



# HANDBOOK ON PROTECTING SPORT FROM COMPETITION MANIPULATION

**INTERPOL IOC INTEGRITY IN SPORT INITIATIVE**





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## Foreword by the President of the International Olympic Committee

Protecting the clean athletes is a key priority under Olympic Agenda 2020, the strategic roadmap for the future of the Olympic Movement. In essence, this means protecting the clean athletes from corrupting influences of any kind. This includes making the environment in which the athletes operate safe from match-fixing and other manipulation that threaten the integrity of sport.

Sport does not operate in isolation from other areas of society. Sport is global – therefore the threats that undermine the integrity of sport and athletes do not stop at national borders. To counter the global nature and scale of crime, the world of sport needs partners. Protecting the integrity of sport is a team effort and this is why our partnership with INTERPOL plays a key role in our global strategy to combat match-fixing, and any manipulation of competitions and related corruption.

As the world's largest law enforcement organization, INTERPOL brings a unique ability and expertise to protect the integrity of sport. This Handbook is a tangible result of our partnership. It provides stakeholders in the sports movement with important information on how to protect the clean athletes from competition manipulation, while also outlining ways how sports organisations and law enforcement agencies can cooperate effectively.

This Handbook complements other measures taken by the IOC and INTERPOL, such as training, education and capacity-building at national and international levels. All these measures are already having a positive impact in the fight to protect the integrity of sport. Standing together, we can ensure that sport is clean and safe.

**Thomas Bach**  
IOC President

## Foreword by the INTERPOL Secretary General

Competition manipulation has become an increasingly global concern, with organized criminal syndicates operating on a massive scale, targeting a wide range of sports. Despite member countries' efforts to respond to competition manipulation, it is clear that the solution lies through a coordinated approach. Partnership development is crucial in order to collect critical operational and strategic information to create a clearer picture of the situation across the globe. It is these partnerships which have shown the links between match-fixing, sports betting and organized crime.

This is why in addition to a range of initiatives to raise awareness and to facilitate the sharing of information, intelligence and best practices among our member countries, INTERPOL coordinates joint investigations and operations to dismantle the organized networks behind crimes in sport.

Our cooperation with the International Olympic Committee (IOC) is an example of a successful strategic partnership which is yielding positive results. This booklet, jointly developed by the IOC and INTERPOL, is part of our wider united efforts to enhance match-fixing training programmes, to assist prevention and to develop investigative skills.

This book is not only a guide for law enforcement officers seeking to tackle match-fixing cases, but it is also a useful tool for every sports club, association and federation to understand the dynamics of competition manipulation; and to learn how to put in place internal measures to prevent match-fixing and other corruption, as well as to protect the dignity of athletes. By expanding our common knowledge about this threat and how to counter it, this initiative seeks to protect all disciplines within the Olympic Movement, and the principles enshrined in it.

Together, we can succeed in protecting the value and ethics of sports.

**Jürgen Stock**  
**INTERPOL Secretary General**

## Preface

Competition manipulation poses a significant threat to the integrity of sport, both nationally and internationally. It removes the unpredictability of sport and jeopardises its very core values—its social, cultural and educational values—while at the same time undermining its economic role.

Criminal groups are profiting from the manipulation of sports competitions and unregulated gambling, which, as a relatively recent form of transnational crime, undoubtedly attracts the attention of the international community. Sports organisations are faced with an increasing number of competition manipulation incidents and allegations of corruption. The sums of money being bet on sport have increased markedly in recent years and the use of the internet has made it extremely easy to bet on sports competitions throughout the world. With large profits to be made and relatively little chance of detection, competition manipulation has become more and more attractive to criminals and organised crime groups.

In recent years, sports organisations have become more aware of this threat. International Olympic Committee (IOC) President Thomas Bach, like former President Jacques Rogge before him, identified the manipulation of sports competitions as one of the biggest challenges facing sport today, together with doping. He has underlined the need for concerted action in order to combat this global phenomenon and to protect clean athletes.

*The Olympic Movement is all about the clean athletes. They are our best ambassadors, they are our role-models, they are our treasure. Therefore we have first and foremost to protect the clean athletes. We have to protect them from doping, match-fixing, manipulation and corruption.*<sup>1</sup>

<sup>1</sup> Agenda 2020 available at: [www.olympic.org/Documents/Olympic\\_Agenda\\_2020/Olympic\\_Agenda\\_2020-20-20\\_Recommendations-ENG.pdf](http://www.olympic.org/Documents/Olympic_Agenda_2020/Olympic_Agenda_2020-20-20_Recommendations-ENG.pdf)

Sports organisations must demonstrate leadership in protecting sport from competition manipulation. This starts at home and includes adopting organisational good governance principles emphasising transparency, accountability and responsibility relating to selection processes and tenure for senior officials, in all sponsorship arrangements and in procedures for awarding contracts of all types.

This Handbook has been prepared by the International Olympic Committee (IOC) and the International Criminal Police Organisation (INTERPOL) with whom the IOC signed an agreement in 2014. The partnership aims to support effective investigations of crimes related to sport and breaches of sports regulations and to specifically implement actions designed to Recognise, Resist and Report competition manipulation, enhance capacity at the national and international levels as well as to provide operational support to regulatory enforcement so as to effectively prevent and respond to integrity infringements.

This Handbook complements global Capacity Building and Training being undertaken by the IOC and INTERPOL that aims to assist sport in protecting clean athletes and clean competitions, particularly as they relate to competition manipulation. Tools for effective international cooperation regarding sports integrity already exist and have proven to be effective. It is now a matter of supporting their systematic use and making them a cornerstone of a common strategy. This Handbook should be read, understood and acted upon by all national and international sports governing bodies and their staff.

We must act now, and we must act fast.

## Key Terms

There are a number of key terms associated with competition manipulation that are defined here for clarity in understanding and shared meaning.

### **Betting Monitoring Report**

A detailed analysis of what happened in the betting market relating to a specific competition/match. It may be used to support/corroborate suspicions of competition manipulation. It can be used in evidence and employees from the monitoring systems may contribute to proceedings as expert witnesses.

### **Competition manipulation**

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.<sup>2</sup>

### **Corruption**

Corruption is any course of action or failure to act by individuals or organisations, public or private, in violation of law or trust for profit or gain.<sup>3</sup> Competition manipulation is a form of corruption. It occurs when a person offers, promises or grants an unjustified advantage to a sports organisation, a player, an official or any other third party, within or outside the organisation, on behalf of him/herself or a third party in an attempt to incite them to violate the regulations of the organisation.

<sup>2</sup> Article 3.4, Council of Europe Convention on the Manipulation of Sports Competitions.

<sup>3</sup> INTERPOL, INTERPOL Group of Experts on Corruption, Global Standards on Anti-Corruption, 2007.

### **Court of Arbitration for Sport (CAS)**

Is an independent institution that provides services in order to facilitate the settlement of sports-related disputes through arbitration or mediation by means of procedural rules adapted to the specific needs of the sports world.

### **Disciplinary body**

An independent deciding/judicial body provided for in a sport federation's regulations which is authorised to conduct proceedings into and sanction any breach of regulations. It comprises, in general, at least three members, including a chairperson. This body should be convened at such times as necessary, or as feasibly convenient, upon receipt of a report of potential competition manipulation.

### **Evidence**

Evidence is information that is gathered in order to establish facts. Any type of evidence may be produced, such as but not limited to documents, reports from officials, declarations from parties, declarations from witnesses, audio and video recordings, expert opinions and all other proof that is relevant to the case.

**Fact**

A fact is something that actually happened and can be proven to have happened, or at least can be corroborated by other information. It is not an assumption, conjecture or innuendo. The facts are the key to determining the outcome of any case, dispute or contentious issue. They are directly linked to the specific regulation or code of conduct at issue.

**Fact-finder**

The individual responsible for conducting inquiries to establish the facts in relation to a suspicion or allegation of match manipulation and submitting the results in accordance with disciplinary procedure. All available evidence/information should be gathered to establish facts. Care should be taken to gather all facts relevant to the inquiry and not just facts that confirm the fact-finder's bias.<sup>4</sup>

**Inside Information**

Information relating to any competition that a person possesses by virtue of his or her position in relation to a sport or competition, excluding any information already published or common knowledge, easily accessible to interested members of the public or disclosed in accordance with the rules and regulations governing the relevant Competition.

**Integrity Betting Intelligence System (IBIS)**

The IOC's mechanism for the exchange of information between betting operators, regulators and the sports movement.

<sup>4</sup> See further INTERPOL-IOC, 2016, Handbook on Conducting Fact-Finding Inquiries into Breaches of Sports Integrity.

### **Single Point of Contact (SPOC)**

An individual designated by his/her sports federation/organisation to act on all matters related to competition manipulation. The primary responsibilities of a SPOC typically include:

- Establish and maintain integrity initiatives within the sports organisation;
- Receive information related to competition manipulation including from IBIS;
- Conduct inquiries as a ‘fact-finder’ or appoint a responsible individual;
- Serve as a contact person for the IOC and other entities;
- Conduct, by mandate, fact-finding inquiries for, or in close cooperation with the independent judicial body of the sports organisation;
- Liaise with relevant authorities such as police or law enforcement agencies.

### **Source**

Any individual who provides relevant information to aid an inquiry or a criminal investigation is usually referred to as a source. In the context of a fact-finding inquiry, there are two types of source: those who are free to provide this information or not as they see fit and those who are bound by sports organisations’ codes or regulations that stipulate that they must report and/or cooperate with the inquiry.





# 1

## Understanding Competition Manipulation

### 1 What is Sports Integrity?

Sport's positive contribution to society can only be achieved through sport that is with integrity and ethics. Sport that is practised with integrity is played with honesty, according to the rules and provides a safe, fair, inclusive and well governed environment. Integrity in sport leads to enhanced participation, financial viability and a successful, positive brand that is judged by the media, athletes, spectators, fans, participants and the general public.

Breaches to sports integrity include the following:

- Competition manipulation;
- Winning beyond the rules of the game;
- Doping;
- Lack of safety in sport;
- Abuse and violence;
- Inequity and harassment;
- Anti-social behaviour and attitudes by parents, spectators, coaches and players;
- Weak governance that leads to unethical behaviour such as corruption and competition manipulation;
- Unsportsmanlike conduct;
- Criminal behaviour.

Breaches to sports integrity can have far-reaching repercussions including:

- Sports disciplinary proceedings;
- Criminal proceedings;
- Reputational damage;
- Fan and sponsor loss;
- Loss of broadcaster interest.

## 2 What is Competition Manipulation?

The manipulation of sports competitions is defined as:

*“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.”<sup>5</sup>*

In short, competition manipulation is the improper influencing of the course or result of a competition for an advantage. The term “match-fixing” is often used yet the term ‘match’ is not terminology used by all sports (e.g. marathon, cycling race, sailing regatta) and implies only that the result is fixed. The term “competition manipulation” includes influencing specific actions during the course of the competition and hence includes both ‘result fixing’ and ‘spot fixing’ which is the action or practice of dishonestly determining the outcome of a specific part of a competition before it is played. Both terms are used in this Handbook interchangeably. There are two principal types of competition manipulation:

<sup>5</sup> Article 3.4, Council of Europe Convention on the Manipulation of Sports Competitions.

### **For sporting purposes**

Where the manipulation is perpetrated to provide a sporting advantage, for example in league promotion/relegation or a perceived advantageous competition draw or any other sporting advantage;

### **For financial gain through betting**

Where the manipulation is designed to pre-determine an event related to the competition that is expected to be offered on the betting markets (results, total goals scored etc.). This type of manipulation includes the risk of being used by professional criminals to launder money through sports bets.

As manipulation frequently takes place on the ‘field of play’, athletes and referees/officials are at particular risk of being approached to manipulate or to carry out the manipulation of a competition.

### *Non-Betting Related Factors and the Risks they Pose for Sport*

Non-Betting Related Risks	Why is it a Risk?
Competition Format	Competitions that have limited importance with regards to whether participants win or lose e.g. at the end of a championship, competition without direct elimination; ‘friendly’ competitions; competitions of importance for only one of the participants; competitions with weak chances of success for one of the participants. Such competitions are at greater risk of being manipulated for betting purposes due to the limited sporting advantages linked to winning.
Athletes/officials character	A lack of confidence, low self-esteem, naivety or greed may make vulnerable athletes/officials more likely to be unable to refuse a corruptor’s approach (see 2.3 on page 22).
Financial insecurity including salaries not paid on time or not paid at all, very low salaries paid in some sports in lower divisions	Enhanced willingness and need to get money by any means, including immorally and illegally. Particularly low salaries can make athletes vulnerable to the temptation to manipulate. Payment of equitable salaries on time will help to minimise the risk.
Addictive actions (drugs, alcohol, prostitution, abuse, etc.)	The corruptor may threaten violence or ‘blackmail’ the athlete to get him to manipulate competitions.

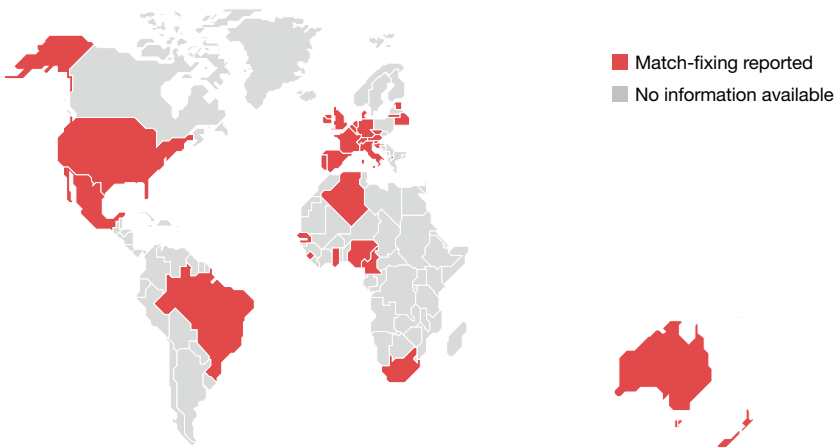
# 1 Understanding Competition Manipulation

## 2.1 Competition Manipulation Allegations

There is evidence of competition manipulation in many sports in recent times including badminton, basketball, cricket, cycling, football, handball, horse racing, snooker, tennis, volleyball and wrestling. All sports are vulnerable and those who take part in them – whether as players, officials, administrators or support personnel – need to be aware of the dangers of competition manipulation and encouraged to resist and report any suspicions.

In 2015, open source media reports revealed allegations of competition manipulation in 52 countries.<sup>6</sup> However, the media only reports on what they are told by police, their sources or through their own investigative journalism. The risk is that where police are not present or are not aware of the problem, organised crime will continue its activities and infest sports and society.

### *Competition Manipulation Allegations 2015<sup>7</sup>*



<sup>6</sup> Based on English, French, Spanish and Polish speaking media sources. Source: INTERPOL, 2016.

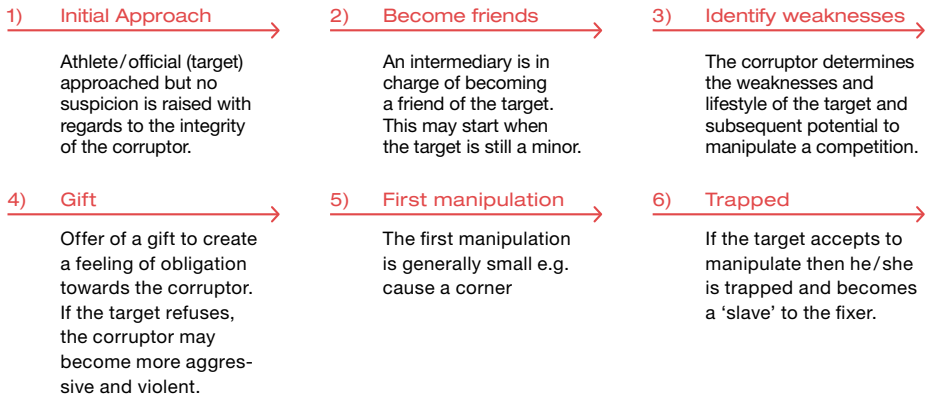
<sup>7</sup> Ibid, INTERPOL, 2016.

## 2.2 Modus operandi in a competition manipulation case

### *How might a corruptor approach a target?*

Corruptors tend to approach their targets either directly, through gifts, money, sexual favours; or indirectly, through family and friends. Many tricks are then used to convince the target to accept to manipulate, typically through ‘grooming’ of the target or using threats e.g. by exploiting some previous or a created issue, using violence or intimidation.

The ‘grooming’ of an athlete/official takes place over a period of time whereby typically the following steps are undertaken by a ‘corruptor’:



## 2.3 Factors that a corruptor may consider in the grooming of a sports participant

While the motivations to commit fraud and corruption are often due to financial need—perceived or real—and a personal appetite for wealth, other factors and weaknesses may include:

- Whether the salary of the athlete/official has been paid;
- Addiction (drugs, sex, alcohol);
- Excessive gambling and gambling debts;
- Bad sports results and lack of recognition and reward;
- Pressure, opportunity and rationalisation;
- Living beyond personal income and high personal debt;
- Desire for personal progression, greed, naivety of the target, unfulfilled ambition;
- Pressure from family and friends to succeed;
- ‘Fluid moral values’ and a desire to challenge and/or abuse the ‘system’.<sup>8</sup>

<sup>8</sup> Albrecht, S.W., Howe, K.R., Rommey, M. 1984, *Deterring Fraud: The Internal Auditors’ Perspective*, Altamonte Springs, Institute of Auditors Research Foundation.

### 3 The Relationship between Crime and Sport

*“There is growing evidence that sport is corrupted by match-fixing and illegal betting. These illegal activities jeopardise the integrity of the competitions, damage the social, educational and cultural values reflected by sports, and threaten the economic role of sports. The phenomenon of match-fixing brings to the surface its links to other criminal activities such as corruption, organised crime and money-laundering. Recent cases reveal the magnitude of the problem and indicate the dire need to address it through appropriate investigative and law enforcement tools. In fact, a criminal justice response against match-fixing would demonstrate that sporting manipulation is not a ‘simple’ breach of sporting rules, but also an offence against the public in a broader sense.”<sup>9</sup>*

Why are criminals interested in sport?

- High profit and low risk;
- Anonymity;
- Exploitation of easy targets (naive sports people, absence of effective sport regulations and their implementation);
- Absence of consistent legislation and powers;
- Ineffective supervision and regulation of gambling;
- Criminal organisations (CO) have become transnational (TCO);
- Limited law enforcement experience;
- Internet has no borders meaning police investigations are difficult and allows TCOs to use all the possibilities of the financial markets and tax havens.

<sup>9</sup> UNODC-IOC Report, July 2013, Criminalization approaches to combat match-fixing and illegal/irregular betting: a global perspective. Comparative Study on the Applicability of Criminal Law Provisions Concerning Match-Fixing and Illegal/Irregular Betting, Lausanne/Vienna, p. 16, available at: [www.unodc.org/documents/corruption/Publications/2013/Criminalization\\_approaches\\_to\\_combat\\_match-fixing.pdf](http://www.unodc.org/documents/corruption/Publications/2013/Criminalization_approaches_to_combat_match-fixing.pdf)



## Examples of Risks of Criminal Activities in Sport

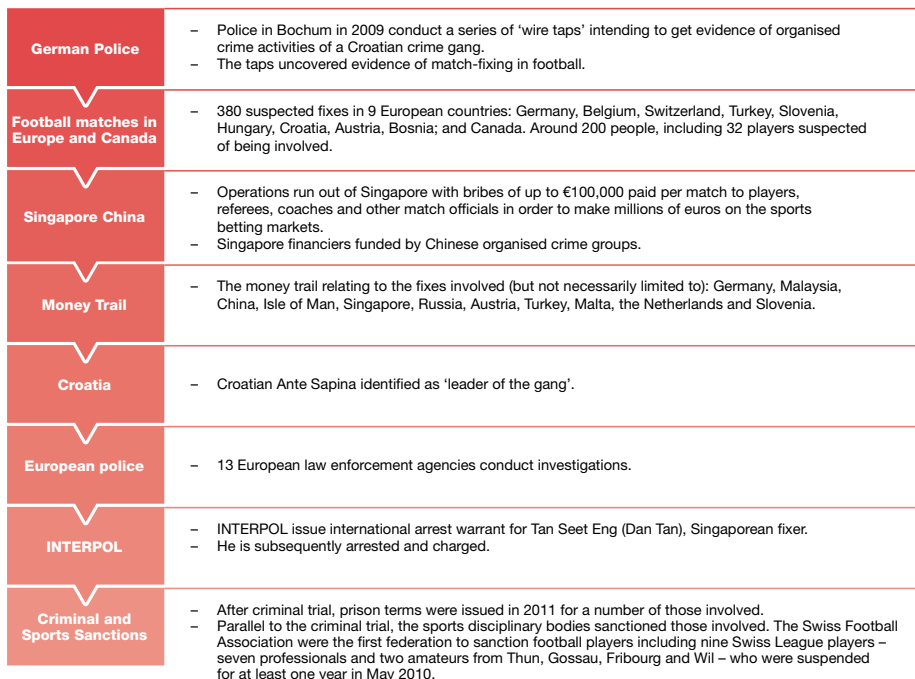
The following table identifies certain types of activities that criminals may enter into in order to capitalise on certain features of sports organisations and their stakeholders in order to benefit.

Criminal Activity	What is the Link with Sport?	How to Minimise the Risk?
Illegal betting and money laundering <sup>10</sup>	<ul style="list-style-type: none"> <li>- The internet has increased opportunities for sports betting and subsequently the opportunities for laundering dirty money.</li> <li>- To ensure they win a sports bet, organised crime approaches athletes/officials to manipulate competitions.</li> <li>- Athletes/officials are relatively easy to approach.</li> <li>- Large amounts of money are often paid across borders yet many sports organisations lack financial means which may encourage them to accept money from doubtful sources.</li> <li>- Players/officials may be badly advised and even susceptible to becoming engaged in doubtful financial transactions in order to preserve a certain image.</li> </ul>	<ul style="list-style-type: none"> <li>- Strong sports governance and improved financial transparency;</li> <li>- Combat cyber-criminality;</li> <li>- Develop effective information sharing between organisations nationally (through national platforms) and internationally (through the IOC Integrity Betting Intelligence System [IBIS] and INTERPOL);</li> <li>- Consistent education and prevention programmes.</li> </ul>
Fraud and Corruption	Fraud within sport is typically based on deception with the intention of obtaining an advantage at the expense of other individuals or organisations.	By ensuring clear regulation, jurisdiction and prosecution when the rules are broken.
Human trafficking and smuggling	Criminals lure young people to another country with promises of a better life for the victims.	<ul style="list-style-type: none"> <li>- Regulation and monitoring of athlete transfers;</li> <li>- Education of children and their families of the risks.</li> </ul>
Drug trafficking	For performance enhancing purposes and financial benefits.	Effective regulation and controls.

<sup>10</sup> "Any act or attempted act to conceal or disguise the identity of illegally obtained proceeds so that they appear to have originated from legitimate sources". Source: INTERPOL, available at: [www.interpol.int/fr/Crime-areas/Financial-crime/Money-laundering](http://www.interpol.int/fr/Crime-areas/Financial-crime/Money-laundering)

*Functioning of the Bochum Competition Manipulation Scandal 2009 and its links with crime*

*In 2009, the German police in Bochum uncovered a massive match-fixing scheme involving hundreds of fixes in football matches across numerous European countries and Canada. The following diagram outlines the various actors involved in either uncovering the scheme or the scheme itself.*



## 4 Understanding Sports Betting

Competition manipulation in sport is often related to betting. The nature and scale of betting on sports competitions has changed radically in recent years with a huge expansion in the range of betting opportunities. While this is a complex area, it is important for those involved in protecting sport from competition manipulation to have a basic understanding of sports betting in order to know how to respond to the threat that it poses to sports integrity.

*“Sports betting” means any wagering of a stake of monetary value in the expectation of a prize of monetary value, subject to a future and uncertain occurrence related to a sports competition. In particular:*

- a. “Illegal sports betting” means any sports betting activity whose type or operator is not allowed under the applicable law of the jurisdiction where the consumer is located.
- b. “Irregular sports betting” means any sports betting activity inconsistent with usual or anticipated patterns of the market in question or related to betting on a sports competition whose course has unusual characteristics.
- c. “Suspicious sports betting” means any sports betting activity which, according to reliable and consistent evidence, appears to be linked to a manipulation of the sports competition on which it is offered.<sup>11</sup>

While betting is a major contributor to sport through sponsorship and public support, problems occur when betting leads to the manipulation of competitions.

<sup>11</sup> Article 3.5, Council of Europe Convention on the Manipulation of Sports Competitions.

As a result of technological advances and particularly the emergence and growth of the online gambling market, sports betting opportunities have increased dramatically, both in terms of the number of sport events and the number of betting markets available. This diversification of the sports betting offer has caused considerable concern amongst various stakeholders. It is often argued that some of these new betting options pose inherent threats to the integrity of sports events. Today, it is possible to:

- Bet on numerous actions: such as the half-time score, number of corners, number of red cards etc.
- Bet during a competition: live or in-play betting accounts for over 60 % of the betting market.

While 20 years ago sports betting was a recreational activity, today, sports betting is used by “professionals” including traders and criminals for money laundering. Athletes and officials in certain sports are already and will further become targets of criminals in order to manipulate a competition for betting purposes. Sports betting, and notably illegal online betting websites, has dramatically increased in recent years and is used as a mechanism for profit for organised crime.

## 4.1 Sports Betting Markets

The opportunities for sports betting exist in various forms including online, in shops etc. Each country has its own laws in relation to how sports betting is regulated and can be generally classified into:

- Prohibition (where sports betting is prohibited).
- Monopoly (where one betting operator has an exclusive right on all sports betting).
- Licences (where licences are issued by a betting regulator).

### *Sports Betting Regulatory Frameworks*

#### 1) Prohibition

---

Examples:

- USA  
(except some states)
- India
- Russia (online)

#### 2) Monopoly

---

Examples:

- China
- Hungary
- Switzerland

#### 3) Licences

---

Examples:

- Belgium
- Italy
- Malta
- Russia (offline)
- UK

*Distinction between licensed and unlicensed or non-regulated betting operators*

*A licensed or registered operator does not necessarily mean that the operator is legal in other jurisdictions.*

1) Licensed Betting Operator	2) Unlicensed Betting Operators	3) Non-registered Betting Operators
<p>Operate with an authorisation in the jurisdiction of the consumer = LEGAL (approx. 200 operators)</p>	<p>ILLEGAL e.g. website registered in a country but not as a betting website</p>	<p>ILLEGAL e.g. street betting in China, US, or illegal shops in Italy</p>
<p>Operate without an explicit authorisation in one or many jurisdictions = MAY NOT BE LEGAL (approx. 1000 operators)</p>		

**4.2 Size of the sports betting market**

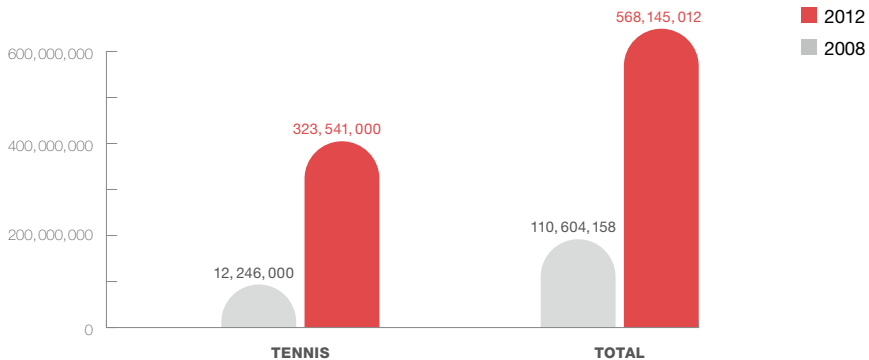
While it is difficult to estimate precisely the size of the sports betting market globally, the amounts bet on the legal market is in the \$billions annually. What is unknown, however, is the size of the unregulated/unlicensed/non-registered sports betting market, frequently referred to as the ‘illegal’ market. Often such betting is conducted on websites that appear for a short period prior to disappearing, or in a ‘black’ or underground market where cash changes hands meaning traceability is extremely difficult.

# 1 Understanding Competition Manipulation

## 4.3 Size of Betting on the Olympic Games

While it is prohibited for athletes and their entourage to bet on any events during the Olympic Games, punters from around the world bet millions of dollars on the various competitions.

### *London Summer Olympic Games 2012 Comparison of Betting Turnover Comparison of Turnover 2008–2012 by Betfair tennis and total (US\$)*



### *London Summer Olympic Games 2012 Sports Betting Volumes*

*The following table illustrates the turnover at just one legal betting exchange, Betfair, the world's largest online betting exchange company, on a sample of events during the London Summer Olympic Games 2012.*

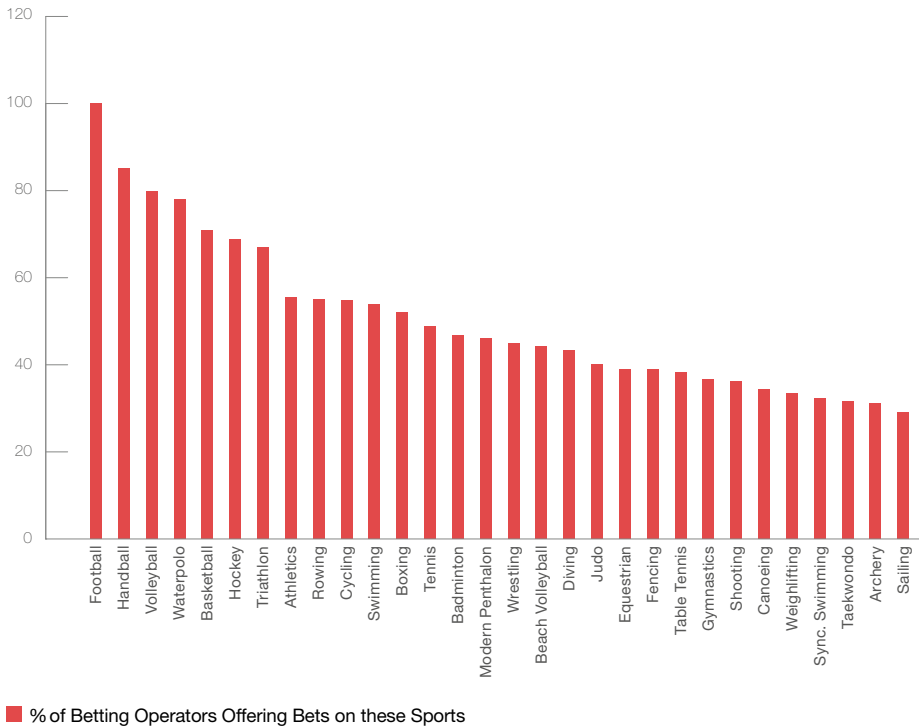
Rank with regards to volumes bet	Sport, Event	Amount bet (US\$)
1	Tennis, Men's semi-final, Federer-Del Potro	30,856,095
5	Athletics, Men's 100m final	8,697,887
7	Football, Men's final, Mexico-Brazil	7,232,926
11	Basketball, Men's final, USA-Spain	3,484,248
12	Volleyball, Men's final, Russia-Brasil	3,000,821
15	Football, Women's final, USA-Japan	2,090,757
...	Average	398,947
Least	Wrestling, Women's freestyle 48 kg	161



### London Summer Olympic Games 2012 Betting Offers

This table shows how many operators offered bets on a particular sport, i.e. 85 % of all betting operators monitored offered bets on Handball.

% of Betting Operators Offering Bets on a particular sport

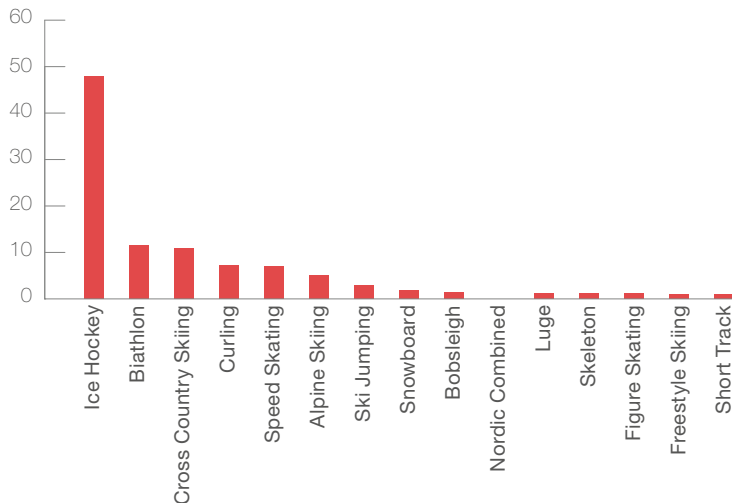


### Sochi Winter Olympic Games 2014 Sports Betting Volumes

The following table illustrates the percentage of bets that were placed on different sports during the Sochi Winter Olympic Games 2014, i.e. 48.3% of all bets were placed on Ice Hockey. Outside of the Olympic Games period, there is limited betting that takes place on winter Olympic sports. Compared to the average World Cup event of the sport in question, betting on the Sochi Winter Olympic Games 2014 was larger by an approximate:

- Five times on Alpine Skiing;
- Four times on Biathlon;
- Seven times on Cross Country Skiing;
- Sixteen times on Ski Jumping;
- One and a half times on Ice Hockey.

% of bets placed on different sports during the Sochi Winter Olympic Games 2014



## 4.4 Types of Bets

There are two main types of sports betting:

### **Fixed-Odds betting**

Whereby the bettor knows in advance how much they can win if their bet is correct. This type of betting accounts for approximately 90 % of the Gross Gaming Revenue (GGR)<sup>12</sup> of the legal sports betting market. Fixed odds betting is calculated by  $\text{Winning} = \text{Stake} \times \text{Odds}$ . The main countries are: United Kingdom, Hong Kong, Greece, Australia and Italy.

### **Pari-Mutuel Betting**

Whereby the stakes are distributed equally among the winners and accounts for approximately 10 % of the Gross Gaming Revenue of the legal sports betting market. This type of betting is predominantly used in horseracing and in a limited number of countries including Japan, China, Spain, and Scandinavian countries.

However, in recent years, other variations of betting have emerged:

### **Betting exchanges**

Whereby two people bet against each other on the internet with one playing the role of bookmaker and proposing a bet with fixed odds; the other player plays the role of punter and places a bet. The online betting operator who facilitates the exchange (e.g. Betfair, Matchbook) is paid according to the winner's earnings.

<sup>12</sup> Gross Gaming Revenue = total amount of money bet (Turnover) – Winnings =  $\text{Turnover} \times (1 - \text{payout ratio})$ .  
The Payout Ratio =  $\text{Winnings} / \text{Turnover}$ .

Further types of betting include:

**Asian Handicap**

Gives one of the teams (by default the underdog) a virtual head start in terms of the number of goals in order to make the contest theoretically equal. The bet is settled by adding the handicap to the outcome of the match. This type of betting removes the option of a draw i.e. x in the 1 × 2 market.

**Live-betting**

Provides the possibility of betting in real-time during the course of a competition (also known as in-play betting or in-the-run betting). An estimated 60 % of bets placed on the legal market are live bets.

**Spot or side bets**

Betting on a specific aspect of a game, unrelated to the final result e.g. which player will score first, whether a penalty will be taken by a team etc.

**Spread betting**

Whereby the bet is placed on whether the outcome will be above or below the spread, e.g. the number of goals in a competition with pay-out based on the accuracy of the bet rather than a simple win or lose outcome. As the competition progresses and the goals increase, the prices change.

## 4.5 Types of Odds

Betting odds are presented globally in three different ways:<sup>13</sup>

### **Fractional Odds (or Traditional or British)**

Used mainly in the UK and in international horse racing. It tells you the amount of profit relative to your stake if you win your bets, e.g. if you bet £10 at odds of 3/1, you receive £30 profit if you win, plus your £10 stake.

### **Decimal Odds (or European)**

Common around the world but especially in Europe. They convey the total amount you will receive if you win, including the return of your stake, e.g. if you bet \$10 at odds of 3.75, you will receive \$37.50 in total if you win.

### **Moneyline Odds (or American)**

Used by most US bookmakers, moneyline odds are based on a straight single bet (on a single outcome, without a points spread). If the moneyline is positive, the amount quoted is the amount you would win on a \$100 bet. If it is negative, the amount quoted is what you would need to bet to win \$100.

## 4.6 Betting Related Factors and Risks for Sport

A profitable competition manipulation presupposes that large bets can be placed without being detected. Criminal organisations therefore seek to exploit betting markets with high liquidity, where large profits can be made with low risks of being detected. For these reasons, some types of bets such as side bets are of limited interest to the fixers due to their relatively low liquidity.<sup>14</sup>

<sup>13</sup> See also: [www.oddsconverter.co.uk](http://www.oddsconverter.co.uk)

<sup>14</sup> See Asser Institute, Centre for European and International Law, January 2015, The Odds Of Match Fixing: Facts & Figures On The Integrity Risk Of Certain Sports Bets, available at: [www.asser.nl/media/2422/the-odds-of-matchfixing-report2015.pdf](http://www.asser.nl/media/2422/the-odds-of-matchfixing-report2015.pdf)

*Betting Related Risks (1/2)*

Betting Related Risks	Risk Assessment–Why is it a Risk?
<p>Unregulated betting market</p>	<ul style="list-style-type: none"> <li>– Underground economy that reduces potential income for States and subsequently sports.</li> <li>– Increases chance of link between organised crime and sports.</li> <li>– Distrust in sport when a link between irregular betting market and sport becomes apparent.</li> </ul> <p>Regulating bookmaking varies from strong to weak. Strong regulation may include:</p> <ul style="list-style-type: none"> <li>– blocking of illegal sites, blocking of payments to those sites;</li> <li>– ban on advertising by companies that are not regulated in the region;</li> <li>– severe administrative and criminal sanctions against operators convicted of illegal betting or illegal advertising;</li> <li>– police action against illegal operators;</li> <li>– co-operation with financial institutions.</li> </ul>
<p>Anonymous betting with no betting limits</p>	<ul style="list-style-type: none"> <li>– Certain types of bookmaking where bets are collected and passed through a hierarchical structure (e.g. in Asia) allow bets to be placed anonymously with no betting limits.</li> <li>– Professional fixers predominantly place their bets with such bookmakers rather than with regulated bookmakers who restrict the stakes and disclose client details to law enforcement.</li> <li>– Minimising this risk may be undertaken by seeking to regulate operators to remove the possibility of making anonymous bets with no betting limits.</li> </ul>

## Betting Related Risks (2/2)

Betting Related Risks	Risk Assessment-Why is it a Risk?
Betting on certain types of competitions	<p>Competitions particularly vulnerable to manipulation include:</p> <ul style="list-style-type: none"><li>– competitions where little is at stake in sporting terms (e.g. friendly matches) and competitions in lower leagues;</li><li>– amateur competitions or competitions involving minors where the players may be more vulnerable to approaches.<sup>15</sup></li></ul> <p>Many bookmakers do not offer such bets. Minimising this risk may be undertaken by raising the awareness of sports betting operators that the offering of such bets may potentially hurt sport.</p>
Betting on the final outcome of a competition, in particular, the winning margin	<p>Almost all suspicious betting activity is detected in the most popular sports betting markets:<sup>16</sup></p> <ul style="list-style-type: none"><li>– Match Odds market (e.g. the traditional 1 x 2 betting formula in football);</li><li>– Totals market;</li><li>– Asian Handicap market: with a 50/50 chance of winning, there is an opportunity to launder money by betting on both sides.</li></ul> <p>In a recent study, 91 % of all suspicious betting patterns were detected in Asian Handicap betting.<sup>17</sup></p> <p>In order to maximise profit, corruptors may attempt to ensure the manipulation of a competition that is based on a particular team losing or winning by a predefined (minimum) margin of goals. Many bookmakers limit stakes on such bets.</p>
Inside Information	<p>Corruptors may attempt to obtain 'inside information' from an athlete/ official as this information may subsequently be used in determining the success of a bet. The giving of inside information is prohibited by the Olympic Movement Code on the Prevention of the Manipulation of Competitions (art. 2.4).</p>

<sup>15</sup> See Table: Non-Betting Related Factors and the Risks they Pose for Sport.

<sup>16</sup> Ibid, Asser Institute, 2015, p. 33.

<sup>17</sup> Ibid, Asser Institute, 2015, p. 30.

Betting Related Risks	Risk Assessment-Why is it a Risk?
Live Betting	<p>Although there is limited evidence to support the claim that live bets pose a specific or greater manipulation risk compared with pre-match betting,<sup>18</sup> the following risk factors have been identified:</p> <ul style="list-style-type: none"> <li>- Provides opportunities for spot-fixing as it is not necessary to lose a game;</li> <li>- Fixers can take advantage of the higher betting limits and variations in the odds to maximise profits;</li> <li>- Detection of suspicious betting patterns is more difficult compared with pre-match betting.</li> </ul> <p>There is a particular risk of players/referees manipulating for their own benefit independently of any intervention from a criminal organisation.</p>
Side or spot bets	Apparently simple, non-dangerous plays that have no significant impact on the final result of the competition may be favourable to the fixers. <sup>19</sup>
High rates of return e.g. close to 100 %	Greater interest for organised crime to launder money.
Sports betting havens	Attract crime and therefore require strong regulation.
Gambling related problems and addictions	Athletes and officials may be more vulnerable to approaches to manipulate a competition in order to pay off gambling debts. Early detection and treatment is required.

<sup>18</sup> See Asser Institute, 2015, p. 32. See also, UK Gaming Commission, October 2011, "Betting integrity issues paper: inside information and fair and open betting", para. 3.40, available at: [www.gamblingcommission.gov.uk/PDF/Betting%20integrity%20issues%20paper%20-%20inside%20information%20and%20fair%20and%20open%20betting%20-%20October%202011.pdf](http://www.gamblingcommission.gov.uk/PDF/Betting%20integrity%20issues%20paper%20-%20inside%20information%20and%20fair%20and%20open%20betting%20-%20October%202011.pdf)

<sup>19</sup> See CAS 2011/A/2364 Salman Butt v International Cricket Council, relating to spot-fixing in cricket, where the odds of the exact sequence of events was estimated to be 512,000 to 1, available at: [www.tas-cas.org/fileadmin/user\\_upload/Award2023642020FINAL.pdf](http://www.tas-cas.org/fileadmin/user_upload/Award2023642020FINAL.pdf). However, the claim that side bets pose significant match fixing risks lacks empirical support; *ibid*, Asser Institute, 2015, p. 33.



## 4.7 Gathering and Exchanging Intelligence

### 4.7.1 Types of betting monitoring

Sports betting is monitored by various types of systems including the following:

- Betting Monitoring/Fraud Detection Companies e.g. Early Warning System (EWS), SportRadar, Sport Integrity Monitor (SportIM);
- Betting Industry Monitoring e.g. Betting Operators systems, Global Lottery Monitoring System (GLMS), European Sports Security Association (ESSA).

### 4.7.2 Intelligence and Information Exchange Mechanisms

Information related to competition manipulation may come from a variety of sources including:

- Betting monitoring reports that are based on the monitoring of activities on the betting market;
- Referrals, reports or inquiries from other jurisdictions including from law enforcement, other sports organisations, the IOC, media, etc;
- Physical surveillance at competition venues for suspicious behaviour;
- Sports betting information exchange systems that traditionally consist of Memorandums of Understanding between the sports organisation and betting operators e.g. IOC Integrity Betting Intelligence System (IBIS) (see next page);
- Hotlines or other reporting mechanisms.

Centralisation of the collection of information and subsequent analysis and exchange with the appropriate authorities is vital for the protection of the integrity of sport.

All sports organisations are recommended to establish a mechanism for confidential reporting of suspicious approaches or activities related to competition manipulation. The IOC has established the IOC Integrity and Compliance Hotline available at: [www.olympic.org/integrityhotline](http://www.olympic.org/integrityhotline) both for reporting on competition manipulation and other integrity matters.

#### 4.8 The IOC's Integrity Betting Intelligence System (IBIS)

IBIS<sup>20</sup> was created in 2013 as an intelligence sharing IT platform to collate alerts and information through its established links with Single Points of Contact (SPOCs) from all 35 International Sports Federations on the Olympic Programme and major sports betting entities—private and public operators, operators associations and regulating bodies. IBIS ensures the monitoring of all the main international competitions of all Olympic sports, one non-Olympic sport<sup>21</sup> and the Olympic Games. The aims of IBIS are:

- To safeguard sports from any negative influence connected to sports betting;
- To support International Sports Federations (IFs) and organisers of multisport events in the fight for clean athletes and clean competitions, by providing them with alerts and intelligence via a centralised mechanism for the exchange of information;
- To create a framework for transparency, confidentiality and trust between all stakeholders.

IBIS is a system of reciprocal responsibilities:

- Regulators and operators undertake to pass on all alerts and relevant information on potential manipulation connected to sports betting on the events chosen run by each IF;
- The IOC undertakes to aggregate and analyse the information received before passing it on to the IFs concerned;
- During the Olympic Games, the IOC is responsible for the application of rules and sanctions;
- In between editions of the Olympic Games, the IFs are responsible for deciding, pursuant to their own rules and regulations, how to deal with the information: investigation, analysis of the sporting aspect of the competition concerned and the application or non-application of measures and/or sanctions;

<sup>20</sup> For further information, see here: [www.olympic.org/Documents/Reference\\_documents/Factsheets/Integrity\\_Betting\\_Intelligence\\_System\\_IBIS.pdf](http://www.olympic.org/Documents/Reference_documents/Factsheets/Integrity_Betting_Intelligence_System_IBIS.pdf)

<sup>21</sup> Fédération Internationale d'Automobile (FIA).

- The IFs undertake to convey the results of their analysis and any action taken to the IOC, who may then pass the information on to the relevant stakeholders at the origin of the alert;
- In the event that an IF suspects one of its events has been jeopardised, the IF may ask IBIS for any information on the betting market.  
Contact: integrityprotection@olympic.org

## 4.9 Betting Monitoring Reports for the Purpose of Preventing or Detecting Competition Manipulation

Access to Betting Monitoring Reports by the sports movement requires cooperation between the sports organisation and betting operators or betting regulators. Such cooperation may be in the form of a formal collaboration or through such entities as the IOC's Integrity Betting Intelligence System (IBIS).

Betting Monitoring Reports:

- Can provide a detailed analysis of what happened in the betting market relating to a specific competition/match that triggered an 'alert' by the Monitoring System. An alert may be triggered by factors such as abnormal volumes of bets placed against the favorite or abnormal volumes of money placed. Such alerts may trigger bookmakers to either partially or completely remove the betting offer on the match in question – either pre-match or live;<sup>22</sup>
- May be used to support/corroborate suspicions of competition manipulation;
- May be used as evidence in sports disciplinary or criminal cases;
- Employees from the monitoring systems may contribute as expert witnesses.

<sup>22</sup> Ibid, Asser Institute, 2015, p. 28.

The detection of betting irregularities prior to or during a competition may trigger the necessity for provisional measures to enhance the security, monitoring, observation and reporting of the match. This may involve measures such as informing the players and referees and other officials that suspicious betting activities have been detected, ensuring players and officials are aware of the opportunities to report that they have been approached (e.g. through a reporting mechanism such as a hotline). In serious circumstances, the sports organisation may consider the reassignment of referees or the provisional suspension of a player or official. Each sport should have a system in place to replace referees and other officials at late notice should it become known that a referee or official may be involved in a manipulation during an upcoming competition.

A betting related alert or Betting Monitoring Report may trigger the necessity to begin a Fact-Finding Inquiry by the sports organisation or an investigation by law enforcement.<sup>23</sup> The following steps should be considered by a sports organisation before beginning any inquiry:

- Whether suspicious betting was found by other betting operators;
- Whether the Betting Monitoring Report refers to suspicious betting on a specific event and whether that specific event appears to be potentially manipulated on the field of play (e.g. unexplainable behaviour on the field of play);
- Whether information can be obtained regarding the person who placed the bets (the sports organisation may have jurisdiction over that individual and such betting may be against the sports regulations even if manipulation has yet to be proven).

<sup>23</sup> See further, INTERPOL-IOC, 2016, *Handbook on Conducting Fact-Finding Inquiries into Breaches of Sports Integrity*.



# 2

## Applicable Sports Regulations

To ensure that sport is protected from breaches to its integrity and that the autonomy of sport is preserved, all sports organisations require regulations that clearly detail violations, disciplinary procedures and repercussions for transgressions of those regulations.

The Olympic Movement Code on the Prevention of the Manipulation of Competitions<sup>24</sup> was approved by the IOC Executive Board in December 2015.<sup>25</sup> The Code aims to harmonise sports rules in relation to competition manipulation based on minimum standards; to harmonise definitions in line with the Council of Europe Convention on the Manipulation of Sports Competitions; and to establish minimum violations and minimum standards for disciplinary procedures in order to enable mutual recognition of sanctions. Any sports organisation bound by the Olympic Charter should respect the Code including the IOC, all International Federations, National Olympic Committees and their respective members at the Continental, Regional and National level and IOC recognised organisations.

<sup>24</sup> Available at: [www.olympic.org/Documents/Commissions\\_PDFfiles/Ethics/olympic\\_movement\\_code\\_on\\_the\\_prevention\\_of\\_the\\_manipulation\\_of\\_competitions-2015-en.pdf](http://www.olympic.org/Documents/Commissions_PDFfiles/Ethics/olympic_movement_code_on_the_prevention_of_the_manipulation_of_competitions-2015-en.pdf). For an Explanatory Note related to the Code see: [www.olympic.org/Documents/Commissions\\_PDFfiles/Ethics/explanatory\\_note\\_on\\_code\\_on\\_the\\_prevention\\_of\\_the\\_manipulation\\_of\\_competitions\\_-\\_eng.pdf](http://www.olympic.org/Documents/Commissions_PDFfiles/Ethics/explanatory_note_on_code_on_the_prevention_of_the_manipulation_of_competitions_-_eng.pdf)

<sup>25</sup> See: [www.olympic.org/news/ioc-publishes-unprecedented-olympic-movement-code-for-preventing-competition-manipulation/247646](http://www.olympic.org/news/ioc-publishes-unprecedented-olympic-movement-code-for-preventing-competition-manipulation/247646)

Model Rules have been developed to assist sports organisations in implementing the Code, either by incorporating the Code by reference, implementing regulations consistent with the Code, or implementing regulations more stringent than the Code.<sup>26</sup> The Code will be applied for the first time during the Rio Summer Olympic Games 2016.

### 1 Olympic Movement Code on the Prevention of the Manipulation of Competitions

#### Preamble

- a. Acknowledging the danger to sports integrity from the manipulation of sports competitions, all sports organisations, in particular the International Olympic Committee (IOC), all International Federations, National Olympic Committees and their respective members at the Continental, Regional and National level and IOC recognised organisations (hereinafter, 'sports Organisations'), restate their commitment to safeguarding the integrity of sport, including the protection of clean athletes and competitions as stated in Olympic Agenda 2020.
- b. Due to the complex nature of this threat, Sports Organisations recognise that they cannot tackle this threat alone, and hence cooperation with public authorities, in particular law enforcement and sports betting entities, is crucial.
- c. The purpose of this Code is to provide all Sports Organisations and their members with harmonised regulations to protect all competitions from the risk of manipulation. This Code establishes regulations that are in compliance with the Council of Europe Convention on the Manipulation of Sports Competitions,<sup>27</sup> in particular Article 7. This does not prevent Sports Organisations from having more stringent regulations in place.

<sup>26</sup> Model Rules to Assist Sports Organisations in Implementing the Olympic Movement Code on the Prevention of the Manipulation of Competitions, available at: [www.olympic.org/Documents/Commissions\\_PDFfiles/Ethics/model\\_rules\\_om\\_code\\_on\\_the\\_prevention\\_of\\_the\\_manipulation\\_of\\_competitions.pdf](http://www.olympic.org/Documents/Commissions_PDFfiles/Ethics/model_rules_om_code_on_the_prevention_of_the_manipulation_of_competitions.pdf)

<sup>27</sup> The Council of Europe Convention on the Manipulation of Sports Competitions is open for signatories from non-European states.

- d. In the framework of its jurisdiction as determined by Rule 2.8 of the Olympic Charter, the IOC establishes the present Olympic Movement Code on the Prevention of the Manipulation of Competitions, hereinafter the Code.
- e. Sports Organisations bound by the Olympic Charter and the IOC Code of Ethics declare their commitment to support the integrity of sport and fight against the manipulation of competitions by adhering to the standards set out in this Code and by requiring their members to do likewise. Sports Organisations are committed to take all appropriate steps within their powers to incorporate this Code by reference, or to implement regulations consistent with or more stringent than this Code.



### Article 1 – Definitions<sup>28</sup>

- 1.1** “Benefit” means the direct or indirect receipt or provision of money or the equivalent such as, but not limited to, bribes, gains, gifts and other advantages including, without limitation, winnings and/or potential winnings as a result of a wager; the foregoing shall not include official prize money, appearance fees or payments to be made under sponsorship or other contracts.
- 1.2** “Competition” means any sports competition, tournament, match or event, organised in accordance with the rules of a Sports Organisation or its affiliated organisations, or, where appropriate, in accordance with the rules of any other competent sports organisation.
- 1.3** “Inside Information” means information relating to any competition that a person possesses by virtue of his or her position in relation to a sport or competition, excluding any information already published or common knowledge, easily accessible to interested members of the public or disclosed in accordance with the rules and regulations governing the relevant Competition.
- 1.4** “Participant” means any natural or legal person belonging to one of the following categories:
- a. “Athlete” means any person or group of persons, participating in sports competitions;
  - b. “Athlete support personnel” means any coach, trainer, manager, agent, team staff, team official, medical or paramedical personnel working with or treating athletes participating in or preparing for sports competitions, and all other persons working with the athletes;

<sup>28</sup> When definitions are provided by the Council of Europe Convention on the Manipulation of Sports Competitions, such definitions are used in this Code to minimise the risk of misinterpretation.

c. “Official” means any person who is the owner of, a shareholder in, an executive or a staff member of the entities which organise and/or promote sports competitions, as well as referees, jury members and any other accredited or engaged persons. The term also covers the executives and staff of the sports organisation, or where appropriate, other competent sports organisation or club that recognises the competition.

**1.5** “Sports Betting, Bet or Betting” means any wager of a stake of monetary value in the expectation of a prize of monetary value, subject to a future and uncertain occurrence related to a sports competition.

## Article 2 – Violations

The following conduct as defined in this Article constitutes a violation of this Code:

### 2.1 Betting

Betting in relation either:

- a. to a Competition in which the Participant is directly participating; or
- b. to the Participant’s sport; or
- c. to any event of a multisport Competition in which he/she is a participant.

### 2.2 Manipulation of sports competitions

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 sports competition with a view to obtaining an undue Benefit for oneself or for others.

### 2.3 Corrupt conduct

Providing, requesting, receiving, seeking, or accepting a Benefit related to the manipulation of a competition or any other form of corruption.

### 2.4 Inside information

1. Using Inside Information for the purposes of Betting, any form of manipulation of sports competitions or any other corrupt purposes whether by the Participant or via another person and/or entity.
2. Disclosing Inside Information to any person and/or entity, with or without Benefit, where the Participant knew or should have known that such disclosure might lead to the information being used for the purposes of Betting, any form of manipulation of competitions or any other corrupt purposes.
3. Giving and/or receiving a Benefit for the provision of Inside Information regardless of whether any Inside Information is actually provided.

### 2.5 Failure to report

1. Failing to report to the Sports Organisation concerned or a relevant disclosure/reporting mechanism or authority, at the first available opportunity, full details of any approaches or invitations received by the Participant to engage in conduct or incidents that could amount to a violation of this Code.
2. Failing to report to the Sports Organisation concerned or a relevant disclosure/reporting mechanism or authority, at the first available opportunity, full details of any incident, fact or matter that comes to the attention of the Participant (or of which they ought to have been reasonably aware) including approaches or invitations that have been received by another Participant to engage in conduct that could amount to a violation of this Code.

## 2.6 Failure to cooperate

1. Failing to cooperate with any investigation carried out by the Sports Organisation in relation to a possible breach of this Code, including, without limitation, failing to provide accurately, completely and without undue delay any information and/or documentation and/or access or assistance requested by the competent Sports Organisation as part of such investigation.
2. Obstructing or delaying any investigation that may be carried out by the Sports Organisation in relation to a possible violation of this Code, including without limitation concealing, tampering with or destroying any documentation or other information that may be relevant to the investigation.

## 2.7 Application of Articles 2.1 to 2.6

1. For the determination of whether a violation has been committed, the following are not relevant:
  - a. Whether or not the Participant is participating in the Competition concerned;
  - b. Whether or not the outcome of the Competition on which the Bet was made or intended to be made;
  - c. Whether or not any Benefit or other consideration was actually given or received;
  - d. The nature or outcome of the Bet;
  - e. Whether or not the Participant's effort or performance in the Competition concerned were (or could be expected to be) affected by the acts or omission in question;
  - f. Whether or not the result of the Competition concerned was (or could be expected to be) affected by the acts or omission in question;
  - g. Whether or not the manipulation included a violation of a technical rule of the respective Sports Organisation
  - h. Whether or not the competition was attended by the competent national or international representative of the Sports Organisation.

2. Any form of aid, abetment or attempt by a Participant that could culminate in a violation of this Code shall be treated as if a violation had been committed, whether or not such an act in fact resulted in a violation and/or whether that violation was committed deliberately or negligently.

### Article 3 – Disciplinary Procedures

The contents of this Article are minimum standards which must be respected by all Sports Organisations.

#### 3.1 Investigations

1. The Participant who is alleged to have committed a violation of this Code must be informed of the alleged violations that have been committed, details of the alleged acts and/or omissions, and the range of possible sanctions.
2. Upon request by the competent Sports Organisation, the concerned Participant must provide any information which the Organisation considers may be relevant to investigate the alleged violation, including records relating to the alleged violation (such as betting account numbers and information, itemised telephone bills, bank statements, internet service records, computers, hard drives and other electronic information storage devices), and/or a statement setting out the relevant facts and circumstances around the alleged violation.

#### 3.2 Rights of the concerned person

In all procedures linked to violations of the present Code, the following rights must be respected:

1. The right to be informed of the charges; and
2. The right to a fair, timely and impartial hearing either by appearing personally in front of the competent Sports Organisation and/or submitting a defence in writing; and
3. The right to be accompanied and/or represented.

### 3.3 Burden and standard of proof

The Sports Organisation shall have the burden of establishing that a violation has been committed. The standard of proof in all matters under this Code shall be the balance of probabilities, a standard that implies that on the preponderance of the evidence it is more likely than not that a breach of this Code has occurred.

### 3.4 Confidentiality

The principle of confidentiality must be strictly respected by the Sports Organisation during all the procedure; information should only be exchanged with entities on a need to know basis. Confidentiality must also be strictly respected by any person concerned by the procedure until there is public disclosure of the case.

### 3.5 Anonymity of the person making a report

Anonymous reporting must be facilitated.

### 3.6 Appeals

1. The Sports Organisation shall have an appropriate appeal framework within their organisation or recourse to an external arbitration mechanism (such as a court of arbitration).
2. The general procedure of the appeal framework shall include provisions such as, but not limited to, the time limit for filing an appeal and the notification procedure for the appeal.

## Article 4 – Provisional Measures

**4.1** The Sports Organisation may impose provisional measures, including a provisional suspension, on the participant where there is a particular risk to the reputation of the sport, while ensuring respect for Articles 3.1 to 3.4 of this Code.

**4.2** Where a provisional measure is imposed, this shall be taken into consideration in the determination of any sanction which may ultimately be imposed.

### Article 5 – Sanctions

- 5.1** Where it is determined that a violation has been committed, the competent Sports Organisation shall impose an appropriate sanction upon the Participant from the range of permissible sanctions, which may range from a minimum of a warning to a maximum of life ban.
- 5.2** When determining the appropriate sanctions applicable, the Sports Organisation shall take into consideration all aggravating and mitigating circumstances and shall detail the effect of such circumstances on the final sanction in the written decision.
- 5.3** Substantial assistance provided by a Participant that results in the discovery or establishment of an offence by another Participant may reduce any sanction applied under this Code.

### Article 6 – Mutual recognition

- 6.1** Subject to the right of appeal, any decision in compliance with this Code by a Sporting Organisations must be recognised and respected by all other Sporting Organisations.
- 6.2** All Sporting Organisations must recognise and respect the decision(s) made by any other sporting body or court of competent jurisdiction which is not a Sporting Organisation as defined under this Code.

## Article 7 – Implementation

- 7.1** Pursuant to Rule 1.4 of the Olympic Charter, all Sports Organisations bound by the Olympic Charter agree to respect this Code.<sup>29</sup>
- 7.2** These Sports Organisations are responsible for the implementation of the present Code within their own jurisdiction, including educational measures.
- 7.3** Any amendment to this Code must be approved by the IOC Executive Board following an appropriate consultation process and all Sports Organisations will be informed.<sup>30</sup>

<sup>29</sup> This Code was approved by the IOC Executive Board on 8 December 2015.

<sup>30</sup> For all information concerning this Code, contact IOC Ethics and Compliance.



### 2 Jurisdiction

The global nature of sport and competition manipulation and the potential of the breach of the regulations being also a criminal matter presents a challenge in terms of areas of responsibilities, jurisdiction and coordinated fact-finding/disciplinary and criminal proceedings. Usually, the sports regulations applied to a competition are that of the federation or organisation responsible for the competition. In general terms, the jurisdiction rests with the place where the crime or breach takes place. However, competition manipulation generally involves athletes competing internationally, money flowing across borders, online websites and organised crime.

Certain principles of jurisdiction should therefore be considered when determining which sports organisation has jurisdiction including:

- whether the athlete or official competes internationally and which regulations are to apply (e.g. those of the international and/or national federation, games organising committee etc.). During the Olympic Games period, the IOC Regulations apply for wrongdoing committed during the Olympic Games period. However, once the Games are over, the regulations of the International Sports Federation or National Federation or National Olympic Committee apply which may mean an additional sanction is applied;
- whether the sports organisation has stipulated in their regulations that they remain competent to sanction players and officials who breached the regulations at the time they were officially affiliated with the sports organisation, even if they have since transferred to another jurisdiction. In most international federation's rules, specific regulations outline the requirements of mutual recognition by national federations of sanctions imposed by the international federation.

### 3 Coordination and cooperation between sports disciplinary and criminal investigatory proceedings

In a number of jurisdictions, competition manipulation may be considered a criminal offence either as an offence in itself or under the crimes of corruption, fraud, bribery, organised crime, money-laundering etc. (see further below under Legislation). For that reason, a sports disciplinary proceeding and criminal investigation may be happening simultaneously.

Traditionally, the principle of sports autonomy has meant that the world of sports and law enforcement have seldom cooperated. However, sport cannot deal alone with the criminal threat posed by competition manipulation and requires police support, particularly with regards to obtaining the evidence in order to sanction an individual under their jurisdiction.

Coordination between a sports fact-finding inquiry and a criminal investigation is in the interest of both law enforcement agencies and sports organisations in order to protect sport's integrity, given the significant positive impact and role of sport within society. It is also in their mutual interest to facilitate law enforcement investigations into the criminal networks behind competition manipulation to prevent further cases. As such, it is important that both the law enforcement investigation and the fact-finding inquiry by sport are coordinated to ensure that neither is negatively impacted by the activity of the other. Recognition of the distinctions between the two proceedings assists in ensuring cooperation, continued respect for the autonomy of sport and the independence of the police.

Factors that influence the level of coordination between sport and law enforcement may include:

- Potential links to organised crime networks;
- Scale of the allegations;
- Necessity of covert investigation;
- Reputational risk and potential impact of inaction;
- Long investigation process.

Coordination of this type requires a partnership approach between sports organisations and law enforcement agencies to work together to tackle competition manipulation. Both entities are in a position to contribute significantly to each other's core aims, provided that there is mutual recognition and respect. Some of the challenges to information-sharing and collaboration may include:

- Not having regulations that enable the conducting of an inquiry;
- Not having regulations that enable information/cooperation to be demanded;
- Identifying the relevant partners;
- Managing and sharing information with partners;
- Time frame for obtaining information;
- Differences in data protection issues across jurisdictions and organisations.

## *Distinctions between Sports Disciplinary Proceedings and Criminal Proceedings (1/3)*

### Sports Disciplinary Proceedings

### Criminal Proceedings

Proceedings may be complementary yet decisions may differ.

Both proceedings require fair and efficient justice, carried out promptly, proportionately and in a transparent manner.

### International vs. National Level

Disciplinary proceedings may be conducted at an international level by an international sports federation or multi-sport event organiser e.g. the Olympic Games or nationally by a national sports federation or organisation e.g. national championships.

Crime is always considered nationally, i.e. according to the national law. Due to the fact that competition manipulation is frequently conducted across borders, international collaboration in relation to the investigation will be required.

### Definition of misconduct

Disciplinary misconduct by an athlete may not be a criminal offence. Some rules and laws will be similar and some not, e.g. the passing on of inside information is against sports rules<sup>31</sup> but generally not against the law. Participating in competition manipulation may be against both the regulations and the law.

Criminal misconduct by an athlete is a disciplinary offence (in general). The focus of a criminal investigation will most often be broader than a sports disciplinary case as the primary focus should be targeting the criminals organising the manipulation and pursuing criminal networks and financial transactions.

### Time and Resources

Although thorough Fact-Finding Inquiries are time and resource intensive, sports disciplinary proceedings are generally more time efficient due to the lower standard of proof required (see next page).

Criminal investigations are generally very time-consuming and resource intensive, particularly when they are transnational in nature.

<sup>31</sup> See Art. 2.4 of the Olympic Movement Code on the Prevention of the Manipulation of Competitions.

### *Distinctions between Sports Disciplinary Proceedings and Criminal Proceedings (2/3)*

#### Jurisdiction

Sports disciplinary law can only be applied if there is a legal relationship between the subject and the sports organisation e.g. members, persons involved in the sports organisation etc. The organisation of competition manipulation by someone outside the sports family may be against the law, but this person may not be subject to any action by the disciplinary system.

'Nulla poena sine lege' (no penalty without law) prohibits the enforcement of sanctions not explicitly provided for in texts. As such, it can be seen that there are some parts of manipulation that are wholly within sport's jurisdiction, some parts that are wholly within the law enforcement agency's jurisdiction and some parts that may be mutually of interest to both law enforcement and a fact-finding inquiry.

#### Sports Fact-Finding Inquiry vs. Police Investigation

Each sports organisation should establish Fact-Finding Procedures for the management of allegations or suspicions of competition manipulation including the identification of a fact-finder appointed to initiate and to undertake an inquiry on behalf of the sports organisation.<sup>32</sup> Such an individual would have the role of:

- Conducting fact-finding inquiries into suspicions or allegations of competition manipulation;
- Establishing the facts of the said allegation or suspicion;
- Reporting the findings to a disciplinary panel.

Investigations of a breach may be conducted in conjunction with relevant competent national or international authorities (including criminal, administrative, professional and/or judicial authorities).

The sports organisation may decide to pause its own investigation pending the outcome of investigations conducted by other competent authorities.

It is recommended that Fact-Finders liaise with police to prevent the disruption of criminal investigations, while ensuring that a disciplinary proceeding is maintained.

Police Investigative Procedures should determine the procedures for investigating competition manipulation recognising that such cases are frequently complex investigations into financial fraud, money laundering, organised crime etc.

Each national police force should identify an individual or team of 'sports investigators' who will be trained to conduct such investigations.

Given that most competition manipulation cases are multi-jurisdictional, it is recommended that relevant and appropriate information is shared with the INTERPOL Match-Fixing Task Force in order to enhance greater understanding of modus operandi etc.

Police may be willing to 'second' an investigator to the sports body in order to assist in the fact-finding inquiry. This may be of particular use for those sports who do not have the capacity to investigate competition manipulation.

<sup>32</sup> See further, the INTERPOL-IOC, 2016, Handbook on Conducting Fact-Finding Inquiries into Breaches of Sports Integrity that outlines detailed roles and responsibilities of the Fact-Finders.

## Aims

A Fact-Finding Inquiry by a sports organisation aims to establish if evidence exists that a breach of the regulations has occurred.

A criminal investigation aims to establish if evidence exists that a national criminal law has been broken, where there is a realistic prospect of conviction and public interest requires a prosecution.

## Evidence

All evidence may be admissible including any useful, relevant evidence and facts that have been established by any reliable means, such as betting account numbers and information, itemised telephone bills, bank statements, internet service records, computers, hard drives and other electronic information storage devices so long as they are obtained within certain parameters (e.g. respect of human dignity and safety, natural justice).

A Betting Monitoring Report can and should be used as evidence in disciplinary proceedings and monitoring system employees may be involved as expert witnesses.

Special investigative techniques may be used to obtain evidence so long as they are in accordance with national law and procedures, respect human rights and the general principle of proportionality e.g. seizing of material, electronic and covert surveillance, cameras, monitoring of bank accounts, controlled deliveries, monitoring of bank accounts and other financial investigations, fictitious business operations etc.

However, certain evidence may be non-admissible in court with protocols required to determine the parameters of admissibility.

## Exchange of Information

Protocols for the Exchange of Information between sport and law enforcement should be established either formally or informally (see next page for an Example of a Protocol). Where there is a suspicion that a criminal act has taken place, or there is a perceived risk to the safety of someone as a result of a fact-finding inquiry, the sports organisation should report to the relevant national law enforcement agency. It is good practice to identify in advance the responsible agency and a single point of contact within that agency so that a cooperative, coordinated working relationship can be established.

### *Distinctions between Sports Disciplinary Proceedings and Criminal Proceedings (3/3)*

#### Burden of proof

Burden of proof: should be on the sports organisation rather than the accused to prove that a violation has occurred. But some circumstances may presume there is an offence unless the accused disproves it.

Will depend on the national law.

#### Standard of Proof

Standard of Proof: Balance of Probabilities, a standard that implies that on the preponderance of the evidence it is more likely than not that a breach of the regulations has occurred.<sup>33</sup>

Beyond reasonable doubt is the standard mostly used in criminal law. It is quite possible that insufficient evidence exists to prove, beyond reasonable doubt, that a criminal law was broken, particularly where the law being applied was not specifically written to target sports corruption. However, there may be sufficient evidence to allow the disciplinary body to make a determination on the balance of probabilities that a breach of the regulations occurred.

#### Provisional measures

Provisional measures may be necessary to preserve the reputation of a sport.

Depending on national law, an interim order may be imposed, which can be either a temporary restraining order or a temporary directive order.

#### Sanctions vs. Sentences

Sanctions may include a warning, fine, suspension, ban or other order. Often the sports sanction may be a more effective punishment and may act as a strong deterrent against misbehaviour.

Sentences may include a fine, community order, prison or other order.

<sup>33</sup> Art. 3.3 Olympic Movement Code on the Prevention of the Manipulation of Competitions.

*Example of a Protocol for the Appropriate Handling of Competition Manipulation Cases by a National Sports Organisation and National Law Enforcement*

<p><b>Sport and Police</b></p>	<ul style="list-style-type: none"> <li>- Establishment of a protocol between a national sports organisation and national law enforcement that:                             <ul style="list-style-type: none"> <li>· states the roles and responsibilities of sport and police in dealing with matters under concurrent jurisdiction;</li> <li>· determines the factors that may trigger a sports disciplinary inquiry or criminal investigation;</li> <li>· encourages trust and collaboration between sport and police;</li> <li>· facilitates prompt resolution of all cases in a consistent way;</li> <li>· clarifies the exchange of information between sport and police.</li> </ul> </li> </ul>
<p><b>Sports Organisation</b></p>	<ul style="list-style-type: none"> <li>- Identification of integrity officer/SPOC within the sports organisation who will receive suspicious alerts from IBIS, Betting Monitoring Systems, National Platform and/or other sources;</li> <li>- Determine if the risk of manipulation is such that preemptive steps are to be taken and collaborate with disciplinary body in determining such steps (e.g. provisional suspension);</li> <li>- Determine if information may be relevant to police and if so, send information to the national police;</li> <li>- Commence Fact-Finding Inquiry (this may be a different individual than the organisation's SPOC). If evidence may assist the criminal procedure, consent from witnesses should be obtained at the beginning of the process in order to send witness statements and other evidence to police.</li> </ul>
<p><b>National Police</b></p>	<ul style="list-style-type: none"> <li>- Identification of responsible individual/s within national law enforcement with the following responsibilities:                             <ul style="list-style-type: none"> <li>· Determine if information received potentially breaches law and warrants the opening of a Criminal Procedure;</li> <li>· Determine if information may be of interest to other national police and transfer the information either directly to the national police or through the INTERPOL National Central Bureaus (NCBs) to the INTERPOL Match-fixing Task Force;</li> <li>· Consult with the sports organisation to determine if it is sufficient that the matter is dealt with by the relevant sports organisation and not by police;</li> </ul> </li> <li>- If there is to be a criminal investigation, consult with the sports organisation to determine whether and to what extent the sports organisation should suspend its own inquiry, if at all. Any decision to suspend a sports inquiry should be regularly reviewed in light of the progress of the criminal investigation;</li> <li>- Commence Criminal Investigation. If evidence may assist the sports disciplinary procedure, consent from witnesses should be obtained at the beginning of the process in order to send witness statements and other evidence to the sports organisation.</li> </ul>
<p><b>INTERPOL or regional law enforcement organisations</b></p>	<ul style="list-style-type: none"> <li>- During or following the investigation, information and evidence received by the sports organisation or law enforcement may be determined relevant to other jurisdictions and should be subsequently sent through the INTERPOL NCBs to the INTERPOL Match-Fixing Task Force or regional law enforcement body;</li> <li>- If a Regional Law Enforcement body received the information, it should determine if it falls within its mandate (e.g. if Europol receives the information, it can only act if a minimum of 2 Europol member states are concerned);</li> <li>- Analyses the information received to assess if touches other crime issues (e.g. money laundering);</li> <li>- Sends compiled Intelligence Package to concerned Member States INTERPOL NCBs.</li> </ul>





# 3

## Applicable State Legislation

Sports organisations need to appreciate that they, generally:

- Do not have jurisdiction over non-participants (i.e. organised crime);
- Have inadequate powers to obtain evidence;
- Have a lack of powers to enable the protection of whistle-blowers;<sup>34</sup>
- Have a lack of expertise and resources to investigate competition manipulation which may link to complex investigations into corruption, fraud, bribery, organised crime, money-laundering, etc.

Therefore, it is useful to understand the international and national legislative frameworks that may provide a framework to support your organisation in its efforts to prevent competition manipulation.

<sup>34</sup> Ibid, UNODC-IOC Report, July 2013, p. 16.

## 1 International instruments

### 1.1 United Nations Convention against Corruption

The only international, legally binding instrument for tackling corruption is the United Nations Convention against Corruption (UNCAC).<sup>35</sup> It has 178 states parties (as of March 2016). Countries are required to establish criminal and other offences to cover a wide range of acts of corruption including domestic and foreign bribery, embezzlement, trading in influence and money laundering. In November 2015, the Conference of the States Parties to UNCAC adopted the following resolution:

*“Recognizes the importance of protecting integrity in sports by promoting good governance in sports and mitigating the risk of corruption that sports face globally, requests the Secretariat to continue, in 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 this area, and acknowledges the work that has already been done by the United Nations Office on Drugs and Crime in this regard, in particular the development of studies and guides with the International Olympic Committee.”<sup>36</sup>*

### 1.2 United Nations Convention against Transnational Organised Crime

The United Nations Convention against Transnational Organised Crime (UNTOC)<sup>37</sup> aims to promote cross-border cooperation in tackling organised crime and has 185 parties (as of March 2016). In Article 2(a) of the Convention, an ‘organised criminal group’ is defined as:

- A group of three or more persons that was not randomly formed.
- Existing for a period of time.

<sup>35</sup> Available at: [www.unodc.org/unodc/en/treaties/CAC/index.html](http://www.unodc.org/unodc/en/treaties/CAC/index.html)

<sup>36</sup> [www.unodc.org/documents/treaties/UNCAC/COSP/session6/DraftResolutions/V1507740e.pdf](http://www.unodc.org/documents/treaties/UNCAC/COSP/session6/DraftResolutions/V1507740e.pdf)

- Acting in concert with the aim of committing at least one crime punishable by at least four years' incarceration.
- In order to obtain, directly or indirectly, a financial or other material benefit.

### 1.3 Council of Europe Convention on the Manipulation of Sports Competitions

The Council of Europe Convention on the Manipulation of Sports Competitions<sup>38</sup> opened for signature on the 18 September 2014 in Magglingen, Switzerland (CETS 215). The Convention aims to prevent, detect and punish the manipulation of sports competitions and is open for signature and ratification by European and non-European States.

*Article 14 of the Convention calls for the creation of a national platform addressing the manipulation of sports competitions, which shall:*

- Serve as an information hub, collecting and disseminating information that is relevant to the fight against manipulation of sports competitions to the relevant organisations and authorities.*
- Co-ordinate the fight against the manipulation of sports competitions.*
- Receive, centralise and analyse information on irregular and suspicious bets placed on sports competitions taking place on the territory of the Party and, where appropriate, issue alerts.*
- Transmit information on possible infringements of laws or sports regulations referred to in this Convention to public authorities or to sports organisations and /or sports betting operators.*
- Co-operate with all organisations and relevant authorities.*

<sup>37</sup> Available at: [www.unodc.org/unodc/en/treaties/CTOC/index.html](http://www.unodc.org/unodc/en/treaties/CTOC/index.html)

<sup>38</sup> Available at: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016801cd d7e>

A number of countries have subsequently created National Platforms including Norway, the first country to have ratified the Convention. The Norwegian Gaming and Foundation Authority is responsible for establishing and running the national platform with the Ministry of Culture providing the annual funding. The Platform which commenced activities in 2016 serves as an information center, collecting, analysing and disseminating information as well as making risk assessments to facilitate targeted preventive measures by sport, betting operators and public authorities in Norway.

Particular articles within the Convention of relevance for sports organisations include the following:

### *Article 7 – Sports organisations and competition organisers*

- 1 Each Party shall encourage sports organisations and competition organisers to adopt and implement rules to combat the manipulation of sports competitions as well as principles of good governance, related, inter alia to:*
  - a. Prevention of conflicts of interest, including:*
    - Prohibiting competition stakeholders from betting on sports competitions in which they are involved.*
    - Prohibiting the misuse or dissemination of inside information.*
  - b. Compliance by sports organisations and their affiliated members with all their contractual or other obligations.*
  - c. The requirement for competition stakeholders to report immediately any suspicious activity, incident, incentive or approach which could be considered an infringement of the rules against the manipulation of sports competitions.*
- 2 Each Party shall encourage sports organisations to adopt and implement the appropriate measures in order to ensure:*
  - a. Enhanced and effective monitoring of the course of sports competitions exposed to the risks of manipulation;*
  - b. Arrangements to report without delay instances of suspicious activity linked to the manipulation of sports competitions to the relevant public authorities or national platform;*

- c. Effective mechanisms to facilitate the disclosure of any information concerning potential or actual cases of manipulation of sports competitions, including adequate protection for whistle blowers;*
  - d. Awareness among competition stakeholders including young athletes of the risk of manipulation of sports competitions and the efforts to combat it, through education, training and the dissemination of information;*
  - e. The appointment of relevant officials for a sports competition, in particular judges and referees, at the latest possible stage.*
- 3** *Each Party shall encourage its sports organisations, and through them the international sports organisations to apply specific, effective, proportionate and dissuasive disciplinary sanctions and measures to infringements of their internal rules against the manipulation of sports competitions, in particular those referred to in paragraph 1 of this article, as well as to ensure mutual recognition and enforcement of sanctions imposed by other sports organisations, notably in other countries.*
- 4** *Disciplinary liability established by sports organisations shall not exclude any criminal, civil or administrative liability.*

## 2 European Instruments

### 2.1 European Union

The Lisbon Treaty or the Treaty on the Functioning of the European Union (TFEU) was signed by 27 EU Member States on 13 December 2007 and provides in Article 165:

*The Union shall contribute to the promotion of European sporting issues, while taking account of the specificity of sports. Union acts shall be aimed at developing the European dimension in sport, by promoting fairness and openness in sporting competitions and cooperation between bodies responsible for sports, and by protecting the physical and moral integrity of sportsmen and sportswomen, especially the youngest sportsmen and sportswomen.*

This article effectively enables the EU to tackle competition manipulation as a core activity of its competence in the sports field.

### 2.2 European Council Framework Decisions

Council Framework Decision 2003/568/JHA<sup>39</sup> on combating corruption in the private sector of 22 July 2003 aims to criminalise both active and passive bribery and establishes detailed rules on the liability of legal persons and deterrent sanctions. Under this law, Member States are required to penalise certain acts which are intentionally carried out in the framework of business activities. Another relevant instrument is the Council Framework Decision intending to fight organised crime 2008/841/JHA of 2008<sup>40</sup> and Directive 2005/60/EC<sup>41</sup> of the European Parliament and Council on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing, which was established 26 October 2005.

## 3 National Legislation

*“A large number of substantial loopholes in the offences established in the legislation of many countries seriously hamper the efforts of law enforcement agencies and judicial authorities to combat match-fixing at the national, and even more so, at the international level.”<sup>42</sup>*

In recent years, numerous countries have made competition manipulation a separate criminal offence rather than relying on existing general provisions incriminating fraud, bribery, cheating, corruption or deception. Separate offences have been created either within the

<sup>39</sup> Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3A133308>

<sup>40</sup> Available at: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32008F0841>

<sup>41</sup> Available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:309:0015:0036:en:PDF>

<sup>42</sup> *ibid*, UNODC-IOC Report, July 2013, p. 14.

general criminal codes or acts e.g. in Australia, Bulgaria, France, New Zealand, Spain and Ukraine, or within the country's law on sports or gambling e.g. in Argentina, Brasil, China, Italy, Greece, Korea, Malta, Poland, Portugal, Russia, Switzerland and the UK.

The IOC, in collaboration with the UN Office on Drugs and Crime (UNODC) is currently developing Model Criminal Law Provisions on the Prevention of the Manipulation of Sports Competitions for all member states that have yet to have adopted specific legislation.

## 4 Data Protection Laws

National data protection laws may be cited in order not to exchange relevant information or intelligence in relation to competition manipulation, and will determine the capacity to access key evidence such as telephone and betting records. However, as stated in article 43 of UNCAC:

*States Parties shall consider assisting each other in investigations of and proceedings in civil and administrative matters relating to corruption.*<sup>43</sup>

In essence, data protection laws aim to safeguard our privacy yet they should not be used to protect 'persons of interest' from being investigated in a competition manipulation case. Nor should they be used to hinder countries or sports exchanging information, particularly when it is in the public's interest to collect and deal with such data.

<sup>43</sup> See also UNCAC art. 48.1.(a) "To enhance and, where necessary, to establish channels of communication between their competent authorities, agencies and services in order to facilitate the secure and rapid exchange of information concerning all aspects of the offences covered by this Convention, including, if the States Parties concerned deem it appropriate, links with other criminal activities."





# 4

## Prevention, Capacity Building and Training

### 1 Integrity Officer/Unit

All sports organisations are encouraged to appoint an Integrity Officer (Single Point of Contact) or Unit with the following roles and responsibilities:

- To ensure regulations are in line with the Olympic Movement Code on the Prevention of the Manipulation of Competitions;
- To coordinate intelligence in relation to competition manipulation and to convey alerts through the National Platform at the national level or the IOC Integrity Betting Intelligence System (IBIS) at the international level;
- To ensure ‘fact-finders’ are appointed and trained to be able to undertake fact-finding inquiries into competition manipulation;
- To ensure the development and implementation of a strategy to prevent competition manipulation including, for example, educational programmes designed to assist those involved in sport and sports organisations to recognise, resist and report suspicions of competition manipulation.

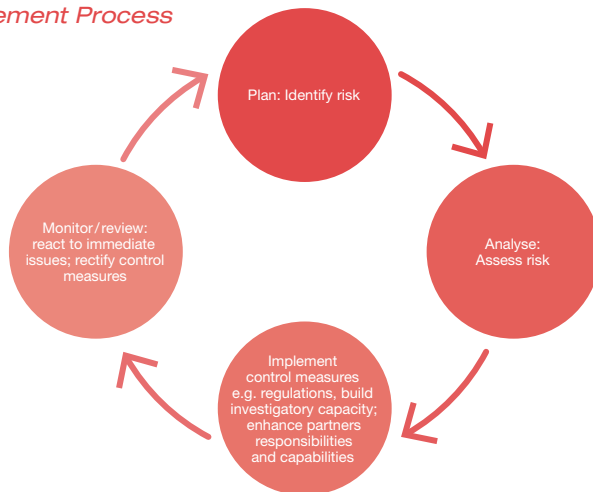
## 2 Risk Assessments for Sport

Risk assessments are used to identify areas of vulnerability and to design counter measures to minimise the risks. It is recommended that risk assessments are undertaken regularly, at least annually and also for specific high profile events in respect of the threat to your sport from competition manipulation. Risk assessments are also vital when dealing with an allegation of competition manipulation.

By undertaking a risk assessment for your sport, you are assessing the possibility that the outcome of a game or competition, or particular aspects of that game or competition, will be manipulated for betting purposes and financial advantage.

In order to manage risk, the risk management process should be identified in advance: What could potentially happen? What can be done to prevent it happening? If it cannot be prevented, then preparation should be made in anticipation of such eventualities. The following model can be of use in managing risk.

### *Risk Management Process*



A Risk Assessment may take into account a number of factors including identifying and assessing the risks related to the:

- Vulnerability of the sport to manipulation for betting purposes: this assessment may include whether particular competitions are offered on the betting market.
- Vulnerability to manipulation for sporting purposes: this assessment may include whether the competition is ‘high-risk’ for sporting manipulation such as being at the end of the season in which one team has no vested interest in winning or losing as they have already qualified yet their opponents require points and a result to qualify for the next round.
- Affiliation to a betting monitoring system: All Olympic sports federations are affiliated to the IOC’s Integrity Betting Intelligence System. This enables the exchange of information related to suspicious activities within the system. All national federation SPOCs are encouraged to establish contact with their international federation SPOC to ensure exchange of information in relation to matters within the national jurisdiction as well as case/s, judicial actions or other intelligence on a regular basis.
- Fragility of sports organisations that may mean that risky decisions are made such as accepting money from uncertain origins; integrating into the management individuals who use the sport to engage in dubious activities not paying wages or late payment of wages leading to a greater risk that athletes and officials would be tempted to manipulate.

The implementation of control measures may include the following:

- Establishment of a designated Integrity Officer or Unit;
- Regulations that are in compliance with the Olympic Movement Code on the Prevention of the Manipulation of Competitions;
- An educational programme on integrity risks that reaches all levels of your organisation from grassroots to the elite level and harnesses the use of former athletes and officials to assist in the delivery of the educational programme.

### 3 Media Strategy

The establishment of a media strategy in relation to competition manipulation will enable your sports organisation to tackle any crisis in advance and to deal with the media's request for information. Frequently, allegations of manipulation are revealed by the media meaning that any media strategy should outline the sports organisation's role, response, actions and stance regarding allegations of competition manipulation. Any media strategy should be drafted with your organisation's media/communication department to ensure smooth planning, coordination and constant communication between the SPOC and management. This will ensure that the sports organisation can control the information and highlight the proactive nature of the sports organisation in dealing with competition manipulation.

Experience has shown that it is never an advantage for an inquiry/investigation to release information to the media prior to its conclusion. For this reason, a media strategy should be in place before an inquiry commences. This strategy should identify who will speak to the media in any given situation and identify the risks of disclosing information that may compromise the integrity of the inquiry or any criminal investigation that may ensue.

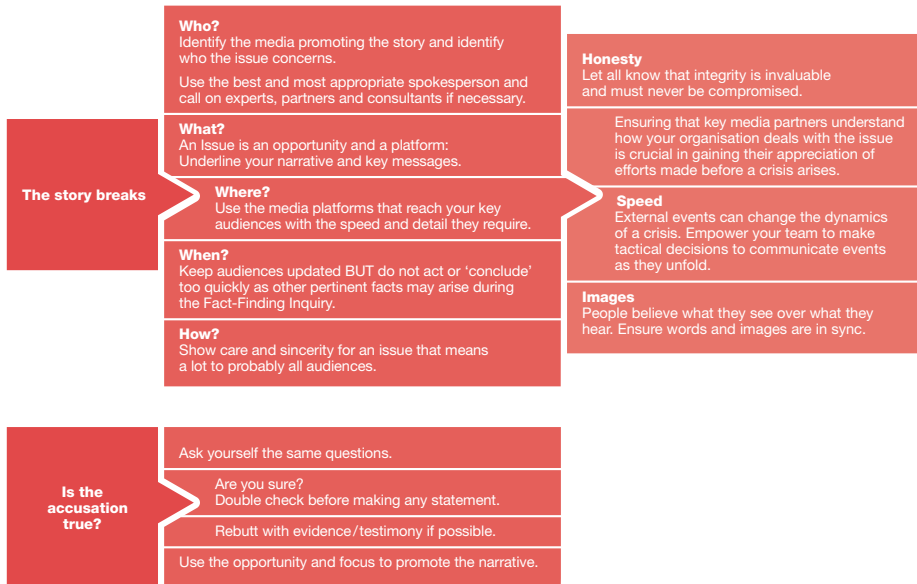
If an Integrity in Sport National Platform exists in your country, then ideally a media strategy is determined that all stakeholders within the Platform agree with. This will enable harmonised messaging with regards to how all stakeholders are dealing with the issue.

Any media strategy should take into consideration the following points:

- Manage your contacts with the media by proactively establishing a relationship with respected media in order to regularly brief them about integrity measures that your organisation is taking;
- Determine how to deal with the media when a fact-finding inquiry related to the manipulation of sports competition has been opened, or when rumours of a manipulation have been made public;
- Determine how to set up a crisis management procedure when a criminal procedure related to the manipulation of a sports competition has been launched, or when rumours related to a possible manipulation have been made public;
- Ensure that any media strategy or incident management procedure that is put in place is respected during any incident.

### Crisis Communication

The following decision tree outlines the principle considerations to be made before deciding on a particular path following the breaking of a story.



In order to move on from the story or issue, ensure that you evaluate how you dealt with the story to see what could be done better next time. Willingness to evolve and to express publicly what will be done differently in the future will be appreciated by your audience. Ensure your Crisis Communication strategy is kept regularly updated.

## 4 Developing a Prevention Strategy

A holistic prevention strategy is recommended in relation to dealing with competition manipulation. Such a strategy requires:

- Strong regulatory framework (e.g. implementation of the Olympic Movement Code on the Prevention of the Manipulation of Competitions, provisions in athletes contracts and competition participatory forms related to respect of the rules e.g. Olympic Games Conditions of Participation Form);
- Effective educational programmes;
- Monitoring and information exchange mechanisms, reporting mechanisms, investigatory (fact-finding) capacity.

## 5 Educational Programmes

All sports organisations, nationally and internationally, are encouraged to develop and implement awareness raising and educational programmes related to combating competition manipulation. Given the numbers of athletes and officials that require training, a cascading of programmes is recommended through Train the Trainer programmes, e-learning complemented by Workshops, and potential synergies with other programmes such as those on doping. It is essential that the messages are unambiguous, consistent and clear. Generally the training programmes need to explain what competition manipulation is, how it works, how it can affect the individual, how you may be approached, the consequences of becoming involved in any way and a requirement to report, and to whom. The most common summary of this is to 'Recognise, Resist and Report'. There are a range of training programmes already in existence within various sports which may prove useful starting points.

## 6 INTERPOL-IOC Capacity Building and Training

INTERPOL and the IOC adopt a holistic approach to the protection of the integrity of sport as this is essential for both the prevention and investigation of competition manipulation nationally and internationally. INTERPOL and the IOC works in partnership with national and international stakeholders in law enforcement, government, sports governing bodies and betting operators and regulators to implement the strategy through the conduct and dissemination of analytical research to identify trends, modus operandi, legal requirements, good practice and other relevant information, as well as capacity building and training. The IOC and INTERPOL jointly conduct the following Capacity Building and Training:

### 6.1 Integrity in Sport Multi-Stakeholder Workshops

**Aim:** To develop knowledge and understanding of the global threat from competition manipulation and irregular/illegal betting; to identify current good practice and ways to prevent competition manipulation and corruption in sport; to encourage global, regional and national bodies with a role to play in promoting integrity in sport to work together more effectively in partnership, regularly sharing information and to take action to prevent competition manipulation.

**Format:** 1 day Workshop, approx. 80 people.

**Example:** Lima, Peru, 16 October 2015.

### 6.2 Integrity in Sport National Partnership Development Meetings (PDMs)

**Aim:** To bring together high level representatives from the Government, Betting Regulators and Operators, police, public prosecutors and the National Olympic Committees/National Federations in order to assist in the development of a coordinated national approach that protects the integrity of sport and enables the national, regional and international cooperation required for the prevention and investigation of competition manipulation. This includes identification of the legislative/regulatory status and elaboration of an appropriate framework for collaboration, education and exchange of information between all stakeholders.

**Format:** 1 day Meeting, approx. 20 people.

**Example:** Oslo, Norway, 16 June 2015.



## 6.3 Integrity in Sport Train the Trainers Workshops

**Aim:** To train sports coaches and educators to be able to deliver an Integrity in Sport Training Session for athletes and officials in order to multiply knowledge and understanding about the threat of competition manipulation within a particular sport or country and by providing training materials that reflect the latest trends and modus operandi of criminals.

**Format:** 1 day, approx. 40 people.

**Example:** Winnipeg, Canada, 11 November 2015.

## 6.4 Integrity in Sport Fact-Finders and Law Enforcement Investigators Trainings

### **Sport Fact-Finders Aim:**

To prepare and train persons within a sports organisation tasked with conducting a Fact-Finding Inquiry in relation to a suspicion or allegation of competition manipulation to compile an inquiry file report and submit the results in accordance with the sports disciplinary procedure. Basic investigatory requirements such as interview skills, file reports etc. are developed. To establish the parameters for exchange of information between sport and police.

**Format:** 3 days, max. 12 fact-finders.

**Example:** Arnhem, Netherlands, 16-18 September, 2015.

### **Law Enforcement Sport Investigators Aim:**

To train law enforcement officials and prosecutors to investigate competition manipulation with a specific focus on transnational investigations, evidence evaluation and coordination with sports organisations. To establish the parameters for exchange of information between sport and police.

**Format:** 2 day, max. 12 police investigators.

**Example:** Singapore, 27-28 August, 2015.

## 7 INTERPOL Major Event Support Team (IMEST)

An INTERPOL Major Event Support Team (IMEST) is deployed to assist member countries in the preparation, coordination and implementation of security arrangements for major sporting events.

IMEST team members assist the national and foreign liaison officers of participating countries in making the most efficient use of INTERPOL's full array of databases. They facilitate real-time exchange of messages and vital police data among all member countries. This data includes fingerprints, photos, wanted person notices, and data relating to stolen and lost travel documents and stolen motor vehicles.

An IMEST can be tailored to a member country's needs prior to and during an event and brings all of INTERPOL services to focus on the upcoming event. The global police communications network, known as I-24/7, can be enhanced and used for immediate outreach to the worldwide law enforcement community, should the need arise.

## 8 INTERPOL Match-fixing Task Force

The INTERPOL Match-Fixing Task Force is composed of a specialist network of police investigators from 74 Member countries (as of September 2015). It enables member countries to better exchange information, intelligence and experience and to develop cross-border strategies against international competition manipulation.

The Task-Force is supported by INTERPOL's Anti-Corruption and Financial Crimes Sub-directorate, benefiting from its experience on anti-corruption, notably its Global Focal Point Initiative on Anti-Corruption and Asset Recovery.

## 9 IOC strategy and TOOLS

The IOC philosophy of protecting clean athletes and sports integrity was reaffirmed in December 2014 upon the adoption of Olympic Agenda 2020,<sup>44</sup> the IOC's strategic roadmap for the future of the Olympic Movement. Under the IOC Ethics and Compliance Office, key initiatives related to preventing competition manipulation and related corruption have been developed and implemented in order to:

- a. Improve governance through sport regulations and state legislation;
- b. Raise awareness, build capacity and undertake training;
- c. Ensure information exchange, investigation and prosecution capacities.

The strategy is global and holistic in order to cascade rules, education, capacity building and the sharing of information from the international level to local club level.

<sup>44</sup> See further here: [www.olympic.org/olympic-agenda-2020](http://www.olympic.org/olympic-agenda-2020)

## IOC Integrity Initiatives Overview



## 9.1 Improve governance through sport regulations and state legislation

The IOC encourages and supports the development of sporting regulations that protect the integrity of sport, prevent competition manipulation and empower effective regulatory enforcement, particularly as a risk prevention measure in the organisation of sporting competitions. In December 2015, the IOC Executive Board approved the Olympic Movement Code on the Prevention of the Manipulation of Competitions (see Chapter 2: Applicable Sports Regulations). The IOC took the lead on preparing such a Code following the International Forum for Sports Integrity in April 2015 during which the Olympic Movement was called upon to develop global standards regarding the manipulation of competitions and related corruption in compliance with the Council of Europe Convention on the Manipulation of Sports Competitions (see Chapter 3: Applicable State Legislation). It also coincided with the IOC's renewed commitment to protect clean athletes and the integrity of sport as outlined in Olympic Agenda 2020.

In 2015, the IOC and the UN Office on Drugs and Crime (UNODC) commenced a joint study that will be released in 2016 to research over 50 countries legislative frameworks in dealing with competition manipulation, to determine best practices and subsequently develop Model Criminal Law Provisions to fight the Manipulation of Competitions. This Study follows on from the UNODC-IOC Study “Criminalization approaches to combat match-fixing and illegal/irregular betting: a global perspective”<sup>45</sup> that compiled criminal law provisions on match-fixing and illegal betting from existing legislation in UNODC Member States and identified discrepancies and similarities in legislative approaches.

Since 2006, the IOC Code of Ethics<sup>46</sup> has forbidden all participants at the Olympic Games from betting on Olympic events. For each edition of the Olympic Games, and also for the Youth Olympic Games, specific rules are published.<sup>47</sup>

<sup>45</sup> Ibid, UNODC-IOC, July 2013.

<sup>46</sup> Available at: [www.olympic.org/Documents/Commissions\\_PDFfiles/Ethics/2016\\_ioc\\_code\\_of\\_ethics-book-en.pdf](http://www.olympic.org/Documents/Commissions_PDFfiles/Ethics/2016_ioc_code_of_ethics-book-en.pdf)

<sup>47</sup> The Rio de Janeiro Summer Olympic Games 2016 Rules, available here: [www.olympic.org/Documents/Commissions\\_PDFfiles/Ethics/rio2016\\_rules\\_on\\_the\\_prevention\\_of\\_manipulation-en.pdf](http://www.olympic.org/Documents/Commissions_PDFfiles/Ethics/rio2016_rules_on_the_prevention_of_manipulation-en.pdf)

## 9.2 Raise awareness, build capacity and undertake training

- The IOC organises regularly the International Forum for Sports Integrity (IFSI) as a global forum for governments, international organisations, betting operators and the sports movement.
- With the support of INTERPOL, the IOC builds capacity, trains and assists sports organisations, national law enforcement and other stakeholders through workshops and tailored training material to effectively respond to integrity threats.
- An Integrity e-learning programme for Olympic athletes and officials is presently being developed and will be launched in 2016.
- The IOC promotes and continues to develop stakeholder-appropriate risk prevention tools including:
  - PlayFair Integrity Booth for use during Olympic Games, Youth Olympic Games and other multi-sports events, which includes a workshop, game<sup>48</sup> and quiz.<sup>49</sup>
  - PlayFair Code of Conduct “Protect your sport” available in 10 languages.<sup>50</sup>

<sup>48</sup> Available at: <http://assets.olympic.org/playfair/>

<sup>49</sup> Available at: <http://assets.olympic.org/quizbetting/>

<sup>50</sup> See further: [www.olympic.org/ethics-commission?tab=betting#education](http://www.olympic.org/ethics-commission?tab=betting#education)

PlayFair Code of Conduct “Protect your sport” available in 10 languages.



### 9.3 Ensure information exchange and investigative capacities

- The IOC’s Integrity Betting Intelligence System (IBIS) enables information exchange between law enforcement, sports organisations and betting operators/regulators (see above Chapter 1, 4.8).<sup>51</sup>
- The IOC, in partnership with INTERPOL, is developing fact-finding and investigative processes and capacities within and across sports to enable sports to conduct disciplinary proceedings and for law enforcement authorities to conduct criminal proceedings in relation to competition manipulation;
- A framework for reporting of integrity breaches has been established following the creation of the IOC’s Integrity and Compliance Hotline, available at: [www.olympic.org/integrityhotline](http://www.olympic.org/integrityhotline). The Hotline can be used to:
  - Report suspicious approaches or activities related to competition manipulation or;
  - Infringements of the IOC Code of Ethics or other matters including financial misconduct or other legal, regulatory and ethical breaches over which the IOC has jurisdiction.

<sup>51</sup> For further information, see here: [www.olympic.org/Documents/Reference\\_documents\\_Factsheets/Integrity\\_Betting\\_Intelligence\\_System\\_IBIS.pdf](http://www.olympic.org/Documents/Reference_documents_Factsheets/Integrity_Betting_Intelligence_System_IBIS.pdf)





# 5

## Case Studies

This section aims to provide sports organisations with examples of competition manipulation within various sports:

### Badminton

**When:** London Summer Olympic Games 2012

**What:** Women's double's competition. All four pairs were accused of deliberately attempting to lose group games in an attempt to manipulate the draw for the knockout stage.

**Sanction:** Disqualification from the Olympic Games for "not using one's best efforts to win".

### Baseball

**When:** 1919

**What:** Black Sox Scandal. 1919 Baseball World Series, the Chicago White Sox were bought out and allowed the Cincinnati Reds the opportunity to win the finals. The White Sox subsequently became the 'Black Sox'. It has been suggested that low wages and the reserve clause was partly responsible for players involvement in the Black Sox scandal. The reserve clause meant complete control over players' salaries.

**Sanction:** Eight players banned from playing professional baseball for life.

## Basketball

- When:** 2005-2007 NBA seasons.
- Who:** Tim Donaghy, former US National Basketball Association (NBA) referee.
- What:** Investigation by the Federal Bureau of Investigation (FBI) found that Tim Donaghy bet on games that he officiated in order to control the point spread in those games. It was also found he had a gambling problem and disclosed inside information to individuals who placed the bets.
- Sanction:** Pleaded guilty to conspiracy to engage in wire fraud and transmitting betting information through interstate commerce. Sentenced to 15 months in US federal prison, fined \$500,000. Banned and disowned by the NBA and fellow referees.

## Football

- When:** 2003-2004
- Who:** German second division referee Robert Hoyzer
- What:** Robert Hoyzer confessed to fixing and betting on matches in the 2nd Bundesliga, the German Football Federation (DFB) Pokal (German Cup) and the third division Regionalliga. It was found he acted on behalf of three Croatian brothers (Ante, Milan and Filip Sapina) who paid him to fix matches as part of a €2 million match-fixing scandal.
- Sanctions:** Hoyzer banned for life from football and received a 29 month prison sentence. He was released in July 2008 after serving half of his sentence and sued for €1.8 million. In an out-of-court settlement Hoyzer agreed to pay the DFB a monthly sum of €700 for 15 years as damages to the DFB as well as to a club knocked out of the domestic cup competition because of his match-fixing. Referee Dominik Marks was banned for life and received an 18-month sentence for his involvement. Ante Sapina convicted of fraud and sentenced to 35 months prison for fixing or attempting to fix games. His brothers, Milan and Filip were given suspended sentences.

## Handball

- When:** May 2012
- Who:** Montpellier Handball team, France
- What:** Eight players bet on their own team losing at half time. French betting operator Française des Jeux noticed irregular betting patterns on the game when the game attracted bets of €103,000 for a sport that usually attracts just a few thousands euros. They immediately stopped accepting bets and alerted the authorities. Suspicions were raised as players did not bet themselves but members of their entourage did.
- Sanctions:** 6 game ban by French Handball league. 16 people, including seven players, were indicted, none were given jail time. French player, Nikola Karabatic found guilty and fined €10,000. Other players were fined between €1,500 and 30,000 euros. Players will pay compensation to La Française des jeux.

## Sailing

- When:** 2012 IOC Ethics Commission decision
- Who:** Peter O'Leary, Irish sailor
- What:** Peter O'Leary placed two bets worth a total of €300 on British pair Iain Percy and Andrew Simpson to win in the same Star class event at odds of 12-1, the same event that he was competing in at the Beijing Olympics in 2008. He won €3,600.
- Sanction:** IOC Ethics Commission issued a warning to the athlete.<sup>52</sup>

<sup>52</sup> IOC Ethics Commission decision, available at: [www.olympic.org/Documents/Commissions\\_PDFfiles/Ethics/2012-11-26-final-decision--P-OLeary-Eng.pdf](http://www.olympic.org/Documents/Commissions_PDFfiles/Ethics/2012-11-26-final-decision--P-OLeary-Eng.pdf)

## Tennis

- Who:** Daniel Koellerer, Austrian, former professional tennis player
- When:** October 2009 and July 2010.
- What:** David Koellerer used his personal website to facilitate betting on matches, was found guilty of “soliciting or facilitating a player not to use his or her best efforts in an event” and “soliciting, offering or providing money, benefit or consideration to any other covered person with the intention of negatively influencing a player’s best efforts in any event”.
- Sanction:** Tennis Integrity Unit (TIU) issued a life ban from tennis in May 2011 and fined him \$100,000 for betting-related corruption.<sup>53</sup> After appeal to CAS, the permanent suspension was upheld but the fine was withdrawn as he had not benefited financially from any of the charges for which he had been found liable.

<sup>53</sup> [www.tennisintegrityunit.com/downloads/20110531155213-tiu-statement-re-daniel-koellerer-31-may-2011.pdf](http://www.tennisintegrityunit.com/downloads/20110531155213-tiu-statement-re-daniel-koellerer-31-may-2011.pdf)