



FORUM GIURIDICO EUROPEO DELLA NEVE

DAI DIRITTI DELLA NEVE
AL DIRITTO DELLA NEVE

BORMIO - VALTELLINA

Best
BORMIO EVENTI SPORT TURISMO

Comitato Organizzatore

The Scientific Committee



LEITNER GROUP

At the end of the 2nd European Snow Law Forum, held in Bormio on 1st and 2nd December 2006;

Having heard the reports presented by the following jurists and experts in winter sports law:



- Mr. Ignacio ARROYO (Spain)
- Mr. Michel BAILLY (France)
- Dr. Carlo BRUCCOLERI (Italy)
- Dr. Gerhard DAMBECK (Germany)
- Mr. Waldemaro FLICK (Italy)
- Mr. Herbert GSCHÖPF (Austria)
- Mr. Tomaž MARUŠIČ (Slovenia)
- Mr. Heinz Walter MATHYS (Switzerland)
- Mr. Christopher MOORE (Canada)
- Mr. Hans-Kaspar STIFFLER (Switzerland)



Having gathered the unanimous suggestions which emerged from the concluding Round Table discussion and from the closing speech given by **Dr. Franco FRATTINI, Vice-President of the European Commission and Commissioner responsible for Justice Freedom and Security;**



Now therefore resolves that:

I. - The Scientific Committee recognises that, with regard to skiing, it would be opportune to keep the normative interventions that are aimed at harmonising the legislations of the Member States of the European Union to a bare minimum as this particular sport is extremely free, both due to its nature and to the environment in which it is performed, and would not cope well the enforcement of rigid limitations or proscriptions.





FORUM GIURIDICO EUROPEO DELLA NEVE

DAI DIRITTI DELLA NEVE
AL DIRITTO DELLA NEVE

BORMIO - VALTELLINA

 **Best**
BORMIO EVENTI SPORT TURISMO

Comitato Organizzatore



II. - The Scientific Committee nevertheless recognises that it is crucial and of the utmost priority to adopt measures aimed at establishing **uniform codes of conducts for skiers** through the formal adoption of the **Rules for Conduct issued by the International Ski Federation (F.I.S.)** by the individual Member States in which winter sports are practised. Even though these F.I.S. rules are fully accepted, due to the standing and prestige of the organisation, and applied in practice by judicial authorities, they still have not become an adequate part of the collective consciousness of those who practise the sport. Attributing legal standing to these rules would help to strengthen their **preceptive, imperative and definite value**.

III. - In view of the importance of the phenomenon of the circulation of skiers, which bears many similarities with road traffic due to its rising “mobility” within the European Union, the Scientific Committee particularly hopes that the European Union will evaluate the opportuneness of issuing a directive that encourages Member States to **formally adopt the “Rules for Conduct of skiers and snowboarders” issued by F.I.S.**, which will then be implemented by each state as it sees fit.

IV. - Once the Scientific Committee has received the results of further studies into the legal and operational aspects, it reserves to adopt a separate resolution regarding compulsory insurance policies for amateur Alpine skiers for third party liability cover or the creation of a solidarity fund for the victims of severe skiing accidents.

Bormio, 2nd December 2006.

THE SCIENTIFIC COMMITTEE

