

DETAILED ANALYSIS
Proposals for the ISU 50th Ordinary Congress 2004
Amendments to the Constitution and the General Regulations

Publius
 (Acton/Djilas/Duanmu/Ibsen/Remarque/Sakharov/Sakigake/Zola)
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I. ISU Council Proposals to Amend the Constitution (the “New 2006 Constitution” Excluded and Addressed Separately)
 (see separate Introduction)

This portion of the Analysis sets forth comments on Proposals submitted by the Council for amendment of the Constitution, including the Procedural Provisions of it. The full text of each Proposal is included for the ease of the reader.

No.	Article / Text of Proposal	Observations / Comments / Recommendation(s)
3	<p>Article 3, paragraph 2 Amend to read as follows:</p> <p>Among the activities of the ISU particular importance is given to Events which include: ISU Championships, ISU <u>Speed Skating and Short Track Speed Skating</u> World Cup Competitions, <u>ISU Grand Prix of Figure Skating Competitions</u>, ISU International Competitions, ISU exhibitions, ISU shows, ISU tours and performances / appearances.</p> <p><u>Reason</u>: To include current ISU Events.</p>	<p>The individual competitions included in the ISU Grand Prix of Figure Skating are the property of the Members in whose country they are hosted, not the ISU. The coordination of those competitions into a <u>series</u> is accomplished through the ISU Grand Prix Management Commission and as such the <u>series</u> may be defined as an “ISU Event” as may the Grand Prix Final.</p> <p>This misstatement could be corrected by changing the inserted text to read “<u>ISU Grand Prix Series of Figure Skating (including the Final, but not the individual competitions within the series)</u>”. Corresponding text should also be used for the ISU Junior Grand Prix Series.</p>
7	<p>Article 5, insertion of new paragraph 6 Moved from existing Procedural Provisions to the Constitution (E), paragraph 8:</p> <p><u>6.</u> No person, including Council members, ISU Office Holders, Advisors, consultants and employees, may commit or legally bind the ISU unless authorized by this Constitution or by the Council or by the President and General Secretary.</p>	<p>If this is moved into the Constitution, it should be modified to read “... <u>unless authorized by this Constitution or, if specifically permitted by this Constitution, authorised by the Council or through delegation by it to the President and General Secretary.</u>”</p> <p>This Proposal might allow an outside party to enforce obligations against the ISU undertaken by the Council or by the President and General Secretary <u>without</u> authorisation by the Constitution.</p>

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7 cont.	<u>Reason:</u> more appropriate location of this provision.	At its current location in the “Procedural Provisions” the ISU could at least have a basis for arguing against such liability. Even there, however, the text would be better as proposed above.
14	<p>Article 9, paragraph 1b) Amendment of existing text</p> <p>b) An Extraordinary Congress is held whenever the Council considers it necessary or upon written demand, giving reasons, by a one fifth majority <u>one third</u> of the Members.</p> <p><u>Reason:</u> Holding an extraordinary Congress involving high expenses needs good reasons supported by a substantial number of Members and one third is more appropriate than one fifth.</p>	<p>The current provision was adopted at the 45th Congress in 1994 when the AUT member noted that Swiss law mandates the one-fifth level as protection of minorities. Proposal No. 5 for that Congress making the change to conform to the requirements of Swiss Civil Con Section 64 para 3 was accepted without contest.</p> <p>Swiss law continues to mandate that one fifth of the Members must be able to call an Extraordinary Congress, although it would permit the Members to specify a lower percentage to assure even greater protection for the Members, including the 10% requirement for Swiss commercial corporations.</p> <p>The Council should be aware of the requirements of Swiss law. The Legal Advisors must also bear responsibility for the Council making Proposal which violates Swiss law.</p>
17	<p>Article 9, paragraph 4g) Deletion of paragraph</p> <p>g) presentation of substantive changes to the Memorandums for the holding of ISU Championships</p> <p><u>Reason:</u> The Memorandums giving guidance for the holding of ISU Championships are documents that require constant updating within a very dynamic and constantly changing environment. It is difficult to determine what is considered “substantive changes” and only careful studying by organizing Members of the updated versions ensures that such organizing Members fully understand all updated</p>	<p>This provision was added by the Members at the 49th Congress in 2002. There is no indication that there has been any change since then which would make that decision no longer valid.</p> <p>The assertion that presentation of this information would “delay” the proceedings of Congress cannot be tested by experience as the 50th Congress will be the first time this is done.</p> <p>Changes to the Memorandum may not be important enough to take up the valuable time of the Members at Congress, but it will be particularly important for the Members to know the changes which would result if the New Judging System is approved and that may continue to be true for at least a few Congresses in the</p>

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17 cont.	provisions. The latest versions can always be requested and received from the ISU Secretariat and Congress proceedings should not be delayed by this information requirement.	future if the New Judging System is approved and as experience demonstrates where changes continue to be required.
23	<p>Article 13, paragraph 2 Replace existing paragraph with the following:</p> <p>2. Before the election of the Congress the new candidates for election to any office shall declare their intention to run and shall provide in writing to the attending representatives of Members their curriculum vitae all candidates for election to any elected office shall declare <u>in writing on specific forms, as decided by the Council and published by the ISU Secretariat, their intention to run for a specific position(s) to be indicated. In the case a candidate intends to run for different positions (i.e. President, Vice President, Technical Committee Chair, Technical Committee member, Appeals Commission Chair, Appeals Commission member, Disciplinary Chair, Disciplinary Commission member) it must be clearly indicated and it is understood that once elected into a position the elected individual cannot stand anymore for another position being subsequently elected.</u></p> <p><u>The following ISU forms must be sent to the ISU Secretariat at the latest 6 weeks before the start of the Congress by the Member of the nominee, another Member or, in the case of re-election only, the individual concerned. In the latter case, the nominee must at the same time send a copy of such form to the Member of the nominee's declared nationality:</u></p> <p>a) <u>form including the name, nationality, ISU Member affiliation and other personal data of the candidate.</u> b) <u>form including a curriculum vitae (CV) of the candidate</u></p>	<p>On its face, this proposal appears designed to bring some order to what can otherwise be a relatively spontaneous occurrence.</p> <p>Unfortunately, this procedure will only limit the flexibility of the Members to propose candidates for election. For many Members, the first opportunity to discuss possible candidatures is when they arrive for the start of the Congress. Under the provisions of this Proposal, they would not have that opportunity and that seriously reduces their ability to participate effectively in the governance process. The Members <u>must</u> preserve their right to nominate their candidates from the floor. Otherwise, the Members with resources for international travel for purposes of electioneering will dominate the governance of the ISU.</p> <p>The Council has had mixed experiences with having a member who is also the President of a Member. Some Members with a limited number of officials knowledgeable in the sport will have to make a choice between effective participation in governance of the ISU or effective management of their own national association and its activities as a Member</p> <p>This Proposal should include a clarification that actions taken by prior Council's are not being questioned by what appears to be a statement that simultaneous service in both positions constitutes an inherent conflict of interest.</p> <p>If such conflict exists by virtue of being the President of a Member, it would also exist by virtue of serving on any governing bodies of a Member such as its Board of Directors.</p>

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23 cont.	<p>c) <u>form including a signed declaration that the nominee does not hold the position of President/Chair of any Member. If such position is currently held, a confirmation that if elected the nominee will without delay resign that position with immediate effect.</u></p> <p>d) <u>form including a signed acceptance of and full respect and compliance with ISU Regulations (in particular but not limited to the obligations of ISU Office Holders as set forth in this Constitution and the ISU Code of Ethics).</u></p> <p><u>Nominations received later than the set deadline or incomplete nominations are not valid. A list of nominees grouped by elected positions containing the names of the nominees, the nominators and the CVs shall be distributed by the ISU Secretariat 3 weeks prior to the start of the election Congress to Members and ISU Office Holders.</u></p> <p><u>Reason:</u> To establish a clear procedure as to the nomination for candidates to elected ISU positions.</p>	<p>In any event, the “form” should also include an acknowledgement that as an Office Holder elected by the Members acting in Congress, the person has a <u>duty to the Members</u> and not to any other official or organ of the ISU.</p> <p>This Proposal removes flexibility of the Members. It actually disqualifies certain categories of Member officials from serving, which is a fundamental invasion of the rights of the Members.</p> <p>Actually, the procedures are already clear. By failing to address the impact on existing Officeholders, it makes things <u>less</u> clear.</p>
24	<p>Article 13, paragraph 3 Amend the current wording as follows:</p> <p>3. <u>Maximum age</u> In order to be eligible for election, any candidate for election or re-election as an ISU <u>elected</u> Office Holder, (except for Technical Committee chair or member as specified in Article 19, paragraph 2 and in the Special Regulations), or Technical Committee member must not reach the age of 75 prior to being elected for any <u>elected Office or Committee membership</u>. An ISU <u>elected</u> Office Holder or Technical Committee member who reaches the age of 75 during his current term of office <u>is not disqualified by such fact from continuing to serve the current term may continue to serve for the full four year term.</u></p>	<p>No one is elected to an appointed Office and no one is appointed to an elected Office. The purpose of this proposed change is confusing. The text should be revised to read “In order to be eligible for election, any candidate for election or re-election as an ISU elected Office Holder, (except for Technical Committee chair or member as specified in Article 19, paragraph 2 and in the Special Regulations), must not reach the age of 75 prior to being elected for any elected that Office <u>(70 for Technical Committee chair or member as specified in Article 19, paragraph 2 and in the Special Regulations).</u>” If this Proposal is intended to result in a change to an existing provision in the Special Regulations, that is subject to approval by the relevant Congress Section: Speed or Figure.</p>

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24 cont.	<p><u>Reason:</u> To clarify that the age limit of 75 applies only to elected office but not appointed positions for which there is also a possibility to terminate the appointment at any time.</p>	<p>If the purpose was to “clarify” anything, that was <u>not</u> achieved.</p>
33	<p>Article 15 Amendment of side title and deletion/replacement of paragraph 4 with the following text, together with insertion of new paragraph 5 and subsequent renumbering of paragraphs:</p> <p>Honorary Members and ISU Awards <u>4. The awards of “ISU Honorary President, ISU Honorary Vice President and ISU Honorary Member” may be awarded at the discretion of the Council. Each such award is subject to being confirmed by the Congress. Proposals for the nomination of Honorary Members shall be addressed to the Council which, after due consideration, may submit them to the Congress.</u> <u>5. i) For the position of Honorary President at a minimum, nominees shall have been President for at least eight (8) years.</u> <u>ii) For the position of Honorary Vice President at a minimum nominees shall have been Vice President for at least eight (8) years.</u> <u>iii) For the position of Honorary Member at a minimum nominees shall have been a member of a Technical Committee for at least twelve (12) years; Chair of a Technical Committee for at least eight (8) years; a member of the Council for at least eight (8) years; an appointed Advisor serving as an ISU Office Holder for at least eight (8) years; or a member of the Appeals Commission for at least eight (8) years.</u> <u>For the purpose of this sub-paragraph (iii) the periods served in different positions are added together.</u></p>	<p>Use of the term “award” with respect to the Honorary positions listed is <u>incorrect and misleading</u>. The provisions make it clear that “Honorary Member” and related terms are for <u>positions</u> to which the individuals are <u>elected</u>, not “awards” which are granted.</p> <p>The positions of Honorary Member, <u>etc.</u>, were initially added to the Constitution, and the vote of the Members required, given their status as individuals holding rights similar to Membership. This Proposal would interfere with the rights of the Members to participate in and even initiate decisions which result in admitting individuals to a role having important indicia of “membership”. The Members actually should have the authority to nominate <u>and</u> elect such Honorary Members and probably currently do. As a matter of corporate governance, the current provision would permit Members to submit a nomination directly to the Members as long as they are <u>first</u> submitted to the Council. This provision would eliminate the “nominating” role completely.</p> <p>It is improper to bring the provisions of Communication No. 1149 into the Constitution. The Members could not make a determination in an individual case that a person should be elected to an “Honorary” position even though general guidelines regarding service had not been met.</p>

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33 cont.	<u>Reason:</u> to clarify the criteria for nominations for Honorary ISU membership.	This Proposal does not “clarify” anything. It interferes with the rights of the Members.
34	<p>Article 15 Insert new paragraphs regarding ISU Awards after current paragraph 6 as follows:</p> <p>8. ISU Gold Award of Merit <u>An “ISU Gold Award of Merit” may be awarded at the discretion of the Council to recognize valuable contributions to the ISU sports at the international level. This award may only be made to ISU Office Holders and other individuals who have served the ISU sport disciplines for at least ten years.</u></p> <p>9. ISU Diploma of Service <u>An “ISU Diploma of Service” may be awarded to persons who have served the ISU well over many years, for example retired Referees. Diplomas of Service will be awarded to persons having title and who have been on the ISU lists of Honorary Referees and Judges. The titles of Honorary Referee and Honorary Judge are discontinued and the names will no longer be listed in the annual ISU List of Referees and Judges.</u></p> <p><u>Reason:</u> To clarify the current ISU Awards</p>	<p>If this provision is required, the Diploma of Service awards granted by the ISU and reported in Communication No. 1231 <u>are not valid</u>. If this provision is NOT required, it is improper to modify the Constitution for that purpose. Reference to Honorary ISU Referees and Honorary ISU Judges in paragraph 9 is improper as that provision specifically relates to the “ISU Diploma of Service.” In any event, the positions of “Honorary ISU Referee” and “Honorary ISU Judge” are not “titles” but positions for which appointments are made pursuant to Regulations duly adopted by the Members acting in Congress. See Special Regulation Rules 410, 425, 581, 589, 807, and 818. Discontinuing the proper practice of listing the names in the annual ISU List of Referees and Judges would be disrespectful of the service upon which such appointment was initially made. Moreover, it could not be done during the lifetime of any appointee without violating legal standards of justice.</p> <p>This does not “clarify” existing requirements. It <u>changes</u> them.</p>
36	<p>Article 17, paragraphs 1 and 2 Add the following as new sub-paragraph after current sub-paragraph g) and re-letter the succeeding sub-paragraphs:</p> <p><u>Decisions on appeals from the decision of the Technical Committees and ISU Officials involving violation of technical sport rules. Such decisions of the Council are final</u></p>	<p>This Proposal appears to be part of the larger effort to make decision-making of ISU elected bodies <u>not</u> accountable to <u>any</u> party other than the next Congress. If that occurs, Congress would become a regular part of the dispute resolution process. That is inconsistent with the stated goal of the Council (see Proposal No. 17) to avoid delays in the efficient proceedings of the Congress.</p>

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<p>36 cont.</p>	<p>and not subject to further appeal within the ISU or to any external tribunal.</p> <p>Add the following as a new sub-paragraph after current sub-paragraph k) and re-letter the succeeding sub-paragraphs:</p> <p><u>in case that exceptional circumstances so require and warrant</u></p> <p><u>(i) modification of any Rule in the General Regulations and in all Special Regulations,</u></p> <p><u>(ii) suspension of applicability of any Rule in the General Regulations and in all Special Regulations</u></p> <p><u>(iii) granting an exception from a requirement specified in any Rule in the General Regulations and in any Special Regulations in order to prevent unusual hardship.</u></p> <p>Add the following as new paragraph 2 and re-number current paragraph 2 as paragraph 3:</p> <p><u>2. Decisions taken by the Council in the exercise of its functions and powers shall be final and shall not be subject to appeal except as explicitly set forth in other provisions of the Constitution or Regulations. All final decisions of the Council are subject to the exercise of the superior decision power of the Congress at the next following Ordinary or Extraordinary Congress. See paragraph 19 of VIII Procedural Provisions to the Constitution.</u></p> <p><u>Reason:</u> The Council is the highest body between The Congresses and is empowered (but also responsible for) to manage all affairs of the ISU between the Congresses. Two years is a long period of time, things may change, a mistake may be discovered, etc. All this may require an immediate action, correcting measures etc. Also, exceptional circumstances may require granting an exception in order to prevent a real hardship.</p>	<p>If there actually <u>are</u> exceptional circumstances, the proper procedure would be to address them in an Extraordinary Congress as that is the purpose of holding one. If the Council is actually concerned that holding such Extraordinary Congress would be too costly, it should instead have proposed a mechanism for securing votes of the Members by written ballot instead of holding an Extraordinary Congress. Under current provisions, that could be done if the Members agreed in advance NOT to attend such Congress and instead requested that the matter be handled by written ballot. The fundamental principle must be maintained: the ISU is <u>solely</u> an embodiment of its Members collectively, not an authority separate from such collective.</p> <p>This provision is taken from Article 22 paragraph 2 where it is clearly a <u>reservation</u> of power to the Congress. Imported into Article 17 instead would make it a <u>grant</u> of power to the Council. The impact of proposed changes to Article 22 and 23 (see separate discussion of Proposal No. 52) must be examined and explained clearly to the Members before they can take informed action. Also, there are 2 paragraphs “19” in Part VIII. The Proposal should clearly specify which one is being referenced.</p> <p>The “Reason” is based on a pretext which has never occurred and is inconsistent with principles of self-governance: that the normal and deliberative process of the Members acting in Congress would be detrimental to the best interests of the ISU. Again, the ISU is merely a collectively embodiment of all its Members and was created by them, not the other way around. The ISU must serve its Members, not make servants of them.</p>

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38	<p>Article 18 Move to Procedural Provisions to the Constitution (E).</p> <p>The Council meets at least once a year on dates determined by the Council.</p> <p><u>Reason:</u> More appropriate location of this provision.</p>	<p>Having this provision in the Constitution is for the protection of the Members. They must be entitled to require that the persons elected by them to manage the affairs of the ISU between Congresses do exactly that. It would be appropriate for this Proposal to be amended from the floor (1) to keep it in the Constitution, and (2) require the Council to meet more frequently than that -- as they actually do and as any major corporation would.</p>
50	<p>Article 21, paragraph 2 Replace current wording to read as follows:</p> <p>Decisions of the Council must be published in the official publications of the ISU <u>general interest and importance to the Members taken by the Council, the Disciplinary Commission or the Appeals Commission shall be published in the official publications of the ISU.</u></p> <p><u>Reason:</u> To include decisions of the Appeals Commission and the Disciplinary Commission (if adopted by the 2004 Congress) in this provision and to clarify that it applies only to major decisions of which Members and Office Holders must be aware of but not minor decisions necessary for the day to day operation of the ISU.</p>	<p>This proposal might work out if the Members themselves could specify what decisions were “of general interest” and which ones were only “minor decisions necessary for the day to day operation of the ISU.” Giving that power to the very body which is making the decision invites abuse. The only way to avoid those problems is to require that <u>all</u> decisions taken by the Council are published in Communications and then let the Members themselves skip over the ones which they believe to be “minor”.</p> <p>Adding decisions of elected bodies in addition to the Council would also serve that purpose. It should, however, apply to <u>all</u> decisions of <u>all</u> organs of the ISU (elected <u>and</u> appointed) which impact on the rights of the Members or on the rights or standing of any persons affiliated with a Member.</p>

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51	<p>Article 21 paragraph 3 Amend as follows:</p> <p>Communications issued between the Congresses concerning interpretation of rules <u>and/or modifying or suspending rules</u> shall elapse at the next succeeding Congress unless presented to the Congress for approval before implementation.</p> <p>Reason: to reflect amendment to Article 17, paragraph 1. l)</p>	<p>Proposal 36 should be rejected for the reasons noted above. This Proposal is based on the assumption that it would be approved by the Members. <u>If</u> Proposal 36 is approved, this provision is essential <u>but falls short</u>. It should be modified to provide that (a) any such modification or suspension is effective only 60 days after the Communication is published, the (b) Members should have a procedure for registering objections, and that (c) any such interpretation/modification/suspension takes effect <u>only</u> in the absence of objection by the number of Members otherwise required to convene an Extraordinary Congress. The authority to interpret rules is based upon election of the Council to administer and implement the rules between assemblies of the Congress, not a substitute for the Congress itself.</p>
52	<p>[Replacing current Articles 22 and 23 with new Articles 22-25; see separate presentation]</p>	<p>[see separate presentation]</p>
58	<p>Part VIII, Section A. Congress Paragraph 3 Insertion of new paragraph 3 and renumbering of subsequent paragraphs:</p> <p><u>3. To give proper effect to the latest enactments of each Congress, any Constitutional provision, or General or Special Regulation that is, or may be reasonably believed to be, contrary to or inconsistent with decisions taken by such Congress shall be deemed amended to be consistent with the most recent Congress decisions. The Drafting Committees of the relevant Congress or the General Secretary, as most convenient, shall amend such other provisions and regulations accordingly before publication of the new Constitution and Regulation books. All such amendments shall be submitted to the Council before such book publication for review and approval or appropriate modification for accuracy.</u></p>	<p>The Members are obligated to submit Proposals for the Congress more than 6 months before it convenes. Even Urgent Proposals must be submitted more than 6 weeks before the Congress convenes. That leaves plenty of time for proposing parties to do what they should do in any event before making a Proposal: consider the impact on provisions of the Constitution and Regulations which have previously been approved by the Members acting in Congress and which have been in place for at least 2 full years prior to the holding of a Congress considering such Proposals. Suggesting it “is not possible” to do that is merely an attempt to justify a sloppiness completely inconsistent with the sport which the ISU administers. In <u>no</u> event the discretion of an employee of the ISU be substituted for the sovereign authority of the Members.</p>

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58 cont.	<p><u>Reason:</u> At a Congress, it is not possible in most cases to check all parts of the ISU Constitution, and the General and Special Regulations, for consistency with new decisions reached at the Congress. Necessary adjustments made before the books are printed will assure such consistency.</p>	<p>If the Council members are not able to prepare for the Congress in a manner which avoids the problem identified in this Proposal, <u>and then conduct the Congress accordingly</u>, they should all be replaced. Allowing those very persons to make a decision that a newly-approved Proposal is inconsistent with prior provisions should be offensive to all Members.</p>
59	<p>Part VIII, Section A. Congress Paragraph 5 Insertion of new paragraph after existing paragraph 4</p> <p><u>5. Workshops</u> <u>The Workshops at the Congress may present topics of interest concerning the ISU sports, including proposed Technical Rules changes. Members may submit recommendations to the Council concerning such topics by the due date for Proposals for the Agenda. The Council shall decide the final subject matter of each Workshop and shall arrange for proper preparation and presentation of such topics. The final program for each workshop shall be published with the Congress Agenda and shall not be subject to modification as an Urgent Matter or at the Congress.</u></p> <p><u>Reason:</u> To clarify the procedure for the holding of workshops during Congresses</p>	<p>The Council is being inconsistent. Proposal 17 cites the need to avoid delays of Congress proceedings as a basis for declining to provide information to Members. This Proposal would have the effect of limiting time available to Members to consider and discuss substantive Proposals. Moreover, the Members would be prevented from modifying Workshop programs even at the Congress in order to prioritise efficient use of time at the Congress.</p> <p>Again, this does not “clarify” anything. It simply prevents the Members from making decisions as to how their time is used.</p>
68	<p>Part VIII, Section A. Congress Paragraph 22 Add new paragraph after current paragraph 21 and renumber subsequent paragraphs accordingly:</p> <p><u>22. If there is one candidate only for an open position, or the same number of candidates as open positions within a body, the candidates are elected without a vote.</u></p>	<p>This Proposal must be seen as connected with Proposal 23. If both are adopted, the Members would not have the ability to accept nominations at the Congress, even if only one person had previously submitted the forms required to run for election to any office. The Proposal asserts that this has been a matter of “practice” at prior Congresses -- meaning that the <u>Members</u> have chosen to follow that procedure. The Members should retain the right to determine voting procedures <u>as needed</u>. Even when there</p>

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68 cont.	<p><u>Reason</u>: to clarify current practice as decided and handled by 2002 Congress.</p>	<p>is only one candidate, the Members must have the ability to express dissatisfaction by casting a blank ballot.</p> <p>The Proposal does not “clarify” past practices. It deprives the Members of the authority to decide on a different practice.</p>
69	<p>Part VIII, Section A. Congress Paragraph 25 Replace current paragraph 25 with the following:</p> <p><u>25. Technical operation of elections</u> <u>The Council shall ensure the use of an electronic voting system operated by an independent service company appointed by the Council. The appointed Service Company shall certify that the system used has been tested and guarantees 100% accuracy of the results and shall confirm in writing that all data related to the secret elections shall remain strictly confidential. In addition, the Council shall ensure that scrutineers accepted by the Congress monitor the accuracy and confidentiality of the electronic voting system. In the case of malfunctioning of the electronic system, a traditional paper based system shall be used. Immediately after the conclusion of the Congress the General Secretary, in the presence of the scrutineers, shall destroy all ballots.</u> <u>Any records of data relating to the election, in paper or electronic form, shall be destroyed by the General Secretary in the presence of the scrutineers immediately after the conclusion of the Congress.</u></p> <p><u>Reason</u>: To adapt the procedure to an electronic voting system</p>	<p>This Proposal will result in increased costs. The Council is obligated to provide a budget for this item pursuant to Section A paragraph 2.b). Either it has failed to observe the requirements of the Procedural Provisions of the Constitution or it is failing to disclose that the cost will fall to the Member organising the Congress.</p> <p>In any event, approval of this Proposal would also mean that <u>all</u> votes in Congress could be taken by secret ballot without delaying the procedures of the Congress. Before this Proposal is approved, it should be amended (1) to specify the cost and confirm that it will be the obligation of the ISU itself and not of the organising Member, and (2) to cover all votes, not just elections.</p> <p>This would also be an appropriate time for the Members to consider why the records of these votes need to be destroyed if they are no longer in the custody of the ISU Secretariat. If the process is conducted by an independent service company. they can be held by it for future audit or verification (if necessary) while preserving the secrecy of the ballot. At the very least, ballots should be retained by an independent custodian until the next following elections in case the results are challenged.</p> <p>Modern electronic voting procedures would permit much more than this Proposal suggests.</p>

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70	<p>Part VIII, Section B. Congress Meeting Procedures Paragraph 7 Insertion of new paragraph and re-numbering of subsequent paragraphs:</p> <p><u>7. Approval of the Agenda</u></p> <p><u>Reason:</u> to complete proper Congress meeting procedure that normally includes the approval of the Agenda.</p>	<p>This Proposal needs to be amended to specify that it relates only to the parts of the Agenda which do <u>not</u> relates to Proposals and the debate and vote on them. Those parts of the Agenda are already specified elsewhere in the Procedural Provisions to the Constitution, including “Urgent Proposals”.</p>
71	<p>Part VIII, Section B. Congress Meeting Procedures Paragraph 9 Insertion of new paragraph and re-numbering of following paragraphs:</p> <p><u>9. Workshops on topics proposed and prepared by the Council</u></p> <p><u>Reason:</u> To include a reference to a procedure already under implementation.</p>	<p>See observations and comments regarding Proposal 59.</p>
75	<p>Part VIII, Section C. Speed Skating Section Meeting Procedures Paragraph 6 Insertion of new paragraph 6 and renumber subsequent paragraphs accordingly:</p> <p><u>6. Approval of the Agenda</u></p> <p><u>Reason:</u> To complete proper Congress meeting procedure that normally includes the approval of the Agenda.</p>	<p>See observations and comments regarding Proposal 70.</p>

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77	<p>Part VIII, Section C. Figure Skating Section Meeting Procedures Paragraph 6 Insertion of new paragraph and renumbering of subsequent paragraphs accordingly:</p> <p><u>6. Approval of the Agenda</u></p> <p><u>Reason:</u> to complete proper Congress meeting procedure that normally includes the approval of the Agenda.</p>	See observations and comments regarding Proposal 70.
80	<p>Part VIII, Section E. Council New paragraph number 1 Moved from Article 18 in Constitution:</p> <p>The Council meets at least once a year on dates determined by the Council.</p> <p><u>Reason:</u> More appropriate location of this provision.</p>	This Proposal reduces the rights of the Members and the protection of them. See observations and comments regarding Proposal 38.

No.	Article / Text of Proposal	Observations / Comments / Recommendation(s)
82	<p>Part VIII, Section G. Definitions Paragraph 4 Amendment of text as follows:</p> <p>The Technical Delegate/s <u>in cooperation with an ISU Event Coordinator</u> perform all functions specified in the ISU Regulations and in the relevant ISU Memorandum and assignments decided by the Council. In addition, they serve as liaison between the ISU <u>Officials on duty, ISU technical staff/consultants</u> and the Organizers.</p> <p><u>Reason:</u> To include a reference to an ISU Event Coordinator as per the current practice in Figure Skating that ensures a continued, timely and consistent monitoring of all organizational matters for all ISU Championships and to include the possibility of interaction with other competent officials as decided by the Congress, e.g. the New Judging System.</p>	<p>The Technical Delegates have served in this function in the same context as have all ISU Officials at ISU Events: as unpaid volunteers. This Proposal needs to be modified to specify that the ISU Event Coordinator is similarly expected to serve in that capacity or that, as an employee or consultant of the ISU, is supervised by the Technical Delegate.</p> <p>“Continued, timely and consistent monitoring” of organisational matters for ISU Championships is an appropriate goal. Using that as the basis for increasing the overhead costs of the ISU bureaucracy, or for abandoning historical importance of the role of the Technical Delegate, is deceptive.</p>