

## **What the anti-corruption movement can bring to sport: the experience of Transparency International Germany**

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When Transparency International Germany established its Working Group on Sport<sup>2</sup> in 2006, it was pioneering work at the time. ‘Sport and corruption? We have more important issues than that!’ was the view of the international anti-corruption movement, on the one hand; ‘There is no corruption in sport!’ insisted the sport movement, on the other. Experience in national and international sport organisations, and reading between the lines, told TI Germany otherwise, however. Accordingly, although the prevailing view was displayed by a high-ranking German football official when informed about this new work (he responded by saying: ‘German football clubs will not be able to buy any South American player without paying some money behind the scenes. You may call that a bribe – but there is nothing we can do about it!’), TI Germany thought that something could indeed be done. It took time, and trial and error, but that thinking has subsequently been shown to be right.

TI Germany’s primary asset from the very beginning was its roots in the sport movement. It knew what it was talking about, and, even if sportspeople still believed that sport was inherently fair and ethical, they understood that TI Germany was speaking from experience. Gradually they started to listen.

The 2005 Hoyzer match-fixing scandal, involving a referee from the second division of the German Bundesliga,<sup>3</sup> did not serve as a wake-up call. Neither did the subsequent distribution of 2006 football World Cup tickets by World Cup sponsor Energie Baden-Württemberg (EnBW) to governors and a state secretary ‘who were...mandated with matters that had direct influence on the economic performance of EnBW’.<sup>4</sup> In May 2008, when Declan Hill published his book on

international match-fixing, *The Fix: Soccer and Organized Crime*, the reaction in Germany – as in many other countries – was that its claims were largely exaggerated.<sup>5</sup>

### Match-fixing as an entry point

In the meantime, TI Germany was developing its strategy in order to fight against corruption in sport. It seemed most promising to start with match-fixing: it was a single issue, easy to explain and understand, and it was becoming an increasingly prominent issue, especially at the international level.

TI Germany pointed to the obvious and important fact that no manipulation of a sporting competition can take place on the pitch without the involvement of sportspeople – above all, players and referees. It was not just about (organised) crime attacking sport from the outside; sport itself was part of the problem. Therefore, prevention, to be arranged by the sport organisations, had to be part of the solution. With this in mind, TI Germany was well prepared in 2009 when police in Bochum uncovered a criminal network that might have fixed as many as 300 matches in Europe.<sup>6</sup> Following this news the German Bundestag, in December that year, organised a hearing on match-fixing and this specific case, inviting the Deutsche Fußball-Bund (DFB), the Deutsche Fußball Liga (DFL), the Early Warning System<sup>7</sup> and TI Germany. As a result of the hearing TI Germany contacted the DFL with a proposal for a joint match-fixing prevention programme. TI Germany provided detailed inputs on the basis of its experience with compliance programmes and corruption prevention in the business sector, stressing the importance of awareness-raising, education and whistleblowing, and a pilot project was launched in September 2010.<sup>8</sup>

In May 2011, following assistance by TI Germany with the tender and the selection process, the DFL established an ombudsman for sport;<sup>9</sup> subsequently, in the summer and autumn of that year, it organised three pilot workshops on the prevention of match-fixing, with managers, coaches and

players taking part.<sup>10</sup> With the support of the DFL, TI Germany was invited to present its ideas at the General Assembly of the European Professional Football Leagues (EPFL) in October 2011. On the basis of this experience and its partnership-building, TI Germany then initiated an EU-funded match-fixing prevention project in 2012, at the International Secretariat of Transparency International, co-funded by DFL and the EPFL and extending across six European professional leagues (see Deborah Unger, Chapter X.X).<sup>11</sup>

For Transparency International Germany, the public recognition by the DFL was just as important as this developing work on match-fixing itself: that TI Germany had become a player in the nation's sporting life and the 'go-to' institution for the media on any wrongdoing or specific problems occurring in sport helped with the improvement of its impact. Members of the TI Germany working group gave interviews, made presentations and sat on panels,<sup>12</sup> addressing not only match-fixing but, increasingly, integrity and fair play in sport, the role of sponsors, sustainability in sport and anti-corruption activities.

### Expanding to good governance in sport

Beyond addressing match-fixing, TI Germany's aim was to increase transparency and accountability in sport organisations by introducing and strengthening good governance. The approach was twofold. First, to build up know-how, TI Germany became a partner in the EU-funded project entitled Good Governance in Grassroots Sport, led by the International Sport and Culture Association (ISCA) (see Mogens Kirkeby, Chapter X.X).<sup>13</sup> The project concluded in April 2013 with the publication of a handbook, *Guidelines for Good Governance in Grassroots Sport*.<sup>14</sup>

Second, TI Germany in autumn 2010, used the German bid for the Olympic and Paralympic Winter Games of 2018 to be acknowledged by the German Olympic Sports Confederation (DOSB) as a partner, asking for anti-corruption measures to be included as part of the bidding strategy. The

request was both too early and too late, however: too early, as the DOSB was not yet ready to take up such ideas from an external stakeholder; and too late, as the bid was already far advanced. TI Germany was even informed that the request from an organisation with an English name to translate the bid book into German in order to let the population know about the details was perceived as strange.

Several months after the failed bid, another bid discussion in Germany, for 2022, began. TI Germany jumped in immediately. In January 2013 it submitted its 'Principles for a Transparent Olympic Bid'<sup>15</sup> to the DOSB and to the media. On this occasion the timing was right. In summer 2013 a working group on good governance in sport was established by the DOSB,<sup>16</sup> with TI Germany as a member giving advice. Within two months an ethics code and guidelines on gifts, invitations and conflicts of interest had been drafted and approved by the bidding committee, which included the DOSB, the city of Munich and the smaller cities involved in the bid.<sup>17</sup> When the bid was rejected by a public poll in November 2013, the DOSB continued its work on good governance, with TI Germany remaining a part of it, advising the DOSB and other national sport federations on how to implement the principles of good governance – transparency, accountability, integrity and democracy – in their day-to-day work and in shaping their internal compliance systems.<sup>18</sup>

## Thinking globally

It is not sufficient to limit one's efforts to the national level, however; sport is a global business. The ongoing crisis of sporting mega-events – controversy surrounding the Winter Olympics in Sochi 2014 and the FIFA World Cups in Brazil 2014, Russia 2018 and Qatar 2022 – opens up an opportunity for reform. To join forces in order to increase civil society pressure on national and international sport organisations, in the summer of 2014 TI Germany and Football Supporters Europe initiated a meeting of leading non-governmental organisations, comprising Amnesty International, the International Federation of Terre des Hommes, Human Rights Watch and the

International Trade Union Confederation, as well as Supporters Direct and FIFPro, the professional football players' association, from the world of sport. In December 2014 the group sent a letter to the president of the International Olympic Committee, Dr Thomas Bach, asking for 'future Olympic and Paralympic Games as well as Youth Olympic Games and other [sporting mega-events]' to 'be organised in a way that respects human rights, labour rights, the environment and anti-corruption requirements during the entire life cycle of the event – that is, from the early bidding stage on national level to the closing ceremony and final reporting'.<sup>19</sup>

Thus extending its field of activity, after eight years struggling to establish 'sport and corruption' in the anti-corruption and the sports movements, TI Germany can conclude that it was – and is – hard work, but worthwhile. Sport is an important part of the lives of so many, especially young people, whether actively participating or as spectators. Sending a strong anti-corruption message within and through sport may prove a cornerstone in the fight for a world free of corruption.

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<sup>1</sup> Sylvia Schenk is Chair of the Working Group on Sport of Transparency International Germany.

<sup>2</sup> The Working Group on Sport includes several people with experience in sport, such as an athlete who competed up to the level of Olympic participation and an official who worked in national and international sport organisations.

<sup>3</sup> *The Guardian* (UK), 'Two years in jail for match-fixing German referee', 18 November 2005, [www.theguardian.com/football/2005/nov/18/newsstory.sport4](http://www.theguardian.com/football/2005/nov/18/newsstory.sport4).

<sup>4</sup> See section C of Lentze Stopper (Germany), 'Guideline Compliance', [www.ufasports-hospitality.com/fileadmin/user\\_upload/documents/Guideline\\_Compliance\\_-\\_Lentze\\_Stopper\\_Rechtsanwaelte.pdf](http://www.ufasports-hospitality.com/fileadmin/user_upload/documents/Guideline_Compliance_-_Lentze_Stopper_Rechtsanwaelte.pdf).

<sup>5</sup> Spielverlagerung.de (Germany), 'Interview mit Declan Hill: "Hoyzer ist ein Held!"', 4 February 2013, <http://spielverlagerung.de/2013/02/04/interview-mit-declan-hill>.

<sup>6</sup> See Wikipedia, '2009 European Football Betting Scandal', [http://en.wikipedia.org/wiki/2009\\_European\\_football\\_betting\\_scandal](http://en.wikipedia.org/wiki/2009_European_football_betting_scandal); and *Daily Telegraph* (UK), 'How German police fell on European football's biggest match-fixing scandal by accident', 5 February 2013, [www.telegraph.co.uk/sport/football/news/9851507/How-German-police-fell-on-European-footballs-biggest-match-fixing-scandal-by-accident.html](http://www.telegraph.co.uk/sport/football/news/9851507/How-German-police-fell-on-European-footballs-biggest-match-fixing-scandal-by-accident.html).

<sup>7</sup> The Fédération Internationale de Football Association (FIFA) founded the Early Warning System as a subsidiary (EWS GmbH) in 2007; based in FIFA's Zurich offices, it has its own dedicated personnel. See [www.fifa-ews.com/en](http://www.fifa-ews.com/en).

<sup>8</sup> Soccer by the Numbers (UK), 'Fixing matches: mapping corruption', 6 September 2010, [www.soccerbythenumbers.com/2010/09/fixing-matches-mapping-corruption.html](http://www.soccerbythenumbers.com/2010/09/fixing-matches-mapping-corruption.html).

<sup>9</sup> European Professional Football Leagues (Switzerland), 'German Bundesliga and DFB "Together against Match Fixing"', [www.epfl-europeanleagues.com/bundesliga\\_DFB.htm](http://www.epfl-europeanleagues.com/bundesliga_DFB.htm); Gemeinsam-gegen-Spielmanipulation.de (Germany), 'Spiel Kein falsches Spiel', <http://gemeinsam-gegen-spielmanipulation.de/index.php/startseite>.

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- <sup>10</sup> Transparency International Germany, 'Gemeinsam gegen Spielmanipulation', [www.transparency.de/Gemeinsam-gegen-Spielmanipulat.2261.0.html](http://www.transparency.de/Gemeinsam-gegen-Spielmanipulat.2261.0.html).
- <sup>11</sup> European Professional Football Leagues (Switzerland), 'EPFL, DFL and Transparency International join forces', 27 March 2013, [www.epfl-europeanleagues.com/pilot\\_project.htm](http://www.epfl-europeanleagues.com/pilot_project.htm).
- <sup>12</sup> See, for example, [www.nh24.de/index.php/panorama/22-allgemein/36194-fussball-liga-sagt-spielmanipulationen-den-kampf-an](http://www.nh24.de/index.php/panorama/22-allgemein/36194-fussball-liga-sagt-spielmanipulationen-den-kampf-an); [www.faz.net/aktuell/sport/fussball/sylvia-schenk-im-gespraech-blatter-mangelt-es-an-glaubwuerdigkeit-1578488.html](http://www.faz.net/aktuell/sport/fussball/sylvia-schenk-im-gespraech-blatter-mangelt-es-an-glaubwuerdigkeit-1578488.html); [www.faz.net/aktuell/sport/fussball/faz-net-fruehkritik-anne-will-die-welt-ist-so-verkommen-12054208.html](http://www.faz.net/aktuell/sport/fussball/faz-net-fruehkritik-anne-will-die-welt-ist-so-verkommen-12054208.html); [www.welt.de/print/die\\_welt/wirtschaft/article13842991/Angst-vor-leeren-VIP-Logen.html](http://www.welt.de/print/die_welt/wirtschaft/article13842991/Angst-vor-leeren-VIP-Logen.html); and [www.wuv.de/marketing/compliance\\_expertin\\_sylvia\\_schenk\\_die\\_verflechtungen\\_im\\_sport\\_sind\\_zu\\_eng](http://www.wuv.de/marketing/compliance_expertin_sylvia_schenk_die_verflechtungen_im_sport_sind_zu_eng).
- <sup>13</sup> See Good Governance in Grassroots Sport website: [www.goodgovsport.eu/home](http://www.goodgovsport.eu/home).
- <sup>14</sup> International Sport and Culture Association, *Guidelines for Good Governance in Grassroots Sport* (Copenhagen: ISCA, 2013), [www.isca-web.org/files/GGGS\\_WEB/Files/Guidelines\\_for\\_Good\\_Governance\\_in\\_Grassroots\\_Sport.pdf](http://www.isca-web.org/files/GGGS_WEB/Files/Guidelines_for_Good_Governance_in_Grassroots_Sport.pdf).
- <sup>15</sup> Transparency International Germany, 15 January 2013, 'Grundsätze einer transparenten Olympiabewerbung', [www.transparency.de/fileadmin/pdfs/Themen/Sport/Positionspapier\\_Grundsaeetze\\_einer\\_transparenten\\_Olympiabewerbung\\_13-03-05.pdf](http://www.transparency.de/fileadmin/pdfs/Themen/Sport/Positionspapier_Grundsaeetze_einer_transparenten_Olympiabewerbung_13-03-05.pdf).
- <sup>16</sup> Deutsche Olympische Sportbund, 'EU unterstützt Umsetzung von Good Governance', 8 December 2014, [www.dosb.de/de/organisation/internationales/detail/news/eu\\_unterstuetzt\\_umsetzung\\_von\\_good\\_governance](http://www.dosb.de/de/organisation/internationales/detail/news/eu_unterstuetzt_umsetzung_von_good_governance).
- <sup>17</sup> Deutsche Olympische Sportbund, 'Ethik-Code für die Bewerbung', 23 October 2013, [www.dosb.de/fileadmin/Bilder\\_allgemein/Veranstaltungen/Muenchen2022/Ethik-Code\\_und\\_Richtlinien\\_Bewerbungs-GmbH\\_231013.pdf](http://www.dosb.de/fileadmin/Bilder_allgemein/Veranstaltungen/Muenchen2022/Ethik-Code_und_Richtlinien_Bewerbungs-GmbH_231013.pdf).
- <sup>18</sup> Deutsche Olympische Sportbund, 'Bob- und Schlittensport: BSD [Bob- und Schlittenverband für Deutschland] beschließt Compliance-Richtlinien', 5 November 2014, [www.dosb.de/de/leistungssport/spitzensport-news/detail/news/bob\\_und\\_schlittensport\\_bsd\\_beschliesst\\_compliance\\_richtlinien](http://www.dosb.de/de/leistungssport/spitzensport-news/detail/news/bob_und_schlittensport_bsd_beschliesst_compliance_richtlinien); 'Der Deutsche Turner-Bund beschließt einen Ethik-Code', 26 November 2014, [www.dosb.de/de/leistungssport/spitzensport-news/detail/news/der\\_deutsche\\_turner\\_bund\\_beschliesst\\_einen\\_ethik\\_code](http://www.dosb.de/de/leistungssport/spitzensport-news/detail/news/der_deutsche_turner_bund_beschliesst_einen_ethik_code).
- <sup>19</sup> See Transparency International Germany, press release, 5 December 2014, 'Zivilgesellschaftliches Bündnis fordert vom IOC eine Vorreiterrolle für saubere internationale Sportveranstaltungen', [www.transparency.de/14-12-05\\_IOC-Vorreiterrolle-Sp.2578.0.html?&contUId=5939](http://www.transparency.de/14-12-05_IOC-Vorreiterrolle-Sp.2578.0.html?&contUId=5939); and *The Guardian* (UK), 'IOC urged to make human rights key part of major sporting events', 5 December 2014, [www.theguardian.com/sport/2014/dec/05/ioc-human-rights-major-sporting-events](http://www.theguardian.com/sport/2014/dec/05/ioc-human-rights-major-sporting-events).