of at least one to three years of imprisonment.

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<sup>(9)</sup> Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law, Official Journal L 328 , 06 December 2008, p. 55-58, available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32008F0913:EN:HTML>.

## 2. The national level

### Racist incidents

Systems monitoring racism in sports exist in a number of Member States. Some are more advanced and capture more racist incidents than others and most available data are related to football. These data provide a sufficient basis to assess the situation at the professional level throughout Europe, but for some Member States there is a considerable lack of data, especially where monitoring systems are very limited or do not exist.

Incidents of racism, anti-Semitism and anti-Gypsyism were identified in football and basketball across the EU. No data were available for athletics and almost no data for the various sports examined within the national context of each Member State, with the exception of basketball. Only 10 EU Member States monitor systematically incidents of racism in sports and mainly relating to men's professional football, although racist incidents also occur frequently in men's amateur football.

In football, fans are primarily the perpetrators of racist incidents in men's professional and amateur football. However, a considerable number of racist incidents concerned children's and youth football. Racist incidents were also recorded among players, particularly in amateur football, but there is a tendency to ignore them in amateur sports. Referees and club officials were involved in some racist incidents. No data were available for women's amateur and professional sport.

### Under-representation of persons belonging to minorities in sport

Persons belonging to minorities are under-represented in sports. The low level of participation, particularly in the management of sports organisations, might be explained by factors such as "rules, norms, routines, patterns of attitudes and behaviour in institutions and other societal structures that represent obstacles to ethnic or religious minorities in achieving the same rights and opportunities that are available to the majority of the population".<sup>(10)</sup>

*"A favourite technique of racist manifestations in golf relates to the manipulation of membership lists. Inquiries from Asian golfers are often met with the news that the membership list is full." (Interview with an Asian-British golf player, UK)*

<sup>(10)</sup> P. Lappalainen, (2005) *Det Blågula Glashuset – strukturell diskriminering i Sverige*. Statens Offentliga Utredningar, Stockholm, p. 41-42.

These factors not only establish a 'glass ceiling' in sport associations and clubs leading to an under-representation of migrants and minorities at certain levels of sport. They also prevent sport from having a more positive impact on social cohesion and integration of European societies.

In addition to the 'glass ceiling' effect, the unequal allocation of premises can also affect the participation of migrants and minorities in sport, for example through the lack of sport facilities in under-developed areas and regions, which disproportionately affects ethnic minorities who live there.

There is a relative paucity of 'hard data' on the participation of migrants and minorities in sport to serve as evidence of their under-representation. At the same time, in many sports this under-representation, particularly in positions of authority, but also as players/athletes or club members, is well known to those engaged in sports organisations.

*"I remember the case of a Roma coach who got from the 5th league to the 4th and then immediately to the 3rd, but was then dismissed without any explanation... It is hard for a Roma coach to get higher than the 3rd league." (Former football player, Slovakia)*

The available evidence produced by the research for five Member States showed that the overall participation of ethnic minorities and migrants in amateur sport low, especially among women and girls.

In contrast to football, where the line-ups of many national teams today mirror the diversity of European societies, the research found that ethnic minorities or migrants are particularly underrepresented in other popular national sports, which can affect the popular image of otherwise diverse societies.

The research also found that in some Member States the participation of ethnic minorities – especially second-generation youth – at the youth and amateur level of some sports is not reflected in their participation rates at professional level.<sup>(11)</sup>

<sup>(11)</sup> See, for example, K. Fonoudi, 'Hvornår kommer Brøndbys 2. gér?' (When doés Brøndbys 2.G arrive?), in *Tipsbladet*, 16 September 2008; on the Austrian case, where this phenomenon could be observed in football until recently, see B. Liegl and G. Spitaler (2008) *Legionäre am Ball. Migration im österreichischen Fußball nach 1945*, Vienna: Braumüller, pp. 82-92.

Quota regulations can also affect the participation of migrants and minorities. The Council of Europe European Commission against Racism and Intolerance (ECRI) refers in its General Policy Recommendation No. 12 on combating racism and racial discrimination in the field of sport to the existence of “legal and administrative barriers to the participation of non-citizens in local and national sports competitions [in some countries]. As a result, both professional and amateur sports clubs are sometimes reluctant to admit persons who do not possess the citizenship of the country concerned”.<sup>(12)</sup> In this context, ECRI raises the concern “that this can cause problems for young immigrants, whose feelings of rejection might seriously hamper their integration into the host society”.<sup>(13)</sup>

Regarding professional sport, an analysis of national regulations of football federations showed that in one third of all Member States there are regulations in place that (at least partly) limit the access of other EU citizens to football. In amateur football, many countries have introduced exceptions for ‘naturalised’ young players; in adult amateur football, however, restrictions for citizens of other EU Member States and/or third-country nationals remain in place, ranging from one to five ‘foreign players’ per team per game who are allowed to participate.

Legal and administrative barriers to the participation of non-nationals in sport also exist in some countries for athletics, basketball, ice hockey, handball, speedway, tennis and alpine skiing.<sup>(14)</sup> Such restrictions can – especially in amateur sport – affect the participation of permanent residents of a country, who do not have citizenship, in both amateur and professional sports.

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<sup>(12)</sup> Council of Europe, European Commission against Racism and Intolerance (ECRI), General Policy Recommendation No. 12 on combating racism and racial discrimination in the field of sport, Strasbourg, 2009, p. 12.

<sup>(13)</sup> *Ibid.*

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<sup>(14)</sup> For details, see the main results report *Racism, ethnic discrimination and exclusion of migrants and minorities in sport in the EU*, available on the FRA website at: <http://fra.europa.eu/>

### 3. Regulations and measures at European and national level

Beyond the general legal provisions against racist crime and discrimination on grounds of racial or ethnic origin that exist in all EU Member States, some Member States have introduced specific legal provisions regarding sport. In at least, 16 Member States, equality bodies and other institutions, such as National Human Rights Institutions (NHRIs) take action in cases of racist incidents and ethnic discrimination in sport.

#### Equality Bodies

The research found that so far only 16 National Equality Bodies or similar entities have been active with regard to cases of racism or ethnic discrimination in sport or have registered such cases. Some of these dealt with a very limited number of incidents from sport (ranging from one to five cases); notable exceptions include the Belgian Equality Body (Centre for Equal Opportunities and Opposition to Racism), which has been specifically active in sport.

Only eight Equality Bodies have intervened against denied access to services in sport, and again in a very limited number of cases. Legal action was taken only in three Member States (Belgium, Ireland, Sweden).

In at least four Member States (Estonia, Finland, Italy and the United Kingdom), courts or employment tribunals decided on cases involving claims of discrimination in sport (related to the allocation of funding, refused enrolment in a dance sport club, quota regulations of a football federation and the refusal of reappointing a referee of Asian ethnic origin).

#### Sport federations

With regard to regulations implemented by national sports governing bodies in Statutes or Constitutions, there is a wide range of what is considered as anti-racism provisions, ranging from subsuming racist and related behaviour under the heading of 'fair play' to more explicit and detailed provisions that refer to prohibitions of different forms of discrimination.

In athletics, only the federations in Romania and the United Kingdom have adopted anti-racist regulations. The picture in the popular national sports analysed is mixed, but the situation in football differs from most of the other sports. Here, all national Federations have anti-racism regulations in place. This coincides with increased awareness, which might be partly attributed to awareness raising campaigns by NGOs and the pressure of UEFA and FIFA in recent years to implement strict and explicit regulations. Still there are some football federations that refer to racism within their official documents only in a very general way or that refrain from consequent enforcement of their own negative sanctions. In other federations, a variety of problems were identified, such as, for example, that internal reporting systems may not be working efficiently, referees may not be trained to react properly when it comes to racism on the ranks or on the pitch, disciplinary committees may penalise inconsequentially, negative sanctions may not conform to the regulations (lower sanctions applied), and racist incidents may be ignored and not penalised. On the other hand, there are football federations that penalise racist incidents, for example in Belgium, Finland and Germany.

With regard to the under-representation of ethnic minorities at different levels of sport, some existing anti-discrimination regulations or action plans by national sport federations (mainly in football) might be applicable but have yet to lead to any negative sanctions; no compulsive measures of affirmative action have yet been imposed in any Member State.

## Opinions

### **Reinforcing awareness and improving diversity**

More targeted awareness-raising activities in close cooperation with sports governing bodies, federations and clubs are necessary. Such activities could include, for example, the promotion of diversity programmes to encourage the participation of migrants and ethnic minorities, including the removal of barriers to accessing leadership positions. Special attention should be given to initiatives increasing the participation in sports of girls and women with a minority ethnic background.

### **Effective monitoring**

National and local authorities are encouraged to develop effective monitoring of racist incidents and discrimination in sport in close cooperation with sports federations to improve the recording of incidents, and also to facilitate lodging individual complaints.

### **Maximising the role of Equality Bodies**

National governments are encouraged to maximise the potential of Equality Bodies and National Human Rights Institutions (NHRIs) in addressing racial discrimination in sport. This could include support for developing awareness-raising activities, providing support to potential victims and, where this is permitted, participating in legal action against perpetrators. These bodies could also assist sports federations and clubs in providing support to potential victims.

### **Stronger regulation and enforcement**

The Council Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law is an important legal instrument that could effectively be used to combat racism in sport events.

Sports governing bodies need to elaborate and implement effective anti-racism regulations and equality measures, supported, as appropriate by EU institutions, for example by the European Commission, which could also play an important role in coordinating the exchange of good practice between Member States.



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Racism and ethnic discrimination in sport have increasingly become a public issue in European sport over the past decades. This report examines the occurrence and different forms of racism, ethnic discrimination and exclusionary practices in sports, focusing on different sports and levels of practice in the EU. Despite significant progress made in past years, sport continues to face a number of challenges related to racism and ethnic discrimination, incidences of which affect sport at professional as well as at amateur level.

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