



AFC
“Do The Right Thing”
Policy



AFC “Do The Right Thing” Policy

A policy to allow football-lovers in Asia to speak up on wrongdoing so that action can be taken – so we can keep Asian football clean.

“Corruption flourishes when those who engage in it believe they can rely on the silence of those around them” (UN Office on Drugs and Crime)

Whether you are a player, an official or otherwise involved in football, if you see or hear unethical behaviour relating to AFC competitions or activities, you have a duty to:

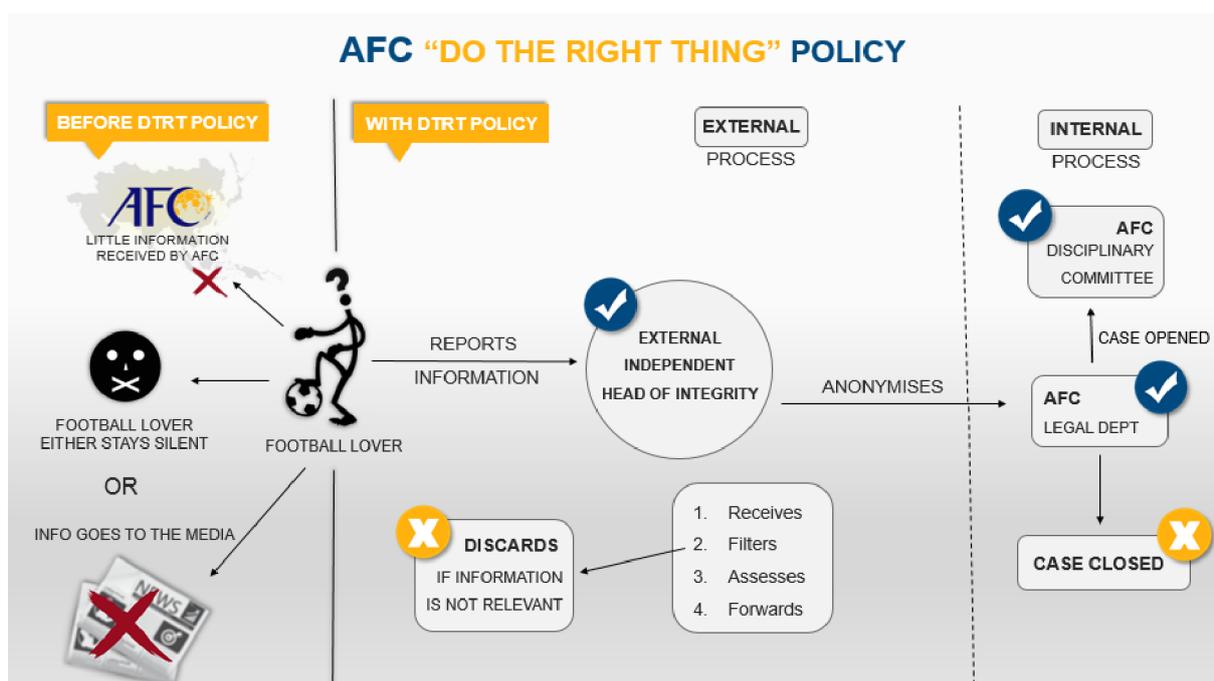
1. **RECOGNISE** – understand what is happening to you or others close to you
2. **REJECT** – say “NO” immediately
3. **REPORT** – inform AFC, its Independent Head of Integrity, or your Football Association

In other words – DO THE RIGHT THING! Or it might end your career in football.

The AFC “Do The Right Thing” Policy (hereafter “the Policy”) describes the procedures that the Asian Football Confederation (hereafter “AFC”) must follow when dealing with information provided to the Independent Head of Integrity about wrongdoing in Asian football by those who love football (hereafter “football-lovers”, known in other industries as “whistleblowers”).

The aim of this Policy is to provide easily accessible and secure channels for anybody who has experienced or suspects wrongdoing or unethical behaviour in AFC competitions or activities to report this to someone that they trust. The overall summary is shown in Graphic 1 below.

Graphic 1: Overall Summary of Process



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If you are reading this Policy to understand how to report suspected wrongdoing, then please go direct to Section 6 – Sections 1-5 explain the Policy background.

1. Preamble

What is the background to this Policy?

- Good governance and Integrity are two of the seven components of AFC's Mission. AFC is therefore bound by its Mission to implement initiatives that improve good governance, and to ensure that AFC's competitions, matches and the conduct of its people conform to the highest ethical and sporting standards.
- The implementation of this Policy was recommended by the AFC Governance Reform Task Force in 2014, approved by the AFC Executive Committee in 2015, and prior to that by the AFC Ad Hoc Evaluation Committee in 2012. These bodies followed on from well-publicised governance problems suffered by AFC in 2012 and before.
- Channels already exist for people to report wrongdoing regarding AFC or its activities; however, people have in the past often preferred not to use official channels but to disclose the information to the media or to other third parties. Therefore, this Policy will introduce a new degree of confidentiality (or anonymity, if required) and, hopefully over time, trust, which should assist the gathering of more information.
- It forms part of a wider trend where governments, companies and NGOs around the world are enacting legislation or policies in this area – in recognition of the role of “whistleblowing” in corruption-fighting efforts (for example, the United Nations Convention against Corruption [hereafter “UNCAC”]).
- This Policy forms part of the AFC's reformed and modernised governance structures, and is a concrete example of the top-level commitment that AFC is showing towards governance reform in Asian football.

2. Definition and Scope

What do we mean by "Doing The Right Thing"? (or "whistleblowing")

Who or what is covered by this Policy?

"Doing the Right Thing" (or "whistleblowing") is defined in this Policy as:

- A. the disclosure of information related to suspected or actual corrupt, illegal, fraudulent, hazardous or unethical activities (hereafter referred to in this Policy as "wrongdoing"),
 - being committed in relation to AFC competitions, events or activities (so not for purely national/domestic or local issues),
 - regardless of whether it relates to on-field (like match-fixing), off-field (like bribe-taking/offering, etc.), or any other category of unethical behaviour (as defined in the relevant AFC Regulations),
- B. by individuals (football-lovers) who want to do the right thing and tell someone, by reporting any wrongdoing, regardless of whether they are AFC "insiders" (e.g. players, officials, etc.) bound by AFC Regulations or not,
- C. to individuals or entities believed to be reliable, trustworthy and able to affect action, whilst protecting them from retribution.

Explanatory note on "Definition and Scope"

- A. The precise detail of what constitutes "corrupt, illegal, fraudulent, hazardous or unethical activities" (i.e. "doing the wrong thing") is defined in the AFC Statutes, Disciplinary and Ethics Code, and Code of Conduct – evidently this needs to be communicated in an easy-to-understand way to all stakeholders (as already happens e.g. through the AFC Integrity Action Plan). Precise clarification can be obtained from AFC or from the Independent Head of Integrity (described in more detail later).
- B. The "individuals" that this Policy is targeted at are primarily those with access to sensitive information, so members of the football community such as (without limitation) players, coaches, AFC/MA¹/league/club officials or staff, match officials (referees, match commissioners, assessors, etc.), and so on. However, if a member of the general public, or somebody outside of the football community, has sensitive and relevant information they are also encouraged to report. A distinction is made, however with general complaints (e.g. about refereeing decisions) which will be covered by an AFC Complaints Policy (see Section 11).

¹ "MA" = "AFC Member Association"

This Policy is designed to allow and encourage either (i) innocent parties to report, whilst also assisting (ii) those who may have committed offences, but who feel trapped in a spiral of criminality/unethical practices from which they wish to escape.

Individuals reporting wrongdoing are called “football-lovers” (not “whistleblowers”).

- C. “Individuals or entities believed to be able to take action” refers to the Independent Head of Integrity.

3. Objectives

What is this Policy designed to achieve?

This Policy has the objectives to:

- 3.1 Improve good governance, in line with the AFC Mission, and ensure that AFC's competitions, matches and the conduct of its people conform to the highest ethical and sporting standards
- 3.2 Create a culture where those involved with AFC are not afraid to report suspected or actual wrongdoing
- 3.3 Create a system where those involved with AFC can trust that their identity will be protected and that they will be supported if unjustly punished for disclosure
- 3.4 Create an environment where ethical breaches – whether on or off the field – are discovered and can be prosecuted and sanctioned in a just way in accordance with a due and fair process of law
- 3.5 Provide a reliable conduit for general intelligence- and information-gathering, whilst also ensuring that it arrives with those who can use such information responsibly
- 3.6 Act as a deterrent to potential wrongdoers and help improve detection of corruption
- 3.7 Demonstrate AFC's role as a leader in sport governance and set an example for Asia's regional and national football associations and stakeholders
- 3.8 Help improve the overall governance of the AFC (and Asian football) more generally
- 3.9 Increase awareness and knowledge of the ethical responsibilities in Asian football
- 3.10 Form part of an increased and long-term dialogue with state judicial and law enforcement authorities on sporting integrity/ethics matters
- 3.11 Assist in developing future improvements to AFC's governance, rules and regulations

4. Key Principles

What are the key points that will make this Policy work?

There are certain key principles which form the basis for the success of this Policy, and if they are not adhered to then the Policy will not work. These are as follows:

- 4.1 A serious and genuine commitment to reform and implement this Policy from the AFC leadership (President, EXCO, General Secretary and senior management) and the Policy forming part of a wider programme for the prevention of corruption
- 4.2 The person/organisation that the football-lover reports wrongdoing to must be external to and genuinely independent from AFC
- 4.3 The channels to report wrongdoing must be open, modern, easily accessible, free-of-charge, widely promoted, and, if possible, ideally in the language of the football-lover
- 4.4 Protection and confidentiality/anonymity: the football-lover who reports wrongdoing must know that their identity will be protected and that they will be protected from retribution
- 4.5 There have to be concrete follow-ups to each disclosure, with communication to the football-lover

5. Legal basis

What is the legal basis of this Policy?

The legal basis for this Policy is comprised of, inter alia, Articles 2(c), 2(g), 2(h) and 6 of the AFC Statutes Edition 2016, and the relevant provisions of the applicable AFC Regulations and Codes (AFC Disciplinary and Ethics Code, AFC Code of Conduct).

The abovementioned documents outline the powers that AFC does and does not have, what constitutes unethical wrongdoing, and provide other information. For the sake of conciseness, they are not repeated here in this Policy.

Further to the abovementioned Preamble, Definition and Scope, Objectives, Key Principles and Legal Basis, this Policy comprises six main parts:

6. Reporting
7. Independent Head of Integrity
8. Procedure
9. Protection
10. Follow-up
11. Other issues

6. Reporting

How to report wrongdoing?

If a person involved with AFC activities has a reasonable belief of wrongdoing (suspected or actual), then they must report it either directly to AFC, to their football association, or to the Independent Head of Integrity. If they do not report they can be sanctioned as per the relevant AFC Regulations under the provision of duty to report.

Channels

The football-lover must be able to report via different channels, as follows:

Phase One (from 01.06.2017):

- 6.1 **App:** via a dedicated 100% anonymous AFC Integrity App (not managed by AFC IT)
- 6.2 **Email:** via a dedicated email address (to which only the Independent Head of Integrity has access, not hosted on AFC servers)
- 6.3 **Telephone:** via a Helpline to the Independent Head of Integrity (or his/her office), to be answered by a person (at least in office hours), not an answering machine
- 6.4 **SMS:** via a Helpline number to the Independent Head of Integrity
- 6.5 **Mail/Post/Fax:** to a physical address where the Independent Head of Integrity is based
- 6.6 **In person:** at a physical address where the Independent Head of Integrity is based, should the Independent Head of Integrity consider such a meeting to be appropriate

Of the above options only telephone and “in person” (and potentially also the App) allow for verbal (non-written) submissions. In such cases the Independent Head of Integrity produces a written summary of the disclosure for approval by the football-lover. Such a report may remain confidential if necessary.

Phase Two (from 01.06.2018):

To allow time for technical development, the following channels would be implemented in Phase Two (2018 or after):

- 6.7 **WhatsApp/Viber/WeChat/Talk/LINE/Weibo/Skype:** via dedicated accounts (unconnected to AFC), which will convert the information into a standard format for reporting to the Independent Head of Integrity
- 6.8 **Facebook/Twitter** private messaging via dedicated accounts (unconnected to AFC)

6.9 **Other future channels** to be defined (as technology allows/requires) and implemented as part of the "Follow-up to the implementation of this Policy" (see below Section 11), including evaluation of a possible "Postbox" concept to ensure total anonymity.

Regardless of which channel is used – what is important is that the information is passed, in as secure a way as possible, to the Independent Head of Integrity. If the information has been passed to the Independent Head of Integrity then the person passing the information cannot be sanctioned at a later date for having failed to report.

For Phase Two, prior to the launch of new channels, a security assessment will be conducted to judge the security of each channel and, if deemed to be insufficiently secure, then the channel would not be adopted.

Guidance

A dedicated section prominently displayed on the AFC website shall provide guidance and information on this Policy, related ethical matters, and provide a link to the different reporting channels. The Independent Head of Integrity may also provide guidance should the football-lover request it or should it be self-evidently needed.

The abovementioned section of the AFC website, which may also be replicated in the App, may be used to guide the football-lover to understand whether they are reporting to the appropriate body, or whether the information they have should be reported at all. This could help to filter and avoid the Independent Head of Integrity receiving many complaints that are not related to "corrupt, illegal, fraudulent, hazardous or unethical" questions (see "Definition and Scope" Section 2 above, and "Complaints Policy" under Section 11 below).

Accessibility

The overall objective is to lower barriers to reporting as much as possible and so language, a free service, and general accessibility for potential football-lovers to come forward and provide information is of prime importance.

The default language of the Policy is English and in Phase One the reporting will be required in English. In future Phases this should be extended to include other languages to allow the football lover to report information in his/her own language. Additional reporting channels may also be added according to technological developments.

7. Independent Head of Integrity

Who to report wrongdoing to?

Independent Head of Integrity: independence

Based on the experience of existing “whistle-blower” policies in other industries, for many football lovers the only way that the Policy will work is if “the person/organisation that the football-lover reports wrongdoing to is external to and independent from AFC.” It should be self-evident from the nature of the organisation or individual chosen as Independent Head of Integrity that they will not be controlled or unduly influenced by AFC – this must be the case both in perception and in reality.

Therefore the Independent Head of Integrity is independent from AFC – they can have no current or past connections to AFC or any AFC member association. Otherwise the Policy will not work because many people will not trust it. The full definition of independence is contained in Annex 1.

Independent Head of Integrity: role

The Independent Head of Integrity’s primary role is being a focal point, managing the receipt of the information outside of AFC, and assessing whether the information should be rejected or investigated.

The Independent Head of Integrity will fulfil several roles such as:

- filter: the Independent Head of Integrity will need to sift the different information to evaluate what should be rejected and what should be passed on (in case of doubt the information is passed on);
- anonymiser: the Independent Head of Integrity ensures that the football-lover who is reporting the information has their identity carefully and effectively protected (unless the football-lover consents otherwise);
- advisor and information point: since some people may not know whether the information that they have constitutes wrongdoing or not, they may feel confused and/or afraid, or they may simply be unaware of the relevant rules, so the Independent Head of Integrity advises throughout the procedure. Not every contact may constitute a report, for example where a football-lover may initially be only seeking guidance. This role may on occasion require liaison between the Independent Head of Integrity and AFC (and/or its MAs or stakeholders) in order to ensure consistency of interpretation of the relevant regulations, to gather additional information, to establish whether the information is important/credible/useful (e.g. based on previous investigations), etc.;

- intermediary: the Independent Head of Integrity acts, if needed, as a fully-autonomous and fully-independent intermediary between AFC and the football-lover in order to (a) ensure protection of the football-lover's identity, whilst (b) also trying to maximise the quantity and quality of information;
- onward communication: it may be necessary, in liaison with the football-lover, and in view of the relevant legal framework, to inform state, law enforcement or other potentially affected authorities (e.g. in case of credible and serious criminal implications outside the scope of AFC's Regulations).

Additional information is contained in Section 8 (Procedure) below.

Independent Head of Integrity: selection

The Independent Head of Integrity will be selected in the six months following the approval of this Policy, using best practice recruitment as used in other industries, but, in any case, according to certain basic principles:

- the selection must be open and via a public tender process,
- the selection process will be managed by the AFC Governance Reform Task Force (or, if no longer constituted, by the AFC Audit Committee),
- the selection process must include a review of relevant criteria such as:
 - relevant expertise, knowledge and experience,
 - personal/character/reputation qualities such as a "fit and proper" assessment, ethical background, independence and a high reputation for ethical and professional conduct,
 - ideally a legal background (and there may be specific advantages, depending where he/she is based, if the Independent Head of Integrity is a lawyer), and
 - ideally knowledge of football and its stakeholders.
- specifically regarding independence, the Independent Head of Integrity must meet the AFC criteria of independence as set out in Annex 1,
- the Independent Head of Integrity may be a natural person or associated with a legal person (e.g. it could either be an individual or from an organisation like an NGO or a company),
- the individual Independent Head of Integrity can be a man or a woman,

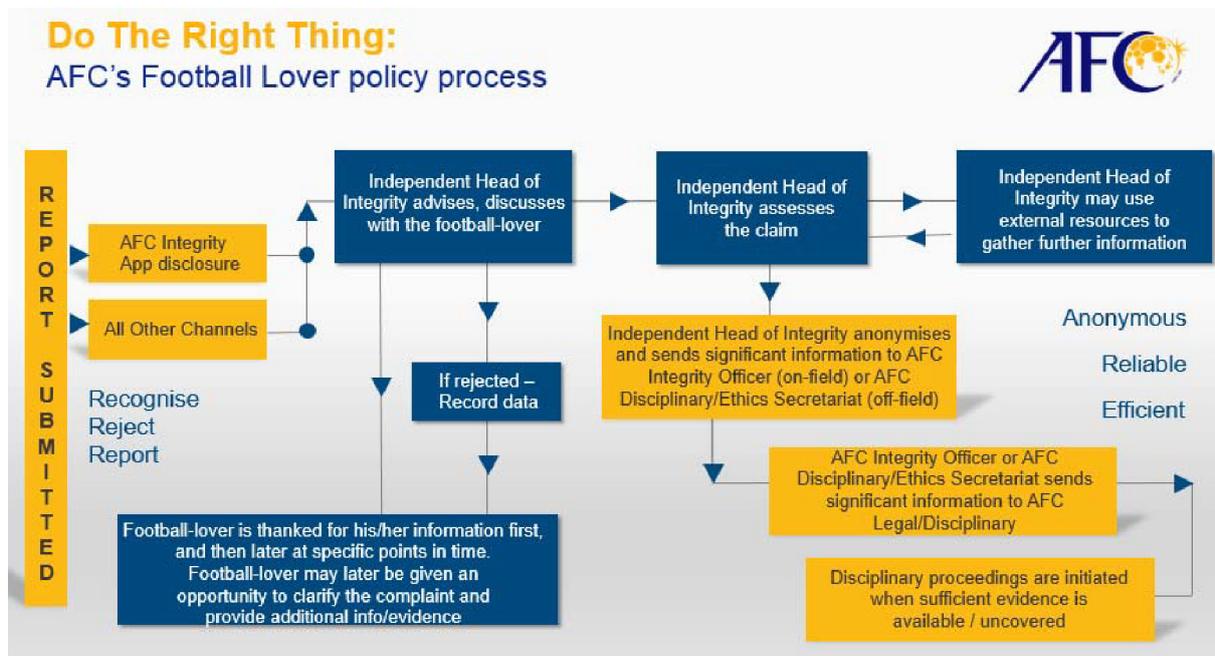
- the interested party must provide a detailed cost estimate to AFC (including an external resources budget that would be used in cases where the Independent Head of Integrity needs to use external resources to assess information provided),
- the appointment by the AFC Governance Reform Task Force or AFC Audit Committee shall be for a period of no less than four years, including an initial probation period.

8. Procedure

What is the procedure that will be followed for handling reports of wrongdoing?

The Independent Head of Integrity receives and assesses the information provided by the football lover as illustrated in Graphic 2.

Graphic 2: Detailed Summary of Process



The AFC “Do The Right Thing” Policy is only one channel of information-gathering. There are channels already existing (e.g. email [integrity@the-afc.com], letter, phone, fax, in person) which will all still continue to gather/receive information as happens now. For example, a staff member may often report any suspicions first to their line manager or elsewhere within their organisation, yet may choose to contact the Independent Head of Integrity if, for example, their initial report is not acted upon.

The procedure can be summarised in the following steps:

Procedure

1. The football-lover contacts the Independent Head of Integrity through one of the available channels and may provide information;
2. The Independent Head of Integrity, if needed, advises and discusses with the football-lover on the nature of their submission and the relevant rules. In any case the football-lover will receive a response (written whenever possible) within ten working days at the latest;

3. The Independent Head of Integrity assesses the information to evaluate whether it falls within the scope of AFC Regulations;
4. If needed, the Independent Head of Integrity will assess the claim further, if necessary using external resources (budget controlled solely by the Independent Head of Integrity if the claim is being investigated independently of AFC),
5. The Independent Head of Integrity will give the football-lover a meaningful opportunity to clarify their complaint and provide additional information or evidence;
6. If the Independent Head of Integrity decides that the information does not come within the scope of AFC Regulations then he/she communicates this to the football-lover, thanks them and, where relevant, refers them to another appropriate body (he/she will provide a summary to AFC of the types and amount of information received that was not passed on to AFC in the annual report mentioned in Section 11 below);
7. If the Independent Head of Integrity decides that the information does potentially or actually come within the scope of AFC Regulations then he/she:
 - anonymises the information,
 - informs the football-lover that their information is being passed to AFC,
 - provides the information to the internal AFC Integrity Officer (on-field matter) or Secretariat to the AFC Disciplinary and Ethics Committee (off-field matter), and, if needed,
 - acts as intermediary between the football-lover and AFC if communication between the two is required.
8. The AFC department will then confirm whether the information is sufficient to open disciplinary proceedings and, if yes, the disciplinary procedure takes its course – the AFC informs the Independent Head of Integrity who, in turn, informs the football-lover;
9. In case the complaint indicates a potential breach of law, the Independent Head of Integrity will inform the football-lover that the information should be passed on to the relevant authorities. Any concern by the football-lover about the potential revelation of his/her identity will be considered and respected in the subsequent steps as far as legally possible;

10. AFC reports the final outcome to the football-lover, thanks them again, and, if appropriate, and in consultation with the Independent Head of Integrity, provides the football-lover with a suitable (non-financial) reward (to be determined case-by-case).

As already mentioned in Section 7, it may be necessary to inform state, law enforcement or other potentially affected authorities (e.g. in case of credible and serious criminal implications outside the scope of AFC's Regulations – a procedure will need to be developed in this respect once the DTRT Policy is implemented).

Co-operation may also be needed between the Independent Head of Integrity and/or AFC on the one hand, and with AFC MAs on the other hand, specifically as regards information received which is of a purely national or local nature. A procedure will be developed in this respect based on the functioning in practice of this Policy.

9. Protection

How does the football-lover know that their identity will be protected?

The football-lover providing information needs to be protected from retaliation. The threshold for AFC to provide this protection is if the football-lover has a “reasonable belief of wrongdoing” at the time the information is disclosed.

Protection is also extended to those who make inaccurate disclosures in honest error. However, an individual who makes a disclosure which is demonstrated to be knowingly false will not be afforded protection by AFC and is subject to possible sanctions.

Protection of identity

Football-lovers can report information in three main ways: Open, Confidential and Anonymous.

1. Open = his/her identity is known. Open reporting is, as stated in Section 8, where the football-lover specifically states that there is no need for confidentiality, in which case the football-lover may report the wrongdoing either directly to the AFC or, alternatively, via the Independent Head of Integrity using this Policy (as they prefer).
2. Confidential = his/her identity is known by the Independent Head of Integrity but it is kept confidential from AFC.
3. Anonymous = his/her identity is not known by anybody, not even the Independent Head of Integrity. Such cases will be treated case by case until such time that the Policy can be updated to reflect the best way to address such cases.

If the identity of the football-lover becomes known or apparent (e.g. for reasons beyond AFC’s control), then AFC must use its best endeavours to ensure that the football-lover is protected and is recognised/acknowledged and applauded for their actions (where appropriate and in agreement with the football-lover).

Protection of the football-lover

AFC does not have legal powers to provide legal and/or physical protection in the same way as the state authorities where the football-lover is located. However, using its powers within the football legal framework to the fullest extent, AFC will apply strict sanctions against any football bodies or individuals who seek to punish the football-lover for their disclosure. The burden of proof will be on the football body or individual who has punished the football-lover – they will have to prove that the action taken (e.g. sanction, removal from a list/panel/committee, demotion, sacking, undesirable relocation, etc.) was not taken as retribution against the football-lover. The relevant AFC Regulations may need to be adjusted to reflect the above points.

Regarding potential protection afforded to “whistleblowers” by national law, the Independent Head of Integrity and football-lover would need to jointly discuss and assess the situation before the football-lover decides to make a report (for example, in certain countries legal protection is only afforded to those reporting via one specific channel).

Related agreements

Any private rule or agreement is invalid if it obstructs the operation of this Policy. For example, rights under this Policy shall, where legally possible, over-ride employee “loyalty” oaths and confidentiality/nondisclosure agreements (“gag orders”).

Protection of those accused

Football-lovers have an obligation to make efforts not to damage the justifiable interests of those that they are accusing or others, in particular with individuals who may be acting in bad faith or seeking to defame others. The football-lover must not knowingly report incorrect information. The Independent Head of Integrity has an important role in performing an assessment of the intentions and motivations of the football-lover who is providing the information.

10. Follow-Up

How does the football-lover know that they will be taken seriously and that action will be taken based on their information?

Follow-up to reporting of information

As outlined above in Section 8 under “Procedure”, the football-lover is entitled to receive a confidential communication from the Independent Head of Integrity (written whenever possible, unless the football-lover requests not to receive written communications) at several points in time, repeated hereafter for clarity:

1. in response to the initial submission of information (within ten working days at the latest);
2. following initial evaluation, allowing the football-lover a meaningful opportunity to clarify their complaint and provide additional information or evidence;
3. to inform them whether the information has been passed on to the AFC;
4. to inform them whether a case is being brought as a result of the information and;
5. to inform them of the outcome of any case brought as a result of their information.

In addition to point 2 above, if required by the AFC competent body and, where practical, the football-lover may be provided with further opportunities to provide additional information, clarification or feedback into investigations. In any case, all parties involved must protect the identity of the football-lover unless he/she explicitly agrees to lift it.

The reporting to the football-lover is subject to the relevant AFC Regulations (for example regarding confidentiality of disciplinary proceedings).

Rewards

Rewards should not be the focus of this Policy or the main incentive for football-lovers to report wrongdoing – they should report wrongdoing because they love football and they want to Do The Right Thing. However, under this Policy a suitable non-financial reward may be provided at the discretion of AFC, in consultation with the Independent Head of Integrity, to the football-lover.

Non-financial rewards may include, at the discretion of AFC, in consultation with the Independent Head of Integrity and the football-lover: public recognition, awards, apologies, invitation to an AFC match or to meet a player, or any other such reward considered appropriate. Football-lovers who themselves may have been guilty of unethical offences as per AFC Regulations are not eligible to receive rewards, even if they have provided information incriminating themselves.

Punishments for football-lovers involved in unethical acts

AFC should, as part of the evaluation of the functioning of this Policy, assess whether its Disciplinary bodies and Regulations should, in future, have the discretion to reduce or drop charges against (provide immunity to) a football-lover involved in an unethical act if it exposes a larger case, and in view of the nature of the role of the football-lover in the case at hand (for example, whether it was a passive or active role, and all other relevant considerations).

Fair hearing

If the football-lover believes that their rights have been violated then they are entitled to a fair hearing before an impartial forum, with full right of appeal (exact process, if required, to be defined by the AFC Disciplinary and Ethics Committee).

11. Other issues

Promotion and Communication of this Policy

This Policy needs to be promoted and communicated extensively, following a high-profile launch, and building on the excellent work already undertaken through the AFC Integrity Action Plan. The promotion and communication of this Policy should fit into a broader programme of training, education and awareness-raising by AFC for all its stakeholders on such ethical issues. In some cases, the most effective way to communicate may be via stakeholders (e.g. player associations with players, or leagues with clubs). A crisis management communications action plan must also be prepared in case of any major adverse and/or unforeseen incident.

The AFC Secretariat should also evaluate whether it may be possible to incorporate this Policy and the wider ethical/compliance framework into staff assessment – so, for example, managers can be assessed on whether their staff have attended training, and whether they feel that they work in an open culture in which they are encouraged to make disclosures.

This Policy must be highly visible wherever AFC is active – be that at AFC's matches, committee meetings, other events, HQ or elsewhere. The Policy must be targeted at specific audiences (those most likely to have valuable information). It must also be clearly, widely and simply communicated to the widest audience possible in order to try to maximise the information provided by football-lovers.

Amnesty (for future evaluation)

As part of its annual review of the working of the Policy, and if this Policy works successfully, then AFC should evaluate an Amnesty concept. AFC would designate a day, or specific period of time, for anyone with information and proof of unethical behaviour to come forward, even if it incriminates themselves. If AFC Regulations allow, they would be exonerated from AFC sporting sanctions, whilst other implicated parties who did not come forward, following a reasonable period of time, would be subject to prosecution by the AFC Disciplinary and Ethics Committee.

This would have to be subject to certain conditions such as:

- exclusion of certain categories of persons from amnesty (e.g. high level organisers/criminals);
- definition of the degree of proof needed (e.g. an admission could suffice for one person confessing whilst – if they implicate others – additional proof would be needed);
- penalties for untruthfulness or deception, or if it is later found out other information was withheld;

- punishments for subsequent illegal actions;
- protection, compensation and rewards (if any).

Such an Amnesty Day (or period) could potentially be tested in a small AFC member association, or when a group of specific individuals are in one location (e.g. for an AFC event such as a course).

Important note: for the avoidance of doubt, any such potential "Amnesty" could only be granted by AFC in regard to football rules/regulations – not in regard to criminal/civil law which is a matter for state authorities.

Complaints Policy

Complaints made to, or information provided to, the Independent Head of Integrity under this Policy (e.g. containing information related to potential ethical breaches) can be distinguished from complaints in accordance with AFC's Complaints Policy (e.g. regarding player errors or refereeing decisions, complaints about the format or results of competitions, AFC decisions, etc.), in order to filter out certain types of complaints that are not related to wrongdoing as defined in this Policy.

Budget and Costs

The budget for the implementation of this Policy (Independent Head of Integrity, channels e.g. App development, communication programme, etc.) will be set by the AFC Secretariat in accordance with standard AFC policies and procedures. Fines obtained, or monies recovered, through successful cases brought following information provided by football-lovers may be used to offset the costs of implementing this Policy.

Follow-up to the implementation of this Policy

The AFC Secretariat is responsible for:

- producing an annual review on the functioning of this Policy to be reported to the relevant AFC bodies²;
- updating and amending this Policy with improvements based on its functioning in practice, in consultation with the Independent Head of Integrity and relevant stakeholders, including:
- addressing any shortcomings or learning points;
- assessing improvements or new concepts e.g. the Amnesty concept, an anonymous "Postbox" reporting system; and
- any other ideas that could improve the functioning of this Policy;

² "The Indicators of Effectiveness listed in the UNCAC "Resource Guide on Good Practices in the Protection of Reporting Persons" (2015, p.80) can be used as a basis for reporting.

- planning and implementing the development of this Policy in line with the commitments therein: for example:
- to ensure that the new (and future) reporting channels are implemented;
- that additional reporting languages are made available;
- that a procedure is developed in respect of the co-operation, where needed, between the Independent Head of Integrity and state judicial/law enforcement or other potentially affected authorities;
- that a procedure is developed in respect of the co-operation, where needed, between the Independent Head of Integrity and/or AFC on the one hand, and with AFC MAs on the other hand, specifically as regards information received which is of a purely national or local nature;
- that the AFC Complaints Policy is developed and implemented;
- and so on.
- implementing a training, education and awareness-raising programme amongst its member associations, staff and all AFC stakeholders to ensure better understanding of the ethical duties and obligations of all parties;
- encouraging and assisting its Member Associations to adopt similar policies (if not already existing);
- assessing and updating the relevant AFC Regulations (Disciplinary and Ethics Code, Code of Conduct, etc.) to include references to this Policy as well as to strengthen and/or implement substantive changes (e.g. burden of proof; sanctions against those punishing football-lovers who cannot prove that the action taken against the football-lover is unrelated to the information disclosure by the football-lover [as mentioned in Section 9]; etc.).

Interpretation of this Policy and matters not covered

For any matters in this Policy requiring interpretation, the AFC Governance Reform Task Force (or, if no longer constituted, the AFC Audit Committee) will ultimately be responsible, unless it is manifestly self-evident that another body (e.g. the AFC Secretariat) should be responsible.

AFC may issue guidance or guidelines regarding this Policy. All situations and eventualities are not covered by this Policy (example: who deals with a case where the Independent Head of Integrity recuses him-/herself due to a conflict of interest?). How to address such issues will be dealt with by the Independent Head of Integrity in conjunction with the AFC Governance Reform Task Force (or, if no longer constituted, the AFC Audit Committee).

Coming into force

This Policy will come into force on the 1 June 2017, six months following its approval on 1 December 2016.

Notes

- The use of the term "AFC Regulations" or "Regulations" in this Policy is used as a shorthand to refer to all the different documents that form part of AFC's operations, including its Statutes, Regulations, Codes, Directives, Decisions, Policies and Procedures. The most relevant Regulations are:
 - AFC Statutes (Edition 2016)
 - AFC Disciplinary and Ethics Code
 - AFC Code of Conduct (Edition 2014)
 - AFC Integrity Action Plan
- Unless the context otherwise requires, references to natural persons include both genders and the singular case applies to the plural and vice-versa.
- The term "football" in this document includes not only Association Football but also Futsal and Beach Soccer.

Annex 1

Definition of Independence

The following definition of independence (based on the current FIFA definition) shall be applied for the purposes of selecting the Independent Head of Integrity (until such or any time that AFC determines that a different definition will be used):

Neither the Independent Head of Integrity, nor his/her immediate family members, may have ever had any:

1. Other official function in AFC,
2. Other official function in an AFC MA, FIFA, other Confederations or FIFA MAs, or within a Regional Association in Asia,
3. Material business relationship with AFC, FIFA, a Regional Association in Asia, or within an AFC MA.

The Independent Head of Integrity shall manage their investigations and proceedings and render their decisions entirely independently and must avoid any third-party influence. Although, being independent, the Independent Head of Integrity is not subject to AFC Regulations, relevant principles from provisions of AFC Regulations may nevertheless still need to be applied such as, for example, the provisions on “Withdrawal” (or “Recusal” – Art. 87 AFC Disciplinary and Ethics Code [Edition 2016]) in case of potential conflict of interest when handling a certain piece of information.

“Immediate family” or “immediate family member” mean, with respect to any person, such person’s spouse or domestic partner, parents, grandparents, uncles, aunts, children (including any stepchild or adopted child), grandchildren, son-, daughter-, father- or mother-in-law and the spouses of such persons, and including anyone else, whether by blood or otherwise, with whom the individual has a relationship akin to a family relationship for which such person provides financial support.

“Material business relationship” means, with respect to any person, that (i) such person has been, or (ii) such person is a current director or executive officer or employee of or owns, directly or indirectly, 10% or more of the equity of any entity that has made payments to or received payments from AFC, FIFA, any regional association, any member association or any sponsor, auditor, outside counsel or other paid adviser or contractor of any of AFC, any regional association or any member association for property or services in an amount which, in any single year, exceeds USD 125,000. Any compensation or other amounts paid to any such person in their capacity as a member of an independent AFC body shall not constitute a material business relationship within the meaning of this provision.

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AFC Governance Reform Task Force current members: HRH Prince Abdullah Ibni Sultan Ahmad Shah (Chair), Muhannad Fahmi Hamad (Deputy Chair), Justice Mukul Mudgal (retd.), Zainudin Nordin, Park Chang-joo, and former members: Ali Kafashian (former Chair), Mariano V. Araneta Jr. (former Deputy Chairman), Joko Driyono and Naser Al Taher.

CONCACAF

ECA (European Club Association)

EPFL (European Professional Football Leagues)

FIFA

FIFPro

ICSS/SIGA

Interpol

Sportradar

Transparency International

UEFA

UNODC (United Nations Office on Drugs and Crime)

WADA

Key published sources and references

AFC Integrity Action Plan, AFC (Asian Football Confederation), 2014

Effective Whistleblower Protection: A critical tool to stop Match-Fixing, EPFL (European Professional Football Leagues) / Transparency International, 2014

International Principles for Whistleblower Legislation – Best Practices for Laws to Protect Whistleblowers and Support Whistleblowing in the Public Interest, Transparency International, 2013

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United Nations Convention against Corruption – Resource Guide on Good Practices in the Protection of Reporting Persons, United Nations Office on Drugs and Crime (UNODC), 2015

United Nations Convention against Corruption – National Anti-Corruption Strategies: A Practical Guide for Development and Implementation, United Nations Office on Drugs and Crime (UNODC), 2015

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