



# Conference of the States Parties to the United Nations Convention against Corruption

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## Working Group on the Prevention of Corruption

Vienna, 22-24 August 2016

Item 2 (a) (ii) of the provisional agenda\*

**Implementation of Conference resolutions 6/6, entitled  
“Follow-up to the Marrakech declaration on the  
prevention of corruption” and 6/7, entitled “Promoting  
the use of information and communications technologies  
for the implementation of the United Nations Convention  
against Corruption”: good practices and initiatives in the  
prevention of corruption**

### Integrity in sport

#### Background paper prepared by the Secretariat

#### I. Introduction

1. In its resolution 6/1, the Conference of the States Parties to the United Nations Convention against Corruption requested the Secretariat to structure the provisional agendas of the subsidiary bodies established by the Conference in such a way as to avoid the duplication of discussions, while respecting their mandates. The Conference, in its resolution 6/7, further requested that the relevant subsidiary bodies discuss promoting the use of information and communications technologies for the implementation of the Convention in order to facilitate public sector transparency and combat corruption, and draw up a list of best practices on how to enhance and promote such use.

2. In its resolution 6/6, entitled “Follow-up to the Marrakech declaration on the prevention of corruption”, the Conference recognized the importance of protecting integrity in sport by promoting good governance in sport and mitigating the risk of corruption that sport faces globally and requested the Secretariat to continue, in close cooperation with relevant international organizations, partners and donors, to develop studies, training materials, guides and tools for Governments and sports organizations to enable them to further strengthen measures in that area.

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\* CAC/COSP/WG.4/2016/1.



3. In light of these resolutions, and as endorsed by the Extended Bureau of the Conference at its meeting on 29 April 2016, it was decided that the topics for discussion at the forthcoming seventh intersessional meeting of the Open-ended Intergovernmental Working Group on the Prevention of Corruption, to be held in Vienna from 22 to 24 August 2016, would be:

(a) The use of information and communications technologies for the implementation of the Convention in order to facilitate public sector transparency and combat corruption;

(b) The protection of integrity in sport by promoting good governance in sport and mitigating the risk of corruption that sport faces.

4. At its second meeting, held in Vienna from 22 to 24 August 2011, the Working Group recommended that in advance of each future meeting of the Working Group States parties should be invited to share their experiences of implementing the provisions under consideration, preferably by using the self-assessment checklist and including, where possible, successes, challenges, technical assistance needs and lessons learned in implementation. The Working Group requested the Secretariat to prepare background papers synthesizing that information and decided that panel discussions should be held during its meetings, involving experts from countries who had provided written responses on the priority themes under consideration.

5. In compliance with the request of the Conference, the present note has been prepared on the basis of information relating to promoting good governance in sport and mitigating the risk of corruption that sport faces globally provided by States in response to the Secretary-General's note verbale CU 2016/70/DTA/CEB of 18 March 2016 and the reminder note verbale CU 2016/111(A)/DTA/CEB of 26 April 2016. By 20 May 2016, submissions had been received from 27 States. The submissions from the following 20 States contained information relating to the topic of the protection of integrity in sport by promoting good governance in sport and mitigating the risk of corruption that sport faces: Algeria, Armenia, Azerbaijan, Bosnia and Herzegovina, China, Ecuador, Germany, Greece, Japan, Mauritius, Myanmar, Pakistan, Panama, Paraguay, Portugal, Russian Federation, Spain, Switzerland, United Republic of Tanzania and the United States of America.

6. With the agreement of the countries concerned, the full text of the submissions has been made available on the page of the United Nations Office on Drugs and Crime (UNODC) website devoted to the meeting<sup>1</sup> and incorporated into the thematic website of the Working Group developed by the Secretariat.<sup>2</sup>

7. The present note does not purport to be comprehensive, but rather endeavours to provide a summary of the information submitted by States parties and signatories.

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<sup>1</sup> [www.unodc.org/unodc/en/treaties/CAC/working-group4.html](http://www.unodc.org/unodc/en/treaties/CAC/working-group4.html).

<sup>2</sup> [www.unodc.org/unodc/en/corruption/WG-Prevention/working-group-on-prevention.html](http://www.unodc.org/unodc/en/corruption/WG-Prevention/working-group-on-prevention.html).

## **II. Analysis of submissions of States parties and signatories**

### **A. Thematic background**

8. Over the last decade the world of sports has gone through a dramatic evolution. The increasing professionalization and expansion of the sports industry, combined with a diverse and multifaceted approach to regulation and governance of sports organizations, have resulted in many benefits.

9. However, it is clear from the submissions received that States parties and sports organizations alike understand that illicit activities, often involving an international dimension, have accompanied this evolution and entail significant risks.

10. Submissions revealed that numerous actions have been undertaken to help address those risks. The actions taken have involved States parties and national sports organizations working together, but they have also involved support by international sports organizations and international organizations.

11. It is clear that in this context, the United Nations Convention against Corruption has an important role to play. States parties at the sixth session of the Conference of States Parties, held in St. Petersburg, Russian Federation, from 2 to 6 November 2015, underlined the Convention's importance as an effective mechanism for promoting good governance in sport and mitigating the risk of corruption that sport faces globally, and requested the development of studies, training and materials, including guides and tools to strengthen efforts in this regard.

12. The submissions demonstrated that States parties have prioritized preventive measures as the main way of promoting good governance and integrity in sport. This has been done by developing appropriate legislation and policies and by building mechanisms to facilitate multi-stakeholder cooperation. Education and training initiatives were particularly important, as underlined by the number of related activities undertaken.

13. Activities reported by States involving enforcement measures were much less prominent. In those countries in which such measures are in place, the focus has been on establishing effective deterrent and punitive mechanisms. Concretely, this has resulted in the establishment of specialized authorities to investigate and sanction cases of corruption and criminality in sport. Added to this, States have sought to facilitate cooperation and coordination between public authorities, sports organizations and other relevant stakeholders to facilitate investigations, share information and exchange experiences.

### **B. Preventive measures adopted by States to promote good governance and mitigate the risk of corruption in sport**

#### **Legislation, policies, regulations and assessments**

14. A majority of the States reported measures aimed at enhancing the prevention capabilities of national authorities and relevant stakeholders working in the field of

sports through strengthening legal and institutional structures. The use of regulations and the development of appropriate policies were also identified as important ways to promote good governance and combat corruption in sport.

15. In terms of regulations, Algeria recently introduced a mechanism designed to help avoid conflicts of interest in sport by limiting the ability of a person to hold executive functions if they also held administrative responsibilities in a sports organization. Restrictions were also put in place to prevent a president of a national sports federation from also occupying a senior position in a corporation supplying goods or services to that national federation or to affiliated clubs and leagues. Algeria also introduced measures to expand and strengthen the role of the Ministry of Youth and Sports in relation to promoting sports ethics and evaluation. Armenia reported that it used the wide scope of legislation primarily designed to protect children and youth in sport as a means of preventing the use of sport for illicit activities. Ecuador's Law of Sport, Physical Education and Recreation regulated sports organizations, as well as how they are funded by the State.

16. A code of ethics was developed by Mauritius at the national level for stakeholders within the sports community as well as guidelines for office holders of national sports federations. Japan introduced national plans to improve transparency and promote fairness in sport. Paraguay indicated that a national sports policy was being developed and that an amendment to the national money-laundering prevention bill will be introduced with the aim of extending its applicability to include sport unions, federations and associations.

17. Spain and Mauritius reported on the use of corruption risk assessments related to sport. In Mauritius, the Ministry of Youth and Sports used a risk-based self-assessment mechanism designed to enhance organizational integrity in public bodies. This has resulted in the creation of an Anti-Corruption Committee at the Ministry, the adoption of an anti-corruption policy and the introduction of corruption risk management.

18. The United States highlighted how its legislative framework to mitigate the risk of corruption in sports is comprised of a number of different federal statutes. These include the Wire Act, the Travel Act, the Illegal Gambling Act, the Sport Bribery Act, and the Professional and Amateur Sports Protection Act. However, while these federal laws are routinely enforced, the vast majority of sports regulations are the responsibility of individual states, which develop and enforce their own legislative frameworks. Moreover, many of the major sports associations, which are private businesses or non-profit organizations, have developed their own internal policies and regulations to promote good governance and mitigate the risk of corruption among players, coaches and refereeing officials.

#### **Education, training and awareness-raising to promote good governance and anti-corruption policies relevant to sport**

19. In the submissions received, the role of education as a key preventive measure in promoting good governance and anti-corruption in sport was repeatedly highlighted. A high number of training courses and activities involving the deployment of significant resources underscored the value attached by States to prevention, in contrast to enforcement measures. Common characteristics in the examples of training provided included the use of collaborative approaches and the

involvement of multiple stakeholders. While enhancing skills and developing the knowledge of participants were clearly the key aims of the training programmes, the use of partnerships between national authorities and sports organizations at national and international levels was also clearly evident.

20. Algeria stated that its National Agency for the Prevention and Fight against Corruption had trained 64 representatives from the sports sector and that a second training course was planned on the development of codes of conduct. A regional seminar was also organized in 2013 by the Directorate General of National Security, in coordination with the International Criminal Police Organization (INTERPOL) and the Fédération Internationale de Football Association (FIFA), to discuss ways to counter match-fixing and corruption in football. The Federal Commission of Referees of the Football Association of Algeria organized seminars for referees and assistant referees under the theme of “respecting rules of the game, ethics and integrity of competitions”. Further to this, experts from FIFA worked with referees to help them prepare for professional matches.

21. Bosnia and Herzegovina reported that representatives of the Agency for the Prevention of Corruption and Coordination of the Fight against Corruption participated as lecturers during seminars organized by the Football Federation. The seminars sought to educate delegates, controllers of football trials, referees, assistant referees and representatives of football clubs about integrity and ethics as well as to raise awareness of the importance of taking preventive measures to fight corruption in sport. In Mauritius, empowerment workshops were regularly held for managers of all sports federations to enhance integrity in the administration of sports.

22. In 2014 and 2015, the German Federal Ministry of the Interior participated in an advisory capacity in the working group on good governance of the German Olympic Sports Confederation, the umbrella organization of German sport. This working group, in which Transparency International Deutschland was also represented, drew up some basic documents which will be used by the Confederation and its member organizations.

23. In Greece, a multitude of activities were undertaken. In relation to football, the Super League and Transparency International Greece developed and piloted training and promotional material to raise awareness about match-fixing using the slogan “Honest Behaviour in Football: Your team. Your career. Your responsibility.” A brochure, “Seven ways to protect the sport you love”, was developed to provide information on rules and match-fixing risks. An e-training programme for players was also developed and made available online and via Facebook. A public event to raise awareness was held and facilitated discussions on the need for a secure system to protect whistle-blowers. Greece reported on further educational activities that were undertaken, including a seminar at the Institute of International and Strategic Relations on “Fight against Match-Fixing” and a lecture entitled “Sports Integrity against Match-Fixing” which was given at the National and Kapodistrian University of Athens.

24. Two senior public officers from the Ministry of Youth and Sports of Mauritius were appointed as Integrity Officers with the aims of establishing an enduring ethical culture in the Ministry, preventing corruption and effectively addressing it. The officers participated in a training course that was conducted by UNODC

in 2015. A sensitization campaign aimed at all those directly or indirectly involved in sport was organized with the goal of promoting intolerance towards corruption in sports.

25. In 2015, Myanmar held anti-corruption dissemination workshops and seminars for all ministries, as well as for state and regional Governments.

**Establishment of implementation, institutional or coordination mechanisms to support good governance and integrity**

26. The submissions of States clearly evidenced how activities involving multiple stakeholders and using complementary and collaborative approaches were prioritized. The effectiveness of these activities, however, was dependent on mechanisms which supported coordination and facilitated the implementation of policies. In addition, the need for accountability structures, transparency, and mechanisms to oversee the allocation and use of grants given to athletes and sports organizations to promote good governance and integrity was underlined.

27. The importance attached to coordination was underscored by the number of coordination mechanisms developed and the resources allocated to these mechanisms. In Germany, the Federal Government cooperated with a variety of stakeholders and the Federal Ministry of the Interior organized a national expert meeting in September 2015 to discuss, inter alia, measures in the field of prevention. The German Football League and the German Football Association further initiated a project entitled “Gemeinsam gegen Spiel manipulation” (joining forces against match-fixing).

28. In Greece, the “Don’t Fix It” project was launched in partnership with the Fédération Internationale des Associations de Footballeurs Professionnels (FIFPro) and the Union of European Football Associations (UEFA), supported by the European Commission with the aim of preventing match-fixing through education. A training, education and prevention programme entitled “Match-fixing: the ugly side of the beautiful game” organized by INTERPOL, FIFA and UEFA was launched, as was the PROtect Integrity programme involving volleyball players. Greece also took part in a meeting held in Brussels in February 2016 aimed at developing European initiatives to fight match-fixing.

29. In Spain, the Higher Council of Sports facilitated the participation of relevant stakeholders through organizing meetings of federations and governing bodies of various sports, including the professional football and basketball leagues. The Swiss Confederation worked closely with Swiss Olympic in terms of the integrity of sport. Together, they developed a Charter for Ethics in Sport. Compliance with that charter, which is monitored by Swiss Olympic, was a prerequisite for, among other things, receiving state subsidies.

30. States highlighted a number of measures taken to develop accountability and integrity structures as important ways to strengthen governance and integrity of sport. In that regard, China reported the use of a number of mechanisms guided by the “Three Principles of Strictness”, identified as a strict ban, strict examination and strict punishment. Organizational committees responsible for organizational work as well as the prevention of corruption were also established. Their responsibilities involved leadership, supervision, correction, support and the selection and appointment of personnel related to a sports event. Disciplinary inspection

committees were established conjointly with the organizational committees and were composed of inspection and audit departments.

31. In February 2016, the Agency for the Prevention of Corruption and Coordination of the Fight against Corruption of Bosnia and Herzegovina committed to coordinating the process of developing and adopting an integrity plan for the national Football Federation. In 2014, Japan's Sport Council established an integrity unit to protect and strengthen the integrity of sport.

32. Transparency measures were also cited by States as important in ensuring confidence in sport. In Armenia, a committee was established in order to nominate and select high achieving athletes, national team staff and coaches to receive a stipend for the Olympic, Paralympic and Deaflympic Games, as well as the World and European Championships. The Government of Japan developed a Guideline for Anti-Doping in Sports as well as a Guideline for Governance of National Sports Federations. In Panama, information was made available in relation to the earnings and winnings of athletes.

33. Resources were also deployed in order to strengthen national mechanisms to oversee the allocation and use of grants given to athletes and sports organizations. Algeria introduced measures to strengthen the role of the Ministry of Youth and Sports in relation to the effective management of resources granted by the Government to sports associations. In China, the management of funds that were provided was supervised and inspected to ensure that they were used for the designated purpose. The Japan Olympic Committee established a National Federation Total Support Centre which assisted national sports federations in managing grants and other types of support provided to them. Panama reported that the annual grants given to athletes to help them improve their physical capabilities were published and made available online.

## **C. Enforcement activities of relevant stakeholders in relation to offences linked to sport**

### **Criminal cases and other practices linked to integrity in sport**

34. States, including Germany, Greece, Spain, Portugal, the Russian Federation and Switzerland, reported that they had enacted legislation to criminalize specific offences linked to sport, such as sports betting fraud, bribery in sport and the manipulation of sports competitions.

35. Examples of cases and practical investigation techniques offer important and useful guidance to those looking to enhance their knowledge and investigative skills in a relatively new area, encompassing law enforcement, regulatory and administrative proceedings.

36. Several States referred to criminal cases involving integrity in sports, the majority of which involved football. The examples highlighted the complex nature of cases and the importance of coordination and cooperation between different stakeholders. Armenia provided information regarding two criminal cases. The first involved allegations that two referees accepted bribes to fix a football match to ensure a draw. Two penalties were dubiously awarded for each team in the 77th and 79th minutes of the game. An investigation was carried out and the referees were

charged with committing a crime under article 203 part 3 of the Criminal Code and detained. However, Armenia reported that the investigation was unable to proceed as a result of an amnesty. The second case reported by Armenia, which was ongoing, involved allegations that the manager of a football club made bets on a game involving players of his club. The players were alleged to have played in such a way as to influence the result of the match in order to make the bet successful. The proceeds of the bet were then allegedly shared between the manager and the players.

37. Spain reported that there were examples of criminal cases related to sports integrity that involved football primarily, but also tennis. The main cases involving football were concentrated around the second division, Liga Adelante, and the National Championship Professional League although there were also examples of cases involving teams of the first division, the Liga BBVA. In 2015, United States prosecutors filed an indictment in federal court charging 41 persons with racketeering, wire fraud and money-laundering conspiracies, among other offences, in connection with their participation in a 24-year scheme to enrich themselves through the corruption of international football. It was reported that twelve defendants have been convicted so far and have agreed to forfeit over \$190 million. In addition, more than \$100 million was seized in the United States and in other countries in connection with the alleged criminal activity.

38. In relation to regulatory and administrative proceedings, Greece created a blacklist of illegal betting operators and blocked illegal gaming sites via Internet service providers as well as payment of winnings from illegal operators. In addition, the Hellenic Football Federation supported UEFA's betting fraud detection system and the European Lottery Monitoring System. In Mauritius, an investigation into the procurement of professional sports bikes by the Ministry of Youth and Sports was conducted. It established that there were systemic weaknesses regarding the procurement of goods at the Ministry and made recommendations for improved fairness, transparency and accountability in procurement.

#### **Establishment of specialized authorities responsible for dealing with offences relating to integrity in sport**

39. The examples submitted by States in relation to enforcement activities in the field of sport were relatively limited. Those received underlined that States tended to view allegations of criminality in sport as a complex area requiring specialized skills and measures. In practice, States have addressed the challenges of enforcement in sports either by establishing new specialized authorities or by empowering existing entities. The types of entities varied but can be broadly grouped as being related to law enforcement, audit and financial regulation, and information collection.

40. In terms of law enforcement bodies, Germany reported that a Match-Fixing Contact Office was established at the *Bundeskriminalamt* in 2013, with a focus on law enforcement. The office sought to intensify cooperation between law enforcement authorities and sports federations and acted as a federal contact point for sports organizations. To this end, strategic partnerships were formed with selected high-performance sports federations such as the German Football Association, the German Olympic Sports Confederation, the German Handball League and the German Basketball League. These partnerships involved the provision of advice and the conduct of initial assessments of suspicious incidents



that occurred in sport by the police. In addition, the Football League and Association appointed an ombudsman as a neutral point of contact in relation to match-fixing which allowed players, coaches and referees to obtain advice on a broad range of issues. In the same vein, the German Olympic Sports Confederation recently set up an external ombudsperson's office which received reports of cases of suspected corruption and violations against the integrity guidelines in clubs and associations.

41. Investigations into sport in Spain were carried out by the Central Brigade of Money Laundering and Corruption. In addition, a special prosecutor against corruption and organized crime, based in Madrid, but with jurisdiction throughout Spain, was also involved in cases linked to sport. Spain further reported that relationships were established between the General Commissariat of the Judicial Police and the General Directorate Regulatory of Gambling, which formed part of the Secretariat of State for Finance. This coordination mechanism allowed for operators with national licences on sport betting to channel relevant information, including any warning alerts about possible match-fixing, and had led to three investigations. Moreover, new agreements were signed with various private entities in order to establish communication mechanisms that warn about potentially fraudulent matches. The agreement signed between the Directorate General of Police and the professional football league, La Liga, was identified as being particularly important.

42. States which reported on specialized agencies with auditing and financial regulation powers included Algeria, Armenia and Greece. In Algeria, the General Inspectorate worked in coordination with other specialized agencies, including the General Inspectorate of Finance, the Court of Auditors, the Directorate General of National Security, and conducted related investigations. Crimes related to sports in Armenia were investigated by the Department against Corruption and Economic Crimes which operated within the structure of the Ministry of Finance. Specifically, the audit division of this department conducted inspections of national sport federations. Greece established the Professional Sports Committee, a non-judicial, independent authority. It conducted compliance audits, monitored sports associations with respect to their funding, imposed fines, reported violations to administrative and judicial authorities, and prepared annual reports. The Committee was overseen by the Minister of Culture and Tourism. In addition, Greece reported that it had established the Audit Council of the General Secretariat of Sport, which audited and ascertained compliance of associations, unions and federations with managerial and accounting policies and issued advisory reports on subsidies provided by the State.

43. Regarding authorities with information collecting powers, in Mauritius, a commission of inquiry on horse racing was established in September 2014 by the Prime Minister's Office. A commissioner chaired the inquiry, assisted by two fellow commissioners as assessors. The report concluded that the illegal betting market had driven integrity in horse racing to an all-time low.

### **III. Conclusions and recommendations**

44. The information provided by States for this report highlighted the initiatives undertaken in response to the risk of corruption and transnational organized crime in sport.

45. The submissions focused on multi-stakeholder activities designed to build the capacities of law enforcement agencies and sports organizations in the areas of prevention and enforcement. This approach facilitated the mobilization of expertise from a variety of different actors, at both the national and international levels.

46. The Working Group may wish to consider discussing how to promote cooperation between national law enforcement agencies and sports organizations; to ensure that effective, enforceable legislation is in place, for instance in the areas of match-fixing and illegal betting; to promote education activities on integrity and good governance; and to enhance and develop information exchange mechanisms.

47. Finally, the Working Group may wish to request UNODC to continue its efforts to promote good governance in sport and mitigate the risk of corruption through the development of effective prevention, enforcement and education measures, such as developing studies and guides, building capacity, promoting best practice in governance and integrity and supporting risk assessment, monitoring and accountability frameworks.

48. In order to continue the process of mutual learning, States are encouraged to provide further updates and present new initiatives in the areas of discussion at the Working Group.