

# **Information paper from the Polish delegation**

## **EU Sports Directors Meeting Gödöllő, 27-28 June 2011**

### **1. Significance of the problem**

Match-fixing is one of the most significant threats faced by contemporary sport, both in the context of betting and in achieving sporting objectives. The increasing commercialisation of sport, combined with its economic potential, may lead to fraud. This is more and more frequently seen in the manipulation of the course and results of sports competitions. Such behaviour violates the principle of fair play, undermines public confidence in sport and poses a serious threat to its integrity.

In view of the dynamically developing betting market that generates growing turnover and, in particular, the on-line segment, the risk of gambling-motivated manipulation increases. According to the available data<sup>1</sup>, the Global Sports Betting Gross Win in 2008 was USD 15.6 billion, out of which nearly one third came from on-line betting. In Europe alone, the Sports Betting Gross Win in the same year amounted to USD 7.5 billion. In 2012, the figures are expected to be, respectively, USD 19.4 billion for the world and USD 10.7 billion for Europe.

As demonstrated by last decade's incidents, sports corruption, particularly related to bookmaking activities, is increasing, and each sport and State may be at risk. It is enough to recall the match-fixing incidents in football, including those connected with matches in major European competitions, as well as scandals involving cricket, horse racing and tennis.

### **2. Measures taken by stakeholders**

The necessity to take measures towards preserving the integrity of sport is declared unanimously by public authorities, representatives of the sports movement and gambling operators.

The European Union has expressed its concern with the problem of match-fixing i.a. in the Commission Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, entitled "Developing the European dimension in sport"<sup>2</sup>, published on 18 January 2011:

*„Match-fixing violates the ethics and integrity of sport. Whether related to influencing betting or to sporting objectives, it is a form of corruption and as such sanctioned by national criminal law. International criminal networks play a role in match-fixing associated with illicit betting. Due to the worldwide popularity of sport and the trans-frontier nature of betting activities, the problem often goes beyond the remit of national authorities”,*

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<sup>1</sup> Acc. to H2 Gambling Capital

<sup>2</sup> COM(2010) 609 final version

also in the Green Paper on on-line gambling in the Internal Market<sup>3</sup>, published on 24 March 2011:

*„Sport events on which sports betting can be organized may, due to criminal activities, be subject to a higher risk of match fixing.”*

The problem of match-fixing in the context of betting was also raised at the meeting of the Education, Youth, Culture and Sport Council during the Hungarian Presidency, when a policy debate on sport-related aspects of on-line betting was held, where the need for action at EU level was expressed.

Furthermore, during the Council of Europe Informal Conference of Ministers responsible for Sport, held in Baku on 22 September 2010, the Ministers adopted a resolution on the promotion of the integrity of sport against the manipulation of results (match fixing). The guidelines contained in the annex to the resolution call for a common approach by public authorities and non-governmental organisations in the development of their action policies, the adoption of effective legislative measures, the implementation of preventive measures both by sports organisations and sports betting operators, and the cooperation of all stakeholders in the fight against the manipulation of sports results. The guidelines were confirmed and supplemented on 12 May 2011 in the Draft Recommendation of the Committee of Ministers to member states on the promotion of the integrity of sport against manipulation of results, notably match-fixing.

The problem has also been observed by the sports movement. Both the International Olympic Committee and international federations have taken measures to combat match-fixing. The former started a discussion on illegal and irregular sports betting, which led to the creation of a task force to examine the most important issues related to the phenomenon. At the same time, international federations of sports such as football, cricket and tennis, monitor sports competitions through early warning and detection systems, and establish, within their structures, specialised units responsible for investigation, education and prevention. The prohibition to participate in betting related to one's own sport is included in the internal regulations of numerous international federations.

Some betting operators are also engaged in the fight against match-fixing. They monitor bets, provide information on irregular betting patterns to the relevant authorities, and frequently participate in education programs for the sports community.

### **3. Future actions**

Poland is a country which has recently been affected by sports corruption. As a result of a several-year investigation, sports officials, referees and athletes have been penalised and some sports clubs were relegated.

To effectively combat the phenomenon of sports corruption, Poland has undertaken several measures, including legislative ones. The Polish Sports Act includes provisions defining and penalising sports fraud, also in relation to bookmaking activities.

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<sup>3</sup> COM(2011) 128 final version

Other Member States have also taken steps in this field. Some EU countries have introduced special legislations relating to sports fraud. Others have provided for such behaviour in their legislation related to corruption in other areas. Certain states have also established separate units dealing with preventing and combating sports fraud-related phenomena and carrying out analyses for the needs of law enforcement agencies.

As proven by the experience gained over the last years, the issue of match-fixing should be perceived within a broader framework, also in the context of the relationship between the powers of the state and the autonomy of sports organisations. The problem can be solved neither only at national level nor solely amongst sports organizations. Cooperation of all stakeholders at European level, including educational activity, is necessary. Such action may bring added value at EU level.

#### **4. Polish plans for the Presidency of the Council of the EU**

The Polish Presidency of the Council of the EU, which begins on 1 July 2011, gives priority treatment to the urgent problem of match-fixing. Based on the good will and fruitful cooperation with the Hungarian Presidency, Poland presents this information paper on match-fixing. The aim of the Presidency is to organise a first/preliminary exchange of views on match fixing at the informal meeting of Sports Ministers on 13-14 October in Krakow. This initial exchange of views will pave the way for a more detailed policy debate during the meetings of the Working Party on Sport. In this regard, the Sports Ministers aim at adopting a political message (a set of operational Council conclusions).

The Polish Presidency's work on the problem of match-fixing will be carried out taking into account the position of a wide spectrum of sports organisations. The problem will also be discussed during the Structured Dialogue with Sports Movement meeting preceding the meeting of the Council.