



INTERNATIONAL PARTNERSHIP AGAINST CORRUPTION IN SPORT ("IPACS")

TERMS OF REFERENCE OF THE TASK FORCE ON OPTIMISING THE PROCESSES OF COMPLIANCE WITH GOOD GOVERNANCE PRINCIPLES TO MITIGATE THE RISK OF CORRUPTION

I. Introduction

1. Good governance in sport is a complex network of policy measures and private regulations used to promote integrity in the management of sport such as democratic, ethical, efficient and accountable sports activities; and that these measures apply to the public administration sector of sport and to the non-governmental sports sector. The nature of sport itself, based on fair play and equal competition, requires that all unethical practices and behaviours in sport should be forcefully and effectively countered.

2. The Council of Europe's Committee of Ministers, for instance, stressed in Recommendation Rec2005(8) on the principles of good governance in sports that the consistent application of the principles of good governance in sport would be a significant factor in helping to mitigate corruption and other malpractices in sport.

3. At an international level, there is a broad consensus on the key principles of good governance in sport, such as democracy, integrity, financial transparency, gender balance, stakeholder's involvement, transparency, accountability and solidarity and checks and balances. However, there is no unique way to present these principles and to elaborate them into indicators and specific measures.

4. At present, there is no procedure or institutional framework that would allow the adoption of a multi-stakeholder, internationally agreed, set of good governance measures which would be directly applicable throughout the sports movement and national governments. However, the need for common good governance standards to be used by sports organisations and governments, as well as their effective implementation and monitoring – followed by a revision of those areas where shortcomings may be identified, are viewed as being of crucial importance.

5. An effective way to achieve the above is by using a multi-stakeholder approach in order to prevent double standards or conflicting requirements, as well as to promote convergence of consensus-based measures to implement good governance in sports organisations. By developing a set of common benchmarks to ensure consistent good governance principles and monitoring indicators, the International Partnership against

Corruption in Sport can optimise the processes of compliance with such principles to reduce the risk of corruption.

6. The first meeting of the Working Group of the International Partnership against Corruption in Sport (“IPACS”) (see EPAS(2017)INF15)¹ agreed on the creation of three task forces. The Task Force on Optimising the Processes of Compliance with Good Governance Principles to Mitigate the Risk of Corruption (TF 3) will be one of the three Task Forces and will be guided by the following Terms of Reference (“ToRs”).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.

II. Objectives and outputs of TF 2

7. While fostering closer co-operation between sport organisations and public authorities, the task force will aim at developing common benchmarks with good governance indicators to support sport organisations and public authorities in order to address risks of corruption. The good governance indicators will focus in particular on the following areas:

- Term duration and limits.
- Financial management and transparency, financial reporting (including on campaign financing).
- Preventing and/or managing conflict(s) of interest.

The specific case of funding of election campaigns in sports organisations will be addressed as a special case in which financial transparency and prevention of conflicts of interest applies.

The work on measures to prevent and manage conflict of interests in sports organisations in general will take into account the reference standards and conceptual framework developed within TF2, which addresses the issue of conflicts of interest within the bidding process for sporting events.

8. Once developed, these good governance indicators should be used by sports organisations and public authorities as good governance standards and monitoring tools. Any sports governance reform should foster this convergence movement in order to prevent inconsistent requirements from sport and from public authorities. Substantial

¹ <https://rm.coe.int/report-of-the-first-meeting-of-the-informal-working-group-on-the-inter/168073e07b>

disagreement with the common-benchmarks should be pointed out and discussed in an intergovernmental setting within the sport movement and between governments and international sport, within IPACS.

III. Substantive basis and method of work of TF3

9. In order to undertake its technical work, IPACS has decided to set up Task Force 3, with the objective of overseeing the development of the outputs identified above. The programme of work will aim to help governments and sports organisations mitigate the risk of corruption by optimising the processes of compliance with good governance principles.

10. The Task Force will begin with the identification and collection of the relevant materials on good governance standards and monitoring indicators that address the risk of corruption.

11. The Task Force will:

- take stock of the collected materials;
- formalise requirements in each of the areas identified above;
- design indicators suitable to evaluate compliance with the requirements;
- identify further areas of convergence where a common set of indicators can be drawn from;
- focus on capacity-building in sports organisations, supporting the development of mechanisms to monitor implementation of the standards.

IV. Structure

12. 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 (ii) three Task Forces, with a multi-stakeholder membership reflecting the composition of the Working Group as well as possible additional participants.

13. TF 3 will be facilitated by the Council of Europe's Enlarged Partial Agreement on Sport, which will serve as the Technical Facilitator of TF 3. Experts from a wide range of institutions, countries and civil society outside the Working Group will be invited to serve on the Task Force.

14. The Task Force should include a limited number of experts (up to 15), either members of the IPACS WG or from other entities, which would provide expertise in the fields of corporate governance, public governance, sport Governance, anti-corruption, management of sport organisation and public authorities monitoring the sport governance. Its composition will be approved by the WG and should reflect a diversity of membership across geographical, country size and development status].

15. The 2nd meeting of the IPACS WG noted proposals regarding the profile of TF participants who would gather the expected competences: OECD/GRECO/UNODC/ASOIF/GAISE/IOC/a winter IF/University of Leuven and Governments from the 5 Continents. The WG also noted direct expressions of

interest from IOC, ASOIF, IPC, Commonwealth, as well as public authorities from the American continent (Brazil) and from the European continent (France, Germany, Italy, Spain, Switzerland, United Kingdom). Consultations will go on with these stakeholders to finalise the setting of the TF.

16. The members will be appointed by the WG of IPACS. The Task Force will designate a Chair and Vice-chair from among its members. Administrative support will be ensured by the Executive Secretary of the Enlarged Partial Agreement on Sport (EPAS).

17. Decisions taken by the Task Force are adopted by consensus. Where there is no consensus, options will be presented to the Working Group.

V. Functioning of the Task Force

a. Costs

18. Participants' travel, board and lodging costs are borne by the states or organisations participating in the process.

b. Working language

19. Working language will be English.

VI. Reporting

20. TF 3 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 Task Force will also publish such report for consultation by other stakeholders. The report will also include a plan for possible continuation of the TF work and a proposal to update and renew its ToR, as appropriate.