

**IMPACT OF SPORTS BETTING
AND CORRUPTION:
REFLECTIONS FROM UGANDA**

**A PAPER PRESENTED
AT
THE PLENARY SESSION
OF THE
INTERPOL GLOBAL ACADEMIC
EXPERTS MEETING
FOR INTEGRITY IN SPORT**

28TH - 29TH NOVEMBER, 2012

**GRAND COPTHORNE WATERFRONT HOTEL,
SINGAPORE**

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LIST OF ACRONYMS

AFCON	Africa Cup of Nations
CAS	Court of Arbitration for Sport
CAF	Confederation of African Football
CECAFA	Council of East and Central African Football Associations
CESAF	Council of Southern Africa Football Associations
COMESA	Common Market for Eastern and Southern Africa
EAC	East African Community
ECOWAS	Economic Community of West African States
ESAAMLG	Eastern and Southern African Anti-Money Laundering Group
FA	Football Association
FIFA	Federation of International Football Associations
FIBA	Federation of International Basketball Associations
FMU	Federation of Motorsport Clubs in Uganda
FUBA	Federation of Uganda Basketball Associations
FUFA	Federation of Uganda Football Associations
IAAF	International Association of Athletics Federations
ICC	International Cricket Council
IOC	International Olympic Committee
ITF	International Tennis Federation
NAFUSO	The National Association of Friends of Ugandan Soccer
NCS	National Council of Sports
NUFFA	National Union of Football Fans Associations
SADC	Southern African Development Community
UABF	Uganda Amateur Boxing Federation
UCA	Uganda Cricket Association
UFA	Uganda Footballers Association
UOC	Uganda Olympic Committee
USL	Uganda Super League
ZIFA	Zimbabwe Football Association

ACKNOWLEDGEMENTS

This Paper has been prepared for presentation at the Plenary Session of the Interpol Global Academic Experts Meeting for Integrity In Sport, Singapore, 2012, and its research was made possible further to this global campaigns to strengthen integrity in sport.

I am heartily thankful for the opportunity to be part of this. I am grateful as well to Mr. Allan Kyobe Ssempebwa, for the help extended in conducting some of the interviews that greatly enriched this study.

1.0 INTRODUCTION

- 1.1 In 2003, Uganda's top tier football league, The Super League, was completed with about seventy percent of the games bearing the makings and trappings of match-fixing and corruption. It was presided over by centre match officials who were contemptuously given the moniker "Arrow Boys" and thus the country recorded its abysmal football league scandal and the lowest point the game sank¹. The aspects of match-fixing and corruption had been existent before this debacle and are not by any means, extinguished to date.
- 1.2 The incidence of sports betting and corruption has been adequately highlighted in the Western world and the major emerging economic regions but rarely is this illuminated in what are considered to be backwaters of sport in which Uganda falls. This is notwithstanding that the same levels of sporting integrity and uniformity of application of sporting rules are required of the sports governing bodies, the players, athletes/participants, the sovereign Governments, the referees/match officials, fans, technical persons in these developing countries as those in the Western world or developed world. In the developing world, especially the often impressionable yet passionate youths, have been engulfed in the global problem.
- 1.3 The Paper focuses on Uganda as one such country with the insidious threat of sports betting and corruption with all its attendant manifestations. It will seek to examine how the national laws have sought to, or have failed to, regulate sports betting and gaming; how far have the sports bodies been ready to handle this affliction? Have the socio-economic factors contributed to this nascent problem? How has the impact of globalization, liberalization of trade markets, information age and consumerism been? How have the people's cultural dispositions been to this malaise?!
- 1.4 This Paper is not a be-all-end-all study and discussion of sports betting and corruption in Uganda but there is sincere belief and hope that it has considerably dealt with the impact. Henceforth, the stakeholders in Uganda, the bigger African region and wider international players, will take the necessary attention and devise measures to check the myriad negative ramifications of sports betting.

¹ www.observer.ug/index.php?option=com-content&view=article&id=4316%3Ahb-ziwa-22-1win-over-akol-

2.0 BACKGROUND

“Because of our close cooperation in the past, when corruption allegations surfaced and became a major concern undermining the integrity of football, FIFA and INTERPOL were able to put in place a robust and sustainable anti-corruption training in football programme. It was apparent to FIFA and INTERPOL’s leadership that if we acted quickly and forcefully, we could reassure football players, supporters and the public that this serious problem would be dealt with in a comprehensive and continuing manner. What was most concerning, from a law enforcement point of view, were the links between match – fixing, illegal betting and transnational organized crime on a global scale. As a result of the huge profit associated with illegal gambling, of the vulnerability of players and of the ease with which matches of all levels are accessible for betting on via the internet, corrupting matches or their outcomes has become an activity of interest to transnational organized crime groups”.

Ronald K. Noble, Secretary General of INTERPOL, 25th May, 2012².

- 2.1 The birth of the Integrity In Sport Programme by INTERPOL in collaboration with FIFA in 2011 is a monumental and far reaching initiative that will undoubtedly curb the problems appertaining to match-fixing and corruption in football. They will much so help the developing world, given the global outreach and presence of INTERPOL in every sovereign state which is synonymous with that of FIFA through affiliate national federations, and perhaps other international sports bodies like the IOC, ITF, ICC, IAAF and FIBA among others.
- 2.2 If such networks are created and harnessed overtime, then the transnational criminal activities and organized groups can be checked, and the integrity of the different sports disciplines kept intact. It will then be left to the national and international sports bodies to continue to fight internally, the mundane and oft-occurring incidences of match-fixing and corruption through their Ethics and Integrity Committees, Disciplinary bodies, Security Committees, Independent Governance Committees, etc...
- 2.3 Sports betting creates a great opportunity to many persons with criminal intentions to realize their intentions especially money launderers, drug and narcotics traffickers, tax fraudsters, speculators over international currencies and dubious business people, criminal gangs. The organization of sports both at national and international levels, is hardly adept and sufficiently galvanized to face up to the challenges of these powerful and sophisticated global networks.
- 2.4 The interest of INTERPOL therefore in the tackling of this global problem, with its experience and cooperation engendered by sovereign states is a good shot in the arm for the benefit of international and national sports bodies. INTERPOL, hitherto a lone ranger, in the campaign to crack down sports betting related crime over international borders, has over the last one year period, been joined by natural partners whose foremost obligation is to promote and protect the integrity of the sport.

² Address by INTERPOL Secretary General at the 62nd FIFA Congress, 25th May, 2012, Budapest, Hungary, www.interpol.com/News-and-media/Speeches

- 2.5 INTERPOL, in doing this has devised a strategy of creating and executing this global programme, with the objective of improving awareness and the understanding of the phenomenon by the actors involved, the strategies used by its perpetrators and the methods to detect and counteract them.³ They proffer three areas in executing of this programme; Training, Education and Prevention. This Global Academic Experts Meeting / Conference is geared towards the first two but also indirectly touches on the other.
- 2.6 Uganda, as a case study, succinctly represents a developing country that through globalization and consumerism, is fast taking in the manifestations, both positive and negative, of sports betting. The spectre and practice, is not any different from any Sub-Saharan African country and unfortunately, not much focus of the INTERPOL Integrity In Sport Programme, has been directed to this continent.
- 2.7 In carrying out research for this Paper, I have interviewed many stakeholders in different sports in Uganda; the Government bodies charged with national regulation generally, Governmental sports authorities, Sports Associations / Federations, Club owners and officials, Match officials, Referees, Sports Fans Associations, League Managers/Officials, Coaches/Managers, Players' Association officials, Sports Betting Owners and officials, Punters and so on, as will be revealed.
- 2.8.0 In the first section, as a backdrop, is the general exposition of organization of sports in Uganda as this is a vital cog in the wheel as regards the susceptibility or not, of any foundation to illegal sports betting and its affiliate vices. In the second section, I tackle the much renowned form of match-fixing and corruption in Uganda, which precedes the advent of commercialized and transnational sports betting, on spot or online, as we see it today. In the third section, the legal structure and nature of gaming and sports betting is analysed. This shows and makes a "State-of-Affairs" of sports betting which is mainly run by international investors/businessmen and the odds placed on mainly foreign sports activities.
- 2.8.1 In the penultimate section of the Research Paper, attempt is made to illuminate and show the extent and implications of sports betting and corruption in the region bordering Uganda, as a case study. The emerging trends are shown, and probably, Africa's sports-betting scandal, the Zimbabwe "Asiagate" debacle is contextualized.
- 2.8.2 In the last section, attempt is made to make recommendations and solutions. What can be done as a national legislative and regulatory mechanism and the need to engender and foster probity in sports governing bodies and game-related investments, will be discussed. As well, use of regional trade and cooperation blocks or unions, to enact and adopt protocols, increase of policing to stem criminal activities associated with sports betting, creation of regional collaborative inter-state bodies on sports betting and integrity in sport, encouragement of private activist groups; all put in place to promote integrity in sport and fight forces bent to undermine the essence of sports; fair play.

³ INTERPOL Integrity In sport Fact Sheet: www.interpol.com

3.0 ORGANISATION OF SPORTS IN UGANDA

The organization of sports in Uganda derives from the socio-economic, cultural and political governance of the country but much focus should be placed on the socio-economic being.

3.1 The Socio-economic set-up

- 3.1.1 Uganda is a sovereign country that lies in East Africa which is part of a bigger region popularly known as Sub-Saharan Africa by the Bretton Woods Institutions. According to the World Bank's latest statistics of 2011, it has a population of 34.51 Million people with a GDP of US.\$16.81 Billion and is described as a low-income level developing country⁴.
- 3.1.2 The country runs a liberalized economy with a splattering of a few multi-national and private companies but the economy largely depends on the subsistence agricultural economy with coffee, cotton, tea being some of the major foreign-exchange earners. Others are tourism and fisheries. The prospects are raised by the recent discovery of extractable and commercial oil.
- 3.1.3 It has one of the fastest growing populations while ironically having one of the highest infant and maternal mortality rates in the world. "Uganda remains a very poor country and far from the middle income status it aspires to achieve in one generation. There are concerns about uneven progress, with inequality increasing while there are distinct geographical patterns of unequal outcomes in health and education, and uneven access to basic social services"⁵.
- 3.1.4 The majority of the multi-ethnic people of Uganda live in villages, with the minority living in urban communities and scattered trading centres. The unemployment rate at such urban centres is alarmingly high and successive macro-economic measures made over the years look overwhelmingly lacking. The quality of life remains lukewarm in the general population as a result.
- 3.1.5 According to the published statistics of the Mo Ibrahim Index of African Governance, for the year 2011, there is no market improvement in the areas of corruption and transparency. This portrays the poor "good-governance" credentials and the consistent impunity in the area of eliminating state-tolerated corruption. The World Bank country profile reports thus on this Mo Ibrahim Index:⁶

"In terms of accountability of public officials, Uganda and its East African neighbours scored poorly, with a low rating of 33.3. Uganda also scored poorly in the area of corruption of public officials, while its score of 40 was higher than Kenya and Burundi's 20. Regarding prosecutions of related abuse of office, Uganda's performance deteriorated from 71.4 to 57.1. The data related to corruption and bureaucracy – which measures petty and grand forms of

⁴ www.worldbank.org/country/uganda.

⁵ www.worldbank.org/en/country/uganda/overview.

⁶ www.worldbank.org/en/country/uganda/overview
www.moibrahimfoundation.org/uganda

corruption, as well as “capture” of the state by elites and private interests – shows that the performance of most East African countries, including Uganda, has been declining over time.”

3.2 The Legal regime

Uganda inherited the British common law and is therefore a common law country and since Independence in 1962, attempts are being made to enact laws with domestic cultural values and aspirations.

- 3.2.1 There exists an anachronistic national law governing the regulation and management of sports in Uganda. Whereas there cannot be a single legislation to regulate sports given the various areas of its outreach, tort, tax, contract, employment, intellectual property law, constitutional law, commercial law, administrative law, it is imperative that the administrative and constitutional aspects have to be dealt with in a “one-stop” law to avoid ambiguity.
- 3.2.2 Most international sports bodies, FIFA, IOC, IAAF usually pay respect to the national laws in regard to the establishment and affiliation of the national Associations and peaceful co-existence so long as there is no political interference in the management of national Associations by the state governments.
- 3.2.3 The law in Uganda governing sports is mainly the National Council of Sports Act, Cap 48 that was passed in 1964 and commenced on 25th June 1964.
- 3.2.3.1 It noteworthy that the said Act establishes the National Council of Sports, popularly known as “NCS”. The stated objects of the NCS are under S. 3 of the Act.

“(1) The objects for which the Council is established shall be:-

- (a) To develop, promote and control all forms of amateur sports on a national basis in conjunction with voluntary amateur sports organizations or associations by providing:**
 - (i) training and other staff**
 - (ii) grants -in-aid to National Associations or organizations;**
 - (iii) stadiums, playing fields and other facilitations;**
 - (iv) sports equipment and other sports items as may be necessary for the accelerated development of sports.**
- (b) To encourage and facilitate cooperation among the various national associations.**
- (c) To approve international and national sports competitions and festivals organized by national and other associations.**

- (d) To organize, in consultation with the national associations, national, international and other sports competitions and festivals as means of exchanging experience and fostering friendly relations with other nations and
- (e) To do all such things as are incidental or conducive to the attainment of the above objects or any of them as may be approved by the Minister.”

3.2.3.2 The Act stipulates the duties of NCS under S. 3(2) which include stimulating general interest in sport at all levels, plan the general policy of sports promotion.

3.2.3.3 The underpinning objective to the Act, and the Regulatory body, NCS is therefore “voluntary amateur sports”, and S. 10 of the Act gives powers to the line Minister, by Statutory Instrument, to make regulations for the NCS, to carry out its supervisory mandate. It provides thus:

“The Minister may, after consultation with the Council, by statutory instrument, make regulations for better carrying into effect the purposes and provisions of this Act and in particular, for the following matters:-

- (a) The establishment of national association and the registration of the associations with the Council.
- (b) The functions of national associations.
- (c) The establishment and composition of national committees, including sub-committees, other than committees of national associations.
- (d) The promotion and encouragement, in consultation with the Minister responsible for education, for sports and games in schools and colleges.

3.2.3.4 The Minister has to-date never made the Statutory Instrument but factually many sports bodies exist, and these include the Federation of Uganda Football Associations, with the acronym, FUFA. How have these sports Associations been affiliated to NCS or in case of football, to FIFA internationally?!

3.2.3.5 The NCS guidelines to National Associations/Bodies, 2009 and Requirements for Affiliation, which exist, are not enough in the creation of National Sports Associations as they have no foundation in law.

3.2.3.6 There are two scenarios: **Dejure** and **Defacto**. Black’s Law Dictionary, Eighth Edition defines these terms as:

- (i) **Dejure**: “As a matter of law”: existing by right or according to law”

(ii) **Defacto: “In point of fact” : 1. Actual; existing in fact: having effect even though not formally or legally recognized.**

2. “Illegitimate but in effect”

3.2.3.7 The existence and operation of sports associations in Uganda is therefore defacto and largely dependent on the goodwill and general acceptance of the players in that particularly sports discipline. This applies to FUFA.

3.3 The Amateur and Semi-Professional sports

The law in Uganda is therefore purposely made and exists to regulate amateur and voluntary sports organizations. In law, generally speaking, what is not specifically proscribed by a given law, is not outlawed. By default, therefore, semi-professional and professional sport exists in Uganda, and is only emergent.

3.3.1 The major and popular disciplines of sport in Uganda are Football, Athletics, Boxing, Rugby, Basketball, Motorsport, Cricket and Netball. It is mainly Football, Boxing and Athletics with aspects of semi-professionalism and professionalism.

3.3.2 I have argued before, in a different forum, on the state of sport in Uganda thus⁷:

“Note should be made of the fact that the NCS Act does not govern or regulate professional football. This is primarily because sport, in the past, the pre-1964 Uganda, was mainly amateur, for feel-good factors, voluntary association and for recreational purposes, and players and officials participated out of the spirit of voluntarism. There was no expectation of prize money, salaries or wages and commercialism was absent. Some of these aspects also apply now and would be ever-present in the modern sport but its inescapable that the tide has changed and there is need for an overhaul of the law and government policy.”

3.4 Funding Sports Disciplines

Ideally sports funding would be placed both on the Government and the members of the voluntary amateur sports organizations. The Government has mainly concentrated on the building of the sports infrastructure like stadia, courts, playing fields, and the sports Association or the Clubs on the training of athletes/players, payment of salaries, wages or allowances to its players and officials. This has not been easy owing to the voluntarism and the lackadaisical interest of successive Governments.

3.4.1 Sports, in Uganda, today in line with the market – liberalization policies discussed above, has been left to private hands and occasional grants by international sports bodies. The advent of

⁷ Mulema Mukasa: Football Administration Structures in Uganda and the Need for Reforms; 2012.

semi-professionalism and the lack of a definitive and purpose – made law has largely engendered the increased participation of the private sector. The Government only comes in intermittently when there is international participation and the pride and sovereignty of the country has to be exhibited for the international community, and often times, the funding is meagre.

- 3.4.2 Despite the law and current Government policy not being conducive to private individual funders to support sports, especially by offering tax holidays or debates, the private companies have markedly sponsored different disciplines. This has been so majorly because of the advertising platform it provides and not the return on investment into the sports business as a commercial venture.
- 3.4.3 In this context, funding of sports in Uganda and indeed many Sub-Saharan African countries, is exposed to a myriad possibilities and sources. These could be well-intentioned or worse still, self-seeking and criminally-minded.

4.0 THE NATURE OF MATCH-FIXING AND CORRUPTION

Corruption broadly includes match-fixing and all forms of unfair practices that undermine the rules of any sports discipline, and fair play, particularly to football. An authoritative legal definition of corruption is: “Depravity, perversion, or taint; an impairment of integrity, virtue, or moral principle, especially, the impairment of a public official’s duties by bribery”⁸.

On the other hand, a non-legal and broader definition of corruption more acceptable to researchers in the sports realm especially sports betting is: “any manipulation of a result or aspect of a game with the aim of enrichment on the sports betting market. In fact, the action of corrupting a sports person is only relevant if it is carried out in parallel with the placement of sums of money in form of bets in licensed betting outlets, or more specifically online betting sites.”⁹

4.1 Examples and Methods of Corruption

Corruption in sport is varied and Transparency International attempts to shed light on thus:

“Sport is a multi-billion dollar business. It has intricate ties to political and private interests. This means rich opportunities for corruption yet across the sporting sector, most deals and decisions take place behind closed doors. This allows corruption to go unchecked and unpunished.

Corruption in sport has many forms. Referees and players can take bribes to fix matches. Club owners can demand kick-backs for player transfers. Companies and governments can rig bids for construction contracts. Organized crime is behind many of the betting scandals that have dented sport’s reputation. And money laundering is widespread. This can take place through sponsorship and advertising arrangements. Or it may be through the purchase of Clubs, players and image rights. Complex techniques are used to launder money through football and other sports. These include cross-border transfers, tax havens and front companies”¹⁰.

4.1.1 Match-fixing is the commonest form of corruption in Uganda and this is not specifically restricted to football. This involves the national Association/Federation, Referees, Coaches/Manager, Clubs officials, athletes/players, technical staff, league managers who in one way or the other abuse their positions for personal gain or for the benefit of the corruptor for varied reasons.

4.1.2 Some of the rampant methods and examples of match-fixing and corruption in Uganda are:

⁸ Bryan A. Garner, Black’s Law Dictionary, Eighth Edition.

⁹ Iris, University of Safford (Manchester), Cabinet Praxes-Advocates, CCLS (Universite’ de Pekin), Sports Betting and Corruption: How to Preserve the Integrity of Sport, 2012.

¹⁰ www.transparency.org/topic/detail/sport

- (i) “Through fixture pile-up for unfavoured clubs or conversely, regularly spread schedules for favoured clubs to demotivate or wear down a club and on the other to encourage a club”.
- (ii) “Blatant giving away of matches” by clubs or their officials and players especially when there is no aim in such a game, e.g at the end of the season.
- (iii) Money exchanging hands, usually at the tail-end of the season when there is no impetus to play matches of honour games and throw them away. For this club officials receive about US.\$75 each, players US.\$10 to US.\$20 each and coaches/technical staff US.\$38 each. This could involve all the categories of people combined or any of them
- (iv) The Federation/Association appoints the match official/referees and if the corruption is initiated by them it will be felt in the decisions of such match officials at the particular match.
- (v) Club official to Club official match-fixing corruption: “It is about relationships at the official level and not any persons on the Board can be approached lest it fails”¹¹.
- (vi) Technical level; coach-to-coach and usually amongst coaches with a degree of collegiality.
- (vii) Coach to players; some coaches maintain good relations with their former players or those in rival clubs.
- (viii) Club officials to players of opposite teams usually through friendship built as during periods spent playing with the corruptor club.
- (ix) Match official/referees approach club officials in coded or explicit language and a deal is struck. The match officials/referees ask for between US.\$75 to US.\$108 for the four officials who form a set to share after match-day.
- (x) Overzealous fans of big or popular clubs mobilize money and meet and pay the match officials or players of rival team to fix matches.
- (xi) Matches are also fixed for the purpose of causing change in the technical/coaching setup or at the Board or Federation level. These are usually political manipulations that are unfortunately manifested at the field of play.
- (xii) Influencing referees by looking after their personal welfare or that of their families or contributing in kind or monetary means in case of referee’s bereavement.

¹¹ Interview with former club official, 26th October, 2012.

4.2 The “Arrow Boys” Football Scandal

The country’s premier competition, the Super League, ran by The National Football Committee, then saw the league denigrate into a farce in 2003 majorly due to the split loyalties the two Ugandan big and popular clubs, SC Villa and Express FC, generate in Ugandan football, who were running neck and neck to the championship that season. This is not to discount that behind the scenes, there were shenanigans being orchestrated by football politicians who wanted to capitalize on the nadir the game had plummeted to throw their names in the hat for the top leadership of the National Football Association. A combination of all the foregoing methods and forms or some of them were employed in this most infamous of championships.

4.2.1 There are but three most eloquent incidences of the legacy of this league that stand out and portray the dare-devil nature of the referees, officials and how the processes of the football institutions were manipulated to arrive at this:

4.2.2 (i) SC Villa Vs Akol FC 22 - 1

One of the most abiding memories of the “Arrow Boys” Scandal is the “22 – 1 win” of SC Villa over Akol FC, a team from the Northern region of Lira, a distance of about 344 kilometers from Kampala, the capital city, where the match was to be hosted. SC Villa and Express FC, traditional football giants in Ugandan football with mass followings, were running close to each other in the season-ending matches on points, at some times level on points and it looked most likely that the league was to be decided on goal difference.

Earlier in the last three or four months, with about ten matches to complete this 2003 league championship, the pressure and anxiety had begun to tell; FA officials, league managers, club officials had been involved in the clearest forms of match-fixing highlighted above¹².

With this game one of the penultimate ones for SC Villa, with Express marginally leading on goal difference and with Akol FC, assured of relegation, under hand methods were devised to ensure that SC Villa emphatically wins this game with a generous goal tally. Dan Obote, a Villa player hailing from Lira region had traveled to Lira prior to this match ostensibly to visit his family and it was understood he met key players and officials of Akol FC to influence them to throw the match. The National Football League/FUFA dispatched a FUFA bus to pick the players from Lira on the eve of the match. Another bus was also sent to pick the Akol FC players by SC Villa officials/supporters. There was divided opinion in the Akol FC camp whether they should honour the game and this had torn their camp into two sides; pro and against. The ones for playing were influenced by SC Villa and the other, Express FC.

The bus carrying the players set-off on the 5 hour journey to Kampala and meanwhile the other bus was trailing, and at every refreshment stop, it would stop to ensure that no players abscond and jump off the bus. An ominous air hang around the players’ bus with heated

¹² The Observer report, Op. Cit.,P.7

disagreements about honouring the match, and bribery allegations. The officials and players kept receiving calls about their head way to Kampala or decision to play.

Within a distance of the outskirts of Kampala, Police Patrol vehicles were dispatched by the authorities, to provide safe passage of the team bus to the stadium, given to the traffic congestion in the city but also to oversee, on behalf of SC Villa, that the players make their way to the field of play. SC Villa had big personalities in Police to their aid to execute this. At about this time, at Kawempe, some players of the originally 20 or so players who began the Lira – Kampala journey jumped off the bus, leaving 8 or so players on board. The majority got another smaller commuter mini-bus and went to the FUFA headquarters where they were apparently detained and were not to honour the match.

The group of 8 or so players remaining on a bus got on a different commuter van at this point of dispersion, escorted by Police vans and turned up at the stadium. They were joined by another hastily organized “players” from a school, Standard High School, Zanna, to make the requisite 11 players and the substitutions. The 8 or so players, were not renowned members of the first 11 and Akol FC had already been relegated. The hastily organized players were never licensed or registered players for the top league, and no attention was paid to this before the match by the officials. Akol FC was massacred 22 - 1.

Thereafter, the public was enraged, the media gave the league a black-out and the Government, through the Ministry of Education and Sports, and NCS intervened. One of the league sponsors who was rewarding each goal scored a sum of US.\$38, M/s Property Masters Ltd, pulled out of the sponsorship. The Referees Chairman, Mr. Aggrey Kabenge, resigned.

The League Committee met and nullified the game on grounds that Akol FC did not show up at the game, and the game was forfeited to SC Villa with a 2-0 win. The Inquiry Report was released but no action taken to execute its recommendations and therefore no sanctions implemented.

Surprisingly one of the memorable things to this episode was the death of the Akol FC goal-keeper who took part in the “nullified” game. He died mysteriously shortly after medication at a health facility before he could appear at the Inquiry where he was a key witness.

(ii) Express FC Vs Uganda Revenue Authority, URA

This match was played before the SC Villa Vs Akol FC match and as well gave this 2003 League fiasco one of its endearing visual images: A centre referee pictured kicking at one of the many players he physically fought in that match! The first half had ended 1 – all and when second half restarted, URA took the lead. It was tension – packed, seeing that, it was one of the last games, and the league was in a home straight between SC Villa and Express FC. Express FC equalized to make it 2 – all and then all hell broke loose.

The centre referee gave two undeserved straight red cards to URA players and before this, he had boxed and manhandled the very players he sent off. He then unusually, and perhaps

unprecedented anywhere in Association Football Rules jurisdiction, extended the game to have a total time of 120 minutes only to ensure that Express FC wins. When Express FC scored the third goal, he stopped the match; it ended 3 – 2. The result stood and was reckoned in the final league standing.

(iii) Express Vs Top TV FC

In this epistle, the coach/Manager of Top TV FC ordered his team off the field upon conceding two suspicious goals from the centre line. This match was after the Akol FC fiasco, and Express FC had to win to keep pace with SC Villa and/or maintain the competition on goal difference. This was the last game of the season while Villa played Kinyara FC at the same time.

The Top TV FC goal keeper conceded twice from the centre line in the first 20 minutes, and the Top TV coach forced a walk-off of his team from the field. Express FC had thought of maximizing the situation by scoring many goals against this relegation threatened team. The match was adjudged abandoned and a 2 goals win given to Express FC. The coach was accused of having made the rare decision to favour SC Villa.

SC Villa, won their game 2-0 and the title on goal difference but Express FC blamed Villa for the termination of their match as they would have scored more and beaten Villa to the title.

- 4.2.3 The dying embers of a once popular league were marked by the 2003 edition with low fans turn-up, increased political wrangling that later culminated into the dissolution of the FA by Government. The culprit referees were sidelined by the FA for some months and curiously, some are still serving and holding FIFA badges¹³.
- 4.2.4 The coinage of the name “Arrow Boys” was by the Ugandan media, this was solely inspired by the on-going insurgency in the Teso Region of Northern Uganda that had experienced infiltration from the Acholi and Lango Regions of the brutal armed groups of Lords Resistance Army, LRA, led by Joseph Kony. This armed rebel outfit was gallantly and tenaciously repulsed in the Teso region by hired and organized community vigilantes/militias who were using rudimentary arrows in defending their communities, and they were paid a stipend for this until the regular national army reinforced them.
- 4.2.5 For their fearlessness, impunity and bravado, the referees involved in this league scandal were only comparable to the “Arrow Boys” referees and the term has since been embedded in Uganda’s football lexicon for a derogatory reference.

4.3 The Incidence of this on Sports Disciplines

As noted before, the other big and popular games are afflicted by the match-fixing and corruption scandals, with the only differentiation being the regularity, degree and consequences of their occurrence.

¹³ Interview with Dhakaba Muhammad, ex referee, 31st October, 2012

4.3.1 In Amateur Boxing, and to some extent international professional bouts organized in Uganda, there are many forms of corruption. An interview with a boxing official revealed the following list:

“1. Boxing moguls paying money to boxers from opposition Clubs to lose matches or bouts. 2. Boxing moguls creating fake clubs or teams and registering them on the eve of a tournament with a hidden agenda of dominating the tournament. 3. Bribing referees and judges to stop matches on “TKOS” (Technical Knock-Outs) etc... 4. Disqualifying boxers on flimsy grounds. 5. Changing Constitution with the intention of eliminating opponents from vying for the available positions. 6. Undue interference and nepotism in national team selection. 7. Administrators wanting to be the stars of national teams instead of letting the players be. 8. Bribing delegates and scribes whenever administrators want to, or after they actually do, push through certain selfish motions and constitutional amendments.”¹⁴

4.3.2 UABF has been bedeviled with endless wrangles just as FUFA has been owing to the aspects of corruption, not only in regard to match-fixing or lack of fair play, but also financial corruption.

4.3.3 The Secretary of NCS had a general comment of integrity in sport and said: “Integrity loss in sports is a common dilemma in Uganda sports exhibited under practices like match-fixing”¹⁵.

4.3.4 A Senior Sports Tutor, Department of Recreation Games, at Makerere University and the current Secretary General of UOC opined thus on Integrity in Sport.

“This is an issue we tirelessly fight while we train our students in different games and Sports Science. However, it is a big issue that is very difficult to fight both at national and international level. We have instituted rules and regulations that we pass on to our students at Makerere University Sports Science Department. This is because the nature of sports is such that it is very competitive and the more it gets competitive, the higher the chances of employing crude practices to win the game”¹⁶.

4.3.5 In motor racing, there have been rampant disagreements emanating from unfairness and cheating at motor rallies and closed circuit routes, and this has had, often times seen some drivers retire early or others withdraw or boycott some motor race events. The former Vice President of Federation of Motorsport Clubs in Uganda, FMU, confirmed this:

“There is disquiet about the integrity of results posted by time-marshalls during competitive events. Marshalls have been known to post more favourable results of crews that they support”¹⁷.

¹⁴ Interview with Gimugu Kenneth, Boxing Administrator, 2nd November, 2012.

¹⁵ Interview with Jasper Aligaweesa, General Secretary, NCS, 30th October, 2012.

¹⁶ Interview with Penninah Kabenge, 30th October, 2012.

¹⁷ Interview with Oscar Kihika, 7th November, 2012.

4.3.6 The lower leagues or competitions have not been spared. In football, match-fixing is rife in second Division, First Division, Big league, and even in the leisure tournaments at the village levels, corruption has permeated.

4.3.7 In Buganda Kingdom, the Masaza Cup Competition, organized by the said institution, is usually attended and patronized by throngs of spectators. One investigative sports journalist, observed on their integrity:

“At the Masaza Cup, team managers and officials fix games; they tell players to dive in the box to win penalties or to score goals from off-side positions as the goals would stand thanks to referees”¹⁸.

4.3.8 The game of Cricket, is also bedeviled into forms of match-fixing and corruption. The President of UCA, states them as:

“Influencing the result of a game, giving information about your players or match conditions to bookmakers, corrupting match officials and fixing events during a match.”¹⁹

4.3.9 Another equally popular game, Basketball is reported to experience problems of biased refereeing, match-fixing, favouritism of some clubs exercised by FUBA and corruption during the play-off-stages²⁰.

4.3.9.1 The match-fixing problem has no specific legal framework and no specific regulatory body, other than the Disciplinary Committees, and one of Uganda’s respected coaches argues that prosecution in ordinary Courts should be one of the proposals to stop the vice. As regards the integrity of the coaches or technical personnel, he notes:

“Professional integrity has failed significantly as coaches, through fear or neglect, refuse to take professional decisions. There is lack of self esteem, timidity. Poor revenue and dishonest contracts have significantly influenced decision-making. In a recorded number of instances, coaches have been known to ask for bribes from players to include them on match day team sheets. There is a general deficit of integrity that would require a lot of work, legal structures and career guidance to address”²¹.

4.4 The Integrity, Ethics and Disciplinary Bodies of Associations

Invariably every sports Federation / Association has an Integrity, Ethics or as most usually called, a Disciplinary Committee. This deals and acts as the primary enforcer of the rules of the sport. The referees, umpires, judges or match officials are supposed to interpret and ensure the rules of the sport are abided by on the field of play on the other hand. However,

¹⁸ Interview with John Vianney Nsimbe, The Observer, 30th October, 2012.

¹⁹ Interview with Richard Mwami, President Uganda Cricket Association, 7th November, 2012.

²⁰ Interview with Dennis Mbidde, President/Chairman of Falcons Basketball Club, 8th November, 2012

²¹ Interview with Mike Mutebi, former national team coach and SC Villa Manager, 13th November, 2012,

the referee can also be brought to book in such Disciplinary bodies for what they do on the pitch or off it, just like other sports people, players/athletes or officials.

- 4.4.1 The statutes of major International Sports Federations / Associations encourage and oblige their affiliate members the world over to incorporate them in their constitution or legal documents. However, the problem is not their presence in the constitutions or their physical existence of such bodies but the doubt that still lingers about their credibility, strength, reliability and independence. In the midst of match-fixing and corruption, oft-times with the participation of the Association or Disciplinary body members, how can discipline or integrity be kept?!
- 4.4.2 It is important and desirable that sports governing bodies should jealously guard their rights to govern and control their sport. This is called self-regulation; that is, members of the governing body agree through their membership of the body, to be regulated and sanctioned by that body. This is done in many ways like mediation and arbitration, compliance checks, fines and surcharges, suspensions, etc.....²²
- 4.4.3 The opening of specialized courts like The Court of Arbitration for Sport (CAS) as an appeal mechanism is welcome but it will largely remain a far cry for most disputants from sub-Saharan African and other regions with poor sports economies.
- 4.4.4 These specialized bodies, municipal or international, can only do so much. The State Governments through the national laws have a vital role to play to assist, and in most cases, take over the cases involving fraud and massive corruption. This is due to the fact that Governments have the facilities, expertise and the sovereignty in the community of nations in case of transnational cooperation to fight crime. INTERPOL is such medium.

4.5 Understanding the Problem and Culture

Innumerable problems abound in Uganda sport and it can be argued that they are some perhaps beyond the reach and solution of the Federations / Association. These are national problems to be solved by the State Government.

- 4.5.1 In February, 2012 in the USL semi-professional football season, 2011/2012, the Uganda Footballers Association organized a nationwide strike over poor pay and the lack of credible FIFA standard contracts for their members. It paralyzed two rounds of the game and most Clubs were caught unawares and were terribly affected. The FA acted incredulous and nonchalant. This however, was not the first time it had happened. Previously, there had been players' strikes over poor or delayed pay at the big and popular clubs; SC Villa, Express FC and Kampala City Council (KCC).
- 4.5.2 Dan Walusimbi, the chairman of UFA says of the current situation:

²² Mulema Mukasa; Football Administration Structure in Uganda and the Need for Reforms, 2012.

“Players are suppressed upon putting across their grievances; asking for better remuneration is taken to be indiscipline. Players are not empowered, not educated or exposed, they are not motivated. An average pay for a Super League player is about UShs.150,000/= (US.\$59=) to U.Shs.200,000/= (US\$78=) per month. It is not enough and it comes in arrears.”

He goes on:

“When it comes to FUFA, it has not done and put much attention to the players. There exists some contracts between players and Clubs but they are not “footballing contracts”. The FA has not done much to endorse and supervise these contracts as required by the FIFA standard contracts. The Clubs at times tamper with these contracts, and in most cases the players are not given copies to keep for records.”²³

- 4.5.3 Football in Uganda is a mass game and is a source of employment for most youths who play in the Regular Leagues. Cricket, Basketball and Rugby on the other hand, have most of the players engaged in regular jobs elsewhere with playing the sport being more of a pastime. The players in these latter disciplines are more educated and exposed. Boxing is also played on an amateur and professional level in Uganda but is restricted in its outreach.
- 4.5.4 Sports has unfortunately been affected by the general level of moral degeneration in society such that it is not far fetched to state that it mirrors the endemic corruption at the national level. There is a palpable sense of resignation and apathy to fight corruption by the state and the community, and this has allowed corruption to foster.
- 4.5.5 However, the ethos and culture of Uganda as a multi-ethnic country, betrays the current state. The traditional culture bids the people and their societies to be well behaved and abhors cheating or any form of selfishness and greed.
- 4.5.6 The phenomenon or the new emergent culture of cheating is eloquently espoused in the following excerpt:

“Match-fixing/malpractices: This starts at a lower level. You find adults passing weighing tests to play in kids’ matches. It is gross and I have seen this throughout my stay in sports training. I was involved in Post Primary Schools competitions in 2000 in Kapchorwa where I saw adults being screened to compete in games and since they are small-bodied, they fit in easily. Some times its hard to protest this since your own colleagues, district officials and teachers are involved. In 2012 in Mbarara, the under-12 teams in athletics had those from 16 teams compete. Teachers only change bibs. This is brought about by the desire to accumulate points. This business starts at lower levels and treating this cancer should not be reserved for professional players. In 2009, in Gulu, during the National Post-Primary Sports Games, mercenaries were beaten up. So the focus on winning medals, prestige, having money is the root cause of this vice. Coaches want to be known as the “best coach”. Cheating is massive in schools at all levels”²⁴.

²³ Interview, 29th October, 2012.

²⁴ Interview with Charles Mukiibi, Lecturer Department of Sports Science and In-charge Athletics, Kyambogo University, 2nd November, 2012.

4.6 Engendering Integrity in Sport through Education

INTERPOL, has placed emphasis on education as a means to achieve their goals in the integrity in sport programme. Indeed the training of match officials, technical persons and other stakeholders in sport, is focused on the adherence or following of the rules of the sports discipline. The intensity of the training may differ from region to region or from sport to sport but the common denomination is that players / athletes or the other sports stakeholder are given lessons on “respecting and playing to the rules”. The tendency has been that to most sports people, these rules are seen as, mundane and rite of passage process rather than a means to a fair play end.

- 4.6.1 In Uganda, for training and pass-out of referees, there is no particular course unit on integrity. A former referee states:

“There is no course unit on integrity in sport in the training of a referee but there is emphasis on high integrity as a person because a referee is looked at as someone who is fair in society”.

He goes further:

“To qualify as a referee one undertakes a short course, one week, and one has to score at least 75% of the theory: the 17 laws of the game, and the orals. From here you undergo a fitness test which you have to pass. It all however depends on how you apply and interpret the laws in a practical match situation after all the above”²⁵.

- 4.6.2 Similar situations obtain the other popular games in Uganda. The referees/Judges/Umpires are hastily trained in those capacities and passed out. The out-put has been wanting in many instances and has led to disastrous ends like fan violence, abandonment of matches, protests, boycotts. A leader of a football Fans Association opines:

“The refereeing standards are so low, a referee comes to officiate a match with the sole aim of making a team win or lose at all costs. We have seen many dubious decisions over the years and we highlight them”²⁶.

- 4.6.3 In Uganda today, there are two elite educational institutions that have significant focus on sport as an academic pursuit, and include integrity in sport as a course unit in their academic curriculum and awards. There are two interesting and edifying revelations in the interviews with the Administrators/Academic staff at these institutions, Kyambogo University and Makerere University.

- (i) The Department originated from another which was call P.E (Physical Education) under then ITEK (Institute of Teacher Education Kyambogo), a teachers’ only training institution! That was 10 years ago. It therefore changed the name when we a university. Originally under ITEK, the motive was to train teachers who would

²⁵ Interview with former referee, Op. Cit, P.19

²⁶ Interview with Yusuf Kasule, President NAFUSO, 31st October, 2012.

then go and give knowledge to school children to appreciate sports as a leisure activity and how they can better manage their leisure time. We then introduced the Bachelor of Science in Sports and Leisure Management. Most of our products teach the schools health clubs. We have also a diploma in Sports Management (P.E and Sports Management), a Post Graduate in Sports, Management and Masters in Sports Science”²⁷.

- (ii) It is not that everyone has studied sports and its moral obligations. Generally, the country is wanting on the issues of morals. There needs to be a complete remoulding of the nation in the different sectors so that people can be more responsible. We run a module that covers ethics and responsible behaviour in sports (Ethics in Sports Science). We are organizing new programmes targeting people in the system and this will operate effectively next academic year (2013/2014). This is where people that are already in service and management of sports will be much more welcome to be able to reinvigorate their knowledge on the ever changing trends in sports. We feel we are responsible because we have the expertise, we are part of the problem. Therefore, we are designing programmes to have all people enroll and have more avenues of entry to access knowledge We are also working with sports Associations in the country to ensure that they are delivering quality; we ensure that our input is felt through training and other forums of skil....ing. In some instances, we participate in awarding Certificates to those who pass set targets in sports. Currently, we run only one programme, Bachelor of Sports Science thus we feel the need to have more programmes tailored to suit our target group”²⁸.

4.6.4 At a national level, the Government put up a full cabinet Ministry of Ethics and Integrity and has its vision as; “A well governed and prosperous society that cherishes moral values and principles” and the mission.” “To coordinate national efforts against corruption and empower Ugandan society to uphold moral values and principles.”²⁹

This is a herculean mandate placed on this Ministry and many times its impact is not felt but idea of its creation is appreciated.

²⁷ Interview with Charles Mukiibi, Lecturer Department of Sports Science and In-charge Athletics, Kyambogo University, 2nd November, 2012

²⁸ Interview with Deogratius Bamweyana, Coordinator of Programmes, Department of Biochemistry and Sports Science, Makerere University, Kampala, 31st October, 2012.

²⁹ [Http://mak.ac.ug/prospectus/Science/Bachelor%20of%20sports%20science.pdf](http://mak.ac.ug/prospectus/Science/Bachelor%20of%20sports%20science.pdf). www.dei.go.ug

5.0 LEGAL STRUCTURE AND NATURE OF AGAMING AND SPORTS BETTING

Organization of gaming, sports betting gambling and all forms of pool betting in Uganda is seen more as a positive or leisure activity in the entertainment industry than an activity to increase the passion and interest of the population or investors in sports. The latter is the primary reason sports betting is legalized with all the positive spin-offs in a society³⁰. In some countries gaming, pool betting and lotteries are used to create endowment and charity funds to aid the vulnerable, disprivileged and for humanitarian purposes.

5.1 Tracing Gambling, Gaming and Betting

In Uganda, as indeed in most societies the world over, games of chance have existed for centuries. This is as old as the human specie itself, and in Uganda, they existed in pre-colonial times. Often times a bet, stake or wager would be put in place for winning upon chances of something happening or not happening. This would be in form of money, article, property or any worthwhile thing. It could be on any event or the African pastimes or games in pre-colonial epoch like running, canoeing, “omweso”/board game, wrestling, hunting, fishing, etc ...

5.1.2 With the era of colonialism in Africa, in the nineteenth century this pastime of games of chance took on a new dimension, as with all other spheres of life, and then transformation is felt to this date in myriad ways.

5.2 Understanding the Legal Regulatory Framework

The law governing sports betting is primarily “The Gaming and Pool Betting (Control and Taxation) Act, Cap 292³¹ and this law came into place in 1968. The law is enforced majorly by the Ministry of Finance, Planning and Economic Development. The long title to the Act clearly defines the intention of the law:

“Act to make provision for the licensing of and the imposition of a tax on gaming and pool betting and for other matters incidental thereto and connected therewith.”

5.2.1 The key commercial activities the law seeks to regulate are Gaming and Pool betting, and the latter bears relation sports betting. They are interpreted as follows in Section 1:

- (b) “Gaming” means the playing of a game of choice for winning in money or money’s worth.”
- (c) “Pool” means any competition organized for the gain of the promoter in which for a monetary of other material regard the public are invited to foretell the result of any game, race or event, and includes a pool operated on the system known as a fixed odds betting pool on the result of any such game, race or event.”

³⁰ See www.onlinecasinosuite.com/gambling/uganda/

³¹ www.ulii.org/ugandalegalinformationinstitute

- 5.2.2 The licensing is done in three categories; Promoters licence, Principal agents licence and an Agents licence. The latter two mainly being agents. The first category does promotion of gaming and pools within Uganda, the second for gaming and pools done outside Uganda, and the third agent's licence is for both categories (Section 3 of the Act).
- 5.2.3 This licensing is supposedly done by the Minister but there is little regulation and the Ministry has to improvise in so many respects. There is no designated regulatory body and regulations made under this antiquated law. The only regulation by Statutory Instrument available touches on taxation of the betting houses since the Government policy and outlook is to take the industry as an economic activity³².
- 5.2.4 Recently, the Government raised the taxes for sports betting from 15% of the total amount received or of the total amount of bets to 20% in the financial year 2012/2013³³. The betting houses had through their body, Uganda Sports Betting Association, petitioned the national Parliament, through the Committee of Finance, Planning and Economic Development, proposing that they pay Value Added Tax (VAT), which is a consumer tax, instead of being charged on each bet or pool of bets. They contended that the current taxation, unless changed, would chase their customers away³⁴.
- 5.2.5 The law makes provision for examination of books of accounts, documents relating to gaming and pools; unauthorized advertising and general offences and sentences in regard to flouting of laws on licensing, taxation, books of accounts, transfer of monies outside Uganda. Other than the Regulations on tax referred to above, there are no regulations to govern the other aspects made by the Minister under S.11. The fines are so low, they range from under US.\$1 to US.\$4.
- 5.2.6 The law, in its text, is more prohibitive than permissive yet it is to provide for the legalization and regulation of a commercial activity. So, the permitted activity, is found more in exceptions, default clauses or the provisions on the Sections than in the purposive parts of the Sections.
- 5.2.7 The weakness of the law is corroborated by Government functionaries themselves; the Commissioner Tax Policy and member of the Licensing Board says:
- “The industry is minimally regulated since we are still running on the old Gaming and Pool Betting Act of 1968, Cap 292, and as such, we do everything we do within the framework of the current law”³⁵.
- 5.2.8 Owing to the inadequacy of the law, the Government, is using a law of a sister activity, lotteries, to regulate sports betting. This is because there is no standing Board, or for the

³² The Gaming and Pool Betting (Control and Taxation) (Gaming and Pool Bets Tax) Order, No. 31/2009.

³³ www.parliament.go.ug/news/images/stories/speeches/budget12.pdf
www.observer.ug/index.php?option=com-content

³⁴ www.ugpulse.com/uganda-news/.../betting.../2455.aspx

³⁵ Interview with James Mpeirwe, Ministry of Finance, Planning and Economic Development, 5th November, 2012.

reason that the Act does not provide for it. The National Lotteries Act³⁶ provides for the creation of the National Lotteries Board in Section 8(b). What is inescapable though is that, just like the law regarding gaming and pool betting, lotteries are schemes or indulgencies of chance.

5.2.9 The National Lotteries Act is also implemented by the same Ministry as the gaming and pool betting law, and this is why for convenience sake, and not out of following the designated law, the Ministry uses the same Board as a regulator for gaming and pool betting. This research has discovered that all complaints of fraud, non-payment by betting houses among others, are handled by this Board.

5.2.9.1 There is eminent confusion in the regulation of the industry; one administrator with a renowned betting house in Kampala and its environs revealed the following:

“We have been given regulations like opening business at midday every day of the week, not accepting those less than 18 years and having enough security detail at our premises. But these regulations are not practical because there is no law. For example, I do not have to wait for midday to open my premises yet I need to maximize profits. I have heard Uganda Police will put up a monitoring team to effect these regulations but they cannot charge me for any criminality since there are no laws to guide the betting industry yet. We have a regulatory framework under the Ministry of Finance, the Lotteries Board, where we should get a licence but they still ask us to register with URA (Uganda Revenue Authority). URA also tells you to go back to the Ministry, or Lotteries Board. This seems a calculated move to limit the business expansion in the country since Government still views it with a negative attitude. It is thought to be creating idleness and lawlessness among the youth. However, if they do not make real by-laws, the regulations are not of any importance”³⁷.

5.2.9.2 The Ministry, through the National Lotteries Board or the Commissioner Tax Policy, issued a “Guide for Application for Gambling and Pool Betting Licence” which is a checklist on what to carry or lodge when applying for a licence under the Gambling and Pool Betting (Control and Taxation) Act. This “Guide” has no foundation in the law from which it purports to derive. The powers to regulate reposed on the Minister are to make by-laws in form of Statutory Instruments which is a legally recognized way of legislation but this has not been done save for the Statutory Instrument setting the taxation referred to previously.

5.2.9.3 In the makeshift Guidelines aforesaid, there are curious ones; requiring the Applicant to “demonstrate experience in gaming and pool betting in the third world”, “show responsible gambling measures i.e. protection of vulnerable groups of society like minors against evils of gambling”; “attach serial numbers, makes, origin and proof of certification by recognized gambling standard of the equipment intended to be used”. The others are in regard to proof of incorporation, address of business, tax compliance, personal details of directors/shareholders, financial details of the company and its shareholders.

³⁶ www.ulii.org/ugandalegalinformationinstitute

³⁷ Interview with Administrator of a Betting House, 31st October, 2012.

- 5.2.9.4 The fact that the Guidelines have no force of law and are the whim of the Board, Ministry or its Commissioner, compounds the fact that they cannot be respected and/or enforced. Refusal to grant the licence, on basis of these Guidelines can also result in a successful legal challenge in Courts of judicature.
- 5.2.9.5 The Parliament of Uganda has realized the paucity of an effective legislation and there is clamoring for introduction of a robust and definitive law. At the time of this study, there was no White Paper or Proposed Bill in place³⁸.
- 5.2.9.6 In neighbouring Kenya, the regulation is more harmonized and the supervision clearly delineated by the law. This will be discussed latter.
- 5.2.9.7 It is worth noting that the current law comes short in light of the increased activity of online betting and cyber crime.

5.3 Consumerism and the advent of Televised Foreign Sports.

In the last decade of the twentieth century, there was increased and unprecedented interest in foreign professional sports activity in Uganda. This coincided with global changes in the realm of Information, Communication and Technology. The outreach of television, particularly the broadcast rights all over the globe, helped to bring hitherto rare sports tournaments into people's living rooms or the nearest make-shift video halls in the trading centres on regular basis. This is the continuing trend in all emergent urban settlements.

- 5.3.1 This was also at the time most leagues were gaining semi-autonomy from their FAs so as to maximize the commercial rights of their leagues by selling broadcast rights to mega broadcasting companies.
- 5.3.2 Previously, foreign sports interest was seasonal and mainly felt amongst the urban population save for the football World Cup Olympics and Continental Sports Championships.
- 5.3.3 Uganda's population is mainly a youthful population like in all countries in Sub-Saharan Africa. The youths have been known to copy and adapt to new inventions and cultures quite easily. The effect of globalization has not spared them. Therefore, there is consumption of sports culture from more successful countries in Europe, the Americas and Asia. This has given birth to a new foreign sports urban culture and sport betting on foreign sports has festered as a consequence.

5.4 Organised Sports Betting and Outreach

Sports betting of any nature in Uganda is as a result and a function of the inadequate laws that obtain. They are liable to exploitation by all manner of persons with different motives, good or bad, and herein lies the hotbed for corruption and criminal activity allied to sports betting.

³⁸ <http://www.ugpulse.com/uganda-news/sports/mps-want-sports-betting...>

- 5.4.1 Sports betting companies in Uganda are spread throughout all major urban centres and in doing this they have had to adapt to the socio-economic conditions of the population. Given the popularity of the sports activities especially football, boxing, motor racing, this has aided its growth. The convenience brought about by the betting houses taking the smallest bets as low as less than US.\$1 has also done them no harm. It is a lucrative business³⁹.
- 5.4.2 Foreign football leagues have ruled the roost for most betting houses, that is the Premier League, the UEFA Champions League, the Europe League, the African Cup of Nations, Copa America, Eastern European Leagues, the other top leagues in Europe (France, Italy, Spain, Germany etc ...) The reason for this is that they have organized and consistent scheduling of matches. They are also popular to the punters because they are presumed to be more secure and free in terms of match-fixing and they provide better odds and money. The business is so brisk and gainful, and it is manifested that on a good day, according to a reliable source interviewed for this study, a betting house UEFA earns a net profit of US.\$40,000= on a Champions League football night⁴⁰.
- 5.4.3 People of different shades of life are engaged in sports betting and they harbour different perspectives.
- (i) “I actively engage in betting. Depending on how much I have to pay for a bet, I will always wish to maximize my opportunity to get a win. Normally, I will go for several bets. On average, the bets I have taken are at US.\$3. Some times you win sometimes you lose so you have to take risks like any other business. People claim that those in sports betting are idlers, but that is not a hundred percent true”⁴¹.
- (ii) “I like sports betting. I have lost some money before but I also won UShs.500,000/= (US.\$200=) in one bet. If they were to start taking bets on our local football games, only U.Shs.2,000,000/= (US.\$800=) would be enough for a goalkeeper to give away goals and this is very little money for the sports betting houses yet our players are paid only a small portion of that. Our local game would be gone”⁴².
- (iii) “I switched from the Ugandan based sports betting houses to international ones because when you would win a bet of U.Shs.6,000,000/= (US.\$2,400=), it would take another four days to get your money just because the betting house does not have money and would take days. For the international betting houses online, like bwin, it is automatic, there and then”⁴³.

³⁹ www.newvision.co.ug/news/635744-sports-betting-firms-milking-ugandans-dry-html/.
www.observer.ug/index.php?option=com-contentview=article...
www.theconomagazine-ug.com/oped/perspective/sports-betting-a.....

⁴⁰ Interview with Protected source, 25th October, 2012.

⁴¹ Interview with Jemenze Joseph, University student, 2nd November, 2012.

⁴² Interview with a Sowedi Kayondo, 13th October, 2012.

⁴³ Protected Source, interview 31st October, 2012.

- 5.4.4. However, despite the fervour and enthusiasm of sports betting, stakes and /or odds have not been placed on Ugandan games. A former sports betting executive explains why.

“The game in Uganda is very disorganized, there is no good management at FA level, club level and the league. It is a mixture of a pastime with little semblance of business. The professionalism is lacking in the game. The clubs lack financial muscle to pay and maintain players yet players are most vulnerable and susceptible to being compromised”⁴⁴.

- 5.4.5 The country’s top tier management, USL, confirms that they have not heard of any incident of sports betting based on their league but they are dread the time they will happen as they do not have the capacity to tackle it and the past incidences of match-fixing will fuel it. The former Chief Executive Officer of USL avers:

“Our economy here is that not many homes or people can afford pay-TV, satellite television, but sports lovers go to video halls and I saw at these video halls in suburbs our USL games being advertised along with foreign games on the notice boards. Therein lies the fertile ground for betting to creep into the USL games. The USL Board has urged that we be foresighted and see how we can nip it in the bud so as not to destabilize the game”⁴⁵.

- 5.4.6 However, sports betting is alive and thriving in Uganda bringing with it many social problems and the main outreach is the sports fan. The vice present an umbrella football fans body states:

“With the poverty looming in the community coupled with passion for the game, sports betting is an avenue to earn from it. This is why it is highlighted”⁴⁶.

5.5 Foreign Ownership of Betting House

The law on gaming and pool betting, and the liberalized market structure of the Ugandan economy allows foreign capital investment in Uganda.

- 5.5.1 The study made with the Ministry of Finance, Planning and development that is charged with powers to supervise this industry shows that there is about 20 registered betting companies and most of them are foreign owned. The reason advanced is that it requires huge investment given its risks and no average Ugandan may deal in such a venture. The upper and middle level work personnel at most betting houses is foreign and recruited from Europe and Asia where the industry is thriving.

- 5.5.2 Organised sports betting in Uganda is a foreign influence and the increased investment in this by foreigners is hinged on liberalization of economic markets, globalization and the

⁴⁴ Interview with Joseph Kigozi, former administrator of a Betting House, 26th October, 2012.

⁴⁵ Interview with Jimmy Ssegawa, Ebil, CEO USL (2011 – 2012) 26th October, 2012.

⁴⁶ Interview with Patrick J. Kalungi, 31st October, 2012

consumerism that the Ugandan market has exhibited towards foreign based businesses and cultures. No doubt that then that the Government has viewed this gold-rush market with a purely commercial lense. A retired FIFA Referee observes:

“Government is looking at betting as tax revenue opportunity other than an avenue for erosion of moral fabric in society. It is a big risk to the youth that are unemployed. It engages the productive youths into unproductive activities and the total output of this is trouble. Betting is not a positive form of leisure or even expressing passion for the game. Instead, if it were expression of passion, then we can form cheer clubs. This is positive since it engages an individual on the match and even energizes him or her”⁴⁷.

- 5.5.3 The fact that majority betting houses in Uganda are foreign owned, mainly having tentacles in Europe that are more regulated and with a more informed and activist society, means that global conventions and controls can bear upon them, and indirectly any outward and negative ramifications of their activities can be brought into check.

5.6 Money Laundering and Criminal Gangs

Money laundering is the process by which proceeds from a criminal activity are disguised to conceal their illicit origin. It is evident that regulation in gaming and betting is wanting, and people who are criminally minded can very possibly, if they have not done so already, use this lawful commercial activity to cleanse their dirty money.

- 5.6.1 Two appraisal study reports on Uganda, and the neighbouring region, give a grim picture about the lack of laws and institutional structures to combat money laundering. In August 2007, the Eastern and Southern Africa Anti-Money Laundering group made a detailed Assessment Report on “Anti-Money Laundering and Combating the Financing of Terrorism” about Uganda. It observed thus:

“There have been some efforts especially by the Ministry of Finance and the Bank of Uganda to facilitate putting in place an AML/CFT (Anti-Money Laundering/Combating the Financing of Terrorism) regime, although much more work is required to meet international standards. Uganda has been, and still is, the victim of domestic terrorism. As a result of Uganda’s geographic position, it is also susceptible to being used as a transit point for funds and resources that may be used to destabilize Central African countries and perpetuate war in these areas. Arms trafficking involving Somalia, Southern Sudan and Eastern Democratic Republic of Congo (DRC) is prevalent. Human trafficking (including children) and smuggling (including protected species) are significant components of the cross-border criminal activity, which sometimes use Uganda as a transit stage. Drug trafficking is also emerging as a major problem”⁴⁸.

- 5.6.2 Another a joint Report made in 2009 by the Institute for Security Studies (ISS), Cape Town and Peace and Security Institute of Africa (PSIA), Kampala, noted the following:

⁴⁷ Interview with Muhmed T. Ssegonga, retired referee and Chairman Referees Committee, 7th November, 2012.

⁴⁸ www.esaamlg.org/userfiles/UGANDA-MER1.pdf.

“Money laundering (ML) is a serious problem in Uganda, yet the population remains largely ignorant of the fact or the impending dangers incident to it. This situation is made worse by the fact that ML is not recognized as an offence by law and those who know and understand it believe it should be left to thrive as it provides an avenue for development for both the individual and the state, which is largely a wrong theory as the dangers of ML as this Report will indicate, are more grave than the benefits that may accrue there from. By its very nature ML is concealed and may be hard to detect. The existence of ML in Uganda is therefore indicated by the incidence of offences predicate to it”.

The Report notes further in regard to the regional regulation and observance:

“Uganda is a founder member of the Eastern and Southern Africa Anti-Money Laundering Group (ESAAMLG). Re-cognizing the danger posed by money laundering and predicate activities, the members of ESAAMLG agreed and committed themselves in 1999 to enact AML Legislation in each of their respective member states as part of efforts to combat ML in the region. Several member states including Botswana, Zimbabwe, Tanzania, Namibia and Lesotho have fulfilled their obligations. However, Uganda and Kenya still lag behind in fulfilling this commitment”⁴⁹.

5.6.3 Uganda began on that road of enacting a law in 2002; the Anti-Money Laundering Bill, and the law has gone through many series but the edition of 2009; Bill No. 13 of 2009 was last tabled in Parliament on 10th April, 2012⁵⁰. It however remains unpassed to this date. It seeks among others, to criminalize money laundering and to create two bodies; the Anti-Money Laundering Committee and the Finance Intelligence Authority.

5.6.4 The Uganda Police, another vital partner in fighting of sports betting related crime, has identified the problem but only in respect to crimes concerning idleness of youths, consumption of drugs and excessive alcohol, public order, affray, breaches of peace, assault and murder among others. It should be understood that the Police Force faces a multitude of problems touching capacity, professionalism, sophistication, corruption, human resource, logistics, financial and expertise to tackle crimes associated with transnational money laundering and criminal gangs especially so when the laws are non-existent or weak.

5.6.5 The Police Spokesperson, said this of sports betting:

“We treat sports betting like any other activity in the country. Not all people go for sports betting, and therefore, there is need to consider both parties; the goers and non-goers in our dispensation of security services. Some of those individuals that go for betting have other motives; to commit crime. The meeting we held in July, 2012 was to identify how better we can mobilize them to be security conscious so that their places are not places for organization of crime. Some time back a Manager of a betting company was killed in cold blood. This means that some people come to these places with criminal minds”⁵¹.

⁴⁹ www.psiafrica.org/index.php?option=com-docman&task...

⁵⁰ www.observer.ug/index.php?option=com-content&view=articl...

⁵¹ Interview with Judith Nabakooba, 31st October, 2012.

Further, in Kampala which is the hotbed of sports betting in Uganda, and where licensed or unlicensed sports betting houses, have their headquarters, the Commandant of Kampala Metropolitan Police, noted the emergent problems and lamented the lack of good laws:

“We were compelled to meet the sports betting companies after receiving several complaints from the community. We therefore came up with some guidelines since the law is yet to be enacted to regularize betting and gaming apart from the gambling law, there is no other legal instrument that governs betting. The public was concerned about the age of children in betting, the amount one has to have. They were also encouraging house wives to bet since some could allow betting at a fee of UShs.500/= (less than a dollar). School children were betting their school fees. We also ensured that minimum operational capital is established since companies do not have enough money while others cheat their clients. All this cannot be policed and regularized because there is no effective law”⁵².

- 5.6.6 Studies have shown that crimes associated with money laundering are increasing and with the surge of sports betting business in Uganda, and East Africa, it is probable that sports betting is a conduit. Their effect on the field of play and therefore the integrity of the local games is however not yet reported but it will occur when the game is better administered. The ESAALG Report observed further:

“Acquisitive crime has shown a sharp rise in recent years. Duty fraud and smuggling are estimated to be of a scale that is causing serious loss of revenue to the Ugandan authorities and the size and frequency of these crimes suggest that they are undertaken by organized crime groups. Generally, the proceeds of these crimes, and corruption, are being expended on land, buildings, houses, cars, shops and other forms of businesses which are used to disguise the origins of criminal proceeds”.

It notes further:

“Uganda is a largely cash based economy. Only a small proportion of the population has bank accounts and the percentage having insurance policies or owning securities is even lower. As a result, the absence of effective AML/CFT controls in the formal financial sector gives rise to a major vulnerability in practice. (The CFT position is harder to access). However, there are plans for the development of the economy which would lead to more transactions being effected through the formal financial sector. The use of cash for transactions within the country and across the borders remains a significant risk area. Uganda shillings are accepted as “legal” tender in neighbouring countries such as Southern Sudan, Rwanda and Eastern DRC. This encourages cross-border movement of cash and increases Uganda’s vulnerability to AML/CFT”⁵³.

⁵² Interview with Andrew Felix Kaweesi, 31st October, 2012.

⁵³ Ibid.P 34

5.7 The Dawn of ICT

Previously, it has been shown that in the last two decades the incidence of Information, Communication and Technology (ICT) has exponentially grown, not only in Uganda but in the entire Sub-Saharan Africa. It was further demystified and engendered by the deep penetration of mobile telephony whose outreach is at the village community grassroots.

5.7.1 Sports betting in Uganda is online in addition to the on sport or over-the-counter transactions. This is even more accessible by the sports betting firms after the introduction of mobile phone betting which has popularized the activity. There are also virtual betting machines. This study revealed the following:

“There are so many games up for betting. These include international soccer games. We rarely deal in local matches since people are not so passionate about them. Others are horse racing, dog racing. These are controlled by our IT technicians. Of course people complain that these games in particular are not fair but they always come back to give it another try. But we have tried to explain to them that betting is all about luck”⁵⁴.

5.7.2 The information age has also kept the sports fans and punters updated about the sports results, news, and status of the sports events and players they are interested in or have placed bets on. Television, internet and other forms of communication have helped maintain the passion and suspense about the subject of bets. The nature of the betting requires information and electronic broadcast, most especially radio has weighed in to render support. Sports betting firms have sponsored programmes on radio, television and newspapers about the odds. For example, there is a weekly sports newspaper, The Octopus, that publishes the bets the odds and analytical opinions by pundits⁵⁵.

5.7.3 The advent of ICT has led to Uganda’s premier league, USL, clinching a television broadcast deal with Super sport to telecast league games all over Africa and the environs. This has been so from the 2011/2012 season and is set to continue for another 4 years in the broadcast contract of 5 years worth US.\$5,000,000=. The stakes and interest in the league will continue and it will be left to the administrators to manage this interest and the looming possibility of sports betting companies and the likelihood of their effect on integrity of the game.

5.7.4 There is need to be knowledgeable before bets are placed. A betting operator states:

“Different items are up for staking and these include: wins, draws, overs (when you predict that your team will score above say, 2 goals); unders (the opposite of overs), free kicks, half time (extra time or no time allotted to the match at hand). The winner claims for their cash within 60 days”⁵⁶.

5.7.5 The Government went ahead and enacted a raft of laws to move in parity with the ICT age but their adherence, enforcement and purview is lacking and should be improved. These laws

⁵⁴ Interview with a Sports Betting operator, 2nd November, 2012.

⁵⁵ www.octopus.co.ug

⁵⁶ Ibid.P 36

are; the Computer Misuse Act, No. 2 of 2011; The Electronic Signature Act, 2010; The Electronic Media Act, Cap 104; The Uganda Communications Act, Cap 106 and The Electronic Transactions Act, No. 8 of 2011.

In Uganda, little or no attention, is paid to the law when commercial transactions involving ICT are being done. With an obsolete law governing gaming and betting, the situation is conducive for illegal sports betting and associated negative practices of money laundering and criminal gangs.

6.0 REGIONAL REFLECTIONS

In the bigger East African region, the socio-economic situation and the way sport is practiced, is not different from Uganda. It is largely amateur with pockets of semi-professionalism and professionalism. Football or soccer still remains the most popular sport.

There is a correlation between corruption in society in general and the way football administration and management is.

6.1 The case of East Africa (Uganda, Kenya, Tanzania, Burundi and Rwanda)

The said countries are part of a regional economic block, known as the East African Community, that was re-established in 1999 under the East African Community Treaty. The said community has a Parliament and makes laws⁵⁷.

According to the most recent East African Bribery Index released in August, 2012 by Transparency International, the region's statistics are worrying. This Index is a governance tool developed to measure bribery levels in the private and public sectors in the region.

6.1.1 The Index reports:

“Bribery prevalence in Kenya remains high as the country moved from fourth place recorded in 2011 to third in the 2012 East African Bribery Index (EABI) with an aggregate index value of 29.5% up from the 28.8% recorded last year. Uganda registered the highest bribery levels in the region with a value of 40.7%. Burundi, the worst ranked country in 2011, recorded a significantly lower index of 18.8% down from 37% recorded last year. Tanzania recorded 39.1% respectively while Rwanda remains the least bribery-prone country in the region with an aggregate index of 2.5%⁵⁸.

6.1.2 The region, it should be understood, has some of the poorest human living conditions in the world and is underdeveloped. The region's corruption statistics are largely a microcosm of the wider Sub-Saharan region where most countries feature as some of the poorest countries in the world.

6.1.3 This study has discovered that sports betting is prevalent in all the five East African countries with the most business in Kenya, Uganda and Tanzania, and in the countries of Rwanda and Burundi being a nascent industry. Regulation of sports betting in all the countries is poor and not up to speed with the contemporary sophistication to prevent abuse and most especially its effect on the integrity of sport.

6.1.4 Kenya has the more expansive legislation that has been updated by amendments over the years. The law: The Betting, Lotteries and Gaming Act, Cap. 131, was passed in 1966 and establishes the Betting Control and Licensing Board. The law is more elaborate than the Ugandan counterpart. In Uganda, licenses are given to private businesses to run lotteries yet

⁵⁷ www.eac.int

⁵⁸ www.transparency.org/news/pressrelease/the-east-afrucab-bribery-index-2012-bribery-levels-remains-high-in-kenya

such businesses should have been granted gaming licenses. Lotteries are mainly for raising of public funds for charity and not private gain.

- 6.1.5 Uganda has become the epicentre of sports betting in the region given that the laws are lax and the process of setting up the business are not elaborate and involve less scrutiny by the Governmental bodies. An interview with a former sports betting employee reveals that most foreign based businessmen set up shop first in Uganda and then roll out in the region. Kenya is most difficult to get a license, and with the betting operator he worked with, it took them close to 2 years to get one there yet in Uganda, it was a matter of months.
- 6.1.6 Tanzania and Kenya have put in place anti-money laundering legislations but Rwanda, Uganda and Burundi are yet to do so⁵⁹.
- 6.1.7 These countries have a regional body, CECFAFA that bring them together and hold a number of football competitions for the senior teams, under-age competitions, and club competitions. Over the years, there has been reports of match-fixing and corruption in these competitions.
- 6.1.8 The respective FAs and leagues in these countries have also had their fair share of football administration wrangles and corruption related instances that continue to undermine the integrity of sport. Uganda, Kenya and Tanzania football leagues have television broadcast contracts to be shown all over Africa.

6.2 CAF “Home Match Win” Syndrome

On the continental scene, there has been a consistent play out of incidences of match-fixing and corruption. This has been manifested especially in the qualifying matches to the final editions of the African Cup of Nations, the youth tournaments, women’s championships, and also in the Club Championships.

The organizing Federation, CAF has not however taken bold steps to stamp out these forms of corruption. They are mainly felt through refereeing decisions, fixture making, boardroom decisions over petitions made to CAF, age-cheating in under-age youth tournaments, seeding system for qualifying of groups for tournaments and hosting, and remuneration of referees for CAF fixtures, etc

- 6.2.1 In CAF organized activities especially in round-robin fixtures, it has become a culture which believed by all persons in the African continent, that a home team in such a format of schedules has to win a game at its home at all costs. This, has unfortunately become the *raison d’etre* for the organization of such tournaments in such format. It has been most abused as these three examples involving Uganda attest:

- i) **Nigeria Vs Uganda, Abekouta, Nigeria, March, 2007, AFCON 2008 Qualifier**

⁵⁹ www.afronline.org/?p=9222

Nigeria was leading 1 – 0 at home against Uganda. Uganda equalized in injury time of second half through what was a genuine goal but the goal was controversially disallowed by Senegalese centre referee, Badara Diatta. Surprisingly, the Nigeria players were ready to restart the game having thought it was a legitimate equalizer. No action was taken by CAF and instead he went ahead to officiate the Africa Cup of Nations final of 2012 edition.

ii) Uganda Vs Congo Brazaville, Kampala, Uganda, June 2012, AFCON 2012 Qualifier

The centre referee for this game, Moroccan El Ahrach Bouchaib, made so many controversial decisions in favour of the home team to help them beat their opponents 4 – 0. He looked biased and his decisions left many players and officials of Congo Brazaville, and the neutrals wondering⁶⁰.

iii) Uganda Vs Nigeria, Kampala, Uganda 2007, AFCON 2008 Qualifier:

Nigeria was leading Uganda by a single goal at half time and in the second half, the centre referee awarded two dubious quick penalty spots to Uganda to lead and win the game 2 – 1.

6.2.2 CAF has a standing system where match officials are taken care of by the home Federation, their accommodation, entertainment and relaxation, allowances, travel within the home country is also footed by the host Federation. There is also a culture engrained in the people that it is okay to bribe the referee or match officials, be it for local or international games⁶¹.

Accordingly, the host federation pulls out all the stops to see that the game is won at whatever expense literally. It becomes a case of pay high and win your home game in CAF competitions.

6.2.3 Recently, in Uganda in October, 2011, the home football fraternity were blaming the FA for not bribing the Kenyan officials and players, or the match officials, for Uganda to beat Kenya and qualify for AFCON 2012. Ditto, in the last edition of the USL season, 2011/2012, Express FC fans wanted, and put pressure on their officials to bribe Bidco FC's officials and players, to throw their last match of the season against Express FC such that the latter wins the title. This was after Express FC had drawn with Bunamwaya FC in the penultimate game yet Express FC needed a win in that game to win the title.

6.2.4 In 2010, Uganda, was disqualified by CAF from the Under-19 Africa Championship qualifiers after it used over-age players in this competition against Zambia in the two legs. This illuminates a problem in Africa that is also common in South America. The Ugandan ex-referee and journalist who disclosed this to the world states:

⁶⁰ <http://observer.ug/index.php?option=com-content&view=article&id=19344:robertmadoi>

⁶¹ Interview with John Vianney Nsimbe, op.cit P. 21

“I wrote to CAF as a whistle-blower raising many issues including referee match-fixing and use of over-age players. The whistle-blowing was out of the fact that the team had so many players in advanced stages of their careers, some were at final years at University, some were married with families, many had altered their passports, birth certificates, others had played in the top league for an average of four seasons and it was impossible in the Ugandan setting to be Under 19 years”⁶².

6.2.5 The selection of players for the national teams is fraught with lots of problems ranging from favouritism by the technical benches of Federation officials, to some players paying their way to get into the team. This is a recipe for match-fixing and possibly a fertile ground for involvement in sports betting illegal schemes⁶³.

6.2.6 One of Uganda’s foremost referee at FIFA level, now retired opines:

“Ethics is a reflection of the wider society; therefore everything in Uganda is part of this society. Corruption therefore is not a unique practice to sports alone. It is the impact of the wider society that influence affairs in the sports industry than vice versa. It therefore takes an incorruptible personal character to refuse and say no to any forms of advances brought in one’s way. Your personal character is your own defender. It is what people think of you that forms basis for their perception towards you. I am such a person, I have never allowed these temptations to come near me and therefore the entire sports fraternity knows me for this character. We have had such allegations of some referees accepting favours and this is a routine thing”⁶⁴.

6.2.7 On the “Home Match Win” syndrome, John Vianney Nsimbe, observes about the problem:

“CAF has not done enough to protect the foundations of the game in regard to fair play, and that has been hidden in the pretext that home teams have to always win home games. This has led to subjugation of visiting teams. This is an unwritten rule in CAF competitions based on home-and-away format. It has affected the integrity of the game”.

6.3 The Zimbabwe “Asiagate” Scandal

Between the years 2007 and 2010, Zimbabwe’s FA ZIFA, sent their senior national team on friendly tours in Asia to play against national sides, Malaysia, Thailand, and Singapore. In one of these matches, ZIFA dispatched a club side, Monomotapa United FC, as a guise for the national team to play Malaysia’s national team. The Zimbabwean national team lost all these matches in circumstances that led to credible suspicions that they were part of match-fixing and betting syndicates with Asian criminal organisations.

⁶² Interview with Dhakaba Muhammad; Ibid.P. 19

⁶³ Interview with Daniel Walusimbi; Ibid.P.23

⁶⁴ Interview with Muhmed T. Ssegonga, Op. cit P.32 webmail.observer.ug/index.php?option=com-content&view=article&id=13565.tobcA-madix-african-refereeing-could-do-with-moreseongas&catid=44.spc

- 6.3.1 Players admitted to taking money to throw matches and they were paid ranging between US.\$500 and US.\$1,500, and that US.\$50,000=could have been paid for each of the matches fixed. This scam involved officials within ZIFA, and the technical team. It led to the purge within ZIFA and suspension of over 80 players and officials. The Zimbabwean Parliament has also intervened⁶⁵.
- 6.3.2 This depicts the depth the football game can sink into when crooked football administrators get involved with betting syndicates to organize tour matches. It happens a lot in Africa when national FAs, usually with the help of international football agents, organize such dubious friendly matches. The desire to expose the players to such countries and the money on offer are usually a good stimulus to the FAs, and consciously or unconsciously, they fall prey.
- 6.3.3 The Zimbabwean Asiagate scandal is still unfinished seeing as that the players and officials banned in the scandal would like to appeal, in whatever forum, the sentences passed by ZIFA. They range from life bans, to bans of 6 months to 10 years from football⁶⁶.

6.4 “Friendly Tour Matches” Outside the Region

There is a spate of activity in recent times involving top Ugandan Clubs, Villa SC, Express FC and KCC in which they are invited to tournaments in South East Asia, especially Vietnam, to play friendly matches on tour. They are meant, according to what is known to the public, to help the Ugandan Clubs to market their players for possible transfer to Vietnamese Clubs and also for the clubs to make money. The expenses of travel and accommodation are majorly met by the hosts.

- 6.4.1 In the past 3 or 4 years these top teams have gone on tour, controversy has brewed over the fact that some teams have left without authorization by the FA, they have included players from other clubs, have left in the middle of the league causing rescheduling, some players have been improperly transferred to Vietnamese clubs, disagreements within tour agents, some players staying over in Vietnam inexplicably after end of tours, etc⁶⁷
- 6.4.2 The existence and increased vigour in such tournaments, if not well managed and supervised by football authorities, can present problems of match-fixing and corruption as the Zimbabwe “Asiagate” scandal. All the trappings of what can go wrong are all already apparent.
- 6.4.3 The interview with a FUFA official revealed that they are aware the problem of match-fixing is existent but it is mainly amongst players and officials. In the mind of FUFA, they believe

⁶⁵ en.wikipedia.org/wiki/Asiagate
<http://www.voazimbabwe.com/content/zimbabwes-parliamentary-com...>
<http://www.guardian.co.uk/world/2012/feb/01/zimbabwe-footballers->

⁶⁶ www.newzimbabwe.com/sports-9496-FIFA warns Rushway’aOhidzambwa/sports.aspx.

⁶⁷ en2eastfrica.net/uganda-vek-alliance-returns-to-fight-illegal-players-transfer/

that the game in Uganda has not reached the level of sponsoring match-fixing because the betting operators do not have the money⁶⁸.

6.4.4 This study established from one of the heads of the Clubs in Uganda attending these Asian tours that the trips are meant to market their players and offer the clubs a commercial platform from which to build a good financial base in the changing times in which football is run as a business and owing to the fact that the Eastern African region is lagging behind⁶⁹.

6.4.5 Sports betting, if well regulated in the world and in Africa where commercial investment in the game is lacking, can be a vital pillar in many respects. A football administrator opines:

“Sports betting is a modern way of attracting fans and sponsorship to the game, and is welcome in that respect because it generates interest and passion. It however has to be managed and controlled so as not to affect the integrity and fair play of the game”⁷⁰.

⁶⁸ Interview with James Kalibbala, 6th November, 2012

⁶⁹ Interview with Fred Muwema, Chairman/President SC Villa, 12th November, 2012

⁷⁰ Interview with Julius Kavuma Kabenge, Chairman, USL, 13th November, 2012

7.0 CONCLUSION AND RECOMMENDATIONS

In this study, numerous ways of containment, prevention and eradication of match-fixing and corruption have been put forward. Sports betting and all its associated negative impacts, actual or likely, on the integrity of sports and avenues of how they can be surmounted in Uganda and the neighbouring countries, has also been attempted.

However, the following measures are proposed:

- i) There is an urgent need to strengthen the regulatory framework by which far reaching laws on gaming, pool betting, lotteries are handled in a single legislation. This will involve lobbying Government to amend or better still, overhaul the obtaining lax laws.
- ii) Making the institutional framework of the FAs more credible, independent and competent especially, the Ethics & Disciplinary Committees since they handle day-to-day issues of match-fixing and corruption involving players, clubs, officials, referees, etc... The court of Arbitration for Sport, CAS, has to be decentralized to continents on even regions to make it accessible.
- iii) Formation of Steering Committees, Monitoring or Action Committees within the regional inter-government football bodies like CECAFA, COSAFA, etc in which to run the INTERPOL Programmes of training, education and prevention.
- iv) Enactment of laws at economic integration or cooperation level, for example, SADC, COMESA, ECOWAS, EAC to achieve transnational treaties or conventions to tackle sports betting related crimes especially money laundering, match-fixing and corruption, criminal gangs.
- v) Increased linkages between domestic police and the FA. This should not stop at stemming hooliganism at football events. The FAs security committees should take note.
- vi) Heighten the incorporation of sports betting related offences in the FIFA and FA statutes with stringent sanctions to players, officials, referees and other participants for whom the FA have jurisdiction.
- vii) Encouragement and creation of sports activist movements at a national and regional level. These private Non-Governmental Organizations will act as watch-dogs that critique and blow the whistle, if necessary, on match-fixing and corruption, e.g Transparency International and those that exist in Western Europe.
- viii) Creation of Independent Governance Committees to engender transparency and good governance. They act as a self-cleaning and watch-over body on the exercise or abuse of power by office holders at FAs. The creation of such a body at FIFA recently should trickle down to FAs in Africa whose leadership is non-accountable and dictatorial. There is a correlation between bad governance and corruption, and this has exacerbated the problem, for example the “Asiagate” scandal in Zimbabwe.

- ix) Raising awareness amongst, training and education with Fans Cubs, Club Managers/Coaches Associations, Players Associations, Sports Betting Associations and other such sports related groups.
- x) Development and support of an academic curriculum for use by Academic institutions offering sports courses like universities and colleges.
- xi) INTERPOL should render technical and educational support to national police forces in detection, investigation and prevention of sports betting related crime.
- xii) Monitoring sports betting through financial transactions of the punters and the operators. No bet should be placed or taken unless such person has financial records that can be identified through bank records or any ICT platform.
- xiii) Establishment of Sports Betting Operators/Sports Associations' Forums to increase in which dialogue and understanding of issues of concern. This has worked out in cases of where sports betting firms sponsor sports activities and clubs, and it should work out as well in curbing the problems at hand.



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15. The National Council of Sports Act, Cap. 48
16. The National Lotteries Act, Cap. 191
17. Uganda Communication Act, Cap 106
18. Bryan A. Garner, Black's Law Dictionary, Eighth Edition
19. Ministry of Finance, Planning and Economic Development: Guide for Application for Gaming and Pool Betting Licence.

APPENDICES

Interviews carried out with Different Persons/Institutions

1. Jimmy Ssegawa Ebil, former Secretary Firemasters Football Club Ltd., former Chief Executive Officer, USL; 26th October, 2012
2. Joseph Kigozi, former Public Relations Officer, Sports Betting Africa and Sports Journalist, 26th October, 2012
3. Daniel Walusimbi, Chairman, Uganda Footballers Association, 29th October, 2012
4. John Vianney Nsimbe, Investigative Sports Journalist, The Observer Newspaper, 30th October, 2012.
5. Patrick J. Kalungi, Vice President, NUFFA, 31st October, 2012
6. Yusuf Kasule, President NAFUSO, 31st October, 2012
7. Dhakaba Muhammad, retired Referee and Sports Journalist, 31st October, 2012
8. Kayondo Sowedi, active punter/betting participant, 13th October, 2012
9. Jasper Aligaweesa, General Secretary, NCS, 30th October, 2012
10. Penninah Kabenge, General Secretary, UOC and Senior Sports Tutor, Department of Recreation and Games, Makerere University, 30th October, 2012
11. Judith Nabakooba, Uganda Police Spokesperson, 31st October, 2012.
12. Andrew Felix Kaweesi, Commandant Kampala Metropolitan Police, 31st October, 2012.
13. Jemenze Joseph, University Student/Active Punter, 2nd November, 2012
14. Charles Mukiibi, Lecturer, Department of Sports Science, Kyambogo University, 2nd November, 2012.
15. James Kalibbala, Administrator, FUFA, 2nd November, 2012
16. James Mpeirwe, Commissioner Tax Policy/Member, Lotteries Board, 5th November, 2012.
17. Muhmed T. Ssgonga, retired FIFA Referee, former Chairman Referees Committee, 7th November, 2012
18. Oscar Kihika, former Vice President of FMU, 7th November, 2012

19. Protected Source, former Club Official, 26th October, 2012
20. Gimugu Kenneth, Boxing Administrator, 2nd November, 2012
21. Deogratius Bamweyana, Coordinator of Programmes, Department of Biochemistry and Sports Science, Makerere University, 31st October, 2012
22. Protected Source; Administrator of a Betting House, 31st October, 2012
23. Mike Mutebi, Manager, SC Villa, 13th November, 2012
24. Julius Kavuma Kabenge, Chairman USL, 13th November, 2012
25. Dennis Mbidde, Chairman / President, Falcons Basketball Club, 8th November, 2012
26. Fred Muwema, Chairman / President, SC Villa, 12th November, 2012
27. Protected Source, Sports Betting Operator, 2nd November, 2012
28. Richard Mwami, President, Uganda Cricket Association, 7th November, 2012
29. Protected Source, former Betting Operator, 25th October, 2012