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## First Vice-President

To the Delegates to the  
2012 Annual General Meeting of the  
World DanceSport Federation (WDSF)  
Berlin (GER), June 17, 2012

Zurich, Switzerland, March 2012

### **Presidium's Motion to Modify the Status and Content of the Athletes' and Adjudicators' Code of Conduct and Standards of Ethics**

Dear President,  
Dear Fellow Delegates,  
Ladies and Gentlemen,

#### **1. Attachments**

Please find attached the WDFS Presidium's Motion to Modify the Status and Content of the Athletes' / Adjudicators' Code of Conduct and Standards of Ethics (the "**Ethical Codes**") with the following annexes:

##### **a) Annex 1**

- Draft WDSF Athletes' Code of Conduct and Standards of Ethics (a clean copy and a tracked version against the existing code adopted as Operating Policy by the WDSF Presidium).
- Draft WDSF Athletes' Code of Conduct and Standards of Ethics (a clean copy and a tracked version against the existing code adopted as Operating Policy by the WDSF Presidium).

Please note that the clean copy of the Ethical Codes is the final proposed and binding version of the Ethical Codes and that the tracked version has been provided only in order to highlight the proposed changes to the existing Ethical Codes.

**b) Annex 2**

World DanceSport Federation Statutes with the draft proposed modifications.

**c) Annex 3**

Version 2.0 of the Code of the WDSF Disciplinary Council with the draft proposed modifications.

With respect to the tracked versions of the above documents, the proposed new language appears in the body of the text itself whereas the deletions from the existing versions are marked "Gelöscht" in comments boxes; the German rubric in the comment boxes is due to the fact that the documents were generated using German Word software.

## **2. Introduction / leading idea**

- a) The Motion and amendments to the abovementioned documents relate primarily to the issue of WDSF non-registered events. As you will know, the Ethical Codes already contain certain restrictions on athletes/adjudicators participating in such non-registered Events. In revising these restrictions (as set out below), it was necessary to make certain consequential amendments to the Statutes and the Code of the WDSF Disciplinary Council. We have tried to keep all these amendments to a minimum.
- b) On the basis of the external advice received (see paragraph 3 below), our suggestion is to change the status of each of the Ethical Codes from a Presidium Operating Policy to WDSF Rules and Regulations. This means that the WDSF General Meeting will be asked to approve the Ethical Codes in their entirety (as that has not been done so far) and future changes can be made only by the WDSF General Meeting (or postal ballot).
- c) There are also certain modifications to the content of the Ethical Codes with respect to non-registered events. For international events, the system remains the same and it remains the case that, where an athlete participates in a non-registered international event without WDSF permission, any suspension by the WDSF Presidium may cover both national and international events. However, for events which are purely national, the WDSF Member Body would be responsible for giving permission to participate and imposing sanctions in respect of participation without permission (the criteria for permission and the nature of the sanctions are within the discretion of the relevant Member Body in an effort to respect the autonomy of the WDSF Members in respect of purely national events).
- d) The background to the Motion is explained in more detail in the explanatory statement set out at paragraph 4 below.

### **3. External Legal Advice by Carrard & Associés, Lausanne (SWI)**

We asked Carrard & Associés in Lausanne, Switzerland (www.carrard-assoies.ch) for legal advice with regard to the question of WDSF non-registered Events. Carrard & Associés are a firm of independent attorneys founded in Lausanne in 1885 and currently specializing in Business Law and Sports Law. They have a high profile both in Switzerland and abroad, and owe their reputation to the highly personalized services they provide and their culture of trust and loyalty towards their clients.

This Motion and the other documents set out at paragraph 1 a – c above, were reviewed by our lawyers, Mr. Ross Wenzel and Mr. Jean-Pierre Morand; they also drafted all the proposed changes to the documents.

Carrard & Associés are very experienced in the field of sport and they provide services to many International Sports Federations who are either on the Olympic Programme or recognised by the IOC; for that reason we are pleased to be able to benefit from their very valuable experience in this field.

### **4. Explanatory Statement with regard to the background to and the reason of the system of sanctioned and non-sanctioned events**

On behalf of the WDSF Presidium we ask you to please carefully consider our following explanatory statement regarding Non-WDSF Events (as defined in the Ethical Codes):

- a) All Official and Recognised Olympic Sports ("**Olympic Sports**") depend for their effective organisation, administration and development on a pyramidal regulatory structure. Clubs and/or athletes are affiliated to a single association at national level which belongs to the single international federation recognised by the IOC for that sport. WDSF is of course the international federation recognised by the IOC for DanceSport.
- b) This pyramid structure provides a framework that enables the uniform application and enforcement, by the international federation and its members, of appropriate regulations designed to safeguard the long-term integrity and health of the sport. Such regulations include, by way of example, a WADA-compliant anti-doping programme, adjudication standards, ethical principles and sporting rules to ensure the health and welfare of participating athletes.
- c) The pyramid structure is also essential for the proper organisation and conduct of the sporting calendar to ensure that events are organised and staged in a coordinated manner that promotes and facilitates the development of the sport as a whole.

- d) Events which are not sanctioned by either WDSF or one of its Member federations are outside of the Olympic DanceSport pyramid; they may clash with WDSF events and disrupt the WDSF calendar.
- e) The public may well have difficulty in appreciating the distinction between WDSF Events and Non-WDSF Events, in particular if WDSF athletes participate in the latter. If problems occur in connection with a Non-WDSF Event – for example in relation to health & safety, adjudication standards or ethical issues such as corruption – the reputation of WDSF and DanceSport generally may suffer. Furthermore, Non-WDSF Events may well be subject to different sporting rules (including adjudication criteria) and therefore risk undermining the WDSF rules and creating potential confusion amongst athletes and spectators.
- f) Therefore, in order to further the development of DanceSport, to ensure its integrity and protect the health and safety of its athletes in the long-term, WDSF must exercise a degree of control over the participation of WDSF athletes and adjudicators in Non-WDSF Events.
- g) It is within this context that the WDSF Presidium recently amended the Ethical Codes to require athletes and adjudicators to seek consent from the WDSF before participating in Non-WDSF Events.
- h) It is now proposed that the Ethical Codes – currently Operating Policies of the Presidium - will be adopted by the General Meeting as Rules and Regulations of WDSF. Certain revisions to the Ethical Codes are also proposed in order to take into account the respective spheres of influence of WDSF and its Member federations and, importantly, to respect the autonomy of the latter in respect of purely national events. More particularly, the Member federations will now be responsible in respect of national Non-WDSF Events for (i) granting (or refusing) consent to athletes and adjudicators for participation in such events and (ii) imposing sanctions in the event that the rules are breached. The criteria for granting consent and the nature of the sanctions imposed will be within the discretion of the Member federation.
- i) The WDSF shall retain this responsibility for international events. Whether consent is granted in a given case will depend on the particular circumstances of that case, most notably the risk of disruption to the WDSF sporting calendar and to DanceSport more generally.
- j) Finally, it is important to highlight that the international federations of a number of other Olympic Sports have found it necessary to introduce similar regulations in respect of non-sanctioned events; these federations include the Union Cycliste Internationale (UCI), the Fédération Internationale de Ski (FIS), the Fédération Internationale

de Volleyball (FIVB), the Fédération Internationale de Hockey (FIH) and the International Cricket Council (ICC).

## 5. Remarks concerning the Motion

In the Motion, we have provided for the possibility to vote on each change to the Statutes and Disciplinary Council Code separately. For this reason, our lawyers have provided a separate explanatory note in a comment box for each modification. For the Ethical Codes – which will have to be adopted in their entirety – this approach is not possible.

## 6. Closing remark

We strongly believe that we have done our utmost to present a fair and balanced regulation with respect to non-registered events. The proposals respect the national autonomy of our Members, place the Ethical Codes under the direct supervision of the General Meeting and ultimately aim to promote a continued positive development of our beloved sport of DanceSport at a national and international level.

On behalf of the WDSF Presidium we urge you to approve this Motion.

We are looking forward to meeting you all again in Berlin and we thank you for your support.

All of this submitted with respect.

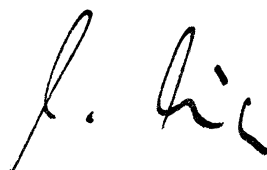
Thank you very much.

Yours faithfully,

### **World DanceSport Federation (WDSF)**



Carlos Freitag  
President



Lukas Hinder  
First Vice-President

## **Annexes**

Motion to Modify the Status and Content of the Athletes' / Adjudicators' Code of Conduct and Standards of Ethics

- Annex 1: Each of the Ethical Codes
- Annex 2: World DanceSport Federation Statutes with the proposed modifications
- Annex 3: Code of the WDSF Disciplinary Council (version 2.0) with with the proposed modifications