

Database

LIST OF (BINDING AND NON-BINDING) LEGISLATION ON HEALTH SECURITY AND HUMAN RIGHTS IN E-SPORTS

International and European Legislation

Authority and name	Description	Date
European Parliament, Artificial Intelligence Act, P9TA (2024) 0138	This act aims to regulate the use of Artificial Intelligence (AI) in the European context, outlining a balance between the economic advantages due to use of AI and the protection of the fundamental rights. The regulation has an anthropocentric declination and adopts a risk-based approach. High risk systems are subject to rigorous obligations before being placed on the market which increase their security and transparency, human control, high standards of cybersecurity, sharing of appropriate information with the user and a specific risk management system as well as guarantees of high quality of the datasets and traceability of the results. Link: Texts adopted - Artificial Intelligence Act - Wednesday, 13 March 2024 (europa.eu)	13 March 2024
Council of the European Union, Conclusions on Enhancing the creative and cultural dimension of the European video games sector, 15901/23	These conclusions recognize the contribution of video games to creativity, culture, and economy within the European Union. Moreover, they acknowledge the participation of the youngest, the value of Intellectual Property in e-games and the lack of standardized and detailed data in the sector. They contain invitations to member states and the Commission to act to preserve and promote the e-gaming industry. Link: pdf (europa.eu)	24 November 2023

European Parliament, Resolution on Esports and Videogames, 2022/2027 (INI), P9TA (2022)0388, 2023/C 161/01	This resolution stresses the importance to develop a common European strategy and it calls for a fair competitive video gaming and the development of a common framework. The European framework should look also at the status of professional e-sports players, considering the advantages and disadvantages connected to this figure. Link: Texts adopted - Esports and video games - Thursday, 10 November 2022 (europa.eu)	10 November 2022
European Parliament and European Council, Digital Services Act, Regulation (EU) 2022/2065	This act aims to regulate the activities of the digital services intermediaries. It establishes the conditions for the development and expansion of innovative digital services in the internal market. The Digital Service Act (DSA) fully harmonizes the rules applicable to intermediary services in the internal market with the aim of ensuring a safe, predictable and trustworthy online environment, addressing the spread of illegal content online and the societal risks that the spread of disinformation or other content may generate. Link: Regulation - 2022/2065 - EN - DSA - EUR-Lex (europa.eu)	19 October 2022
European Parliament and European Council, Digital Market Act, Regulation (EU) 2022/1925	This act aims to frame within a defined regulatory framework those platforms that have a consolidated and long-lasting market position, they are necessary for companies to reach end users, they have accumulated great power in the markets, therefore they can impose conditions that are not always fair to companies and end users themselves. The Digital Market Act (DMA) aims to protect the rights of users in Internet and counteract anti-competitive practices in digital places. Link: Regulation - 2022/1925 - EN - EUR-Lex (europa.eu)	14 September 2022
UN Children's Fund (UNICEF), Recommendations for the Online Gaming Industry on Assessing impact on children	This document focuses on the need for the game industry to consider child rights in their activities. Indeed, it is directed to all kinds of game companies (developers, publishers, distributors, platforms, e-sports companies and streaming services) and, as stated in its introduction, it aims to provide "the best possible experience for all children looking to enjoy gaming online". Link: Recommendations for Online Gaming Industry.pdf (unicef.org)	June 2020
Council of Europe, in co-operation with the Interactive Software Federation of Europe, Human rights	This document was elaborated to furnish guidelines to online games providers. Indeed, on the one hand, it recognises the importance of games as a tool for communication and expression; on the other hand, it considers fundamental to make the game providers aware of the human rights involved in the game industry and the necessity to act in accordance with them.	July 2008

guidelines for online games providers, H/Inf (2008)	Link: Human rights guidelines for online games providers (coe.int)	
UN General Assembly, fifty-three session, Convention on the Rights of Child, Resolution A/ 44/25	This treaty represents a landmark worldwide. Indeed, for the first time, the international community recognized the necessity to act in order to defend child rights and to ensure them the enjoyment of a “full childhood”. It is the most widely ratified convention, and it is addressed to all children, meant as all the people below the majority age. Link: Convention on the Rights of the Child OHCHR	20 November 1989

Domestic Legislation

Name	Description	Date
Osservatorio Italiano ESports (OIES), White Paper Esports and Gaming in Italy 2023, Italy	The Italian Esports Observatory has promoted an extraordinarily important initiative: the first White Paper on Esports and Gaming in Italy. This report represents an epochal moment because, for the first time, it brings to the attention of Parliament the critical issues affecting the gaming and Esports sector, proposing resolution actions simultaneously. Through a democratic, open, and inclusive process, this White Paper has been drafted in a widespread and collaborative manner, involving all stakeholders in the supply chain affected by these issues. Link: https://www.oiesports.it/wp-content/uploads/2023/09/White-Paper-Esports-e-Gaming-in-Italia-2023-.pdf	10 October 2023
Consiglio Grande e Generale, E-sports Code (<i>Codice degli Esport</i>), L. n. 80 of 9 May 2023, Republic of San Marino	This code marks a historic turning point in Europe. In fact, for the first time a European Country approved a legal instrument entirely dedicated to e-sports. It aims at regulating, promoting, and protecting e-sports. Among the innovative provisions are the ones regulating e-sport performance contracts, the ones instituting a specific E-sport Commission (charged to promote e-sports, supervise on the respect of e-sport principles and to approve a Deontological Code) and the ones related to e-sportive justice. Link: Legge 9 maggio 2023 n.80 - Codice degli Esport - Consiglio Grande e Generale	9 May 2023

Assemblée nationale and Sénat, L. (Loi) n. 2016-1321 of 7 October 2016, for a Digital Republic, France	<p>This law aims at promoting digital tools within the Republic of France. It is also relevant for e-sports since in its art. 102, it offers the definition of professional e-sports players, allowing videogames competitions to not fall into gambling. Moreover, this law was followed by the decree 2017-872 which regulates the status of professional salaried players.</p> <p>Link: LOI n° 2016-1321 du 7 octobre 2016 pour une République numérique (1) - Légifrance (legifrance.gouv.fr)</p>	7 October 2016
Federal Trade Commission, Children's Online Privacy Protection Rule (COPPA) of 1998, 15 U.S.C. 6501-6505, USA	<p>This rule aims at protecting online privacy of children, defined as individuals under the age of 13. It does so by imposing certain requirements both on investors of online services or other websites related to the "collection, use, and/or disclosure of personal information from and about children on the Internet".</p> <p>Link eCFR :: 16 CFR Part 312 -- Children's Online Privacy Protection Rule</p>	21 October 1998
Presidente della Repubblica, D.P.R. n. 365/1994 of 20 April 1994, Italy	<p>This regulation sets a simplification of administrative procedures related to the authorisation for the employment of minors in the show business. Since in Italy there is not a specific legal framework for e-sports players under the majority age, this decree comes into play for e-sports as well. Specifically, the most relevant norm is art. 2, which provides the methods of implementations and the rules to be applied in show performances and film shoots involving minors under the age of 15.</p> <p>Link: Gazzetta Ufficiale</p>	20 April 1994
Camera dei Deputati and Senato, L. n. 977/1967 of 17 October 1967, Italy	<p>This law aims at regulating and protecting minors in the working field. The age limit for minors' accessibility to work is set to when the minor completes their compulsory education cycle and anyway it can never be set under the age of 15 (except for specific provisions). As already stressed in relation to the DPR n. 365/1994, lacking Italy of a specific e-sports regulations, this law is also relevant for videogames companies employing minors.</p> <p>Link: Gazzetta Ufficiale</p>	17 October 1967