

Sport management in the context of criminal liability for corruption
A gestão do esporte no contexto da responsabilidade penal de corrupção
La gestión deportiva en el contexto de la responsabilidad penal por corrupción

*Rostyslav Shchokin, **Vasyl Oliinyk, *Olena Bondarenko, *Dmytro Kyslenko, *Olha Kolos, *Yuriy Tymoshenko
 *Interregional Academy of Personnel Management (Ukraine), **Kyiv Court of Appeal (Ukraine)

Abstract. The problem of corruption in the management of sports organizations has long since ceased to have an exclusively national character, becoming a global problem, particularly at the level of federal and international sports organizations. It is possible to state a specific limitation in studying problematic issues of criminal responsibility for corruption crimes in sports and the insufficiency of the development of certain aspects of establishing accountability for the specified offenses. This study aimed to identify the effectiveness of criminal legal measures in the form of criminal liability in the fight against corruption crimes in the management of sports organizations. The following methods were used in this study: information-analytical method; system approach method; method of comparison and comparison; method of descriptive analysis; method of pragmatic approach; forecasting method. According to the research results, the author's concept of corruption in the management of sports organizations was proposed. It has been established that criminal liability for corruption crimes in the field of management of sports organizations is an effective but insufficient measure to combat this phenomenon. This is evidenced by scientific studies of the last 5 years regarding the fight against match-fixing in certain types of sports in certain countries, which indicates the insufficient effectiveness of establishing criminal liability for corruption crimes in the management of sports organizations. There was a need to develop new, more effective measures to prevent and combat corruption crimes in the field of sports management. At the international level, it is necessary to create the Instruction on tackling corruption in the management of sports organizations, which will include measures and directions for combating and preventing corruption in sports, including improving criminal liability for these crimes. This study opens up the prospects for further research in the fight against corruption in the field of sports, in particular, ensuring control over the activities of national and international sports organizations by improving both the legislative framework and the practical implementation of its provisions in the field of regulation and management in the sports field.

Keywords: Corruption crimes, bribery, criminal legislation, sport management, match-fixing, doping, tricks.

Resumo. O problema da corrupção na gestão das organizações desportivas há muito deixou de ter um carácter exclusivamente nacional, tornando-se um problema global, nomeadamente ao nível das organizações desportivas federais e internacionais. É possível afirmar uma limitação específica no estudo de questões problemáticas de responsabilidade penal por crimes de corrupção no esporte e a insuficiência do desenvolvimento de alguns aspectos da responsabilização pelos crimes especificados. Este estudo teve como objetivo identificar a eficácia das medidas penais na modalidade de responsabilidade penal no combate aos crimes de corrupção na gestão das organizações desportivas. Neste estudo foram utilizados os seguintes métodos: método analítico-informacional; método de abordagem do sistema; método de comparação e comparação; método de análise descritiva; método de abordagem pragmática; método de previsão. De acordo com os resultados da pesquisa, foi proposto o conceito de corrupção do autor na gestão das organizações desportivas. Constatou-se que a responsabilidade penal por crimes de corrupção no domínio da gestão de organizações desportivas é uma medida eficaz mas insuficiente para combater este fenómeno. Isso é evidenciado por estudos científicos dos últimos 5 anos sobre o combate à viciação de resultados em certos tipos de esportes em determinados países, o que indica a insuficiente eficácia da responsabilização criminal por crimes de corrupção na gestão das organizações desportivas. Havia a necessidade de desenvolver novas medidas mais eficazes para prevenir e combater os crimes de corrupção no domínio da gestão desportiva. A nível internacional, é necessário criar a Instrução sobre o combate à corrupção na gestão das organizações desportivas, que incluirá medidas e orientações para o combate e prevenção da corrupção no desporto, incluindo a melhoria da responsabilidade criminal por estes crimes. Este estudo abre perspectivas para novas pesquisas no combate à corrupção no campo do esporte, em particular, garantindo o controle sobre as atividades das organizações desportivas nacionais e internacionais, melhorando tanto o quadro legislativo quanto a implementação prática de suas disposições na área de regulação e gestão no campo esportivo.

Palavras-chave: Crimes de corrupção, suborno, legislação penal, gestão de esporte, fixação de partidas, doping, truques.

Resumen. El problema de la corrupción en la gestión de las organizaciones deportivas hace tiempo que dejó de tener un carácter exclusivamente nacional, para convertirse en un problema global, es decir, a nivel de las organizaciones deportivas federales e internacionales. Es posible afirmar una limitación específica en el estudio de cuestiones problemáticas de responsabilidad penal por delitos de corrupción en el deporte y la falta de desarrollo de algunos aspectos de responsabilidad por delitos específicos. Este estudio tuvo como objetivo identificar la eficacia de las medidas penales en la forma de responsabilidad penal en el combate a los delitos de corrupción en la gestión de las organizaciones deportivas. En este estudio, se utilizaron los siguientes métodos: método analítico-informativo; método de enfoque de sistema; método de comparación y comparación; método de análisis descriptivo; método de enfoque pragmático; método de pronóstico. De acuerdo con los resultados de la investigación, se planteó el concepto de corrupción autoral en la gestión de las organizaciones deportivas. Se constató que la responsabilidad penal por los delitos de corrupción en el ámbito de la gestión de las organizaciones deportivas es una medida eficaz pero insuficiente para combatir este fenómeno. Así lo demuestran estudios científicos de los últimos 5 años sobre la lucha contra el amaño de partidos en determinados tipos de deportes en determinados países, lo que indica la insuficiente eficacia de la responsabilidad penal por delitos de corrupción en la gestión de las organizaciones deportivas. Era necesario desarrollar nuevas medidas más eficaces para prevenir y combatir los delitos de corrupción en el ámbito de la gestión deportiva. A nivel internacional, es necesaria la creación de la Instrucción de lucha contra la corrupción en la gestión de las organizaciones deportivas, que incluirá medidas y directrices para combatir y prevenir la corrupción en el deporte, incluyendo la mejora de la responsabilidad penal por estos delitos. Este estudio abre perspectivas para futuras investigaciones en la lucha contra la corrupción en el ámbito del deporte, en particular, asegurando el control sobre las actividades de las organizaciones deportivas nacionales e internacionales, mejorando tanto el marco legislativo como la implementación práctica de sus disposiciones en la materia, de regulación y gestión en el ámbito deportivo.

Palabras clave: Delitos de corrupción, cohecho, legislación penal, gestión deportiva, amaño de partidos, dopaje, artimañas.

Introduction

Corruption and bribery are extremely negative phenomena that have affected almost all spheres of public life in almost all countries of the world. The sport industry was no exception, which, unfortunately, also became subject to corruption because of certain reasons, becoming a real threat to the integrity of sports at the world level (Kolomoiets et al., 2021).

Corruption in the sport industry is one of the types of activity in this field, which is illegal and socially dangerous. The actual activity in the field of management of sports organizations is defined as the activity of a certain range of subjects determined at the legislative level, which implies training of athletes, organization and holding of sports events, comprehensive provision of sports events, as well as the performance of managerial functions in the field of sports development, in particular those types that are officially recognized at the international and the country levels.

One of the main measures to combat corruption in the management of sports organizations, as one of the socially dangerous acts, is establishing criminal liability for the commission of specified criminal offenses. As a rule, such responsibility is provided at the level of national criminal legislation, and the criminal codes of many countries contain components of corruption crimes in sports management.

This area of crime is quite widespread, with steadily increasing number of corruption crimes in sports every year. The reason is extremely high profitability and popularity among the population of most countries of the world. This is exactly what makes this area quite attractive for crime, entailing significant losses in the in the field of management of sports organizations caused by manipulation of sports results and violation of the integrity of sports (Oliynyk & Bashta, 2019). Corruption in the sport industry has a negative impact on the fans, on the athletes themselves, and on sports sponsors and, as a result, on the sports industry as a whole (Dodds, 2019). At the same time, the problem of corruption, including in the field of management of sports organizations, has long ceased to have an exclusively national character, becoming an international problem (Bondarenko et al., 2020), in particular at the level of federal and international sports organizations in various kinds of sports (Philippou, 2019).

Establishing criminal liability is one of the tools of counteraction to corruption in the field of the sports organizations management, which requires planning of a criminal law policy on combating corruption of this type (Chapelet, 2016). After all, the commission of corruption crimes in the sphere of sports organizations management is socially dangerous, as it creates obstacles to the development of sports in some of its kinds. It also threatens the image of national sports and discredits the activities of international sports organizations, the activities of which are currently associated with the mentioned dangerous manifestation (Benitez & London, 2017; Benito Colio & Solanellas Donato, 2022). This adds to the fact that corruption itself has a detrimental effect on all spheres of public life and public policy (social, political, economic, cultural, moral and ethical, etc.). All this gave an impetus to increase the number of scientific and practical studies in the field of combating corruption in the field of management of sports organizations and the development of appropriate provisions to regulate the countermeasures against the development of corruption in this area of public life.

Literature review

Corruption in the sport organizations management and certain aspects of bringing to criminal liability for these criminal offences urges the development of the legal aspect of combating corruption offences in this area. Corruption in sports is often considered as a separate aspect of crime in sports, without distinguishing this socially dangerous acts of corruption into a separate category (Szesny, 2021). But attention is often paid to certain manifestations of corruption in the sport industry, in particular those related to the use of doping or incitement to doping (Shestak & Adigamov, 2020).

Special attention is paid to national legislations, which are quite effective in counteraction to corruption in the sports law of particular countries (Republic of Latvia (Zalcmane & Kamenecka-Usova, 2018), Republic of Bulgaria (Dimitrov, 2017), Ukraine (Dzhuzha et al., 2021), USA (Mitten, 2018-19), etc.), in particular in certain kinds of sports (for example, Swiss legislation (Gütling, 2017)). The studies distinguish separate areas (Potulski, 2019) that focus on the issue of criminal liability for the use of doping or coercion to use it as one of the manifestations of corruption in the field of the sports organiza-

tions management (Shablistiy & Anisimov, 2021), which is one of the most common problems in this field (Fookes, 2016). Certain aspects of responsibility for match-fixing (Moriconi & Almeida, 2019) as a manifestation of corruption in sports management and ways of combating them in certain countries (Portugal (Philippou, 2019), the Republic of Bulgaria (Dimitrov, 2017), the USA (Balsam, 2020-2021)) and regions (Holden & Rodenberg, 2015) are explored, in particular from the perspective of prerequisites for their occurrence (Moriconi & de Cima, 2020). The issue of bringing to criminal liability for corruption in certain kinds of sports, in particular football, is being studied separately (Slade, 2019). The identification of interrelationships between the mentioned problems of doping, the spread of match-fixing (Serby, 2017) and other manifestations of unsportsmanlike behaviour (Ifeyanichukwu & Denni, 2017) is considered as a more global approach to solving the problem of corruption in the sport industry. The study of international experience in the fight against illegal influence on the results of sports competitions and other manifestations of corruption in the sport management is no less important (Yefimov et al., 2021).

Obviously, a certain limitation in the study of problematic issues of criminal liability for corruption crimes in the sports organizations management and poorly studied certain aspects of establishing liability for the specified crimes both at the national and international level levels can be stated despite close attention to the studied issues in the theory and practice of criminal law (Philippou & Hines, 2021; Roza Rondón et al., 2022). Besides, there is need for a more complex approach to solving issues of criminal liability for corruption in the field of sports organizations management by developing universal measures to counter the most common types of corruption crimes in this field. This situation should be corrected by improving the legislation on combating corruption in the sports organizations management in at the national level and at the level of international organizations.

Aim

The topicality of the research, as well as the number of unsolved issues related to bringing to criminal liability for corruption crimes in the sports organizations management substantiated the aim of this study, which is to determine the effectiveness of criminal law measures to

combat this phenomenon. The aim of the research involved the following research objectives:

- determine the types of corruption crimes in the sports organizations management;
- assess the impact of criminal liability on combating this type of corruption;
- develop recommendations on combating corruption in sports both by applying criminal law measures and by developing other countermeasures and preventive measures at the national and international levels.

Methodology and methods

This study was conducted in stages determined for studying the problem, based on the logic of the presentation of the material, in order to achieve the aim of the research and fulfil its objectives. These stages were the following:

- selection and study of statistics;
- analysis of the material presented in the selected sources and evaluation of the results of these studies;
- identification of unresolved problems related to criminal liability for corruption in the sport industry;
- determining the effectiveness of the application of criminal law measures to combat corruption in sports;
- development of proposals to improve the effectiveness of combating corruption crimes in sports organizations management.

The research was carried out in the following stages:

- determination of the prevailing corruption crimes in the sports organizations management in individual countries, and the most widespread corruption crimes in the sport industry (data for 11 countries);
- analysis of experts' opinions regarding the threats posed by corruption in the sport industry;
- identification of anti-corruption measures in the sport industry and areas of promoting integrity in sports;
- examine the case against high officials of FIFA, which related to corruption, fraud and money laundering of some high officials of this organization in the selection of host countries for the 2018 and 2022 championships as an example.

The provisions of the following international legal acts made up the legal framework of the research: The United Nations Convention against Corruption of October 31, 2003, the Council of Europe Convention on the Manipu-

lation of Sports Competitions of September 18, 2014. The national criminal legislation of 26 countries was considered in order to analyse the provisions of national legislation that establish criminal liability for corruption crimes in the sport industry.

The study involved the following methods:

- Information analysis was used to analyse information sources and draw conclusions regarding criminal liability for corruption in the sport industry;
- System approach was used to analyse certain types of corruption crimes in the sports organizations management;
- Comparison and contrasting was used for comparative analysis of the national legislation of some countries and international legislation on criminal liability for corruption in the sport industry, as well as to identify common features of particular corruption crimes in the sport industry;
- Descriptive analysis was used to systematize, classify and generalize information on types of corruption crimes in the sport industry and other manifestations of unsportsmanlike behaviour, which is a prerequisite for corruption crimes;
- Pragmatic approach to data collection and analysis was used to determine the main signs of corruption crimes in the sport industry and the concept of corruption in the specified field;
- Forecasting was used to develop proposals and recommendations on criminal liability for corruption in the field of the sports organizations management.

Results

The field of the sports organizations management is a huge and extremely profitable, with enormous amounts of money passing through. International sports organizations, such as the IOC and FIFA, which are in fact monopolies in their field, stand out in this money circulation. Such enormous profits could not but attract the attention of individuals and organizations specializing in self-interested crime.

Corruption takes one of the leading places among such crimes, which is a fairly widespread phenomenon in the field of the sports organizations management. This is evidenced by statistics on cases of corruption in the field of the sports management in some countries (see Table 1,

which is author's development based on (Manoli, 2019)).

Table 1.

The number of corruption crimes in the field of sports in some European countries (Manoli, 2019)

Country of Europe	Number of corruption crimes in the sport industry
France	16
United Kingdom	15
Republic of Bulgaria	14
Italy	10
Malta	9
Sweden	7
Cyprus	5
Spain	4
Austria	4
Finland	3
Germany	3

Corruption has diverse manifestations in sports, although the vast majority of research deals with such types of corrupt practices in sports as doping or coercion and match-fixing. These include, in particular, fraud during the construction of sports facilities (misappropriation, fraud, price gouging), misuse by functional members of international sports organizations (bribery when choosing a venue for international sports events), bribery of athletes, sports judges, coaches, other participants or organizers of sports competitions in order to influence their results (match-fixing, manipulation of the results of sports events), money laundering, etc. The most common are match-fixing (manipulation of the results of sports events), doping, money laundering. Table 2 presents a more detailed distribution of types of corruption crimes in the sport industry, which is the author's development based on (Manoli, 2019).

Table 2.

Number of cases of corruption crimes in the the field of the sports management in 11 European countries (Manoli, 2019)

Type of crime	Number of cases (2010 to 2018)
Match-fixing	33
Doping	24
Tricks	6
Illegal gambling	5
Bribery	5
Match-fixing/bribery	5
Money laundering	4
Match-fixing/illegal gambling	3
Tax evasion	2
Match-fixing/batting	2
Misuse of inside information	1

In particular, one of the most high-profile cases regarding the investigation of corruption in the field of the sports organizations management in recent years concerns the activities of FIFA. The US Prosecutor's Office initiate the criminal case on charges of crimes committed on the

territory of the United States and related to the activities of FIFA football officials in granting the rights to host the 2018 and 2022 World Cups to Russia and Qatar, as well as other crimes. The case concerned senior FIFA officials who were accused of corruption, racketeering, fraud and money laundering. The investigation into this case began in 2015 and was conducted in several countries (USA, Switzerland, Brazil, Australia), as well as by Interpol. Fourteen FIFA officials were charged in this case, with up to 20 years in prison provided for some of the crimes they were accused of (Eberle et al., 2015; Sanabria Navarro et al., 2023). These factors prove the large scale the problem of corruption and bribery in the sport industry, and difficult mechanism of prosecution for such criminal acts.

The commission of such acts does not seem to be socially dangerous at first glance, as they seemingly do not threaten social relations both at the national and at the international levels. But the threats of committing corrupt acts in sports are quite serious and are not only individual. They concern not only an individual athlete or other person involved in this sphere, they are also national and international in nature, as Figure 1 shows, which the author's development).



Figure 1. Threats posed by corruption in the field of the sports organizations management

Close relationship between the mentioned threats is obvious, and each of the previous more or less individual causes entail each subsequent more serious, global threat.

This situation necessitates the development of countermeasures to corrupt practices in the field of the sports organizations management, which will be effective to the maximum possible extent both at the national level and at

the level of international sports organizations. But identifying the most appropriate and really effective criminal law measures to prevent and counter corruption in sports will not be comprehensive and universal without understanding the essence of the phenomenon, its concepts and main features. Therefore, the development of those measures should begin with the definition of a concept that is key in the topic under research. It should be noted that the actual concept of corruption in the sphere of the sports management has almost not been defined in the legal doctrine.

Based on the foregoing and the definition of activities in the field of the sports organizations management, corruption in the sport industry can be defined as an illegal, socially dangerous activity of a certain range of legally determined subjects, which implies the use of illegal self-interested actions in preparation of athletes for competitions and other sports events, organization and holding of sports events, provision of sports events, as well as in the management functions for the development of sports and its individual kinds, which are recognized at the international and national levels¹.

But the application of criminal law measures against persons who have committed corruption crimes in the field of the sports organizations management is not the only measure that can be effective and bring more significant results. In addition to bringing to criminal liability for corruption crimes in the sport industry, which is usually retrospective (applied for an act which has been committed in the past), close attention should also be paid to prospective measures (projected to the future) in order to prevent and warn against the commission of new crimes of this type. But these measures should be effective to the maximum possible extent, with due regard to the specifics of the regulation spheres. Moreover, such measures should also be universal in view of the world course for the unification of legislation in countries in terms of globalization. This means that they can be applied in the vast majority of countries more or less equally effective.

Developing the most effective measures to combat corruption in the field of the sports organizations management also requires understanding the factors cause it occurrence and spread. In general, corruption in sports

¹ This is the author's definition

arises and develops in four directions, such as de-amateurization, medicalization, politicization, and commercialization. So, doping is the consequence of de-amateurization and medicalization. The politicization of sports is manifested in the involvement of high-ranking politicians in the sport industry, who often use their position to hide corruption scandals in this field. Extremely high salaries of athletes (players) often lead to the need to find quick and easy access to money, which often leads to match-fixing, illegal gambling, etc., which is a manifestation of the commercialization of sports. These needs contribute to the development of corruption in the sport industry, which involves more and more people, since it is practically impossible to commit some illegal acts of corruption alone (in particular, match-fixing, bribery, etc.). Another reason for corruption in the sport industry is the monopoly in this field (Forster, 2016), which excludes the possibility of any control over the activities of international sports organizations and their branches in individual countries.

This situation necessitates the legislative regulation of anti-corruption measures in the sport industry. But not all countries have properly regulated this issue. In particular, only 5 countries (Malta, the Republic of Poland, Cyprus, the Republic of Bulgaria, Italy) out of 27 countries of the European Union have adopted special laws to combat corruption in the field of the sports management, in particular with match-fixing. All other states use existing legislation to combat this type of corruption, combating fraud, corruption in general, criminal conspiracies, etc. Accordingly, the criminal legislation of countries establishes liability for corruption crimes in the sport industry in different ways. Some criminal codes have special provisions establishing responsibility for the specified crimes, others contain general provisions establishing responsibility for corruption crimes in general (see Appendix A).

A number of regulatory acts aimed at combating and preventing this type of corruption were adopted along with the provisions establishing criminal liability for corruption crimes in the sport industry. The main regulatory acts are laws regulating the procedure for combating corruption in the sport industry (for example, Law of Ukraine “On Preventing the Influence of Corruption Offenses on the Results of Official Sports Competitions”). The following regulatory acts were also adopted at the international level: the United Nations Convention against

Corruption of October 31, 2003, the Council of Europe Convention on the Manipulation of Sports Competitions of September 18, 2014. But these regulatory acts are not enough for combating corruption in the sport industry effectively, along with the establishment of criminal liability for its individual manifestations.

Measures to counter and prevent corruption crimes in the sport industry should be developed and applied by different branches of state regulation — legislative, executive, judicial branches of government, law enforcement agencies and criminal justice bodies, special institutions of the economic sector, etc. Such measures include a number of priority needs aimed at overcoming corruption in sports at the global level, which must be provided in the shortest possible time (see Figure 2).

The development of special programmes that will contribute to increasing the integrity in the field of the sports organizations management can be effective measures of countering corrupt criminal acts in the sport industry. In particular, these programmes should outline the main areas of activity in the specified field (see Figure 3).

The foregoing allows identifying the main measures to combat corruption in the field of the sports organizations management. They include the following measures:

- creation of an appropriate legal framework and guidelines that will ensure and regulate the counteraction and combating corruption in the field of the sports management at the national and international levels;
- development and implementation of a comprehensive anti-corruption policy in sports focused on combating corruption related to the organization of major sports events, manipulation of competitions, illegal betting and involvement of organized crime in sports;
- regular analysis and monitoring of the organization process and the state of sports events, as well as the legality of the results of sports competitions in certain kinds of sport in order to assess the prerequisites for committing corruption crimes and exercising illegal influence on the results;
- promoting the expansion of cooperation, as well as exchange of information and best practices between sports organizations, crime prevention and criminal justice bodies, legislators and politicians in order to generalize the practice of the response of the relevant anti-corruption bodies in the field of sports to the commission

of corruption crimes in sports and bringing the perpetrators to justice;

- studying the interrelationships between corruption in sports and organized crime and developing the potential of relevant state institutions and sports organizations to combat them;
- carrying out R&D in order to improve the set-

tlement of conflicts of interests of subjects who are organizers, participants of sports events or persons who ensure holding them, as well as determine the results of such events;

- promoting the development of sports integrity in athletes at the individual level by popularizing and promoting the ethics of sports behaviour.

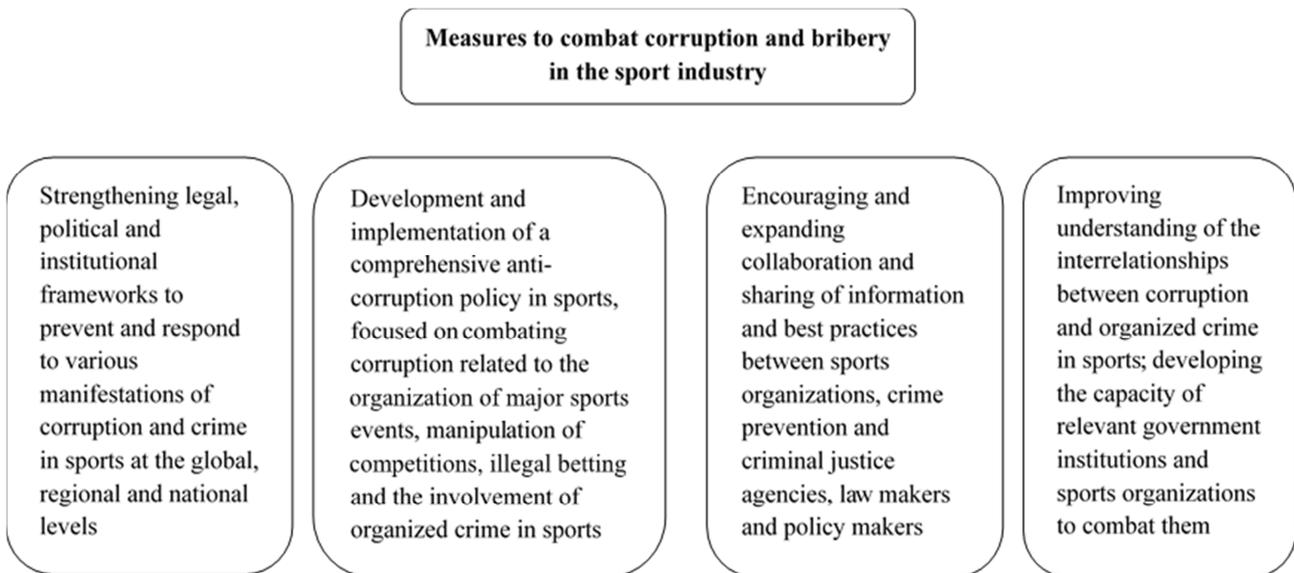


Figure 2. Measures aimed at combating corruption and bribery in the field of the sports organizations management (United Nations, 2021)

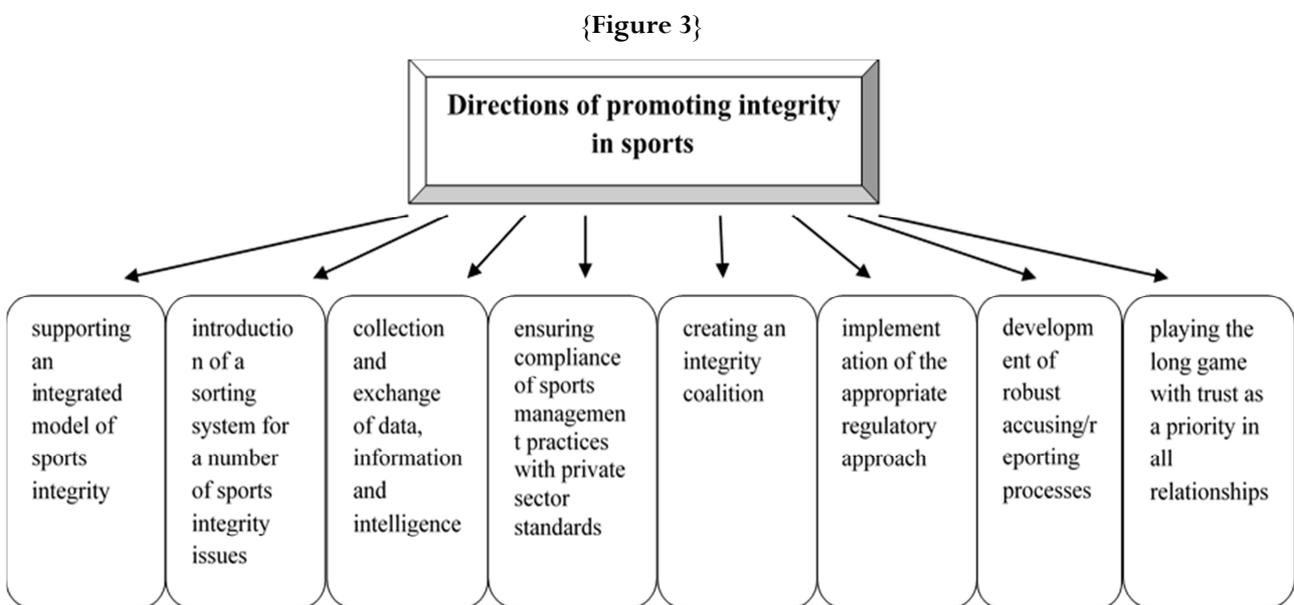


Figure 3. The main directions of the programme for promoting integrity in the field of the sports organizations management (Hall & Masters, 2021)

It has already been repeatedly stated that corruption and bribery in the field of the sports organizations management is an international problem that can be solved by joint efforts of states only, which focus their policies, in particular, on overcoming this socially dangerous phe-

nomenon. The national legislation, which regulates combating this type of corruption and establishes criminal liability for it, is not enough in this situation. This requires the development of a universal international regulatory instrument, which would establish recommendatory (and

possibly mandatory) measures to prevent corruption in the field of the sports organizations management.

In particular, the Guidelines for Combating Corruption in the Sports Organizations Management can be such an instrument. It should primarily include the definition of corruption in this sector, as well as a list of the most typical corruption crimes in the sport industry (match-fixing, money laundering, doping, illegal gambling, bribery). This document should list of the main measures aimed at combating and preventing corruption in the sport industry, as well as outline the main directions of cooperation of states towards the integrity in sports both on the part of athletes and on the part of organizers and governing bodies. These Guidelines should include a provision that will oblige future parties to adopt relevant national legal acts and make changes to the current legislation on combating corruption in the sport industry.

Discussion

The study of certain problematic aspects of bringing to criminal liability for corruption crimes in the field of the sports organizations management made it obvious that this manifestation of corruption and bribery in sports is no less socially dangerous than in other spheres of life. Therefore, combating this dangerous phenomenon must be clearly planned and legally regulated. Moreover, as this type of corruption has long spread beyond the national borders and became an international problem, there is a lack of scientific and practical research in this specified field, which creates obstacles for critical analysis and the development of effective measures to combat bribery and corruption in the field of the sports organizations management (Philippou, 2019). Particular attention is paid to the fact that the limited research on the fight against bribery and corruption in sports has a particularly negative effect on the work of international governing bodies in sports industry, as it does not allow the use of all available resources for the development of recommendations in this direction at the international level (Philippou & Hines, 2021).

However, certain statements, conclusions and recommendations provided in the relevant sources are quite debatable and require careful consideration and in-depth prognostic research. For example, one cannot agree with the categorical statement that the corruption in the sports

management roots in the monopoly in this sector (Forster, 2016). It was established that there is quite a large number of reasons for emergence and development of corruption in the field of the sports organizations management. One cannot also fully agree with the statement that the legalization of sports gambling is one of the main prerequisites for the criminalization of match-fixing (Balsam, 2020-21), since fixed matches existed even before the legalization of these games (for example, the USA).

Sponsorship is one of the sources of corruption in the field of the sports organizations management, as it opens up opportunities for achieving commercial goals in a certain kind of sport or a certain sports organization (Dodds, 2018). However, sponsors' compliance with current legislation in their field of activity significantly reduce the probability of committing corruption crimes with their help. Besides, it is an essential correct opinion that corruption in certain kinds of sport can have a negative impact on sponsorship both by damaging the sponsors' reputations and by causing the absence of sponsorship (Dodds, 2019).

The researchers focus on the problem of match-fixing as a manifestation of corruption in the field of the sports organizations management. They emphasize the need to criminalize match-fixing (Abdiakimovich, 2021), study match-fixing in certain kinds of sport (tennis, soccer, croquet, etc.) (Holden & Rodenberg, 2015); define the prerequisites for match-fixing, in particular betting practices in sports (Moriconi & de Cima, 2020) (which is not prohibited in all countries). At the same time, attention is paid to other forms of corruption in the sport industry, which are closely related to match-fixing, and little attention is paid to the prerequisites for the emergence of this type of corruption in sports.

The researchers and practitioners who study the problems of criminal liability for corruption in the sport industry also quite often focus on team games, in particular football (Slade, 2019). But it is obvious that corruption exists not only in these kinds of sport. Such limited one-sided studies are unlikely to offer effective universal measures to combat corruption crimes in this area.

Therefore, we fully support the position regarding the need to develop a unified system of combating corruption and bribery in the sport industry, in particular, in sports management, and creating a unified theoretical system in this area (Philippou, 2019). This will contribute to over-

coming unsportsmanlike behaviour during sports events and during preparation for their holding (for example, when choosing a venue for a competition) by developing a programme specifying specific events (Hall et al., 2021) and establishing unified sanctions for committing such crimes (Ifeanyichukwu & Dennis, 2017). The development of complex measures to combat corruption crimes in the sport industry (Szwajdler, 2016) both at the level of criminal legislation and at the level of special regulatory acts will contribute to improving the reputation of leading sports organizations.

Conclusions

The conducted research leads to the conclusion that corruption in the field of the sports organizations management is not a new phenomenon and is quite widespread in the world both at national level and kinds of sport, and at the level of international sports organizations. The low effectiveness of combating this phenomenon is explained by both the lack of an appropriate regulatory and legal framework, and the lack of theoretical and practical research in this area.

The concept of corruption in the sports organizations management was defined based on the results of the research. Corruption in the sport industry is proposed to mean as an illegal, socially dangerous activity of a certain range of legally determined subjects, which implies the use of illegal self-interested actions in preparation of athletes for competitions and other sports events, organization and holding of sports events, provision of sports events, as well as in the management functions for the development of sports and its individual kinds, which are recognized at the international and national levels.

Criminal liability for corruption crimes in the sport sector in the vast majority of countries is regulated by existing provisions of criminal law. Those provisions establish responsibility for fraud, corruption, active and passive bribery. Only some national criminal codes contain special provisions that establish liability for corruption crimes in the sport industry.

Although criminal liability for corruption crimes in the in the sports management is an effective measure to combat this phenomenon, it is insufficient. It is necessary to develop effective measures to prevent and combat corruption crimes in this area. Since corruption in the sport

industry goes beyond national scope and becomes international, there is a need to develop a universal regulatory international instrument that would establish recommended and mandatory measures to prevent corruption in the sports management.

The Guidelines for Combating Corruption in the Sports Organizations Management can be such a regulatory instrument. It should include:

- the definition of corruption in this area;
- the list of the most typical corruption crimes in the sport industry (match-fixing, money laundering, doping, illegal gambling, bribery);
- the list of the main measures to combat and prevent corruption in the sport industry;
- the main areas of cooperation between states towards the integrity in sports both on the part of athletes and on the part of organizers and governing bodies;
- a provision that will oblige future parties to adopt relevant national regulations and amend existing legislation on combating corruption in the sport industry;
- directions for improving criminal law measures to combat corruption in the sport industry.

This study is not comprehensive and does not solve all the problems related to combating corruption and bringing to criminal liability for corruption in the in the field of the sports organizations management. The proposal to develop a universal international regulation to combat this type of corruption opens up prospects for further research in this area, which will contribute to the improvement of both the legislative framework and the practical implementation of its provisions in the sphere of regulation and management in the sport industry.

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Appendix A

Table A.

Criminal liability for corruption crimes in the sport industry according to the criminal legislation of selected countries (European Affairs, 2012)

Country	The provision providing criminal liability for corruption crimes in the sport industry	Sanction provided for corruption crimes in the sport industry
Austria	Article 146 of the CC – fraud Article 147 of the CC – serious fraud	imprisonment for up to 6 months or a fine of up to 360 minimums Imprisonment for up to 3 years; imprisonment for up to 10 years if the damages reach €50,000
Belgium	Article 504bis of the CC – passive and active corruption	Imprisonment for 6 months to 2 years or a fine €100 to €10,000 for passive corruption; imprisonment for 6 months to 3 years or a fine €100 to €50,000 for active corruption
Bulgaria	Article 307b of the CC – fraud in sport Article 307c – bribery Article 307d	Imprisonment for 1 to 6 years; a fine of BGN 1,000 to BGN 10,000 Imprisonment for 1 to 6 years; fine of BGN 5,000 to BGN 15,000 Imprisonment for 2 to 8 (Part 1) and 3 to 10 (Part 2) years; a fine of BGN 10,000 to BGN 20,000 (Part 1) and BGN 15,000 to BGN 30,000 (Part 2)
Cyprus	Article 24 of the Law of Cyprus on Sports Organizations	Imprisonment for up to 2 years and/or a fine of up to €1,000 (Part 1); imprisonment for up to 3 years and/or a fine of up to €1,500 (Part 2)
Czech Republic	Article 209 of the CC – fraud Article 331 of the CC – bribery Article 332 of the CC – corruption Article 333 of the CC – indirect corruption	Imprisonment for 6 months to 10 years; activity ban or confiscation Imprisonment for 6 months to 12 years; activity ban Imprisonment for 1 to 6 years; activity ban or a fine Imprisonment for up to 3 years
Denmark	Section 279 of the CC - fraud	Imprisonment for up to 1 year and 6 months (Part 1); imprisonment for up to 8 years (Part 2)
Estonia	Article 209 of the CC – fraud	Fine or imprisonment for up to 3 years (Part 1); imprisonment for up to 5 years (Part 2); monetary penalty (Part 3)
Finland	Chapter 30 Section 7 of the CC – economic crimes Chapter 30 Section 8 of the CC – bribery in business Chapter 36 section 1 of the CC – fraud and other deception Chapter 36 section 2 of the CC – aggravated fraud	Fine or imprisonment for up to 2 years Fine or imprisonment for up to 2 years Fine or imprisonment for up to 2 years Imprisonment for 4 month to 4 years
France	Article 445-1 of the CC – active bribery Article 445-2 of the CC – passive bribery	Imprisonment for up to 5 years; a fine of up to €75,000 Imprisonment for up to 5 years; a fine of up to €75,000
Germany	Section 263 Parts 1-5 of the CC – fraud	Imprisonment for up to 5 years or a fine (Part 1); imprisonment for 6 months to 10 years (Part 3); imprisonment for 1 to 10 years (Part 5)
Greece	Article 32 of Law 2725/1999 – receiving a bribe; giving a bribe	Imprisonment for 3 months and/or a fine of € 1,000,000 (Part 1, Part 2); imprisonment for 6 months and/or a fine of € 2,000,000
Hungary	Section 318 of the CC – fraud	Imprisonment for up to 10 years (Parts 2-7), public works or a fine
Ireland	Section 6 of the Criminal Procedure Act – receiving benefit or causing loss by deception	Imprisonment for a maximum term of 5 years and/or a fine
Italy	Article 1 of Law 401/1989 – fraud in sports competitions	Imprisonment for 1 month to 1 year and a fine of ITL 500,000 to ITL 2,000,000 (Parts 1, 2); imprisonment for 3 months to 2 years and a fine of ITL 5,000,000 to ITL 5,000,000
Latvia	Section 177 of the CC - fraud	Imprisonment for up to 3 years, or detention, or public works, or a fine of up to 60 minimum wages (1); imprisonment for up to 6 years, or with confiscation of property, or a fine of up to 100 minimum wages (Part 2); imprisonment for 5 to 13 years, a fine of up to 150 minimum wages, with or without confiscation of property, or police supervision for up to 3 years
Lithuania	Article 182 of the CC – fraud	Public works, a fine, restraint of liberty or detention or imprisonment for up to 3 years (Part 1); imprisonment for up to 8 years (Part 2); public works, fine, restraint of liberty or detention (Part 3)
Luxembourg	Article 310 of the CC – receiving/giving a bribe	Imprisonment for 1 month to 5 years or a fine €251 to €30,000
Netherlands	Article 326 KK – fraud	Imprisonment for up to 4 years; category 5 fine (67,000)
Republic of Poland	Article 46-48 of the Sports Law – bribery (active/passive)	Imprisonment for 3 months to 10 years; a fine; restraint of liberty
Portugal	Article 8 of Law 50/2007 – passive corruption Article 9 of Law 50/2007 – active corruption Article 10 of Law 50/2007 – influence peddling Article 11 of Law 50/2007 – criminal conspiracy	Imprisonment for 1 to 5 years Imprisonment for up to 3 years or a fine Imprisonment for up to 3 years or fine; or a daily financial penalty of up to 240 days Imprisonment for 1 to 5 years
Romania	Article 254 of the CC – receiving a bribe Article 255 of the CC – giving a bribe Article 256 of the CC – receiving undue advantages Article 257 of the CC – influence peddling Article 6 and 6 ¹ of Law 78/2000 – corruption crimes	Imprisonment for 3 to 15 years, deprivation of certain rights, confiscation Imprisonment for 6 months to 5 years Imprisonment for 6 months to 5 years, confiscation Imprisonment for 2 to 10 years Imprisonment for 2 to 10 years, confiscation
Slovakia	§ 221 of the CC – fraud § 328 of the CC – receiving a bribe § 332 of the CC – bribery § 336 of the CC – indirect corruption § 375 of the CC – violation of the rights of foreigners	Imprisonment for 2 years Imprisonment for 2 to 5 years Imprisonment for up to 3 years Imprisonment for up to 2 years Imprisonment for up to 2 years
Slovenia	Article 211 of the CC – fraud Article 294 of the CC – criminal association Article 295 of the CC – criminal conspiracy	Imprisonment for up to 10 years Imprisonment for 3 months to 8 years Imprisonment for up to 1 year
Spain	Article 286 bis of the CC – fraud (active and passive)	Imprisonment for 6 months to 4 years
Sweden	Chapter 17 section 7 of the CC – giving a bribe Chapter 20 section 2 of the CC – receiving a bribe	A fine or imprisonment for up to 2 years A fine or imprisonment for up to 2 years
Great Britain	Section 42 of the Gambling Act – cheating Criminal Law Act 1977 - criminal conspiracy The Prevention of Corruption Act 1906 – corruption	Imprisonment for up to 2 years and/or a fine Imprisonment for a term, depending on the gravity of the crime committed; a fine Imprisonment for up to 7 years and/or a fine