



Expert Group "Match Fixing" (XG MF)

Report from the 5th meeting – 8-9 June 2016

1. PARTICIPANTS

Experts from 18 Member States: Austria, Belgium, Cyprus, Denmark, Estonia, Finland, France, Germany, Hungary, Italy, Lithuania, Luxembourg, Malta, Romania, Portugal, Spain Sweden, and the United Kingdom. Six MS experts were absent (Bulgaria, Greece, the Netherlands, Poland, Slovenia and Slovakia).

European Commission: DG Education and Culture (DG EAC) and DG Internal Market, Industry, Entrepreneurship and SMEs (DG GROW).

Representatives from 15 of the 24 observers were present at the meeting.

2. INTRODUCTION

The Expert Group on Match Fixing (XG MF), created by the Council in May 2014,¹ held its fifth and final meeting in Helsinki on 8-9 June 2016.

After an introductory 'tour de table', the chairman, Harri Syväsalmi (FI), welcomed participants, and underlined the basic goal of aiming to achieve concrete results in order to help safeguard integrity of sport. As Secretary General of the Finnish Centre for Integrity in Sports (FINCIS), the Chair gave an overview of his new role and the structure of the organization.

The XG adopted the draft agenda and the report of the last meeting without comments.

3. UPDATES / EVENTS / STATE OF PLAY

Information from the Commission

DG EAC provided participants with an update on the recent developments in the field of EU sport policy, including

- information on Erasmus+ 2016 calls,
- an overview of events held since the last meeting of the expert group (EU Sport Info Day, EU Sport Forum 2016, and the match-fixing event organized jointly by the three DGs working on match-fixing in the Commission);
- an update on the upcoming European Week of Sport, and confirmation of the fixed dates for 2017 onwards (23-30 September);

¹ <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:42014Y0614%2803%29>

- the work of two High-level Groups (grassroots sports and sport diplomacy, to be completed by the end of the month);
- recent EU studies in the field of sport, in particular the recent study on sport specificity recently carried out and presented by the Commissioner at the Council meeting end May.

Update from Council of Europe

Despite a sense of disappointment on the progress with entry onto force, the Council of Europe (CoE) stressed that match-fixing was a priority – resources have indeed been strengthened in the area (Mikhael de Thyse now responsible for matters relating to the Convention). 3 further signatories had been added earlier in the month, bringing the total number to 25. The project 'Keep crime out of Sport' will provide technical support for a number of EU countries with regard to the implementation of the Convention, while promotion activities will continue to take place outside the EU and beyond. An event will be held on September 20-21 in Strasbourg surrounding the Convention.

The Chair noted the importance of the Convention, being the only rule of law when it comes into force, and the important role the Follow-up Committee will play.

Update from the IOC

With the Rio 2016 Olympics looming, the IOC presented an overview of their measures in place to ensure the integrity of the Games. These included collaboration at both international (Interpol and IOC) and national (Brazilian Federal police and Rio 2016) levels. The Code on the prevention of manipulation of competitions, approved in 2015, will not cover all federations (winter Olympics 2018 federations expected to be fully compliant). The IOC also outlined the growing role of their "Integrity Betting Intelligence System" (IBIS), which aims to establish a link between sports and sport betting, as well as link to the National Platforms set up under the Convention. Together with Interpol, a number of workshops have already been held with partner countries under the 'Global Capacity Building and Training Initiative', which address not only managers but also those investigating in the field.

Other Information

The ICSS gave an overview of developments in the field, in particular with regard to the establishment of the Sport Integrity Global Alliance (SIGA) which was launched in April 2016. The independent coalition covers a

variety of sporting interests, recently additions including the US and Mexican governments, and MasterCard. A handbook jointly prepared by the ICSS and UNODC on investigation in the field of match-fixing will be published in August.

The Commission reminded, on behalf of the Netherlands, the upcoming Presidency event on anti-doping taking place in Amsterdam on 15 June.

3. The Expert Group deliverable

After an introduction by the Commission on the latest version of the draft deliverable, the group went through in considerable detail the contents of the report, chapter by chapter. A number of comments and issues were raised; there is generally consensus on the aims of the paper and the form and scope the final report should take.

The group are invited to submit comments in writing by the end of June, and preferably with specific drafting suggestions. This will enable a further revised version to be drafted shortly after, with a view to obtaining written agreement by the end of July at the latest. The report will then be transferred to the Council, and the Chair will present it formally to the Working Party on Sport during the Slovak Presidency, at a date to be agreed.

4. Manipulation scenarios

The expert group split into five groups, mixing MS representatives and observers, in order to discuss three scenarios. The objective was to share good practices, and allow a better understanding of how different parties might react, or interact. The scenarios covered a variety of common situations including sharing of information, monitoring of betting, whistle-blowing, dealing with media, and so on.

Groups were invited to submit brief summaries of the main points arising from the discussion, which will be circulated to the group at a later stage.

5. Sanctions

Sanctions represents the last stage of the process, where all else has failed. The group heard a number of presentations on the issue, covering both the criminal and sporting perspective.

Germany gave an overview of two new criminal provisions which were being introduced, covering sports betting fraud and the manipulation of sports competitions. They explained that the changes in legislation had been in part motivated by the Bochum case, and that legal sanctions were a way of covering all people including those beyond the federation in question, which was the limitation of disciplinary sanctions. The changes in legislation were expected to come into force by the end of the year.

France has a legal framework in place since 2012, set up together with Francaise de Jeux (responsible for betting games and lotteries) and ARJEL (the regulatory authority for online games). 2 new articles adopted in January 2012 were introduced in the Criminal Code to include specific reference to the manipulation of sport events on which bets have been placed. Prior to this, it was only possible to take action if there was a proven link with private corruption. To date, no sentences have been passed, also highlighting the difficulties with proving that an athlete has not performed to the best of his ability.

Italy is one of a group of countries with specific sport offences. Legislation has evolved significantly over the past years from the first Parliamentary law passed in 1989, as well-documented match-fixing scandals during the early 200s demonstrated that sanctions were not acting as a sufficient deterrent. New provisions have now been introduced since 2015, which expand the legislation in a number of ways, such as to include the confiscation of goods and properties connected to fixers, and expanding the definition to legal person and not just physical person.

From the disciplinary sanction point of view, **UEFA** outlined its “zero-tolerance” policy. The relevant legal framework is set out in the UEFA Disciplinary Regulations, in particular with Article 12 which covers not only match-fixing, but also any attempts to fix matches. UEFA went on to outline a number of match-fixing cases dealt with by its disciplinary bodies and the Court of Arbitration for Sport. They stressed that a more “structured” cooperation is needed between public authorities and sports bodies and welcomed the Council of Europe convention.

6. Next steps in the EU

The UK opened up discussions by presenting some initial thoughts on the way forward, and where future priorities could lie. The importance of convergence, not duplication, was a key message; continued cooperation

both within the European Commission and between the Commission and Council of Europe was important. A coordinated approach would ensure a better chance of achieving the ultimate objective, especially within the EU. Concrete proposals included adopting a risk-based approach, based on a greater understanding of the threats, factors and vulnerabilities to allow a more focused effort (as adopted in Australia, and being used in the UK). Any risk assessment should be considered with the betting operators. It was important to take into account risks which may become more prominent in the future, such as virtual currency.

The Chair insisted on the need to keep working together, irrespective of if and when the Convention enters into force, without creating any new body. The role of national platforms in that respect will be key. Continued cooperation along the lines of the Expert Group, or events such as that organized by the Commission in February, would be useful. The Commission reminded that the future working arrangements will be discussed during the first semester 2017; ideas for the evaluation of the current work plan could still be taken into consideration.

7. Next steps in the EU

The Chair thanked everyone for their active participation and contributions to the expert group over the past two years. Regarding the deliverable, comments should be submitted by the end of the month, with a view to finalising the document by written procedure in the weeks thereafter. It will be important that future work should continue in a pragmatic and coordinated way, and maintain and build on the good cooperation that currently exists.

ANNEX 1: List of participants

European Commission

DG EAC LE LOSTECQUE Yves

DG EAC PATERSON George

DG GROW TERRY Agnieszka

MS Experts

AT	MORITZER, Severin	Play Fair Code
BE	BRAEKEVELD, Dieter	Vlaamse Overheid
CY	SOLOMOU, Costas	Cyprus Sports Organization
DE	KOWALEWSKI Andreas	Federal Ministry of the Interior
DE	SCHRÖDER, Gorden	Bundeskriminalamt
DK	LAUESEN, Martin H	Ministry of Culture
DK	BISGAARD, Maria	Ministry of Culture
EE	KLAAN, Margus	Ministry of Culture
EE	PÜRN, Tarvi	Ministry of Culture
ES	GAVIRA CABALLERO, Luis	Consejo Superior de Deportes
FI	SYVÄSALMI, Harri	Finnish Centre for Integrity in Sports
FI	SULANDER, Heidi	Ministry of Education and Culture
FI	HEIKKINEN, Satu	Ministry of Education and Culture
FI	HEIKKINEN, Petri	Finnish Sport Federation VALO
FR	NOGUES, Sylvain	Ministère de la Justice
FR	PINSON, Claire	ARJEL
HU	BORSOS, Endre	Ministry of Human Capacities
IT	TURCHI, Luca	AAMS
LT	BISTRICKAITE, Ramune	Department of Physical Education and Sports
LU	HUSTING, Alexandre	Ministère des Sports
MT	GATT, Corine	Lotteries and Gambling Authority
MT	BRINCAT, Carl	Lotteries and Gambling Authority
PT	ROCHA, Carlos	Instituto Português do Desporto e Juventude
RO	PREDA, Dragos	Ministry of Youth and Sports
SE	LINDMAN, Mikael	Regeringskansliet
UK	TOFILUK, Nick	Gambling Commission

OBSERVERS

ECA - European Club Association

EL - The European Lotteries

ENGSO – European Non-Governmental Sports Organisation

EPAS - Council of Europe

EPFL - European Professional Football Leagues

ESSA - Sports Betting Integrity

EU Athletes

Europol

FIFA - Fédération Internationale de Football Association

ICSS (International Centre for Sport Security) Europe

Interpol

IOC – International Olympic Committee

Play the Game

PPF - Professional Players Federation

UEFA - Union of European Football Associations