



INTERNATIONAL PARTNERSHIP AGAINST CORRUPTION IN SPORT ("IPACS")

TERMS OF REFERENCE OF THE TASK FORCE ON ENSURING INTEGRITY IN THE SELECTION OF MAJOR SPORTING EVENTS, WITH AN INITIAL FOCUS ON MANAGING CONFLICT OF INTEREST

I. Introduction

1. The selection processes for major sporting events take place over a multi-year period and involve a wide and dynamic range of interactions between public and private actors at both the domestic and international levels. Countries, cities, and bid committees can have different legitimate interests for bidding to host a major sporting event, from promoting (local) economic development to gaining international recognition and prestige. However, experience shows that the multi-stakeholder and multi-level dimension of this process entails the risk that a selection process may be unduly influenced by specific interests or personal gain rather than being guided by the public interest, which can undermine the positive social and economic benefits promised to the hosting venue. Perceived or potential conflict of interest can also be just as damaging to the sports organisation or host country or city. While conflicts of interest cannot be altogether removed, they can be effectively managed by ensuring integrity and greater transparency in the processes and preparations involved in the selection of major sporting events.

2. While some reforms have been initiated, there remains potential for improvement of minimum standards—adaptable to the different sizes and capacities of sports organisations and for the benefit of the whole sports movement. In this respect, synergies will be sought with the work of Task Force 3 ("TF 3"). All stakeholders have a role to play in effectively managing conflict of interest and helping ensure that the selection of major sporting events is undertaken with integrity and transparency. In order to address the complexity of the selection processes of major sporting events and to ensure transparency, accountability and integrity, a coherent and comprehensive strategy can help manage actual, perceived, and potential conflict of interest and corruption risk.

3. This strategy should be built on international standards and should be elaborated with the input of all core stakeholders (including international sports organisations, governments, and the private sector).

4. The first meeting of the Working Group of the International Partnership against Corruption in Sport ("IPACS") proposed the creation of three Task Forces. The Task Force on Ensuring Transparency and Integrity in the Selection of Major Sporting

Events, with an Initial Focus on Managing Conflict of Interest (“TF 2”) will be one of the three Task Forces and will be guided by the following Terms of Reference (“ToRs”).

II. Objectives of TF 2

5. The initial objective of TF 2 is to support the management of conflicts of interest, which can help ensure the integrity of the selection of major sporting events.

6. The objective of TF 2 is in line with the 2016 London Anti-Corruption Summit communiqué,¹ the 15 February 2017 International Forum for Sport Integrity (“IFSI”) Declaration,² the 2017 G20 Leaders’ Declaration,³ and resolution 7/8 on Corruption in Sport, adopted by the Conference of States Parties to the United Nations Convention against Corruption at its seventh session,⁴ TF 2 shall facilitate a common understanding to actual, perceived, and potential conflict of interest and corruption risk.

III. Substantive basis and method of work of TF2

7. TF 2 will begin with a stocktaking exercise of existing selection processes, practices, and accountability mechanisms in major sports organisations to identify the areas most vulnerable to conflict of interest. This process will first focus on managing conflict of interest, and then will consider a broader range of integrity-related risks. The scope of this preliminary review of risks related to managing conflict of interest will include the various steps of the selection process for major sporting events, from proposal submission at the domestic level to the assessment and award process within sports organisations. The stocktaking exercise will also include an analysis of systems of accountability in other areas that could benefit the task force’s reflection, including in the human rights and environmental impact contexts (i.e., the Mega-Sporting Events Platform for Human Rights, or MSE Platform).

8. Specifically, the activities of TF 2 are grouped into three components:

- i. Defining and identifying possible conflicts of interest as they particularly apply to the context of sport;
- ii. Stocktake of existing selection processes and practices in major sports organisations, which will begin by identifying the areas most vulnerable to perceived, potential, and actual conflicts of interest in the selection of major sporting events. Mapping accountability mechanisms will also help with developing targeted measures that help ensure integrity in the selection of major sporting events; and
- iii. Collection of good practices and recommendations on managing risks. TF 2 will focus on capacity-building and on supporting sporting organisations and governments in implementing good practices. This could be complemented by the development of a reporting and self-assessment mechanism.

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522791/FINAL_-_AC_Summit_Communique_-_May_2016.pdf

² https://stillmed.olympic.org/media/Document%20Library/OlympicOrg/News/2017/02/2017-02-15-IFSI-Common-Declaration-eng.pdf#_ga=2.104529472.1751064024.1500543268-833557415.1497969558

³ https://www.g20.org/Content/EN/_Anlagen/G20/G20-leaders-declaration.pdf?__blob=publicationFile&v=11

⁴ http://www.unodc.org/documents/treaties/UNCAC/COSP/session7/UNCAC_-_Corruption_in_Sport_resolution.pdf

9. TF 2 will explore the scope for extending international standards on integrity and conflict of interest controls to sports organisations and sporting events. In this regard, TF 2 will consult and engage with leading global tools such as the Organisation for Economic Cooperation and Development (“OECD”) framework to prevent “policy capture,”⁵ Further guidance will be sought from a number of international frameworks, such as the OECD’s *Good Practice Guidance on Internal Controls, Ethics, and Compliance*,⁶ the United Nations Office on Drugs and Crime (“UNODC”)’s *Safeguarding against Corruption in Major Public Events*,⁷ the International Olympic Committee (“IOC”)’s *Code of Ethics*⁸ and other relevant frameworks from sports and inter-governmental organisations, as well as from experience gained through peer reviews undertaken for instance by the OECD, UNODC and the Council of Europe (“CoE”)/ Group of States against Corruption (“GRECO”) within their respective international standards, including the OECD Anti-Bribery Convention, the UNCAC and the CoE’s Criminal Law Convention on Corruption. Furthermore, the work will build on relevant existing efforts taken by countries and international organisations on sport integrity. TF 2 could also consider working closely with the IOC Ethics Commission to review and upgrade the rules on conflict of interest in the IOC Code of Ethics.

10. Beyond 2018, TF 2 could focus on capacity-building and on supporting sports organisations and governments in implementing good practices. This could be complemented by the development of a reporting and self-assessment mechanism to provide a constructive and collaborative mechanism to identify relevant gaps, needs, and best practices and to increase accountability and integrity of all stakeholders involved in the selection of major sporting events.

11. Finally, owing to the cross-cutting and complimentary scope of the work of IPACS’ three Task Forces, the Task Forces shall consult with each other on the substantive and technical aspects of their outputs. To this end, TF 2 shall work in close collaboration with TF 3 on the topic of conflict of interest, to ensure a coherent and comprehensive work programme and to ensure that sports organisations will not have different regulations or principles regarding conflict of interest.

IV. Structure

13. For the time being, IPACS is composed of a two-tier structure: (i) a Working Group, which consists of international sports organisations, governments, and relevant international organisations; and; and (ii) Three Task Forces, with a multi-stakeholder membership reflecting the composition of the Working Group..

14. TF 2 will be facilitated by the OECD, which will serve as the Technical Facilitator of TF 2.

15. TF 2 should include:

⁵ Policy capture occurs where public decisions over policies are consistently or repeatedly directed away from the public interest towards a specific interest. See OECD (2017), Preventing Policy Capture: Integrity in Public Decision Making, OECD Publishing, Paris. <http://dx.doi.org/10.1787/9789264065239-en>.

⁶ <https://www.oecd.org/daf/anti-bribery/44884389.pdf>

⁷ See the risk assessment checklist found on p. 84 of “Safeguarding against Corruption in Major Public Events.”

⁸ <https://stillmed.olympic.org/media/Document%20Library/OlympicOrg/IOC/What-We-Do/Leading-the-Olympic-Movement/Code-of-Ethics/EN-IOC-Code-of-Ethics-2016.pdf>

- Members of the working group which have expressed interest in joining TF 2;
- A limited number of external experts gathering expertise in the relevant areas; and
- Reflect a diversity of membership across geography, country size and development status.

16. The external experts will be invited upon decision by the Working Group of IPACS.

17. TF 2 will designate a Chair from among its Members.

18. Decisions taken by TF 2 are adopted by consensus. Where there is no consensus, options will be presented to the Working Group.

V. Reporting

19. TF 2 will report on a semi-annual basis to the Working Group, with a view to submitting a progress report at the end of 2018 for publication. The report will also include a plan for possible continuation of TF 2's work and a proposal to update and renew its ToR.