



ASOIF GOVERNANCE WORKSHOP -
SUGGESTED COMPONENTS OF ELECTORAL RULES AND PROCESSES
FOR INTERNATIONAL FEDERATIONS

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A About this document

The main part of this document comprises a list of suggested components to consider including in electoral rules and processes for International Federations (IFs). The focus is on the election of officials rather than the adoption of proposals and resolutions.

The suggested components have been compiled following analysis of seven sets of IF rules which were judged to be the best in the “Democracy” section of the ASOIF Governance Taskforce (GTF) questionnaire.

B Background and rationale for the analysis

The ASOIF GTF conducted a review of governance of summer Olympic International Federations between November 2016 and April 2017, resulting in the publication of the [First Review of IF Governance](#).

In the questionnaire used for the assessment there were ten questions on the theme of “Democracy”, covering topics such as campaign rules for election candidates and the existence of term limits for elected officials. Scoring in this section of the questionnaire was mixed with some good examples but also some significant gaps.

Noting that there was a high level of complexity and variation in electoral rules and processes, the review stated (page 17) that “The general subject of democratic processes in IFs might merit a dedicated piece of research.”

A number of contentious issues have occurred in IF elections in recent years, leading to several CAS cases, and there is a lack of appropriate, specific guidance for IFs in this area. One of the risks associated with electoral rules is that gaps or ambiguities often only become apparent in the final stages of a campaign or at a congress, when it is too late to resolve the issue without a dispute.

ASOIF subsequently commissioned a comparison of IF electoral rules and processes as part of ongoing work by sports governance consultancy I Trust Sport.

Some suggested electoral rules and processes for IFs based on the findings of the analysis conducted in August to October 2017 are set out below.

C Selection of IF electoral rules to use in the analysis

The seven IFs with the highest overall scores in the “Democracy” section of the assessment were identified (in alphabetical order):

- BWF
- FEI
- FIFA
- IAAF
- ITF
- ITU
- World Sailing

Their respective electoral rules were studied and compared.

As this group consists of a reasonable mix of “larger” and “smaller” IFs, including at least two which have recently adopted significant reforms, it seemed an appropriate sample to study.

D Compiling the suggested components

In the cases where IFs scored well for a specific indicator in the “Democracy” section of the questionnaire, the relevant clauses from rules and policies were noted.

By comparing the clauses from the seven IFs, it was possible to identify components of rules which were common to several sports and would therefore be worth including in a compilation. There were also occasional examples of rules put in place by a single IF which helpfully covered areas not dealt with elsewhere. As far as possible, the model for good practice was based on the definitions for a high score in the questionnaire. However, there were inevitably some judgements to make and there are several instances where different options are presented.

E How to use this document

The section below sets out a list of suggested components to consider including in IF rules. It is clearly advantageous to review relevant rules well in advance of scheduled elections. The components are provided in outline form only. In some cases, the terminology will vary slightly from that used within a particular IF but the general sense should be clear.

Many of the components would need to be included in the statutes or constitution of the organisation. Other parts could probably be implemented with board approval.

It is up to individual IFs to determine whether and to what extent each separate component is relevant to them. For example, there may be legal requirements in the country in which they are based which impact on the appropriateness of specific measures.

The document is intended as a tool and does not constitute legal advice.

Suggested components of electoral rules and processes for IFs

1 Roles to be elected by congress

- 1.1 President.
- 1.2 1 or more vice presidents; possibly a deputy president or equivalent title.
- 1.3 1 or more ordinary board members.
- 1.4 Some board members may be elected by continental confederations.
- 1.5 Chairs and members of selected committees may be elected, including audit and ethics committees.

2 Congress frequency

- 2.1 The congress should take place annually or, at a minimum, every two years.
- 2.2 The IF should hold an additional extraordinary congress at the request of the board, or at the written request of at least one-fifth (1/5) of the members acting together.

3 Timing

- 3.1 Elections generally take place every four years at congress.
- 3.2 Elections will usually take place in a specific year (e.g. after Olympic Games, at World Championships).

4 Notification about congress

- 4.1 The IF administration will notify members at least 120 days ahead of congress.
- 4.2 The notification will include the time and location of congress, logistical details, information about any IF support for members to participate, and a call for candidates.

5 Call for candidates

- 5.1 The congress notification will include a call for members to nominate candidates for election or appointment, including the relevant deadlines and information about the rules which apply.

6 Electoral committee

- 6.1 The board may decide to establish an electoral committee to assume certain duties related to elections. The electoral committee members will be proposed by the board and appointed by the congress one year ahead of the elections (or two years ahead if the congress is biennial).
- 6.2 The role of the committee which oversees elections may include:
 - 6.2.1 Supervising the administrative process relating to the election of officials;
 - 6.2.2 Monitoring compliance with the relevant regulations;

6.2.3 Ensuring the correct application of the regulations;

6.2.4 Issuing instructions; and

6.2.5 Admitting candidates.

7 Nominations process

7.1 Each full member in good standing is entitled to nominate a candidate for each position or category of position.

7.2 A candidate should require only one nomination.

7.3 It should be clarified whether or not a candidate must be nominated by a member federation with which they are directly associated.

7.4 The board may have the right to nominate individuals for positions on committees other than the board.

7.5 Nominations should be submitted to the administration by a specific deadline, at least 90 calendar days ahead of the congress.

7.6 Nominations should include the biography of the candidate and explain how they meet the requirements for the post for which they are a candidate, plus the experience, skills and qualities they would bring to the position if elected.

7.7 Nominations should include a declaration of interests (see also 30 below).

8 Eligibility

8.1 Conditions which may render an individual ineligible to be a candidate include:

8.1.1 Being an undischarged bankrupt;

8.1.2 A conviction for of an offence punishable by a term of imprisonment of two or more years (whether or not a term of imprisonment is imposed) unless that person has obtained a pardon or has served the sentence;

8.1.3 A bar from being a company director;

8.1.4 Being subject to an order that the individual lacks competence to manage their own affairs;

8.1.5 Having been deprived of civil rights by proper application of the law;

8.1.6 Having served a period of ineligibility for breach of the IF code of ethics or equivalent;

8.1.7 Having been removed from IF office in accordance with IF rules;

8.1.8 Having been prohibited from holding such position, or any similar position, under any other circumstances as provided by law;

8.1.9 Being under 18 years old; or

8.1.10 Failing to pass an eligibility check (see 11 below).

- 8.2 There may be proportionate eligibility requirements to ensure that candidates have been involved in the sport. Any such rules should not unreasonably restrict the pool of potential candidates.

9 Gender balance

- 9.1 A rule should be in place to encourage gender balance on the board and in other elected committees, ideally with progressive targets to work towards equality.
- 9.2 Athletes' committees should have an equal or virtually equal gender balance.

10 Term limits

- 10.1 The recommended limit is three terms of four years for all elected officials.
- 10.2 There may be a rule to prevent any elected official who has served three terms in the same or multiple roles from serving another term without a break of at least two years. Alternatively, there may be a limit on the total number of terms which an individual can serve in multiple roles.
- 10.3 The terms may be counted from the congress at which term limits are initially adopted.
- 10.4 It is recommended that there should be no exemption clauses.
- 10.5 A specific rule is needed to deal with the case of an official taking up their position part-way through the term due to a vacancy. It may be decided that filling a vacancy for any period of less than three years does not count as a full term.

11 Age limit

- 11.1 There may be an age limit which applies on the date of election.

12 Eligibility check

- 12.1 One option is for a committee with an independent majority or at least independent representation to determine whether or not each nominated candidate is eligible for election according to agreed rules. The committee should report its decisions to the IF administration or the electoral committee, if one exists.

13 Change of official mid-term

- 13.1 If a president is unable to complete the term of office or the term has been terminated, the deputy president/vice president will become acting president.
- 13.2 In case of any retirement or vacancy amongst the remaining members of the board, a successor will be elected for the remainder of the original term at the next congress, subject to notice being given about such election and call for nominations at least 90 calendar days before the congress. The board may decide not to call for an election to fill a vacancy if such an elected board member cannot serve for at least 18 months of the original term.

14 Clarification of who is a candidate

- 14.1 A candidate is identified as such when the nomination is submitted.
- 14.2 An individual may be regarded as a candidate and subject to relevant rules if they state their intention in public to be a candidate or campaign in such a way that gives the appearance of being a candidate, even if they have not been nominated.

15 Publishing list of candidates

- 15.1 The list of candidates for election should be published once any eligibility check has been completed, at least 30 calendar days ahead of the congress.
- 15.2 The list of candidates with the nominating member and respective biographies should be included in the congress agenda.

16 Rules for candidates

- 16.1 Campaign rules for candidates should be established and published (see 31 below).
- 16.2 The campaign rules apply to a candidate for election, as do the code of ethics and constitution or equivalent, if the individual is not otherwise already bound and covered prior to that time.

At congress:

17 Appointment of scrutineers

- 17.1 At the beginning of the first session, scrutineers may be proposed by the board and elected by the congress. An adequate number should be appointed to count the votes and to assist in the distribution and counting of ballots.

18 Presentations by candidates

- 18.1 Each candidate for president and vice president should be provided with an equal opportunity to make a presentation to the members at the congress. The presentation should focus on the credentials of the candidate and the vision and objectives for their term if elected. The presentation should last no more than an agreed duration (e.g. 10 minutes) and may include video presentations and multi-media.
- 18.2 Candidates for other positions should have an opportunity to be presented to the voting constituents at an appropriate forum for the elections, the guidelines for which may be determined by the board.

19 Secret or open ballots

- 19.1 Usual practice within IFs has been for secret ballots for election of officials. This process may protect voting members from external pressure.
- 19.2 Open voting is an alternative, which makes voting members accountable to their constituencies but may also have other consequences.
- 19.3 Decisions other than elections are often decided by open vote, such as by a show of hands or coloured voting cards. If the president or at least one quarter (1/4) of the members present or represented request it, there should be a secret ballot.

20 Electronic or paper voting

- 20.1 Elections with more than a single candidate should either be conducted with ballot papers or by using electronic voting devices that have been certified for this purpose.
- 20.2 If there are a large number of candidates to be elected, an electronic system is likely to be more practical.
- 20.3 There should be provision to revert to a paper-based system in the case of a technical failure.

21 Number of ballot papers

- 21.1 The number of ballot papers distributed and returned will be counted. If more ballot papers are returned than were distributed the vote is invalid and a new vote will be held.

22 Voting process

- 22.1 The order in which positions will be elected should be specified.
- 22.2 Full members in good standing are eligible to vote.
- 22.3 Provision for voting by proxy is not recommended.
- 22.4 It is suggested that ballot papers should list the names of candidates in alphabetical order or in random order.
- 22.5 There may be a weighted voting system to take account of the different levels of involvement of member federations in the sport.
- 22.6 Board members generally should not have a vote and not be eligible to vote on behalf of national member federations.
- 22.7 Members are generally eligible to vote for a candidate for each position. They may be entitled or required to vote for several candidates for specific categories of position, such as ordinary board members.
- 22.8 Option 1 – simple majority, elimination of candidate with fewest votes:
 - 22.8.1 A simple majority (50% plus one) of the valid votes cast is necessary for a candidate to be elected. If no candidate receives a simple majority in the first round, the candidate with the least number of votes is eliminated.
 - 22.8.2 If two or more candidates are tied for the lowest number of votes, a further vote will be held to determine who is eliminated.
 - 22.8.3 Consecutive ballots will be organised until the election is decided.
- 22.9 Option 2 – simple majority, run-off between top two candidates:
 - 22.9.1 If there is a candidate in the first round with over 50% of the votes they will be declared elected.

- 22.9.2 If no candidate receives more than 50% of the votes then a run-off vote will be held between the top two candidates. In the event there is a tied vote between the candidates in the second position, the run-off vote will be between the first candidate and those tied for second place.
- 22.9.3 In the run-off election, the candidate receiving more than 50% of the votes will be declared the winner. If no candidate receives more than 50% of the vote, subsequent run-off elections will be held eliminating the person with the least number of votes until a candidate receiving more than 50% of the vote is declared elected.
- 22.10 Any unsuccessful candidate for any position may, if also so nominated, be included in a subsequent election for any other position.
- 22.11 If a number of candidates are to be elected to positions, such as ordinary board members, the candidates will be ranked by the number of votes polled and the appropriate number of candidates will be declared elected. A run-off vote may be required.
- 22.12 If, at the time of an election, there are fewer candidates than there are vacancies, the president may invite all members at the congress to submit further nominations by an agreed process.
- 22.13 For elections, no succeeding vote should take place until the result of the previous vote is known and announced

23 Valid votes

- 23.1 The following should not be counted as valid votes: abstentions; blank votes; votes for more or fewer candidates than the number required; votes declared void by the scrutineers whose decision will be final, e.g. unintelligible votes.

24 Chair announces result

- 24.1 The chair or someone appointed by the chair will announce the result of the election; it is recommended that they should state the number of valid votes cast for each candidate.
- 24.2 The number of votes polled for each candidate should be published.

25 Ballot papers kept sealed then destroyed

- 25.1 The signed scrutineers' result sheets will be preserved.
- 25.2 The ballot papers should be kept in a sealed container for a designated period of time such as 100 calendar days after the election and then destroyed.

26 Protests

- 26.1 If the result of the election is challenged, any protest should be made in writing and presented to the chair before the closing of the respective meeting of the congress. The protest will be handled in accordance with IF rules.

27 Handling violations of rules

- 27.1 Any interested party should bring any breach of these guidelines to the attention of the IF administration or the electoral committee, if one exists. The administration or electoral committee should immediately inform in writing the appropriate body to conduct an inquiry in accordance with the code of ethics or disciplinary rules.

28 Taking office

- 28.1 Elected individuals generally take office immediately following the congress.

29 Matters not covered dealt with by electoral committee

- 29.1 Any matters not provided for in this section of the present regulations should be dealt with by the electoral committee.
- 29.2 All other parliamentary questions not contained in the constitution may be decided by reference to a recognised guide such as Robert's Rules of Order, Newly Revised.

30 Conflicts of interest rules

- 30.1 Officials should act for the benefit of the IF and when making decisions that affect or may affect the IF must do so without reference to their own personal interest.
- 30.2 IF officials should perform their duties with integrity, transparency and in an independent manner, free from any influence that might interfere with their loyalty to the IF.
- 30.3 It is the individual responsibility of all IF officials to avoid any case of conflict of interest and to disclose any potential conflict of interest as detailed in the rules.
- 30.4 An “interest” means and includes any interest, direct or indirect, whether private or personal, financial or otherwise related to the IF official concerned. This also includes the interest of a third person (such as a parent, spouse or other immediate family, or dependent).
- 30.5 The following is a non-exhaustive list of examples of circumstances in which conflicts of interest could arise: personal and/or material involvement as an employee, contractor, director, trustee, shareholder, partner or other position with suppliers to the IF, sponsors, broadcasters, or other parties contracting with the IF or any other organisation or person likely to benefit from the assistance of the IF (such as a subsidy, approval or election).
- 30.6 The fact that an IF official is associated with another organisation in the sport such as a national member federation should not in and of itself constitute a conflict of interest.
- 30.7 IF officials should be required to disclose any interest that may give rise to a potential or actual conflict of interest by submitting to the relevant individual or body a report of interests once per year.
- 30.8 Should there be a potential conflict of interest between an IF official and the IF (whether or not it has been disclosed), the individual IF official concerned will refrain from expressing their opinion, and from taking any further part in the matter, including any deliberations or decisions, unless permitted by the person in charge of the body of which they are a member or to whom they report. If necessary, the person in charge of the body of which the IF official is a member or to whom the IF official reports may refer the matter to the ethics committee or equivalent.
- 30.9 If there is an objection to the chair’s ruling or the conflict is with respect to the chair, the board (excluding the relevant individual) should vote on the issue and a simple majority vote that a conflict exists or may exist is sufficient for the meeting to request the individual concerned to excuse themselves from the meeting or refrain from participating in discussion on the matter.
- 30.10 If needed, an alleged conflict of interest may be referred to the ethics committee for equivalent for determination of whether it is a violation of the rules.

31 Rules for candidates

- 31.1 Candidates should abide by the IF code of ethics and constitution or equivalents.
- 31.2 Candidates should refrain from carrying out any electoral campaigning prior to the start of the electoral period.
- 31.3 Candidates should conduct their campaigns with honesty, dignity, moderation and respect for their opponents, limiting expenditure to a proportionate level.
- 31.4 Candidates should not directly or indirectly, solicit, accept or offer any form of remuneration or commission, or any concealed benefit or service of any nature, connected with any IF activity or election or appointment to office.
- 31.5 Candidates should in no case and under no pretext give presents or offer donations or gifts or grant advantages or benefits of whatever nature to or at the request of any party who will vote in, or who may otherwise influence, an election.
- 31.6 Candidates should not enter into any promise or undertaking to personally act (whether as a candidate or following election), for the direct or indirect benefit of an IF body, a member federation or individuals within the IF.
- 31.7 Candidates should not accept paid travel, expenses, air tickets or accommodation from other candidates, their representatives, members or other associated organisations to attend meetings and activities directly related to a candidate's elections.
- 31.8 Candidates should not enter into any form of undertaking with any individual or organisation that is likely to affect the candidate's freedom of decision or action if elected.
- 31.9 Candidates for election have the right to promote their candidacies subject to the provisions set out in the rules.
- 31.10 Except with the permission of the election committee, no debate or public meeting of any kind should be organised to promote a candidature.
- 31.11 Candidates may make declarations or give interviews provided, in doing so, that they comply with the rules.
- 31.12 Candidates should not make payments, directly or indirectly, to journalists or other persons affiliated to the media in order to promote their candidacies.
- 31.13 Candidates should not produce (or cause third parties to produce) any spoken word, written text or representation of any nature likely to harm the image or reputation of another candidate.
- 31.14 Candidates should not engage in any act, collaboration or collusion by or between candidates with the intent to defraud or manipulate the result of the vote.
- 31.15 Candidates should not request support or service from the IF or from external advisors who are working with the IF in connection with their candidacies.
- 31.16 IF resources should not be used to fund travel and campaign activities by candidates who currently occupy elected or appointed positions.

- 31.17 Candidates who hold official positions within the IF, IF bodies or member federations are permitted to remain in office during the election campaign.
- 31.18 The IF administration should maintain neutrality at all times. The members of the administration should limit their relations with the candidates strictly to the content of their role as staff.
- 31.19 There may be a specific rule on the campaign budget, for example setting a limit on expenditure, or requiring the publication of the campaign budget and sources of financing.