

PROPOSALS OF MODIFICATIONS OF THE STATUTES

2018 CONGRESS

Proposals of the Executive Committee

Proposal 1

Motivation: To avoid the situations that arose at the time of previous Congresses when participants left the hall during the course of the Congress.

3.5 DECISIONS

3.5.1 *Required majorities*

The decisions of the Congress are reached by a simple majority of the votes cast ~~of the federations present or represented.~~

If in exceptional cases a Congress must decide on matters which are not on the agenda and not provided for by the Statutes, the decisions can only be made by a majority of 3/4 of votes cast ~~effectively represented at the Congress~~, and may never involve a modification of the Statutes.

3.5.3 The Congress decisions concerning modifications to the Statutes are valid with a majority of 2/3 of the votes cast ~~of the federations present or represented.~~ The decisions of the Congress concerning the modifications of the Rules are valid with a simple majority of the votes cast ~~federations present or represented.~~

Legal Commission:

The Legal Commission would like to combine Proposals 1 and 2 and modify them to read as follows requiring additionally that the total number of votes on any issue would be at least a majority quorum of the total number of nations (the definition for a quorum for a meeting of the Congress):

3.5 DECISIONS

3.5.1 Required majorities

The decisions of the Congress are reached by a simple majority of the votes cast. ~~of the federations present or represented.~~ The simple majority rule applies as well to the establishment of the financial fees and resources (cf. article 1.6 of the Statutes) and decisions on entry fees are reached by a simple majority of votes cast. The total number of votes cast must equal a majority of all members of the FIE.

If in exceptional cases a Congress must decide on matters which are not on the agenda and not provided for by the Statutes, the decisions can only be made by a majority of 3/4 of votes cast ~~effectively represented at the Congress~~, and may never involve a modification of the Statutes. The total number of votes cast must equal a majority of all members of the FIE.

3.5.3 The Congress decisions concerning modifications to the Statutes are valid with a majority of 2/3 of the votes ~~cast of the federations present or represented~~. The decisions of the Congress concerning the modifications of the Rules are valid with a simple majority of the votes ~~cast. federations present or represented~~. The total number of votes cast must equal a majority of all members of the FIE.

Executive Committee: In favour of the amended proposal of the Legal Commission, with the following change to 3.5.1 and 3.5.3:

The total number of votes cast must be equal to the majority of all the Federations present or represented at the Congress.

Proposal 2

Motivation: This rule does not exist yet, and would make it possible to avoid any doubt or interpretation.

3.5.3 New paragraph

The decisions of the Congress regarding the financial fees and resources (cf. article 1.6 of the Statutes) and entry fees are reached by a simple majority of votes cast.

Legal Commission: Combined with Proposal 1.

Executive Committee: As this text was already included in 3.5.1. by the Legal Commission, it has already been dealt with.

Proposal 3

Motivation: Under the current rules, the existing texts are modified every year, without the proposals being truly urgent. The federations, referees and athletes must be able to rely on having valid texts for an Olympiad, in the absence of any urgent problem that needs to be addressed.

3.1 MEETINGS

a) Congresses are held during the latter part of November or the first part of December each year.

- i) The Elective Congress is held during the Olympic year.
The following Congresses will handle the specific matters stated below:
- ii) The Congress to handle proposals to change the Rules and Olympic Games issues shall occur in the 1st year after the Olympic year.
- iii) The Congress to handle proposals to change the Statutes and remaining matters concerning the Olympic Games shall occur in the 2nd year after the Olympic year.

- iv) The Congress to handle all other matters shall occur in the 3rd year after the Olympic year.

Urgent proposals and decisions can be handled during any of the congresses mentioned above.

A proposal will be deemed urgent if:

- a) It is presented by the Executive Committee, or
- b) It is presented by a Commission, or
- c) It is ~~co-~~presented by ~~20% of the~~ a member federations

And if it relates to:

- a) A serious malfunction or a new situation which are harmful to the FIE or member federations or athletes
- or
- b) The safety of the athletes.

Legal Commission:

The Legal Commission wished to clarify the methodology of determining how to determine whether a proposal was urgent and should be discussed at a Congress other than as designated in 3.1 ii) and iii).

3.1 MEETINGS

- a) Congresses are held during the latter part of November or the first part of December each year.
 - i) The Elective Congress is held during the Olympic year.

The following Congresses will handle the specific matters stated below:

- ii) The Congress to handle proposals to change the Rules and Olympic Games issues shall occur in the 1st year after the Olympic year.
- iii) The Congress to handle proposals to change the Statutes and remaining matters concerning the Olympic Games shall occur in the 2nd year after the Olympic year.
- iv) The Congress to handle all other matters shall occur in the 3rd year after the Olympic year.

~~Urgent proposals and decisions can be handled during any of the congresses mentioned above.~~

~~A proposal will be deemed urgent if:~~

- ~~a) It is presented by the Executive Committee, or~~
- ~~b) It is presented by a Commission, or~~
- ~~c) It is co-presented by 20% of the a member federations~~

As an exceptional derogation to ii) or iii), urgent proposals that need immediate attention can be handled during any of the Congresses mentioned above, if the Executive Committee so decides, after having received a motivated advice on the matter by the Legal Commission (for Statute modification proposals) or the Rules Commission (for Rule modification proposals).

Executive Committee: In favour of the proposal as amended by the Legal Commission.

Proposal 4

Motivation: Need for update following the new instructions from the IOC concerning sport safety and the protection of athletes.

7.1.7 Offences

The offences submitted to the assessment of the Disciplinary Tribunal of the F.I.E. are the following:

- Violation of the Statutes or the Rules of the F.I.E. or of any of the Joined Confederations
- Unsportsmanlike conduct
- Brutal behaviour
- Aggressive behaviour ~~–verbal, physical or sexual abuse~~
- Verbal, physical, mental or sexual abuse
- Corruption
- Embezzlement
- False declarations when entering a competition or as a candidate for an election
- Violations of the Publicity Code
- Receipt of a black card during a competition
- Attack on sporting morals or ethics
- Provocation or disorder
- Threat
- Harassment
- Negligence

Legal Commission: The Legal Commission wishes to assure that the protection relates to all parties covered by the Disciplinary Code. And so modifies the Motivation as follows:

Motivation: Need for update following the new instructions from the IOC concerning sport safety and the protection of ~~athletes~~ persons subject to the disciplinary jurisdiction of the Disciplinary Panel as delineated in Section 7.1.2.

Executive Committee: In favour of the proposal and of the modified motivation by the Legal Commission.

Proposals of Samuel Cheris, Member of honor (MH)

Proposal 1

Rationale: This proposal was developed in response to a requirement established by the IOC to develop a Safe Sport campaign and Safeguarding Policy. It was developed by the FIE staff and Sam Cheris, M.H. and reviewed and commented on by the IOC Safeguarding Officer, Evelyn Halls, Helen Smith MH and Stacey Johnson of the Woman and Fencing Council as well as Clare Halstead of the Medical Commission. Comments presented by the reviewers were adopted into this proposal. It was also circulated to the Athletes' Commission.

The FIE Safeguarding Policy will be a new chapter of the Statutes and could be numbered Article VIIA (VII bis) to be adjacent to the Disciplinary Code or it could be added to the end of the statutes as Article XIII.

FIE SAFEGUARDING POLICY

POLICY STATEMENT

The FIE is committed to providing athletes and non-athletes, an environment free of any form of harassment, abuse, or discrimination. Each individual, athlete or non-athlete, has the right to be treated with respect and dignity and to be protected from all forms of harassment and abuse. The Safeguarding Policy would also promote equal opportunities and prohibit discriminatory practices. This Policy Supplements Chapter VII of the FIE Statutes – Disciplinary Code.

APPLICATION OF THE FIE SAFEGUARDING POLICY

The FIE Safeguarding Policy applies to all the FIE community as defined in the introduction to the FIE Ethics Code.

The FIE Safeguarding Policy applies to harassment and abuse which may occur during the course of all FIE business, activities and events. It also applies to harassment and abuse between individuals associated with the FIE but outside the FIE business, activities and events when such harassment or abuse adversely affects relationships within the FIE work and sport environment. It applies to persons of all ages and at all FIE competitive levels.

The FIE Safeguarding Policy shall be applied to behaviour in-person, on the phone or conducted online or distributed electronically, using email, text messages or any other electronic medium. This includes without limitation blogs, web posting, chats and social networking sites.

DEFINITIONS

Harassment and abuse can be based on any grounds including race, religion, colour, creed, ethnic origin, physical attributes, gender, sexual orientation, age disability, socio-economic status

and athletic ability. They can include a one-off incident or a series of incidents and may be deliberate, unsolicited and coercive.

Harassment and abuse often result from an abuse of authority, meaning the improper use of a position of influence, power or authority by an individual against another person.

For the purpose of this policy, harassment and abuse is defined as:

Psychological abuse

Any unwelcome act including confinement, isolation, verbal assault, humiliation, intimidation, infantilisation or any other treatment, which may diminish the sense of identity, dignity and self-worth or result in significant emotional upset.

Physical abuse

Any deliberate and unwelcome act- for example punching, beating, kicking, biting, burning or use of undue force - that causes physical trauma or injury. Such act can also consist of forced or inappropriate physical activity (e.g. age- or, physique- inappropriate training loads; or when injured or in pain) forced alcohol consumption, or forced doping practices.

Sexual harassment

Any unwanted and unwelcome conduct of a sexual nature, whether verbal, non-verbal or physical that does not constitute sexual abuse.

Inappropriate touching may be considered either harassment or abuse.

Sexual abuse

Any conduct of a sexual nature, whether non-contact, contact or penetrative, where consent is coerced / manipulated, is not, or cannot be given.

Neglect

The failure of a coach or another person with a duty of care towards the athlete or non-athlete to provide a minimum level of care, which results in harm or potential harm.

FIE SAFEGUARDING OFFICER

The FIE shall appoint at least two persons, 1 male and 1 female, to serve as FIE Safeguarding Officers at each World Championship. These individuals shall be members of the Ethics Committee or Legal Commission or Medical Commission. The group of Safeguarding Officers for the fencing season shall serve with respect to the online reporting as well as for the individual event(s) to which they may be appointed.

The role of the FIE Safeguarding Officer is to serve in a neutral, unbiased, independent capacity and to receive reports or complaints, assist in informal resolution of complaints, maintain records and investigate and advise on the steps to be taken in case of formal written complaints. In carrying out their duties under this policy, FIE Safeguarding Officers shall be directly responsible to the FIE Bureau and the FIE administrative office.

During the Junior/Cadet and Senior and Veterans World Championships, incidents of harassment/abuse/neglect can be reported to the FIE Safeguarding Officer on site.

During Open World Cups and Junior World Cups, incidents of harassment/abuse/neglect can be reported to the FIE Supervisor. This responsibility shall be added to the list of responsibilities of Supervisors.

The FIE shall designate Safeguarding Officers to other official FIE events, for example, training camps.

The FIE shall ensure that the FIE Safeguarding Officers receive appropriate training and support for carrying out their responsibilities under this policy.

Every member of the FIE Community has a responsibility to play a part in ensuring that the sport environment is free from harassment/abuse/neglect. The FIE encourages all incidents of harassment/abuse/neglect to be reported, regardless of who the offender may be.

To report a witnessed incident of harassment/abuse/neglect, the online form on the Safe Sport page of the FIE website www.fie.org can be used or a message can be left at xxx.xxx@fie.ch, both of which will be accessible solely by one of the Safeguarding Officers.

COMPLAINT PROCEDURE

Any person, whether or not they are a licensee of the FIE that experiences or witnesses abuse, harassment or neglect is encouraged to seek the initial advice of the Safeguarding Officer(s). A parent or guardian may represent a minor individual.

The Safeguarding officer(s), as the case may be shall inform the complainant of the option to pursue one of the following:

- Mediation, where the Safeguarding Officer will deal directly with the complainant and the respondent in order to find a suitable solution
- The right to file a formal written complaint before the Disciplinary Tribunal, by addressing it to the administrative office of the FIE, under this policy when an informal resolution is inappropriate or not possible. This procedure will assure due process for all parties.
- Referral to law enforcement agencies in the host country if the incident breaks the law of such host country.

COMPLAINT TO THE DISCIPLINARY PANEL

a) Author of the complaint

Any person, individual or entity (or the parent or guardian of a minor), whether or not they are a licensee of the F.I.E., if they are personally the victim of harassment/abuse/neglect can present a complaint before the Disciplinary Tribunal.

The members of the Executive Committee, FIE Safeguarding Officers, the F.I.E. supervisors at international competitions, the Directoire Technique, or the presidents of the member federations can state the existence of an offence of harassment/abuse/neglect susceptible of being pursued by the Disciplinary Panel, and inform the latter of it.

Any witness to an incident of harassment/abuse/neglect can present a complaint before the Disciplinary Panel if the victim of such incident is less than [18] years of age.

b) Form of the complaint

The complaint must be addressed to the Disciplinary Panel of the F.I.E. within 60 days following the incriminating acts or the date of their discovery. The complaint can be filed:

- In writing, in which case the postmark of the envelope, the date of the email or the reception stamp of the fax establishes the time.
- Via online form

The Complaint must include:

- the full name of the individual or entity, the nationality, address and title of the complainant(s);
- the full name of the individual or entity, address and nationality of the person against whom the complaint is being made or the indication that their address is unknown;
- a summary of the facts of the alleged harassment/abuse/neglect, the objectives of the complaint,; and
- the signature of the complainant.

The complaint can, moreover, be accompanied by documents, including photos, necessary for the investigative file.

Supplementary or new information can be communicated by the complainant at the discretion of the Disciplinary Panel.

DISCIPLINARY PROCEDURE

Art. 7.2 applies. It may be necessary to recruit additional members of the Disciplinary Panel to be able to adequately handle complaints. Selection should take into account the skills and experience necessary to deal with matters of abuse and harassment.

PENALTIES

Art. 7.1.4 of the FIE Statutes applies.

CONFIDENTIALITY

It is understood that it can be difficult to come forward with a complaint of harassment/abuse/neglect and that it can be equally difficult to be wrongly accused of harassment/abuse/neglect. The FIE recognises the interests of all parties concerned in keeping the matter confidential.

Therefore, the FIE shall not disclose to outside parties the name of the complainant, the circumstances giving rise to a complaint, or the name of the respondent, unless such disclosure is required by a disciplinary, legal or other remedial process.

This requirement of Confidentiality in the matters covered by the FIE Safeguarding Policy expressly modifies the requirements of 7.2.9 requiring that the meetings of the Disciplinary Tribunal be public. Additionally, copies of the complaint do not have to be sent to the presidents of the federations of the Complainant and the accused as required for other complaints in paragraph 3 of 7.2.3.

Prevention of Abuse and Harassment:

The FIE shall develop measures to prevent abuse and harassment to keep athletes and non-athletes safe. These measures may include:

- Gathering information over time to take action if any person or group stands out as a risk;
- Establish a process of liaising with member federations regarding individuals who may have been disciplined for abuse or harassment
- Establish information and educational programme to engage all member federations in the fight against abuse and harassment

Legal Commission: The Legal Commission is **in favor** of the proposals with the changes made in **BOLD BLUE CAPITAL LETTERS** noted below plus the following:

FIE SAFEGUARDING POLICY

POLICY STATEMENT

The FIE is committed to providing athletes and non-athletes, an environment free of any form of harassment, abuse, or discrimination. Each individual, athlete or non-athlete, has the right to be treated with respect and dignity and to be protected from all forms of harassment and abuse. The Safeguarding Policy **PROMOTES** equal opportunities and **PROHIBITS** discriminatory practices. This Policy supplements the JURISDICTION OF Chapter VII of the FIE Statutes – Disciplinary Code.

APPLICATION OF THE FIE SAFEGUARDING POLICY

The FIE Safeguarding Policy applies to all **MEMBERS OF** the FIE Community as defined in **PARAGRAPH 3 OF** the Introduction to the FIE Ethics Code (**CHAPTER XII OF THE STATUTES**).

FIE SAFEGUARDING OFFICER

The FIE shall appoint at least two persons, 1 male and 1 female, to serve as FIE Safeguarding Officers at each World Championship. These individuals shall **BE CHOSEN FROM AMONG** members of the Ethics Committee, Legal Commission or

Medical Commission. The group of Safeguarding Officers, **APPOINTED FOR ANY OF THE WORLD CHAMPIONSHIPS DURING** the fencing season shall serve with respect to the online reporting as well as for the individual event(s) to which they may be appointed.

During Open World Cups and Junior World Cups, incidents of harassment/abuse/neglect can be reported to the FIE Supervisor, **ACTING AS THE FIE SAFEGUARDING OFFICER**. This responsibility shall be added to the list of responsibilities of Supervisors.

Modify 7.1.1 of the Disciplinary Code to add “Safeguarding Policy,” after “Ethics Code” in the first sentence.

7.1.1 Jurisdiction

The Disciplinary Panel, selected by the Executive Committee, has sole jurisdiction to rule on all offences against the Rules, Ethics Code, **Safeguarding Policy** discipline or sportsmanship within the purview of the International Fencing Federation (F.I.E.), (including any of its confederations that have subjected themselves to this FIE Disciplinary Code and/or the decisions of the Disciplinary Panel), except the specific dispositions with respect to discipline at the sites of the competitions to be found in Articles t.114 et seq. of the Rules for Competitions of the F.I.E.

The Executive Committee will assure the respect for and the execution of the decisions of the Disciplinary Panel.

Medical Commission: In favour - approve this proposal with two members not in full support.

- (i) Suggest of two members wanting an independent/external group – consider the development of a safeguarding entity.
- (ii) Suggest that the Executive committee details the procedures involved in implementing this policy in the administrative rules.
- (iii) Suggest clarification that the position of safeguarding officer is volunteer, and that no commission must put forth an individual unless they are volunteer.

Athletes Commission: In favour

Woman and Fencing Council: In reading the Safeguarding Policy, it was suggested that the following description be removed from the proposal text:

FIE SAFEGUARDING OFFICER.

The FIE shall appoint at least two persons, one male and one female, to serve the FIE Safeguarding Officers at each World Championship. These individuals shall be members of the Ethics Committee or Legal Commission or Medical Commission.

The Council proposed that these officers could be drawn from other governance areas of the FIE, such as the Women and Fencing Council.

Executive Committee: In favour of the proposal amended by the Legal Commission, but with the following change, taking into account the opinion of the Medical Commission and the Women and Fencing Council:

FIE SAFEGUARDING OFFICER.

The Executive Committee shall appoint at least two persons, 1 male and 1 female, to serve as FIE Safeguarding Officers at each World Championship, as volunteers. These individuals

shall be chosen from among the members of Commissions, Councils and Committees, or any independent/external entity trained for the protection of individuals.

Proposals of the Legal Commission

Proposal 1

Rationale: to fix minor problems that have arisen in prior Disciplinary Tribunals as well as suggestions received from members of the Disciplinary Panel and the FIE Administrative Office.

Modification 1: The shorter date has eliminated a number of complaints because it took time to gather evidence and get back to their country to discuss with officers or board members of their federation about the need to file a complaint.

Modification 2: unnecessary and irrelevant information.

Modification 3: The tribunal should have the ability to secure additional evidence to assure it can come to a just result.

7.2.1 *The complaint*

a) Author of the complaint

Any person, individual or entity, whether or not they are a licensee of the F.I.E., if they are personally the victim of one of the offences enumerated above in Article 7.1.7 can present a complaint before the Disciplinary Tribunal.

Additionally, the members of the Executive Committee, the F.I.E. supervisors at international competitions, the Directoire Technique, or the presidents of the member federations can state the existence of an offence susceptible of being pursued by the Disciplinary Panel, and inform the latter of it.

b) Form of the complaint

The complaint must be addressed to the administrative office of the F.I.E. within ~~20~~ 60 days following the incriminating acts or the date of their discovery. The postmark of the envelope or the reception stamp of the fax establishes the time.

The Complaint must note:

- the full name of the individual or entity, ~~marital status~~, the nationality, address and title of the complainant(s);
- the full name of the individual or entity, ~~marital status~~ and nationality of the person being prosecuted or the indication that their address is unknown;
- a summary of the facts, the objectives of the complaint, with an indication of the rule or principle infringed; and
- the signature of the complainant.

The complaint can, moreover, be accompanied by documents necessary for the investigative file.

Supplementary or new information can be communicated up to the ~~20~~ 60 th day following the date of the complaint [or upon request of the tribunal, in its discretion.](#)

Legal Commission: The Legal Commission has no changes to this proposal and feels the proposed changes will meet the issues brought to light by members of the Disciplinary Panel.

Executive Committee: In favour of the proposal of the Legal Commission.

Proposal 2

Rationale: to fix minor problems that have arisen in prior Disciplinary Tribunals as well as suggestions received from members of the Disciplinary Panel and the FIE Administrative Office.

7.2.3 The disciplinary Tribunal - composition, powers, obligations

The head office of the F.I.E. will send to the president of the Disciplinary Tribunal within ~~7~~ 10 working days after its creation, the complaint, which was filed with the F.I.E.

The president of the Disciplinary Tribunal will, within 15 days, transmit a copy of the complaint to the person (s) designated therein.

A copy of the complaint is also sent to the president(s) of the federation(s) to which the parties belong.

The Disciplinary Tribunal can, on its own motion, decide that there are no grounds to prosecute the complaint which has been submitted to them.

That decision can be appealed according to the rules of Article 7.2.7.

The Disciplinary Tribunal has all of the powers for investigating the complaint, and pronouncing, if the case arises, a penalty.

It must, in all circumstances, respect and ensure respect of the rights of the defence.

Legal Commission: The Legal Commission has minor changes to this proposal, incorporated below, to improve clarity and feels the proposed changes will meet the issues brought to light by members of the Disciplinary Panel.

7.2.3 The disciplinary Tribunal - composition, powers, obligations

The head office of the F.I.E. will send to the president of the Disciplinary Tribunal within ~~7~~ 10 working days after its creation, the complaint, which was filed with the F.I.E.

The president of the Disciplinary Tribunal will, within 15 days, transmit a copy of the complaint to the person (s) ~~designated~~ being prosecuted therein.

A copy of the complaint is also sent to the president(s) of the federation(s) to which the parties belong.

The Disciplinary Tribunal can, on its own motion, decide that there are no grounds to prosecute the complaint which has been submitted to them.

That decision can be appealed according to the rules of Article 7.2.7.

The Disciplinary Tribunal has all of the powers for investigating the complaint, and pronouncing, if the case arises, a penalty.

It must, in all circumstances, respect and ensure respect of the rights of ~~the defence~~ all parties.

Executive Committee: In favour of the proposal as amended by the Legal Commission.

Proposal 3

Rationale: to fix minor problems that have arisen in prior Disciplinary Tribunals as well as suggestions received from members of the Disciplinary Panel and the FIE Administrative Office.

7.2.4 Procedure before the Disciplinary Tribunal

The Disciplinary Tribunal itself chooses a reporter, from among the members of the Tribunal, who will be charged with investigating the file and collecting the proofs for and against defendant(s).

It can interrogate all witnesses and obtain all useful documents from everyone concerned, if need be by injunction.

In case of a refusal to testify or to communicate documents, the Panel refers the matter to the president of the Disciplinary Tribunal who has the power to penalise the persons withholding material with a fine of 500 to 5 000 CHF after having summoned them to receive an explanation.

The Disciplinary Tribunal rules on the complaint(s) which have been submitted to it within 2 months following the submission by the president of the Disciplinary Tribunal. Within this time, it summons the defendant(s) informing them that they have the right to have the assistance of a defender of their choice.

The summons must be addressed by certified or registered mail (or other means where receipt can be verified) to the defendant(s) at least 20 days before the hearing date fixed by the Disciplinary Tribunal. It will indicate that the defendant will be able to be assisted or represented by the person of their choice.

This summons will be accompanied by a new copy of the complaint as well as a copy of all the items in the file.

If it is impossible or difficult to make such copies, the contents of the file will be held at the disposition of the defendant at the administrative office of the F.I.E. or at another place

designated by the President of the Tribunal (including secure computer 'drop-boxes', if both parties have an ability to access such computer files).

No later than eight days before the hearing, the defendant must communicate to the Disciplinary Tribunal all of the documents and the testimony on which he intends to base his defence as well as the identity of the witnesses whom he would like to be heard stating the reason why their evidence will be useful to reaching the truth.

The day of the hearing, the president will designate a person to ensure that there is a secretary for the hearing and to keep a record of the various statements under his control.

He will verify the identity of the complainant, the defendant and the witnesses.

He will invite the reporter to present his report.

He then listens to the declarations of the complainant(s) and the defendant(s).

He then proceeds to any examination of the witness(es) who will be kept out of the hearing until their turn to testify.

The president can hear all persons or ask for all documents useful to discovering the truth.

In general, the president alone controls the proceedings, and has the power, if the case arises, to exclude any persons creating a disturbance, to examine or not the witnesses, to order additional investigation, to decide to make a submission to the Disciplinary Panel to penalise the behaviour of the parties.

At the end of the discussion, the president gives the defendant, his representative, or if the case arises, his defence counsel, the right to speak last.

The matter is then considered by the Tribunal. The Disciplinary Tribunal reaches its decision by a majority vote.

In case of difficulty, the president of the Disciplinary Tribunal can ask the president of the Legal Commission or to the Executive Committee for an additional maximum period of not more than 3 months to gather supplementary information. The supplementary information will be communicated to the defendant and the complainant for them to respond within the time fixed in the cover letter. A new hearing can, if necessary, be called. It will be held according to the same terms and under the same conditions as the first hearing.

Legal Commission: The Legal Commission has no changes to this proposal and feels the proposed changes will meet the issues brought to light by members of the Disciplinary Panel.

Executive Committee: In favour of the proposal.

Proposal 4

Motive: To up-date the FIE Ethical Code (Statutes chapter XII) reflecting the content of the IOC document titled “Code of Ethics 2018” and to integrate details relating to the Ethics Committee into chapter 4 (Process for Elections) and chapter 6 (Commissions) of the Statutes.

1 Up-dating of the FIE Ethical Code

1.-INTRODUCTION

The FIE Ethics Code is based on the IOC Code of Ethics and aims to preserve the ethical values and principles that inspire the Olympic Charter and which must inspire, in any case, the performance of the members of the International Community of Fencing understood in the broadest manner (hereinafter, also referred to as or "FIE Family").

The FIE Ethics Code ("Code") defines the principles of conduct that should regulate sports and administrative activities of the entity and the FIE Family. The Code aims to promote and safeguard the ideals of dignity, integrity, cooperation, sportsmanship and fair competition, which should characterize the performance of all components of the FIE Family.

The FIE Community includes: directors, officers and members of the FIE, the Member Federations and Confederations recognized by the FIE and their managers, the members of the Organizing Committees of official competitions and the representatives of the candidate cities for the organization of official competitions as well as fencers, coaches, referees, other members of national delegations participating in any competition or event developed under the umbrella of the FIE, and as applicable, employees, partners and service providers directly or indirectly linked to the FIE.

2. ETHICAL FUNDAMENTALS, PRINCIPLES AND RULES

The FIE Family is obliged to respect and ensure respect for the following principles and rules, particularly with regard to the organization and development any official competition, event or activity recognized by the FIE, [as well as in the management and operation of the FIE organs](#).

I.- Dignity:

1. ~~It-They~~ must safeguard the dignity of ~~any-all~~ persons [and the respect of their fundamental rights](#) as a fundamental requirement of Olympism and the FIE.
2. There should exist, in ~~any all~~ situations, respect and consideration for the FIE Family and the general public, in order to assert the principles of legality, sportsmanship and fair competition.
3. There will be no discrimination among the FIE Family because of race, gender, religion, political or philosophical opinion, family or any other status.
4. No practice that violates the physical or mental integrity, [dignity, honour and reputation](#) of the FIE Family will be tolerated. Any form of doping, at any level, is absolutely prohibited. The FIE Anti-Doping Rules will be scrupulously observed.
5. [The use of media or social networks to slander or undermine the honour of members of the FIE Family will not be tolerated.](#)
- ~~5-~~ 6. All forms of physical, psychological, professional or sexual harassment are prohibited.
- ~~6-~~ 7. Competition organizers will ensure the necessary conditions of security, welfare and medical care to promote the physical and mental balance for the FIE Family.

II.- Integrity:

II. A.- Integrity of conduct

1. The FIE Family must reject and denounce any form of corruption or favouritism, of whatever nature, ensuring the honesty and dignity of the sport. **At all times they must act with the highest level of integrity and, particularly, when they make decisions they must act with impartiality, objectivity, independence and professionalism.**
2. The FIE Family may not directly or indirectly, request, accept or offer any concealed remuneration, commission, benefit or service of any nature connected with the organisation of official Championships, activities or events or their function as FIE officials.

Any concealed commission, compensation, benefit or service of any nature whose value exceeds normal standards of hospitality according to the local customs of the country providing the gift, that is received by an officer of the FIE, must be declared in writing to the FIE office within 30 days of its receipt. In case of doubt as to value, the FIE Family member may request an opinion of the Ethics Committee.

The Ethics Committee will review the declared cases and shall decide, within 90 days, whether the beneficiary of such benefits is the FIE, or that they must be returned to their source.

3. **The FIE Family must not be complicit nor have any relationship with entities or individuals whose activity are below standard, conflicting or inconsistent with the principles of the Olympic Charter or this Code.**
- ~~3.~~ 4. Only gifts whose value is within the normal standards of hospitality for the country providing the gift can be given and accepted by the members of the FIE Family as a sign of respect and friendship.
5. **The FIE Family will never give nor accept instructions to vote or to intervene in a given or pre-established manner within the FIE bodies or organs.**
- ~~4.~~ 6. The hospitality shown to members, officers and directors of the FIE Family and their companions, may not exceed normal standards. Invitations for trips offered by the organizers of competitions or events, or the Member Federations (except the one of which the officer is member), that are not based on a cooperation agreement between the organizer and the Member Federation or the FIE, must be declared to the Ethics Committee before the trip occurs. The Ethics Committee may suggest that such person decline the invitation if it is contrary to the Code.
- ~~5.~~ 7. The FIE Family must avoid any conflict of interest among themselves, the organization to which they belong and any other person or organization related to the Olympic movement. If a conflict of interest arises or might arise, parties shall inform the Ethics Committee of the FIE.
- ~~6.~~ 8. The FIE Family members shall act with the care and diligence required to perform their duties, not acting in any way to harm the reputation of fencing or the Olympic movement.

- ~~7. The FIE Family must not be complicit nor have any relationship with entities or individuals whose activity are below standard, conflicting or inconsistent with the principles of the Olympic Charter or this Code.~~
- ~~8. The FIE Family will never give nor accept instructions to vote or to intervene in a given or pre-established manner within the FIE bodies or organs.~~

II. B.- Integrity of competitions

1. The members of the FIE Family shall undertake to combat any form of cheating or swindling and will take all necessary measures to ensure the integrity of sports competitions.
2. Members of the FIE Family must respect the provisions of the World Anti-Doping Code and the Olympic Movement Code for the Prevention of Competition Handling.
3. Participants in a competition must not, in any way, manipulate the result of it in a manner contrary to sport ethics.
4. All forms of participation, promotion or betting support related to the competition are prohibited.

III.- "Fair Play":

The concept of "fair play," beyond mere compliance with the rules and regulations, extends to the notions of loyalty, mutual respect and sportsmanship. It covers the fight against any inappropriate use in the competition in view of an unfair advantage, fraudulent behaviour in the fulfilment of the rules, doping, violence (physical and verbal), inequality of opportunity or corruption.

Sport is a positive activity that enriches the individual and society provided it is practiced in an honest and honourable way, so it is the duty of all members of the FIE Family to avoid behaving in a manner contrary to fair play in the broadest sense of the concept.

IV.- Good Governance and Resources:

1. FIE resources may be used only for fencing and Olympic purposes.
2. The Universal Basic Principles of Good Governance of the Olympic and Sports Movement must be respected, in particular: transparency, responsibility and accounting.
- ~~2.~~3. Revenue and expenditures of the FIE will be recorded in accordance with recognized international financial reporting standards, and those accounts shall be audited by an independent professional auditor.
4. In case of use of resources of the FIE to give financial support to members of the FIE Family (National Federations, Confederations, etc.), the destination of said funds must be recorded in the accounts.
- ~~3.~~5. The FIE Family recognizes the important contribution that the media, sponsors, partners and other supporters of sporting events make for the development and prestige of the Olympic movement around the world. However, said support must be appropriate and consistent with the rules of the sport and the principles defined in the Olympic Charter and this Code. The organization and conduct of sports competitions is the sole responsibility of the FIE and the Member Federations recognized by the FIE.

6. The media, sponsors and other supporters should not interfere with the operation of the FIE.

V.- Candidatures: FIE

The FIE Family members shall respect all aspects of the FIE statutes and rules adopted relating to candidate cities for the organization of official championships or competitions.

VI.- Relationships with Countries:

1. The FIE Family members will work to maintain harmonious relations with the authorities of the countries of the Member Federations, in accordance with the principles of universality and political neutrality. However, the spirit of humanism, fraternity and respect for human rights that inspires the Olympic ideal requires governments of countries of Member Federations where official competitions and other events of the FIE take place, to ensure that the principles of the Olympic Charter and this Code are scrupulously respected.
2. The FIE Family members are free to develop public functions in the countries to which they belong. However, they may not engage in any activity or follow an ideology which implicitly contradicts the principles and rules defined in the Olympic Charter or those laid down in this Code.
3. The FIE Family members undertake to protect the environment in any event organized under the auspices of the FIE, committing to maintain these activities under generally accepted environmental standards.

VII.- Confidentiality:

Except as otherwise noted in this Code, The FIE Family members will keep secret any information received in confidence. Disclosure of any information must not be for personal benefit, nor be done maliciously to damage the reputation of any person or organization.

3.- RULES OF CONDUCT. -

All members of the FIE Family should always be inspired by the above binding rules and ethical principles, which lead to the following Rules of Conduct.

The Rules of Conduct generate responsibilities, rights and obligations to be assumed in the various areas of sports performance and the various levels of the organization and administration of the sport of Fencing.

THE FIE FAMILY

1. Must know, observe and apply the laws, statutes, rules and regulations governing the practice of fencing. Likewise, they must respect in their actions the legal procedures established in the FIE Statutes and Regulations, and the good governance recommendations of the Olympic Movement.
2. Shall concentrate the initiative and commitment of the entity in order to promote the legitimate interests of fencing within the parameters of transparency, honesty and sportsmanship, promoting and dignifying the correct practice of the sport of fencing.
3. Shall cooperate with the IOC, NOCs of the Member Federations, governments, sponsors and investors holding bonds of respect and consideration, and stressing the importance of sport for the social development, culture, education and health of its practitioners.

4. Shall strengthen and maintain relationships with all media, in order to ensure the integrity and objectivity desirable of all information related to fencing in addition to promote the sport in the public eye.
5. Shall take all necessary measures to ensure security on the premises where the competitions are held, primarily considering the physical and moral well-being of everyone involved in event.
6. Shall maintain proper conduct, avoiding engagement in actions that cause harm to their own credibility or compromise the image of the FIE and the FIE Family.
7. Shall prevent, deter and denounce (and encourage the reporting of any), use of unauthorized substances, unfair benefit, or any type of corruption in the practice of fencing.
8. Shall prohibit the FIE Family from suggesting or recommending promotion, advertising or publicity of any good or service that can harm general health, healthy habits, environment.
9. Shall prohibit and report to the Ethics Committee any kind of preferences or prejudices arising from ethnicity, colour, gender, religious belief, disability, political orientation, financial, social, or intellectual status, sexual orientation, age, marital status, among other forms of social exclusion, in any competition.
10. Shall punish acts of violence that jeopardize the physical and moral integrity of the FIE Family, media and general public, ensuring their safety and well-being, helping to provide a positive image of the sport and projecting that opinion to other sectors of society.
11. Shall combat all acts that might discredit or compromise the good name of the FIE and all members of the FIE Family. [They must also avoid, impede and denounce the use of media or social networks to slander or damage the reputation of the FIE and members of the FIE Family.](#)
12. Shall support technical and professional individuals that manage fencing, keeping them trained and updated on the best practices of good sports management.
13. Shall promulgate the defence of human rights and promote and participate in actions to preserve natural resources and encourage healthy habits.
14. Shall file financial statements with complete and correct information, audited by independent professional auditors, within the time limits and in accordance with the principles of ethical and transparent management.
15. [Shall](#) use their best efforts to protect the referees from any pressure from fencers, trainers, coaches, colleagues, leaders, media or general public.
16. [Especially the officials who take part in competitions \(Referee Delegates, DT Members, Medical Delegates, etc.\), may in no way influence the result of a match, influence or pressure the referees and shall avoid the designation of referees that could be affected by conflicts of interest in relation to a specific bout.](#)
17. Must know, observe and apply the Model Rules for International Federations for betting and Anti-Corruption of the Association of Summer Olympic International Federations as modified and accepted by the FIE (hereinafter referred to as "the Model Rules"). The Model Rules are attached as Appendix 1 to this Code and constitute an integral part thereof.

REFEREES [AND JUDGES](#)

1. Must maintain an objective and impartial stance during the competitions, not being influenced by any pressure from sportsmen, trainers, coaches, colleagues, leaders, media or general public.

2. Must avoid accepting an assignment to referee ~~or otherwise be involved in any specific match bout~~ in which they have a perceived or actual "Conflict of Interest" with any participant. Conflict of Interest shall mean any situation where a conflict exists between the duties and the private interests of a referee or judge, in which s/he has direct or indirect private interests that affect, might affect or seem to affect the performance of, in an incorrect way, the referee's or judge's responsibilities and duties as a referee or judge ~~for that bout~~. (*)
3. Shall stay abreast of the rules of fencing and their evolution. They shall exercise their duties efficiently, with the highest motivation and commitment.
4. Shall reach proper decisions taking into account any input from their assistants.
5. Shall treat with respect athletes, coaches and managers, while at the same performing their work and imposing sanctions in order to vigorously enforce the rules.
6. Shall avoid any action that might unfairly compromise or predetermine the outcome of the ~~matches bouts~~.
7. Shall inform immediately the FIE official or committee of any attempt of corruption and improper activities that might compromise the outcome of a competition.
8. Shall respect the public in any situation, acting politely, objectively and impartially.
9. Shall avoid comments and statements that might generate controversy and undermine the image of the FIE referees or the Member Federations, providing only technical analysis and decisions.
10. Shall not tolerate, in their area of influence, the use of unauthorized drugs or substances, cooperating with the overall efforts in this direction and spreading the negative effects of such practices to the Fencing Family.
11. Shall, in any situation, not tolerate any preference arising from ethnicity, race, colour, gender, religious belief, disability, political orientation, financial, social, or intellectual status, sexual orientation, age and marital status.
12. Shall refrain from promoting, propagandizing, advertising, merchandising, or displaying any brands of medicines, food, tobacco, alcohol and any goods or services that harm or may harm overall health, healthy habits, environment or violate the law.

(*) The following is a non-exhaustive list of examples of circumstances under which a conflict of interest could arise. These are included as illustrations to assist referees ~~,judges and arbitrage delegates~~ (and judges where relevant) and the FIE in assessing whether a conflict of interest exists. The Category A potential conflicts are more likely to require action by the referees ~~,judges and arbitrage delegates~~ than those of Category B.

Category A Conflicts:

- o The referee or judge has or has had the same nationality of an Affected Party. An Affected Party would include a fencer in the bout as well as the trainers or national coaches of such fencer.
- o The referee or judge has or has had a domicile in the country within the last five (5) year of a country of any Affected Party.
- o The referee or judge is or has been employed by an Affected Party within the last five (5) years.
- o The referee or judge is or used to be a relative or partner of an Affected Party.
- o The referee or judge ~~is or was the coach of~~ has or used to have a fencing relationship with an Affected Party, including but not limited to coach, captain, chief of mission, within the last five (5) years.

Category B Conflicts:

- o Any of the Category A Conflicts has occurred more than five (5) years of the date of the competition.

- o The referee or judge has other relationships with an Affected Party.

FENCERS

1. Shall compete in the spirit of sportsmanship and fair play. Shall avoid any action that might unfairly compromise or predetermine the outcome of the matches
2. Must be fully aware of, appreciate and enforce rules applicable to the discipline.
3. Shall abide by the directives of the competition management and referees, treating colleagues and opponents with respect. In addition, they shall not commit any offensive act in words, actions and gestures, against referees, or the general public nor encourage or induce disrespectful and prejudiced behaviours.
4. Shall defend the interests of fencing in particular and sport in general, with special emphasis on the values, practices and interests of competitiveness, sportsmanship and improvement that should guide the conduct of the athlete.
5. Shall avoid, reject and denounce any form of violence or derision on account of ethnicity, race, colour, gender, religious beliefs, disability, political preference, financial, social or intellectual status, sexual orientation, age or marital status.
6. Shall reject any use of forbidden drugs, unauthorized chemical stimulants, and participation in any active or passive corruption, both on the field of play, and outside it.
7. Shall comply with discipline and, express disagreement, if any, with calm and through proper channels. Shall express their views in a manner responsible, balanced and consistent with the principles and interests of the organization they represent and refrain from public criticism and inappropriate comments about the incidents of the competition, so as not to damage the image of any athlete, referee, manager or technician.
8. Shall refrain from promoting, advertising, marketing, merchandising of any good or service that adversely affects or could adversely affect the general health, healthy habits, the environment or violates applicable law.
9. Should not hide any type of injury which might affect their safe involvement in the sport and cooperate with doctors and trainers analysing their ability to continue their participation.

TRAINERS

1. Shall refrain from expressing public criticism of referees, athletes, officials, competitors, colleagues, media and public by words, actions or behaviours.
2. Should be firmly guiding athletes during training and competition, to participate with sportsmanship, accepting the findings of the referees, and maintaining the respect due to competitors and the public.
3. Shall inform and guide the athletes in the sense of maintaining discipline and calm in the face of possible penalty.
4. Must pay constant attention to the behaviour of athletes, to identify, avoid, reject, denounce, deter, prevent and report violence arising on account of ethnic, racial, colour, gender, religion or belief, disability, political preference, financial, social, or intellectual condition, sexual orientation, age, marital status.
5. Must avoid, deter, prevent and report use of forbidden drugs or chemical stimulants, as well participation in corruption that compromise the image of the FIE Family they represent or the good name of the sport;
6. Shall refrain from engaging in any act or agreement that may involve unfair advantage, predetermination of the outcome or illicit financial compensation.

4.- RULES CONCERNING CONFLICTS OF INTERESTS

1.- These rules apply to all members of the FIE Family.

2.- A distinction is made between situations of potential conflict of interests and conflicts of interest.

A situation of a potential conflict of interests arises when the opinion or decision of a person, acting alone or within a FIE body, within the framework of its activities / functions / responsibilities, may reasonably be considered as susceptible to being influenced by relations that the aforementioned person has, has had or is in the point of having with another person or organization that would be affected by the person's opinion.

A case of conflict of interests is constituted when any person who, having abstained from declaring a situation of a potential conflict of interests, expresses an opinion or takes a decision in the circumstances described.

3.- In determining the situations described, both direct and indirect interests, including the interests of third parties (family members or dependents), must be taken into account.

Examples of circumstances in which there may be conflicts of interests are situations of personal relationship (kinship, friendship or apparent enmity) and / or material (salary, partnership, business relationships, collaboration agreements, financing, subsidies ...) with suppliers, sponsors, journalists, media, or organizations likely to benefit from the assistance or financing of the affected party, as well as in the case of competition referees, with athletes or teams participating in the official FIE competition.

4.- Resolution of possible conflicts of interest.

4.1.- It is the personal responsibility of each affected person to avoid cases of conflict of interests

4.2.- Faced with a situation of potential conflict of interests, the person concerned must refrain from expressing an opinion, from making or participating in making a decision or accept any form of benefit.

However, if the person wishes to continue acting or if the person is uncertain as to the steps to take, the person must inform the Chair of the Ethics Committee, who shall be the "Chief Ethics and Compliance Officer of the FIE", of the situation.

4.3.- The "Chief Ethics and Compliance Officer of the FIE" is responsible for advising persons who require it, in a situation of potential conflict of interest.

The person concerned is then offered a solution from the following options:

a) registering the declaration or participate in the decision, without any particular measure.

b) removal of the affected person totally or partially from the action or decision at the root of the conflict.

c) relinquishment of the management of the economic interest causing the conflict.

d) any complementary measure.

4.4.- The person concerned then takes the steps that he/she considers appropriate.

4.5.- The information given and the whole process will be kept confidential.

5. Undeclared or actual conflicts of interests.

In the event that a person neglects to declare a situation of potential conflict of interests, or in an actual situation of conflict, the "Chief Ethics and Compliance Officer of the FIE" / the FIE Ethics Committee or any member of the FIE Family who has knowledge of the facts, must report the case to the Ethics Committee of the FIE / Disciplinary Panel in accordance with the established procedure.

6.- Specific provisions.

Any candidate to be elected to fill any position or form part of any organ of the FIE is obliged to declare any risk of conflict of interest or potential conflict of interest when submitting his

candidacy. What does not exempt him from making the statements provided in the previous section 4.2.

5.- ~~4.-~~ IMPLEMENTATION – ETHICS COMMITTEE:

1. The Ethics Committee is formed in order that the FIE Family shall ensure ~~that the observance of the principles and rules of the Olympic Charter and of this Code, an Ethics Committee is hereby formed. It shall operate as a temporary body, until the Statutes are amended to make the Ethics Committee a permanent entity.~~
2. ~~The Ethics Committee issues advisories to the FIE Family on all questions relating to the ethical permissibility of any intended action.~~ The Ethics Committee shall be responsible for defining and updating a framework of ethical principles based on the principles and values enshrined in the Olympic Charter and the Code of Ethics of the IOC. Likewise, it will issue reports, advice or recommendations to the members of the FIE Family on all matters relating to the ethical permissiveness of any planned action in accordance with the provisions of this Code.
3. Any alleged violation of this Code or an Ethical Committee ~~advisory~~ advice shall be grounds for lodging a complaint under the Disciplinary Code. The Ethics Committee will be entitled to report violations of this Code (Acting as prosecutor/Fiscal Ministry).
4. Each year, the Ethics Committee will issue a report to the Executive Committee of the FIE relating to the application of this code, noting any ~~advisory~~ advice given. The Ethics Committee may set out the goals and recommendations for the implementation of the present Code.
5. ~~The Ethics Committee will issued advisories~~ issue its advice, reports, resolutions or recommendations, by a majority of its neutral members, based on the queries and ~~inquiries~~ enquiries presented. For the issuance of the advice provided for communications of potential conflicts of interest, the Committee may delegate one or more of its components.

~~The Ethics Committee is made up of 5 members selected by the Executive Committee in the same manner as it selects member of the Councils, each being from a different country, and shall hold office during the same period as the rest of the councils of the FIE. A member of the Legal Commission shall serve as counsel to the Ethics Committee.~~

Legal Commission: The Legal Commission is in favour of the proposal with the following changes:

Section 2. ETHICAL FUNDAMENTALS, PRINCIPLES AND RULES, Paragraph II. B. 4. Should read as follows (this modification only concerns the English version): All forms of participation, promotion or support of betting related to the competition are prohibited.

In Section 3. RULES OF CONDUCT - The FIE Family, Paragraph 11. The additional sentence should read as follows: They must also avoid, impede and denounce the use of media or social networks to slander or damage the reputation of the FIE or members of the FIE Family.

In Section 4. RULES CONCERNING CONFLICTS OF INTEREST, Paragraph 4.3 delete subparagraph d) and add an additional sentence to 4.3 so that the section should read as follows:

4.3.- The "Chief Ethics and Compliance Officer of the FIE" (the Officer) is responsible for advising persons who require it, in a situation of potential conflict of interest.

The person concerned is then offered a solution from the following options:

- a) registering the declaration or participate in the decision, without any particular measure,
- b) removal of the affected person totally or partially from the action or decision at the root of the conflict, or
- c) relinquishment of the management of the economic interest causing the conflict.

The Officer may offer any complementary measures as well.

In Section 5. ETHICS COMMITTEE, Paragraph 5. Change to read as follows:

- 5 The Ethics Committee will ~~issued advisories~~ issue its advice, reports, resolutions or recommendations, by a majority of its neutral members, based on the queries and ~~inquiries~~ enquiries presented. The communication of the advice of potential conflicts of interest, may be delegated to one or more of its members.

Ethics Committee: No opinion provided

Executive Committee: In favour of the proposal and the amendments implemented by the Legal Commission.

Proposal 2a): to integrate details relating to the Ethics Committee into chapter 4 (Process for Elections) and chapter 6 (Commissions) of the Statutes, should the Ethics Committee be elected by the Congress.

Add as follows:

1) ARTICLE 4.1.2

Candidates for the Executive Committee, a Commission, a Council, the Ethics Committee or the Disciplinary Panel may be proposed by an F.I.E. Member Federation, subject to the following conditions:

2) ARTICLE 4.4: Title:

ELECTION OF COMMISSIONS (OTHER THAN THE ATHLETES COMMISSION) AND THE ETHICS COMMITTEE

4.4.1 Nobody may be candidate for more than one permanent commission plus the Ethics Committee.

4.4.2 To be candidate for a permanent commission or the Ethics Committee ...

Insert before the last paragraph and modify the last paragraph as follows:

A candidate for the Ethics Committee must have the educational requirements or be practising as a lawyer, judge, mediator, arbitrator, notary or human resources professional.

If a candidate for a permanent Commission or the Ethics Committee withdraws before an election, his Member Federation may present another candidate before the deadline in 4.1.3.

4.4.3 For the elections to the permanent commissions, the 10 candidates with the most votes are elected subject to the fact that they must be of different nationalities. For the election to the Ethics Committee, the 5 candidates with the most votes are elected subject to the fact that they must be of different nationalities.

4.4.4 If the 10 first members elected to a commission do not include two members of each gender, the Commission will consist of the first 8 members elected and the two members of the other gender who are candidates for the commission and who have obtained the greatest number of votes.

If no candidate of either gender has offered herself/himself as candidates, the 10 candidates of different nationalities with the greatest number of votes are elected.

Similar rules apply for the Ethics Committee if the 5 first members elected do not include at least one member of each gender.

3) ARTICLE 6.9: THE ETHICS COMMITTEE

The Ethics Committee is made up of five voting members elected by the Congress.

6.9.1 The elected members elect their President at their first meeting, following the same procedure as specified for the Commissions (cf. 6.2.2). Note that the President undertakes the role of "Chief Ethics and Compliance Officer of the FIE" (cf. Ethics Code section 4, paras. 4.2ss).

6.9.2 The Executive Committee may delegate one of its members to be responsible to monitor and coordinate the work of the committee (cf. 5.5.4).

6.9.3 Members of the Ethics Committee are elected for the duration of the Olympiad.

6.9.4 During the years including an ordinary Congress, the Ethics Committee may meet to study any proposals made to the Congress concerning the Ethics Code, at least three months before the Congress according to the financial conditions provided for by the Administrative Rules. The Executive Committee can, in case of necessity, determine one or several additional meetings. The Committee may also ask the Executive Committee to agree to additional meetings.

6.9.5 The functions of the Ethics Committee are defined in Chapter XII of these Statutes, section 5.

4) ADD ARTICLE 6.9 TO THE 'CONTENTS' PAGES.

Legal Commission: The Legal Commission, with the advice of the Ethics Committee preferred the method whereby the Committee would be chosen by election by the Congress. This is also the method favored by ASOIF. The Commission recommends the following changes:

4.4.2 To be candidate for a permanent commission [or the Ethics Committee](#) ...

Insert before the last paragraph and modify the last paragraph as follows:

[A candidate for the Ethics Committee must have the educational requirements or be practising as a lawyer, judge, mediator, arbitrator or have a university degree in ethics or have experience in serving as a member of an ethics committee or equivalent.](#)

If a candidate for a permanent Commission [or the Ethics Committee](#) withdraws before an election, his Member Federation may present another candidate before the deadline in 4.1.3.

4.4.3 For the elections to the permanent commissions, the 10 candidates with the most votes are elected subject to the fact that they must be of different nationalities. [For the election to the Ethics Committee, the 5 candidates with the most votes are elected subject to the fact that they must be of different nationalities.](#)

4.4.4 If the 10 first members elected [to a commission](#) do not include two members of each gender, the Commission will consist of the first 8 members elected and the two members of the other gender who are candidates for the commission and who have obtained the greatest number of votes.

If no candidate of either gender has offered herself/himself as candidates, the 10 candidates of different nationalities with the greatest number of votes are elected.

(Note: the above 2 paragraphs will potentially change, of course, depending on Women and Fencing Council proposal being approved).

[Similar rules apply for the Ethics Committee, in that if the 5 members who have obtained the most votes do not include at least one person/2 persons \(TBE\) of each gender, the Committee will consist of the one/two \(TBE\) candidates of the under-represented gender who has/have obtained the greatest number of votes and the 4/3 candidates of the other gender who have obtained the greatest number of votes.](#)

Delete paragraph 6.9.2 since the activity of the Ethics Committee requires confidentiality, it cannot have a member of the Executive Committee monitor and coordinate its work.

Renumber paragraph 6.9.3 to become 6.9.2 and so on.

Ethics Committee: No opinion provided

Executive Committee: In favour of proposal 2a) as amended by the Legal Commission .

Proposal 2b:

Motive: To integrate details relating to the Ethics Committee into chapter 4 (Process for Elections) and chapter 6 (Commissions) of the Statutes should it be decided that the Ethics Committee is to be selected by the Executive Committee rather than elected by the Congress.

Add as follows:

1) **ARTICLE 4.1.2**

Candidates for the Executive Committee, a Commission, a Council, [the Ethics Committee](#) or the Disciplinary Panel may be proposed by an F.I.E. Member Federation, subject to the following conditions:

2) **ARTICLE 4.6 SELECTION OF THE DISCIPLINARY PANEL**

4.6.2 Nobody may be candidate for more than one of the Disciplinary Panel, [the Ethics Committee](#) and the Councils.

3) **NEW ARTICLE 4.8: SELECTION OF THE ETHICS COMMITTEE**

4.8.1 To be candidate for the Ethics Committee a person must hold a licence from his National Federation except if he is a Member of Honour, be at least 21 years of age on the date of the election and enjoy the full civic rights of the country to which he belongs.

4.8.2 The candidates shall have the educational requirements or be practising as a lawyer, judge, mediator, arbitrator, notary or human resources professional;

4.8.3 The candidacy package must contain a photocopy of an identity document proving the candidate's date of birth and nationality (passport, identity card, driver's licence);

4.8.4 The FIE head office will submit all candidacy forms and joint documents about the candidates to the Executive Committee at its first meeting after the Elective Congress.

4.8.5 The FIE Executive Committee will review the candidacies and select the members of the Ethics Committee taking into account what is indicated in articles 4.8.2, 4.8.6 and 4.8.7.

4.8.6 Candidacies permitting there must be at least 20% representation of each gender on the Ethics Committee.

4.8.7 To the extent that there are sufficient candidates the selection should include as broad a representation from each of the continents as possible and of experience at the 3 weapons.

3) **ARTICLE 6.9: THE ETHICS COMMITTEE**

The Ethics Committee is made up of five voting members selected by the Executive Committee.

6.9.1 The selected members elect their President at their first meeting, following the same procedure as specified for the Commissions (cf. 6.2.2).). Note that the President undertakes the role of "Chief Ethics and Compliance Officer of the FIE" (cf. Ethics Code section 4, paras. 4.2ss).

6.9.2 The Executive Committee may delegate one of its members to be responsible to monitor and coordinate the work of the committee (cf. 5.5.4).

6.9.3 Those selected by the Executive Committee will be members of the Ethics Committee during that Executive Committee's four year mandate. They shall take office on the first day of the month following the Executive Committee meeting at which they were selected and will relinquish office on the eve of the equivalent date following the selection of the succeeding committee.

6.9.4 During the years including an ordinary Congress, the Ethics Committee may meet to study any proposals made to the Congress concerning the Ethics Code, at least three months before the Congress according to the financial conditions provided for by the Administrative Rules. The Executive Committee can, in case of necessity, determine one or several additional meetings. The Committee may also ask the Executive Committee to agree to additional meetings.

6.9.5 The functions of the Ethics Committee are defined in Chapter XII of these Statutes, section 5.

4) ADD ARTICLES 4.8 AND 6.9 TO THE 'CONTENTS' PAGES.

Legal Commission: The Legal Commission was opposed to the use of the selection method for the Ethics Committee for the reason noted in the comments to Proposal 2a.

Ethics Committee: No opinion provided.

Executive Committee: In favour of the opinion of the Legal Commission, as indicated in proposal 2a).

Proposal 3:

Motive: To bring the conditions for candidacy of councils in line with those for commissions

ADD TO BEGINNING OF ARTICLE 4.7.2

To be candidate for a council, a person must hold a licence from his National Federation except if he is a Member of Honour, be at least 21 years of age on the date of the elections and enjoy the full civic rights of the country to which he belongs.

Legal Commission: The Legal Commission is in favor of the proposal with the addition "committee" so it shall read as follows:

To be candidate for a council or committee, a person must hold a licence from his National Federation except if he is a Member of Honour, be at least 21 years of age on the date of the elections and enjoy the full civic rights of the country to which he belongs.

Ethics Committee: No opinion provided.

Executive Committee: In favour of the proposal as amended by the Legal Commission.

Proposals of the Woman and Fencing Council

Proposal 1

That the minimum representation of men and women on all FIE Commissions and Councils should be raised from 20% to 30%.

Rationale:

The Olympic Charter includes the following statement:

"The IOC encourages and supports the promotion of women in sport at all levels and in all structures, with a view to implementing the principle of equality of men and women." Rule 2, paragraph 7, Olympic Charter in force as from 07.07.2007

The International Olympic Committee (IOC) has publicly committed itself to increasing the number of women occupying leadership positions within the Olympic Movement. Most recently in March 2017, the IOC Gender Equality Review Project was formed and it is a joint initiative of the IOC's Women in Sport and IOC Athletes' Commissions. It aims to raise the importance of gender equality within the Olympic Movement, both on the field and in governance. All international federations, including the FIE, will be required to review their progress in gender equity in governance and provide a report on their progress.

In line with the commitment of the IOC and best practices in organizational governance, it is now time to increase gender balance in the FIE by increasing the minimum representation of men and women on all FIE Commissions and Councils to 30%.

It is illogical and not in keeping with good governance practices that the Executive Committee already has the minimum requirement for 30% representation of both genders, whilst the FIE Commissions and Councils do not.

Proposed changes to FIE Statutes:

Commissions

4.4.4

If the 10 ~~first members elected~~ candidates who have obtained the most votes do not include at least 3 persons ~~two members~~ of each gender, the Commission will consist of ~~the first 8 members elected and the two members of the other gender who are candidates for the commission~~ the 3 candidates of the under- represented gender who have obtained the greatest number of votes and the 7 candidates of the other gender who have obtained the greatest number of votes.

If no candidate of ~~either~~ one of the genders has ~~offered herself/himself as candidates~~ been nominated, the 10 candidates ~~of different nationalities~~ of the other gender with the greatest number of votes are elected.

If there are fewer than 3 candidates of either gender, that gender will be represented by the number of candidates put forward and the remainder of the Commission will consist of the candidates of the other gender who have obtained the most votes.

Refereeing Commission: Not in favour

Athletes Commission: In favour

Legal Commission: **The Legal Commission is unanimously in favour of this proposal.**
The commission supports the IOC drive for gender parity (now achieved in our competitions).

It agrees that the extension of a 30% gender minimum from the Executive Committee to the commissions, councils and committees is overdue and also subscribes to the view of the Women and Fencing Council that only a 30% minimum will cause a true change of mentality to occur that allows the normal acceptance of equal participation by members of both genders.

Medical Commission: **In favour.** Medical commission statement of support – As a commission we are in dedicated support of the proposal of the Women's Council asking at 30% representation of either gender within the FIE.

PCM Commission: The commission met with the Women's Council and **unanimously agreed to support** their proposal at the Congress.

Rules Commission: **In favour.**

SEMI Commission: The SEMI Commission gave its support to their proposal to obtain a 30% Minority Gender representation in the FIE Commissions and pointed out that the SEMI Commission now has 3 women members. This percentage of representation has already been achieved with the FIE Executive Committee.

Woman and Fencing Council: In 2015 a similar proposal was submitted to the Congress and, whilst the proposal to increase female representation on the Executive Committee to 30% passed, the same proposal for Commissions and Councils failed, although it was supported by 72% of the voters who were in the room at the time of the vote. The Women and Fencing Council now wishes to complete this unfinished business and again needs the support of all Commissions and Councils to achieve this important evolution towards greater equity in FIE governance.

Coaches Council: **In favour. With special comments:**

The minimum representation of men and women on all FIE Commissions and Councils should be raised from 20% to 30%.

Members present discussed the proposal and decided:

- Coaching council support the motion on women representation in committees and councils.
- Selection and appointment cannot happen automatically.
- Coaching council and Women and Fencing Council agreed to work together to ensure that high qualification women will be proposed by the federations for Coaching Council

Veterans Council: **In favour**

Fair Play Council: **was unanimously in favour** in proposing to make the gender representation in Commissions and Councils equal to those that are in use at the Executive Committee.

Ethics Committee: No opinion provided.

Executive Committee: In favour

Proposal 2

Councils

4.7.6

Candidacies permitting, there must be at least ~~20%~~ 30% of each gender on each of the Councils.

Refereeing Commission: Not in favour

Athletes Commission: In favour

Legal Commission: The Legal Commission is in favor, but wishes it to apply to the Ethics Committee and reworded it to say:

Councils and Committees

4.7.6

Candidacies permitting, there must be at least ~~20%~~ 30% of each gender on each of the Councils and Committees.

Medical Commission: In favour. Medical commission statement of support – As a commission we are in dedicated support of the proposal of the Women's Council asking at 30% representation of either gender within the FIE.

PCM Commission: The commission met with the Women's Council and unanimously agreed to support their proposal at the Congress.

Rules Commission: In favour.

SEMI Commission: The SEMI Commission gave its support to their proposal to obtain a 30% Minority Gender representation in the FIE Commissions and pointed out that the SEMI Commission now has 3 women members. This percentage of representation has already been achieved with the FIE Executive Committee.

Woman and Fencing Council: In 2015 a similar proposal was submitted to the Congress and, whilst the proposal to increase female representation on the Executive Committee to 30% passed, the same proposal for Commissions and Councils failed, although it was supported by 72% of the voters who were in the room at the time of the vote. The Women and Fencing Council now wishes to complete this unfinished business and again needs the support of all Commissions and Councils to achieve this important evolution towards greater equity in FIE governance.

Coaches Council: In favour. With special comments:

The minimum representation of men and women on all FIE Commissions and Councils should be raised from 20% to 30%.

Members present discussed the proposal and decided:

- Coaching council support the motion on women representation in committees and councils.
- Selection and appointment cannot happen automatically.
- Coaching council and Women and Fencing Council agreed to work together to ensure that high qualification women will be proposed by the federations for Coaching Council

Veterans Council: The FIE Veteran Council **supports** that the minimum representation of men and women on all FIE Commissions and Councils should be raised from 20% to 30%. Women have had a long history in World Fencing and the groups that are making the decisions should reflect the constituency of the fencing community – our Veteran Fencing Council has three females at this time and all three are active fencers that bring a perspective that some of our male counterparts that are not active, do not have. There is a need for more cultivation of females and transparency of job descriptions to buoy our sport internationally and not be limited to local gender roles

Fair Play Council: **was unanimously in favour** in proposing to make the gender representation in Commissions and Councils equal to those that are in use at the Executive Committee.

Ethics Committee: No opinion provided.

Executive Committee: In favour.

Proposals of the Swedish Fencing Federation

Proposal 1

Motivation

The FIE calendar is of the utmost importance to the global fencing community. It has great impact on the regional and national calendars. In the competition with other sports and activities about venues, media coverage, volunteer leisure time etc, there is a huge advantage if you can move early.

Currently, the Administrative Rules of the FIE states that the official calendar of the season should be finalized by the 15 December the year preceding the start of the season. This is short notice, in reality only eight months before the start of the season.

Furthermore, it has proven very difficult to respect this date and the final official FIE calendar has been published several months later.

We believe that much is to be gained by forcing all of us in the fencing world to plan with a longer horizon and we are sure that it is possible. In several other sports, the planning horizons are longer. Therefore, we propose to add the following section to the statutes.

Section X – Competitions

10.1.2 The official calendar of the FIE, as defined in o.3, for a season is approved definitively by the Executive Committee on December 15th two years before the start of the season.

Legal Commission: The calendar is dealt with in the Rules and Administrative Rules and should not be subject to a statutory requirement. There for the Legal Commission **is not in favour** of Proposal 1 from the Swedish Federation.

PCM Commission: No opinion provided.

Executive Committee: **In favour** of the opinion of the Legal Commission, as the calendar is indeed provided by the Rules and the Administrative Rules and adding it to the Statutes would only duplicate the information.

Proposal 2

Ethics Committee

Motivation

The Congress in Guangzhou in 2015 adopted the FIE Ethical Code. The Ethical Code included the formation of a temporary “Ethics Committee” who would be responsible for the implementation. The clear objective was that this temporary arrangement should be replaced by a stable, long-term solution for the Ethics Committee in the Statutes.

”It shall operate as a temporary body, until the Statutes are amended to make the Ethics Committee a permanent entity.”(Ethics Code of the FIE, 4.1.)

We believe that it is time to find the solution for the Ethics Committee, since four years have passed. However, we believe that it should not be a national federation who gives a detailed proposal regulating an Ethics Committee and the sensitive question how the members of this Committee should be designated. We believe that it might be desirable to select the members in a slightly different way than for the other commissions and councils and that this demands careful deliberation.

Proposal

that the Congress declares that it is desirable to form a regular Ethics Committee taking into account the experiences made by other international sport federations and the principles of good governance

that the Congress entrusts the Executive Committee to prepare a proposal to amend and change the statutes to this end to be decided by the 2019 Congress.

Legal Commission: The Legal Commission agrees with the motivation of the Swedish Federation and has submitted for review by the Congress a detailed proposal regulating the Ethics Committee and the question of how the members of the Committee shall be designated. Therefore the Legal Commission is not in favor of this proposal of the Swedish Federation since the proposal it is calling for will be before the 2018 Congress, 2018 being the year for all proposals for changes to the Statutes.

Ethics Committee: No opinion provided.

Executive Committee: As the Legal Commission has already submitted a proposal for the 2018 Congress, there is no point in postponing this matter to the 2019 Congress.