

Autonomy, Independence and Non-Interference of MNAs

ISAF Regulation 1

A submission from the Executive Committee

Purpose or Objective

To provide requirements that MNAs shall be operated free from government or state interference.

Proposal

Add new Regulations 1.13 to 1.16:

MNA autonomy and independence

- 1.13 Member National Authorities must comply with the following obligations:
- (a) manage their internal affairs independently and ensure that no third party (whether state, government or private) interferes with their operations (however a Member National Authority may accept an appropriate level of control over its financial affairs in order to meet any conditions imposed on financial grants or allowances paid to it, provided that such control does not extend to interference in the Member National Authority's strategy or operations);
 - (b) remain autonomous and resist any political, religious or financial pressure that may infringe on their obligations to observe the ISAF Constitution and Regulations;
 - (c) report any interference (or attempted interference) to the Chief Executive Officer as soon as reasonably practicable;
 - (d) make provision for an election or internal appointment system that ensures complete independence of the Member National Authority from state, government or other public authority interference (provided that a Member National Authority may, in its discretion, elect representatives from those authorities); and
 - (e) not permit state, government or other public authorities to appoint members of the executive board (or equivalent) of the Member National Authority (provided that the Member National Authority may, in its discretion, permit a limited number of non-voting positions on such board to external representatives).
- 1.14 A Member National Authority may apply to the Chief Executive Officer for exemption from one of the above requirements. The Chief Executive Officer shall investigate the circumstances of the application and make a recommendation to the Executive Committee. The Executive Committee may then exempt a Member National Authority from one of the requirements in Regulation 1.13 provided that it is satisfied that the principles of autonomy, independence and freedom from government interference remain in place for the Member National Authority in question. The Executive Committee may impose conditions on its approval and may withdraw its approval at any time.
- 1.15 If, upon proper inquiry, the Executive Committee concludes that a Member National Authority is in breach of its obligations under Regulation 1.13, it may:
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- (a) issue a formal warning to the Member National Authority and require it to take such measures as are necessary to comply with its obligations within a certain period of time; and/or
- (b) not recognize the decisions made by the Member National Authority or any elections or appointments made by it; and/or
- (c) suspend the Member National Authority and report the suspension to Council at its next meeting for ratification; and/or
- (d) recommend to Council that the Member National Authority's membership be cancelled under Article 15.4.

Current Position

There are currently no provisions of this nature in the Regulations. Article 15.4 allows Council to cancel an MNA's membership for 'good cause.

Reasons

The principles of autonomy and independence of sports organizations represents a fundamental principle of the Olympic Charter. These principles are increasingly threatened by governments and public authorities. ISAF currently has a number of countries under review due to reported interference with MNA governance.

The IOC and ASOIF (the Association of Summer Olympic International Federations) are urging international federations to ensure their rules allow the implementation of these principles and effective enforcement of them.

The above text is based on recommended wording from ASOIF.
