



STANDING COMMITTEE ON FOREIGN AFFAIRS AND DEFENCE

Review Report on the Council of Europe Convention on the Manipulation of Sports Competitions



**PARLIAMENT OF THE REPUBLIC OF
FIJI
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Chairperson's Foreword

I am pleased to present the Council of Europe Convention on the Manipulation of Sports Competitions.

The Standing Committee is established under Section 109 (2) (e) of the Standing Orders (SO) of the Parliament of the Republic of Fiji.

The purpose of the review was to scrutinise the Convention on the Manipulation of Sports Competitions, Parliament had referred the above Convention to the Standing Committee on Foreign Affairs and Defence at its sitting on 28th November 2019.

The Committee when reviewing the treaty, heard oral submissions, received written submissions as well as holding public consultations in Suva and Lautoka. Those heard and consulted included:

1. Ministry of Youth and Sports
2. Fiji National Sports Commission (FNSC)
3. Fiji Association of Sports & National Olympic Committee (FASANOC)
4. Fiji Police Force (FPF)
5. Oceania Sports Information Centre (OSIC), USP
6. Consumer Council of Fiji
7. Office of the Solicitor General
8. Ministry of Foreign Affairs

The Council of Europe Convention on the Manipulation of Sports Competitions is a multilateral treaty that aims to prevent, detect, and punish match fixing in sport. The Convention was concluded in Macolin, Switzerland, on 18 September 2014. At its conclusion, it was immediately signed by 15 states of the Council of Europe and is open to ratification by Council of Europe states and other states that were involved in its negotiation. The Convention will enter into force after being ratified by five states, three of which must be Council of Europe states.

A major focus of the Convention is to curb or totally eliminate the involvement of criminal activities and in particular organised crime.

The Convention is the only international legally binding instrument that helps to address manipulation in sports and provides a legal basis and framework for co-operation in this field between various public authorities and private entities. It also provides structured mechanisms for the co-operation and coordination of actions.

Should Fiji ratify the Convention it will be the first Pacific Island Country to sign which will provide a platform to encourage other Pacific Island Countries to ratify the same.

Ratification of the Convention will complement existing policies such as the National Sports and Recreational Policy, Anti-Doping Policy, Sports Safety Policy, Child Protection in Sports Policy.

Ratification will also provide the following benefits to Fiji –

- a) It will ensure that internal best practise and standards are incorporated into national sports policies;
- b) It will ensure that all relevant stakeholders (both private and public) in sports and related industries work in collaboration against the manipulation of sports.

The Solicitor General’s Chamber to undertake a thorough gap analysis to see where shortfalls are and to initiate amendments to current legislations or propose a stand-alone legislation to give effect to various articles of the Convention.

The Committee recommends to Parliament that Fiji ratifies this Convention.

The Committee commends the contributions by stakeholders that assisted in the preparation of this report.

I take this opportunity to also thank members of my Committee for compiling this bipartisan report.

On behalf of the Standing Committee on Foreign Affairs and Defence, I submit this report to the Parliament.



Hon. Alexander O’Connor
Chairperson

Acronyms

FASANOC	Fiji Association of Sports & National Olympic Committee
FNSC	Fiji National Sports Commission
FPF	Fiji Police Force
OSIC	Oceania Sports Information Centre
SDGs	Sustainable Development Goals
SO	Standing Orders
USP	The University of the South Pacific

Recommendations

The Committee recommends that:

1. Fiji accedes to the Convention and ratifies without reservation re-iterating the importance that Government places on sport for national development.
2. Fiji establishes a Sports Integrity Commission which should also consist of a National Sports Disciplinary Commission that is totally independent and impartial of any sport.
3. Fiji National Sports Commission provide awareness on manipulation in sports and implements, monitors, evaluates and enforces compliance through a National Platform.

1.0 Introduction

1.1 Background and Terms of Reference

The Committee reviewed the Convention on the Manipulation of Sports Competition in its first meeting on Tuesday 14th January 2020.

On 15th January 2020 stakeholders made submissions on the above Treaty in the Parliament precinct in Suva.

The emphasis is that sporting organisations bear the responsibility to detect and sanction the manipulation of sports competitions committed by persons under their authority.

Submitters acknowledged the results already achieved in the fight against the manipulation of sports competitions.

It was generally agreed that an effective fight against the manipulation of sports competitions requires increased, rapid, sustainable and properly functioning national and international co-operation.

There is a need for dialogue and co-operation among public authorities, sports organisations, competition organisers and betting organisations at national and international levels, on the basis of mutual respect and trust.

It was recognised that sport, based on fair and equal competition, is unpredictable in nature and requires unethical practices and behaviour in sport to be forcefully and effectively countered.

The consistent application of the principles of good governance and ethics in sport is a significant factor in helping to eradicate corruption, the manipulation of sports competitions and other kinds of malpractice in sport.

A major focus of the Convention is to prevent and punish illegal sports betting operations and to prevent conflicts of interest in legal sports betting operators and sports organisations.

The Committee acknowledged that, in accordance with the principle of the autonomy of sport, sports organisations are responsible for sport and have self-regulatory and disciplinary responsibilities in the fight against manipulation of sports competitions, but that public authorities protect the integrity of sport, where appropriate.

This means that cooperation between stakeholders, not limited to the Ministry of Youth and Sports, Sectoral Ministries, National Sports Federations, Regulatory Authorities, Fiji Police Force, Civil Societies, Non-Governmental Organisations, need to be further strengthened.

The International Criminal Police Organization (Interpol) plays a facilitating and effective role in the co-operation between the law-enforcement authorities regionally and locally in addition to judicial co-operation.

The Report is divided into three parts:

- I. **Part One** - focuses on the Committee recommendations
- II. **Part Two** - covers the Findings of the report to Parliament
- III. **Part Three** -covers the Conclusion

1.2 Committee Remit and Composition

Pursuant to Standing Orders 109(2) (e) that the Standing Committee on Foreign Affairs and Defence is mandated to look into matters related to Fiji's relations with other countries, development aid, foreign direct investment, oversight of the military and relations with multi-lateral organisation.

The members of the Standing Committee on Foreign Affairs and Defence are as follows:

- 1.2.1 Hon. Alexander O'Connor – Chairperson
- 1.2.2 Hon. Dr. Salik Govind - Deputy Chairperson
- 1.2.3 Hon. Selai Adimaitoga – Member
- 1.2.4 Hon. Anare Jale – Member
- 1.2.5 Hon. Lenora Qereqeretabua –Alternate Member

1.3 Procedure and Program

The Standing Committee on Foreign Affairs and Defence commenced its deliberation on the 15th January 2020 and received written and oral submissions from the following stakeholders:

- Ministry of Youth and Sports
- Fiji National Sports Commission (FNSC)
- Fiji Association of Sports & National Olympic Committee (FASANOC)
- Consumer Council of Fiji
- Fiji Police Force (FPF)
- Oceania Sports Information Centre (OSIC), USP
- Office of the Solicitor General
- Ministry of Foreign Affairs

2.0 Committee Deliberation and Analysis

2.1 Committee Findings

The Committee's findings are outlined below:

1. All submitters agreed that Fiji sign and ratify the Convention.
2. The Ministry of Youth and Sports review the existing national sports policies in order to include the provisions of the Convention into the national sports policies.
3. Establishment of a National Sports Integrity Commission and an Independent Sports Tribunal in collaboration with the Council of Europe, the Commonwealth Body of Sports and the Australian Sports Integrity Commission which will assist in the implementation of the Convention.

Benefits of Accession

Ratification will provide the following benefits to Fiji:

- a. It will ensure that internal best practices and standards are incorporated into the national sports policies;
- b. It will ensure that all relevant stakeholders (both private and public) in sports and related industries work in collaboration against the manipulation of sports competitions; and
- c. It will promote cooperation and strengthen international relations with other State Parties who have acceded to or ratified the Convention.
- d. It is a catalyst to begin the process of protecting the vulnerability of Fiji to sports manipulation and corruption.

Impact of the Convention

- a. Fiji would take a lead role in the Pacific region in implementing sport related legislation in general with particular emphasis on sport manipulation.
- b. Ratification of the Convention will complement existing policies such as the National Sports and Recreational Policy, Anti-Doping Policy, Sports Safety Policy, Child Protection in Sports Policy.

Requirements for Implementation

- a. The review by the Ministry of Youth and Sports (**‘Ministry’**) of existing national sports policies with the inclusion of the provisions of the Convention.
- b. The establishment of a National Sports Integrity Commission and an Independent Sports Tribunal in collaboration with the Council of Europe with the assistance of the Commonwealth Body of Sports and the Australian Sports Integrity Commission.

Challenges

- a. Determining and ascertaining the legal, financial, social and cultural implications through the widest form of consultation with all sporting bodies, those related to sports e.g. medicine, insurance etc. and interested parties.
- b. Empowering Sporting Federations with mechanisms to deal with criminal acts relating to sports performance.
- c. Mobilising adequate resources to finance the requirements to successfully implement the Convention.

2.2 Oral and Written Evidence Received

The Committee received oral and written submissions from stakeholders and the public as listed on page 3 of this report and in *Appendix A*.


3.0 Gender Analysis

The Convention is gender neutral and therefore benefits all genders.

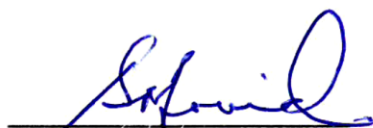
4.0 Conclusion

The Standing Committee on Foreign Affairs and Defence has fulfilled its mandate approved by Parliament which was to report on the Council of Europe Convention on the Manipulation of Sports Competitions.

5.0 Members Signature



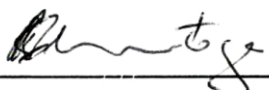
Hon. Alexander O'Connor
Chairperson



Hon. Dr. Salik Govind
Deputy Chairperson



Hon. Lenora Qereqeretabua
Alternate Member



Hon. Selai Adimaitoga
Member



Hon. Anare Jale
Member

6.0 Appendices

6.1 Appendix A

All other written and transcribed evidences gathered during the public submissions and public consultations will be made accessible on the Parliament website on:

<http://www.parliament.gov.fj/committees/standing-committee-on-foreign-affairs-and-defence/>

No	Date	Agency/Organisation	Written Evidence	Oral Evidence
1	21 st January, 2020	Ministry of Youth and Sports	✓	✓
2		Fiji National Sports Commission	✓	✓
3	22 nd January, 2020	Fiji Association of Sports and National Olympic Committee (FASANOC)	✓	✓
4	23 rd January, 2020	Oceania Sports Information Centre (OSIC), USP	✓	✓
5		Fiji Police Force	✓	✓
6		Consumer Council of Fiji	✓	✓
7	27 th January, 2020	Ministry of Foreign Affairs	✓	✓
8		Office of the Solicitor General	✓	✓