

EP SM

EVIDENCE-BASED PREVENTION OF SPORTING-RELATED MATCH-FIXING

Co-funded by the
Erasmus+ Programme
of the European Union



NATIONAL ACTION PLAN AUSTRIA BASKETBALL



PLAY FAIR CODE

INTEGRITY WINS

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1 INTRODUCTION

Austrian sports bodies recognized the problem of match-fixing and betting fraud early and took appropriate measures. This National Action Plan summarizes the status of the developments as of spring 2021 and provides an outlook on the next steps and processes that are imminent.

The Play Fair Code developed the Austrian National Action Plan within the scope of the Erasmus+ project EPOSM “Evidence-based Prevention of Sporting-related Match-fixing” (www.eposm.net).

The Play Fair Code (see Section 6.1 for Details) is the core element of the Austrian Integrity Management Framework. The Association was founded on the initiative of the Austrian Ministry for Sport and other Austrian sport stakeholders to facilitate and execute education and monitoring and to operate an ombudsperson facility related to match-fixing in Austrian sport.

The Erasmus+ project EPOSM (see 2 ERASMUS+ Project EPOSM for Details) aims to raise knowledge and awareness about sporting-related match-fixing, focusing on various sports. For Austria, the Play Fair Code took a deeper look into football, basketball, and handball.

The version of the Austrian National Action Plan presented here, in particular, relates to the discipline of basketball. Corresponding versions for the handball and football disciplines are available separately.

2 ERASMUS+ PROJECT EPOSM

The EPOSM “Evidence-based Prevention of Sporting-related Match-fixing” is co-funded by the Erasmus+ Program of the European Union.

From January 2020 to December 2021, the collaborative partnership between European academic organizations and expert partners assessed sporting-related match-fixing in various sports disciplines on a European basis and pursues the following objectives:

- Raising awareness about the prevalence of sporting-related match-fixing
- Stimulating moral judgment, assuming that sporting-related match-fixing is a clear failure threatening the credibility and attractiveness of sports
- Sharing and transferring knowledge on sporting-related match-fixing through the organization of a training procedure

Coordinated by Ghent University, the Croatian Olympic Committee, Panathlon International, Utrecht University, the Foundation for Sports Integrity (CSCF), the University of Lausanne, the International Centre Ethics in Sport (ICES), Loughborough University, the Institut de Relations Internationales et Stratégiques (IRIS), and the Play Fair Code, which all serve as ordinary partners, along with the Council of Europe, which acts as an associated partner.

In the first phase of the project, theoretical principles were derived through the collection and dissemination of an international and target group-specific survey on the subject of match-fixing in general, and sport-related manipulation, in particular. The survey results are displayed in Section 2.2.

As a result of the findings, individual criteria for the National Action Plans and awareness-raising workshops were generated by the project partners under the guidance of Panathlon International.

Based on these criteria, the project partners developed national action plans and workshops for their respective countries and the sports disciplines selected.

3 LEGAL FRAMEWORK REGARDING MANIPULATION OF SPORTS COMPETITIONS IN AUSTRIA

3.1 Status of the European Convention on the Manipulation of Sports Competitions

Following a request by the Federal Ministry for Arts and Culture, the Civil Service and Sport, Austria's Council of Ministers decided to sign the Council of Europe's Convention on Manipulation of Sports Competitions in January 2016. The Convention was officially signed by the Austrian Minister for Arts and Culture, the Civil Service and Sport in 2016 during an international conference held in Vienna.

National ratification is still pending. For the time being (April 2021), the political will to ratify has not yet been declared and concrete steps still need to be taken. Consequently, the National Platform specified in Article 13 of the Convention, has not yet been set up. However, core national and international milestones have already been achieved and are constantly being driven forward by and through the efforts of the Play Fair Code, which is also acting as an informal national platform (see Section 6.1 for the Play Fair Code).

Austria, represented by the Federal Ministry for Arts and Culture, the Civil Service and Sport, actively participates in the relevant working groups for the Convention and in the Group of Copenhagen.

3.2 Legislation

3.2.1 Criminal law

From a criminal law perspective, match-fixing is currently dealt with as the criminal offense of fraud. As in other European states, recurring discussions in Austria are focused on determining whether the introduction of a specific sports integrity and anti-match-fixing section into the existing criminal code might facilitate the fight against match-fixing. For the moment, it appears to be unclear if such an addition will be on the political and legislative agenda.

Germany, for example, has taken a different approach, passing new criminal laws against match-fixing (Sections 265 c) and d) of the German Criminal Code) and doping (Act against Doping in Sport) in recent years.

Regardless of sports institutions' consent, there are arguments about such a section's effectiveness and practicality in the criminal code. Sports has its own legal system and values; law experts refer to the accountability of the international sports system. Furthermore, existing criminal codes are applicable when financial assets are violated in Austria.

For example, the Austrian Criminal Code's fraud sections can punish fraudulent behavior when it can be proven that financial losses by betting operators are attributable to using inside information or corrupt athletes. In this case, the betting operators' odds do not reflect the real probabilities of the respective event or game result. The financial losses of the relevant parties can be punished with fines or prison sentences.

Dominique Taboga, a former professional football player in the first Austrian division, was found guilty of fixing games in several instances. He was ultimately found guilty of fraud and sentenced to three years in prison. The wording of the fraud sections in the Austrian Criminal Code stipulates this penalty in the event of major fraud (Section 147 Major Fraud).

The two relevant fraud sections are quoted in the following¹:

Section 146 Austrian Criminal Code — Fraud

“Whosoever with the intent to improperly enrich himself or a third party by the behavior of the deceived, to induce someone by deception over facts into action, acquiescence or omission, causes financial damage to this or another party shall be punished with a prison sentence of up to six months or with a fine of up to 360 daily rates (Austrian Criminal Code, 1975).”

Section 147 Austrian Criminal Code — Major Fraud

(...)

(2) Whosoever commits fraud with damages in excess of € 5,000 shall also be punished (with a prison sentence of up to three years, see Section 147, para. 1).

(3) Anyone who commits fraud with damages in excess of € 300,000 shall be punished with a prison sentence from one up to ten years (Austrian Criminal Code, 2016).”

3.2.2 Disciplinary regulations

Besides the criminal law, several sports associations in Austria have placed a strong focus on the consequences of match-fixing in their disciplinary regulations. These disciplinary regulations are an exclusive part of the responsibility of sports associations within their respective sports autonomy.

Starting 2015, in a joint project by the Play Fair Code, Sport Austria (the overall Austrian sports organization), and the Ministry for Arts and Culture, the Civil Service and Sport, started to convince all Austrian sports federations to include regulations about and against corruption, match-fixing, and betting fraud in their respective association regulations. The associations were provided with appropriate text templates for disciplinary regulations and were assisted and guided through the implementation process. To date, a vast majority of all Austrian sports federations have implemented the regulatory framework and therefore explicitly addressed the problem.

¹ Translation by Play Fair Code

Exemplary, the Austrian Basketball Federation's disciplinary regulations¹ paragraphs regarding the prohibition of sports betting and the obligation to report are listed below²:

“Article - 29 Bribery

(1) A person who grants or accepts a material benefit for actions or omissions within the framework of basketball Austria shall be punished with a ban from one year up to a lifetime ban.

(2) A match official, association or club functionary is to be additionally punished for the same duration with a removal of functions or withdrawal of the authorization to sign and with the loss of the right to vote. In addition, a fine of € 100 to € 5,000 can be imposed. Conditional leniency is excluded. In severe cases, the functionary is to be expelled from the association.

Article 30 - Match-fixing

(1) A person who gives an official of Basketball Austria, a state federation or a club, a match official or a player an unlawful advantage for him or for a third person directly or indirectly offers, promises or grants an unlawful advantage for him or for a third person, directly or indirectly, so that the bribed person violates the rules and regulations or reduces the sporting performance of a team or one or more players (athletes) or influences the sporting outcome of a competition shall be punished by the following sanctions:

- a) Ban from 4 month to lifetime ban*
- b) Functional ban from 6 months to 3 years*
- c) Fine of € 500 to € 15,000*
- d) Exclusion from the competition*
- e) Deduction of points*
- f) Forced relegation*
- g) Arena ban*

(2) Statute of limitations: The offense of game manipulation expires after 36 months.

Article 30a - Prohibited Sports betting

(1) A person placing individual or combination bets with bookmakers or virtual betting providers on matches in which their own club or a club active in the same class is involved, or designating third parties to do so, or passing on non-public information to third parties which could be used in such bets, will be subject to the following punishments:

- a) Warning*
- b) Ban of at least 2 competitive games*
- c) Functional ban of at least 2 months*

¹ Disciplinary Code of Basketball Austria as of September 2020

² Translation by Play Fair Code

- d) *Fine in the amount of three times the amount of the stake or the winnings paid out*
- e) *Deduction of points*
- f) *Exclusion from competition*
- g) *Forced relegation*

(2) Statute of limitations: *The offense of prohibited sports betting expires after 12 months.*

Article 30b - Failure of obligation to report

A person who observes the concepts of fair play (integrity in sport) being violated by third parties or third parties breaching the regulations of articles 30 to 30b and fails to report this immediately to the association responsible will be subject to the following punishments:

- a) *Warning*
- b) *Ban of at least 2 competitive games*
- c) *Function ban of at least 2 months*
- d) *Fine of € 500 to € 15,000”*

It is important that the punishments are specified concretely in the paragraphs. Otherwise, the national jurisdiction could declare the disciplinary regulations invalid.

4 SPORTS BETTING IN AUSTRIA

4.1 General overview

The sports betting industry has grown rapidly worldwide in recent years and has taken a prominent and important place in the sports sector. Betting providers are major sponsors of the sports industry and are thus involved in co-developing the sport. This global development can also be observed in Austria.

Austrian betting customers have a large number of betting providers with whom they can place their bets at their disposal, both online and through physical betting shops based within Austria (offline), in gastronomy and tourism venues, at petrol stations, or in tobacco shops. In 2018, about € 2 billion were bet on sports events in Austria. 60% of the €2 billion were placed in the offline sector and 40% in the online sector—and there is a continuing upward trend.

Sports betting providers contribute € 382.9 million to Austria's gross domestic product annually (2019).

Sports betting has a long tradition in Austria. On the one hand, the state-owned Austrian lotteries have a subsidiary for sports betting (tipp3). On the other hand, there are numerous private legalized and licensed betting providers of various sizes; local small companies with only a few shops and providers operating across Austria with a strong focus on online betting. Several global players of the sports betting industry have an Austrian origin (e.g., bwin).

4.2 Austrian sport on the betting market

Austrian sport is represented on the international betting market on a large scale. There is no significant difference compared to European countries of comparable size. Global betting providers generally offer the two highest divisions and/or leagues of the prominent men's team sports in their betting programs. Austrian women's sport is increasingly included in the betting programs and is gaining volume in the betting markets. The increasing digitalization of sport combined with a low-threshold access to sports data are effectively reflected in lower-level (amateur) competitions and youth competitions offered in international betting programs.

Apart from this and given the special geographical location, the long-standing tradition of alpine winter sports disciplines (alpine and Nordic skiing, biathlon etc.) also plays a specific role in the national betting market.

4.3 Legal framework of sports betting in Austria

Something that is peculiar to Austria, is the fact that sports betting is not defined as a gambling activity. The nine federal states specify the legal framework of the sports betting industry in Austria. Consequently, nine different legal norms have to be followed within the federal territory. These nine norms differ substantially. Sports betting providers operating throughout Austria therefore need to undergo a licensing procedure in each federal province to legally offer sports betting in Austria.

At present, (and currently hotly and not always rationally debated) there is no law or regulatory system in Austria for the online betting market. National and international betting providers operate with licenses issued in other EU countries (i.e., Malta). However, several providers in Austria also

offer (according to the effective Austrian legal framework) illegal online gambling, in addition to their sports betting offers, which at least results in a certain imbalanced situation for the market actors.

A draft law dealing with online gambling, including blocking systems, licensing modalities, gambling advertising and sponsoring, gambling and player protection, addiction prevention etc., is currently being negotiated by the political and industry actors with the clear intention of passing a respective law that would be effective at the beginning of 2022.

5 MATCH-FIXING SCANDALS IN AUSTRIAN BASKETBALL

No match-fixing cases were registered in Austrian basketball until the beginning of 2020.

On January 26th, 2020 it became known that 5 players of Basketball Superliga Club UBSC Graz had been taken into custody. They were accused of manipulating several games in the current season for the purpose of betting fraud. The arrests were preceded by several weeks of undercover investigations by the Federal Criminal Police Office Integrity in Sport Unit. The investigation was triggered by a complaint from club management to the police, who were made aware of the circumstances by other players. The suspected players were released after several weeks in custody. The investigation is still ongoing as further suspicions emerged and house searches were carried out. At the time this National Action Plan Basketball was drawn up, criminal proceedings in court had not yet started.

In 2013, Austria was shocked by a major match-fixing scandal in football. Former professional football players Dominique Taboga and Sanel Kuljic were the central figures in betting-related manipulations of Austrian Bundesliga matches, acting as the “longa manus” (extended arm) of organized crime. In unique criminal trials in Austria, Taboga and Kuljic were sentenced to imprisonment. In addition, both players were suspended from all football activities for a long time.

Even though this was not a sporting-related match-fixing case, it encouraged the Austrian sports industry to ultimately see the significance of match-fixing holistically.

By the time of the scandal, the Play Fair Code already interacted on a broad scale and with an integrated strategy with the Austrian sport stakeholders, especially with the two football institutions (federation and league). Just before the scandal broke, all players and coaches in the top leagues in Austria experienced their first match-fixing education and prevention workshops.

Due to the consistent and extensive prevention work of the Play Fair Code with the affiliated sports associations in seven (7) sporting disciplines, and beyond this with all sports federations in Austria, along with the athletes, coaches, referees and individuals constantly stressing the vital importance of reporting any incidences of being approached to fix or influence matches, in accordance with the disciplinary framework of rules in place, solid trust between the actors in sport and the Play Fair Code was established over recent years. The number of reports of perceptions and information about being approached also significantly increased.

6 AUSTRIAN INTEGRITY MANAGEMENT FRAMEWORK

6.1 The Play Fair Code

Before 2012, the controversial issues of match-fixing and betting fraud had never been tackled comprehensively in Austria.

In 2012, the Play Fair Code was founded on the initiative of the Austrian Ministry for Arts and Culture, the Civil Service and Sport, the Austrian Football Association, and the Austrian Football League (see Figure 1: Play Fair Code founders).

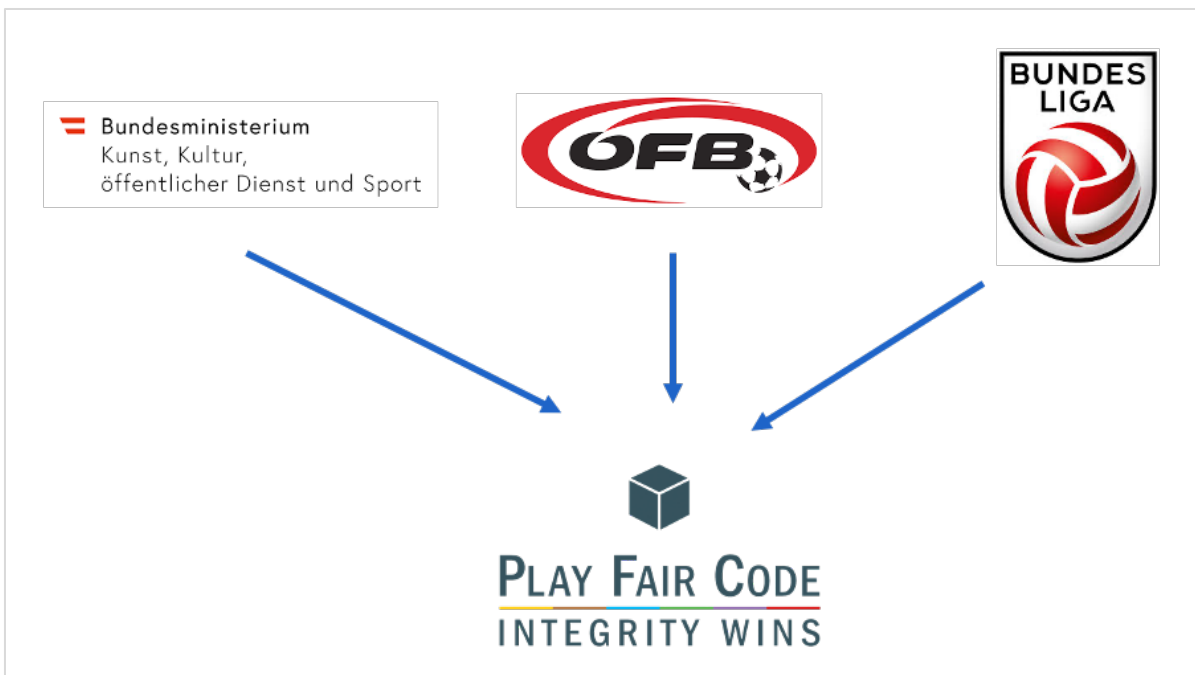


Figure 1: Play Fair Code founders

The operating strategy of the Play Fair Code (see Figure 2: Operating strategy) lies in:

- **Education** and
- **Monitoring** and has included the creation of an
- **Ombudsperson facility** to receive communications related to match-fixing in Austrian sport.

Beyond these three core areas, the Play Fair Code aims to:

- Raise **general awareness** of the problem of match-fixing, not only in the specific sport stakeholder groups, but also to create the appropriate knowledge and generate awareness of the subject among the general public.
- The Play Fair Code is also commissioned to participate in national and international **research** projects, to gain further know-how in combating match manipulation and betting fraud, and to share its experience and knowledge with national and international partners.

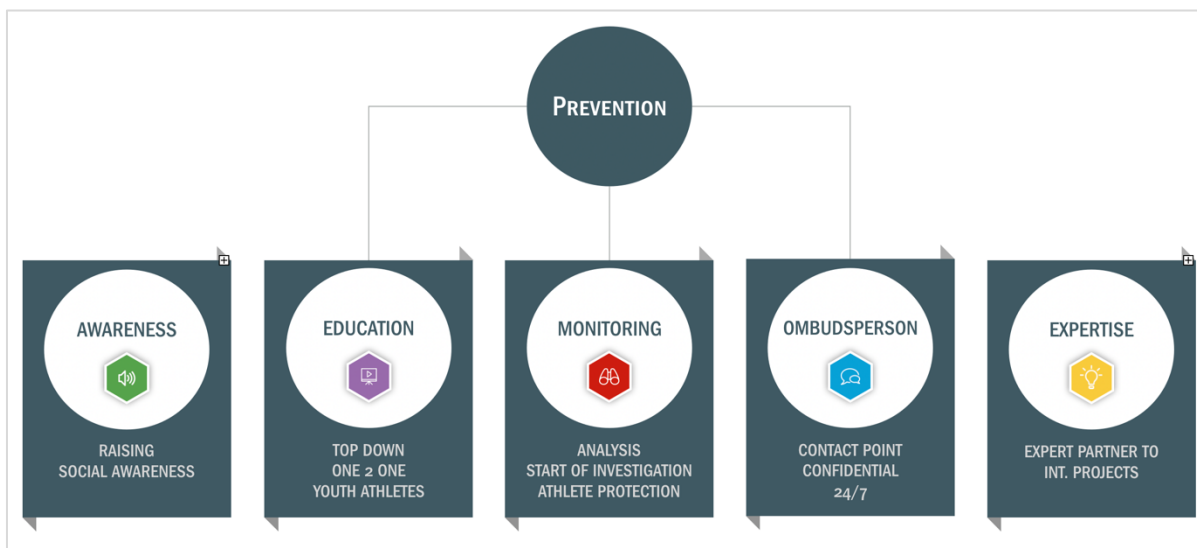


Figure 2: Operating strategy

In addition to the outlined operational strategy, an ongoing close collaboration with the **Austrian Ministry of the Interior (Police)** and the Ministry's Integrity in Sports Unit (see 6.5.1.4 Law enforcement) was established. This collaboration developed step-by-step into the operational interface of the functionality of the Play Fair Code and the Ministry of the Interior as an **informal National Platform** according to the European Council Convention on the Manipulation of Sports Competitions (see outlined above).

Although the driving forces behind the organization's foundation were historically the football governing bodies, the Play Fair Code was set up and designed as an equidistant network for sports associations, leagues and key stakeholders from sport including the sports betting industry.

6.2 Play Fair Code Integrity Charter

To underline the common understanding of the threat to sport from match-fixing and betting fraud, all Play Fair Code members sign the Play Fair Code Integrity Charter.

This charter represents a bilateral declaration of intent and commitment to join forces and implement effective measures to preserve clean and manipulation-free competitions.

Although the signing of the charter is a symbolic act, it creates a form of moral and ethical commitment between the respective member and the Play Fair Code.

The charter is signed by the President of the Play Fair Code and the members' CEO or respective high-ranking representative. This formal signing is usually surrounded by press releases and other forms of media dissemination.

"CHARTER

Betting fraud in general and match-fixing, in particular, threaten to undermine the fundamental character and values, the credibility, fairness, and integrity of sport.

This negative development poses a serious threat to sport in general.

The leading representatives in the Austrian sports industry have recognized this globally threatening development for the integrity and social importance of sport and, therefore, created a platform for maintaining the sports value system in Austria called the Play Fair Code.

The Play Fair Code's challenge is to preserve not only the social, ethical and cultural values but also the economic importance of sport.

The core tasks of the Play Fair Code are therefore:

- Prevention (training and awareness-raising of those affected)*
- Monitoring (observation and analysis of competition results using early warning systems)*
- The operation of a professional and confidential ombudsperson facility for athletes and all those involved in sport.*

The aim is to maintain clean and manipulation-free competitions together with the Austrian sports associations and the athletes.

The undersigning association supports the goal, and its related measures, and the activities of the Play Fair Code.”

6.3 Organizational structure of the Play Fair Code

6.3.1 Legal basis

The name of the legal entity is “Association for Protecting the Integrity in Sport”. “Play Fair Code” is the brand under which the association operates on a day-to-day basis.

The Play Fair Code has its head office in Vienna. It functions as a not-for-profit organization.

The statutes of the Play Fair Code, which comply with the Austrian Association Act, can be found in the download section on the Play Fair Code website www.playfaircode.at (English version available).

6.3.2 Association’s board

When founding the association in 2012, the aim was to find credible and authentic personalities from the Austrian world of sport who had a firm stance on and a fundamental understanding of integrity.

The former international football player Günter Kaltenbrunner, also a former president of SK Rapid Vienna and an Austrian Football League official, agreed to become president.

The board consists of representatives from the Austrian Police, the media industry, the Secretary General of the Austrian Football Association and the CEO of the Austrian Football League as well as a Senior Partner of Deloitte Austria and the COO of the Ice Hockey League.

The association's board has the appropriate level of prestige because it is composed of a team of proven experts. This also ensures there is the right degree of management expertise and that the executives representing the members of the Play Fair Code are involved in the national strategy against match-fixing and betting fraud.

The way the association's board is composed gives the activities of the Play Fair Code the importance and weight that is imperative to deal with the issue of match-fixing and betting fraud.

6.3.3 CEO and the staff

During the association's set-up, Severin Moritzer was hired as the association's CEO, and, together with Mr. Kaltenbrunner, is a founder of the association. Severin Moritzer is a lawyer and national and international expert, speaker and lecturer in the field of integrity in sports.

When selecting team members, emphasis is placed on expertise in the areas of sports management, law, education, sports betting, and of course a spirit of trust and integrity.

6.3.4 Advisory committee

To bring further expertise and involvement to the association, an advisory committee was introduced. Currently, this body is chaired by the former Secretary General of the Austrian Football Association. Further members are the Head of the Department for Sport and Society and Multinational Sport Affairs at the Federal Ministry for Arts and Culture, the Civil Service and Sport, a sports lawyer and former President of the Austrian Tennis Federation, the Managing Director of the Austrian Sports Betting Association, the Managing Director of the Austrian Association for Betting and Gambling, the Managing Director of the Austrian Football Union and a senior executive from the health industry.

The advisory committee meets on a regular basis and provides advice and recommendations for potential actions and strategies as well as their implementation.

6.3.5 Play Fair Code network / stakeholder approach

The phenomenon of match-fixing and betting fraud affects sport as a whole but also all of its stakeholders individually.

The main national sport stakeholders are represented in the network formed by the members, sponsors and partners of the Play Fair Code.

The following organizations, state institutions, and sport industry and media actors are represented in the network.

Play Fair Code ordinary members:

- Austrian Ministry for Arts and Culture, the Civil Service and Sport
- Austrian Football Association
- Austrian Football Bundesliga

- Austrian Ski Federation
- Austrian (based international) ICE Hockey League
- Austrian Handball Federation
- Austrian Basketball Federation
- Austrian Tennis Federation
- Austrian Volleyball Federation

Play Fair Code extraordinary (associate) members:

- Austrian Federal Sports Organization (Sport Austria)
- Austrian Olympic Committee
- Austrian Sports Betting Association
- Austrian Association for Betting and Gambling
- Austrian Lotteries

- Tipp3 (betting provider)
- Admiral (betting provider)
- Bwin (betting provider)
- Cashpoint (betting provider)
- Interwetten (betting provider)
- Bet-at-home (betting provider)

Play Fair Code sponsors and partners:

- HPYBET (betting provider)
- Raiffeisen (financial industries, major sport sponsor)
- UNIQA (financial industries, major sport sponsor)
- Coca-Cola (major sport sponsor)
- Sportradar (sports data company)
- ORF (Austrian Broadcasting Corporation)
- sportsbusiness.at (sport industry media)

Figure 3: Play Fair Code's organizational stakeholders and partners provides an overview of these organizational stakeholders.

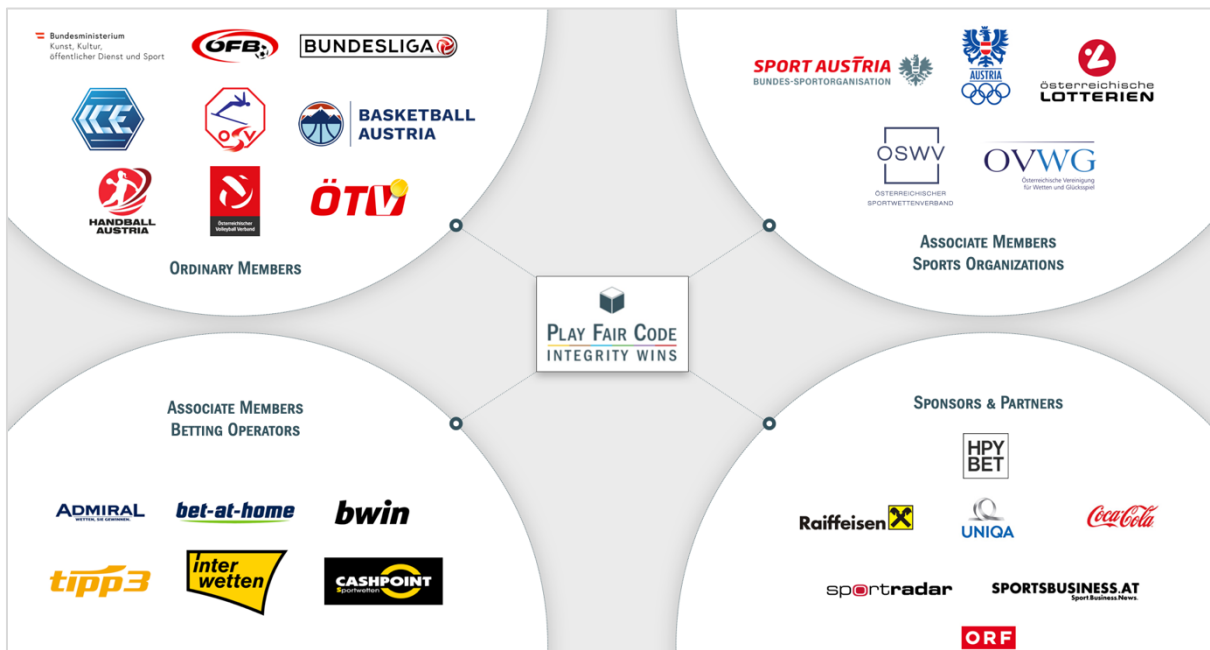


Figure 3: Play Fair Code's organizational stakeholders and partners

The member structure, the composition of the management and advisory bodies of the association, the sponsors and media partners involved in the Play Fair Code form a representative network of important, decisive, and representative stakeholders and individuals from Austrian sport with respect to integrity matters.

This type of public and private partnership network, which has both a common goal and which jointly supports the promotion of integrity in sport, is unique in Austrian sport. It sets European standards in forming the framework for an equidistant exchange and balance between the parties and interests involved, and thus adds value to the protection of sport values.

6.4 Five areas of activity of the Play Fair Code

6.4.1 Education

Players and referees are the number one target group for education. Since 2012, the Play Fair Code has been training and educating 100% of the professional athletes and referees within its network of sporting disciplines. To ensure sustainability, each training course is refreshed on a 12 to 24 month rotational basis.

The Play Fair Code defined a top-down education strategy. Professional athletes (including future professional athletes) were first in the education roll-out. In a second step, the professional, semi-professional and amateur athletes (interface between professional and grass-roots sports), and sports representatives were identified as the main target groups of the Play Fair Code education strategy.

Since 2013, by offering a combination of specific lectures, seminars, and workshops focusing on the issues of integrity in sport and match-fixing in around 650+ training courses, the Play Fair Code has reached and trained approximately 18,000+ individuals in seven sporting disciplines. These

individuals belong to the core target audiences of players (including young athletes), referees, officials, and media representatives on a national and international level.

Based on the belief that a bottom-up approach is not enough, awareness-raising measures carried out among the target groups' coaches, managers, officials and top-level executives from various sports and the respective levels of play (professional, amateur, youth) also form an essential pillar of the work of the Play Fair Code.

For this purpose, the Play Fair Code holds seminars as part of the coaches' training and advanced education programs run by the Austrian Federal Sports Academy (Bundessportakademie Österreich), which are organized centrally in Austria and across all sports.

In Austrian football, there is a training program called "Bundesliga Campus". The Bundesliga Campus is an administrative platform for training and providing further education in the Austrian Bundesliga. This extensive educational program aims to train existing club employees, administrators, managers and interested newcomers who want to be involved in football management. The Play Fair Code is involved in the Bundesliga Campus as a lecturing organization.

In addition to the national prevention work described above, the Play Fair Code's expertise is also accessed by various international stakeholders. As part of ongoing partnerships with the IOC and UEFA, the Play Fair Code is continuously involved in the training programs run by these organizations (IOC Believe in Sport campaign, IOC International Forum For Sports Integrity, UEFA Football Integrity Program Winter School etc.). On a case-by-case basis, the Play Fair Code is invited to share its long-standing experience with a wide range of international partners such as the European Union, the Council of Europe, the United Nations Office on Drugs and Crime, the International Ice Hockey Federation, the European Handball Federation and others.

6.4.2 Monitoring / direct information

As one of its work pillars, the Play Fair Code permanently observes, researches, and monitors (in the widest possible sense) the higher-level domestic leagues in integrity matters. Relevant information and suspicious cases are documented and evaluated precisely.

The ongoing close collaboration with the sports betting operators involved in the stakeholder network of the Play Fair Code and Sportradar provides access to the monitoring data produced on the betting markets.

Through its daily work, particularly, through ongoing contact with athletes, coaches and officials, the Play Fair Code repeatedly becomes aware of suspected games manipulation or betting fraud.

In accordance with a defined formal protocol scenario within the Play Fair Code, cases are discussed with the respective sports associations' integrity officers, who initiate further measures in their (disciplinary) sphere.

Within the communication protocol, the Play Fair Code also acts as a facilitator by establishing channels to law enforcement / the police in specific cases. However, the Play Fair Code is not a public authority and can therefore only transmit information to the police if consent is given by the individual providing the information.

The Play Fair Code is not integrated into any type of investigative work itself.

6.4.3 Ombudsperson facility

Almost all disciplinary regulations in sports regulations stipulate that individuals subject to a framework of regulation are obliged to report any observations and/or perceptions on the subject of game manipulation, fixing and betting fraud to the respective sport's governing bodies (also see Section 3.2.2.).

It is a core concern of prevention work to make the persons concerned aware of a regulation's existence. At the same time, it must also be ensured that the obligation to report can and will be processed professionally and reliably within the sports associations. In addition, all communication must be carried out in confidence and in a safe space.

Subsequently, all investigations need to be initiated within the sport's governing body and the law enforcement authorities as every manipulation case has (at least) two legal dimensions: disciplinary and criminal law (see Section 3.2.).

To avoid entry barriers of any kind for an initial consultation, the Play Fair Code decided in 2014 to set up an ombudsperson facility attached with an Austrian attorney-at-law. This is available free of charge and can be accessed anonymously 24/7 by phone or email. The specific legal duty to preserve confidentiality and the right to confidentiality (attorney-client privilege) are central elements to protecting the relationship of trust that exists with an individual, such as an athlete, who is reporting an incident or providing information. This also applies to protecting this individual's interests.

The goal of any consultation carried out by the ombudsperson is to advise the information provider in a way that it will best support their (career) interests and to assist with the filing of an official report as requested in the sports regulations (see Section 6.4.2.).

The Play Fair Code ombudsperson service has proven to be an indispensable part of prevention management over the past years as athletes appropriately accept it.

Though, with an increasing awareness of Play Fair Code's target groups based on multiple relationships forged through educational measures and training sessions, solid and reliable trust has been built due to the institution's efforts between athletes, coaches, officials, referees, etc.

6.4.4 General awareness-raising

In addition to the education measures introduced within the sport industry, general awareness-raising measures against match-fixing and betting fraud are implemented in multiple ways.

The Play Fair Code communicates its messages and in-depth content via traditional media relations work (expert contributions, articles, interviews, etc.) and via its own social media channels (Instagram, Facebook, LinkedIn). The exploitation of social media is also increasingly developing into a low-threshold and innovative training channel.

In addition, the Play Fair Code creates awareness through numerous B2B talks, discussions, panels, lecturing assignments at universities and other further education institutions (Danube University

Krems, German Sport University Cologne, Bundesliga Campus, Sports Betting Academy and others), and in national and international partnerships, collaborations and activities.

6.4.5 Research

The problem of match fixing and its constantly changing and adapting mechanisms certainly do not stop at national borders. Global and international collaboration is essential in the fight against the issue. The Play Fair Code was therefore commissioned to network nationally and internationally and play an active role in national and international research projects.

Networking and getting involved in various projects within and alongside other institutions is key to increasing knowledge and expertise. It also provides opportunities for reflection and for exchanging knowledge and information.

The institution's research assignment has resulted in the Play Fair Code becoming a project partner of the Erasmus+ co-funded projects over recent years:

- 556784-EPP-1-2014-1-AT-SPO-SCP,
“**European Rookie Cup**”, EAC/S11/13,
(<http://www.rookiecup.eu/home/>);
- 567159-EPP-1-2015-2-EL-SPO-SCP,
“**FIX the FIXING: Proactive quelling of sports events manipulation**”, EAC-A04-2014,
(Project website no longer available);
- 579736-EPP-1-2016-2-PT-SPO-SCP,
“**Anti Match-Fixing Top Training**”, EAC-A04-2015,
(www.amatt.eu);
- 590606-EPP-1-2017-1-PL-SPO-SCP,
“**Against match fixing - European Research & Education Program**”, EAC-A03-2016,
(www.againstmatchfixing.com);
- 613385-EPP-1-2019-1-BE-SPO-SCP,
“**Evidence-based Prevention Of Sporting-related Match-fixing**”, EAC-A03-2018,
(www.eposm.net);
- 613592-EPP-1-2019-1-RO-SPO-SCP,
“**SEE Countries for the Integrity of football clubs**”, EAC-A03-2018,
(<https://seecountries-footballintegrity.com>);

6.5 Prevention in basketball

6.5.1 Stakeholders

6.5.1.1 Play Fair Code

The Austrian Football Association and the Austrian Football Bundesliga were among the first institutions in Europe to take concrete national measures against match manipulation and betting fraud. This has subsequently led to establishment of the Play Fair Code in 2012. Due to their size (number of members, clubs, athletes; publicity, and financial strength), the two founding members of the Play Fair Code are among the dominant sports associations in Austrian sport. Austrian Basketball got involved in the Play Fair Code in 2017.

6.5.1.2 Austrian Basketball Federation

The Austrian Basketball Federation (Österreichischer Basketball Verband, ÖBV) consists of nine state associations. The federation was founded in 1948 and is a member of the international basketball association FIBA. Basketball competitions have been played in Austria since 1936.

The Vienna-based federation acts as an umbrella organization for more than 165 clubs¹ with approximately 22.000 active players, officials and referees². Half of the active players are adults and the other half youth-athletes. In terms of clubs and members, basketball ranks amongst the most popular club-sports in Austria.

The ÖBV is the organizing and executive association of the Austrian women's and men's top-level leagues (Damen Basketball Superliga, Basketball Superliga and Basketball Zweite Liga) and cup tournaments, all female and male Austrian national team competitions, and the top-level referees. Furthermore, it is responsible for the top-level youth basketball. The ÖBV also organizes and carries out the Austrian coaches' education in basketball.

The professional/semi-professional top league currently operates as "bet-at-home Basketball Superliga" for sponsoring reasons.

All lower leagues (grassroots level) are organized by the nine state associations.

6.5.1.3 Disciplinary committees

In order to reinforce the autonomy of the clubs and the sports themselves, the associations have implemented their own disciplinary system containing appropriate regulations and committees.

The ÖBV has set up a disciplinary committee in accordance with its statutes. The committee decides on all matters relating to registrations and cancellations, loan agreements, double play rights and compliance with the

Regulations, protests and certification of games.

Rules and regulations relating to match-fixing and betting fraud are included.

Appeals can be lodged against decisions of the committee.

¹ Sport Austria statistics 2021

² Sport Austria statistics 2021

6.5.1.4 Law enforcement

The Bundeskriminalamt (Federal Criminal Police Office) is combating crime nationwide and serves as a center for cooperation with international police functions. It is subordinate to the Federal Ministry of the Interior. Within the organized crime department, a sub-division functions as the Integrity in Sports Unit, which has dealt with match-fixing and the various well-known Austrian doping cases in recent years. The Federal Criminal Police Office maintains contractual relationships with international sports monitoring companies and therefore has access to relevant data on the betting market.

The Public Prosecutor's Office does not have special responsibilities for sports crime, so the normal responsibilities based on the code of criminal procedure apply.

6.5.2 Education approach

6.5.2.1 Training plans and frequency

Austrian basketball is represented on the betting market. Mens´ s and women´ s top-league matches as well es men´ s and women´ s Cup competitions and of course the matches of the national teams are offered.

Workshops are scheduled in a two-year cycle in the following leagues:

- Bet-at-home Basketball Superliga
- Basketball Zweite Liga
- Basketball Damen Zweite
- Female and male Nationalteams of all ages
- Austrian top level referees

6.5.2.2 Basic information about the workshops

The Play Fair Code provides about 100 to 120 integrity workshops annually. 90% of these workshops are held for sports clubs and associations in Austria. Training is primarily given in football, basketball, handball, skiing, tennis, and volleyball.

For each sport and every workshop series, a customized and specialized training module containing video sequences and case studies is developed and tailored to the characteristics and needs of the respective sport. The modules are designed to be interactive in order to achieve the highest possible degree of engagement among the participants.

Working in tandem with the respective member or national federation, training dates are coordinated either bilaterally between the Play Fair Code and the individual clubs or centrally via the association. The workshops, usually lasting 50 to 70 minutes, take place on-site at the clubs and are free of charge.

The Play Fair Code brings along the necessary technology, such as laptops, projectors and audio equipment. Outdoor or online training formats are also available for special situations (such as during the Covid-19 pandemic).

Participation in the workshops is voluntary, with some associations strongly encouraging attendance and others making it mandatory.

In addition to the athletes themselves, coaches, supervisors and officials are also present at the workshops. Each session is followed by a Q&A and further discussions. For documentation purposes, the Play Fair Code collects a list of participants for each workshop and prepares a short report. These documents are then evaluated and archived in the Play Fair Code.

6.5.2.3 Workshop design and structure

The workshop modules are customized and specialized for each sport and workshop series. The modules contain video sequences and actual case examples and are tailored to the characteristics and needs of the respective sport.

The modules are also interactively designed.

In the following, some general pillars of the workshop concept are presented and illustrated using graphics.

Each workshop starts with a general introduction on match-fixing and betting fraud. The Play Fair Code as an organization and its network are also introduced (see Figure 3: Play Fair Code's organizational stakeholders and partners).

To give the participants a general idea of the workshop's background, a striking case example (not yet necessarily from the respective discipline) is usually presented, and the topic of credibility in sport is discussed.

A closer look is taken at which stakeholders would be affected by a possible manipulation in a further step. (see Figure 4: Stakeholder approach)



Figure 4: Stakeholder approach

The different types of manipulations are then presented, explained, and illustrated using appropriate examples from the respective discipline. Using interactive role play, the path to manipulation is shown and explained in its single steps (see Figure 5: Steps to manipulation).

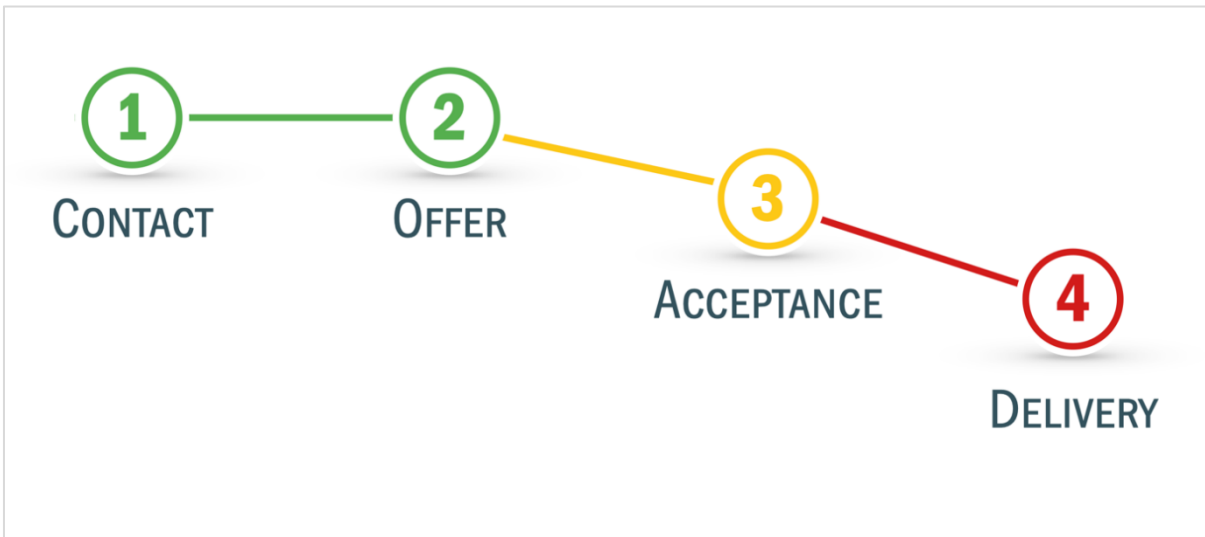


Figure 5: Steps to manipulation

An emphasis is placed on the admissibility of sports betting among athletes, sports betting in general, and the legal framework. This is followed by a closer look at the disciplinary regulations of the respective sport. Clearly formulated and easily memorable key recommendations are derived from this (see Figure 6: Basic disciplinary rules).

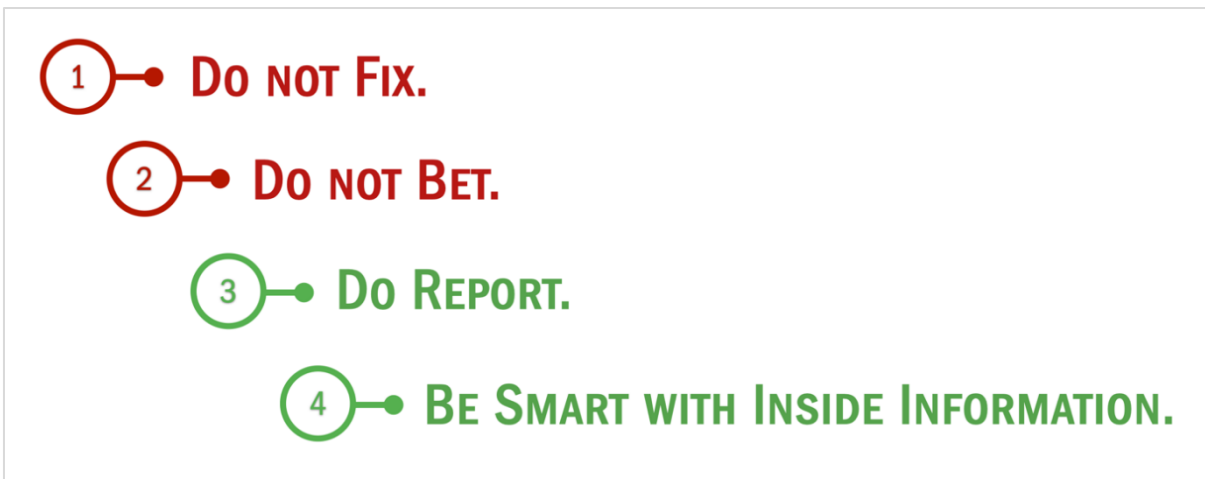


Figure 6: Basic disciplinary rules

Finally, attention is drawn to the numerous, varied and serious consequences of match-fixing (see Figure 7: Consequences of match-fixing).



Figure 7: Consequences of match-fixing

To recap, the workshop is closed with a discussion on the important “3Rs”, also used in the UEFA’s integrity program (see Figure 8: 3Rs).

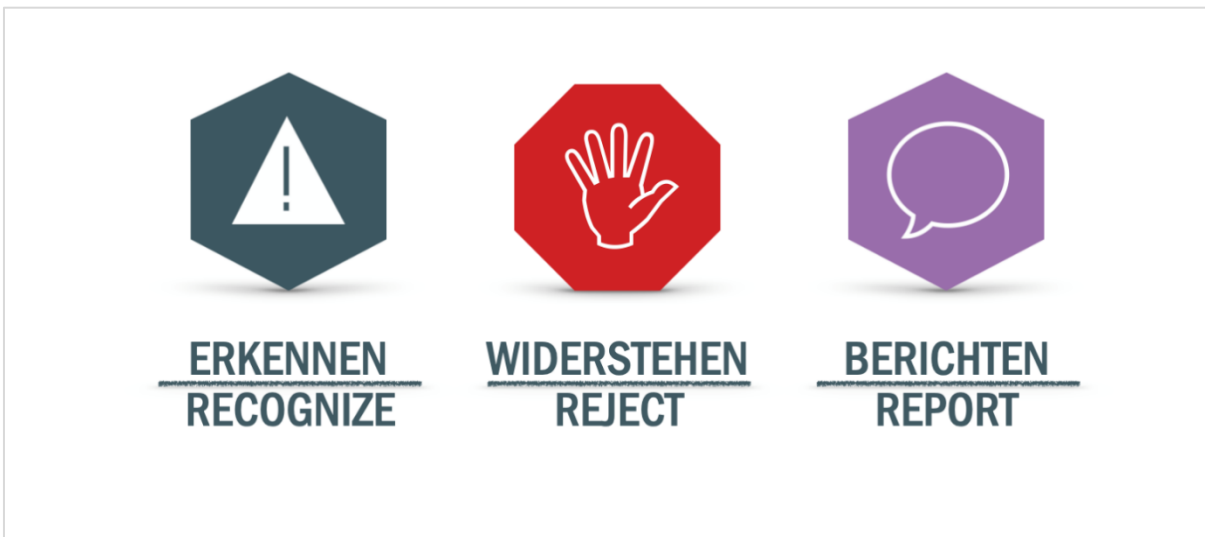


Figure 8: 3Rs

Naturally, each workshop provides information on the various options for making contact, be it via the ombudsperson, the integrity officer of the respective federation, or directly with the Play Fair Code, and not only in the event of an actual suspicion report.

7 RESULTS OF THE EPOSM SURVEY IN AUSTRIA

As mentioned above, an international, target group-specific survey was created and disseminated in the first stage of the EPOSM project, the results of which we will briefly summarize in this section. The complete survey results for Austria can be found attached as an annex to this National Action Plan.

The overall study showed that nearly 20% of its more than 5000 international participants, among them current and former athletes, coaches, administrators, managers and officials as well as others involved in several sports disciplines (including football, tennis, basketball, hockey, handball, and cricket), have already been confronted with (in)direct match-fixing proposals. More specifically, 17.5% of the participants indicated that they personally knew one or more people who had been approached to “fix” a match. Additionally, 8.4% of the participants revealed that they had already been approached themselves for a match-fixing proposal.

These figures are significantly different (and more positive) in light of the Austrian results.

Nearly 700 individuals from the target group were interviewed across the country, about 550 of which were involved in football. (See Figure 9: Overview of the respondents' characteristics (n = 681))

	Total (n = 681)	Football (n = 553)	Basketball (n = 67)	Handball (n = 24)	Other (n = 37)
Gender					
Man	83,0%	81,4%	98,5%	95,8%	70,3%
Woman	17,0%	18,6%	1,5%	4,2%	29,7%
Other	0,0%	0,0%	0,0%	0,0%	0,0%
I prefer not to say	0,0%	0,0%	0,0%	0,0%	0,0%
How are (were) you mainly related to this sport?					
Athlete	86,5%	87,0%	86,6%	70,8%	89,2%
Coach / Trainer / Assistant coach	7,5%	7,6%	9,0%	12,5%	0,0%
Medical staff	0,4%	0,4%	1,5%	0,0%	0,0%
Referee / (Video) Assistant Referee / (Fourth) official / Jury member	0,1%	0,2%	0,0%	0,0%	0,0%
Board member / Assembly member / Manager of a sport club	4,6%	4,2%	1,5%	16,7%	8,1%
Other	0,6%	0,4%	1,5%	0,0%	2,7%

Figure 9: Overview of the respondents' characteristics (n = 681)

About 11.5% (only half of the international total), that is 78 individuals in absolute figures, of the Austrian sample stated that they “knew” one or more individuals who had already been contacted/approached for match-fixing. (See Figure 10: Respondents who personally knew someone who had been approached for match-fixing (n = 679))

	“Do you personally know anyone who has been approached to fix a game / match?”
Yes, I know one person	47
Yes, I know two persons	9
Yes, I know three or more persons	22
No	601

Figure 10: Respondents who personally knew someone who had been approached for match-fixing (n = 679)

8 of the individuals surveyed in Austria stated that they had actually been approached themselves directly. (See Figure 11: Cases of having been approached themselves in the Austrian sample (n = 679))

Sport discipline	“Have you yourself ever been approached to fix a game / match?”	
	No	Yes
Football (n = 551)	543	8 (1,5%)
Basketball (n = 67)	66	1 (1,5%)
Handball (n = 24)	24	0 (0,0%)
Other (n = 37)	37	0 (0,0%)

Figure 11: Cases of having been approached themselves in the Austrian sample (n = 679)

The survey also took a closer look at two different types of match-fixing. (See Figure 12: Motive of the match-fixing cases (n = 8))

On the one hand, there is the betting-related type of match-fixing, in which matches or specific events (spots) during matches are manipulated to gain a financial advantage through betting.

- Two (2) of those Austrian participants, who had already been approached for match-fixing, indicated that the proposal was made solely for the purpose of making money by betting on the manipulated match. All actors were athletes and involved in football.

On the other hand, there is match-fixing for sporting purposes, often referred to as “sporting-related match-fixing.”

- Four (4) of the approached Austrian participants (also all involved in football and being players and coaches) indicated that the proposal had a sporting-related purpose only.

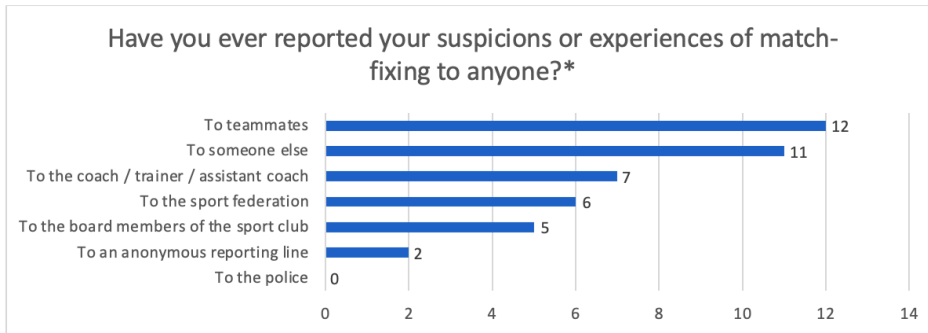
The remaining two (2) Austrian participants who had already been approached for match-fixing stated other (not further identified) motives for the manipulation.

	Total (n = 8)
What was the motive of the people who approached you?	
Only betting-related match-fixing	2
Both betting- and non-betting-related match-fixing	0
Only non-betting-related match-fixing	4
Both non-betting-related and “other motive”*	0
Other motive*	2
I don't know	0

*The exact “other motive” could not be identified due to a software bug.

Figure 12: Motive of the match-fixing cases (n = 8)

The EPOSM study also shows that about 60% of the recipients, who indicated (in)direct (proposed) match-fixing incidents, had never reported their perceptions, suspicions or experiences to anyone. Those who had reported their perceptions, suspicions or experiences of match-fixing to someone, mainly did so to teammates and other people from their personal or professional environment. About 25% of those who reported their suspicions or experiences did this to the respective sport federation or an anonymous reporting line. (See Figure 13: Reporting suspicions or experiences of match-fixing to anyone (n = 31))



*The sum of the figures exceeds 31, because multiple answers were possible to the question.

Figure 13: Reporting suspicions or experiences of match-fixing to anyone (n = 31)

While the overall international figures of the EPOSM Survey appear to be rather challenging, the national figures from an Austrian perspective are comparatively positive.

These figures appear to clearly reflect and underline many years of prevention work of the Play Fair Code and are a logical consequence of a long-term and far-reaching strategy to tackle the problem in a sustainable, holistic and persistent way.

Furthermore, the data on reporting behavior provided interesting information. (For details, see the complete report in the appendix.)

The reporting practice in Austria to date, according to the survey, indicates that the educational message of the “obligation to report” must be emphasized even more intensively alongside very clear guidelines on whom to report to.

To sum up, the survey results offer an interesting and valuable reflection of the Play Fair Code’s work, which will be echoed in adapting future approaches to the prevention and education efforts.

8 OUTLOOK

8.1 Future developments in general

The phenomenon of the manipulation of sports competitions threatening sport is subject to constant change. Several factors play a role here, among others:

- Sports betting providers develop new products for betting customers, which also opens up new opportunities for fixers. One example is the rapid expansion of online and live betting, which impacted the betting market in recent years. The digitalization of sports betting goes hand in hand with the digitalization of sport itself. Movement data, performance data and health data of the sports actors play an increasing role in sports, and it will be critical to observe to what extent such data will play a role in the field of sports betting and match-fixing in the future.
- Digitalization also creates completely new sports like e-sports, which are increasingly covered by the sports betting industry. These new sports, which are often not yet properly covered by institutions and regulations, are particularly susceptible to manipulation and require a great deal of attention.
- Another aspect is the fact it is becoming increasingly easier to get in touch with sports players through social media. In recent years, the number of contacts/offers to players made by often anonymous people through instruments such as Facebook or WhatsApp is constantly increasing. This problem has to be observed and taken into account accordingly in the athletes' training so that they behave correctly in the event of such approaches (disclosure of inside information, obligation to report) to avoid damage to their careers.

The Austrian Integrity Management Framework is well aware of this future development and can adopt its measures to any new tasks, activities or actions.

8.2 Future measures to strengthen the Austrian integrity Management Framework

Numerous stakeholders in Austrian sports, in particular the Play Fair Code, strive to strengthen and further develop the national integrity management framework. The essential element is ratifying the Convention on the Manipulation of Sports Competitions (the Macolin Convention). Discussions at various political levels are currently taking place to initiate a political decision-making process.

Ratification also implies that the measures described in the convention will definitely be implemented. An essential instrument of the Convention is establishing national platforms to strengthen national coordination and international cooperation.

The integrity management framework implemented in Austria in recent years already anticipates the essential cornerstones of the Convention. The national platform has been created de facto in the form of the Play Fair Code. However, adaptations in the Play Fair Code's structure and, above all, legal refinements, such as an Austrian Anti-Match-Fixing Act, are necessary to establish the Play Fair Code as a national platform in accordance with the Convention.

The relevant political decision-making process is currently underway.

8.3 Specific individual measures

8.3.1 Expansion of monitoring in lower levels of sport

At the moment only the highest leagues in Austrian sport have agreements with monitoring companies. However, since sports bets are also offered on lower levels of Austrian sport, especially in football, there is an urgent need for improvement and expansion of monitoring.

Such a development is not only desirable from the point of view of law enforcement and investigation, but also from the point of view of prevention work. The information that the game and betting data is recorded, evaluated and starting point and evidence for investigation makes the players of lower league sports aware of the relevance of the topic.

The global supplier of sports integrity solutions Sportradar Integrity Services announced in February 2021 the launch of its Universal Fraud Detection System (UFDS). Evolving from its current bet monitoring service, the UFDS will be funded by Sportradar and offered free of charge to any sports federation, or league worldwide, and will be made available in October 2021.

Due to a memorandum of understanding signed in 2018 the Play Fair Code and Sportradar are in an ongoing partnership to exchange know-how and best-practices with a strong focus in the education and prevention field to reach their common objectives of fighting corruption in sport across Austria and worldwide with joint approaches. The cooperation also ensures mutual coordination and support of their efforts and advocacy before international and European authorities and institutions.

Based on this partnership, the Play Fair Code coordinates contacts between the Austrian sports associations and tries to contribute to the conclusion of contracts for the UFDS and thus more Austrian sports to be monitored.

8.3.2 Adding international expertise to the advisory committee

Bringing further expertise and involvement to the Play Fair Code is the main goal of the associations advisory committee. Currently, this committee is designed to cover Austrian sport stakeholders and experts.

Taking into account the fact that manipulation is an international phenomenon, the Play Fair Code intends to gain an international expert for the committee.

8.3.3 Refinement of the Austrian match-fixing crisis communication model

Several years of experience and practical execution have resulted in a informal procedure for any incoming reports or occurring cases of manipulation, which has proven to be sensible and practicable. This procedure is now being adapted for all disciplines, federations and leagues represented in the Play Fair Code, depicted in writing and graphically (see Figure 14: Match-fixing crisis communication model)and implemented in cooperation with the respective federation or league as a standardized crisis communication scenario.

The core of such crisis communication is the constant and direct exchange of information between the relevant partner, the Play Fair Code and, if necessary, the ombudsperson.

The basis for the successful and target-oriented processing of the report is initially the correct and complete recording of the respective facts. The resulting document is then also used to provide information to the investigating authority.

Information from the whistleblower is supplemented by further information researched by the Play Fair Code in cooperation with the respective federation (e.g. queries about anomalies on the betting market, viewing of video material, etc.).

If necessary, the information compiled in this way will also be transmitted to the responsible ministry and / or the Group of Copenhagen.

Last but not least, concerted media information is also prepared and published.

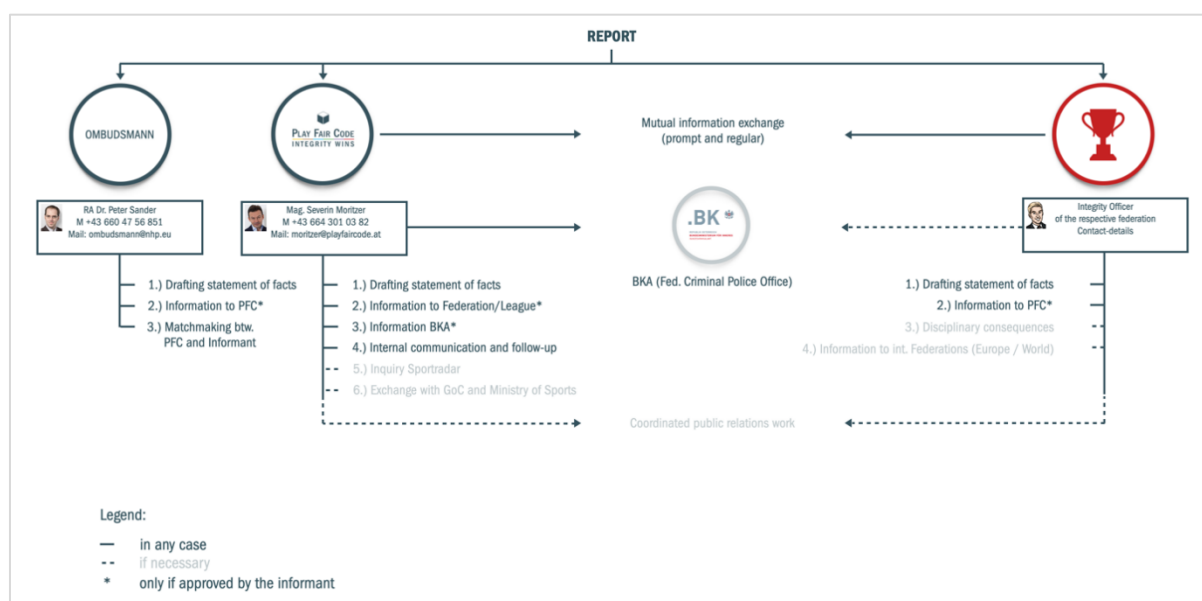


Figure 14: Match-fixing crisis communication model