COMBATING CORRUPTION
IN SPORT

INSTRUCTION BOOKLET
BASIC DEFINITIONS

**Corruption** (paragraph 1, Article 1, Federal Law No. 273-FZ of December 25, 2008 "On Combating Corruption") means abuse of power, giving of a bribe, receiving of a bribe, abuse of authority, commercial bribery or other unlawful use by an individual of his or her official position contrary to the lawful interests of society and the State in order to obtain benefits in the form of money, valuables, other property or property-related services, other property rights for himself/herself or for third parties or unlawful provision of such benefit to the said person by other individuals;

commission of the above on behalf of or in the interests of a legal entity.

**Corruption Counteraction** (paragraph 2, Article 1, Federal Law No. 273-FZ of December 25, 2008 "On Combating Corruption") means the activities of federal government bodies, government bodies of the subjects of the Russian Federation, local government bodies, civil society institutions, organizations and individuals within the limits of their competences aimed at:

a) preventing corruption, including the identification and subsequent elimination of the causes of corruption (prevention of corruption causes);

b) identification, prevention, suppression, disclosure and investigation of corruption offenses (combating corruption);

c) minimizing and (or) eliminating the consequences of corruption offenses.

**Manipulation of sports competitions** (Article 3 of the Council of Europe Convention on the Manipulation of Sports Competitions) means an intentional arrangement, act or omission aimed at an improper alteration of the result or the course of a sports competition in order to remove all or part of the unpredictable nature of the aforementioned sports competition with a view to obtaining an undue advantage for oneself or for others.
**LEGAL AND REGULATORY FRAMEWORK**

- **Council of Europe Convention on the Manipulation of Sports Competitions** (executed in Magglingen/Macolin signed by the Russian Federation on September 18, 2014)

  Pursuant to the Convention the Parties shall ensure that their domestic laws enable to criminally sanction manipulation of sports competitions when it involves either coercive, corrupt or fraudulent practices, as defined by their domestic laws and shall adopt such legislative and other measures as may be necessary to establish as criminal offences under their domestic laws money laundering related to manipulation of sports competitions and bringing to criminal liability the legal entities for the offences specified in this Convention (Articles 15-17).

  The Convention includes provisions on international cooperation for the purposes of investigation, prosecution and judicial proceedings concerning the offences envisaged therein, including seizure and confiscation. Such cooperation shall be carried out to the widest extent possible, in accordance with the relevant applicable international, regional and bilateral treaties on extradition and mutual assistance in criminal matters and in accordance with each Party’s domestic law, concerning the offences referred to in Articles 15 to 17 of the Convention (Article 26).

  The Convention also envisages the cooperation of the Parties with international sports organizations against manipulation of sports competitions.


  In accordance with the Convention the Parties shall take measures aimed at providing a safe, secure and welcoming environment at football matches and other sports events; at preventing and eliminating the risk of unlawful actions or misbehavior.

One of the main principles of the legislation on physical culture and sports is prohibition of unlawful influence on results of official sports competitions (Article 3).

It is not allowed to exert unlawful influence on the result of an official sports competition understood as the following actions, committed in order to achieve a predetermined result or outcome of this competition (Article 26.2):

1) bribery of athletes, sports judges, trainers, sports team managers, other participants or organizers of the official sports competition (including their employees), coercion or inducement of these persons to exert such influence or the commission of these actions upon prior collusion with the specified persons;

2) acceptance by athletes, sports judges, trainers, sports team managers, other participants or organizers of the official sports competition (including their employees) of money, securities, other property, use by these persons of property-related services, gaining by them of other benefits and advantages or their preliminary collusion.

The Federal Law establishes the powers and obligations of public authorities, sports federations and organizers of sports competitions in order to prevent an unlawful influence on the results of official sports competitions and to combat it.

With a view to prevent and suppress unlawful influence on the results of official sports competitions the organizers of official sports competitions are obliged to include in the provisions (regulations) for official sports competitions a ban on placing bets on official sports competitions through bookmakers and pari-mutuel betting system (part 8, Article 26.2).

All-Russia sports federations, regional, local sports federations and professional sports leagues are obliged:

- not to allow the athletes, sports judges, coaches, sports team managers and other participants in the relevant official sports competitions who are suspected or charged with committing crimes under Article 184 of the Criminal Code of the Russian Federation, to participate in official sports events before the entry into force of a court sentence in respect of the said persons or until the termination of criminal proceedings and (or) their criminal prosecution;
- to impose sanctions within the limits of their competences after entering into force of the judgement of conviction in respect of the above-mentioned persons (including sports disqualification of athletes) and in respect of the physical training and sports organizations, to which these individuals belong, for illegal influence on the results of official sports competitions;

- to impose sanctions within the limits of their competences against athletes (including sports disqualification of athletes), sports judges, trainers, sports team managers, sports agents and other participants in official sports competitions for the violation of the ban on placing bets through bookmakers and pari-mutuel betting system.


The plan envisages the elaboration of a number of legal and regulatory provisions aimed at improving the federal legislation in the field of sports.

In 2011 the INTERPOL Match-Fixing Task Force was established. It brings together law enforcement agencies from 75 countries, including Russia.

**Negative consequences of manipulation of sports competitions**

- violation of the principle of protection of integrity in sport and sports ethics;
- erosion of confidence among the population;
- transformation of profits from illegal activities into legitimate assets, etc.
PUBLIC GUARANTEES

Please, read the documents below and learn about the safeguards provided to you and your children by the State:

✓ Letter of the Ministry of Education and Science of Russia No. MD-520/19 of May 16, 2012 "On Equipping Gym Halls and Facilities of General Education Institutions" (together with the Provisional list and performance characteristics of modern sports equipment and gears for equipping gyms and facilities of public and municipal general education institutions);

✓ Order of the Ministry of Sport of Russia No. 645 of August 16, 2013 "On Approval of the Procedure of Admission of Persons in the Physical Culture and Sports Organizations Established by the Russian Federation and Providing Sports Training";

✓ Order of the Ministry of Sport of Russia No. 636 of August 16, 2013 "On Approval of the Procedure for Monitoring the Compliance with the Federal Sports Training Standards by the Organizations Providing Sports Training".

Basic sports are the sports contested in the Olympic and Paralympic Games as well as other sports promoted by the federal subjects on their territories in accordance with the established historical traditions of development of high performance sports, representation of athletes from the federal subjects in the national sports teams of the Russian Federation and participation of these teams in All-Russia and international official sports events (paragraph 1.2, Article 2 of Federal Law No. 329-FZ of December 4, 2007 "On Physical Culture and Sport in the Russian Federation").

The Order of the Ministry of Sport of Russia No. 83 of February 14, 2014 approved the list of basic sports for the years 2014-2018 in all subjects of the Russian Federation. This list can be found on the websites of the Ministry of Sport of Russia and specialized regional executive bodies.

Official physical culture and sports events mean physical culture events and sports events included in the Combined timetable for interregional, All-Russia and international physical culture events and sports events timetables for physical culture events and sports events of the federal subjects and municipalities.
Please, take note of the legal framework for physical culture and sports in your region.

For example, the Law of the city of Moscow No. 27 of July 15, 2009 "On Physical Culture and Sport in the City of Moscow"; The Rules for submitting an application and admitting children to public institutions of the city of Moscow in order to make use of services under supplementary education programmes, sports training programmes and physical culture and sports classes of July 3, 2017 and others.

The federal subjects have, among others, the following responsibilities in the area of physical culture and sport:

- organization and management of official regional physical culture events and sports events and intermunicipal physical culture events and sports events;
- development of junior sport;
- promotion of sport among the general public, high performance sports;
- promotion of professional sports through public support for physical culture and sports organizations whose main activity is the development of professional sports;
- implementation of measures for the development of physical culture and sports for the disabled, people with disabilities, adaptive physical culture and adaptive sports in the federal subjects.

The websites of regional executive bodies provide public services for enrolling a child in physical culture and sports classes.
Measures for preventing corruption may include:

- designation of units or officials responsible for prevention of corruption and other offenses;
- cooperation of the organization with law enforcement agencies;
- development and implementation of standards and procedures aimed at safeguarding integrity of the organization;
- adoption of a code of ethics and official conduct of the staff;
- prevention and management of conflicts of interest;
- ban on the preparation of informal accounting and on the use of forged documents.

This obligation shall apply to all organizations regardless of their form of ownership, organizational and legal forms, industry affiliation and other circumstances.

The list of applied measures is determined by the organization independently, on the basis of the specific characteristics of its activities and functions and the assessment of related corruption risks. The main requirement is that these measures shall comply with the legislation and shall not impose on workers of the organization and other persons the obligations which are not envisaged by the regulatory and legal framework.

On November 8, 2013, the Ministry of Labour and Social Protection of the Russian Federation published the Guidelines for the development and adoption of anti-corruption measures by organizations, which are published on the official website of the government body (www.rosmintrud.ru).
GENERAL RULES ESTABLISHING THE LIABILITY OF LEGAL ENTITIES FOR CORRUPTION OFFENSES

Under Article 14 of the Federal Law "On Combating Corruption", if corruption offences or violations which generate opportunities for corruption offenses are arranged, prepared and committed on behalf of or in the interests of a legal entity, the legal entity may be subjected to penalties in accordance with the legislation of the Russian Federation.

At the same time, imposing penalties on a legal entity for a corruption offense does not exempt a guilty individual from the liability for this corruption offense. Equally, criminal or other type of prosecution of a physical person for a corruption offense does not exempt a guilty legal entity from the liability for this corruption offense. In cases provided by the legislation of the Russian Federation, these norms shall apply to foreign legal entities.

Illegal remuneration on behalf of a legal entity  
(Article 19.28 of the Code of Administrative Offences of the Russian Federation)

Under Article 19.28 of the Code of Administrative Offences of the Russian Federation (CAO) legal entities face an administrative fine for illegal:

- transmission
- offer
- promise

on behalf or in the interests of a legal entity to an official, a manager in a commercial or other organization, a foreign official or an official of a public international organization of:
- money, securities, other property
- providing him with property-related services
- granting property rights

Part 1 of Article 19.28 of CAO
on a large scale (sum of money, value of securities, other assets, property-related services, property rights exceeds 1 million roubles)

Part 1 of Article 19.28 of CAO

on an especially large scale (sum of money, value of securities, other assets, property-related services, property rights exceeds 20 million roubles)

Part 1 of Article 19.28 of CAO

for the commission in the interests of this legal entity
- by an official
- by a manager in a commercial or other organization
- by a foreign official
- by an official of a public international organization

of an action or omission related to their official position

The initiation of proceedings on administrative offenses, specified in Article 19.28 of the Code of Administrative Offenses of the Russian Federation, is an exclusive competence of the prosecutor.

These cases are examined by the judges of courts of general jurisdiction (federal judges).

For example, in one of the subjects of the Russian Federation, a hockey club was brought to administrative liability under Article 19.28 of the Code of Administrative Offenses of the Russian Federation, as its director, by means of an intermediary, illegally handed over to the Minister of Physical Culture, Sports and Tourism of the federal subject, a remuneration amounting to not less than 8 million rubles for the commission of actions within his official authority, which consisted in including the entity in the list of the teams supported by the regional budget and in signing the contracts on the provision of a grant for this club.

! It is important to know!
In accordance with paragraph 7.1, part 1, Article 31 of the Federal Law No. 44-FZ of April 5, 2013 "On the Contract System in the Procurement of Goods, Works, Services for Public and Municipal Needs" a legal entity is not allowed to participate in a procurement in case it had an administrative liability under Article 19.28 of the Code of Administrative Offences of the Russian Federation in the last two years preceding its application for the procurement.

The Prosecutor General's Office of the Russian Federation has compiled a register of legal entities brought to administrative liability under this Article, which is published on the website of the Prosecutor General's Office of the Russian Federation.

The interested persons should be guided by this register.
CRIMINAL LIABILITY FOR CORRUPTION OFFENCES

Exercising unlawful influence on the result of an official sports competition or a profitable entertainment contest (Article 184 of the Criminal Code of the Russian Federation)

**Part 1.** Handing over to an athlete, referee, trainer, team leader, and other participant or organizer of an official sports competition (including an employee thereof), as well as to a juryman, participant or organizer of a profitable entertainment contest of money, securities, other property and providing them with property-related services, granting him other property rights (including cases when such property is transferred on the instruction of this person, or property-related services are rendered or ownership rights are granted to another physical person or legal entity) with the purpose of exercising unlawful influence on the results of an official sporting competition or profitable entertainment contest, as well as coercion or inclination of these persons to exerting such influence, or prior collusion with such persons for the same purpose.

**Part 2.** The same acts committed by an organized group.

**Part 3.** Acceptance by an athlete, trainer, team leader, or other participant of an official sports competition, as well as by a participant of a profitable entertainment contest of money, securities, other property and their use of property-related services or other property rights (including the cases when such property is transferred on the instruction of this person or property-related services are rendered or ownership rights are granted to another physical person or legal entity) or prior collusion of these persons for the purpose of exercising unlawful influence on the results of an official sports competition or profitable entertainment contest.

**Part 4.** The acts, specified in Part three of this Article, committed by a referee or by an organizer of an official sports competition, as well as by a juryman or organizer of a profitable entertainment contest.

**Part 5.** Mediation in the commission of the acts, specified in Parts 1-4 of this Article, on a large scale.
Note. A person who committed the crime specified in Part one, two or five of this Article shall be relieved of criminal liability in case they actively facilitated the resolution and (or) the investigation of the crime or they fell victim of extortion or they voluntarily reported the committed crime to an authority who has the right to initiate criminal proceedings.

OTHER CORRUPTION CRIMES
(under the Criminal Code of the Russian Federation)

Bribery (Articles 290, 291, 291.1, 291.2 of the Criminal Code) – giving or receiving by an official of material assets, for example, money, securities, other property, or unlawful provision for him/her property-related services, granting to him/her other property rights for the commission of actions (omission) in favor of a bribe-giver or other persons. Mandatory condition: this action (omission) falls within the functional duties of this official.

For example, the director of a public budgetary institution for the preparation of Olympic athletes and the deputy, were sentenced under subparagraphs "a, c", Part 5, Article 290 of the Criminal Code of the Russian Federation (the acceptance of a bribe on a large scale by a group of persons) by the decision of a court, to a fine of 1 million rubles for having accepted a bribe from a hockey club for having provided an ice rink for training activities without having signed the appropriate contract for the provision of sports facilities for temporary use.

Commercial bribery (Articles 204, 204.1, 204.2 of the Criminal Code) – unlawful handing over to a manager in a commercial or other organisation of money, securities and other property, as well as an unlawful provision of property-related services to them or granting them other property rights (including the cases when the said property is transferred or the property-related services are provided or the ownership rights are granted to another physical person or legal entity on the instruction of this person) in return for acts (omissions to act) which serve the interests of the bribe-giver or other persons, in case they may facilitate the aforesaid actions (omissions) by virtue of their official position.
Embezzlement (Articles 159, 160 of the Criminal Code) – unlawful withdrawal and (or) misappropriation of property in favor of the perpetrator or other persons, which was committed for the sake of gain and caused damage to the owner or other possessor of this property.

Other crimes:
abuse of power (Article 201 of the Criminal Code),
malfeasance in office (Article 285 of the Criminal Code),
excess of authority (Article 286 of the Criminal Code), etc.

Please, report the facts of unlawful influence on the result of an official sports competition or a profitable entertainment competition, misappropriation of budget funds allocated for the development of sports (for example, for the implementation of federal and regional special-purpose programmes, construction of sports grounds, development of sports schools, etc.) to the law enforcement agencies.

To whom should you report?
102 - All-Russia police phone number
+7 800 100-12-60 – telephone line "Let’s Stop Corruption" of the Investigative Committee of the Russian Federation

The prosecution bodies examine the communications on violations of legislation, rights, law-protected freedoms and the interests of the person and the citizen, the interests of society and the State.

The special section "Anti-Corruption" on the official Website of the General Prosecutor's Office of the Russian Federation (https://genproc.gov.ru/anticor/) contains the most relevant materials, which may be of interest to a wide range of persons: legislation on combating corruption, guidelines, information on international cooperation in this area and on promoted anti-corruption initiatives along with many other things.

In addition, this section is intended for an immediate reporting of corruption. All interested persons may report the facts of corruption by sending an e-mail in the "Report on corruption" subsection.

The Rules for conducting the assessment of legal and regulatory acts and drafts of legal and regulatory acts and the methods of conducting the assessment were approved by the Decree of the Government of the Russian Federation No. 96 of February 26, 2010 "On Anti-Corruption Expert Assessment of Legal and Regulatory Acts and Drafts of Legal and Regulatory Acts".

The anti-corruption expert assessment is focused on the identification and subsequent elimination, through adoption of legal instruments, of the factors that give rise to corruption (factors generating opportunities for corruption), which in fact is synonymous to the elimination of a legal defect or legal formula.

Factors generating opportunities for corruption are the provisions of legal acts (drafts of legal acts) that establish for the law enforcer an unduly broad discretion, or the possibility of abuse of exceptions to the general rules as well as the provisions containing vague, exigent and (or) burdensome requirements for individuals and organizations, and thereby generating opportunities for corruption (Article 1 (2) of the Federal Law No.172-FZ).

For example, following the protest of the Prosecutor's Office of the Republic of Mordovia, the Procedure of granting subsidies from the budget of the Saransk urban district for reimbursement of costs associated with transportation of passengers during the days of the FIFA 2018 World Cup matches, to the organizations engaged in transportation of urban automobile and electric transport was aligned with the federal legislation requirements. These procedures used to set burdensome requirements for organizations in the form of a prohibition for the recipients of a subsidy to acquire foreign currency by means of allocated budgetary funds, and provided authorized officials of the local government body with an unreasonably wide discretion over granting a subsidy, which testified to the presence of factors generating opportunities for corruption that consisted in wide discretionary powers and overstated requirements for a person in exercising the right he/she was entitled to.
If you are solicited for a bribe, what should you do? Do not offer or give a bribe!

Otherwise you will commit a crime (Article 291 of the Criminal Code of the Russian Federation). Hear the extortionist’s demands out and go to the police. When you are left alone, call the police immediately!

Before you file a report...

Remember that whoever reports a false fact of extortion of a bribe is criminally liable. False reporting is punishable by a fine or forced labor, or even deprivation of freedom for up to three years. If it is proved that the evidence was fabricated, the term of imprisonment will increase to six years (Article 306 of the Criminal Code of the Russian Federation).

How to bring the extortionist to justice?

You should go to the nearest police station and file a report of crime.

• You can report a crime in a verbal, electronic or written form. If you have some evidence, attach it to your report (a note by the extortionist with the sum written on it, a Dictaphone record). The written crime report must be signed. Specify the postal or e-mail address to receive feedback.

• A verbal report of a crime will be inserted in a protocol signed by you and the officer who received the communication. The protocol should contain information about you, as well as your identity documents. You will be warned about criminal liability for knowingly false information in accordance with Article 306 of the Criminal Code of the Russian Federation, of which a mark in the protocol will be made. Sign it.

• As the report is registered, you should receive a notice indicating the number of the report in the register of reports and the date of its receipt.

This is a standard notice:
Counterfoil of the notice

<table>
<thead>
<tr>
<th>Notice on transfer to another territorial body of the Ministry of Internal Affairs of Russia in accordance with its territorial jurisdiction</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. ____________________________________________ (number of the transferred application)</td>
</tr>
<tr>
<td>2. Body receiving the report (notification)</td>
</tr>
<tr>
<td>(name of the territorial body of the MIA of Russia)</td>
</tr>
<tr>
<td>3. Addressee of the report (notification)</td>
</tr>
<tr>
<td>(name of the territorial body of the MIA of Russia to whom the report was forwarded)</td>
</tr>
<tr>
<td>4. Head of the body that sent the report</td>
</tr>
<tr>
<td>_______________ (signature, initials, surname)</td>
</tr>
<tr>
<td>5. Ref. No. ______ “_<strong>” 20</strong>__</td>
</tr>
<tr>
<td>6. No.________________________________________ (number of the transferred application)</td>
</tr>
<tr>
<td>7. Body sending the report (notification)</td>
</tr>
<tr>
<td>(name of the territorial body of the MIA of Russia)</td>
</tr>
<tr>
<td>8. Body accepting the report (notification)</td>
</tr>
<tr>
<td>(name of the territorial body of the MIA of Russia)</td>
</tr>
<tr>
<td>9. Head of the body that received the report (notification)</td>
</tr>
<tr>
<td>_______________ (signature, initials, surname)</td>
</tr>
<tr>
<td>10. No.________________________________________ (number at the place of new registration of the report)</td>
</tr>
<tr>
<td>11. Official who registered the report ____________</td>
</tr>
<tr>
<td>12. Ref. No. ______ “_<strong>” 20</strong>__</td>
</tr>
<tr>
<td>13. The counterfoil to be returned at the address: _______________________________ (to be completed by a territorial body of the MIA of Russia that forwarded the application)</td>
</tr>
</tbody>
</table>

More details on the crime report can be found in Article 141 of the Code of Criminal Procedure of the Russian Federation

What will the extortionist face?

<table>
<thead>
<tr>
<th>Crime</th>
<th>Punishment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small bribery (up to 10 thousand roubles)</td>
<td>up to 1 year in a colony-settlement</td>
</tr>
<tr>
<td>Bribery (from 10 thousand to 25 thousand roubles)</td>
<td>up to 3 years in a colony-settlement</td>
</tr>
<tr>
<td>Bribery on a considerable scale (from 25 thousand to 150 thousand roubles)</td>
<td>up to 6 years in a general regime colony</td>
</tr>
<tr>
<td>Bribery on a large scale (from 150 thousand to 1 million roubles)</td>
<td>up to 12 years in a strict regime colony</td>
</tr>
<tr>
<td>Bribery on an especially large scale (from 1 million roubles)</td>
<td>up to 15 years in a special regime colony</td>
</tr>
</tbody>
</table>
Prosecutor General’s Office of the Russian Federation
15 a Bolshaya Dmitrovka
GSP-3 Moscow, Russia 125993
Website:
www.genproc.gov.ru
Section “Combating corruption”:
www.genproc.gov.ru/anticor/

Ministry of Sport of the Russian Federation
18 Kazakov str.,
Moscow, Russia 105064
Website:
www.minsport.gov.ru
Section “Combating corruption”:
www.minsport.gov.ru/activities/anticorruption/