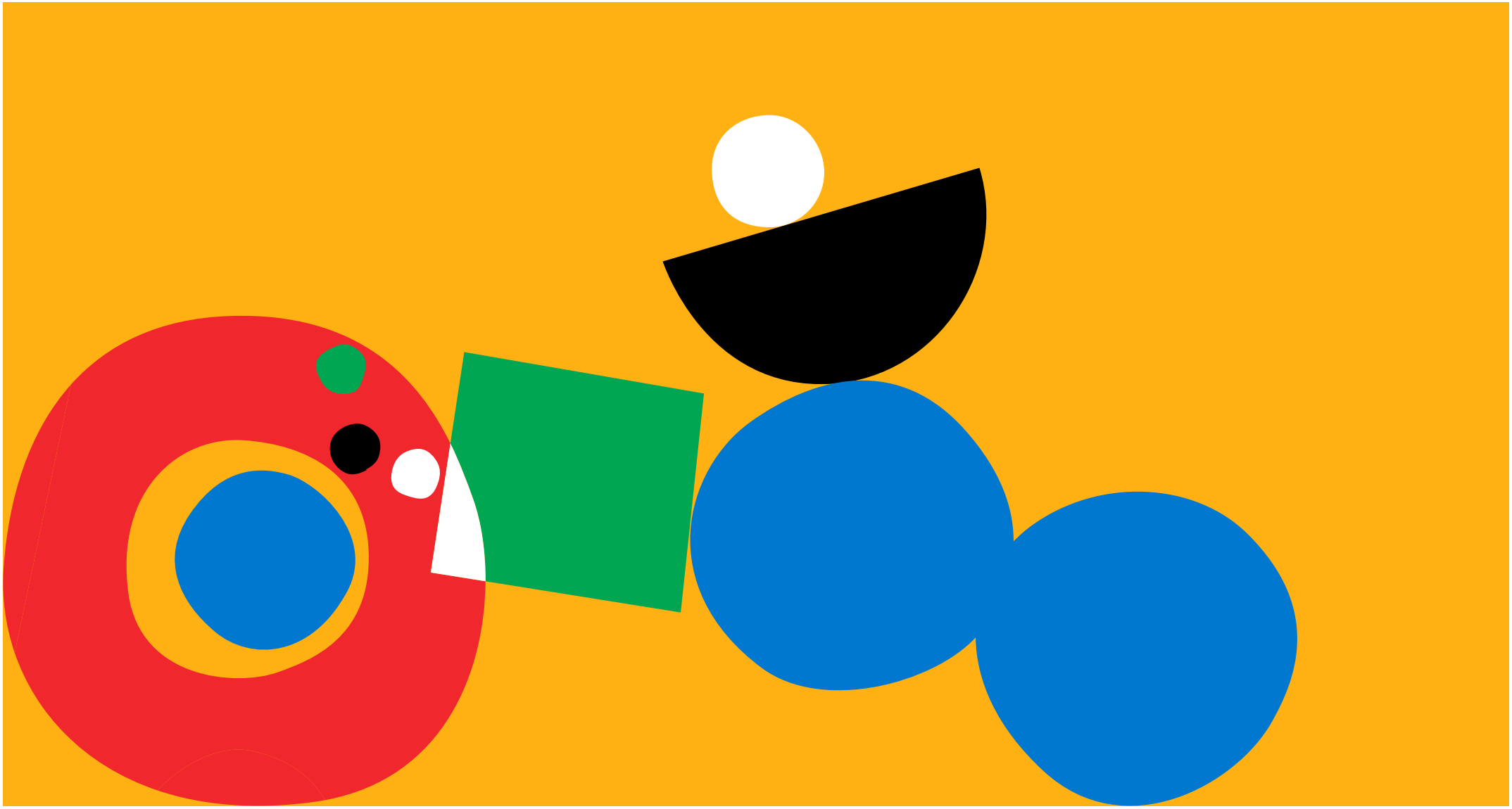
IPACS
INTERNATIONAL PARTNERSHIP AGAINST CORRUPTION IN SPORT

Version 1.0

IPACS SPORT GOVERNANCE BENCHMARK & GUIDELINES

50 RECOMMENDATIONS



INTRODUCTION

IPACS is an informal platform bringing together intergovernmental organisations, international sports organisations and governments, combining the efforts of the various stakeholders in the fight against corruption in sport.

It came about based on the knowledge that corruption in sport is a complex and trans-border phenomenon, requiring urgent concerted effort at international level between governments, intergovernmental organisations and sports organisations.

IPACS's focus in preventing and addressing corruption in sport includes three key dimensions.

1. Promotion of good governance at international and national levels *(Task Force 3)*.
2. Enhancement of collaboration in investigations and sanctioning *(Task Force 4).*
3. Best practice in areas such as procurement and major events bidding and hosting *(Task Force 1 and Task Force 2).*

According to its terms of reference, the objectives of Task Force 3 are to contribute to the overall mission of IPACS and among others:

- to develop an ambitious and comprehensive Benchmark of the highest level for sports governance that is recognised both by the international sports movement and governments, and applicable at international and national levels. This Benchmark will build on the existing framework created by the Association of Summer Olympic International Federations (ASOIF) and be backed by commitment from all the IPACS partners to promote its acceptance and use;
- to develop guidelines to accompany the Benchmark ("IPACS Benchmark guidelines").

The Benchmark and its accompanying guidelines will be completed by supporting materials outlining options for how the IPACS stakeholders can promote the review, acceptance and use of the Benchmark.

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GOOD GOVERNANCE IN SPORT

The concept of good governance in sport draws from corporate governance and public governance frameworks. It is integral to democratic, efficient and accountable decision-making within — and trustworthy management and development of — sports organisations and activities anywhere in the world. The principles of good governance, such as transparency, integrity, democracy, accountability and checks and balances, should apply both to governmental authorities in charge of sport and to the sports organisations.

The promotion and implementation of good governance in sports organisations at all levels is seen as key to preventing, addressing and managing corruption risks. It is therefore a main focus of IPACS's work. However, the benefits of good governance go far beyond the mitigation of the risk of corruption and will contribute to make the organisations effective, reliable, and accountable to their members and trusted by their partners and by the public. Specific anti-corruption measures are encompassed in a broader, holistic approach to good governance. Anti-corruption measures and good governance principles are complementary and any tool or standard aiming to efficiently mitigate the risk of corruption in sport should address good governance in all its dimensions.

The general understanding of "integrity" and of "good governance" has undergone rapid development in recent years. While integrity of sport was initially focused on the field of play, i.e. on preventing doping and competition manipulation, and additionally on corruption in administration/leadership, greater awareness of the need to act on broader issues has emerged over time. For example, in order to respect human rights and prevent harm such as sexual violence it is necessary to adopt a systemic approach taking into account all of the risks that sports organisations and individuals face, especially athletes.

It is possible to distinguish between different facets of good governance

- The underlying structure that defines/regulates the function of a sports organisation
- Ensuring the prevention and dealing with wrongdoing/ misbehaviour
- Additional programmes through which a sports organisation supports its members and/ or enhances integrity on a specific topic (e.g. anti-racism programme)

As a first step, Task Force 3 has focused on the main governance aspects, based on the already established ASOIF assessment questionnaire, and produced a Benchmark with 50 recommendations, explained in detail in the accompanying guidelines.

WHAT IS THE ADDED VALUE OF THIS IPACS BENCHMARK AND OF ITS GUIDELINES?

Frameworks for sports governance have been developed over at least the last 20 years and have included regulations, guidelines, academic research papers, evaluation methodology and the identification of criteria for grant allocations. Such initiatives have involved numerous stakeholders including governments, sports organisations, international organisations, NGOs, and researchers. There is a broad consensus that good governance includes democratic principles, notably gender equality, integrity, transparency, accountability, checks and balances, solidarity and stakeholder engagement.

Many sports organisations, governments, international organisations, NGOs and companies have developed sets of principles, standards and frameworks of good governance in sport.

An increasing number of governments, academics, umbrella sports organisations and international organisations are reviewing and monitoring the governance of sports organisations. As an example, many international sports federations are reviewing their own levels of governance, using the ASOIF indicators.

All relevant stakeholders also recognise the important role of whistle-blowers and the need to take their testimonies into account and to strengthen their protection.

Nevertheless, there is no single set of principles, standards or framework allowing for the adoption of a multi-stakeholder, internationally agreed assessment of good governance which would be commonly recognised by the sports organisations, governments and international organisations.

An effective way to achieve the desired agreed objective is by using a multi-stakeholder approach in order to promote synergy and convergence of agreed measures to implement good governance in sports organisations, based on best practice from within and outside of sport. By developing a set of common benchmarks to ensure consistent good governance principles and indicators, IPACS can help harness and optimise the processes and support the implementation of such principles at both the international and national level in order to reduce the risk of corruption.

The benefit of this Benchmark is to provide a common reference for governments and the sports movement on good governance in sport. It enhances the coherence and common understanding of the requirements and their application by public and private stakeholders in sports.

It also strengthens the consensus on relevant measures to be promoted in a coordinated way by governments, the sports movement and international organisations, and to be implemented by international and national sports organisations.

Co-operation on sports governance within IPACS is also expected to enhance the mutual confidence that is needed to work on such sensitive matters, paving the way for closer co-operation in supporting implementation as well as training and development.

ROLE OF STAKEHOLDERS

Sports organisations

Sports organisations manage the codes of ethics and disciplinary regulations that apply to their members. Therefore, they have the competence to sanction unethical behaviour. Good governance is fundamental in all sports integrity matters. Where the competent body and its leadership do not have appropriate rules or fail to follow them, and there is no separation of — and check on — powers within the organisations, the risk of corruption is higher.

With this in mind, international sports organisations such as the IOC, ASOIF, Association of International Olympic Winter Sports Federations (AIOWF) and General Association of International Sports Federations (GAISF) are involved in a process of awareness-raising, education and advice, as well as monitoring the governance of their affiliated members.

Similarly, a growing number of international federations are cascading good governance principles and requirements down to their regional associations and their national federations, and national federations to their local clubs.

Moreover, when they are distributing grants to their affiliated organisations, it is in the interest of sports organisations at international or national levels to ensure that these resources are managed properly. When their own statutes and regulations prescribe governance requirements, they may be duty-bound to ensure that their member organisations also comply with the applicable standards. Insofar as they are playing a leadership role over their affiliated entities, they are likely to seek an enhancement in the functioning of their affiliated organisations and to mitigate risks associated with poor governance.

In addition, sports organisations at international and national level can and do suffer reputational damage when there are governance failures within their members or affiliated bodies.

Recognising that sport occurs within the framework of society, including legal obligations, sports organisations within the Olympic Movement have the rights and obligations of autonomy, which include freely establishing and controlling the rules of sport, determining the structure and governance of their organisations, enjoying the right of elections free from any outside influence and the responsibility for ensuring that principles of good governance be applied.

State authorities

State authorities have responsibility for putting in place the legal framework in which sport operates.

Governmental authorities are also responsible for enforcing general legal requirements on private organisations, including associations for harmful or otherwise criminal behaviour to the property, health, safety, and wellbeing of people. Alleged criminal offences must be treated accordingly when they occur in the context of sport, because law enforcement authorities have jurisdiction (such offences may also be addressed by sports organisations, in certain cases). For several years, anti-corruption authorities and sports authorities have put the issue of corruption in sport under scrutiny. A number of countries have enhanced their capacity to deal with cases of corrupt practices in sport. Recent high-profile cases have highlighted governments' capacity to launch criminal investigations into corruption in sport.

ROLE OF STAKEHOLDERS

As more cases are prosecuted, including with a cross-border dimension, there will be more accurate information on the ability of States to execute a zero-tolerance policy with regard to corruption in sport.

In addition, governments are often directly concerned with good governance in sport: for example, they fund and support sports activities and the participation of athletes or teams representing national sports organisations in international competitions; they invest in building and maintaining facilities, in hosting events or bidding to host events, or public broadcasters buy certain broadcast rights; when they give support, either directly or indirectly, to sport by committing State funding, governments have a responsibility to ensure that these resources are managed according to their objectives.

As an example, in many countries national lotteries support government investments in sport through dedicated proceeds. Thus, public authorities have a direct interest in the good governance of the organisations they recognise as their privileged partners for sport development.

A growing number of governments, as part of their sport integrity policies, are placing an emphasis on the good governance of sports organisations within their jurisdiction, and in particular those benefiting from public grants, from other aid or just from an official recognition. Those policies may include the development of standards, making requirements compulsory for those organisations seeking public funding, support for their projects, etc. In addition, governments may then facilitate the provision of education on governance for the sport sector.

While investing in sport, governments bear a responsibility to align their actions with the values they are defending in sport. Those who are tempted to flout values in their search for success (sporting achievements or hosting events) are taking a serious risk towards compromising their reputation and are also seriously undermining trust in sport. When doping incidents or cases of corruption or match-fixing highlight possible complacency on behalf of the public authorities, the impact on sport and the benefits it brings is particularly serious. The demand for integrity and good governance is not just directed towards sports organisations but should also be directed to governments.

International organisations

At international level, organisations such as the United Nations Office on Drugs and Crime, the Organisation for Economic Co-operation and Development, the Council of Europe and the African Union, among others facilitate the co-ordination of policies and standards between governments of their member states, in the fields of anti-corruption but also in the field of sport. They play a role in collecting and sharing data and good practices. International organisations are also involved in dialogue and co-operation with the sports movement. International organisations are therefore in a key position to facilitate dialogue and to progress the convergence of standards and to promote best practice and co-operation between States and sports organisations on good governance.

WHAT DID TASK FORCE 3 PREPARE?

A series of 50 recommendations constitute the backbone of the Benchmark. The IPACS Benchmark takes into account anti-corruption requirements and best practices in sports and international corporate governance.

These recommendations are based on the following principles, which draw on the ASOIF Framework for Good Governance:

4. **Transparency**
5. **Integrity**
6. **Democracy**
7. **Development and solidarity**
8. **Checks and balances / control mechanisms**

Each of those five dimensions of the Benchmark, together with their accompanying guidelines, are to be read and implemented with due consideration for overarching objectives that apply across the five dimensions. Such is the case of the promotion and safeguarding of internationally recognised human rights and fundamental freedoms of all those involved in or impacted by sport related activities.

As an example, in Benchmark E4 — "The organisation conducts risk assessment including corruption-related risks" — a human rights risk assessment should be a core component of the organisation's risk assessment activity. Furthermore, the principle of sustainability in sport requires all activities to be socially and environmentally sustainable. Regarding the latter, considering the increasingly negative impact of climate change on society and on sport, stakeholders should reduce their carbon footprint and pursue commitments for climate action.

Identifying a specific example from the Benchmark, in E8 — "The organisation exercises due diligence and effective risk management in bidding requirements, presentation, assessment and allocation of main events" — it is clear that organisations should include sustainability considerations among the criteria for bids/hosting proposals.

For each of the recommendations in the Benchmark, guidelines have been presented as follows:

- Definition(s)
- Introduction to this Benchmark and its significance
- Commentary on the action to be taken
- Brief comment on the investment requirement for the sports body; this is necessarily described in broad terms
- Guidance according to the stage of organisation
- Example(s) of good practice
- Selected references to other applicable international governance and anti-corruption frameworks

As the Benchmark draws on numerous resources, the use of terminology may vary from one sports organisation to another ("code", "charter", "policy" etc.) and a glossary aims at facilitating their understanding. The principles set out in the guidelines have been drafted in order to enable the comprehension of their overall sense.

In the Guidance sections, covering "Early stage", "Developing" and "Advanced", unless otherwise stated it is assumed that all of the provisions set out in "Early stage" remain applicable for "Developing" and "Advanced" stage; similarly, all of the elements listed for "Developing" remain applicable for "Advanced" stage.

HOW SHOULD IT BE USED?

As an informal collaboration of interested organisations, IPACS does not intend and has not competence to adopt binding standards. The Benchmark is intended to serve as a common source for governments and sports organisations to establish their own standards.

The Benchmark will be actively promoted by all IPACS partners widely, including their respective stakeholder groups.

The Benchmark will be accompanied by advice and support services for IPACS partners to encourage its review, acceptance and use.

IPACS's focus in preventing and addressing corruption in sport includes three key dimensions.

1. Promotion of good governance at international and national levels (Task Force 3).
2. Enhancement of collaboration in investigations and sanctioning (Task Force 4).
3. Best practice in areas such as procurement and major events bidding and hosting (Task Force 1 and Task Force 2).

The following 50 recommendations are based on 5 principles, which draw on the ASOIF Framework for Good Governance.

1. Transparency.
2. Integrity.
3. Democracy.
4. Development and solidarity.
5. Checks and balances / control mechanisms.

50 RECOMMENDATIONS

A TRANSPARENCY

A1 — The organisation makes public its Statutes, rules and regulations.

A2 — The organisation makes public an explanation of its organisational structure including staff, officials, committee structures and other relevant decision-making groups.

A3 — The organisation makes public its vision, mission, values and strategic objectives.

A4 — The organisation makes public a list of all its member organisations, with appropriate information for each.

A5 — The organisation makes public details of officials on its governing body with biographical information.

A6 — The organisation makes public an annual activity report, including institutional information, and main events reports.

A7 — The organisation makes public annual financial reports following external audit.

A8 — The organisation makes public the allowances and financial benefits of officials on its governing body, commissions and senior executives.

A9 — The organisation makes public the agenda of its General Assembly with relevant documents (before) and minutes (after) with procedure for members to add items to agenda.

A10 — The organisation makes public a summary of reports/decisions taken during meetings of governing body and commissions, as well as all other important decisions of the organisation.

B INTEGRITY

B1 — The organisation recognises the IOC Code of Ethics and/or has its own Code of Ethics with designated responsibility for ensuring implementation.

B2 — The organisation has anti-doping rules which comply with the World Anti-Doping Code and designated responsibility for ensuring implementation.

B3 — The organisation complies with the Olympic Movement Code on the Prevention of the Manipulation of Competitions (and/or national regulations where applicable).

B4 — The organisation has confidential reporting mechanisms, including for "whistle-blowers" with a protection scheme for individuals coming forward.

B5 — The organisation provides for appropriate investigation of incidents affecting sports integrity.

B6 — The organisation makes public all decisions regarding breaches of rules or codes including sanctions, as well as pending cases where permitted.

B7 — The organisation has programmes in place regarding safeguarding all persons in, or dealing with the organisation, from harassment and abuse.

B8 — The organisation is compliant with applicable laws regarding data protection and takes measures to ensure IT security.

B9 — The governing body of the organisation has committed to a policy of zero tolerance for unethical behaviour.

B10 — The organisation has adopted an anti-corruption Code of Conduct or policy.

C DEMOCRACY

C1 — The organisation elects the President and a majority of members of the governing body.

C2 — The organisation has rules on campaigning to ensure election candidates can campaign on a balanced footing including opportunity for candidates to present their vision/programmes.

C3 — Election process takes place with secret ballot under a clear procedure/regulation and independent supervision.

C4 — The organisation makes public all open positions for elections and non-staff appointments, including the process for candidates and full details of the roles, job descriptions, required skills and experience, application deadlines and assessment.

C5 — The organisation has established and makes public eligibility rules for candidates for election/appointment together with due diligence assessment.

C6 — The organisation has term limits for elected officials.

C7 — The organisation provides for the representation of all key stakeholders (including "active" athletes as defined in the Olympic Charter) in its committee structures and other relevant decision-making groups.

C8 — The organisation has conflict-of-interest rules identifying actual, potential and perceived conflicts, with exclusion of members with an actual conflict from decision-making.

C9 — The organisation has a programme for promoting gender equality and diversity in and through sports.

C10 — The organisation has programmes designed to ensure that the members function in accordance with all Codes of Ethics recognised by the organisation.

D DEVELOPMENT & SOLIDARITY

D1 — The organisation has a programme in place to determine transparent allocation of resources in declared development objectives.

D2 — Information is published on financial redistribution activity for main stakeholders, including figures.

D3 — The organisation has established a monitoring / audit process for the use of distributed funds for development purposes.

D4 — The organisation respects principles of sustainable development, in particular regard for the environment.

D5 — The organisation has social responsibility and participation programmes targeting disadvantaged areas.

D6 — The organisation has education programmes (see also D7 on integrity) and provides assistance to coaches, judges, referees, athletes and others as appropriate.

D7 — The organisation has put in place integrity awareness/education programmes.

D8 — The organisation has legacy programmes to assist communities in which events are hosted.

D9 — The organisation has anti-discrimination rules.

D10 — The organisation dedicates appropriate resources to inclusive sport, including disciplines for those with a disability.

E CHECKS & BALANCES / CONTROL MECHANISMS

E1 — The organisation has established an ethics committee with independent representation.

E2 — The organisation has an audit committee that is independent from its governing body.

E3 — The organisation has control mechanisms and external financial audit including some anti-corruption specific measures.

E4 — The organisation conducts risk assessment including corruption-related risks.

E5 — The organisation has adopted rules which comply with competition law / anti-trust legislation in eligibility of athletes and sanctioning of events.

E6 — The organisation observes open tenders for major commercial and procurement contracts (other than event bidding).

E7 — Decisions can be challenged through internal appeal mechanisms with final recourse to an appropriate independent body ensuring the right to a fair trial.

E8 — The organisation exercises due diligence and effective risk management in bidding requirements, presentation, assessment and allocation of main events.

E9 — Awarding of main events follows an open and transparent process.

E10 — The organisation has procedures for assessing third parties (protection against external risks), such as clients, service providers, intermediaries, subcontractors, etc.