

Communication No. 2589

(Replacing ISU Communication No. 2265)

ISU Code of Ethics – Requirements for acting ISU Officials - Invitation of ISU Office Holders and ISU Officials to attend Skating Competitions as Guests

Preamble

Pursuant to its authority under Article 17 paragraphs 1.a), 1.r) and 1.t) of the ISU Constitution and Rule 125, paragraph 4 of the ISU General Regulations, the ISU Council has adopted some clarifications of the ISU Code of Ethics, Communication No. 2478, relating to conflicts of interest.

The restrictions contained in this Communication with respect to persons who are ISU-appointed Officials and/or ISU Judges for Figure Skating and who concurrently hold the position of ISU Member President, Vice-President, Director General, General Secretary, CEO, Executive Director, Sport Director or equivalent, apply irrespective of the number of remunerated average hours the concerned person may work per week. The ISU Code of Ethics underlies all ISU Statutes and Rules and it governs the ISU activities of all persons subject to the Code of Ethics.

Reasons for modifications of ISU Communication No. 2265

The reason for the Council's decision to adopt the modifications to Communication No. 2265 is as follows:

According to previous Communication No. 2265, paragraph 1.7, persons who hold the position of President, Vice-President, Director General, General Secretary Sport Director of an ISU Member are not allowed to officiate as an ISU-appointed Official at the top ISU Events listed in paragraph 1.7 on the basis that they have a conflict of interest under the Code of Ethics. However, according to paragraph 2.2 of the previous ISU Communication No. 2265, only ISU Member Presidents are excluded from serving as a Judge at the same top ISU Events. The other elected or paid leadership and/or influential positions (ISU Member Vice-President, Director General, General Secretary, CEO, Executive Director, Sport Director or equivalent) in an ISU Member federation are not excluded from serving as Judges at the same top ISU Events. For purposes of whether a conflict of interest exists under the Code of Ethics, there is no reasonable objective basis to differentiate between the perceived fairness of Officials appointed by the ISU and the perceived fairness of Judges selected by their ISU Member. In other words, because these other elected and paid ISU Member leadership positions are considered to be a conflict of interest by their very nature for ISU-appointed Officials under the Code of Ethics, the same conflict of interest exists under the Code of Ethics for Judges selected by their ISU Member. Therefore, to be consistent under the Code of Ethics with respect to conflicts of interest, the same limited restrictions will now apply to Judges under this Communication No. 2589 paragraph 2.2 as have been applied to ISU-appointed Officials since July 2019.

Updated Specifications and Clarifications of the ISU Code of Ethics related to conflict of interest situations (*changes and additions to ISU Communication 2265 are underlined*)

In accordance with the powers conferred upon it by Article 17 paragraphs 1.a), 1.r) and 1.t) of the ISU Constitution and Rule 125, paragraph 4, the ISU Council has adopted this Communication containing certain specifications and clarifications of the ISU Code of Ethics (ISU Communication No. 2478) as follows:

Article 11, paragraph 1 of the ISU Code of Ethics requires all persons subject to the Code to avoid any conflict of interest and to refrain from placing themselves in any situation which could reasonably be conceived to create a conflict of interest. The purpose of this Communication is to clarify this requirement specifically with respect to acting Figure Skating Officials and to invitations of ISU Office Holders and ISU Officials as guests to Skating competitions.

1. Technical Panel Officials and Referees

Due to the material impact which the members of Technical Panels and Referees can have on the outcome and the results of Figure Skating competitions, they are particularly susceptible of being perceived to be in a conflict of interest situation, especially with respect to ISU Grand Prix Series events and the ISU Grand Prix Final, ISU Championships, Winter Youth Olympic Games, and Olympic Winter Games. In order to avoid potential conflict of interest situations, the following principles shall apply:

- 1.1 No individual shall serve as a member of the Technical Panel or Referee in any discipline of any ISU Senior and Junior Grand Prix Series event, the ISU Junior and Senior Grand Prix Final, any ISU Championships, Winter Youth Olympic Games, and Olympic Winter Games in which a Skater participates with whom the member of the Technical Panel or the Referee has a special relationship. Such a special relationship can be created e.g. by family relations (see Rule 121, paragraph 3.k) ii) 5.); godparenthood; close friendship with or personal animosity against a Skater, his/her parents, other relatives or Coaches; and, in the case of individuals who are Technical Specialists and Assistant Technical Specialists who are also active as Coaches, there may be a strong rivalry with a Coach of a Skater. In addition, a Coach who is coaching a Skater in a Senior Grand Prix event shall not serve as a member of the Technical Panel at any other Senior Grand Prix event and the Junior and Senior Grand Prix Final of the same season; and a Coach who is coaching a Skater in a Junior Grand Prix event shall not serve as a member of the Technical Panel at any other Junior Grand Prix event and the Junior and Senior Grand Prix Final of the same season.
- 1.2 No individual shall serve as a member of the Technical Panel or as the Referee at and the Olympic Winter Games in a discipline in which Skaters/Pairs/Ice Dance couples of his/her own ISU Member participate who has/have placed 1 – 5 at the ISU World Championships in the immediately preceding season or who can reasonably be expected to place 1 – 5 at the respective Olympic Winter Games.
- 1.3 When appointing the members of the Technical Panel and the Referees for ISU Senior Championships, whenever possible, there shall be no appointments of Officials from ISU Members whose Skaters can reasonably be expected to place 1 – 5 in the respective discipline. In case this is not possible, all members of the Technical Panel and the Referee for the respective discipline shall, whenever possible, be from ISU Members whose Skater(s) can reasonably be expected to place 1 – 5 in the respective discipline at the ISU Championships concerned.
- 1.4 No individual appointed to serve as Technical Controller, Technical Specialist, Assistant Technical Specialist or Referee at the Olympic Winter Games shall serve as Technical Controller, Technical Specialist, Assistant Technical Specialist or Referee in any discipline whatsoever at the national championships or any other national competition of an ISU Member, other than his/her own, which will likely participate at the Olympic Winter Games during the same season.

1.5 ISU Member Presidents, Vice-Presidents, Directors General, General Secretaries, CEOs, Executive Directors, Sport Directors or equivalent, shall not serve as a member of the Technical Panel or Referee at any ISU Championships, any ISU Senior Grand Prix event, ISU Grand Prix Final Junior and Senior, Winter Youth Olympic Games, or Olympic Winter Games during the entire time of his or her elected/appointed period of service in the respective above-mentioned ISU Member function.

2. Judges

2.1 No individual shall serve as a Judge at the Olympic Winter Games who has served as Referee, Technical Controller, Technical Specialist, Assistant Technical Specialist or Judge in any discipline whatsoever at the national championships or any other national competition of an ISU Member, other than his/her own, which is participating in any Figure Skating event at the Olympic Winter Games during the same season.

2.2 ISU Member Presidents, Vice-Presidents, Directors General, General Secretaries, CEOs, Executive Directors, Sport Directors or equivalent, shall not officiate as a Judge at any ISU Championships, any ISU Senior Grand Prix event, ISU Grand Prix Final Junior and Senior, Winter Youth Olympic Games, or Olympic Winter Games during the entire time of his or her elected/appointed period of service.

3. Responsibility for Assessing and Reporting Conflicts of Interest

3.1 The above examples of conflicts of interest are not exhaustive. It is the responsibility of each Official assigned to serve as a member of a Technical Panel or as the Referee or as a Judge to assess whether he/she could be perceived to be in a conflict of interest situation. In case of doubt, he/she shall promptly address the situation with the Vice President for Figure Skating to determine whether a potential conflict of interest exists. It is important to note that not only actual conflicts of interest need to be avoided, but specifically also situations which could reasonably appear as conflict of interest to any third party.

3.2 Officials shall inform the ISU Vice President for Figure Skating in writing at their earliest convenience of any potential conflict of interest situation the Official may have as described in paragraphs 1 and 2 above. If such a conflict of interest arises or seems likely to arise under paragraphs 1 and/or 2 above, the concerned Official must report this situation on the ISU availability form. If the conflict of interest or the likelihood of a conflict of interest situation arises only later or during the ongoing ISU season, the ISU Vice President for Figure Skating shall be informed in writing immediately by the concerned Official and/or their ISU Member.

4. Gifts and Favors – Invitations to attend Skating Competitions as Guest

Besides their ISU Event attendance performing ISU functions in line with ISU Rules, Expense Guidelines and approved budgets, ISU Office Holders and ISU Officials are sometimes invited by organizing ISU Members to attend ISU Events as guests. While it is desirable that ISU Office Holders and ISU Officials follow such ISU Events and stay closely connected to the sport, it is nevertheless mandatory to strictly observe the limits imposed under Article 10 of the ISU Code of Ethics concerning offering and accepting gifts and favors. In this context, the following rules must be respected:

It is permissible for organizing ISU Members to invite ISU Office Holders and ISU Officials as guests to ISU Events (for the definition of “ISU Events” please refer to the ISU General Regulations, Rule 100, paragraph 3) and for ISU Office Holders and ISU Officials to accept such invitations, with the following restrictions:

- No ISU Office Holder/ISU Official may participate as a guest at more than two ISU Events during any season unless an exception has been granted by the ISU President for special reasons.

- ISU Office Holders/Officials must inform the ISU Secretariat at least 14 days in advance of any ISU Event which they intend to attend as a guest.
- The organizing ISU Member may provide accreditation, transportation from and to the airport/train station and to/from the ice rink, meals and accommodation at the official hotel(s) and invite its guests to official functions such as welcome parties and closing banquets, to offer them the usual welcome kits and special gifts and benefits such as entertainment, if the total value of such special gifts and benefits does not exceed two hundred Swiss Francs. All other expenses, in particular travel costs, have to be borne by the invited ISU Office Holder/ISU Official unless an exception has been granted by the ISU President for special reasons. However, if the invited ISU Office Holder/ISU Official at the same time fulfills other functions at the occasion of the respective competition, e.g. moderating a seminar, his/her travel costs may be borne by the organizing ISU Member on the basis of economy class air fare, provided the respective engagement for such other function is for at least one full day.

5. Any violation of the above rules is subject to disciplinary proceedings and sanctions in accordance with Article 25 of the ISU Constitution and Article 17 of the ISU Code of Ethics.

Seoul,

August 25, 2023

Lausanne,

Jae Youl Kim, President

Fredi Schmid, Director General