PROPOSITIONS OF THE BRAZILIAN FEDERATION / ARTHUR CRAMER (MH)

COMMENTS

Proposition 1.

ADOPT the system of numbering of Rules (Technical, Organisation and Material) and homogenize the tests in accordance with the proposition already presented and distributed to the Executive Committee for the Technical Rules, with the <u>adaptation of the text</u> already included in the Technical Rules (IN DIFFERENT COLOURS) and with the same arguments and motivations as already presented.

The rewording of the Technical, Organisation and Material Rules does not change the Rules but changes the PRESENTATION AND STRUCTURE. They have been tested by the Referees during the last World Championships (starting from 2002) and the 2004 Olympic Games.

The Referees and Delegates to the Refereeing have UNANIMOUSLY signed a document at the Olympic Games, which concerns the new presentation of the Rules:

- Numbering system;
- Use of colours;
- Easiness and rapidity of use;
- Schedule of offences and penalties with copy of the texts of Rules:
- And index;

in comparison with the previous system of Rules (currently official) AND WE CONSIDER THAT THE ONE USED AT THE OLYMPIC GAMES IS VERY PERFORMANT (copy attached).

Proposition 2.

THE POINTS DESCRIBED BELOW SHOULD BE PRECISED BY THE CONGRESS BECAUSE THEY ARE, IN OUR OPINION, NOT CLEAR FOR THE REFEREING. THE PROCEDURES MUST BE HOMOGENIZED.

1. Abstract terminology.

Motivation: some expressions in the Rules should be completed by practical examples in order to clarify the meaning for referees and fencers. Some examples of vague expressions:

« Incorrect fencing » (at index Art t.87);

Executive Committee: REG/ARB/PP

Executive Committee : REG/ARB/PP

- « Loyal/dishonest fencing » (Art t.87);
- « Abnormal movement » (Art t.22, proposed t5.7.2 / Art t.72, proposed t12.4.2 / Art t.120,;
- « Irregular movement » (Art t.87, proposed tt15.6.2.c / Art t.120);
- «Offence against sportsmanship » (Art t.101, proposed t17.1.2 / Art t.120 / Art t.127);
- «Dangerous play » (Art t.18);
- «Disorderly fencing » (Art t.87 / Art t.120);

Proposition:

- 7.1. To add « collusion » : « fraudulent agreement », « scheme/arrangement »
- 7.2. To add practical examples after each expression: « Incorrect fencing »,
- « dishonest fencing », « abnormal movement », «irregular movements »,
- « offence against sportsmanship» (towards the referee or opponent : to do immoral or obscene gestures, to use bad language, to scorn the bout, to dupe), « dangerous play », « disorderly fencing ».

2. Art t.45

Motivation: There is no detailed procedure to verify the offences and apply the penalties, for example for the practical cases below.

1st) Which penalty should be applied by the Referee if a fencer appears on the piste :

- with a body wire which does not bear the check marks (Art t.45 and t120):
- with a weapon which does not work (Art t.45 et t.120);
- without his protective under-plastron (Art t.45 et t.120).

The Technical Rules does not give a clear procedure to be followed by the Referee in respect of application of penalties, especially if two or more offences are made at the same time. :

Does the Referee start with the most severe offence or the less severe one? In the case stated above does the Referee award a Red Card and then two other Red Cards? Or does the Referee award a Yellow Card and then two Red Cards?

2nd) During the bout a fencer turns back on opponent (Art. t.120) and at the same time jostles his opponent (Art t.120). The Referee says "Halt!" and the guilty fencer gives a hit with the grip with deliberate brutality to his opponent (Art. t.120) which leads to a traumatism.

The Rules is not clear in respect of the procedure to be followed by the Referee :

COMMENTS

- two simultaneous offences;
- a more severe offence (with a Black Card) after the « Halt » of the Referee.

Proposition:

The Referee must sentence all the offences starting with the most severe offence, which is, the most severe penalty, even after the order « Halt ».

Proposition 3. Executive Committee : REG/ARB/SEMI/PP

Reincorporate the bib as valid surface at foil.

Proposition 4.

To add to the article t5.7 : At foil, during the bout (between the orders ON GUARD and HALT), the arm, forearm and unarmed hand must never stand in front of the chest.

Proposition 5. Executive Committee : JUR/ARB/RA

STATUTES: candidates to the Refereeing Commission must be FIE Referees, at least at two weapons.

Proposition 6.

Suppression of the lighting of the white lamp at foil: adopt the conclusions of the ad-hoc Commission in respect of the suppression of the non-valid surface at foil.

Executive Committee: REG/ARB/SEMI/PP

Executive Committee: REG/ARB/SEMI

PROPOSITIONS OF THE EXECUTIVE COMMITTEE MODIFICATIONS TO THE RULES

Proposition 1: Team events.

3. <u>To be deleted</u>: If this order is altered, intentionally or unintentionally, the team making the alteration loses the match.

Proposition 2 : Olympic Games.

- o.48 If we do not obtain additional medals for the 2008 Olympic Games, we must propose the Congress to choose the disciplines to be kept. Possibilities of:
 - 4 teams / 6 individuals.
 - 5 teams / 5 individuals.

It will be necessary to choose in the first case the teams which will not participate to the Olympic Games and in the second case the discipline to be suppressed in individual and team.

Proposition 3: o.48 Cadet World Championships.

The programme of the Junior World Championships comprises 6 individual events and 6 team events: male foil, female foil, male epee, female epee, male sabre and female sabre – these begin with the junior individual events and end with the team events.

The programme of the Cadet World Championships comprises 6 individual events: male foil, female foil, male epee, female epee, male sabre and female sabre.

The organisers must submit the programme of events to the Executive Committee for its approval.

COMMENTS

Executive Committee: REG/ARB

Motivation: This is not logical to disqualify a team in case of an inversion of fencers because this is the duty of the referee to check that both fencers on the piste are really the one he called for the bout.

This is therefore the referee's responsibility to check that the fencers present on the piste are really the one who are supposed to meet.

Executive Committee: REG SPEC:

Motivation: A decision must be taken before the end of 2005.

Executive Committee : REG/PP

Motivation:

<u>Juniors</u>: There will be 3 days of competition for the individual competitions and 3 days of competition for the team events, with eventually a resting day between the two types of events:

- ⇒ length of the Championships shorter, which incurs a reduction of costs for the delegations and the organisers and the load of work of the officials and referees is better dispatched.
- \Rightarrow the team events are spread out over 3 days instead of 2 thus facilitating the organisation..

<u>Cadets:</u> there will be 3 days of competition for the individual competitions. (see proposition 3 concerning the Statutes)

<u>Proposition 4 : Entries and procedure of replacement for the entries</u> on the FIE Web site

Executive Committee : REG/PP

o.54 Entries by name for <u>junior and senior</u> World Cup competitions <u>(A Category, Grand-Prix, team competitions) and World Championships.</u>

For A Category, Grand-Prix and team competitions and the World Championships, the entry of the name of the fencers and all possible replacements, and the entry of teams, must be made 15 days before the first event of the Championships at the latest.

The entries are to be made via the FIE website.

To be added:

Starting from the deadline for the entries indicated on the FIE Web site and, before the Tuesday preceding the competition, a fencer can be replaced by another one, but no additional entry can be registered. To do so, National Federations must send a written request of fencer's replacement to the FIE (by e-mail or fax). Should a fencer be injured, the rules for the World Championships are applicable.

For the entries of teams, names of the fencers of the team can be modified upon request to the organiser until the day preceding the competition, 12h.

See also o.31

Proposition 5: Technical management of major competitions.

o.57 <u>b) The Directoire Technique consists of persons being used to organise competitions.</u>

Motivation:

- To allow all the organisers to benefit from the good process of entries via the FIE Web site and therefore facilitate the management of their competitions.

COMMENTS

- Standardise the procedures for the entries in order to avoid any misunderstanding or confusion due to different rules.

Executive Committee : REG/PP

Motivation: As the Directoire Technique is only involved with the technical organisation of the competition, it is not necessary that its members belong to technical commissions.

Decisions related to the application of Rules, Statutes and annexes are taken either by the observer (World Cup and Grand Prix) or by the FIE Bureau (World Championships).

Proposition 6: Functions.

<u>COMMENTS</u>

o.62 To be deleted & replaced by :

Executive Committee : REG

The delegate(s) to the refereeing are the only one competent to judge the value of a referee's decision.

In the competitions in which there would be no delegate to the refereeing, the supervisor becomes the one to take this competence. The supervisor is requested to settle all the disputes during A Category and Grand-Prix competitions.

This is up to the FIE Bureau or one of its representative to settle disputes which arise during World Championships.

Motivation: The main role of the Directoire Technique is to ensure the organisation of the competition and not the settlement of disputes related to the bouts.

Proposition 7 : Entries.

o.67 The Open World Championships are open to all FIE member federations.

Entries are limited to four fencers per weapon per nation for the individual events and one team per weapon per nation for the team events.

The number of qualified teams is limited to 16 teams, according to the FIE Official Ranking, plus 16 teams allocated between the different zones, according to Zonal Championship.

Executive Committee : REG/PP

<u>Proposition 8 : Technical delegate of the FIE.</u>

o.71 The Technical delegate of the FIE, who represents the FIE in accordance with the Olympic Rules for Regional Games, will be chosen by the President of the FIE, <u>after consultation of the Executive</u>

Committee, according to criteria of recognized technical abilities.

The expenses incurred by this representative (tourist-class air fare, hotel and board) will be paid by the Organising Committee.

Executive Committee : REG

Proposition 9

o.76 Competitors in the World Junior Championships, Individual and Team, must be less than 20 years of age on <u>15 April</u> of the year in which the World Championship is held.

Competitors in the World Cadet Championships must be less than 17 years of age on <u>15 April</u> of the year in which the World Cadet Championship is held

Proposition 10: entries to junior and senior A Category events.

o.86 <u>For junior and senior individual A Category competitions, for each weapon, federations may enter a maximum of 12 fencers. The organising country may enter a maximum of 18 fencers.</u>

Proposition 11 : rankings

o.90 Suppression of the World Cup ranking. The winner of the World Cup is the first ranked in the official ranking of the FIE.

o.91 a) Principle

The official Open ranking of the FIE takes into account the best six results ... and the Continental Championship.

- The official Junior ranking of the FIE takes into account the best six results with a limit of no more than <u>3</u> from any one continent, as well as the World Championships <u>and the Continental Championships if</u> organised.
- b) Scale of points. To be added:

The Zonal Championships are multiplied by a factor of 2.

Proposition 12: breast protectors/chest protection

m.25 To be added:

The use of breast protectors/chest protection at Foil is authorised for both Men and Women providing that they are worn directly on the skin for Men and over the T-Shirt for Women.

COMMENTS

Executive Committee : REG

Executive Committee : REG/PP:

Motivation: Simplification and standardisation of the entries by eliminating the complication due to additional quotas granted to federations. It also allows to have only pools of 7.

Executive Committee : REG/PP:

Motivation: consequence of the suppression of quotas and more understandable for the public and the medias.

Motivation: Increase the participation of athletes in Zonal Championships, by taking into account their results in the official FIE ranking and, in addition, a factor of multiplication identical to the one of the GP competitions.

Motivation: Taking into account the standardisation of the number of competitions included in the Junior Calendar with the Senior Calendar, it is necessary to adjust the number of competitions to be taken into account for the calculation of points.

Executive Committee: SEMI

Motivation: Urgent decision of the Executive Committee in order to avoid any misinterpretation of the texts of the Rules.

COMMENTS

Proposition 13: Presence on time.

t.86 To be deleted in application after the 2004 OG:

During a team match, should there be a modification in the order of bouts in the match, either intentionally or unintentionally, the team which has made the modification loses the match.

Proposition 14 : Fencing Etiquette.

t.87 To be deleted:

Immediately after the end of a pool, the fencers must sign the pool score sheet, under the responsibility of the Referee who must check the accuracy of the results on this score sheet. Before the score sheet is returned to the Directoire Technique, the Referee must indicate in writing if a fencer refuses to sign it. No subsequent appeal relating to the results will be allowed.

Immediate application.

To be added:

The Referee meets with both fencers, at the end of a bout, to announce clearly the score, which will be transmitted to the Directoire Technique.

He must clearly say : « Mister X won against Mister Y with the following score \dots »

<u>Proposition 15: article t.97 The Directoire Technique.</u>

t.97 To be deleted b) and d)

To be added:

c) It must also ensure the maintenance of order and discipline during the competition.

Proposition 16: article t.120 Offences and penalties.

To be deleted t.86.

Executive Committee : REG

Motivation: This is not logical to disqualify a team in case of an inversion of fencers because this is the duty of the referee to check that both fencers on the piste are really the one he called for the bout.

This is therefore the referee's responsibility to check that the fencers present on the piste are really the one who are supposed to meet.

Executive Committee : REG

Motivation: The signature is currently requested to the fencers in pools and direct elimination.

This represents a loss of time which does not give satisfaction as fencers sometimes sign without understanding the score.

Executive Committee : REG/JUR

Executive Committee: REG

COMMENTS

Proposition 17: articles t. 114. 118, 119, 120 black cards.

A fencer or a team receiving a black card is excluded from the event, suspended for the rest of the tournament and for the next FIE official tournament at the concerned weapon. They will also be sanctioned by the loss of 50 points in the FIE official ranking.

<u>Proposition 18</u>: At foil, make the hit to the unarmed arm valid and carry out tests in considering the armed arm as a valid surface:

This proposition is based on the fact that fencers have more and more incorrect on guard positions and leave the unarmed arm pending in front of the valid surfaces.

It seems therefore useful to make the hit to the unarmed arm valid in order to suppress the possibility to contravene to the spirit of our sport.

It would be also interesting to make a test in considering the hit to the armed arm valid and in this case, suppress the white light in case of non valid hit.

It would make our sport more comprehensible for the public and give back to foil the rules it used to have originally.

Executive Committee: REG/ARB

Motivation: the black card is inflicted in case of severe offences and must be dissuasive. The consequences of black card must me uniform.

Executive Committee: REG/ARB

PROPOSITIONS OF THE EXECUTIVE COMMITTEE MODIFICATIONS TO THE STATUTES

Proposition 1: article 1.1, i) new

j) to ensure that the principle of non-discrimination on grounds such as the race, the sex, the ethnical belonging, the religion, the political opinions, the family status or other, is respected.

Proposition 2: article 1.2.8 new

The FIE recognises the fundamental principles of the Olympic Charter, the applicability of the Code of Ethics of the International Olympic Committee and the competence of the Commission of Ethics of the International Olympic Committee.

Proposition 3: 2.1.2 Conditions of membership of Members of Honour

a) Nomination

Besides the member Federations the FIE may also include Members of Honour.

The title of Member of Honour may be granted by the Congress to any person who, through a long and loyal service to international fencing, has proved his or her constant commitment to the FIE. This is granted as a mark of appreciation towards this person and also in order to secure for the FIE, in all its activities, the enlightened advice of that person.

b) Procedure

Before each Congress, <u>the Executive Committee</u> may single out one or more persons with the intention of proposing their nomination as Member of Honour to the Congress, which ratifies these nominations.

COMMENTAIRES

Executive Committee : JUR

Motivation: Introduction of this missing notion, following the adoption by the FIE of the IOC Code of Ethics.

Executive Committee: JUR

Motivation: updating of the Statutes following the adoption by the FIE of the IOC Code of Ethics.

Executive Committee : JUR

COMMENTS

Proposition 4 : article 3.1 Meetings.

3.1.2 c) An extraordinary Congress may be convened if the Executive Committee so proposes, or at the request of <u>at least 50 % of member federations. The expenses incurred by the organisation of this Congress are supported by the one who have required its convocation.</u>

<u>Proposition 5: article 3.3 Composition and representation.</u>

3.3.1 The FIE member federations may be represented at a FIE Congress or General Assembly by <u>2 delegates</u>, whose names must be made known to the <u>FIE head office</u> before the Congress or General Assembly.

<u>Members of the Executive Committee and Commissions have the right to assist to the Congress.</u>

The authority to vote for a member Federation is limited to its President *or any other person designated by him in writing*.

Proposition 6: article 3.5 Decisions.

3.5.4 At the Congress the vote is secret on any point which concerns an individual person or a member federation <u>or at the request of 25% of the national federations present or represented.</u>

Proposition 7: article 3.6 Special Rules for the Elective Congress

3.6.2.1 Creation :

It creates a commission of verification for the candidatures, which comprises the members of the FIE Bureau, the President of the Legal Commission and the administrative and financial Director.

This commission is requested to check the candidatures and reject the one which do not comply with the Statutes and the Ethic recommended by the International Olympic Committee.

Executive Committee : JUR

Motivation: It is necessary that an extraordinary Congress be convoked by the majority of the Federations and not a minority, which would be unable to make the proposed modifications approved.

Executive Committee : JUR

Motivation: This is just a regularisation as we are already acting this way.

Executive Committee : JUR

Motivation: This is desirable that only the majority of members present be able to modify the voting system as voting is generally public.

Executive Committee : JUR

Motivation: This is embarrassing to have candidates who do not fully respect our Statutes or are not in line with the Olympic Ethic.

COMMENTS

Proposition 8 : article 4.5 Elections of the athletes commission

4.5.2 3rd paragraph

Each member federation can nominate <u>only one athlete</u> for the Athletes Commission.

- **4.5.3** Each member federation shall indicate to the FIE <u>the name of its</u> <u>candidate</u> two months before the first day of the Open World Championships in the year following the Olympic Games.
- 4.5.6 A list of candidates will be established, at any weapon, and each participant shall vote for 6 athletes maximum, whatever weapon the athletes are applying for.
- 4.5.7 to 4.5.10 and 4.5.16, to be deleted.
- 4.5.11 The voting athletes will personally go to the office of the FIE at the competition site to fill in their voting slip and deposit them in the box, after having verified their identity by presenting their license and having signed the attendance sheet.
- 4.5.12 <u>There will be one ballot box, during all the competitions of each of the six weapons.</u>
- **4.5.14** <u>The candidates</u> who have received the greatest number of votes will be elected, <u>without distinction of weapon</u>.

Motivation:

Executive Committee : JUR

- to avoid having candidates from the same federation in competition (as each federation can have only one candidate elected)
- simplify the voting procedure (with less documents and interveners)

COMMENTS

Proposition 9: article 5.2.2 Structure of the Executive Committee.

5.2.2 Two members of the Executive Committee, fulfilling the roles of Secretary General and Secretary-Treasurer, are chosen by the President of the FIE.

During its first session, the Executive Committee elects $\underline{\textit{three}}$ vice presidents $\underline{\textit{among its own members}}$.

The President, the Secretary General, the Secretary-Treasurer and the *three* vice presidents form the Central Office (Bureau).

Executive Committee : JUR

Motivation: The International Fencing Federation having now 115 member federations, it seems necessary to have 3 vice-presidents in order to have a representation of the different continents.

Proposition 10: article 5.6 Responsibilities of the President.

5.6.4 Replace the last sentence by :

The President has the power to carry out jointly with the Secretary-Treasurer, investments on this account, which will be duly reported to the Executive Committee.

Executive Committee : JUR

Motivation: The current economic conditions require quicker decisions than in the past.

Proposition 11: article 6.4 Meetings of Commissions.

6.4.4 During the Commissions meetings, no new matters **will be discussed** other than those that are on the agenda.

Executive Committee : JUR

Motivation: The propositions need a deep examination and the value of a proposition can not be seriously decided the day before the Congress.

Proposition 12: article 6.5 Functions of the permanent commissions.

6.5.1 b) This commission prepares the texts ...for the definitive approval <u>at</u> <u>the next</u> meeting of the Executive Committee.

Executive Committee : JUR

COMMENTS

Proposition 13: article 10.1 Official competitions of the FIE

10.1.1 The official competitions of the FIE include the Olympic Games, the Open, Junior, Cadet and Veteran World Championships, the individual and team Open World Cups (Category A candidates, Category A, Grand Prix, satellites) and the Junior World Cup, <u>the Continental Championships</u>, as well as the Masters, Super Masters and any other competitions designated by the Congress of the FIE.

Executive Committee : JUR

Motivation: To give to zonal championships the status of official FIE competition and incorporate them in the FIE ranking.

Proposition 14: article 10.2.1 Official competitions of the FIE

10.2.1 g) Furthermore, the Congress <u>will accept the candidatures</u> proposing to organise separate Junior and Cadet Championships.

Executive Committee : JUR

Motivation: Either transfer the Organisation of Cadet World Championships to zonal Confederations or separate them form the Junior World Championships.:

- 1) The FIE has neither a Cadet World Cup calendar, nor a Cadet World Cup ranking.
- 2) Decrease the costs for the organisers of World Championships and national federations.

Proposition 15: article 10.2.4 and 10.2.5, to be deleted as doubled

10.2.4 Participation in a World Championship

a) The World Championships are open to all national federations affiliated with the FIE.

10.2.5 Entries for World Championship

b) Eight days before the Championships begin, each member federation must advise the organisers of the number and names of competitors in each event; the organiser shall provide this information to the administrative office of the FIE. Changes of names by countries due to reasons beyond their control/injury can only be made up to 24 hours before each event (Rules 0.54).

Executive Committee : JUR

Motivation : These articles are also stipulated in Rules, articles o.52, 53, 67 and 75.

PROPOSITIONS OF THE EXECUTIVE COMMITTEE: DISCIPLINARY CODE

COMMENTS

CHAPITER VII – DISCIPLINARY CODE

<u>Ignorance of the law is no excuse: the infringement of existing rules, by ignorance, does not excuse anyone.</u>

Executive Committee: JUR

7.1 DISCIPLINARY CODE

7.1.1 Jurisdiction

The disciplinary authorities of the FIE have jurisdiction to rule on all offences against discipline or sportsmanship within the purview of the International Fencing Federation (FIE), except the specific dispositions with respect to discipline at the sites of the competitions to be found in Articles t.114 and seq. of the Rules for Competitions of the FIE. The Executive Committee will assure the respect and the execution of the decisions.

7.1.2 Disciplinary jurisdiction – persons subject

All individual or entities are subject to the disciplinary jurisdiction of the F.I.E. such as:

- the national member federations :
- the members elected or designated by the Congresses :
- the officials :
- the referees :
- the athletes:
- anyone with an authorisation from the FIE, in particular with regard to a competition or any other official event.

These persons will hereinafter be called « the defendant ».

The offences which are committed in the context of matters internal to a federation are subject to their rules and jurisdiction except if they are especially serious, if they have international consequences or if they affect individual defendants who originate from another federation.

In that case, the FIE Bureau may be used by the federations or persons concerned.

7.1.3 Disciplinary Code for competitions

The present rule takes priority over the rules figuring in the Rules for Competitions of the FIE and in particular at Article t94ss, "Disciplinary Code for Competitions".

7.1.4 The offences, the penalties and the proportional relations

The offences are subject to penalties, whether the offences have been deliberately or negligently committed.

The penalties which can be pronounced are the following:

1. Classification of the offences by type:

(The offences are classified in a growing order of severity)

1st group:

Black card; when a black card is awarded at an international competition organised under the aegis of the F.I.E., it shall be reported to the FIE Bureau within 10 days.

Unsportsmanlike conduct

Contravention to Fair-Play

Provocation or disorder

Discrimination

Any brutal or aggressive behaviour

Verbal, physical or sexual abuse

2nd group:

False declarations, evidences, documents, false declaration at the entries of competition or as candidate to an election.

Bad organisation of competitions or World Championships Attack on the moral (Code of Ethics). The case will first be submitted to the Ethic Commission of the IOC for advice. Violation of the Statutes or Rules Violation of the Publicity Code

3rd group:

Serious violation of the Statutes Embezzlement Misappropriation of funds

4th group:

Doping : the disciplinary procedure is ruled by the FIE antidoping code.

2. Penalties according to their severity:

Warning
Censure
Disqualification
Restitution of awards/prizes
Fine (amount see art. 7.1.4 f)
Suspension
Radiation/Expulsion
Accessory penalties

3. Minimal and maximal penalties according to the group:

1st group:

- possible penalties: warning, censure, disqualification, restitution of awards/prizes, fine and accessory penalties
- minimal penalty: warning
- maximal penalty: disqualification together with a restitution of awards/prizes, a fine and accessory penalties.

2nd group: COMMENTS

- possible penalties: warning, censure, disqualification, restitution of awards/prizes, fine, suspension and accessory penalties
- minimal penalty: warning together with a fine
- maximal penalty: suspension

3rd group:

- possible penalties: disqualification, restitution of awards/prizes, fine, suspension, radiation/expulsion, accessory penalties
- minimal penalty: disqualification together with restitution of awards/prizes
- maximal penalty: radiation for life

4th group:

the penalties are ruled by the FIE Anti-doping Code.

- a) warning : threat of a sanction subsequent to an offence
- b) censure : <u>written judgement of disapproval sent to the author of</u> an offence
- c) disqualification: elimination of all classification in the tournament concerned by the offence and the loss of all awards
- d) the suspension, deprives the defendant of all participation in the activities, sporting or other, organised under the aegis of the FIE, of the zonal confederations or the member federations, as well as their various affiliated authorities and entities.

The judicial body which gives the penalty, also decides on the duration of the suspension.

In case of suspension of a non-individual (federation, club, association, etc.) all of the licensees who are members or who are attached in one means or another to such organisation, are equally suspended, except when the authorisation of the FIE Disciplinary Commission, permits

them, according to conditions which will be defined, to exercise their individual activities.

The suspension will include the withdrawal of the license for the duration of the suspension. In case of the violation of the suspension, the duration of it will be automatically doubled, without prejudice to other penalties which may be taken by the Disciplinary Commission.

The F.I.E. Bureau will assure that the suspension be brought to the attention of all the member federations at the time it takes effect.

e) radiation: this penalty includes the permanent suspension of the defendant from all activity which is in the fencing domain.

f) fines. This penalty can be pronounced against all defendants, its level cannot be less than 125 CHF nor more than 12 500 CHF for individuals, the thresholds being CHF 225 minimum and CHF 22'500 maximum for entities.

The level of the fine can be more than CHF 12'500 in the case where multiple sentences of a fine are pronounced simultaneously, in which case they are cumulative.

The member federations are jointly answerable for the fines inflicted to the athletes and officials.

- g) accessories penalties : accessory penalties can be pronounced in addition to the principal penalty. This can be:
- prohibition of presenting oneself in certain places for a defined term;
- ineligibility in national and international authorities; or
- loss of a title or award.

7.1.5 Suspended sentence

All penalties other than a warning or a reprimand can be totally or partially suspended *for a determined period*.

The suspended penalty will not be carried out if, within <u>the determined</u> <u>period</u> following its pronouncements, no other offence of a similar or greater level of seriousness is committed by the defendant. In the case where a similar or more serious offence is committed within the two-year period, the suspension will be automatically revoked, unless the <u>judicial body</u> specifically rules otherwise, and the sentence incurred will be added to the sentence pronounced for the repetition of an offence

7.1.6 Repetition of an offence

The defendant is considered to have repeated an offence when he has definitively been penalised for an offence and he commits a new offence of the same or greater severity within the determined period following the definitive decision penalising him.

7.1.7 Multiple offences

In the case of several penalties being awarded corresponding to several offences, other than in the case of repetition, the disciplinary panel will decide whether only the most severe of the penalties is imposed or if all of the penalties are to be imposed.

7.1.8 Complicity

Complicity, by help or assistance, instigation or the furnishing of means by a person aware that his support is of use to the offence, is punished in the same manner as is the offence itself.

7.1.9 Attempt

An attempted offence, which is only interrupted by an intervention or by circumstances not within the control of the defendant, is punished in the same manner as is the offence itself.

7.1.10 Proof

Proof of the guilt or innocence of any defendant can be presented by any means. The statements of the Directoire Technique of a competition, properly constituted, or of the F.I.E. observers are deemed true unless proven otherwise.

7.1.11 The aggravating circumstances

The facts aggravating the measure of the penalty are:

a/ having committed the fact by abuse of power or violation of duties deriving or consequent to the exercise of functions of the person guilty.b/ having committed the offence during the execution of a precedent disciplinary penalty

c/ having taken advantages of special circumstances extra-sporting

- d/ having infringed on someone's right or damaged properties
- e/ having encouraged other persons to violate the norms and federal dispositions of all kind, it means having caused prejudice to the organisation

f/ having acted for futile reasons

- g/ having, during the case, tried to contaminate the proofs
- h/ having committed the fact via newspapers or any other means of communication, by making declarations which have hurt the image and authority of the FIE or any other member

i/ having seriously damaged the patrimony

- j/ having with this offence caused or helped to bring violent public disorder
- k/ having aggravated or tried to aggravate the illicit committed consequences
- I/ having committed an illicit act to make or hide another one, or to obtain or look for an advantage for oneself or someone else.

7.1.12 The extenuating circumstances

The following circumstances extenuate the disciplinary penalty:

a/ having acted upon a provocation

b/ having spontaneously tried to annul or extenuate the prejudicial or dangerous consequences of its own action or the one of someone else. c/ having renounced to it.

7.1.14 Evaluation of circumstances

Circumstances which can extenuate or exclude the penalties are evaluated by the judicial body towards the responsible even if they are unknown or judged without evidence.

The circumstances aggravating or attenuating the penalty are evaluated by the judicial body, only if they are known, or for guilty ignorance, or judged inexistent.

In case of intervention of third parties for the offence, the circumstances aggravating or extenuating the penalty, the intensity of the fraud, the degree of the offence and the circumstances inherent to the guilty person are only evaluated for the relevant subject.

7.1.15 Combination of aggravating and extenuating circumstances

The judicial body, which also evaluates the existence of aggravating and extenuating circumstances of an offence, must establish a judgement of equivalence or advantage between those one.

In case the aggravating circumstances are prevailing, it must be taken into account, and on the contrary, only the extenuating circumstances are taken into account.

7.1.16 Non- respect of penalties

In case of non-respect of penalties, they can be doubled or increased.

7.1.16 Amnesties, remittances of penalties and reprieve

The FIE Executive Committee has the right to give amnesties or remittances of penalties: the amnesties in case of disciplinary violations for which measures are still pending, the remittance of penalties in case of penalties not fully expiated.

The amnesty can be total, for all the penalties given by any judicial bodies for facts committed until the day preceding the deliberation of the FIE Executive Committee; or partial, which means limited to some penalties or some period.

It rids of the disciplinary penalties and stops the execution of the related measures. The FIE Executive Committee must indicate the date of the beginning of this amnesty. For offence covered by the amnesty and being under current procedure, the judicial body pronounces an order of discharged.

The remittance of penalty is a measure of general clemency; it fully or partially forgives the inflicted penalty or decreases it or changes it in a less severe than the one initially inflicted. Its efficiency is limited to the offences committed until the day preceding the date of deliberation of the FIE Executive Committee. In case of various penalties, the remittance of penalty is applied to offences for which it is conceded. It is subject to conditions and obligations and is not applicable in case of repetition of offence.

The FIE President, upon request of the person charged, has the right to grant the **reprieve**, only if this person has expiated at least half of the penalty and, in case of radiation, at least 5 years have past since the adoption of the definitive penalty. The reprieve determines only the immediate interruption of the penalty.

7.1.17 Execution of the decisions

The decisions are immediately binding if not subject to appeal. For other cases, they are binding starting from the date of expiration of appeal.

7.1.18 Exclusion of responsibility

The members of the FIE disciplinary authority, as well as the FIE staff members, do not incur any responsibility for the acts or omissions related to a disciplinary procedure, except if a case of falsification or false declaration with the concerned procedure has been proven.

7.2 DISCIPLINARY PROCEDURE

The judicial and disciplinary bodies are the following:

- <u>1st judicial body (disciplinary panel)</u> : a FIE Prosecutor, an Investigator, a Judge, a Reporter.

The Prosecutor is designated by the FIE Bureau among the members of the Legal Commission; the Investigator, the Judge and the Reporter are designated by the FIE Bureau among the members of the Disciplinary Commission.

The procedure holds in accordance with the articles stated in the current code.

It is incumbent upon the FIE Bureau to designate these four members so that they are neutral to the controversy and in particular it can not designate members of the same nationality as the organiser of the competition where the act occurred, the complainant and the defendant.

It can not designate any members who took part in the organisation of the competition or event concerned, or who had been a witness or a participant in the incriminating facts.

The disciplinary panel must be able to communicate in the official language of the FIE and the two working languages.

- 2nd judicial body: The FIE Bureau

Appeal to the decision taken by the disciplinary panel of the 1st judicial body.

In case of emergency, the FIE Bureau can take, within the framework of its power to judge, administrative measures suspending the license of the defendant.

- $\mathbf{3}^{\text{rd}}$ judicial body (revision of the decision) : The FIE Executive Committee

For some specific cases, a revision must be considered:

- the fraud of one of the parties
- the decision was based on an error
- a new proof modifies the situation

- 4th judicial body: the CAS

7.2.1 The complaint

a) Author of the complaint

Any person, individual or entity, whether or not they are a licensee of the FIE, can present a complaint <u>starting from the moment</u> they learn of an offence.

Additionally, the members of the Executive Committee (*individually* or *jointly*), the FIE observers, at international competitions, the Directoire Technique, or the Presidents of the national federations can state the existence of an offence susceptible of being pursued.

b) Form of the complaint

a/ an official act of a body of the FIE or FIE Bureau
b/ a report of an official of a competition
c/ a denunciation of a member belonging to federations
d/ any other information, whatever the source is, as long as it is identified.

The official acts of a body, structure or FIE Bureau and the reports of the officials of the competition are deemed true, of the exactitude of their content, until the in exactitude of the contested facts are proven.

For information, the complaint can include the following details, if known:

- the full name of the individual or <u>entity</u>, the <u>nationality</u>, the address and the title of the complainant(s);
- the full name of the individual or <u>entity and nationality</u> of the person being prosecuted or the indication that it is unknown or undetermined.;
- a summary of the $\underline{\textit{facts with}}$ 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 <u>up to the</u> day of the hearing.

The complaint must be sent to the FIE Bureau, at the address of the FIE head office, within 30 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.

c) All complaints must be accompanied by the payment of a deposit in the sum of EUR 2'000, payable to the FIE by the complainant and the defendant. In case of condemnation of one of the parties, the latter loses the deposit and is also ordered to pay costs.

7.2.2 The Prosecutor, the Investigator, the Judge and the Reporter

The Prosecutor receives the complaints and protests related to disciplinary violations. He represents the FIE at the hearings.

The Investigator has all the power to investigate the cases in accordance with the following norms and also introduces, on his own, the disciplinary action in deferring it to the Judge.

He summons the defendant of the complaint and gives a copy of all the items in the file, the rights of the defence, the date of the hearing and the decision of the Judge.

He files the acts in case of clear lack of evidence of the complaint. He 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 investigator has the power to penalise the persons withholding material with a fine of CHF 500 to CHF 5,000 after having summoned them to receive an explanation.

The Judge takes the decision based on the file after the hearing described in the articles below.

The Reporter takes care of secretarial tasks at the hearing, records the various declarations, takes the transcripts of the hearing, announces to the complainant and defendant the decision and penalty taken by the Judge.

7.2.3 – 1st judicial body (the disciplinary panel)

The Bureau of the F.I.E. shall send to the Prosecutor within 30 days the complaint, which was sent to him. In the 30 days which follow the transmission of the complaint, the Prosecutor shall send a copy of the complaint to the person(s) involved in it.

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

If the case arises, the Prosecutor can, on its own motion, decides that there is no grounds to prosecute the complaint which has been submitted to him.

That decision can be appealed according to the rules of Article 7.2.1. The Judge must, in all circumstances, respects and ensures respect of the rights of the defence.

7.2.4 Procedure

The Investigator 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 <u>by registered mail to the defendant(s)</u> at least 20 days before the hearing date fixed by <u>the Investigator</u>. It will indicate that the defendant(s) will be able to be assisted or represented by the person of their choice.

This summons will be accompanied by a 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 Investigator**.

No later than eight days before the hearing, the defendant must communicate to <u>the Investigator</u> 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.

In principle, the Judge gives a verdict on the complaint within 4 months following its submission.

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

He will invite **the Investigator** 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

<u>The Judge</u> can hear all persons or ask for all documents useful to discovering the truth.

In general, <u>the Judge</u> 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 <u>investigation, to</u> penalise the behaviour of the parties.

At the end of the discussion, <u>the Judge</u> 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 Judge**.

In case of difficulty, <u>the Judge</u> can ask <u>the FIE Bureau</u> 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.

7.2.5 Notification of the decision

The decision with justification as well as the penalty are forwarded <u>to</u> <u>the FIE Bureau and the Prosecutor</u>. The Investigator will notify the defendant, the complainant and their federations of the sentence. This notification is made by certified mail, with acknowledgement of receipt requested.

7.2.6 Place and attendance at the hearing

a) Place

The hearings of the disciplinary panel will be held at the administrative office of the F.I.E. or in another place *chosen for* reasons of convenience.

b) Attendance at the hearing

1. The Complainant

The complainant is not obliged to appear personally. He can express himself to the Judge by any means of communication as well as by sending a memorandum of explanation and supporting documents.

2. The Defendant

The presence of the defendant at the hearings is not obligatory. He can be represented by a defender specifically empowered by a written power of attorney or he can attend telephonically by calling at the date and hour indicated in the summons to the place designated <u>by the Judge</u>. The defendant will be responsible for the cost of his transportation and stay as well as those of his defender and any witnesses he may call. In the case of a frivolous complaint, <u>the Judge</u> may charge the complainant for all or part of the expenses of the defendant.

3. The Witnesses

The witnesses are only obliged to appear on the special request of *the Judge* in which case their travelling expenses will be paid by the F.I.E. If the defendant wishes the physical presence of a witness, he is responsible for asking him to attend and for paying his expenses.

Written testimony is permitted. It must be written, dated and signed in the handwriting of the witness. His signature must be certified according to the applicable laws of the country where he resides.

Telephonic testimony is permitted. Before his examination, $\underline{\textit{the}}$ $\underline{\textit{Judge}}$ will verify his identity by any suitable means.

7.2.7 The Appeal

Any decision taken by the 1st judicial body (disciplinary panel) may be submitted exclusively by way of appeal to the FIE Bureau (2nd judicial body). The time limit for appeal is twenty-one days after the reception of the decision concerning the appeal.

Any revision of the decision taken by the 2nd judicial body (FIE Bureau) may be submitted exclusively by way of appeal to the Executive Committee (3rd judicial body). The time limit for this appeal of revision is twenty-one days after the reception of the decision concerning the appeal.

Any decision taken by the 3rd judicial body (Executive Committee) may be submitted exclusively by way of appeal to the Court of Arbitration for Sport in Lausanne, Switzerland (CAS), which will resolve the dispute definitively in accordance with the Code of Sports-related Arbitration. The time limit for appeal is twenty-one days after the reception of the decision concerning the appeal.

7.2.8 Form of proceedings

For the 1st judgement, the transcripts of the hearings are taken by the Reporter and signed by the Judge.

For the 2nd and 3rd judgements, they are established by a person designated by the concerned judicial body and sign by this body.

7.2.9 Rights of the defence

Any irregularities of the procedure of the disciplinary panel may annul its decision in the following cases only:

- refusal of the right to be assisted or represented
- refusal of the right to be heard before the taking of decision
- refusal of consultation of the case
- non reception of a decision with justification

COMMENTS

7.2.10 Pronouncements of penalties

All the sentences pronounced by **the judicial bodies** or by the CAS shall be brought to the attention **of national federations**.

7.2.11 2nd and 3rd judicial bodies of the FIE (The FIE Bureau and Executive Committee)

The administrative and financial director shall summon the defendant and the complainant(s) before the FIE Bureau or Executive Committee by certified mail, with acknowledgement of receipt requested, one week before the meeting, specifying that the defendant can be aided or represented by a person of his choosing.

At the time of the meeting, the Bureau or Executive Committee shall assure itself that the summons has been properly presented to the defendant.

The disciplinary authority designates a person to chair the hearing and another person to officiate as Reporter.

The hearing takes place in accordance with the article 7.2.4.

The FIE Bureau or Executive Committee reaches its decision by a majority vote.

At the end of the hearing, the administrative and financial director notifies the decision of the FIE Bureau or Executive Committee to the defendant and complainant by certified mail, with acknowledgement of receipt requested.

Their decision is binding and subject to appeal pursuant to Article 7.2.7.

COMMENTS

PROPOSITION OF THE FENCING FEDERATION OF THE CZECH REPUBLIC

We propose a change in the voting statutes, particularly a further condition for the possibility of voting, whether directly or by proxy. This condition for voting would be that at least one fencer of a given federation participate in the World Championship in any category in the given year in order for that federation to be eligible to vote.

Executive Committee : unfavourable/JUR

PROPOSITIONS OF THE SPANISH FEDERATION

Prop. 1. SYSTEMS OF COMPETITION ADAPTED TO FOUR PISTES

REMINDER:

The new adaptation of A Category and Grand Prix competitions on four pistes raises numerous problems which will be described below as well as the possible solutions.

It seems to us that the competition on four pistes increases the interest of the public and the media and is also favourable to the fencers who know in advance the serie in which they will participate, as well as the exact time of their participation. It is established that this measure is without doubt beneficial for all.

During the Men's Epee competition held in Stockholm, as well as in other competitions in Spain organised with this system, we have faced a big problem. In case of a high number of participants in the competition, it is necessary to organise three or four series for the first round. The fencers who have finished their pool in the preliminary phase (about 10h00 in the morning) must wait until the end of the remaining pools of the preliminary phase (around 19h00) to find out whether they are directly qualified for the final table of 64 of the following day or not, or whether they have to participate in the preliminary table in order to be qualified or have been directly eliminated.

Fencers who must participate in the preliminary table, must start over the competition after a waiting time of seven or eight hours.

Executive Committee: unfavourable/ REG/PP

Our proposition is to change each of these four pools of the 1st round in independent quarters of direct elimination table, in such a way that at the end of this round of pools of four, we already know exactly in this group who is directly qualified for the final table (in taking the places between 17 and 32), who is eliminated from the competition and who must fence bouts to complete the final table of 64 in order to take the places between 32 and 64.

This ranking system will be direct in such a way that bouts of direct elimination of the preliminary table will immediately take place after the end of its serie of pools. So, everyone will know the fencers directly qualified, the fencers qualified by the preliminary table and the fencers directly eliminated.

This is immensely beneficial for the fencers as once their round is over, they know whether they are qualified or not for the direct final elimination table of the following day.

The system to be used to reach this objective is very simple:

- A. We maintain 16 exempted as in the current formula.
- B. Taking into account the final number of entries of fencers, we complete the total number of participants with fencers from the organising country. On one side, it is guaranteed that pools have the same number of fencers and on the other side, with this addition from the organising country, the total number of participants can be determined in order that the total number of pools to be constituted for the 1st phase, be a multiple of 4, 8 12, or 16.
- C. Once the total number of pools is known, we know for each group of 4, the number of qualified fencers, the ones who make up the table of 64 and the ones who are eliminated, by just applying an arithmetical formula.

We think that this formula allows a development of the competition on four pistes and at the same time respects the schedule and is comfortable for the sportsmen.

Regardless of this formula of four, we think that the best configuration, in also using the formula presented above, would be a development on eight pistes with the drawings.

COMMENTS

It would enable the organisation of the first rounds on eight pistes, even at weapons of longer length, and also the first direct elimination bout of 64, to carry on with the table of 32 on the four coloured pistes.

Concerning the colours of the pistes, we think, according to the experience gained during World Cups and World Championships, that the red, blue and green colours for the pistes are really appropriate but not the yellow one, due to its lightness it gets very quickly dirty and produces a very bad effect on the spectators, media and fencers.

Our proposition is to substitute yellow with another colour available on the market of industrial carpets, which could be orange, in order to avoid the problems presented above.

PROPOSITION

Organisation of the 1st round of pools and also first direct elimination bout on eight pistes.

During Grand Prix competitions that we wish to organise on four pistes, adaptation of the Rules for competitions in order to qualify and eliminate fencers once each elimination rounds of pools is over.

Change the yellow colour with the orange colour of carpets of four pistes for the final table.

Proposition 2. REFEREEING SYSTEM

REMINDER:

In our opinion, one of the big problems of world fencing is the transparency of the refereeing in order to give to the public and the IOC a guarantee of a fair refereeing. This problem could compromise our presence at future Olympic Games.

We are aware of the current concern of the International Fencing Federation in respect of refereeing and think that the possibility to complete the decision of the Referee with the help

Executive Committee : unfavourable/ ARB

of the video, although it represents a possible alternative, is not the most appropriate.

In our opinion, the subsequent observation of a referee's decision with the video, presents the following problems:

- 1.- The organisation of the competition becomes more expensive for the organisers.
- 2.- Slowing down of the competition for the spectators and above all for the media, due to the decision, which would lead to a new observation of the judged action and possible consequences.
- 3.- The observation of a fencing action through the video changes the nature of the action itself, as it is not in real time and the decision will, therefore, always be very complicated.

All these elements convince us to propose an alternative proposition, which guarantees a better refereeing without resorting to new technologies.

Our proposition is to have, once the competition has started on the four pistes, (either from the 1st round, or the final table of 64, as well as the final) the presence of a group of three referees officiating in the following manner:

- 1. The Directoire Technique would designate the three referees coming from different countries before the beginning of, either the pools, or each direct elimination match.
- 2. The designated referees would take the number of referee 1, referee 2 and referee 3.
- 3. The referee 1 will lead the bout and the referees 2 and 3 will immediately ratify the decision.
- 4. The referees 2 and 3 will be posted on each side of the piste, in such a way that none of them can see the decision taken by the other referee.
- 5. The method to be used could be a green light to agree with the decision and a red light to disapprove it. This electronic system could be changed, as in other sports (taekwondo, judo, etc.), with a red and green flag or card.
- 6. Once the decision has been taken by the main referee, the two additional referees ratify or not the decision according to the following criteria: judgement of the main referee, hit on the right, ratification by the two additional referees with two green flags, hit given to the right.

Judgement of the main referee, hit on the right, one of the secondary referee lifts a red flag, and the other one lifts a green flag, it means a ratification of the decision 2 to 1, the hit on the right is given. Judgement of the main referee, hit on the right, the 2 secondary referees lift the red flag, the decision of the main referee is not ratified, the hit is not given, we replace on guard and carry on.

 In case of a double non-ratification of the decision taken by the main referee, during a bout or direct elimination match, the referee 2 replaces immediately the main referee and the latter takes the position of the additional referee.

We think that this system guarantees a much more efficient refereeing for the following reasons :

- 1. Any decision, which is according to the two other referees erroneous, would not bring total prejudice to fencers on the piste.
- 2. A bad judgement of the referee, based on whatever ground, would be immediately corrected with the annulment of the given hit.
- 3. A repeated bad decision would immediately lead to the changing of the main referee, which guarantees a positive evolution of the refereeing during the bout.
- 4. The decisions would always be taken by expert referees, in direct and in real time.
- 5. Once the system is automated, it would be quick, efficient, easily understandable and would be a big guarantee for the fencers.

PROPOSITION:

Refereeing based on a system of three referees, a main and two additional ones who ensure a better and more efficient refereeing. A quick refereeing system, which is understandable by the public and the medias.

Proposition 3. WORLD CUPS AND GRAND PRIX

REMINDER:

We think that the system approved by the last Congress in order to rationalise World Cup tournaments and Grand Prix events has been very efficient to improve the sporting activity during this season.

COMMENTS

Executive Committee: unfavourable/PP

We consider that the current system presents a big inconvenient, which would not be difficult to take away. The reduction of the number of World Cup tournaments has led, in almost each weapons, to the loss of very famous tournaments of the past years and others considered as historical in our sport.

Our proposition is to maintain the same criteria for Grand Prix events, but to also allow the organisation of A Category World Cup tournaments without restriction of number, which would permit again the organisation of tournaments considered as historical and at the same time favour the development of fencing on all the continents.

Our proposition is to limit the participation of a same fencer in a determined number of tournaments, which could be between 8 and 10. This system is easily adaptable to the International Fencing Federation ranking software, in awarding a point to each fencer participating in tournaments, by the simple fact of participating in it. The programme would be adapted in such a way that fencers having already participated in 8 or 10 tournaments, could not enter to additional ones.

PROPOSITION

Carry on with five Grand Prix events and leave open the organisation of A Category tournaments.

Limit the participation of a fencer to a maximum of 8 or 10 tournaments of the FIE circuit of competitions per season.

PROPOSITIONS OF THE GERMAN FENCING FEDERATION

Proposition 1: Art. 5.5.2.

Modification:

New edition:

« In an emergency the Executive Committee can take decisions that are immediately binding, which must first be approved by the competent commission(s). In no case, such decision can modify or be contrary to a decision adopted by the Congress or General Assembly and is submitted to the next General Assembly or Congress for confirmation. This procedure is not applicable to a modification of Statutes »

COMMENTS

Executive Committee : unfavourable/JUR

Motivation: Respect of the article 3.2.3. of the Statutes.

Proposition 2: Art. 2.2.1.b) 2.paragraph

COMMENTS

Modification:

All proposals submitted by the FIE member federations must be presented to the Congress. Competent commissions and the COMEX will take position on the proposals (cf. art 3.2.3 of the Statutes).

Motivation:

A selection of proposals by the COMEX or Commissions might limit the right of the FIE member federations.

Executive Committee : unfavourable/JUR

Executive Committee : unfavourable/JUR

Proposition 3: Art. 3.3.3. b)

Suppress the article (PROXIES)

Motivation:

In the majority of legal texts (of association, federation or state) at elections and rules or statutory decisions, the right to vote can only be validated by a mandated representative.

In no case, the propositions can be modified during the discussions in the course of the Congress without having first obtained a favourable advice from the concerned commissions.

Proposition 4: Art. 4.4.2.

Modification:

<u>All</u> the candidates to the elections for the commissions must have the knowledge and necessary experience for the position they are applying for.

Motivation:

A deep knowledge is essential to the good running of a commission.

Executive Committee : unfavourable/JUR

PROPOSITIONS OF MAX GEUTER (MH)

Proposition A. Statutes 4.2.1 – 4.3.1 – 4.4.2

The text in these paragraphs is not very clear.

A candidate to one of the 3 positions as above must hold a licence from his member federation. Does it mean a licence from e.g. GER, ITA or MON or does it mean a FIE licence?

Executive Committee : divided opinion/JUR

If it just means a national licence, I propose that every candidate must hold a valid FIE licence.

COMMENTS

Proposition B. Statutes 4.3.3 – 4.4.3

The Congress should vote that for every position for the Executive Committee and the different Commissions every present federation must vote for the requested number of seats (11 votes for the COMEX and 10 votes for the commission members).

Experience from past Congresses show that our current system is not satisfying and gives the possibility to manipulate. The IOC e.g. demanded in Athens from all athletes to vote for 4 candidates, not more and not less, any other voting sheet is not valid. Also other federations handle this more democratic procedure.

Executive Committee : unfavourable/JUR

PROPOSITIONS OF THE HUNGARIAN FENCING FEDERATION

STATUTES:

Proposition Nr. 1

3.3.3 – Proxies and mandates

The Hungarian Fencing Federation proposes to completely delete this article of the Statutes and to modify the article 3.3.1. last paragraph:

"The right to vote for a member federation is limited to the President present at the Congress and to the list of persons designated by him in writing who are present at the Congress."

Motivation:

- a.) At the Congress, in the course of the discussions, new points of view can be presented, which will not be known by the ones who gave proxies as they are not present.
- b.) A higher number of proxies can lead to a manipulation of the decisions or the vote.

Executive Committee : unfavourable/JUR

COMMENTS

Proposition Nr. 2

4.3.3. and 4.4.3

The Hungarian Fencing Federation, after its experience at the 2004 Elective Congress, proposes once again to modify the articles stated above.

" All the voters must use all their votes, 11 for the members of the Executive Committee and 10 for the permanent commissions. If not, the voting slips which will not have respectively 11 and 10 names of candidates, will not be valid."

Motivation:

During the 2004 Elective Congress many persons have voted for one person only or a reduced number of persons. We can suppose that there was some manipulation and a large number of candidates have lost their chances. The system was not democratic.

Proposition Nr. 3

The Hungarian Fencing Federation proposes that taking into account the criteria described in the Statutes, only member federations, which

- have at least 5 athletes with a FIE license and
- participate in at least 5 World Cups during the season

could have the right to vote at the FIE Congress:

Motivation:

There are over 100 federations affiliated to the FIE but some of them are "ghost" federations, which do not participate in the FIE activities but, however, have the right to vote.

Executive Committee : unfavourable/JUR

Executive Committee : unfavourable/JUR

Proposition Nr. 4

The Hungarian Fencing Federation proposes to cancel the national quotas starting from the 2005/2006 season in order to allow fencers ranked from 1 to 128 to participate in World Cups.

COMMENTS

Executive Committee: in favour of the 1st part, unfavourable to the 2nd part/ REG

Proposition Nr. 5

The Hungarian Fencing Federation proposes to modify the formula of Team Competitions for the World Cups, World Championships and Olympic Games.

The proposed formula:

3 + 1 fencers – 45 hits – everyone fences against everyone
3 periods: the first: 1 to 15 hits 1 point
the second: 16 to 30 hits 1 point
the third: 31 to 45 hits 1 point

It is necessary to win 2 periods of the event = 2 points

Executive Committee : unfavourable/REG

Proposition Nr. 6

The best referees must be designated for the World Championships and Olympic Games, upon proposition of the Refereeing Commission. A maximum of 2 referees per nation.

Executive Committee : unfavourable/ARB

Proposition Nr. 7

Re-establish <u>AT SABRE</u> the blocking times at 300-350 milliseconds (instead of the current 120 milliseconds).

Motivation: The introduction of the current Rule at 120 milliseconds is unfavourable to a fencer, who **executes a parade-riposte** because his opponent who attacks, after the parade, in leaving his blade on the valid surface (by a « remise ») always precedes such a riposte executed so quickly. The new Rule reduces the moderated actions of this weapon.

Executive Committee : unfavourable/REG

COMMENTS

Proposition Nr. 8

a) This is necessary to keep the individual and team weapons of the Games of Athens.

- b) The individual qualification must be based on the Official FIE ranking from 1 to 16.
- c) The possibility to have a reserve for the Olympic Games.

Executive Committee : unfavourable/REG SPE

PROPOSITIONS OF THE ITALIAN FENCING FEDERATION

Proposition 1: Article 3.5.4

To add **«or if it is requested by fifteen national member Federations»**.

Proposition 2: Article 4.1.4

To add **«each candidate can apply for one position only»**.

Proposition 3 : Article 4.3.1

To add **«and having been President or leader for four years within his Federation or his zonal confederation»**.

Proposition 4 : Article 4.4.2

Replace «desirable» by **«necessary»** and insert, for the Refereeing Commission, **«Refereeing Commission – having been International Referee for at least four years »**.

Proposition 5 : Article 11.5

To add «To be nominated as Member of Honour it is requested to have been Member of the Executive Committee or a Commission for, at least, ten years».

Executive Committee: in favour but change "15" into "25%".

Executive Committee : unfavourable/JUR

Executive Committee : unfavourable/JUR

<u>Executive Committee</u>: in favour of the 1st part, unfavourable to the 2nd part /JUR

Executive Committee : unfavourable/JUR

COMMENTS

PROPOSITIONS OF PETER JACOBS (MH)

1) To bring the Statutes up to date in regards to the current usage of FIE licences. – modifications:-

Statutes 9.1.5

- 9.1.5 Application and Issue
 - a) Every licence is supplied by the F.I.E. administrative office; it is issued to those entitled who qualify through their member national federation that is to say, the member federation of the country whose nationality they possess.
 - b) For those countries which do not yet have a national federation which is a member of the F.I.E. applications are made through the Olympic Committee of the country.
 - c) When a fencer lives in a country other than his own, he must apply for his licence to the member federation of the country in which he lives. It is strictly forbidden for a fencer to possess more than one international licence. A second licence applied for from another member federation may only be granted after the cancellation of the first licence.

Executive Committee: in favour of all the propositions / JUR

<u>COMMENTS</u>

- d)_When a fencer is only-visiting another country or even if he lives in a country other than his own, he must apply for his licence to the member federation of his own country that is to say, to the member federation of the country whose nationality he possesses (or to the country where he resides, if he resides in a different country from the country of his nationality).
- e) The F.I.E. administrative office with the agreement of the FIE Central Office may of its own initiative grant an international licence to a fencer who lives in has nationality of a country where there is neither a national federation which is a member of the F.I.E. nor an Olympic Committee affiliated to the I.O.C., and to fencers who are legally stateless. However, if there is a national federation which is a member of the F.I.E. in the country of the fencer's nationality, then the Central Office of the F.I.E. must consult with this member federation before granting the licence.

9.1.6 Procedure for Issue.

The procedure for delivery and control of licences are the responsibility of the Executive Committee and subject to the Administrative Rules.

9.1.7 Refusal to Grant a Licence by a member federation.

Should a member federation refuse to issue an international licence, it should inform the F.I.E. Central Office in order to prevent a fencer living in a foreign country from applying again through a different channel. Should a fencer appeal against the decision of the member federation of his country refusing to grant him an international licence,

Should a member federation refuse to apply for an international licence for a fencer, that fencer may appeal to the FIE. The appeal must be sent by the fencer to the F.I.E. Central Office for investigation and decision. When the matter is urgent the Executive Committee makes the decision provisionally, until a decision is reached by the Congress.

9.2 FENCERS' NATIONALITY

9.2.1 When a question of nationality is raised in the application of the Statutes and Rules (fencers, granting licences, etc.), a fencer residing in a country other than his own must be considered as belonging to both countries.

2) To bring the Statutes (Disciplinary Code) up to date re doping offences.

Statutes 7.1.7. Delete from the list the words 'Taking of drugs (banned substances)'.

Add to the end of article 7.1.7 the words:-

<u>Violations of the Antidoping Rules of the FIE are not submitted to the assessment of the Disciplinary Commission of the F.I.E. They are treated in accordance with the FIE Anti-doping Rules.</u>

3) To clarify what happens if an FIE President steps down etc, now that we don't have a Congress every year (at which to elect a successor).

Statutes 5.3.3: "In the event of death or resignation of the President, the Secretary General performs the President's duties provisionally, until the next Congress".

COMMENTS

COMMENTS

Add to this text ", which will elect a new President. However, if a Congress, ordinary or elective, is not scheduled for between three and fifteen months after the death or resignation of the President, an Extraordinary Elective Congress will be called by the Executive Committee to elect a new President. This Congress will be held at least three months after it is called. Also see 4.1.4.

4) To ensure members of honour are kept fully informed and don't have to rely on their national federations.

Article 5.7.1: Add in brackets after the words "Members of the F.I.E." the following words:-

(federations and members of honour)

5) To eliminate certain problems before a congress or general assembly relating to last minute payments of outstanding debts.

Statutes 3.3.2, modified text:-

When a member federation has not fulfilled its financial obligations towards the FIE one month before the opening day of the Congress or General Assembly, such Member Federation will be prohibited from being represented voting at the said Congress or General Assembly and from voting, unless exception has been made for a valid reason and accepted by the Executive Committee.

PROPOSITIONS OF THE POLISH FENCING FEDERATION

Proposition 1 : Change in match of Team World Cups

- a competition are playing in groups in phase of elimintion
- 8 first teams in World Championships ranking are exempted from first round of elimination.
- I round every continent carry out an elimination, from which are qualified to next match in every weapon: 12 teams from Europe, from America and Asia 5 teams each, 2 teams from Africa,

Executive Committee : in favour, but for General Assembly only / JUR

Executive Committee : unfavourable/REG

- II round 8 teams are exempted and 24 teams from elimination create 8 groups, 4 teams each. From every group go on further 2 teams each.
- III round 16 qualified teams create 4 groups, 4 teams each. From every group are qualified 2 teams each.
- IV round FINAL GALA 8 teams fight in system of direct elimination. After acceptation of the playing system, it is necessary to work out a particular rule.

Arguments:

- Reduction of the costs. Instead of 6 World Cups there will be 4 rounds.
- 2. Regular teams order one defeat not eliminate from coming in to final.
- 3. Now the same teams fight each of them in the World Cup successively and the ranking not change.
- There will be appointed a winner of the World Cup and a champion of World.
- 5. More right formation of the teams to the Olympic Games.
- 6. Chance to organize Final-Gala in 6 towns where there are a lot of propaganda possibilities.

COMMENTS

PROPOSITIONS OF THE PORTUGUESE FENCING FEDERATION

COMMENTS

<u>Proposition 1 : Page 18 Organisation Rules Edition December 2004</u> <u>0.85 Directoire Technique</u>

The Directoire Technique shall consist of three suitable members from the organising country or invited by it.

To add the following paragraph:

« For Grand Prix competitions, one of the three members of the DT will be designated by the FIE. »

Motivation: in view of the importance of FIE Grand Prix (in respect of media and ranking), they must be perfectly organised. The DT is constituted on the venue of the competition in the case of World Cups (GP included). A member of the Directoire Technique designated by the FIE will ensure that a member of the DT will be present from the beginning to the end of the competition. This person must fulfil the following criteria: be able to communicate in at least 2 official languages of the FIE, know perfectly the Rules, have a practical experience in organisation of fencing competitions.

Should there be such a person in the organising country, it will be designated by the FIE.

<u>Proposition 2 : Page 20 and 21 Organisation Rules Edition December 2004, 0.91 Official FIE individual ranking</u>

a) Principle

To add: « The official FIE individual ranking shall take into account Zonal Championships.»

b) Scale of points

To add: « The points obtained in a Zonal Championship are multiplied by a factor of 1 (or from 1 to 2 according to the study of the COMEX and decision of the Congress).

Motivation: increase the interest, the importance, the level and number of participants in each Zonal Fencing Championship.

Executive Committee: in favour/REG

Executive Committee : in favour /REG

COMMENTS

Proposition 3: Qualification to the Olympic Games

The Qualification of participants to the Individual Competitions of the Olympic Games shall include the Champion of each geographical zone. Should the latter be already qualified by the individual or team official world ranking, his (her) place will be re-allocated to the 2nd ranked fencer of the Zonal Championship. Should the latter also be qualified, the place will be re-allocated to the 3rd ranked fencer.

Motivation: it can not be understood that European, African, American and Asia-Oceanian champions have not the right to participate in the Olympic Games. A qualification for the OG, which includes winners of Zonal Championships, increases their interest and strength.

Executive Committee : REG SPEC

PROPOSITIONS OF THE FENCING FEDERATION OF QATAR

Proposition 1. Presidents of Confederations

The Confederations are an integral part of the International Fencing Federation and the FIE should analyse the proposal to give voting rights to the Presidents of the Confederation at the Executive Committee. If evaluated positively, amendments should be done to the Statutes and submitted to the next meeting.

Proposition 2. Official ranking of the FIE

The FIE should analyse a system in order to allow the competitor to obtain FIE points while competing at competitions organised by the different Confederations when the event is sanctioned by the FIE.

Proposition 3. Quota at Olympic Games

In order to enhance the universality of fencing, a system should be put in place to allow Continents or Regions in a Continent to directly qualify their best fencer to the Olympic Games.

Executive Committee: JUR

Executive Committee : in favour /REG

Executive Committee : REG SPEC

COMMENTS

Proposition 4: transparent mask

Current Modern Technology is making it possible to produce transparent masks that fulfil all safety criteria. The FIE should carefully study these masks and take all measures to stimulate the development and production of such masks if they are safe and affordable.

Executive Committee : urgent decision of the Executive Committee

PROPOSITION OF THE RULES COMMMISSION

Draft to renumber the Rules.

Executive Committee : REG

PROPOSITIONS OF THE SEMI COMMISSION

Proposition 1: 4 Rules Specific to Sabre (page 17)

- c) Conductive Jacket This title is changed for
- c) Conductive Jacket and conductive T-Shirt

m.34 becomes m.34.1 with the current text of m.34.

Introduction of a new paragraph

« m.34.2 At wireless Sabre the fencer must wear a conductive T-Shirt. The conductive part is made with a conductive material, with an electrical resistance measured between any two points of the lamé material, which must not be greater than 5 ohms »

Executive Committee : replace "electric" by "ohmic"/SEMI

Alternately, this is possible to insert the text of the T-Shirt in the paragraph m.35

COMMENTS

m.35 Conductive T-Shirt for wireless Sabre

In that case, all subsequent paragraphs will need a re-numbering.

Motivation: Fencers are wearing a conductive T-Shirt at wireless Sabre and this is necessary to precise the technical specification for the electrical resistance as this T-Shirt will have to be presented to the checking of material.

Proposition 2: ANNEXE A - WEAPON 1. THE BLADES (page 31)

« 6.9 Fatigue resistance test (by bending or flambement cycliques)
The test consists of bending the blade without exceeding the limit of elasticity of the material, it means to the point where a fleche of approximately 220 mm, is the equivalent of a shortening of the blade by approximately 250 mm, and then allowing it to straighten. »

Instead of

6.9 Fatigue resistance test – The test consists of bending the blade without exceeding the limit of elasticity of the material, i.e. to the point where the bend in the blade is the equivalent of a shortening of the blade by approximately 0.25 m, an then allowing it to straighten, in alternate directions (i.e. first in one direction, then in the other).

Motivation: none of the 2 test benches of the blades allows and shall not allow that the blade straightens in alternate directions (first in one direction, then in the other).

PROPOSITIONS OF THE SWISS FENCING FEDERATION

<u>Proposition 1 : Qualification System for the 2008 Olympic Games of Beijing</u>

Executive Committee : SEMI

Executive Committee: REG SPEC

1. Selection of competitions

Senior Women's Epee individual and teamSenior Men's Epee individual and team

- Senior Women's Foil individual

- Senior Men's Foil individual and team

- Senior Women's Sabre individual

- Senior Men's Sabre individual and team

Comment:

Senior Women Team competitions at Foil and Sabre are not selected because their number of competitions and participants in World Cups is inferior to the one at other weapons and in other categories.

Furthermore, to draw lots for the selection of competitions is, according to the Swiss Law, arbitrary and therefore subject to appeal.

2. Qualification of fencers

2.1. Team competition

- 8 teams of 3 fencers
- These 8 teams are qualified according to the total of points of 3 fencers in the ranking of the Individual World Cup.

Comment:

Only big nations can finance and participate in the circuit of Team World Cups.

2.2. Individual competition

- 40 fencers maximum
- 24 members of the 8 teams (8x 3)
- The 10 best fencers of the final adjusted World Cup ranking (it means without taking into account fencers whose federations have been qualified for the team competition) and who are ranked up to the 64th position of the final ranking of the World Cup.
- Should these criteria be only partially or not fulfilled, the remaining places will be attributed to non European zones.

COMMENTS

COMMENTS

- 5 zonal fencers (1 per zone)
- 1 « Wild card »

Comment:

The best athletes are so qualified for the Olympic Games while the zones are respected.

PROPOSITIONS OF THE SLOVAK FENCING FEDERATION

Proposition 1: The deadlines for entries to World Championships

Motivation: in view of all the procedures required for the preparation of World Championships, including accreditation cards, we think that the deadline for entries stated in the FIE Rules should be moved forward. The following articles should therefore change, reason why

Proposition:

o.53 Entries for World Championships

Two and half months before the start of the event, Federations which will have sent their entries, will receive from the Organising Committee a second entry form and/or code to enable them access to the Web site of the Championships, in order to specify the number of fencers and teams participating in each event of the Championships.

These entries for the competitions, on the official form, must be sent back to the organisers two months before the start of the competitions. No additional fencers will be accepted after this date.

o.54 Entries by name for all official events

Federations which have announced their intention to compete, will receive, from the Organising Committee, entry forms by name for each event.

Executive Committee : in favour but as formulated in the proposition of the Executive Committee /REG

For the World Championships, the entry of the names are to be made exclusively via the FIE Website and must be completed with the names of each fencer participating in the competition, at least 1 month before the start of the first event, together with the payment of the individual and team entry fees perceived by the Organisers of the Championships for all the participants. Changes of name, for reason of "force majeur" or injury, can only be made up to 24 hours before the start of each event.

By the same date, digital photos of all entered fencers and persons authorised by the FIE Rules must be submitted electronically or exceptionally by mail to the given address to be dealt with later on.

For World Cup competitions, the names of those entered must reach the organisers no later than midnight, local time, of the Tuesday preceding the week-end on which the competition is taking place. The name of the team manager must be identified on this document, as well as, the name and category of each referee being brought.

Proposition 2 : Qualification criteria for the 2008 Olympic Games

Motivation: in view of the success of the 2004 Games and also remarks from various FIE member federations in respect of the participation of athletes to individual events or the absence of best fencers in the concerned weapon, but also for the principle of universality of our sport in order to preserve its place in the next Olympic games and the repartition of participating countries in the respective disciplines.

Proposition:

EVENTS:

Men Men's Individual Epee Men's Team Epee Men's Individual Foil Men's Team Foil Men's Individual Sabre Women's Individual Epee Women's Team Epee Women's Individual Foil Women's Individual Sabre Men's Team Sabre

COMMENTS

Executive Committee : REG SPEC

COMMENTS

ATHLETE QUOTA: 200

Maximum per NOC: 2 for the Individual, 3 for teams

A. Qualification system:

Individual events

The individual event brings together at MF and ME about 36 fencers, at WE and MS 32 fencers and at WS and WF 30 fencers for each weapon. The host country will not need more than 4 free places to ensure its participation to the individual events in view of the positions of the Chinese fencers in the current Official FIE ranking.

Team events

The team event brings together approx. 12 teams for each weapon (3 + reserve), which comes to 192 athletes + 8 free places to eventually complete the teams with fencers of the host country non qualified by the system or wild cards to be attributed by the FIE or IOC.

B. Detailed qualification system:

- a) Individual qualification
- The 24 highest-ranked fencers of the official FIE ranking (2 maximum per country) for ME and MF / 20 for WE and MS / 18 for WF and WS
- The 8 highest-ranked fencers of the individual Adjusted official FIE ranking (AOR) by zone with only one fencer per country (3 from Europe, 2 from Asia-Oceania, 2 from America and 1 from Africa)
- 4 fencers selected through zonal qualification events, which are open to one fencer per country and per weapon, for those countries, which have no-one selected by the two preceding criteria for the weapon concerned (1 from Europe, 1 from Asia-Oceania, 1 from America, 1 from Africa)
- b) Team qualification
- The first 8 teams in the FIE Team Official Ranking irrespective of which zone.
- The highest-ranked team from each zone according to the qualification event of the respective zone.

<u>Proposition 3: Bring together Zonal Championships and World</u> Championships

Motivation: in view of the difficulty to reconcile World Cup events (and Junior), with zonal championships and World Championships (also Junior), one solution could be to bring together the Championships within a common period, which would allow a better and easier planning of the FIE calendar and national events calendar.

Proposition:

Zonal Championships and Junior/Cadet World Championships would be organised within one month – for example April of each year. Zonal Championships and Senior World Championships would also be held within a limited period of one month.

COMMENTS

<u>Executive Committee</u>: in favour but as formulated in the proposition of the Executive Committee /REG