



Brussels, 14 June 2009

**Statement by the European Casino Association on the ERA conference
"Gambling in the Internal Market" on 15 – 16 June 2009**

The European Casino Association (ECA) appreciates the initiative taken by the Czech Presidency of the European Union (EU) to organise a conference in cooperation with the Academy of European Law (ERA) on the legal aspects of recent developments in the area of gambling services in the EU.

The current situation of the gambling sector in the EU indeed urges for a constructive debate between Member States and the EU institutions to allow for a more structured approach, and hence the ECA sees the Czech Presidency's decision to take up the discussions launched by Member States last year as a positive sign.

However, the ECA would like to highlight its **concerns regarding some significant shortcomings of this conference**. In particular, the direction set for the conference is suggestive of a **rather unbalanced approach**. We deplore that a number of stakeholders accounting for a major part of the gambling sector, including the ECA as the representative voice for the casino industry in Europe, have not been invited to express their views during the conference and to participate actively in the debate.

Nevertheless, the **ECA is determined to contribute pro-actively to the European debate on gambling in a positive and constructive way** and in that sense we feel committed to advance the following clarifications to the topics that will be discussed during the conference.

- The ECA supports the findings of the **European Parliament's Resolution on the Integrity of Online Gambling** (so-called Schaldemose Report)¹. We suggest Member States make these findings an integral part of the discussions within the Council's Establishment and Services Working Group, **on which to base the further debate**.
- The ECA would like to recall an essential statement made by the Schaldemose Report, emphasising that in light of the very specific nature of gambling services, **mere self regulation in the form of a code of conduct is not effective enough** and cannot be the way forward for the

¹ The National Casino Industry Forum (NCIF) – formerly the British Casino Association (BCA) – wishes to express a reserve that along with the UK Government and UK Gambling Commission it does not support the Schaldemose Report and EP Resolution on the Integrity of Online Gambling.

future of gambling services in the EU. Codes of conduct are only of supplementary value to regulation at national and European level.

- The ECA does not support an approach whereby gambling services would be harmonised at EU level. Given the very specific nature of gambling services and the diverging historic, moral, social and cultural traditions in the different Member States, **gambling is a matter, which in essence needs to remain regulated nationally**. Member States are best placed to effectively control and regulate their gambling markets, with the aim to channel the gaming desire to authorised operators while steering it away from grey or illegal operators and minimising the undesirable effects of gambling. Only those specifically defined points, which cannot be solved at a national level, require an European solution.
- Given its transnational character and the challenges inherent to it, **online gambling** is an area in relation to which an EU approach is justified and therefore **should be properly regulated through a coordinated approach between the Member States**. Online gambling is a reality that cannot and should not be ignored or avoided. A prohibition of online gambling can in the long term not be maintained and enforced in a European context.
- In that regard, ECA emphasizes that it is of utmost importance that any European approach needs to ensure that a regulatory environment is created, which **provides a fair level playing field**.
- Effective law enforcement is one of the main challenges Member States are currently facing in the area of gambling services. An urgent solution at EU level is needed to allow Member States to fight any offering of unauthorised or illegal online gambling services. A **pan-European approach is needed to ensure compliance with and enforcement of national laws** with a view to protect consumers and prevent fraud.
- The ECA strongly promotes a regulated environment for gambling services in Europe, which considers **corporate social responsibility and transparency** of gambling operators and operations as a key priority.

About the ECA

The ECA represents the interests of more than 1.000 casinos and 83,000 employees in 23 countries across Europe. Founded in the early 1990s as the European Casino Forum, the ECA has grown steadily over the years and today includes members from the majority of the EU's Member States, Switzerland and Serbia. The main purpose and objective of the ECA is to address and promote issues related to casinos and/or casino operations and in doing so to provide a focal point on casino matters for casino operators as well as for EU and national policy makers and stakeholders.