



CHARTER ON THE GENERAL FRAMEWORK OF THE “SPORTS ETHICS AND SECURITY” BUSINESS CHAIR

I- PRESENTATION OF THE CHAIR

Article 1 – The Chair Origins

The “*Sports Ethics and Security*” Chair is born from the common will of the International Centre for Sport Security and the University of Paris 1 Pantheon-Sorbonne to create an international interdisciplinary reflection and meeting place; so that it would be dedicated to giving new answers to the many-sided problems set out by sports ethics and security, namely in relation to bet rigging, match fixing and doping.

The ICSS is a foundation of Qatari law and a not-for-profit organism of private law, abounded by the State of Qatar.

Its Board of Directors is notably composed of Lord John Stevens, former Commissioner of the Metropolitan Police, London, and special adviser to the English Prime Minister Gordon Brown for international security matters, to the Commissioner in charge of Sidney Olympic Games Peter Ryan and to the Interpol President Khoo Boon Hui.

The ICSS has organised from the 13th to the 15th of March 2012, in Doha, the Second International Sport Security Conference, after the first conference that was held under the same theme on the 9th and 10th of March 2011.

Its activity is focused on three parameters:

- Training of, essentially, the sports federations high level officials and staff, as well as members of international and national institutions in charge of regulating sports activities;

- Research; one of the recent reports written in 2012 under the ICSS auspices is dedicated to the benefits related to the socio-economic development of investments made on the occasion of international sports events.
- Cooperation with the governments or international or national institutions in charge of regulating sports activities.

While the ICSS already has access to a network of renowned experts in the field of sports ethics and security, the ICSS wished to collaborate with the University of Paris 1- Pantheon-Sorbonne in order to benefit from its research abilities and its international and academic excellence networks, as well as take advantage of its reputation in the study of the public law, private law, criminal law, international public law, international private law, regulatory law, fiscal law, as well as sports, economic and management law.

For the ICSS, the legal competence and experience constitute the basis of combating bet rigging, match fixing and doping. This conviction explains the wish of the ICSS to initiate an academic collaboration of a scientific and educative nature with the University of Paris 1 - Pantheon-Sorbonne.

The establishment of the “*Sports Ethics and Security*” Chair is the result of a number of findings.

Firstly, the feedbacks from past experience have demonstrated that the traditional tools, legal or not, aiming at responding to these problems, have become less and less efficient or even, in some cases, not adapted to the needs of the different sports stakeholders (States, sports international entities, federations, leagues and clubs, sports professionals or amateurs, sports agents, spectators of sports events, sports regulating authorities, etc.).

Secondly, the problems are multiplying and becoming more complex, regardless of the theme, whether it is sports legal framework (sports legislators, sports laws and sports justice), sports stakeholders (sports clubs, sportsmen and sportswomen and other stakeholders such as the referees), sporting activities (the theatre of activity, sports competitions and events, responsibilities and insurances) or sports funding (public funding and private funding). For example, some symptoms revealing the need for a collective reflection and the limits the classical tools face were picked out; they should be rethought and adapted or replaced:

- The increase in computer and financial crimes – whether they target ticket trafficking, bet rigging or match fixing;
- The ever growing complexity of doping detection and revelation of sportsmen and sportswomen who show doping limits;
- The multiplicity of legal structures supporting the professional clubs, which does not favour the legibility of sporting structures;
- The increasingly controversial organisational power of sports competitions by federations and sharing certain powers with the leagues;
- The complex relationships between the national and international authorities;
- The difficulty of harmonizing the national sports models, namely in combating bet rigging, match fixing and doping;

- The difficult management within the clubs on the amateurs' as well as professionals' part;
- The impact of timesharing in clubs on their independence;
- The lack of professional training for the different sports stakeholders;
- The difficult retraining of high level sportsmen and sportswomen;
- The status and complex activity of sports agents;
- The not-so-easy to imagine and implement legal and financial sports clubs regulations;
- Etc.

Thirdly, the answers aiming at overcoming these problems can be contained in “norms”, usually gathered under the general term of “sports laws”, of variable origins (private or public), natures (hard law or soft law), ranges (incentives or restrictions) and levels (national, regional and international):

- Charters of ethics or Charters of sports;
- Sporting or commercial practices;
- Collective contracts, conventions and agreements;
- Regulations and decisions of the federations;
- Codes of sports or codes of sports ethics;
- Treaty, declarations, report, white paper and jurisprudence (for the European Union);
- European charter, code of sports ethics and conventions (for the Council of Europe);
- Etc.

Fourthly and finally, the international and interdisciplinary dimension of these new problems require pooling the expertises and acting on both legal and political levels. In other terms, being a globalized activity, sports need coordinated regulating policies. Neither of the necessary solutions would be found without large-scale and concerted actions, applicable on as wide territories as possible.

Article 2 – Purpose of the Chair

In this framework, the goal of the Chair is to particularly evaluate, in the first instance, the currently available mechanisms for combating the proliferation of bet rigging, match fixing and doping, and their efficiency within the different laws of sports, of national and supranational nature; the goal is as well to propose new mechanisms, without ever hiding their potential disadvantages and the difficulties related to the combination of norms.

Hence, among its actions, the Chair will give particular importance to research for the type of norm to favour in combating bet rigging, match fixing and doping, to which will be added suggestions aiming at fighting these phenomena that threaten the integrity of sports.

This evaluation will be based on actions that essentially mobilize legal, economic, financial and technical knowledge, and on exchanges between professionals, academics, people in charge of sporting organisms and other stakeholders in the sports world.

To this disciplinary dimension, the comparative law and international law dimension will be added.

Thus, pooling the disciplines and learning lessons from abroad seem indispensable to grasp realities that are often complex and changing.

In a second instance, the acts of the Chair will have as objective to propose a text with an international reach (Charter, European Regulation or European Guideline, Treaty for an International sports code, Code of ethics, Treaty for the establishment of a supranational authority, etc.) which exact nature remains to be determined and which establishment will be rapidly enabled by the actions of the Chair. The aim of this text is to combat bet rigging, match fixing and doping through prevention and suppression of illicit practices.

In this state of mind -this openness to other fields of knowledge- the “*Sports Ethics and Security*” Chair wishes to pursue its research actions and declare the findings in the framework of diverse events.

Other diplomas or trainings, other research centres or laboratories as well as other institutions, via their representatives, can be associated to this research, whether they are national entities (e.g. the French Anti-Doping Agency or the Online Gaming Regulatory Authority) or international public or private entities.

The Chair, thanks to the exchanges it intends to develop between the professionals and academics within the organisation of different events (symposia, fora, brunches, etc.), will give a particular attention to the studies focused on the choice of innovative tools that are sufficiently flexible in order to adapt to a changing environment while reconciling the legal efficiency with the quality of the proposed tools.

Article 3 – Research program and diploma course

1- THE RESEARCH PROGRAM AND THE DIPLOMA COURSE ASSOCIATED TO THE CHAIR

The research program and the diploma course associated to the Chair aim at improving the theoretical and practical knowledge of security and ethics in sports, in particular what is related to bet rigging, match fixing and anti-doping.

The dynamism of the Chair is placed under the responsibility of its director, whose designation and renewal modalities are detailed hereinafter.

The educational aspect of the “*Sports Ethics and Security*” Chair will be notably based on the Master’s 2 degree in “*Sports Law*” of the University of Paris 1 Pantheon-Sorbonne. The Master’s 2 degree in “*Sports Law*” will receive the students suggested by the Steering Committee of the Chair.

The activities designed for this research program are essentially the following:

- Organizing events, conferences, thematic workshops, brunches and symposia;
- Publishing works;
- Undertaking studies and researches;
- Setting up a working group dedicated to formulating a code of ethics, an international charter, or even a treaty for combating bet rigging, match fixing and doping;
- Concluding a doctoral contract (see decree number 2009-464 of the 23rd of April 2009 and bylaw of the same day) that will enable the tasking of a young doctoral student affiliated to the Chair with a research work that falls within an international perspective for the sports ethics and security, which topic will be determined via a common agreement between the University of Paris 1 - Pantheon-Sorbonne and the ICSS, without any prejudice to the implementation of the aforementioned decree provisions. The University shall rebill to the ICSS the salary and the social fees related to the contract.

II- CONTRACTUAL ENGAGEMENTS OF THE ICSS AND THE UNIVERSITY OF PARIS 1 – PANTHEON-SORBONNE

Article 4 – Contractual engagements

The ICSS brings financial support to the University of Paris 1 – Pantheon-Sorbonne in view of the latter establishing a Chair entitled “*Sports Ethics and Security*”.

The “*Sports Ethics and Security*” Chair will implement a research program notably focused on the theme of combating bet rigging, match fixing and doping, and will be based on the Master’s 2 degree in “*Sports Law*” of the University of Paris 1 Pantheon-Sorbonne.

The modalities of such funding are specified in the sponsorship agreement, concluded between the University of Paris 1 Pantheon-Sorbonne and the ICSS, and in the educational agreement.

In the framework of the diploma course provided within the Chair, the University of Paris 1 Pantheon-Sorbonne pledges to receive different persons, among whom the members suggested by the ICSS, under the conditions set out in the educational agreement concluded between the University of Paris 1 Pantheon-Sorbonne and the ICSS.

III- THE CHAIR PARTNERS

Article 5 – The Chair partners

The Chair intends to partner with professionals from both the private and public sectors, institutions, researchers and editors in order to enhance fruitful exchanges.

For example, the following institutions can be associated with the works of the Chair:

- Council of Europe;
- European Loteries;
- European Parliament;
- European Union Commission;
- Faculty of Science in Sport;
- FATF (Financial Action Task Force);
- FIFA;
- French Anti-Doping Agency;
- French Home Office (including Central races and games Service of the Criminal - Investigation Department);
- French Ministry of Justice;
- French On-line Gaming Regulatory Authority;
- International Association of Prosecutors;
- International Centre for Sport Studies – Neuchâtel University;
- International federation of rugby;
- International Olympic Committee;
- Interpol;
- Ministry of Defense (Technical Service of Legal Research and Documentation);
- National Centre for Scientific Research (CNRS);
- Professional Football League;
- Salford University – Chair of Economics;
- Sorbonne Institute for Legal Research – Andre Tunc;
- Sport Law Centre - Paul Cézanne University;
- SportAccord;
- Tracfin;
- UEFA;
- United Nations (UNESCO & UNODC);
- Etc.

This association will mainly be about auditions on the occasion of researches carried out by the Chair, participation in publishing works, symposia or seminars, or even welcoming the students in the Master's 2 degree of "*Sports law*" or the doctoral students within their researches.

Associating a partner to the activities of the Chair should have the approval of the steering committee and will be covered by an agreement in principle between the suggested partner and the Chair.

The skills in economics could be sought, among others, at the lecturers-researchers in economics at the University of Paris 1 – Pantheon-Sorbonne.

Different publishing houses, such as Pedone, Dalloz, LGDJ, Litec, Economica, and Larcier/De Boeck editions and the editions of the Sorbonne Institute for Legal Research – Andre Tunc will be solicited for the publication of research works, symposium or seminar proceedings, etc.

The Chair intends also to collaborate with the laboratories of the University of Paris 1 that work in its fields of competence.

IV- THE PRODUCTION OF THE CHAIR

Article 6 – The productions of the Chair

The principal mission of the Chair is to disseminate knowledge and tools of assistance to the decision allowing a better understanding of the legal “instruments” that are indispensable to the promotion of sports ethics and security. In the first instance, it will particularly be dedicated to the legal “instruments” that are indispensable to the combating of bet rigging, match fixing and doping, as well as to a deep analysis of their performance. Moreover, the scientific production of the Chair will essentially consist of the publication of articles, reports and books (monographs, collective publications, theses, symposium proceedings, etc.).

To complement this production, the Chair will also have the mission of gathering the different stakeholders in the world of sports and academics that endeavour to promote security and ethics in sports through conferences, fora and morning workshops, in order to meet, in the best possible way, the expectations and concerns of the professionals involved in the fight against the proliferation of bet rigging, match fixing and doping.

Finally, it is intended to create, with the assistance of the IT services at the University of Paris 1 Pantheon-Sorbonne, a website that presents the Chair, its works and its actions. The logo of the ICSS, the logo of the University of Paris 1 - Pantheon-Sorbonne and the logo of the Sorbonne Law School will be displayed on this website. The ICSS will be entitled to put the logo of the University of Paris 1 - Pantheon-Sorbonne on its own website (www.theicss.org) for works and actions achieved in the framework of the Chair, in compliance with the relevant legal and regulatory provisions.

The communication of works policy of the Chair organized by the ICSS will be carried out in coordination with the director of communication at the University of Paris 1 – Pantheon-Sorbonne.

V- THE ORGANISATION OF THE CHAIR

Article 7 – The organisation of the Chair

The “*Sports Ethics and Security*” Chair assembles researchers and professionals who work together to construct its research and education activity as well as consolidate its relationships with other institutions and researchers that are non permanent members of the Chair.

This Chair is composed of a steering committee and an office.

The daily functioning of the Chair and the follow up of its ordinary activity are ensured by the office without prejudice to the steering committee’s control powers.

The provision of specific trainings or studies, upon the demand of the partner, is subject to additional prices negotiated between the director of the Chair and the ICSS, on the basis of a reference to the marginal cost of the said service.

The director can designate a joint director of the Chair and delegate to any competent person particular tasks.

Article 8 – The steering committee of the Chair

Article 8.1: Functions of the steering committee

The steering committee is tasked with undertaking, in all independence, the Chair’s activities.

It will convene as many times as necessary when convoked by its president in order to achieve the said activities.

Besides the organisation of diverse events (symposia, seminars, etc.) and the publication of the Chair’s works, researches will be executed according to the themes decided upon by the steering committee, whether they emanated from a demand by the ICSS or from a call for projects by the Chair.

Article 8.2: Selection of the research themes undertaken by the Chair

Besides the themes resulting from a demand by the ICSS, there are two kinds of calls for projects by the Chair:

1. Calls for theme projects addressing determined scientific problems concerning finalized research projects;
2. Calls for non-themed projects addressing a wide scientific field which objective is to advance knowledge in the concerned field; these calls for projects give the researchers a broad freedom of action.

The goal of these calls for projects is to fund the high quality research projects with respect to the criteria previously made public and under modalities that guarantee the equal treatment of all participants and the transparency of the selection process.

The selection of the research projects is done during the selection process that follows the programming process and precedes the follow up and review process.

In order to conduct the project evaluation and selection, the Chair relies on the steering committee members.

The selection process can be presented as a sequence of chronological phases:

1. The phase of submitting the projects; it extends from the publication of the call for projects text until the study by the steering committee of the admissibility of the research project proposals;
2. The evaluation phase by the steering committee; regarding this task, the steering committee can particularly resort to exterior expertises;
3. The phase of proposing eligibility for funding; the steering committee has to adopt a list of projects proposed for funding;
4. The phase of project approval; it extends from the analysis of the specifications until the funding decision that leads to paying the first instalment of the aid.

This constructed apparatus is based on an evaluation carried out by peers cooperating in closed sessions and relying on exterior expertises.

The steering committee then elaborates a written note for every project; it is founded on collective deliberations aiming at reaching a sensible consensus standing on listening and confronting points of view.

Article 8.3: Rules of procedure of the steering committee

During its first meeting, the steering committee shall adopt rules of procedure that determine its missions, organization and functioning modalities.

Article 8.4: Working groups

In conformity with its rules of procedure, the steering committee shall designate within its framework one or more working groups tasked with executing researches, organizing events (symposia, seminars, etc.) or watching over the publication of works consecrated to the themes decided upon by the steering committee.

Article 8.5: Evaluation of the Chair's works

The steering committee, meeting for its annual evaluation session, shall validate for the elapsed year the adequation between the activities accomplished by the different working groups of the Chair and the means allocated to it; the committee shall also determine the strategic orientations of the upcoming year and validate the proposed research projects,

whether emanating from a demand by the ICSS or a call for projects by the Chair, under the aforementioned conditions.

To this end, the steering committee will receive once a year, during the same session, an educational, scientific and financial track record covering the activities of the Chair, and a provisional action programme for the following year, prepared by the Chair's office members.

It will also be given, under the aforementioned conditions, the projects received in the framework of the call for projects.

During the first session, the steering committee will decide of the methods to evaluate the works of the Chair, determine the strategic orientations of the coming year and validate the examined research projects.

The deliberation adopted by the steering committee following its annual evaluation meeting will be communicated to the scientific board and board of directors of the University of Paris 1 – Pantheon-Sorbonne.

Article 8.6: Composition of the steering committee

The steering committee is composed of specialists renowned in the fields covered by the activities of the Chair and suggested by a common agreement between the director of the Chair and the president of the ICSS.

The president of the committee is the director of the Chair.

Its composition is modified through a common agreement between the director of the Chair and the president of the ICSS and from one session to another, unless there is an exceptional situation that requires this modification in the course of the academic year.

The decisions are taken by a majority of votes. In case of equal votes, the president has a casting vote.

On the 1st of January 2012, it is composed of the following:

President of the Steering Committee and director of the Chair:

Laurent VIDAL (Professor and researcher at the University of Paris 1 - Pantheon-Sorbonne – Co-director of the Department of Public Economic Law at the Sorbonne Institute for Legal Research - Andre Tunc, co-director of the Master's 2 degree in "*Public Business Law*" at the University of Paris 1, associate researcher at the IRISSE (CNRS) – Paris Dauphine University – Lawyer at the bar of Paris and holding a specialization in public law).

Members of the Steering Committee:

Alain Beulac (Chief Executive Officer of Entrepreneur Venture, a management company approved by the Financial Markets Authority)

Joseph Chaoul (Former minister of Justice in Lebanon – Honorary President of the Lebanese Council of State - Former Dean of the Faculty of Law of Université Saint-Esprit of Kaslik – USEK). Member of the Appeals Tribunal (Supreme Court) of the International Organisation of the Francophonie)

Yves Chaput (Professor Emeritus at the University of Paris 1 – Pantheon-Sorbonne)

Jean-Jacques Daigre (Law Professor at the University of Paris 1 – Pantheon-Sorbonne)

Sophie Dion (Lecturer-Researcher at the University of Paris 1 – Pantheon Sorbonne - Head of the Master's 2 degree in “*Sports Law*” – Judge at the Court of Arbitration for Sport)

Eric Drossart (Vice-Chairman of International Management Group - IMG)

Nasser Hinzab (Doctoral student in public law at the University of Paris 1 – Pantheon-Sorbonne – Legal Researcher at the cabinet of the Qatari Heir Apparent)

Evelyne Lagrange (Law Professor at the University of Paris 1 – Pantheon-Sorbonne)

Claude Menard (Professor in Economics at the University of Paris 1 – Pantheon-Sorbonne)

Denis Oswald (Associate Professor at the University of Neuchâtel – Holder of the sports law Chair - Director of the International Sports Study Centre (CIES) - Member of the IOC – Judge at the Court of Arbitration for Sport).

Rick Parry (Former General Director of the English football Premier League, former member of the organizational committee of Manchester's candidacy to the Olympic Games of 1992, and former member of the council of Birmingham 1985 Olympic Games).

The personalities consulted by the Executive Committee (non exhaustive list – see annex number 1)

Article 9 – The office of the Chair

An office maintains the ongoing administration of the Chair and the permanent link between the University and the Chair partners.

Its members are chosen among the steering committee members.

The director of the Chair ensures the coordination of the whole.

The office comprises of four members, two from the University and two from outside the University.

On the 1st of January 2012, it is composed of the following:

Laurent Vidal (*see above*), **Joseph Chaoul** (*see above*), **Sophie Dion** (*see above*) and **Nasser Hinzab** (*see above*).

Article 10 – Intellectual property

The findings of any study or research executed in the framework of the Chair are subject to the intellectual property regulations as well as the regulations governing theses and the entire research works of universities.

Annex 1 – The personalities to be heard (non exhaustive list)

Mohammed Alhajri (Vice-president, the ICSS).

Franco B. Ascari (Law professor at the University of Milan – *Università degli Studi Milano Bicocca* – director of the professional Master’s 2 in sports organization and sociology, member of the International Olympic Committee).

Maurizio Barbeschi (Medical Doctor within the World Health Organization, member of the global alert and anti-doping programme).

Richard Beary (Vice-president of the International Police Commissioners Association, Police Commissioner).

Frédéric Buy (Lecturer in HDR at the Paul Cezanne University – Aix-Marseille III – member of the Sports Law Centre).

Nic Coward (Secretary General of the English Football Premier League).

Bruno Genevois (President of the Honorary Section of the Council of State and President of the Anti Doping French Authority – AFLD).

Mohammed Hanzab (President of the ICSS).

Cécile Huet (Financial lawyer at the Professional Football League).

Jean-Pierre Hugues (General Director of the Professional Football League).

Khoo Boon Hui (President of the Interpol).

Jean-Michel Marmayou (Lecturer in HDR at the Paul Cezanne University – Aix-Marseille III – Director of the Professional Master’s 2 in Sports Law).

Didier Poracchia (Professor at the Paul Cezanne University – Aix-Marseille III – Director of the Business Law Institute, member of the Sports Law Centre).

Jeff Rees (Head of the English Tennis Federation Integrity Unit).

Fabrice Rizzo (Lecturer in HDR at the Paul Cezanne University – Aix-Marseille III – Director of the Sports Law Centre).

Lord John Stevens (Former Commissioner of the Metropolitan Police, London, and special adviser to the English Prime Minister Gordon Brown for international security matters).

Jean-François Vilotte (President of the Online Gaming Regulatory Authority - ARJEL).