

**THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED
BY MAURITIUS**

***PROMOTING GOOD GOVERNANCE IN SPORT AND MITIGATING
THE RISK OF CORRUPTION***

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Protection of integrity in sport by promoting good governance in sport and mitigating the risk of corruption that sport faces.

Introduction

Sports naturally serve as a vehicle for education, health, leadership and fairplay but the reality is that these elements are not automatically transmitted in the different disciplines. It all depends on how sport is managed and international rules and standards are being followed. There is a need to give prominence to the goals of healthy sports practice and a real meaning to sports.

In Mauritius the Ministry of Youth and Sports is responsible for the creation of an enabling environment. It formulates and implements Government policies in the field of youth and sports and acts as a catalyst and facilitator for the promotion and development of youth and sports at national, regional and international levels. The Ministry has two main sections, namely the Youth Section and the Sports Section.

The objects of the Sports Section are, amongst others, to:

- provide a balanced development of sports locally through the organisation of major sports events with the help of relevant stakeholders; and
- give support and technical assistance to sports federations and other stakeholders for the development and promotion of their respective sports discipline.

All sport federations are registered with the Ministry through the Mauritius Sports Council (MSC) and the National Olympic Committee.

For horse racing, the Mauritius Turf Club (MTC) is currently the sole regulatory and governing authority. The Gambling Regulatory Authority (GRA) has a statutory oversight of the MTC under the provisions of the Gambling Regulatory Authority Act 2007.

The ICAC has been working in collaboration with the stakeholders in the sports sector to enhance the level of integrity in sports by adopting a holistic approach comprising sensitisation and empowerment, engagement and ownership with sustained efforts.

Measures to prevent corruption and promote good governance in sport

With the exception of horse racing, sport in Mauritius does not generate profits and is mainly financed through government funds. However, the sector is prone to malpractices. The National Olympic Committee in Mauritius like in most of the countries, plays a dominant role in the control of the sports federations.

For fairness, honesty, transparency and accountability to be the guiding principles in sports, the ICAC in collaboration with the main stakeholders has taken the following measures:

a) Sensitisation Campaign

A sensitisation campaign is on-going since 2009 with the sports community to promote intolerance towards corruption in sports in Mauritius. The campaign comprises face to face interactions, group discussions, workshops, posters and the placement of billboards on publicly managed sports infrastructures like stadiums, swimming pools, etc.

The focus of the sensitisation campaign is on enhancing integrity in sports in Mauritius and targeted all those who are directly or indirectly involved in sports.

b) Empowerment workshops on enhancing good governance and integrity in the administration of sports

Empowerment workshops are regularly conducted with management of all sports federations on enhancing integrity in the administration of sports in Mauritius. These workshops are organised by the Mauritius Sports Council in collaboration with the ICAC and provide opportunities for participants to discuss emerging integrity challenges and implementation of the provisions of the Code of Ethics and the Guideline for Office Bearers of National Sports Federations.

• Development of a Code of Ethics for all stakeholders of the Sports Community, and an Ethical Guideline for Office Bearers of National Sports Federations

With a view to promote integrity in sports and to uphold the spirit of sportsmanship, the Ministry of Youth and Sports through the Mauritius Sports Council in collaboration with the Independent Commission Against Corruption came up in 2010 with the above-mentioned Code and Guideline.

These two tools set out principles and standards to guide behaviour of those involved in the world of sports with a view to nurture the spirit of sportsmanship. They call on all sportsmen and sportswomen, office bearers, referees, managers, administrators, trainers, coaches and fans to comply with the provisions of the code and the guideline.

The Code of Ethics is meant to boost up ethical standards and judgements and strengthen support for individuals' moral courage. It is a reflection of the morally permissible standards of conduct and virtues which all stakeholders should make binding upon them. It provides a sound ethical framework to reinforce integrity and combat unwanted pressures within the sporting community which appear to be undermining the very traditional foundations of sports foundations built on sportsmanship and on the voluntary movement; the primary concerns and focuses of which are based on fairplay, good governance, transparency, accountability, and integrity.

The code deals with: *the respect for laws and regulations; accountability and transparency; conflict of interests; abuse of position/office; confidentiality of information; use of official facilities and equipment; respect for others; harassment and discrimination; political neutrality; drug-free practice of sports; hard work and dedication; respecting the rules that govern the discipline; displaying and maintaining high level of professionalism; sanctions and internal reporting.*

The elaboration of a code of ethics was more than essential and vital to assert that ethical consideration be an integral and not optional element, of all sports activity, sports policy and management, and be applied to all levels of ability and commitment, including recreational as well as competitive sports.

The Ethical Guideline on the other hand complements the existing guidelines of the Ministry and aims to ensure that the objectives of the code are met in a fair, ethical and accountable manner. It provides sports federations with acceptable parameters and framework where they can evolve for the interests, promotion and advancement of the sports discipline hence avoiding unwanted conflicts.

The Ethical Guideline deals with: *general principles (integrity, accountability, trust, legality, collective responsibility); protecting the interest of the federations; effective governance; the role of the president; responsibilities of office bearers; respect for the law; relationship with other office bearers and management; conflict of interests; use of confidential information; decision-making; non-discrimination; accountability; gifts and benefits, reporting grievances and malpractices and enforcement of the code.*

c) Corruption Prevention Review (CPR) on the procurement of professional sports bikes at the Ministry of Youth and Sports

The CPR was motivated by a number of complaints of alleged acts of corruption and malpractices received at the Independent Commission Against Corruption (ICAC). It concerned the procurement of professional sports bikes at the Ministry of Youth and Sports. The CPR examined the systems, procedures and practices regarding the above procurement exercise and recommended measures to secure the revision of methods of work and procedures that may be conducive to corruption. The report was meant for the management of the Ministry of Youth and Sports and aimed mainly to communicate the:

- (i) systemic weaknesses regarding the procurement of goods at the Ministry; and
- (ii) relevant recommendations to address the weaknesses and strengthen the procurement framework for improved fairness, transparency and accountability.

Following the release of the CPR report and the conduct of a follow-up exercise undertaken to monitor the implementation and effectiveness of recommendations, and to identify constraints, if any, it was encouraging to note that almost all the recommendations had been implemented or were being implemented by the Ministry. The recommendations with respect to the procurement process have been extended to the whole procurement process of the sports section of the Ministry.

Impact of the recommendations

The procurement practices have changed significantly to eliminate integrity risks. These include prior registration of supplies, ensuring right specifications, having the proper oversight mechanism that includes a Committee of Needs and a Departmental Bid Committee and procedures to deal with conflict of interests.

The Ministry has issued to all staffs guidelines on the prevention of corruption and an extract from the Public Procurement Act 2006, as amended, on Procurement Integrity, for strict compliance.

d) Implementation of anti-corruption measures at the Ministry of Youth and Sports

Public Sector Anti-Corruption Framework: The Ministry of Youth and Sports has embarked on the implementation of the framework since 2013. It concerns all the departments falling under the aegis of the Ministry. The framework is a risk-based self-assessment mechanism to enhance organisational

integrity in public bodies. It has accordingly set up an Anti-Corruption Committee, adopted an anti-corruption policy and embarked on the corruption risk management phase.

The Anti-Corruption Committee is actually implementing the anti-corruption measures following a risk assessment of the procurement process at the level of the Ministry and the departments.

Integrity Officers: The process has been further consolidated by the designation and training of two senior public officers of the Ministry of Youth and Sports to act as integrity officers. The Integrity Officer project complements the Public Sector Anti-corruption Framework and is expected to contribute to the establishment of an enduring ethical culture, help prevent corruption and effectively address it.

The Integrity Officers participated in a training course that was conducted in two phases: an Initial Training and an Advance Training that was facilitated by a Crime Prevention and Criminal Justice Officer of the Corruption and Economic Branch of the United Nations Office on Drugs and Crime (UNODC). One of the outcome of the Advance Training for Integrity Officers conducted in August 2015 was an Integrity Management Toolkit which focuses on public sector integrity and is meant to guide Integrity Officers in fostering a culture of integrity in their respective organisations.

e) Proposals for amendment to the POCA to include offences in sports

The Independent Commission Against Corruption (ICAC) is concerned with the fact that the current statutory provisions under its enabling legislation, does not allow the Commission to investigate corruption in any sporting events, including horse racing.

There is a need to be proactive and act before the sport sector is plagued with corruption. The ICAC looks forward to the leaders of the different federations and national committees to be the role models by setting the standard very high in the sports community.

Commission of Enquiry on Horse Racing in Mauritius

A Commission of Inquiry on Horse Racing in Mauritius was set-up in September 2014 by the Prime Minister's Office of the Republic of Mauritius. The President of the Republic appointed a Commissioner to Chair the Inquiry, with two fellow Commissioners as Assessors. The Commission released its report in March 2015.

According to the Commission of enquiry, the illegal betting market is helping to fund corruption in horse racing, and the integrity of horse racing in Mauritius is at an all-time low.

Proposals for amendment to the POCA to include offences in sports

The ICAC Parliamentary Committee agreed that an amendment be brought to the prevention of Corruption Act, to allow the Commission to investigate corruption in horse racing as well, as in other sporting events.

Subsequently, the Attorney General's office prepared a draft Bill, and it was agreed that Section 2 of the Prevention of Corruption Act be amended to cater for the definition of Sporting event as including any sporting activity and horse racing. Furthermore, it was agreed that a new Section be inserted in the Act to define the offence.

The proposed amendments are under consideration and will not no doubt be one of the various measures that can be used to tackle corruption in horse racing.

Conclusion

Sport, like any other segment of active life, has not been spared by the pervasiveness of corruption. It has crept in to become a threat to fair competition and to the detriment of good sportsmanship. The risk to integrity in sports cannot be underestimated, as corruption is increasingly becoming global and affecting new sectors of the economy.

Corruption scandals that have rocked the sports community at the highest level during the present decade show the lack of integrity of both systems and people in this field. The ICAC is fully aware of the risks of corruption and malpractices in sports in Mauritius and will gradually increase its anti-corruption actions with stakeholders at the national level to ensure integrity in the management of sports and prevent it from being plagued by corruption and other malpractices.