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Bucharest 25-26 October 2016

KCOOS (2016) 22

**“Keep Crime Out Of Sport”**

**Regional Seminar 4**

**FINAL REPORT**





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## Introduction to Report

This was the fourth regional seminar in a series of five planned for the project. The main aim was to unite all relevant actors from the different participating countries, of which little information is traditionally known, in order to encourage networking, to share and collect information and to work on the implementation of relevant legislation and other measures to fight match-fixing.

Principal stakeholders Azerbaijan, Bulgaria, Georgia, Ireland, Moldova, Poland, Romania and Slovakia, as well as international actors including Captivate Legal & Sports Solutions and Sportradar were present. In an approach based on evolution from earlier seminars, we tested the opportunity to share experiences; the Belgian national platform was invited to present its development since the Belgian national participation at the very first regional seminar in June in The Hague.

Overall feedback:

The seminar was very well received; notably the Belgian development since the start of the project. In addition, the Romanian Minister for Sport, who opened the seminar, added that sport needs to leave the hands of criminals and crooks, therefore education awareness raising is very important. The CoE has taken an active role on this issue and has given match manipulation a place in the political sphere. The main benefit of the Convention is to give the Manipulation of Sports Competitions a public policy activity and to raise awareness of the phenomenon to the public.

- Azerbaijan has been going through the political processes for signing the Convention and making national legislation compliant to the Convention.
- Georgia and Poland have set up research teams to assess the national situation and legislation in order to take further steps in setting up the national platforms and adhering to the Convention.
- Ireland has had human resource issues and this seminar allowed the secretariat to assist Ireland as they have taken initial steps towards the legislation relating to match-fixing, including working on passing a specific Bill on online gambling which would create a regulatory authority.
- Georgia is likely to be, with the right encouragement, the next country to ratify. This must be followed up.
- Another country to assist is Moldova, as they are also enthusiastic. They are extremely active in terms of investigation and procedure, with current live cases.
- Romania had very few participants; however the way in for this country is via the football federation and the betting operators who are very active. Thanks in large part to the FF, the Convention will be signed in Budapest, thus supporting this stakeholder in its relations with the Ministry will play a large part in pushing for ratification.

## Questionnaire Analysis

- At the moment of the regional seminar, there were 19 out of a possible 40 possible replies from the eight participating country's relevant actors. No country has set up a National Platform as yet. 4 countries have started the process, in different ways, notably through research teams to assess the legal and practical national situation first. Another country has a possible structure in place around which the National Platform could be built.
- Legislation: Some have sport legislation; others have sport specific provisions and most have criminal law that may apply to sport. Exchange of information is often carried out via agreements and memoranda of understanding, but it is sporadic and not between all actors. Sanctions often include imprisonment.

### Problems identified included:

- Transnational cooperation and exchange of information
- Exchange of information with public authorities
- Sanctions may include imprisonment, but they are often based on general offences such as commercial bribery.
- Awareness by relevant authorities of the 'black market' in betting is very low and this is dangerous as in some of the countries this accounts for the majority of the market.
- Effectiveness and applicability of certain gambling laws is an issue.

## **Roundtable of participating countries**

The overall feeling is that national platforms are going to slowly be established as they are seen very clearly as the key to improved cooperation nationally and internationally. A few countries have set up thematic groups to assess the legislation and situation nationally before proceeding towards establishing national platforms. Many of the countries proceed via memoranda of understanding between national actors. Because of lack of national coordination and sometimes priority/awareness, cases are difficult to pursue. Information is needed (as well as guidance) on setting up national platforms. There appears to be awareness in this region that organized crime is linked to sports manipulations. There is an awareness of the dangers of the Asian illegal betting market but it has been hard to obtain information.



WEDNESDAY 26 OCTOBER 2016

### Working Group Sessions

#### Session 1 – Working together as a Country / Session 2 - Different Countries, same Objectives

##### Questions: (replies pending from moderators' and countries' notes)

1. Slovakia and Moldova
  - a. How could you use the National Anti-Corruption Centre to create a NP?
  - b. Sports betting is a criminal activity in Moldova; Gambling Act in Slovakia and new act on Sport 2015– has this legislation been effective? How could we make it more effective?
  - c. How could the Monitoring Committee be more effective?
  - d. What is the awareness level – Moldova is very involved in international level cases – how is Slovakia?
2. Azerbaijan and Romania
  - a. Relations between public and private authorities
  - b. Awareness of various national actors
  - c. How can we start considering a NP - What is a good way to lead a National Platform? Should it be in a strategical, advisoral or operational way or a mixture or only in one way?
3. Georgia and Ireland
  - a. What is a good way to lead a National Platform? Should it be in a strategical, advisoral or operational way or a mixture or only in one way?
  - b. How do we tackle the issue of human and financial resources?
  - c. Are there any doubts when you think of setting up a National Platform?
4. Poland and Bulgaria
  - a. How can we start considering a NP - What is a good way to lead a National Platform? Should it be in a strategical, advisoral or operational way or a mixture or only in one way?
  - b. Moving ahead the new assessment process for a NP.

### **PO and BU**

Poland is right at the beginning. In Poland, it is the ministry that would lead a NP, it should be formal, 4 meetings a year formally. Already existing agencies in Poland will come together, including: min sport (leading), police, min finance (regulator), min interior, justice, biggest sport association. NOC. It is possible to have operational and investigative abilities in Poland, they would receive the information and the NP would act as an advisory body.

In Bulgaria there is no specific authority on match-fixing, as there is in anti-doping; they may set up something, such as a high level group. There are no resources, because the ministry of finance doesn't provide this. In Bulgaria, the Ministry of interior and that of youth and sport would be involved in a future

NP, their strategy may reflect that of the Danish and Finnish anti-doping agency-led strategies. In anti-doping in Bulgaria, there is a yearly action plan and this could be the same for anti-match-fixing.

Moving forward:

- All the relevant parts: assess the feasibility of the different stakeholders.
- Impact assessment and risk assessment to be carried out – compatibility.
- Different levels of WG
- Adjusting already existing legislation: such as the existing corruption and money laundering codes.
- The NP needs legislative backing:

### Law enforcement and Sport organisations working group

1. How would the National Platforms (NPs) look like (from a strategic point of view and from an operational point of view)? Which role does the National Platform play in each country?
  2. How do the different countries deal with match-fixing cases when they pop up?
  3. How do LE and SO work on their respective disciplinary and criminal procedures? Challenges faced? Priority issues?
- 
1. How would the National Platforms (NPs) look like (from a strategic point of view and from an operational point of view)? Which role plays the National Platform in each country?
    - Most of these countries are in the early stages of development. Georgia for example is in its early stages; new laws are being passed. The current system is not adequate.
    - It is often not a priority issue
    - A lot of learning and guidance would be appreciated, for example from the CoE secretariat and in the organization of such events such as seminars to exchange information with already existing platforms.
  2. How do the different countries deal with match-fixing cases when they pop up?
    - Through related general criminal legislation
    - It is recognized by participants that exchange of information internationally is important as it is a cross-border issue
    - Trust needs to be built between countries and between different stakeholders in order to facilitate exchange of information
    - For example, in Romania, public and private bodies can't have informal sharing agreements, but there are informal cooperation aspects.
  3. How do LE and SO work on their respective disciplinary and criminal procedures? Challenges faced? Priority issues?

- Priority is an issue
- For example, Slovakia had cooperation in 2011 on a case but now for Law Enforcement and the sport ministry, there is no priority. The Importance of the convention has been lost.

### **Sports Betting Operators, Betting Regulatory Authorities and Ministries working group**

1. How should the National Platforms work together? Or should they work together?

2. Relevance of certain actors on a NP?

3. Could a two level NP 'solve' the sensitive data movement/sharing issue?

1. How should national platforms work together; should they work together/why?

- Complex international crime – lack of information is a big problem so a network would help communicate and work together with other countries and stakeholders
- Therefore a platform is needed for communication and exchange of information
- Group of Copenhagen – Council of Europe – a great start to transnational coordination
- Thematic programme groups are a useful possibility
- The Group of Copenhagen/KCOOS is developing a template of how to set up a national platform – this would be helpful.

1. Who should be the stakeholders?

- Relevant government ministries
- Law enforcement (police officers)
- National platform should be split into mini platforms (Moldova - operational and legislative) or thematic groups (Georgia - anti-doping; manipulation and security)
- Possible independent analyst or auditor
- Because we are trying to combat corruption an independent analyst is important to prevent any corruption within NP and to maintain the integrity of the group
- Independent experts could also provide important information on certain themes and topics, by being invited to certain meetings as long as it is relevant to the topic of the NP e.g. academic who studies sports manipulation

2. Should betting operators be in the NP or is a regulatory authority enough?

- Not essential – they are a private organisation with private interests – should not have access to all information. They may not act in the common interest. One party of the NP (ministries) would be imposing restrictions/legislation on the betting operators. Suggestion to have informal meetings with betting operators to build trust.
- In some countries the betting organization is operated by the state
- RM thinks that betting organisations are essential on NP; by not including them they become detached and this may have adverse effects

- Betting operators have no other interests other than stopping manipulation so they want to work with the NPs to combat the problem – affecting profit and turnover which in some counties goes towards funding and sponsorship of sport
- Convention recognizes operators as essential stakeholder which should report to a regulatory authority.
- Majority of participants in group believe that the betting operators should be involved – goes against consensus of most other groups who believe that a regulatory authority is enough.



### Session 3 – Convention and National Platforms

#### I. **Overview** - Kevin Carpenter, Captivate Legal & Sports Solutions (presentation in annex)

- How can we “sell” the Convention and make it a policy priority? All about reframing the narrative, in particular:
  - Human rights angle (Article 2)
  - Economic issues by using the legislative and investigative tools available to follow the money all the way up the chain to the criminals – for example, civil asset recovery even where you can’t secure a criminal conviction - “money is the oxygen of match-fixing” (Articles 16 and 25)
- Countries already have the anti-corruption capabilities, so they should be utilized to combat match manipulation.
- Number of different risk assessments need to be undertaken.
- Where licensed, sports betting operators should be obliged to report any suspicious movements in the betting markets.
- Issues to consider for operating an effective NP:
  - Betting is across borders and across countries.
  - In gathering intelligence, screening is important, as there is a difference between information, intelligence and evidence. There is also a trade-off between protecting reporting persons and using their information as evidence.
  - Relationship between sport investigators and law enforcement is of utmost importance but potentially complex due to time, resources, jurisdiction, data protection etc.
- Misuse of inside information is a growing manipulation threat and often does not involve organized and therefore requires a different approach.

#### II. **The current national platform situation/outputs of the conference** - Council of Europe Secretariat (presentation in annex)

- Approximately 12 NPs currently exist and are part of the informal Group of Copenhagen (network of national platforms) created by the CoE secretariat
- Each national platform is led by different stakeholders depending on the country: Gambling authorities, ministries, umbrella agency, law enforcement
- It is often a 2-tier system and this appears to be the most popular system given the level of sensitivity involved: tackling exchange of sensitive information
- The development of the roadmap of actions to be taken by the CoE secretariat following the September international conference was introduced.

### III. **Creating a National Platform** - Guy Goudesone – Belgian Anti-Corruption Unit, Coordinator of Belgian National Platform

- Interest that the platform was set up in just a few months (since last April 2016), thanks to determination and a series of good opportunities at the right time
- An example of a platform led by law enforcement at their initiative, in addition
- An example of overcoming political differences (three types of government representatives – German, Flemish and Francophone) as well as financial and human resources.
- The Belgian NP used the assistance of the CoE secretariat as well as other key stakeholders partners of KCOOS (IOC and Interpol) to develop their national platform.

#### Key points:

- For data exchange: trust is essential, invite partners to talk; we must not hide behind data exchange sensitivity issues to protect criminals, be open with the idea.
- In Belgium, a Hotline is being improved: football fraud hotline will become sport fraud
- The Group of Copenhagen has been of great use since its establishment in July 2016. This would have been useful to have for Belgium earlier as it is a helpful tool; thus countries considering establishment should refer to the Group.
- Establishing the National Platform in Belgium is a good way to get the negotiations for ratification started and progressing.
- They have had a fast process and have taken on the opportunities offered.

#### **Session 4 – Monitoring** Tom Mace, Sportradar (Presentation in annex)

Notes:

- Importance of betting monitoring
- Issues of trust
- Importance of monitoring for National platforms
- What is important?
  - Trust, to gather enough relevant information
  - Relationships with operators
  - Intelligence
  - No monitoring system yet to analyse betting revenues, so human resources are important
  - Methods should be secure

Questions to consider:

- Have any of the countries present been blocked by legislation for success of cases?
  - E.G in Georgia, low level football cases have problems as there is no pursuit by prosecution despite notification. There are not enough criminal measures. Sanctions are only focused on player performance.
- Should there be a lower burden of proof for sanctions?
- Should there be strict liability for clubs?
- What about using monitoring reports for clubs?

#### **Session 5 – Creating a handbook and conclusions**

- A handbook on pointers for setting up a national platform would be useful
- An online platform for encouraging continuous exchange of information is a good idea.
- There were some concrete outputs, including a specific bilateral exchange between Georgia and Moldova on an ongoing case in football.
- Moldova mentioned hoping for other seminars like this. The aim is to have a CONSTANT manner of exchanging information. Notable important, internationally!
- The Belgian National platform example was good motivation in terms of overcoming political differences and human and financial resource issues.
- The Romanian Secretary for State for Sport concluded that the CoE has taken an active role on this issue and has given match-fixing a place in the political sphere. The main benefit of the Convention is to show match-fixing as a public policy activity and to raise awareness of the phenomenon to the public.
- Education of athletes as well as other key stakeholders including betting operators and law enforcement is important, in order to highlight the priority of this phenomenon.

## ANNEXES

### ANNEX I COUNTRY REPORTS

#### Azerbaijan

This is a fairly new issue in Azerbaijan. In 2010, the first amendment for the creation of a special sport law notably on betting was launched. In 2011, the criminal code was subject to amendments. The betting operator has signed a protocol with the football association on MF. No legislative document exists specifically on match-fixing, but Azerbaijan has signed the CoE Convention. A new complying law amendment has therefore been circulated within the relevant ministries. By end of 2016, the amendment will be enforced in Azerbaijan; it has real imprisonment sanctions.

#### Bulgaria

Bulgaria is working on assessing the situation nationally. The hope is that a national platform will be established in the next year. They have been working since 2012 on criminal code implementation: MF is a crime – they work with the prosecution office. Legislation is needed in order to be able to best tackle the increasing number of cases, for example:

- Case: 2014 EURO BUL x GER = criminals approached the players to score over 3 goals. Criminals that approached the players were also players.

#### Georgia

Georgia has set up national thematic groups for an interagency commission. The challenge has been to work on a legislative amendment at national level. An Expert group is preparing a draft law, which is likely to be ready in a few months.

Cases:

- Disciplinary committee- MF Case -3 footballers and assistant coach punished (lifelong ban). Most match-fixing happens at the secondary level.

Over the last couple of years, there has been increased corruption in sport, notably in match-fixing. Criminal and disciplinary sanctions exist and an amendment to the 2015 act extends the scope. Education and awareness-raising is crucial and is being implemented. Every year the programme will reach at least 2000 persons directly. The establishment of the national platform is eagerly awaited by the police. An important central body is needed. Very few cases are being conducted right now. Only two cases from 2015 were followed through and one of the cases was dropped because of lack of sufficient evidence.

#### Ireland

Ireland has neither signed nor ratified the convention as yet. They have a small unit and this is not a priority policy area. There are no laws in Ireland on this. There are however, general legislative provisions and articles. There is currently a research team in place assessing the impact of this phenomenon. The research team has engaged with larger bodies (FAI and IRFU and GAA). The sport movement's larger

bodies are working on raising awareness at athlete level. Larger federations do have exchanges with operators.

Examples of cooperation: proceeds from sports events were suspended in one case when match-fixing was uncovered. There is a Bill that is having difficulty getting through parliament due to low priority on gambling, which would envisage the establishment of the IOGCI (an online gambling control authority): Gambling Control Bill 2013.

### **Moldova**

Specific articles in law on betting exist in the legislation. The sports system is obliged to respect a number of points, including information and awareness-raising. The National Anti-corruption Agency and the Moldovan Football Federation have a good cooperation; including secure emails for exchange of information = reporting!! (How secure is it?) They also have a hotline and a video spot. There has been an initiative to amend the criminal code. In addition, they are aware of the increasing dangers presented in the Asian betting market. Moldova is involved in networks internationally, including notably in law enforcement.

During investigations, notably regarding the Georgian criminals, there was some cooperation. But it is hard to prove the criminal activity. Moldova also often provides specialist opinions on cases internationally.

### **Poland**

There is a common strategic framework at football clubs, schools and at management level. The national platform would be an inter-ministerial body including sport organizations and betting operators. Some cooperation agreements exist between various actors, for example between sport organisations and the sport ministry; between law enforcement and the sport ministry. There is no particular legislation on sports corruption currently. The legislation needs to be stronger.

### **Romania**

The Romanian Bookmakers are one of the main actors in this fight nationally, along with the football federation. There are close collaborations between the two actors, who take a proactive approach in addressing this issue. They are aware that raising awareness is crucial. There is currently a national campaign to clean up football. The national platform would be the central hub. The challenge is that it is difficult to have legal and criminal proceedings because of low awareness. Sport organisations are recognized as being important. In addition, penalties and suspensions need to be relevantly high. In addition, there is full or partial whistleblower immunity in Romania.

### **Slovak Republic**

There is a low awareness in the Slovak Republic. There is a monitoring commission which appears to be similar to how a national platform would appear to look like but it does not seem to be very active, only meeting once a year. There is no real involvement from betting operators, federations, law enforcement or the relevant ministries. For the police, evidence is hard to find and prove.

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## ANNEX II KCOOS OVERVIEW

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### 4th Regional Seminar

## Keep Crime Out of Sport

### #KCOOS

25-26 October 2016 – Bucharest, Romania

Honour the game.  
KCOOS  
Keep Crime Out of Sport

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Joint Project KCOOS  
Keep Crime Out Of Sport: Together against the manipulations of sports competitions – Towards a culture of information sharing

## KCOOS – A QUICK UPDATE

- ❖ Month 10 of Project KCOOS
- ❖ Questionnaires – over 100 replies
- ❖ Regional Seminar 1 (June 2016): Albania-Belgium-The Netherlands-Slovenia-Spain-Switzerland-The United Kingdom
- ❖ Regional Seminar 2 (September 2016): Austria-Bosnia Herzegovina-Croatia-Germany-Hungary-Ukraine
- ❖ Regional Seminar 3 (October 2016): Denmark-Estonia-Finland-Latvia-Lithuania-Norway-Sweden
- ❖ Regional Seminars 4 (Bucharest: Oct 2016) and 5 (Athens: Nov 2016)
- ❖ Study Visits France (ARJEL) 14-15 Nov 2016/Apr 2017 and UK (UK GC) week of 12 Dec 2016 and March 2017

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Joint Project KCOOS  
Keep Crime Out Of Sport: Together against the manipulations of sports competitions

## KCOOS QUESTIONNAIRES

Replies from 8 participating countries

- Ministries: 5
  - Sport Movement: 10
  - Betting operators: 4
  - Regulatory authorities: 3
  - Law enforcement: 4
- Sessions have been developed using knowledge acquired from the questionnaires

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Joint Project KCOOS  
Keep Crime Out Of Sport: Together against the manipulations of sports competitions

## KCOOS QUESTIONNAIRES

- 1 country has set up a National Platform
- 4 countries have started the process: in different ways, notably through research teams to assess the legal and practical national situation first.
- Another country has a possible structure in place around which the National Platform could be built.
- Legislation: Some have sport legislation, others have sport specific provisions and most have criminal law notably that may apply to sport.
- Exchange of information is often carried out via agreements and memoranda of understanding, but it is sporadic and not between all actors.
- Sanctions often include imprisonment

#### Identified problems:

- ❖ Transnational cooperation and exchange of information
- ❖ Exchange of information with public authorities
- ❖ Sanctions may include imprisonment, but they are often based on general offences such as commercial bribery.
- ❖ Awareness by relevant authorities of the black market in betting is very low and this is dangerous as in some of the countries the majority of the market is controlled by the black market.
- ❖ Effectiveness of certain gambling laws is an issue.

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## MAPPING

- Initial mapping conducted by Council of Europe T-MC Secretariat and KCOOS Partner, Oxford Research
- Needs to be developed
- Place your institutions

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## REGIONAL SEMINARS 1 - 3

- Initial mapping conducted by Council of Europe T-MC Secretariat and KCOOS Partner, Oxford Research
- Needs to be developed
- Place your institutions

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## WHY A NETWORK IS IMPORTANT

- Other projects, including PRECRIMBET and BETMONTALERT – highlights technically specific needs, including monitoring report elaboration, etc. The needs should be in the framework of coordination of the strategy implemented by the CoE Secretariat.
- With regard to needs following various stages of project KCOOS:
  - Need for a platform within the NP to exchange sensitive information
  - Need to regularly communicate and know each other
  - Knowing each other + trust = developing further common activities, such as those proposed by Betmontalert and Precrimbet – not just among regulators, but also in cooperation with other stakeholders
  - A network will allow for more harmonised or at least a better understanding of various obligations and rules proposed to betting operators for better exchange of information.
  - Common training and awareness-raising activities presenting a more united front can be exchanged and developed.
  - A network will help develop an informal system on exchange of information for illegal betting.
  - Regional and international networks of different stakeholders in order to enhance exchange of information.



## LOOKING LONG TERM

- Entry into force of the Convention
- Risk and legal assessments at national level
- Setting up of national platforms
- Creation of thematic and stakeholder networks of networks
- Developing the Copenhagen Group



## THE CURRENT NATIONAL PLATFORM SITUATION

### ARTICLE 13: Article 13 – National platform

1. Each Party shall identify a national platform addressing manipulation of sports competitions. The national platform shall, in accordance with domestic law, *inter alia*:
  - a. 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;
  - b. co-ordinate the fight against the manipulation of sports competitions;
  - c. 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;
  - d. 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;
  - e. co-operate with all organisations and relevant authorities at national and international levels, including national platforms of other States.
2. Each Party shall communicate to the Secretary General of the Council of Europe the name and addresses of the national platform.



## THE CURRENT NATIONAL PLATFORM SITUATION

- Approximately 12 NPs
- Led by different stakeholders: Gambling authorities, ministries, umbrella agency, law enforcement
- Often a 2-tier system
- Tackling exchange of sensitive information
- Using the Council of Europe Match-fixing (T-MC) Secretariat:
  - [Mikhael.dethyse@coe.int](mailto:Mikhael.dethyse@coe.int) – Secretary responsible for the Macolin Convention
  - [Cassandra.fernandes@coe.int](mailto:Cassandra.fernandes@coe.int) – Senior Project Officer



## CONSIDERATIONS FOLLOWING RS1-2-3

### RS1

- The format of the regional seminar, with a number of interactive workshops, is definitely a working model. Smaller working groups are definitely more productive and allow for more active interaction.
- Many bilateral exchanges took place between countries.
  - Certain countries appreciated the opportunity to meet and discuss with stakeholders from their own country and move towards the building of national platforms
  - Very useful input was provided for a guide/handbook to be produced at the end of the project in June 2017



## CONSIDERATIONS FOLLOWING RS1-2-3

### RS2

- Ratifying the convention will allow for everyone to have a similar basis from which to depart
- We have noted particularly the more relevant stakeholders for NPs, this will start to be the first basis for preparing a fundamental structure for a NP - We have established that some places have legislation and others do not for SBO-BRA reporting but that a system definitely needs to be developed in some way as information is critical.
  - The scope of the NP is important as well. Flexibility within the platform is important. What can they contribute. Not necessarily about being part of the NP than also rendering services to the NP.
  - Ukraine and Hungary have made decisive steps to creating the NPs
  - Strategy of NP and money involved.
  - CoE Secretariat assists with the coordination of NPs and construction and comparison.
  - CAS decision on investigations (presumed MF).
  - CoE: do you think developing a basis for requirements for criminal investigation is a good idea? Given the differences, this could be something that NPs could work on.



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### CONSIDERATIONS FOLLOWING RS1-2-3

RS3

- Creating thematic regional groups to report to the Group of Copenhagen
- Using cost-effective manners to create the national platform – along with other agencies, example Doping.
- Raising awareness on the criminal aspects of Match fixing



### CONFERENCE

The objective of the International Conference on the fight against the manipulation of sports competitions - Promotion and implementation of the Macolin Convention (the Conference) was to encourage Council of Europe Member and observer States, as well as countries that were involved in the negotiation process and all those interested worldwide, to prepare for the implementation of the Convention on the Manipulation of Sports Competitions (the Macolin Convention).



### THE ROADMAP

The "roadmap" will have to address all identified challenges and to ensure that the convention:

- consolidates the fight against the manipulation of sports competitions as an important contribution to sports ethics and to the defence of the rule of law. ▫ becomes the legal instrument to address sports manipulations worldwide;
- is implemented through effective and consistent criminal legislation, with appropriate sanctions;
- actively engages actors in participating in international efforts to combat the manipulation of sports competitions;
- establishes a recognised national co-ordination function through the setting up of national platforms;
- provides robust integrity frameworks through formalised multilateral arrangements between actors;
- capitalises on states' and international organisations different experiences, competencies and capabilities through a systemic approach connecting all relevant groups of actors;
- develops and implements a risk-based approach, focusing efforts where they are most needed and have most impact;
- sustains assistance tools for countries, as well as a consistent assessment framework;
- secures budget and other required resources in order to allow sustainable actions to occur;



### THE ROADMAP

Critical objectives will be pursued to make the vision a reality, with project groups focusing on areas in which they can make real progress in a relatively short period of time. The work of the project groups will be result-oriented and will focus on the operational and practical implementation of the convention in accordance with its values set out in Article

2. Deliverables must be built into the implementation timetable in order to provide strategic focus and measurement for the achievement of these critical objectives.



Thank you very much! Any questions?

Follow us on Twitter : @KCOOS\_coe  
Write to us at : [sport.kcoos@coe.int](mailto:sport.kcoos@coe.int) / [cassandra.fernandes@coe.int](mailto:cassandra.fernandes@coe.int)



20 September 2016 - Strasbourg

## ANNEX III Illustrating the creation of a National Platform – Belgian Case example: Guy Goudesone, Deputy Head, Anti-Corruption Unit, Belgian Federal Police

### OVERVIEW

- BELGIUM - Structures
- BELGIAN FEDERAL POLICE – Directorate Serious and Organised Crime (DJSOC) – Anti-Corruption Unit
- PRE-NATIONAL PLATFORM – TASKS
- INTERPOL TASK FORCE MF + EUROPOL FP SPORTS CORRUPTION
- CONVENTION -> KCOOS
- CHALLENGES
- INTERPOL MEETING TFMF + PDM
- First Meeting of the National platform

### CURRENT SITUATION

- Deputy Head Anti-Corruption Unit is also the National Coordinator for Sports Corruption
- National platform



### The situation nationally

- 5 parliaments (Flemish, Wallonia, German speaking region, Brussels and the federal parliament)
- Belgian Olympic Interfederal Committee representing 80 sport unions (the most of them have a regional structure FL/W = +- 150 sport federations)
- A Flemisch Sport Federation
- A Walloon Sport Federation.....and much more
- +/-20,000 Sport Clubs
- 167 non Olympic sports (pigeon flying – Doves games...)



Possibility of HQ of the NP at the police:

An integrated police, structured on two levels:

- A local level (185 zones)
- A federal level : the federal police
  - the judicial police/pillar
    - Directorate Serious Organised Crime (DJSOC)
      - Anti-Corruption Unit
        - Team Sport Corruption

PRE – National Platform -> = asset!

- Ye Case (2005)
- Another case: never been proven
- Political initiative: task force Match Fixing (football Police!)
- Ministerial decision (2010): hot line (+32 800/44442- [www.footballfraud.be](http://www.footballfraud.be))
- Mini-Platform : federal prosecutors' office ( 1 national coordinator) and a police officer, national coordinator (contact point INTERPOL – EUROPOL) – Third Parties
  - ➔ an asset to start!!! + an asset to take the lead
- 2 Police Liaison Officers within the Belgian gaming regulator

Taking in account that every country and every national partner has their own specificities!

- How do you see a national platform (=NP)?
- What does a NP mean for you?
- On which criteria does a NP have to comply/to meet for you?
- What do you want to achieve with your national platform?
- How do you think to start?
- Which partners must be involved?

Key words:

- Mutual trust as a basis
- Open minded (no hidden agenda)
- Learning from each other
- Win-win situation
- Good governance
- + GRAB the momentum!

Take into consideration:

- The above (Interpol- Europol – Belgian situation)
- The final text of the convention (2015);
- KCOOS initiatives and active role;
- Interpol meeting Task Force in Belgium/Brussels -> open session

## CHALLENGES

Initiative? Who will take the lead? What can we do? What do we need? How are we bringing partners together?

### The Belgian Solution

- Our solution to bring all the Belgium partners together?
- MOMENTUM? -> Open session INTERPOL -> PDM -> first time in Belgium that we brought all the partners together! (for free)
- Creating :
  - TRUST
  - OPEN MIND
- Creating a win-win situation for every party/participant.
- Trying to learn from each other
- Achievements :
- 3 meetings National platform
- Adopted protocol – ready to sign
- Convention will be signed

### Structure of the national platform

- General board
- Steering group/committee composed by representatives from
  - 3 ministries of sport (FI, W, G)
  - Ministry of justice
  - Police (national coordinator Anti-Corruption Unit)
- Task force “signal consultation”

### First results of the Belgian NP:

- Convincing the different ministry to sign the convention (29/11): ok!
- Every partner appointed a SPOC for the NP (23)
- Sport federations appointed an Integrity officer
- Prepared a protocol to collaborate (23/11?)
- Creation of a website (12/2016)
- One e-mail address “national platform”
- Making an inventory of all the national and regional initiatives
- Action plans (global (NP) and particular (partners).
- Adopting disciplinary rules (FTF – Basket)
- Next meeting general board 23/11/2016
- Quid data exchange?

## Group of Copenhagen

- Created with the convention on the manipulation of sports competitions secretariat (Council of Europe)
- To address the need for international co-operation and exchange of information
- Could help us more!

## ANNEX IV Fight against match fixing in Slovakia – Jakub Čavoj, Integrity Assistant, Slovak Football Association

According to our findings and information we can claim that only Slovak Football Association („SFA“) as a national sport association deals with match-fixing and devote adequate attention to this matter. Other national sport associations or any sport organizations in Slovakia do not have established relevant authorities or integrity officers. Match-fixing in our country is not the priority to sport organizations and also to the Ministry of Education. And Sport which is its agenda and in our opinion is not doing much in this area. In my opinion only few people in Slovakia know about match-fixing and deal with this relatively new issue.

Ministry of Education and Sport in Slovakia has set up Monitoring Committee. This Monitoring Committee meets once a year and its main aim is to change information between stakeholders in Slovakia. Members of Committee are the representatives of betting operators, representative of Slovak Football Association, representatives of law enforcements and Ministry.

Cooperation with police in match-fixing is also difficult. We do not have any special unit for investigation for this type of crime. The Act on Sport was enacted last year and it defines the term – match-fixing which coincides with Convention. The Criminal Code includes articles of sports corruption and also penalty for match-fixing.

We have implemented **70 percent of Convention** into our legislation, but Slovakia has not signed the Convention yet. Representative of Slovak Football Association attended the Conference in Strasbourg in September and notified to Ministry of Education and Sport that there are **no obstacles** to sign the Convention. We truly hope that the Slovak Republic will be on the list of the signatories of the Convention within a few months.

Gambling is under the control of the Ministry of Finance in Slovakia. Presently from the start of the year 2017 we will have Gambling act revision – new will be blocation and restriction of illegal betting operators and also ban betting on under 18 sport competitions.

We think that this can help in area of match fixing, also as blocking of certain type of bet but that is not in the proposal. We think the situation in match fixing is **steady** in Slovakia. Many people talk about match-fixing, but they do not have enough evidence to prove it.

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We had only one bigger match-fixing **case** during last 10 years. That was a football case in 2011 when 4 players and 4 organizers whose were former players manipulated 6 games – 4 as first division matches and 2 friendly matches. After the hearing the court imposed sentence - suspension penalty, fine, and prohibition of participation in any football activity from 14 up to 25 years – that punishment is worldwide. The football club - Dunajská Streda had to pay a fine 10.000 Euros and loss of 6 points in table.

During January and February we organised **educational seminars** for all first division clubs and also for their youth teams under 19. The seminars were about prevention of match-fixing in football. In the future we would like to organise similar seminars also for lower league clubs.

## ANNEX V Sportradar Integrity Services: Law, Rules and Evidence: Some Perspectives



Sportradar Integrity Services

UEFA Partnership since 2005

sportradar

Since 2009: Betting Fraud Detection System (BFDS)

- Single surveillance system which covers the worldwide relevant sports betting market continuously and systematically
- Surveillance and analysis of 31,000 matches per season
- 1<sup>st</sup> & 2<sup>nd</sup> divisions of the 55 UEFA member associations, plus domestic cup matches
- All UEFA competitions (e.g. Champions League, Europa League etc.)



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Sportradar Integrity Services

50+ Partners and References from 12 Sports

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Football | Basketball | Aussie Rules | Ice Hockey | Handball | Snooker | Cricket | Rugby Union | Rugby League | Tennis | Futsal | eSports



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Betting Fraud Detection System (BFDS)

Number of escalated matches since 2008/2009

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Reported matches from different sports as likely to have been manipulated

(Review: 10/10/2016)



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Laws, Rules and Evidence: Some Perspectives

Introduction

A Tricky Process

- Dealing with matchfixing allegations is difficult as it is based on issues of responsibility, visibility, jurisdiction and of course information sharing
- But issues around laws, rules and evidence play a critical role in the success or failure or indeed commencement of any investigations or prosecutions
- This Presentation looks at some case studies, outlines challenges and presents some solutions



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Laws, Rules and Evidence: Some Perspectives

1. Legislation

Some interesting points...

- Full range of laws and legislation and of fences that 'cover' matchfixing and match manipulation
- But specificity impacts on funding, resourcing, priority and chances of success
- In Nepal, four players and a coach are being 'tried for reason' – powerful deterrent BUT chances of success?
- Southern Stars case in Australia, English FA encountered problems getting law enforcement on board as UK has no specific matchfixing law
- Victoria had just passed new legislation – within 48 hours of receiving FDS Reports, they had started a police investigation



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Addressing the Challenges Anti-Matchfixing SMI Faces

2. The Complexity of Collaboration

Nepal National Team Case

AFC and Sportradar uncover match-fixing at the heart of an Asian National Team



14<sup>th</sup> October 2015: Nepali Police arrest 5 suspects, all current or former Nepal National Team players, in football match-fixing investigation and AFC subsequently ban the players



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Headline on AFC website

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Addressing the Challenges Anti-Matchfixing SMI Faces

2. The Complexity of Collaboration

Key Learning Points

- This was a complex case that after over two years is still not concluded. Information sharing between different parties and across borders was critical. Without intelligence from Moldova being assessed by Sportradar, the Nepal police would not have had such a strong case.
- In this case, AFC did not wish to approach the Nepal FA, due to potential conflicts of interest and relied on Sportradar to make an introduction to Nepal police. Building networks can often prove the key to find ways to work around initial obstacles.
- Discussing and agreeing investigation priority and protocols is critical (proactivity if possible). Investigations do not always run in parallel. In this situation, AFC passed their material to the police and agreed to wait for the police to complete their investigation before imposing any potential sanctions.
- NB: Once again, legislation is important. Here the players are being tried for reason, an inappropriate charge which increases the likelihood they will escape conviction.



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Laws, Rules and Evidence: Some Perspectives

3. Evidence

An important ruling...

Summer 2016: Based on our reports and investigative activities, KS Skenderbeu's ban by UEFA for match fixing is upheld



Key Points

- The priority was put on securing sufficient amount of BFDS Reports to showcase a pattern of behaviour
- The CAS decision ultimately verifies that a number of BFDS reports can be used to identify match-fixing and therefore to impose proportional sanctions on clubs



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Laws, Rules and Evidence: Some Perspectives

3. Evidence

Official UEFA Press Release on 6th July 2016

"After a thorough investigation undertaken by UEFA in close cooperation with its partner Sportradar, the ethics and disciplinary inspectors identified certain betting patterns which were in total contradiction with those expected in a regular betting market..."

"With this decision CAS upholds the efforts taken to protect both domestic and UEFA competitions from match-fixing. It also shows the confidence CAS has in the UEFA ethics - developed in conjunction with Sportradar - which is an instrumental tool in helping guarantee the integrity of competitions..."



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Laws, Rules and Evidence: Some Perspectives

## 2. Regulations

SPORTRADAR

An interesting development...

Summer 2010: Based on BFDS reports and expert performance analysis, CAS upholds Federation's decision to sanction club and a number of its players for match-fixing.



### Key Points

- The sanctions were imposed without actual proof of match-fixing but because match-fixing was presumed
- Federation had adjusted the wording of their disciplinary code to lower the threshold of evidence – sanctions can be imposed where there is 'sufficient data to confirm match-fixing'
- The CAS decision ultimately verifies that BFDS reports (along with performance analysis) can be used to identify match-fixing and therefore to impose proportional sanctions on clubs and players

## 2. Regulations

### Old Federation Disciplinary Code Rule

Article 44 (3) - In the case when match-fixing is confirmed, the Participant of the Match, the behaviour of whom during the Match (as shown by the analysis of the Match) allows presuming that such a Participant could have committed the infringements specified in Clause 1 of this Article, shall be sanctioned with Match suspension (disqualification) from 8 (eight) Matches and/or a ban from taking part in a particular or any football-related activity up to 3 (three) months.

### New Federation Disciplinary Code Rule

Section 44 (5) – In the case when there are sufficient data to confirm match-fixing, the Participant of the Match, the behaviour of whom during the Match (as shown by the analysis of the Match) allows presuming that such a Participant could have committed the infringements specified in Clause 1 of this Article, shall be sanctioned with Match suspension (disqualification) in up to 12 (twelve) Matches and/or a ban from taking part in a particular or any football related activity for up to 6 (six) months

### CAS Decision

Section 88 – "...the Players were sanctioned because they were found guilty of the infringement contemplated by..... Article 44.5 of the New Disciplinary Code on the basis of the evidence which under the Disciplinary Code allows such conclusion (the reports of the Experts and of BFDS)."

Section 91 - "The Appealed Decisions found that the Matches had been fixed for betting purposes and that the Player's conduct was such as to allow the finding of presumed match-fixing, in the absence of evidence of actual match fixing. Therefore the conditions....were considered to be satisfied and the Players could be sanctioned"

### Presumed Match-Fixing

In the past, there have been countless cases of suspected match-fixing that have gone un-sanctioned due to evidence not satisfying the burden of proof.

- In conjunction with actual match-fixing provisions, presumed match-fixing provisions can serve as a vital function when there is not enough evidence to prove actual match-fixing.
- This structure and concept of presumed match-fixing allows for these types of situations to be sanctioned based on the rules of the Federation (if updated to include this approach), such was the case with this Federation and endorsed by CAS.

Leis, Rules and Bids: Some Perspectives

#### 4. Discerning Quality

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|  |

Evaluating Solutions...



Leis, Rules and Bids: Some Perspectives

#### 4. Discerning Quality

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The Difference between....



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## Points for Discussion

- Have other attendees been restricted/blocked by legislation issues?
- Should new regulations with a lower burden of proof be introduced in order to secure prosecutions? Is it worth it?
- Does the Regulation case wording form a template for other federations and associations?
- Do these decisions embolden federations and associations to use these type of Reports and launch prosecutions?
- These decisions refer to Sportradar-developed BFDS Reports. Which other systems/reports, if any, have the requisite level of credibility to secure the same treatment/gravity?
- What minimum requirements does a system need to meet in order to secure similar treatment/gravity?

Strasbourg, 24 October 2016

KCOOS (2016) 09

## “Keep Crime Out Of Sport”

### Regional Seminar 4

Dates and working hours:

Tuesday 25 October 2016	14:00 – 17:30
Wednesday 26 October 2016	09:30 – 17:30

Headquarters of the Romanian Football Federation  
(House of Football, Serg. Serbanica Vasile Street N° 12  
022186 Bucharest, District 2, Romania)

## FINAL PROGRAMME



## TUESDAY 25 OCTOBER 2016

- 13:30 – 14:00           Arrival and Registration of Participants
- 14:00 – 15:00           OPENING AND INTRODUCTION
- Welcome  
Mrs Narcisa Georgeta Lecusanu - SECRETARY OF STATE  
Representative of the Romanian Football Federation
  - Introduction, Objective-setting, questionnaire overview and adoption of agenda  
Presentation of state of play (following questionnaire replies), mapping  
Cassandra Fernandes, KCOOS Senior Project Officer, Council of Europe
- 15:00 – 16:00           Roundtable – part 1  
Short presentations from participant countries: 10 minutes each. Participants will discuss the current status of fighting match-fixing nationally, within the competencies of each of the stakeholders; as well as why they haven't yet ratified the convention (if applicable). Some statistics on match-fixing cases will be useful.
- 16:00 – 16:15           COFFEE BREAK
- 16:15 – 17:30           Roundtable – part 2  
Short presentations from participant countries: 10 minutes each. Participants will discuss the current status of fighting match-fixing nationally, within the competencies of each of the stakeholders; as well as why they haven't yet ratified the convention (if applicable). Some statistics on match-fixing cases will be useful.
- 19:30                    ORGANISED EVENING PROGRAMME

## WEDNESDAY 26 OCTOBER 2016

- 9:00 – 9:30                   Arrival at conference rooms
- 9:30 – 10:30                Session 1 – Working Together As A Country  
Working groups separated by country (x8). Each group will be guided by questions. One of the participants of each group will be nominated as rapporteur (must have a laptop) and produce a short report on the session from their respective country groups.
- 10:30 – 10:45              Coffee break
- 10:45 – 12:00              Session 2 - Different Countries, Same Objectives  
Working groups separated by actors (x5). Each group will be guided by questions. One of the participants of each group will be nominated as rapporteur (must have a laptop) and produce a short report on the session from their respective actor groups.
- 12:15 – 13:15              LUNCH BREAK
- 13:30 – 14:30              Session 3 – Convention and National Platforms  
Presenting the Convention - Kevin Carpenter, Captivate Consulting  
The current national platform situation/outputs of the conference - Council of Europe Secretariat
- 14:30 – 15:30              Session 3 – Creating a National Platform  
Guy Goudesone – Belgian Anti-Corruption Unit, Coordinator of Belgian National Platform
- 15:30 – 15:45              Coffee break
- 15:45 – 16:45              Session 4 – Rules, legislation and evidence  
Tom Mace - Sportradar
- 16:45 – 17:15              Session 5 – Creating a handbook and conclusions  
Council of Europe Secretariat - What would be a useful tool to assist countries in the long-term?

KCOOS (2016) 09

Participating countries:

Azerbaijan  
Bulgaria  
Georgia  
Republic of Ireland  
Moldova  
Poland  
Romania  
Slovak Republic

With

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Under the auspices of the Romanian Ministry of Youth and Sports