

Council of Europe Convention on the manipulation of sports competitions with regard to matters not related to substantive criminal law and judicial cooperation in criminal matters

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PURPOSE: to conclude, on behalf of the European Union, of the Council of Europe Convention on the manipulation of sports competitions with regard to matters not related to substantive criminal law and judicial cooperation in criminal matters.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: in order to respond to the challenge of **match-fixing**, a practice often linked to organised criminal networks operating on a global scale, the Council of Europe invited the parties to the European Cultural Convention in 2012 to begin negotiations for a Convention of the Council of Europe against the manipulation of sports results.

On 9 July 2014, the Ministers' Deputies of the Council of Europe adopted the **Convention on the Manipulation of Sports Competitions**. The Convention was opened for signature by the European Union and several Member States have signed it.

In March 2015, the Commission presented to the Council **two proposals** for the Council's decisions on the signing of the Convention on behalf of the Union:

- a proposal for a Council decision on the signing of the Convention on behalf of the Union with regard to **matters related to substantive criminal law** and judicial cooperation in criminal matters based on Articles 82 (1) and 83 (1) TFEU;
- a proposal for a Council decision on the signing of the Convention on behalf of the Union with regard to **matters not related to substantive criminal law** and judicial cooperation in criminal matters based on Articles 114 and 165 TFEU.

The Commission's proposals were last discussed in Coreper in November 2015. At this occasion the Presidency concluded that it would **not proceed with the file** until it had obtained the consent of all delegations.

Against this background, **the Union has not yet signed the Convention**.

The Commission considers that the signature of the Convention should be part of the Union's efforts to participate in the fight against match fixing in conjunction with other tools such as the forthcoming Commission initiative on betting-related match-fixing in line with the [2012 Commission Communication on online gambling](#).

The present proposal concerns the legal instrument concluding the agreement.

CONTENT: the Commission proposes that the Council approves, on behalf of the Union, the **conclusion of the Council of Europe Convention on the manipulation of sports competitions.**

The purpose of the Convention to combat the manipulation of sports competitions in order to **protect the integrity of sport and sports ethics in accordance with the principle of the autonomy of sport.** It does so by taking a number of measures that aim at preventing, detecting and sanctioning the manipulation of sports competitions.

In view of that purpose, the Convention also promotes international cooperation and sets-up a monitoring mechanism to ensure that the provisions laid down in the Convention are followed up.

The **legal bases** for this proposal for a decision should be Articles 114 TFEU (establishment and functioning of the internal market), Article 165 TFEU (sports) and in conjunction with the Article 218(6) (a) of the TFEU.

Some of the provisions of the Convention concern substantive criminal law and judicial cooperation in criminal matters fall within the scope of Part 3, Title V, of the TFEU. A [separate proposal for a decision](#) on these provisions is therefore proposed alongside this proposal.