

Communication No. 2469

Decisions of the ISU Council - War in Ukraine/Protective Measures

The ISU Council met on-line on April 24, 2022.

The ISU Council continues to follow the developments in Ukraine and their impact on ISU activity. The Council reaffirms its solidarity with all those affected by the conflict and reiterates its condemnation of the Russian invasion of Ukraine in the strongest possible terms.

As announced in ISU Communication 2466, the ISU Council agreed to make available a budget of CHF 200'000 with the purpose of supporting the Ukrainian Skating Federations and their members in coping with this tragic situation. Based on the recommendation of the Development Commission and Development Program Director, the ISU Council has agreed to earmark these funds for ISU Members that have welcomed Ukrainian Skaters displaced by the conflict as a contribution to help them continue their Skating activities. The concerned ISU Members will be informed of the details of the support in due course.

As also announced in ISU Communication 2466, the ISU Council, in line with Article 17, paragraph 1. q), final sub-paragraph, of the ISU Constitution, had decided to write to ISU Members asking for comments on some proposed decisions regarding the consequences of the war in Ukraine for ISU activity.

Based on the feedback received from ISU Members and considering the exceptional circumstances, in accordance with according to Article 17.1.q) of the ISU Constitution, the ISU Council took the following decisions, which were widely supported by the ISU Membership and which replace the emergency decision taken on March 1, 2022. The original and the replacement decisions are neither a sanction or other disciplinary measure, nor an Ineligibility decision, but have been taken exclusively in the interests of protection of the safety of participants and integrity of the competitions. The new decisions read as follows:

1. The exceptional developments in Ukraine have resulted in a situation that is not specifically foreseen in the ISU Statutes. Similar situations may occur again in the future. The ISU Council therefore decided to modify Rule 104 by adding a new paragraph 17, as stated below. The same modification will also be subject to an Urgent Matter Proposal to be placed on the Agenda of the 2022 ISU Congress:

"17. Other Protective Measures

In case of occurrence of events or circumstances of an exceptional nature which are outside of the ISU's control (such as terrorism, riot, civil unrest, war (regardless of whether declared or not), strike, nuclear or chemical contamination, epidemic, etc.) (the "Extraordinary Event") compromising the safe and/or regular conduct of ISU's activities, notably, but without limitation, the conduct of the activities of ISU bodies/Commissions and/or the organization of (including the preparations thereof) and/or the participation in events and/or competitions hosted and/or sanctioned by the ISU, being made impossible, objectively endangered, or, in the reasonable judgment of the ISU Council, not reasonably possible or appropriate under adequate conditions given the circumstances, the ISU Council may decide to impose exceptional protective measures aimed at preserving the safe, peaceful and regular conduct of the ISU's activities defined in this Rule in accordance with the ISU's objective.

Protective measures may include, without limitation, the temporary suspension of:

- a) *the exercise of rights of ISU Members representing countries that caused or contributed to or are otherwise relevantly involved in the Extraordinary Event; and/or*
- b) *persons who are affiliated to the ISU Members referred to in sub-paragraph a) above and/or citizens of the concerned countries, to the extent they are participating in the ISU's activities defined in this Rule (including, without limitation, persons who are elected or appointed as members of ISU Bodies/Commissions, athletes, Officials, support personnel); or*
- c) *any other measure that the ISU deems appropriate in light of the nature and circumstances of the Extraordinary Event.*

The protective measures are issued irrespective of any violations by the concerned parties mentioned above of their respective specific obligations under the ISU Constitution and/or the ISU's other regulations.

Protective measures may be maintained by the ISU Council (as issued or as amended from time to time) as long as reasonably required by the circumstances. They must be lifted, partially or totally, as soon as reasonably practicable in view of the evolution of the circumstances having led to the issuance of the measures. In case any protective measure imposed is still in place at the time of the next Ordinary ISU Congress, such ISU Congress shall discuss and decide whether the measures shall be maintained.

2. Based on Article 17.1.q) of the ISU Constitution as well as the above-mentioned new provision Rule 104, paragraph 17 of the ISU General Regulations, in order to protect the integrity of International Competitions, for the safety of all participants of International Competitions, and to allow the ISU to pursue its objective of developing the ISU sports on the basis of friendship and mutual understanding, the ISU Council decided upon the following protective measures:

- a) Until further notice no Skaters belonging to the ISU Members in Russia (Russian Skating Union and the Figure Skating Federation of Russia) and Belarus (Skating Union of Belarus) shall be invited or allowed to participate in International Competitions, including ISU Championships and other ISU Events. The same applies to Officials listed in the respective ISU Communications and/or Regulations under Russia and Belarus. The ISU Regulations modified accordingly are, in particular but not limited to, the following:

Rule 109, paragraph 1 – Entry through ISU Member

Rule 130 – Participation in Championships

Rule 208 – Speed Skating - Entries for ISU Championships and ISU Events

Rule 211, 212, 213, 214 – Speed Skating – Appointment/Nominations of Officials

Rule 281/2 – Short Track Speed Skating – Entries

Rule 289 – Short Track Speed Skating – Appointment/Nomination of Officials

Rule 377 – Single & Pair Skating/Ice Dance – Participation in Championships

Rule 378 – Single & Pair Skating/Ice Dance – Entries ISU Championships

Rules 420, 421 – Single & Pair Skating/Ice Dance – Appointment of Officials to Competitions

Rule 867 – Synchronized Skating – Participation in Championships

Rule 868 – Synchronized Skating – Entries in Championships

Rules 910, 911 – Synchronized Skating – Appointment of Officials to Competitions

- b) Until further notice no International Competitions shall be held in Russia and Belarus. Consequently, the Rostelecom Cup 2022 in Figure Skating will not be included in the ISU Grand Prix of Figure Skating series of the season 2022/23. Rule 104, paragraph 14 and 104, paragraph 15 of the ISU General Regulations are therefore applied by the Council, Director General and Secretariat accordingly.

ISU Members interested in hosting the ISU Grand Prix of Figure Skating event scheduled on November 25-27, 2022, are requested to contact the ISU Sports Director Figure Skating, Ms.

Patricia Mayor (mayor@isu.ch), by May 6, 2022 in order to obtain the necessary details enabling them to submit an application to the ISU.

3. The ISU Council acknowledged the feedback from over 20 ISU Members who urged the ISU Council to also decide that the ISU Members of Russia and Belarus will not be permitted to attend the 2022 ISU Congress or other official meetings and seminars etc., and that candidates from Russia and Belarus will not be permitted to stand for election at the 2022 ISU Congress for any position.

Considering the fundamental rights of ISU Members as laid down in the ISU Statutes and in Swiss Law, the ISU's obligation to ensure that the interests of all ISU Members are observed and respected, and mindful of securing the validity of the upcoming 2022 ISU Congress, the Council concluded that no such Council decision shall be taken at this time. Such decision shall be subject to a vote by ISU Members at the ISU Congress. Depending on the Ukraine situation and possible motions from ISU Members in this respect at the time of the 2022 ISU Congress, the ISU Council will decide at that time if such a vote shall be conducted at the beginning of the 2022 ISU Congress.

In the meantime, the ISU Council will continue to closely monitor the situation in Ukraine and its impact on the ISU activity and will take decisions if and when required.

Tubbergen,
April 25, 2022
Lausanne,

Jan Dijkema, President

Fredi Schmid, Director General