

Strasbourg, 8 August 2012

EPAS (2012) 23rev1

## **Enlarged Partial Agreement on Sport (EPAS)**

### **Framework and timetable for the process of negotiating a draft international convention to combat the manipulation of sports results**

This document sets out the framework and provisional timetable for negotiating the draft international convention to combat the manipulation of sports results, notably match-fixing.

#### **Basis**

The process is based on the decision CM/Del/Dec/1145/8.1 of the Committee of Ministers of the Council of Europe dated 13 June 2012, following Resolution No. 1 adopted by the 12th Council of Europe Conference of Ministers responsible for Sport.

The scope of the draft instrument and its provisions should be based on Recommendation CM/Rec(2011)10, and on the feasibility study MSL12 (2012) 4 rev3.

#### **Aim**

The aim of the process is to present the Committee of Ministers with a draft convention of the Council of Europe. Depending on the Committee of Ministers' decision, the draft will be finalised as a convention and submitted to the Parliamentary Assembly of the Council of Europe for opinion, or referred to EPAS so that it can be finalised as a non-binding legal instrument.

#### **Drafting group**

The drafting group will be established by the EPAS Governing Board. It will consist of representatives of the states involved in the negotiations. A representative of the European Union will also participate in the drafting group. Its decisions are adopted by consensus. Where there is no consensus, it may, in exceptional cases, take decisions by a two-thirds majority of the votes cast by representatives of the EPAS member and observer states and of the states invited to participate in the negotiation process.

The following institutions and international organisations are invited to take part in the drafting group, in an advisory capacity: UNODC, Interpol, UNESCO and the FATF, together with: the PACE, the Congress, the CDPC, T-PD, T-DO, T-RV, Moneyval and GRECO.

The Chair may further decide, depending on the items on the agenda, to invite experts to act as consultants or to seek advice from sectors of the Secretariat General of the Council of Europe (e.g. the Economic Crime Division).

The drafting group usually meets for 3-day sessions, in Strasbourg.

It has a Chair and two Vice-Chairs, representing authorities in various sectors. The Chair and Vice-Chairs are elected by the EPAS Governing Board, among the delegations appointed.

### **Participating states**

EPAS member states and observers are automatically invited to participate in the drafting group.

All States parties to the European Cultural Convention will be invited to express their interest and may be invited by EPAS to participate in the drafting group. In addition, any other interested state may be invited to take part by decision of the EPAS.

These states should nevertheless :

- a) be invited upon unanimous decision by the EPAS Governing Board, or
- b) benefit from authorisation to participate in the drafting of the convention made by the Committee of Ministers in its composition restricted to the representatives of the EPAS member states by two-thirds majority, or
- c)<sup>1</sup> benefit from authorisation from the Committee of Ministers in its composition restricted to the representatives of the EPAS member states provided for in Article 2.2 of the EPAS statute.

The Governing Board wishes to generate interest among non-European states in different continents. The present document will be published on the EPAS website and sent to states having observer statute with the Council of Europe or with the Parliamentary Assembly of the Council of Europe. Any suggestion from EPAS partner organisations to draw the attention of other relevant states will be appreciated.

### **Preparatory consultative meetings**

Prior to meetings of the drafting group, a one-day preparatory consultative meeting may be held to:

- determine the position of the organisations concerned;
- identify any contentious issues so that the Chair and Vice-Chairs can prepare the drafting group's discussions;
- suggest amendments to the agenda or to meeting documents.

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<sup>1</sup> Procedure "c)" may apply only to non EPAS states, which are not parties to the European Cultural Convention.

The organisations invited to attend the preparatory consultative meetings will differ depending on the type of drafting group. They will consist of the following organisations:

<b>Meeting of the drafting group with the focus on sports issues</b>	<b>Meeting of the drafting group with the focus on legal issues</b>	<b>Meeting of the drafting group with the focus on betting</b>	<b>Plenary meeting of the drafting group</b>
GdRS	GdRJ	GdRP	GdR
<ul style="list-style-type: none"> <li>• UEFA</li> <li>• IOC</li> </ul>	<ul style="list-style-type: none"> <li>• International Prosecutors Association</li> </ul>	<ul style="list-style-type: none"> <li>• UEFA</li> <li>• IOC</li> <li>• World Lotteries</li> <li>• Representative of private betting operators (to be agreed between RGA, EGSA and ESSA)</li> </ul>	<ul style="list-style-type: none"> <li>• UEFA</li> <li>• IOC</li> <li>• International Prosecutors Association</li> <li>• World Lotteries</li> <li>• Representative of private betting operators (to be agreed between RGA, EGSA and ESSA)</li> </ul>

The preparatory consultative meetings usually take place for one day or shorter sessions, in Paris, or may be organised as teleconferences. These meetings will be chaired by the Chair and/or Vice-Chairs of the Drafting Group.

### **National delegations to the drafting groups**

The governments of EPAS member and observer states and those states invited to participate in the negotiations are invited to designate one or several representatives to the drafting group by means of the Permanent Representations to the Council of Europe, or if there is no permanent representation, via the diplomatic mission.

In a circular letter to the Permanent Representations to the Council of Europe, (or to their diplomatic mission), states are invited to appoint a tripartite delegation representing the following types of authorities:

- Authority responsible for sports policy (e.g. representatives to the EPAS Governing Board);
- Investigating and/or prosecuting authority or authority responsible for fighting corruption and economic crime (e.g. representatives to GRECO, the CDPC, MONEYVAL, the Network of Public Prosecutors, etc.);
- Authority responsible for supervising or regulating the sports betting market (e.g. member of the network of betting regulators set up by EPAS).

States are invited to appoint a head of delegation.

States may be represented by part of their delegation at certain meetings.

### **Role of the EPAS Governing Board**

After the first three meetings of the drafting groups, the EPAS Governing Board, meeting in an enlarged format including members of the Consultative Committee and representatives of betting operators, will take note of the progress made and set guidelines for completing the

work. It will confirm whether one or two additional meetings of the drafting group are to be held and, if need be, will specify the thematic focus of the first of the two additional meetings.

After the drafting group has completed its work, the EPAS Governing Board will take note of the conclusions and will decide, where appropriate, to submit the draft to the Committee of Ministers.

### **Budget**

Participants' travel, board and lodging expenses are met by the states participating in the process.

The costs entailed in preparing and translating documents and providing interpretation at meetings in the two official languages will be met from the EPAS budget.

