



Strasbourg, 7 March 2014

Dear Members of the CDPC,

Following the last CDPC plenary, I wish to inform you of the recent developments related to the drafting process of the Council of Europe Convention on the Manipulation of Sports Competitions (hereinafter "the Convention"), drafted by the Enlarged Partial Agreement on Sport (EPAS).

First of all, I would like to recall the main elements so far:

- on 13 June 2012, the Committee of Ministers of the Council of Europe "invited the EPAS Governing Board, where appropriate, in co-operation with the Group of States against Corruption (GRECO), the European Committee on Crime Problems (CDPC), MONEYVAL and other relevant bodies, and in co-ordination with the European Union, to launch the negotiation of a possible Council of Europe Convention against Manipulation of Sports Results and notably Match-fixing.";
- on 9 October 2012, the Chair of the CDPC sent a letter to the Chair of the Governing Board of the EPAS indicating that the CDPC wished to play an active role in the drafting process, in full co-operation with the EPAS, and was ready to discuss the relevant provisions of the Convention related to criminal law;
- in December 2012, two members of the CDPC Bureau, Mrs Helena Lisuchova and Mrs Fabienne Schaller, were appointed as representatives of the CDPC to the drafting group set up by the EPAS to prepare the Convention;
- at its plenary of May 2013, the CDPC proposed "that the EPAS sets up a joint working group, composed equally of EPAS and CDPC representatives, and entrusted with the task of drafting the required specific criminal law provisions that would be needed to be included in the Convention";
- the joint EPAS-CDPC working group met on 29-30 August 2013 and came to a general agreement on the text of the criminal law provisions;
- at its meeting of 29-30 September 2013, the Bureau of the CDPC : a) examined the revised text of the draft Convention with regard to the provisions related to criminal matters as revised following the outcome of the joint EPAS-CDPC working group meeting of August; b) considered these provisions in a positive light since they dealt with the concerns expressed by the CDPC; c) decided to send a letter to the Chair of the EPAS signed by the Chair of the CDPC expressing the Bureau's satisfaction with the current result and indicating that the Bureau was ready to support this version at the next CDPC Plenary in December provided that these provisions were not changed at the next meeting of the drafting group of the EPAS in November (letter sent on 30 October 2013);

- at its last plenary meeting in December 2013, the CDPC: a) examined the provisions related to criminal law matters, made some suggestions and requested that the drafting group of the EPAS duly takes into account the deliberations of the CDPC on those provisions; b) requested to be informed of the outcome of the EPAS's meeting of 21-22 January 2014 aimed at finalising the Convention; c) decided that it would consider the final text of the Convention and its explanatory report at its next plenary meeting in June 2014.

The drafting group of EPAS finalised the text of the draft Convention at its meeting of 21-22 January 2014 and the draft explanatory report by written procedure on 5 March 2014. You will find attached these two texts.

After examining the criminal law provisions contained in the text of the draft Convention, it is my personal opinion that these provisions correspond to the normal requirements of the most recent Council of Europe conventions containing criminal law provisions.

Taking this into account and in light of the fact that the text of the draft Convention meets the usual language and standards of criminal law conventions, I would like to ask you if you can agree on the use of a written procedure in order to finalise an opinion of the CDPC concerning the text of the criminal law provisions (Articles 15, 17 to 19, 21 to 23, 25, 26) of the EPAS draft Convention.

If the Secretariat has not received any indications to the contrary by **4 April 2014**, my proposal to send an opinion to the EPAS will be considered accepted.

The final opinion will be prepared by the Bureau at its next meeting (7-8 April 2014) and sent to all delegations immediately after this meeting with a view to approve the opinion as soon as possible.

Finally, you will also find enclosed a document prepared by the Secretariat of the EPAS "Draft schedule for the adoption of the Council of Europe convention against the manipulation of sports competitions", for your information.

Best regards,

  
Jesper Hjortenberg  
Chair of the CDPC