



## **ASOIF Governance Support and Monitoring Unit**

### **Suggested Components for Codes of Ethics for International Federations**

Updated 20 March 2019

#### **1 Introduction**

The ASOIF Governance Support and Monitoring Unit (GSMU) has the objective of steering International Federations (IFs) towards better governance.

One of the projects identified by the GSMU is to provide guidance on the components for Codes of Ethics.

#### **2 Purpose of document**

The intention of this document is to provide a list of suggested components for IFs to consider including in Codes of Ethics when they are reviewed.

It is mandatory for IFs recognised by the IOC to have a Code of Ethics in place (whether as a standalone document or incorporated in the Constitution/Statutes or elsewhere), a requirement which all IFs are believed to have met. It is good practice to review Codes from time to time and there have been recent enquiries to the GSMU by IFs looking to update their existing texts.

#### **3 Source material**

The suggested components have been compiled following analysis of six Codes of Ethics, focusing on those which scored well in the ASOIF governance assessment in 2017-18 and those which are known to have been updated recently. The IOC Code of Ethics has been used as the base model since it has been adopted in part or in its entirety by a number of IFs. Codes of Ethics have been analysed from the following organisations:

- International Olympic Committee (IOC)
- Badminton World Federation (BWF)
- International Association of Athletics Federations (IAAF)
- International Tennis Federation (ITF)
- International Table Tennis Federation (ITTF)
- Union Cycliste Internationale (UCI)

The fact that any particular IF Codes of Ethics are not included among those studied should not be regarded as a criticism – due to the overall similarities between texts it was judged that a sample of six was sufficient. Links to all of the Codes of Ethics studied are available in 10 below.

#### **4 How to use this document**

Section 7 below sets out a list of suggested components to consider including in IF Codes of Ethics when they are being revised (or developed for the first time).

The components are provided in outline form only. It is possible that the terminology will vary slightly from that used within a particular IF, but the general sense should be clear. In some cases there may be a need for additional clauses that are specific to an IF or sport. If in doubt about a particular component or theme, IFs are encouraged to consult the original source text.

The suggested components are not intended to provide a replacement model Code of Ethics for those IFs which currently adopt the IOC Code.

This document is designed as a tool and does not constitute legal advice. Updating or developing a Code of Ethics is obviously an important step for an IF to take and those which wish to do so are encouraged to seek appropriate advice.

#### **5 Options for implementation of a Code of Ethics**

There are several possible options for implementation of a Code of Ethics. Some considerations are set out from section 8 below.

## 6 Suggested components for Codes of Ethics for International Federations

### Outline of article(s) to include in Constitution/Statutes:

- Members, officials and participants in the IF's activity (each category may be defined) must observe the Constitution/Statutes, other rules (e.g. rules of the sport) and the Code of Ethics
- The Code of Ethics is based on the values and principles of the IOC Code of Ethics
- Changes to the Code of Ethics can be proposed by the Ethics Commission (or equivalent, once it is in place) and are approved by the Board or General Assembly

## 7 Overview of components of the IOC Code of Ethics with additional items to consider, based on the analysis of the five IFs analysed.

Heading from IOC Code or IF Code	Source ref (page)	Summary based on IOC Code or IF Code	Note: "Recommended" / "If needed" etc.
Preamble	IOC Preamble (11)	<ul style="list-style-type: none"> <li>• The IF, its members and the related bodies (listed and defined) state their commitment to the Olympic Charter and their loyalty to the Olympic ideal</li> </ul>	If appropriate and consistent with other IF documents
Definition of terms	IAAF 4 (3)	Define terms, such as: <ul style="list-style-type: none"> <li>• Applicable Persons</li> <li>• Code</li> <li>• Constitution</li> <li>• Staff</li> <li>• Competition Rules</li> </ul>	If needed
Scope of application	IOC Preamble (11)	<ul style="list-style-type: none"> <li>• The Code of Ethics applies to Applicable Persons (defined)</li> <li>• Members of the IF and other related organisations agree to adopt a Code of Ethics based on this Code</li> </ul>	Recommended
Entering into force	ITF 1.1, 1.2 (1)	<ul style="list-style-type: none"> <li>• Date Code / revisions takes/take effect</li> <li>• Ethics Commission or equivalent oversees Code and recommends amendments to the Board</li> </ul>	If needed
Breach of Code	UCI 3 (5)	<ul style="list-style-type: none"> <li>• A breach of the Code may be committed deliberately or negligently, by an act or attempted act, whether as participant, accomplice or instigator</li> </ul>	Recommended

Heading from IOC Code or IF Code	Source ref (page)	Summary based on IOC Code or IF Code	Note: "Recommended" / "If needed" etc.
Statute of limitations	UCI 4(5)	<ul style="list-style-type: none"> <li>• Investigation of alleged breaches may not be initiated once 10 years have passed since the alleged breach took place but pending cases can be completed</li> </ul>	If needed – there may be provision for exceptions in serious cases
Transitional provisions	IAAF 5 (5)	<ul style="list-style-type: none"> <li>• Proceedings filed before the effective date of the revised Code will be governed by former Code or other applicable rules</li> <li>• Proceedings filed after effective date of revised Code which relate to an alleged violation of the previous Code will be governed by former Code or other applicable rules, with possible exceptions</li> </ul>	If needed
Fundamental principles	IOC 1 (13)	<p>Respect for the universal fundamental ethical principles is the foundation of Olympism. These include:</p> <ul style="list-style-type: none"> <li>• Respect for human dignity</li> <li>• Respect for human rights</li> <li>• Maintaining harmonious relations with state authorities, while respecting the principle of autonomy</li> <li>• Rejection of discrimination (with specific characteristics listed, such as age, race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status)</li> <li>• (Note that national anti-discrimination legislation may cover a wider range of characteristics, including disability, marriage and civil partnership, pregnancy and maternity)</li> <li>• Safeguarding the well-being of participants</li> </ul>	Recommended, although precise wording may vary

Heading from IOC Code or IF Code	Source ref (page)	Summary based on IOC Code or IF Code	Note: "Recommended" / "If needed" etc.
Integrity of conduct	IOC 2 (14)	<p>Applicable Persons must:</p> <ul style="list-style-type: none"> <li>• Act with the highest degree of integrity</li> <li>• Act with impartiality, objectivity, independence and professionalism</li> <li>• Observe Conflict of Interest rules</li> <li>• (Note that model Conflict of Interest rules are not listed here. For one example, see "Suggested components of electoral rules and processes for International Federations", page 10 (ASOIF, 2017))</li> </ul>	Recommended
Reputation and interests of IF	IAAF 6.3.q (8)	<p>Applicable Persons must not act, or fail to act, in a manner:</p> <ul style="list-style-type: none"> <li>• Likely to harm the reputation of the IF (not limited to activity directly related to their IF function)</li> <li>• Contrary to the objects of the IF</li> </ul>	Recommended
Gifts and hospitality	ITF Appendix 3 (18)	<p>Applicable Persons must not offer or accept:</p> <ul style="list-style-type: none"> <li>• Cash gifts</li> <li>• Gift, hospitality or other benefit that creates an actual, potential or perceived conflict of interest, or that may be construed as intended to influence</li> <li>• Any other gift, hospitality or other benefit that gives the appearance of impropriety</li> </ul> <p>Applicable Persons may offer and accept:</p> <ul style="list-style-type: none"> <li>• Tokens of consideration of nominal value in accordance with prevailing customs</li> <li>• Reasonable and proportionate gifts and hospitality (including event accreditation or tickets)</li> <li>• Any token, gift or hospitality worth more than \$150 USD or equivalent must be disclosed using an agreed process to the Ethics Commission or equivalent; if</li> </ul>	Recommended

Heading from IOC Code or IF Code	Source ref (page)	Summary based on IOC Code or IF Code	Note: "Recommended" / "If needed" etc.
		<p>it is not approved, it must be withdrawn or returned</p> <ul style="list-style-type: none"> <li>• If in doubt about whether requirements are met, an Applicable Person should refer the matter to the Ethics Commission or equivalent</li> <li>• Applicable Persons must observe other relevant policies, such as an Anti-Bribery Policy (list policies)</li> </ul>	
Integrity of competitions	IOC 7-10 (15)	<p>Applicable Persons must:</p> <ul style="list-style-type: none"> <li>• Act to ensure integrity of sports competitions</li> <li>• Observe the World Anti-Doping Code</li> <li>• Observe the Olympic Movement Code for the Prevention of Manipulation of Competitions</li> <li>• Not infringe the principles of fair play</li> </ul>	Recommended
Good governance and resources	IOC 13-14 (17)	<ul style="list-style-type: none"> <li>• Applicable Persons must observe the Basic Universal Principles of Good Governance of the Olympic and Sports Movement</li> <li>• Resources of the IF and related organisations may only be used for the benefit of the sport in accordance with the Constitution/Statutes</li> <li>• Income and expenditure must be recorded in accordance with generally accepted accounting principles</li> <li>• An independent audit will check these accounts</li> <li>• Where financial support is provided to members of the organisation or to related organisations, the accounts may be subject to auditing by an auditor designated by the IF</li> <li>• The IF recognises the significant contribution that broadcasters, sponsors,</li> </ul>	Recommended

Heading from IOC Code or IF Code	Source ref (page)	Summary based on IOC Code or IF Code	Note: "Recommended" / "If needed" etc.
		<p>partners and other supporters make to the sport</p> <ul style="list-style-type: none"> <li>The broadcasters, sponsors, partners and other supporters must not interfere in the running of the IF, members or related organisations</li> </ul>	
Candidatures	IOC 15-16 (18)	<ul style="list-style-type: none"> <li>Regarding elections and associated conduct, see separate "Suggested components of electoral rules and processes for IFs", pages 11-12 (ASOIF, 2017)</li> </ul>	Recommended but may be covered in a separate document
Confidentiality	IOC 17 (19)	<ul style="list-style-type: none"> <li>The Ethics Commission or equivalent must not disclose information entrusted to them in confidence which has not been made public unless required to disclose by law</li> </ul>	Recommended
	BWF 4.9 (3)	<ul style="list-style-type: none"> <li>Applicable Persons must not disclose information entrusted to them in confidence which has not been made public unless required to disclose by law</li> </ul>	Recommended
	IAAF 6.3.k (7)	<ul style="list-style-type: none"> <li>Information obtained through the Applicable Person's role in the IF that is not confidential must not be disclosed for personal gain or used maliciously</li> </ul>	Recommended
	ITF 2.4 (4)	<ul style="list-style-type: none"> <li>Applicable Persons remain bound by this requirement even once they are no longer involved with the IF</li> </ul>	Recommended
Reporting obligation	IOC 18 (19)	<ul style="list-style-type: none"> <li>Applicable Persons must inform the Ethics Commission or equivalent using appropriate channels (which may be defined) of any information relating to an alleged violation of the Code</li> <li>Any disclosure must not be for personal gain or malicious</li> </ul>	Recommended

Heading from IOC Code or IF Code	Source ref (page)	Summary based on IOC Code or IF Code	Note: "Recommended" / "If needed" etc.
Reporting and co-operation with investigations	ITF 2.8.2 (6)	<ul style="list-style-type: none"> <li>• Applicable Persons must co-operate truthfully, fully and in good faith with all investigations by the Ethics Commission or equivalent, including by answering questions and providing access to information and data</li> <li>• Applicable Persons must not do anything by act or omission that has the object or effect of obstructing, preventing, delaying or interfering with or frustrating any investigation, including interfering with potential witnesses</li> </ul>	Recommended, but may be covered elsewhere
Implementation	IOC 19 (20)	<ul style="list-style-type: none"> <li>• The Ethics Commission or equivalent may set out implementing provisions, subject to approval of the Board</li> </ul>	Recommended



## **8 Considerations for the implementation of Codes of Ethics, including Ethics Commissions**

There are several possible options for the implementation of a Code of Ethics, not all of which involve an IF appointing an Ethics Commission.

The main objective to be achieved is an important factor which will influence the option selected.

For those IFs which are primarily seeking a means of considering disciplinary cases, beyond those relating to breaches of sports competition rules, the regular disciplinary function could be sufficient. It may be appropriate for a Disciplinary Commission to be appointed by the Board.

In other sports, the types or frequency of cases that arise may provide justification for a separate Ethics Commission which investigates and rules on alleged breaches of the Code of Ethics.

In a few cases, the Ethics Commission provides an important source of external advice on sensitive issues.

For those IFs that have (or want to establish) an Ethics Commission, it is vital that its composition, the process it follows and the eventual decisions are all credible.

In order to demonstrate that the Ethics Commission has an appropriate level of independence, it may be helpful for the membership to be appointed by the Congress.

## **9 Provisions for the composition of Ethics Commissions**

Based on analysis of the relevant rules for the five IFs studied and the IOC, the options below can be considered for the composition of Ethics Commissions.

Membership:

- Among the IFs analysed, the number of individuals in the Ethics Commission (or equivalent) ranges from three to five
- Members should have recognised competencies or qualifications in sport and/or law
- The majority of the members should be independent to the sport, including the Chair (although definitions and standards of “independence” vary)
- The IOC Ethics Commission has nine members, of whom four are IOC Members, including a representative of the Athletes’ Commission, and five members have no direct link to the sports movement
- There is usually an appointed IF staff member on the Commission, but in a non-voting capacity
- There should be a policy to encourage gender balance on the Commission

Election/appointment:

- Members of the Commission are generally proposed by the Board and then elected/approved by the Congress/General Assembly

Term of office:

- The term of office is usually the same as the Board (typically four years)

- In most cases, the Ethics Commission's term will coincide with the Board but it may be staggered
- Typically, there is a term limit of three four-year terms (but only two terms in at least one case)

Quorum:

- The quorum for meetings is generally 60% of the members
- The Commission meets when convened by the Chair, at least once a year or when there is a case to consider

Staff support:

- The Commission is generally supported by an IF staff member, providing a first point of contact and administrative assistance

## 10 List of source documents with hyperlinks

Reference / source organisation	Source document and hyperlink
IOC	<a href="#">IOC Code of Ethics (2018)</a>
BWF	<a href="#">BWF Code of Ethics (2017)</a>
IAAF	<a href="#">IAAF Integrity Code of Conduct (2017)</a> <a href="#">IAAF Athletics Integrity Unit Rules (2019)</a>
ITF	<a href="#">ITF Code of Ethics (2018)</a>
ITTF	<a href="#">ITTF Handbook (2018) – pages 161-196</a> (Very similar to IOC Code so not referenced directly above)
UCI	<a href="#">UCI Code of Ethics (2018)</a>
ASOIF	<a href="#">Suggested components of electoral rules and processes for International Federations (2017)</a>