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MINEPS V

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Ministers and Senior Officials
Responsible for Physical Education
and Sport



FOLLOW-UP TO THE FIFTH INTERNATIONAL CONFERENCE OF MINISTERS AND SENIOR OFFICIALS RESPONSIBLE FOR PHYSICAL EDUCATION AND SPORT (MINEPS V)

ON THE FIGHT AGAINST THE MANIPULATION OF SPORT COMPETITIONS

16-17 September 2015 (Doha, Qatar)

WORKING PAPER

I. BACKGROUND

1. Sport Ministers met at the fifth International Conference of Ministers and Senior Officials Responsible for Physical Education and Sport (MINEPS V) held by UNESCO from 28 to 30 May 2013, attended by 591 participants, with 121 Member States represented by more than 50 ministers, and more than 150 representatives of intergovernmental organizations and civil society organizations specialized in the fields of sport and physical education. The Declaration of Berlin, the Conference's outcome document was developed thanks to a collective preparatory process involving approximately 100 renowned experts, as well as academic institutions.
2. At its 37th session (5-20 November 2013), the General Conference of UNESCO discussed the follow-up of MINEPS V on the basis of an information document prepared by the Secretariat (37 C/INF.16). The General Conference encouraged the Intergovernmental Committee for Physical Education and Sport (CIGEPS) to support the follow-up process of the Declaration of Berlin and the monitoring of its implementation. The General Conference of UNESCO also made recommendations with a view to following up the Declaration of Berlin, particularly to fight against the manipulation of sport competitions through unregulated betting, organized crime and corruption. Moreover, the International Centre for Sport Security (ICSS) expressed an interest in playing a leading role in the fight against the manipulation of sport competitions. In that respect, "ICSS was particularly committed to supporting the follow-up activities relating to topic 9 "Fight against the manipulation of sport competitions brought on by unregulated betting, organized crime and corruption".¹
3. UNESCO's increasing involvement in combating attempts to undermine the integrity of sport was recently confirmed when the Executive Board endorsed the revised International Charter of

¹ CIGEPS, Plenary Session and Joint Meeting with the Permanent Consultative Council (PCC), UNESCO, 6-7 March 2014, Final Report, para. 53.

Physical Education and Sport in April 2015. The new version of the Charter will be submitted at the 38th session of the General Conference of UNESCO in November 2015 for deliberation and adoption.² In this perspective, the revised International Charter of Physical Education and Sport contains an article (Article 10) the title of which states that “*Protection and promotion of the integrity and ethical values of physical education, physical activity and sport must be a constant concern for all*”. Moreover, the Charter establishes that “*effective measures must be taken to foster national and international cooperation against the manipulation of sport competitions, as well as a coordinated global response in line with the relevant international instruments*”.³ Thus, various measures provided in the Charter have been recommended so that UNESCO’s Member States may set up mechanisms to preserve the integrity of sport competitions and fight against all forms of manipulation.

4. Sport is an important social, economic and societal driving force that allows human development, notably through fighting against inequalities and all kinds of discrimination. However, the different cases of doping, corruption and illegal sports betting too often blemish its image. Consequently, it is essential that stakeholders make a global, concerted effort to overcome such shortcomings. The 2013 Declaration of Berlin is the first step in setting up solutions to preserve the integrity of sport at an international level. Its proper implementation is, however, subject to the implementation of the recommendations made by the Sport Ministers. The Declaration of Berlin can thus be considered the starting point, which States must now follow up on by implementing concrete measures so the steps contained in the Declaration can be applied.
5. Thus, the meeting has four main objectives. It will:
 - (i) take stock of measures taken by UNESCO’s Member States in the fight against the manipulation of sport competitions since the Declaration of Berlin;
 - (ii) propose concrete actions that can be carried out on a short-term or medium-term basis, in particular to facilitate the involvement of UNESCO’s Member States, and particularly non-European Member States;
 - (iii) make countries aware of the issues linked to the manipulation of sport competitions as well as their impact on all stakeholders and, particularly, players, public and private regulators, public authorities, representatives of the Sport Movement and public and private operators and;
 - (iv) help public authorities to base themselves on existing minimum standards in the fight against the manipulation of sport competitions.
6. It has thus been proposed that an agenda be drawn up including four working sessions, in which participants and speakers will be invited to propose and identify solutions in the following fields:
 - dialogue and cooperation;
 - exchange of information;
 - resourcing models;
 - prevention.

² See UNESCO General Conference document 38 C/47.

³ Article 10.3.

In that respect, it should be emphasized that the content of the sessions has been redefined in light of the participants' answers to the questionnaire regarding this meeting.

7. The four working sessions will be preceded by an assessment of national and international legislation so that an overview of the existing legal mechanisms regarding the manipulation of sport competitions can be undertaken, as well as a brief survey of stakeholders' expectations. This first "legislation" session will not be followed by a working session, because the themes that will be broached during the four other sessions will necessarily have to take the relevant legal mechanisms into consideration.

II. WORKING SESSIONS

II.1 Dialogue and cooperation

8. The Declaration of Berlin stresses the need to ensure dialogue between stakeholders⁴ and to set up both international and national cooperation.⁵
9. The importance of establishing dialogue and cooperation among "*public authorities, sports organizations, competition organizers and sports betting operators at national and international levels*"⁶ was also stressed in the 2014 Council of Europe Convention on the Manipulation of Sports Competitions. To that end, the Council of Europe Convention requests that signatory Member States establish a national platform tasked in particular with "*cooperat[ing] with all organizations and relevant authorities at national and international levels, including national platforms of other States*".⁷
10. In that respect, it has been noted:
 - (i) that, to date, only a few States have established a national platform;
 - (ii) that among those States, the structures and procedures of national platforms are varied, particularly as regards their supervisory authorities (authority tasked with combating doping, authority tasked with combating illegal betting ...).
11. Accordingly, it seems necessary:
 - (i) at the national level:
 - to identify the key factors determining the choice of the supervisory authority;
 - to identify the various dialogue and cooperation mechanisms that exist at the national level so as to highlight their convergences and identify best practices

⁴ 14 "Affirming that various national and international authorities and stakeholders need to concert their efforts in order to combat threats to the integrity of sport through doping, corruption and the manipulation of sport competitions, and that Sport Ministers play a leadership role in federating these efforts."

⁵ 3.30 "Develop national and international cooperation between the law enforcement authorities and betting regulators in the fight against manipulation of sport competitions (e.g. mutual legal assistance, joint task forces), involving the Sport Movement and the betting operators."

3.37 "Collaborate in the early detection of manipulation through developing preventive measures and monitoring methods in accordance with national and international law."

3.38 "Establish and maintain, in accordance with national and international law, ongoing communication and cooperation with government and law enforcement authorities in the fight against doping, corruption in sport and manipulation of sport competitions."

⁶ Council of Europe Convention on the Manipulation of Sports Competitions, 2014, Preamble.

⁷ Council of Europe Convention on the Manipulation of Sports Competitions, 2014, Art. 13.

(national cooperation procedure between betting operators and the national regulatory authority, cooperation agreements signed between the regulatory authorities of different countries, the International Olympic Committee's "IOC Integrity Betting Intelligence System (IBIS)");

- to identify potential synergies with other mechanisms established for the integrity of sport: fight against doping, good governance, and so on.

(ii) at the international level:

- to identify needs so as to fill in the gaps in this field.

12. In that perspective, this session will aim to:

- (i) identify the different dialogue and cooperation tools that have been set up at the national level and hold a debate on their strengths and weaknesses;
- (ii) identify the permanent and variable components of the model design for a national platform;
- (iii) identify the preliminary conditions for these platforms regarding governance;
- (iv) identify the most effective tools that can be developed in the follow-up of this meeting;
- (v) propose action to improve dialogue and cooperation.

II.2 Exchange of information

13. As stated in the Declaration of Berlin, information exchange seems to be the core issue in the fight against all kinds of manipulation in sport competitions.⁸ The importance of the matter is, in fact, currently the subject of scientific research, as two handbooks will soon be published. The Council of Europe will publish the first handbook regarding the exchange of information, coordinated by the Pantheon-Sorbonne University. It was funded by the ICSS and is supported by UNESCO. The second is a training textbook intended for regulatory authorities and co-drafted by the ICSS and the United Nations Office on Drugs and Crime (UNODC).⁹

14. In accordance with the Council of Europe Convention on the Manipulation of Sports Competitions, the main tasks of national platforms are:

- *“serv[ing] as an information hub, collecting and disseminating information that is relevant to the fight against manipulation of sports competitions to the relevant organizations and authorities;*
- *receiv[ing], centraliz[ing] and analys[ing] information on irregular and suspicious bets placed on sports competitions taking place on the territory of the Party and, where appropriate, issu[ing] alerts;*

⁸ 3.19 “Ensure, in accordance with national and international law, a collaborative, continual, effective and dynamic exchange of information among all stakeholder groups in securing integrity in sport.”

⁹ A presentation on these two handbooks is contained in the meeting's background documents.

- *transmit[ting] information on possible infringements of laws or sports regulations referred to in this Convention to public authorities or to sports organizations and/or sports betting operators”*.¹⁰

15. In that respect, it has been noted:

- (i) that there is no international document providing a framework for the exchange of information;
- (ii) that there are legal obstacles to the exchange of information;
- (iii) that there is a diversity of definitions, natures and protocols of exchange relating to these data;
- (iv) that there is no single mechanism either at the national or international level allowing the exchange of information in the case of the manipulation of sport competitions.

16. Thus, it seems necessary to identify:

- (i) the data likely to be exchanged and the data giving rise to particular protection, in conformity with the laws concerning the protection of personal data;
- (ii) the existing procedures for the exchange of information at the national and international level;
- (iii) the stakeholders who could process the data gathered from athletes;
- (iv) the existing and potential synergies with the fight against doping.

17. In that perspective, this session will aim to clarify:

- (i) the main tools allowing the exchange of information;
- (ii) the main obstacles to the exchange of information;
- (iii) the data which should, in theory, be able to be exchanged freely;
- (iv) the procedures for collecting and processing data;
- (v) the measures to encourage and protect information sources;
- (vi) the concrete tools and steps to improve the exchange of information, particularly at the international level.

18. On a preliminary basis, a tool could be proposed for non-European countries and regions and brought to their attention.

II.3 Resourcing models

19. The fight against the manipulation of sport competitions must be based on the active contribution of all concerned stakeholders.

¹⁰ Council of Europe Convention on the Manipulation of Sports Competitions, 2014, Art. 13.

20. In that respect, it has been noted:

- (i) that there are currently resources that can already be used to contribute to the protection of sport competitions;
- (ii) that there are a number of national models for the fight against the manipulation of sport competitions that are based on the existing synergies between the fight against doping and the fight against the manipulation of sport competitions;
- (iii) that, in the absence of a structured international framework, it is difficult to establish the minimal capacities and resources required by stakeholders at the international and national level.

21. Thus, it seems necessary:

- (i) to identify the different models according to which capacities and resources have been mobilized in this field;
- (ii) to identify innovative funding possibilities.

22. In that perspective, this session will aim to:

- (i) determine the efficiency of the different resource mobilization ideas (for example, funding through sports betting);
- (ii) identify priority needs regarding the capacity building of the different stakeholders, particularly at the international level;
- (iii) identify the capacities required by each stakeholder and the corresponding resource mobilization;
- (iv) propose a specific project that could potentially bring resources to the identified priority fields.

II.4 Prevention

23. As proven by the fight against doping, the sanction-repression approach must be used in concert with prevention services for optimal efficiency. Moreover, the Declaration of Berlin states that the prevention of the manipulation of sport competitions is essential.¹¹ However, first, the

¹¹ 3.22 *“Promote interdisciplinary research around the manipulation of sport competitions, particularly in criminal science, sport science, biotechnology, ethics, economics and law and use the results of the scientific research for political consultation, prevention education and public awareness raising.”*

3.41 *“Implement prevention measures against the manipulation of sport competitions, which include :*

- (a) comprehensive education programmes, in particular face-to-face-training targeted at athletes and also involving their close entourage, sport agents, coaches, referees, representatives of the associations/clubs and the sport federations;*
- (b) the appointment of ombudsmen, respected by the relevant target groups, as well as integrity officers at the national and international levels ;*
- (c) enforceable Codes of Conduct, committed to fair play and ethical standards (e.g. prohibition on betting on one’s own sport or delivering insider information);*
- (d) amnesty or incentive measures for persons helping to achieve legal action or prosecution ;*
- (e) adequate systems for encouraging and protecting whistle-blowers, and for managing suspicious information so as to grant priority to prevention.”*

phenomenon should be understood, so as to enable intervention before any contentious behaviour has taken place.

24. In that respect, it has been noted:

- (i) that educational programmes against the manipulation of sport competitions are not sufficiently widespread;
- (ii) that research enabling educational programmes to be based on scientific evidence is rare;
- (iii) that the educational programmes that exist in the sports field focus on other subjects.

25. Thus, it seems necessary:

- (i) to take stock of existing initiatives;
- (ii) to develop a scientific basis for effective prevention campaigns;
- (iii) to study the possibility of devising educational programmes against some examples of irregular behaviour.

26. In that perspective, this session will aim to:

- (i) confirm the priorities in the prevention of the manipulation of sport competitions;
- (ii) examine the relations between the prevention of gambling addictions and the manipulation of sport competitions;
- (iii) identify the respective roles of the different stakeholders in the development and the deployment of prevention;
- (iv) propose the development of a multi-purpose prevention programme.

III. ASSESSMENT AND INDICATORS

27. Taking into consideration the need to develop “a limited number of generic indicators for a set of eleven topics derived from the Declaration of Berlin that allow the highest possible number of Member States to participate in the follow-up to MINEPS V, in function of their specific needs”,¹² it has been decided that the follow-up to MINEPS V should first and foremost pertain to the preparation of an assessment and indicators, with a view to setting up self-assessment tools.

28. In this perspective, the meeting should propose indicators connected with the different themes mentioned. Those indicators are intended to be implemented by all UNESCO’s Member States and must thus be easy to teach and generate minimal costs.

IV. RESULTS EXPECTED OF THE MEETING: A clear, realistic action plan

29. The end of the meeting will be dedicated to prioritizing a limited number of measures that will have to be carried out before MINEPS VI and that will be supported by the participants. In

¹² “Decides to establish an Ad-hoc Working Group for the follow-up of MINEPS V with the following tasks: (i) coordinate the elaboration of benchmarks and indicators for the monitoring of the implementation of the Declaration of Berlin, notably at the national levels; (ii) coordinate the elaboration of tools for self-assessment against the above benchmarks and indicators.” (RESOLUTION CIGEPS/2014/ 2).

accordance with the programmatic focus decided upon by CIGEPS,¹³ they will have to be in line with the following three axes:

- (i) existing best practices likely to inspire UNESCO's Member States, and particularly those outside Europe;
- (ii) methodologies shared by UNESCO's Member States, particularly those pertaining to the follow-up of policies and the assessment of their impact;
- (iii) an international action plan.

30. **In conclusion**, the main result expected of the meeting is the elaboration of concrete measures intended to strengthen the response of UNESCO's Member States to the manipulation of sport competitions, and particularly that of those which do not yet benefit directly from the follow-up of the Council of Europe Convention on the Manipulation of Sports Competitions.

¹³ CIGEPS, Extraordinary Session, International Olympic Committee Headquarters, 29-30 January 2015, CIGEPS/2015/Doc.3.