

**Follow-up Committee on Manipulation
of sports competitions (T-MC)**

Council of Europe Convention on the
Manipulation of Sports Competitions
(CETS n°215)

Strasbourg, 25 November 2020

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

T-MC(2020)57.7

**Rules of Procedure
of the Follow-up Committee on Manipulation of
sports competitions**

Table of Contents

Part I: The Committee	3
<i>Article 1: Mandate and working methods</i>	3
<i>Article 2: Delegates</i>	4
<i>Article 3: Chairperson, Vice-Chairperson</i>	4
<i>Article 4: Bureau</i>	5
<i>Article 5: Advisory and Ad hoc Groups</i>	6
<i>Article 6: Participants</i>	7
<i>Article 7 : Observers</i>	7
<i>Article 8: Secretariat</i>	7
<i>Article 9: Meetings</i>	8
<i>Article 10: Convocation</i>	8
<i>Article 11 : Agenda</i>	9
<i>Article 12: Languages</i>	9
<i>Article 13: Duties</i>	9
<i>Article 14: Privacy of Meetings</i>	10
<i>Article 15: Quorum</i>	10
<i>Article 16: Voting</i>	10
<i>Article 17: Consultation with other organisations or with experts</i>	11
Part II: Monitoring of the Convention's implementation	11
<i>Article 18: Guidelines on Monitoring</i>	11
Part III: Final clauses	11
<i>Article 19: Travel and subsistence expenses</i>	11
<i>Article 20: Amendments</i>	12
<i>Article 21: Entry into force of the rules</i>	12

COUNCIL OF EUROPE CONVENTION ON MANIPULATION OF SPORTS COMPETITIONS

DRAFT RULES OF PROCEDURE OF THE FOLLOW-UP COMMITTEE

The Follow-up Committee,

Having regard to the entry into force on 1st September 2019 of the Council of Europe Convention on the Manipulation of Sports Competitions (CETS n°215), hereinafter referred to as “the Convention”,

Having regard to Articles 29, 30, 31, 32 and 38 of the Convention,

Pursuant to paragraph 5 of Article 30 of the Convention,

Adopts the present Rules of Procedure:

PART I: THE COMMITTEE

Article 1: Mandate and working methods

1. Pursuant to Article 31.1 of the Convention, the Follow-up Committee (hereinafter referred to as “the T-MC Committee”) is responsible for the follow-up to the implementation of the Convention.
2. The functioning and operation of the T-MC Committee shall be governed by these Rules of Procedure.
3. Pursuant to paragraphs 2 and 3 of Article 31 and paragraph 2 of Article 32 and paragraph 2 of Article 38 of the Convention, the T-MC Committee:
 - a. Shall adopt and modify the list of sports organisations referred to in Article 3.2 of the Convention, while ensuring that it is published in an appropriate manner;
 - b. May, in particular, make recommendations to the Parties concerning:
 - measures to be taken for the purpose of the Convention, in particular with respect to international co-operation;
 - the criteria to be met by sports organisations and sports betting operators in order to benefit from exchange of information referred to in Article 12.1 of the Convention;
 - other measures aimed at enhancing the operational co-operation between the relevant public authorities, sports organisations and betting operators;
 - c. Shall arrange visits to the Parties with the prior agreement of the Parties concerned;
 - d. May prepare an opinion to the Committee of Ministers on the request of any non-member State of the Council of Europe to be invited by the Committee of Ministers to sign the Convention;
 - e. Shall submit to the Committee of Ministers its opinion on any proposed amendment to the Convention;

- f. May keep relevant international organisations and the public informed about the activities undertaken within the framework of the Convention.
4. Documents concerning the T-MC Committee shall be registered under the reference T-MC(year)xx.

Article 2: Delegates

1. Pursuant to paragraph 2 of Article 30 of the Convention, each Party shall nominate as their representatives – hereinafter referred to as delegates – one or more delegates of the highest possible rank in the fields relevant to the Convention, including , but not limited to, representatives of public authorities responsible for sport, law-enforcement, betting regulation or sport organisations, considering that the objectives of this Convention are:
 - to prevent, detect and sanction national or transnational manipulation of national and international sports competitions;
 - to promote national and international co-operation against manipulation of sports competitions between the public authorities concerned, as well as with organisations involved in sports and in sports betting.
2. The Government of each Party shall communicate the names, contact details and working language of their delegates, via an email sent by their Permanent Representation in Strasbourg to the Secretary General of the Council of Europe, as soon as possible and at least one month before the date fixed for the opening of the meeting.
3. Where a Party designates more than one delegate, it shall indicate the head of the delegation.
4. Only one delegate per Party shall have the right to vote. The Party which holds the Chairmanship of the T-MC Committee may appoint an additional expert. Only one delegate of that Party shall have the right to vote.
5. Any changes in the composition of the delegation should be notified to the Secretary General through the Permanent Representation of the State Party concerned. Delegates leaving the positions that they held at national level when they joined the delegation should also notify the Secretariat.
6. The provisions of this Article shall apply *mutatis mutandis* to observers.

Article 3: Chairperson, Vice-Chairperson

1. The T-MC Committee shall elect a Chairperson and a Vice-Chairperson from among the delegates of a State Party to the Convention representing a governmental or public agency.
2. The terms of office of the Chairperson and Vice-Chairperson shall be of two years, renewable once.
3. The Chairperson shall not be entitled to stand for re-election to any post on the T-MC Committee for a period of two years.

4. The Chairperson and Vice-Chairperson shall be elected by a simple majority of the votes cast. The elections are held by secret ballot, unless the T-MC Committee decides otherwise by unanimity.
5. The Chairperson shall, in close co-operation with the Bureau and the Secretariat, direct the work of the T-MC Committee and preside at its meetings, as well as the meetings of the Bureau. By doing so, the Chairperson shall conduct proceedings and sum up the conclusions whenever s/he thinks necessary. S/he may call to order a speaker who departs from the subject under discussion or from the T-MC Committee's terms of reference. The Chairperson shall perform all other functions conferred upon him/her by these Rules of Procedure or by the T-MC Committee.
6. The Chairperson shall retain the right to vote and to participate in the discussions. The Chairperson, or the Vice-Chairperson when carrying out the duty of the Chairperson, shall be replaced in the chair during the discussion and adoption of a report concerning their country, or in any other situation where they are in a situation of a real or perceived conflict of interests.
7. The Vice-Chairperson shall replace the Chairperson if the latter is absent or otherwise unable to preside at the meeting. If the Vice-Chairperson is absent, the Chairperson shall be replaced by another member of the Bureau, appointed by the latter. If none of these persons is able to carry out their duties or if the Bureau has not been designated, the T-MC Committee may designate one of its members to take the chair in an acting capacity or entrust this task to the Secretariat.
8. Should any of the above offices fall vacant before the completion of the relevant terms of office, the T-MC Committee shall decide to hold an election for the vacant post at the beginning of its next meeting. Any person so elected shall complete the term of office of his or her predecessor. This shall not count as a term of office should the person be subsequently elected Chairperson or Vice-Chairperson.

Article 4: Bureau

1. The T-MC Committee shall appoint a Bureau consisting of the Chairperson, the Vice-Chairperson and three additional members elected by a majority of the votes cast for a term of two years, renewable once.
2. The composition of the Bureau should take into account the following criteria:
 - a. geographical distribution;
 - b. gender balance: delegations are invited to take into account the Recommendation No. R (81) 6 of the Committee of Ministers to member States on the participation of women and men in an equitable proportion in Committees and other bodies set up in the Council of Europe for the candidates' proposals as well as for the election;
 - c. ensure a representation of public authorities responsible for sports, law enforcement and betting regulation.
3. The members of the Bureau shall be particularly involved in the core activities of the T-MC Committee, namely by co-ordinating the work on standard-setting, monitoring and international cooperation.

4. A member of the Bureau may, on expiry of his/her term, be appointed Chairperson or Vice-Chairperson.
5. Elections shall be held at the last meeting which precedes the expiry of the terms of office concerned. For practical reasons, and no matter whether or not they are re-elected, this meeting stays under the direction of the Chairperson and Vice-Chairperson. The terms of office of the new Chairperson and Vice-Chairperson start immediately after the meeting in which they are elected.
6. Should any of the above offices fall vacant before the completion of the relevant terms of office, the T-MC Committee shall decide to hold an election for the vacant post at the beginning of its next meeting. Any person so elected shall complete the term of office of his or her predecessor.

Article 5: Advisory and Ad hoc Groups

1. The T-MC Committee may establish Advisory and Ad hoc Groups to undertake specific tasks which cannot be performed by the entire T-MC Committee, such as work related to the preparations for an international sporting event.
2. The Chairs of Advisory and Ad Hoc Groups shall be elected by the T-MC Committee for the term of the mandate of the respective group unless otherwise specified.
3. Pursuant to paragraph 4 of Article 31 of the Convention, the Chairs of the Ad hoc Groups, in cooperation with the Secretariat, direct the work of their groups, convene their meetings, preside at them and report to the T-MC Committee, which will give them the necessary guidance and approval, as appropriate, for carrying out their work.
4. The terms of reference of each Advisory and Ad hoc Group shall be adopted by the T-MC Committee and, once adopted, shall be set out as Annex to these Rules of Procedure.
5. Any delegate may volunteer, or the head of delegation may nominate an expert, to be part of one or more Advisory and Ad hoc groups. The Chairperson of the T-MC Committee, in close co-operation with the Secretariat, shall determine on the group's size and composition, in the light of their scope and the experts' qualifications.
6. The Chairs of the Advisory and Ad hoc Groups may specifically invite members of the T-MC Committee who possess competences required to fulfil the tasks given to the respective group to participate in their work. The Chairs may also invite other experts to the meetings of these groups as observers or guests.
7. Advisory and Ad hoc Groups shall meet when convened by the Secretariat as established in the Programme and Budget. They can also be convened by their Chair when requested by the majority of their members, budget allowing.
8. Except as otherwise provided, procedure in the Advisory and Ad hoc Groups shall follow that in the T-MC Committee.

Article 6: Participants

1. Pursuant to paragraph 3 of Article 30 of the Convention, the Parliamentary Assembly of the Council of Europe, as well as other relevant Council of Europe intergovernmental Committees, shall each appoint at the invitation of the T-MC Committee, a representative in order to contribute to a multisectoral and multidisciplinary approach.
2. Representatives appointed under this paragraph shall participate in meetings of the T-MC Committee without the right of vote.
3. They shall not participate in the sessions held *in camera* and shall have no access to the documents discussed in these sessions. Otherwise, they shall have access to all working documents.

Article 7 : Observers

1. Pursuant to paragraph 3 or Article 30 of the Convention, the T-MC Committee may invite, by unanimous decision, any State which is not Party to the Convention, any international organisation or body, to be represented as observer at its meeting. Representatives appointed under this paragraph shall participate in meetings of the T-MC Committee without the right of vote.
2. Candidates shall request the status of observer by a letter addressed to the Chairperson of the T-MC Committee. The Bureau examines the request and prepares a recommendation for the T-MC Committee. The status of observer is granted by the T-MC Committee's unanimous decision.
3. Observer status shall be granted for a period of two years. The status can be renewed after these two years period following the unanimous decision of the T-MC Committee.
4. Observers may contribute to the meetings by making oral or written statements on the subjects under discussion. They shall not assist to the sessions held *in camera* and shall have no access to the documents discussed in these sessions. Otherwise, they shall have access to all working documents.

Article 8: Secretariat

1. The Secretary General of the Council of Europe shall provide the T-MC Committee with the necessary staff as well as with the administrative and other services it may require.
2. The Secretariat shall be responsible for the material preparation and distribution of the working documents to be examined by the T-MC Committee. Documents should normally be sent to delegates, in the official languages, at least one month before the opening of the meeting. However, in exceptional cases, if no member objects, the T-MC Committee may deliberate on a document submitted at a later stage.
3. Documents shall be made public after the meeting of the T-MC Committee for which they were prepared, unless the T-MC Committee decides otherwise.

4. At the end of each meeting, the Secretariat shall submit to the T-MC Committee a draft list of the decisions taken during the meeting for its approval. Unless the T-MC Committee decides otherwise, the list of decisions shall be made public.
5. The Secretariat shall prepare a draft report after each meeting which shall be considered as adopted unless objections are formulated within one month of the date of its circulation via Note Verbale. In the event that objections are formulated, the report shall be presented for adoption at the following meeting.
6. The Secretary General or his/her representative may at any time make an oral or written statement on any matter under consideration.
7. Information and communication technologies should be used whenever possible.

Article 9: Meetings

1. Pursuant to paragraph 4 of Article 30 of the Convention, the T-MC Committee shall meet at least once a year, and whenever at least one third of the Parties or the Secretary General so requests. It shall hold such meetings as are required for the exercise of its functions as set out in article 1, budget allowing.
2. The meetings shall be convened by the Secretary General of the Council of Europe in accordance with the single procedure set out in Resolution CM/Res(2011)24. The format, place, venue (when relevant), date and opening time of the meeting, its probable duration and the subjects to be dealt with shall be communicated to all members, participants and observers (see Article 10 *Convocation*).
3. Videoconference meetings may be held whenever physical meetings are not advisable, possible or needed.
4. Members, participants and observers who are unable to attend a meeting or a part thereof shall notify, in due time, the secretariat who shall inform the chairperson.
5. When a meeting has been convened, any request for postponement must reach the Secretary General at least two weeks before the date previously fixed for the opening of the meeting. A decision in favour of postponement shall be considered as having been taken when a majority of the delegates shall have notified the Secretary General of their agreement seven days before the date previously fixed.
6. Meetings shall normally be held at the premises of the Council of Europe in Strasbourg. Exceptionally, a meeting can be held in a State Party to the Convention upon its invitation and provided there is a unanimous agreement by the T-MC Committee and that changing the venue does not entail costs for the Council of Europe that its budget cannot cover.

Article 10: Convocation

1. Meetings of the T-MC Committee shall be convened by letter addressed by the Secretariat to the delegates, participants and observers. Convocations shall be circulated six weeks in advance of the meeting, except in cases of urgency which shall be duly explained.

Whenever a country has no delegate, the letter of convocation shall be addressed to the Government concerned through the Permanent Representation.

2. A copy of the letter of convocation shall be sent to the Governments of the member States and of the other States Party to the European Cultural Convention.
3. Letters of convocation shall indicate the format, place (when relevant), date, opening time of the meeting and its probable duration. They shall be sent at least six weeks before the date fixed for the opening of the meeting, except in case of emergency which shall be duly explained.

Article 11 : Agenda

1. The Secretariat, in close cooperation with the Chairperson and the Bureau, shall draw up the draft agenda and annex it to the letter of convocation.
2. The agenda shall be adopted by the T-MC Committee at the beginning of each meeting.

Article 12: Languages

1. The official languages of the T-MC Committee shall be those of the Council of Europe, namely English and French.
2. Any delegate, participant or observer may, however, use a language other than an official language. In this case, the delegation concerned shall provide for the interpretation into one of the official languages.
3. Any document to be considered by the T-MC Committee, written in a language other than the official languages, shall be translated into one of the official languages; the delegate, observer or other participant submitting it is responsible for making the necessary arrangements and covering the costs.

Article 13: Duties

1. Fundamental values and principles upheld by the Council of Europe such as gender equality, non-discrimination, prohibition of sexual and other forms of harassment and prohibition of ill-treatment of human beings should be adhered to at all times when involved in activities of the Committee.
2. Pursuant to the Council of Europe's anti-corruption policy (Rule No. 1327 of 10 January 2011 on awareness and prevention of fraud and corruption), members of the Secretariat and delegates have a duty to report any reasonable suspicion of fraud or corruption. Every reporting person has the right to effective protection against retaliatory action.
3. The Council of Europe's anti-harassment policy (Rule No. 1292 of 3 September 2010 on the protection of human dignity at the Council of Europe), applicable to all persons participating in the Organisation's activities, prohibits any form of sexual and psychological harassment in the workplace and/or in connection with work at the Council of Europe as conduct infringing the dignity of men and women.

4. All delegates and observer representatives shall, when involved in activities of the Committee, act responsibly, with integrity, professionalism and honesty, use the resources available to them responsibly and not use their position for their, or anyone else's, private gain.
5. The Chair, the Vice-Chair and the other Bureau members shall perform their duties in their individual capacity and be exclusively guided by the interests of the Committee.

Article 14: Privacy of Meetings

1. Meetings shall not be public. They are only opened to delegates, participants and observers. They can also be opened to one or more relevant individual experts or organisations interested in the work of the T-MC Committee and invited by the Bureau under provisions of Article 17 of these Rules.
2. For some matters, which shall be discussed exclusively by delegates and the Secretariat, parts of the meetings shall be held *in camera*. These sessions shall be mentioned in the agenda of the meeting. Participants, observers and guests shall not be present during these sessions.
3. Delegates, members of the Secretariat and other persons assisting the T-MC Committee are required to maintain the confidentiality of the documents of the T-MC Committee and of the information of which they have become aware at meetings held *in camera*, unless the T-MC Committee decides otherwise.

Article 15: Quorum

1. There shall be a quorum if a majority of the Parties to the Convention are present.
2. In the absence of a quorum, the agenda item(s) requiring a vote shall be postponed until the next meeting.

Article 16: Voting

1. Each Party to the Convention shall have one vote. The head of delegation has the right to vote. S/he may appoint a member of her/his delegation to act and vote in her/his absence and shall inform the Secretariat.
2. The representative of one Party may not vote in place of another Party.
3. The T-MC Committee shall take decisions by consensus, except in the following cases:
 - a. Unanimity is needed to invite Observers to the T-MC Committee (Article 30.3 of the Convention);
 - b. Simple majority of votes cast is needed to elect the Bureau (Article 4 of the current Rules of Procedure)

- c. Qualified majority (two thirds of votes cast) is needed to adopt opinions concerning proposals of amendments to the Convention (Article 38.2 of the Convention).
4. In case of doubt as to what rule applies to the taking of any decision, the T-MC Committee shall decide by a two-thirds majority of votes cast.
5. When a decision has been taken on any particular matter, such matter shall not be re-opened except at the request of a delegate approved by a two-thirds majority of the votes cast.
6. For the purposes of these Rules, "votes cast" shall mean the votes of the delegates cast in favour or against. Delegates who abstain shall be regarded as not having cast a vote.

Article 17: Consultation with other organisations or with experts

1. The T-MC Committee may decide to invite intergovernmental or non-governmental organisations or bodies to appoint a person who will be available for consultation during a particular meeting or part of a meeting. It may also decide to invite individual experts.
2. The T-MC Committee may, in liaison with the Secretariat, appoint a consultant to make a report on one or more particular matters.

PART II: MONITORING OF THE CONVENTION'S IMPLEMENTATION

Article 18: Guidelines on Monitoring

1. The T-MC Committee shall adopt its Guidelines on Monitoring defining in particular how the Committee intends to assess and address gaps in the implementation of the Convention by States Parties and their needs in this respect.
2. Based on its findings and recommendations, the T-MC Committee will support the provision of technical and legal assistance to States Parties.

PART III: FINAL CLAUSES

Article 19: Travel and subsistence expenses

1. The travel and subsistence expenses for attending meetings of the T-MC Committee, its Bureau and Advisory and Ad hoc Groups, shall be borne by the States Parties concerned, for all delegates, participants and observers to the T-MC Committee and Advisory and Ad hoc Groups.
2. The Council of Europe shall only cover the travel and subsistence expenses of the Chairperson, Vice-Chairperson and the other Bureau members for attending the Bureau.

Article 20: Amendments

1. These rules may be amended at any time.
2. Amendments shall be adopted by a two-thirds majority of the votes cast.

Article 21: Entry into force of the rules

1. The present rules, as well as any amendment, enter into force immediately after their adoption.