

'Information sharing in the fight against the manipulation of sports competitions', 2017, by Norbert Rubicsek

Foreword

The main aim of this article is to introduce why exchanging information between public and private sector in the area of fighting manipulation of sports competitions is needed and urgent. The article will also show some existing legal examples of possibilities of sharing information between the public and private sectors in different ways and to different extents, based on exchanges with the country stakeholders.

Although the list is non-exclusive, the presented examples will illustrate that there is a legal possibility to share information in the possession of a public party if there is a desire to do so.

Introduction

Match fixing, sports corruption, manipulation of sports competitions.

We have come a long way since the first truly visible global shock following at a Europol press conference¹ about how an international organized crime syndicate exploited football for criminal activity on 5 continents in 2012, thus illustrating the extent and gravity of the issue.

Since then, relevant stakeholders involved directly or indirectly in the sporting domain have tried to contribute to the process of fighting manipulation in sport from the grassroots level up to political commitments.

As the specific fight against the manipulation of sports competitions and other sports corruption issues was a new challenge and the political pressure was so high following the scandal, European stakeholders often acted in haste, having little knowledge of the scope of the phenomenon and how to work against it, but instead implementing reactive measures.

There was a lack of a clear understanding of the need for mutual understanding, of consensus on defining this phenomenon and of the level of exploitation of sport by match-fixers carrying out.

What is the manipulation of sports competitions²? What could be considered as sport manipulations? What could be considered as a crime in this subject matter?? How could betting be linked to sport manipulation? All these questions are familiar to anyone interested in or concerned by the phenomenon.

¹ <https://www.europol.europa.eu/newsroom/news/update-results-largest-football-match-fixing->

² Definition of MSC under article 3 of the Convention on the Manipulation of Sports Competitions: "Manipulation of sports competitions" means an intentional arrangement, act or omission aimed at an improper alteration of the result or the course of a sports competition in order to remove all or part of the unpredictable nature of the aforementioned sports competition with a view to obtaining an undue advantage for oneself or for others.

In the meantime, sport associations and countries all over the world were hesitant to widely acknowledge the undeniable: match fixing affected their sport. This was often for a number of reasons, including unwillingness to taint the sport, or attempting to resolve the problem internally.

Of course, in the follow up to the Europol-supported investigation, the topic attracted the attention of law enforcement agencies, who tried to identify criminals in the domain but due to a lack of specific knowledge, they indiscriminately arrested the athletes involved in match fixing believing that the problem of that particular sport was solved and went no deeper. Perhaps due to the lack of awareness, existence of other priorities and lack of sufficient knowledge, certain investigations, in which the organizers of such crimes were apprehended, they did not, could not or just did not want to look behind the scenes: they did not keep pursuing the line of criminality which may have led to identifying organised crime groups and the need to arrest those criminals behind the on-field match- fixing activities. Arresting athletes was very often only removing the first line of attack; they were the expendable level of targets: there is always another to take his role over.

This superficial level of investigation was not encouraged by the absence in regular information exchange between public authorities and the private sector.

Since the Europol press conference, the key players began to network, notably the stakeholders from sport, the betting regulators, operators, other betting entities (betting industry) and law enforcement/judicial areas started to recognize each other's existence, importance and relevance even if full understanding was still lacking. This is notably true with regard to the development of cross border activity and enhanced technology.

The three main areas, sport, law enforcement/justice and betting were developing separately, each area was trying to find its own solutions to tackling sport manipulation, their own solutions to fighting the manipulation of sports competitions and related crimes (bribery, money laundering fraud, corruption, all commonly referred to as sports corruption³). Even policy makers handled these areas separately: European Union handled sports corruption under three separate Commission, DG Home (LEAs), DG EAC (Sport) and DG GROW (Betting industry).

2014: the start of the breakthrough period in fighting sports corruption

Between the years 2014 to 2016, fighting sports corruption saw a breakthrough, with regard to treating the fight as one that was not purely national and one that transcended purely the sporting sector.

³ While corruption is not equivalent to fraud, bribery and money laundering, within Europol terminology, sports corruption covers all these areas

In September 2014, The Council of Europe Convention on the Manipulation of Sports Competition (the Convention) was adopted in Macolin⁴, Switzerland, as the only international, legally binding text to exist on the matter. Although the document has not entered into force yet for political reasons involving a single country, it has changed the face of the fight immediately after its launch.

It provided definitions of the manipulation of sports competitions and other relevant issues which were adopted very quickly by the sport movement, the public sector and the betting domain all around the world.

It created a basis for common understanding, which was missing from this domain. It also provided a basis for exchanging information between the private and public stakeholders.

2016 was a busy year for experts in fighting manipulation of sports competitions.

In February, the European Commission of the European Union organized a conference, to which over 100 participants representing international organisations and international and national stakeholders from law enforcement, betting, the sport movement and ministries, were invited. This was the first time that experts gathered from all the concerned fields including betting operators from Asia in a room, illustrating that the stakeholders realized the importance of co-operation in this domain.⁵

In September 2016, Council of Europe then organized its conference for experts of the domain in the framework of implementation of the Convention and established its Macolin Roadmap, the action plan for enhancing transnational co-operation and coordination in the fight against the manipulation of sports competitions.⁶

Both conferences contributed significantly to the counter match fixing world: they not only stimulated and the development of informative presentations on the subject but also raised arguments which kicked off the real discussion on how to step up against match fixing with a united front and sought to identify the relevant stakeholders and encourage them to work together.

Operational activities

Nevertheless, as far as information exchange between public and private sector regarding sports corruption was concerned, the most important event started at the beginning of 2016 with the European Commission's conference and this movement is still on-going. The Council of Europe's Convention expressed the importance of co-operation between all the stakeholders from field of sport, public sector and betting industry even at national level: Article 13 of the Convention on Manipulation of Sports Competitions specifies the necessity of establishing a so-called National Platform in every member country in order to create a forum for operational discussion on sports manipulation cases. Various organisations approached the establishment of these national platforms from different angles, including educational programs, such as the International Olympic Committee and INTERPOL.

⁴ <http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/215>

⁵ <http://www.transcrime.it/wp-content/uploads/2016/02/Final-Agenda-Workshop-Match-fixing-17-18.2.2016.pdf>

⁶ [http://www.coe.int/t/dg4/Source/TMC/TMC\(2016\)24_EN_Conference%20Conclusion_fin.pdf](http://www.coe.int/t/dg4/Source/TMC/TMC(2016)24_EN_Conference%20Conclusion_fin.pdf)

The Council of Europe, however, did not leave this issue at the theoretical Convention level. It established a project, Keep Crime out of Sport (KCOOS)⁷, which was co-financed by the European Commission's Directorate General for Home Affairs and included national and international partners from the main stakeholder groups, namely ministries, the sport movement, law enforcement and the betting industry.

This project aimed to provide countries with technical assistance in implementing measures to combat match fixing and to regulate sports betting.

In the framework of KCOOS, CoE guided experts from interested countries' public and private sectors to discussing issues, problems and possible solutions on fighting manipulation of sports competitions. The project covered many fields of importance/interest: it provided support for countries on how to establish a National Platform, including the composition of participants, the operative measures that should be taken in field of sport, law enforcement and betting and also the important challenges that should be solved. It encouraged exchange of experiences between the countries. While many noteworthy projects had already been carried out successfully raising awareness of the issue and tackling various technical aspects of the topic, KCOOS was the first time that experts of match fixing from all fields of interest sat down at the same table and discussed such issues and challenges across borders. The project also worked together with other projects underway simultaneously that either focused on specific technical areas (BETMONITALERT, PRECRIMBET), or specific stakeholders (PROtect INTEGRITY) or specific countries (ANTI-MATCH FIXING FORMULA).

Challenge: Need for information exchange amongst parties

One of the most mentioned and emphasized challenges was the need for information exchange amongst the involved parties. Given its cross sectorial and complex nature, effectively detecting and investigating a case of manipulation in sport requires a culmination of information from various sources, much like putting together the pieces of a puzzle. All the pieces are needed in order to complete the puzzle. Thus, each stakeholder group has access to certain information that is specific to their domain and in order to complete the puzzle they require information from other areas. The nature of the information will vary, as will the level of sensitivity depending on the stakeholder. Therefore, certain legislation and/or agreements inevitable need to be put in place.

Gathering the pieces of the puzzle

The information about a manipulation scheme could emerge on the radar of a number of concerned stakeholders. Each sector receives specific data on the topic in a different form and from a specific angle, similar to pieces of an intricate puzzle:

- a) Sport clubs and associations: The details of an actual manipulation, information on the people involved, their personal information from their financial, family and friendship situation, (gambling) addiction, their behavior change if any, their contact details, the suspicion even before the activity is completed (crime is committed) and other (insider) information which may

⁷ <http://pjp-eu.coe.int/en/web/crime-out-sport>

help to figure out the details of a manipulation of a sports competition. It is important to mention that sport associations are increasingly employing strict integrity rules: those under the jurisdiction of these rules (athletes and officials) have to provide information to the integrity officer of the concerned association which help to delve further into knowledge that the concerned people may have.

Additionally, this information can be collected by sport associations even if the manipulation is not seen as a crime or part of a crime. Secondly, this information (content of laptops and mobile devices and even bank accounts) are extremely useful for a law enforcement procedure (as well), when the national legislation does not allow the law enforcement agencies to collect information on such cases due to their legislative priorities and low penalty consequences.

The Betting industry – betting operators and gambling regulatory authorities have information on the punters (personal, contact details, etc), their betting behavior and also the history of their betting activities, which can be used in LEA procedures or court cases. With regard to manipulating sports competitions for betting purposes (the motivation of betting is not relevant in this article and will be discussed in another article by the author.), law enforcement agencies usually use article on fraud and if the athletes or officials are corrupted as well, then bribe, corruption or the new criminal offence of manipulation of sports competitions may be used.

c) Law enforcement and justice – given their mandate, they are able to collect almost any information they need and are entitled by their national and international legislation. However, as was previously mentioned, when they have to prove criminal offences, the data and information on the motivation and the execution of the crime is often in the possession of the sport actors and/or betting industry, including the specific technical knowledge on sport and betting with which a law enforcement officer is generally unfamiliar.

All This information is needed to prove and strengthen the law enforcement investigators' statements and collection of information.

As a matter of course, every area has its interest and aims. These interests and aims determine not only the behavior on willingness but also the obstacles to disclosing the information gathered and/or being able to share it with the other stakeholders.

Accepting the existence of the phenomenon nationally

At first sight it is understandable that neither sport associations nor betting operators may want to disclose the information on their impact of competition manipulation on their area.

They want to save their reputation and their financial positions. Nobody wants to watch a game or bet on a site that is affected by such issues.

This is definitely true to an extent. As a very positive example, the Lithuanian Football Federation made a move few years ago, when the management, tired of all the allegations they received about penetration of match fixing in the sport at national

level, announced a war against the phenomenon. It was difficult to accept that supporters and sponsors became estranged from the federation, but very soon these groups understood that such a cleaning procedure was for and not against them and, as a result, match fixing is, according to the federation, the level of match-fixing has reduced to 'insignificant' measurable in Lithuanian football recently.

The above example proves the authors' opinion: If a sport association and/or a betting operator does not share the information collected on or suspicions of match fixing or refuse to admit the existence of such problems, it is not only sweeping the problem under the carpet but also gives a green light for match fixers.

Co-operation and coordination

Co-operation and coordination between stakeholders and states is crucial when fighting in particular against criminal aspects of manipulations and notably against organized crime groups. These groups work pragmatically and effectively: they always try to maximize their profit and minimize their risk to be exposed. With the manipulation of sports competitions, they found a perfect playground for themselves, due to weakly coordinated legislation and the absence of sufficient knowledge of the danger and limited willingness by all stakeholders to step up against and recognise criminal activities in this domain. (The reasons have been discussed above). The first step to addressing an issue is acknowledging the existence of the problem. Once this is done by the sport stakeholders, they will be able to better arm themselves to protect the integrity of their sport. Increased measures, including but not limited to, stronger regulations and enhanced inter sectorial co-operation, against manipulations will discourage criminals and crime syndicates from infiltrating the sport in order to carry out their illicit activities.⁸ Of course this also requires each of the other related stakeholders to consider carefully various aspects prior and during events and tournaments, which will inevitably impact the type of information that can be shared as well as determining the risks involved.

As soon as these groups find that the sport they have been penetrating has started to protect itself and is supported by other stakeholders and legislation; that the country they infiltrate is reacting and showing that such criminal acts are not welcome in their jurisdictions, criminal groups do not insist in staying, but will move on to the next sport and country to parasitize.

That is why international co-operation and coordination is important in this domain: if stakeholders of countries or even regions (such as EU) can effectively coordinate their counter measures, or even co-operate and share information, they unite their powers and possibilities, against (organized) match fixers and the danger of organized manipulations can be minimized radically¹.

One of the most important issues are faced with since all stakeholders have come to accept that different sectors should work together is to determine the way and type of information that should be and can be exchanged between public and private actors.

⁸ This does not mean that no sport has made an attempt to protect itself. Some have, while others have not yet accepted or recognised the dangers.

As discussed before, each stakeholder has its own piece of information, which is valuable but can be considered as fully effective only if all the pieces are used together to fight against manipulation in sports competition.

One possible solution for fighting effectively against perpetrators of manipulation of sports competitions and related crimes is to use all information gathered by all competent stake holders in one procedure. In other words, **co-operation is needed between public and private stakeholders, such as law enforcement agencies, prosecutor offices, betting regulators, betting operators, sport associations, athletes' unions, ministries, etc.**

How can we make this information exchange happen?

Before we try to find some solutions of this issue, it is important to note the main challenges in this subject matter:

- What is the motive to exchange information between public and private sector?
- Why is information exchange difficult between public and private sector?

As mentioned earlier, when a crime is considered to have been allegedly committed in this domain, law enforcement agencies to receive information from the sport movement and betting industry. This data is crucial to proving the committed crime in front of court eventually.

This information can be provided by the sport movement and the betting industry based on for example a memorandum of understanding or an ad-hoc voluntary contribution. LEAs can also compel the mentioned stakeholders by law to provide information to feed the on-going criminal procedure. The contribution can take many forms: from sending documentation to testifying through collaborating with the requesting authority. However, a willingness to co-operate and trust will always simplify the procedure and economies efforts and time.

It can be stated that this one-way direction of information sharing works for law enforcement agencies and obtaining this information in this way is legally possibly in many states and also allows for a for further investigation possibilities, having been acquired under the law.

On the other hand, it can be stated that this one way information transfer street is controversial: It is rare that public authorities share information with the private sector. In general, public authorities such as LEAs and prosecutor offices are unable or unwilling to share information they gather and collect based on the mandate given by the constitution, criminal procedure law and other national legislations concerning law enforcement and judicial authorities. These legislative acts mandate these authorities to use means of coercion, coercive measures and even restrict personal liberty against/of a person who is prosecuted. These measures can be taken to protect the interest of the state in question but an interest of a private party.

In general, the data collected based on the mentioned legislations and the national data protection law cannot be disclosed, unless explicitly permitted by law.

Need for a two-way information transfer street

Exchanging with the sport movement

There is a gap between an 'utopic' situation and the reality of sport as a commercial operation, a business and involving stakeholders with vested interests distinct from sport itself.

From the point of view of the sport movement

The sport movement is at the heart of the manipulation. While the sport movement primarily aims to prevent such acts and thus has put in place a number of educational programs and awareness raising measures, it also wants to prevent the continuation of manipulation and needs to sanction those under its jurisdiction.

From this point of view, therefore, the sport movement would benefit from receiving information from law enforcement intelligence gatherings and investigations in order to lead its own disciplinary measures against the incriminated athletes and officials who are under their jurisdiction.

This is quite understandable. The final manifestation of manipulation of sports competitions and related crimes are the acts by the people in sport. They have to be prosecuted and punished for the committed misconduct by sport:

- To be stopped and
- For sport governing bodies to demonstrate their ability to step up against this phenomenon and to protect the integrity of their sport.

For these measures, the sport movement would ideally need to receive certain information from public authorities. such as:

- Information that LEAs elaborate based on the data provided by the sport movement,
- Data that LEAs collected from other sources (for instance, from another investigation) that may be relevant to sport. In this case it could easily happen that the sport movement is not informed that a person under its jurisdiction committed a serious misconduct against its regulations and has threatened the integrity of the competition.

If the concerned sport governing body is unable to lead their procedure against those involved in fixing and is not given the sufficient opportunity to appropriately sanction these actors at least within the sport, the wrongdoers can continue to act without interference in the sport until the appeal court delivers a sentence which can take a decade. By that time, the professional athlete may finish his sport carrier and most importantly, may have continued to fix many more games, without being caught or banned. This may also impact on the athlete's freedom as they may also be under

duress to fix competitions, and without their acts coming to light at least in the disciplinary domain, they may not have a chance to be saved either.

Reality: Factual and Legal obstacles

Ideal situations are however far from legal possibility and/or reality. It is important to mention that most of the public authorities that have recognized the danger that the manipulation of sports competitions and related crimes, such as fraud, corruption, conspiracy and money laundering, can cause, understand the importance and would even support certain information sharing with the sport movement.

There is certain information collected by LEA that they are unable to disclose to sport organizations and related sport parties.

- This may be due to the reality of technology and sport business that leaks of crucial information may happen that may damage an investigation or that parties with vested interests may assist the wrongdoer(s) instead of those fighting the crime.

- But mostly due to legislative obstacles: in most of the countries, criminal procedure law, data protection law and other legislation do not make easy or possible for LEA to exchange information with the sport movement.

Exchanging information with the betting industry

As far as the betting industry concerned, their reasons are understandably business related (Although sport has its own business interest in this subject matter as well).

If the betting industry receives information back from the public sector, they can step up against the punter or punters who are involved in manipulation of sports competitions. Their aim is more of the detection and prevention, while the law enforcement moves to sanction.

It can be stated that the betting industry is more comfortable with the recent information sharing protocol than sport is, as, given involvement in various cases, betting operators do not generally feel the urge to have more data from the public sector. As one of the important pieces of evidence in a criminal procedure which helps making charge on a suspicion of betting-related sport manipulation is the information on the involved punters; once the betting operators are approached by the judicial authorities to receive the mentioned information, they know enough to lead their own investigation to exclude the incriminated bettor.

What are the existing examples and what could be possible solutions to share information between stakeholders in public and private sector?

Although LEAs and other public authorities are often at first unable to share their information with the private sector and with sport associations in particular, it is not impossible and, there are good practices of such cooperation existing in Europe.

The author does not seek to prioritize amongst the solutions of information exchange between the public and the private sector. With introducing this non-exclusive list he

just wishes to show that if LEA, prosecution and sport organizations would like to cooperate, there is a possibility to do so.

In all the following concerned countries, Austria, Germany, France, Portugal and Hungary⁹, the information sharing or two ways cooperation is regulated in a national legislation. There are two types of solutions in place and this is not an exhaustive list:

- The first solution – under special circumstances - gives a possibility for the public sector to provide information on on-going criminal procedures to sport¹⁰
- The second solution is rather a protective measure to keep the incriminated athletes away from the sport field. This measure is a recent legislative act taken by Portugal which gives the court judge certain decisive measures in the sport domain while basing itself on an existing framework (protective measures)¹¹

1. Austria

According to Paragraph 51 and paragraph 77 of the Austrian Criminal Procedure Law (StPO-Strafprozeßordnung), the prosecutor and/or the judge of the case is entitled to decide if he/she would like to share information with private parties, sport organizations more specifically. It is important to emphasize that the decision has to be taken on a case by case basis.

Sport associations are considered in these procedures as the victim/witness of the crime.

The question is whether they are able to use the information they are given by the law enforcement agencies in their own disciplinary procedure.

2. Germany

According to the Law on the Federal Criminal Police Office and co-operation between the Confederation and the Länder in Criminal matters (Article 1 of the Criminal Police Act) and co-operation between the Confederation and the Länder in criminal police affairs (Federal Criminal Police Office - BKAG):

Before initiating an investigation, the Federal Criminal Police Office is allowed to share information with non-public bodies, if the responsible police officer sees its importance. The information sharing can affect only domestic cases and it is an obligation for the Federal Criminal Police Office to notify the person about whom information will be shared.

It is important to emphasize that the mentioned rules apply to the Federal Criminal Police Office only; each German state has its own provision on sharing data collected in the frame of a criminal procedure.

⁹ This information is based on research and direct contact with the relevant Austrian, German, French, Hungarian and Portuguese law enforcement authorities by the author.

¹⁰ Austria, Germany, Hungary

¹¹ Portugal

After initiating the investigation, all information-sharing issues will be decided by the prosecutor who steers the criminal case concerned.

4. Hungary

According to the Hungarian Criminal Procedure Law (63/A. § (2.a):

This paragraph entitles employers of the suspects to receive information on the criminal procedure that is being run against its employee if the employer has an acceptable reason for requesting such information according to the leading investigative authority. This information sharing not only allows the employer to have the knowledge that the employee is under investigation, but may also give him some access to contents of the criminal dossier.

This tool is extremely useful then considered together with the protocol used by certain Hungarian sport associations in their contracts with athletes and officials: on signing their contracts, athletes and officials are compelled to immediately report to their employer if they are the subject of a criminal procedure.

From the moment that the sport association is in possession of this information, it may decide whether to approach the competent public authorities to know the reason for and on what basis their employee is prosecuted.

5. Portugal

The newly recognized Portuguese provision on fighting manipulation in sport¹² provides a slightly different angle to the discussed issue.

According to 50/2007, when leading an investigation on sports manipulations, the investigative judge responsible for decision making during the investigation phase is entitled to decide if the incriminated athletes' or sport officials' licence is to be suspended during the criminal procedure.

This measure is not limitless, however, as it could take up to a year for the investigation and another year in front of court. Additionally, the judge can only suspend the license domestically; the decision cannot be applied abroad.

This provision lends an absolutely new point of view in this debate, as the court can impact the disciplinary decisions of federations. Although it does not solve the problem of information sharing, it solves two of the biggest (and valid) arguments of sport associations:

- The sport associations would not need to let suspected athletes play until the end of the criminal procedure when the judge may ban them by law as well. The sport disciplinary procedures can either follow the criminal procedures or even be started in parallel from the moment that they are informed by the

¹² Republicação da Lei n.º 50/2007, de 31 de agosto

competent authority on the fact of the investigation. They may even sanction prior to the completion of the court case.

- The criminal procedures might terminate earlier, since it is the interest of all the interested parties and the very existence of the law implies a certain awareness of the specificity of sport and a need for a rapid sanctioning system: Law enforcement authorities do not want to let the incriminated athlete play, so they will try to finish the procedure faster. On the other hand an athlete wanting to clear his or her name, will likely collaborate with the competent LEA in order to shorten the procedure.

Of course we need to understand why such information sharing (from public sector to sport) is important for the sport movements. The explanation can be seen above. this solution is a possibility for eradicating effectively the guilty athletes from the sport (after a fair and legal procedure).

The mentioned Portuguese measure is not new in the sense that all criminal procedure law in EU have a certain section about protective measures into which this ban possibility by judges fits..

Critics of the Portuguese judge ban:

The judge is not forced to deliver such a ban-decision; it is meant to be based on intelligence and evidence gathered by law enforcement agencies in line with all police measures. It could be stated that the ban is based on LEA information, which can be considered to be the most developed preliminary fact finding. The judge will be able to decide on facts and the ban can always be withdrawn if the investigators discover that the manipulation cannot be proved.

Of course the differences between the standard of proof for disciplinary and criminal procedures needs to be taken into account:

- Sport - comfortable satisfaction
- Criminal procedures - beyond reasonable doubt

This measure does not replace the sport disciplinary procedure; on the contrary, it aims to support such procedures. Additionally, the ban-measure can be used in case a crime is committed.

It is important to emphasize: this ban-measure can be effective only if the law enforcement officers, the prosecutors and also the judge dealing with sports corruption cases understand sports corruption and its danger to the society and are aware of the consequences of banning athletes. This is why co-operation amongst all stakeholders is so crucial and why the Council of Europe Convention and provision on national platforms is so significant.

Although the concerned provision gives a power of withdrawing the license of athletes and officials, it does not solve the problem of information sharing between public and private sectors, due to the fact that the aim of public and private organizations is the same – to keep the involved athletes away from sport until his role in the crime is clarified -, this could be a solution in this subject matter.

Conclusion

The discussed examples might not suit other countries (It is hoped that there are also other solutions for exchanging information) but they show the possibility and willingness to share information with the private sector and most importantly they show that their legislations and their public sectors are preparing for the 21st Century and its challenges.

Without co-operation between public and private sector, manipulation in sports competitions and related criminal activities cannot be effectively dismantled. All countries affected by this phenomenon need to make a sustained effort to develop co-operation nationally and internationally, which starts with determining a method for exchanging information.

All the relevant stakeholders now agree that without exchanging information from their jurisdiction, fighting a complex multi-sectorial offence such as the manipulation of sports competitions becomes difficult and single layered. The need for this co-operation has been raised for a while and time and a significant amount of discussion was needed until the concerned actors, notably law enforcement and judicial authorities, recognized that such co-operation between public and private organizations is not impossible.

The Convention on the Manipulation of Sports Competitions offers a possibility for such co-operation, the National Platforms¹³ – ideally- consist of all the concerned stakeholders, which makes this formation one of the best solutions to this issue. During its meetings, the stakeholders have a great opportunity to discuss their needs and to support other stakeholders in an environment of mutual understanding and trust, including identifying the exact needs for legislative precision. As the Platform should include in its structure, those public organizations that have the potential to create and amend legislation, they have the opportunity to ensure the effectiveness of the national legislation thanks to enhanced contact and exchange with the other relevant stakeholders, notably the sport movement, law enforcement and judicial authorities, other governmental organizations, betting regulators and betting operators.

Given the results and operability of a number of national platforms already in existence, a proven way to exchange information in great efficiency at international level is to standardize the procedure. Based on Article 13, the Council of Europe established the (thus far) informal network of National Platforms, namely the Group of Copenhagen¹⁴.

This group was established to give motivated countries an opportunity to support each other in implementing the Convention, therefore further strengthening the premise that this is an ideal structure for solving the issue of information sharing. Of course, this exchange in this network can only remain informal while countries of the EU are still unable to ratify. However, these EU countries can begin to ensure legislative compliance to the Convention, as national legislation in any case would

¹³ Article 13 - The Convention on the Manipulation of Sports Competitions

¹⁴ <https://www.coe.int/en/web/sport/network-of-national-platforms-group-of-copenhagen->

need to be appropriate in order to tackle highly sensitive aspects of information sharing.

Nevertheless, the key to information sharing notably between public authorities and private entities is not only the existence of structured mechanisms and methods of communication, but also trust and relevant legislation.