



# **FIL ETHICS CODE**

## **2022 Edition**

Approved at the 70<sup>th</sup> FIL Congress in Hall in Tirol / AUT

**[www.fil-luge.org](http://www.fil-luge.org)**

## **FIL Ethics Code**

### **I FIL Ethical Principles**

The FIL is the highest authority in all matters concerning the sport of luge. It is the only representative of the international sport of luge and represents the interests of the sport of luge worldwide, so far as the luge sports are recognized. The FIL recognizes the Artificial Track sport and the Natural Track sport.

The FIL allows no discrimination against its members or other persons or institutions associated with the FIL for political, racial, religious, or any other reasons protects the personal rights of all parties.

The FIL, whose activity is not for profit, have the following aims:

- to develop, oversee, promote, and direct the sport of luge worldwide;
- to lead the sport of luge within the framework and spirit of the Olympic Sports Movement and the Olympic Charter;
- to support the objectives of the National Federations in the form of help in theory and practice;
- collaboration with other international sport and sports science organizations;
- the organization and promotion of the sports movement;
- the organization of World Championships, Continental Championships, World and Continental Cups, as well as others from Congress or from Executive Board approved competitions;
- the establishment and maintenance of a highest court of appeal for protests and other legal issues from international competitions, as well as all matters concerning the FIL Statutes and FIL Regulations;
- the promotion of the exchange of experience and insight for the development of the sport of luge on an international level;
- the implementation of binding rules for all luge disciplines;
- the recognition that international luge competitions will be executed in accordance with the FIL Statutes and Regulations;
- the implementation of necessary measures to ensure that the current Statutes and Regulations will be observed at FIL recognized competitions;
- the implementation, if possible, of effective measures for accident prevention and sufficient medical treatment;
- the consideration of the environment;

- the guarantee of “Fair Play” – principles as well as rules – and law abidance;
- the transparency of the federation’s leadership, and the awarding and execution of sporting events;
- the comprehensive documentation of the sport of luge, in particular through the retention and protection of film, photographic, and audio material;
- the advertising for and with the sport of luge.

## **II Specification of the Guidelines for Action**

### **1. Addressed audience of the FIL Ethics Code**

The FIL Ethics Code is aimed at all Members of the FIL (NFs), bodies of the FIL including their members and representatives (for example coaches and judges), all athletes and other parties involved in FIL competitions and training events as well as all other persons who are under the membership of or are contractually under the control of the Statutes, resolutions or orders of the FIL, including all persons who establish and support artificial and natural tracks for the sport of luge, as well as those who deliver or install equipment or facilities for these tracks.

### **2. The Concrete Guidelines for Action**

All actions carried out by the FIL, or in the interest of the FIL, including those carried out by associated federations, clubs, institutions, and athletes must satisfy the ethical principles laid out in Section I as well as the following ethically required guidelines for action:

- 2.1** Equal opportunities for athletes in training and competitions (sporting events) must be maintained.
- 2.2** The sanitary integrity of all parties at a sporting competition must be maintained.
- 2.3** The privacy, as well as the personal and sexual integrity, of all parties at a sporting competition must be maintained, including in the execution of doping tests and in the provision of changing room facilities and toilets.
- 2.4** The personal dignity and honor, mutual respect, and appreciation of personal rights must be guaranteed.
- 2.5** Help and protection must be given to the disabled and incident victims, also with regard to the media and public opinion.

- 2.6** The physical integrity and safety of the athletes and all other parties at a sporting event must be protected by means of the equipment, sleds, and sports facilities.
- 2.7** The integrity of the sporting competitions must be guaranteed in every respect, in particular:
- 2.7.1** Transparency of the bidding procedure and the awarding procedure as well as the uniformity of the invitation to bid for all competitions,
  - 2.7.2** The independence of awarding decisions from unfair influence through financial or other measures,
  - 2.7.3** The guarantee of uniform training opportunities in the spirit of "Fair Play",
  - 2.7.4** The guarantee of the neutrality and rule compliance of all official parties at a sporting competition, including the Jury and judges,
  - 2.7.5** The regular execution of doping controls both within and outside of the sporting competitions on the basis of the FIL Anti-Doping Codes,
  - 2.7.6** Transparency of the inspections of athletes' equipment and their sleds in accordance with the rules of the IRO,
  - 2.7.7** The fight against the manipulation of sporting competitions and their results and the execution of all sporting competitions according to the principle of "Fair Play".
  - 2.7.8** The monitoring and enforcement of prohibitions in Article 1 and Article 2 and the rules of Article 6 of the "Olympic Movement Code on the Prevention of the Manipulation of Competitions" (supplement enclosed).
- 2.8** The principles of environmental protection and sustainability are observed when constructing and operating sports venues.

- 2.9** The right of all member federations (NFs) to equal treatment within sporting competitions is observed.
- 2.10** Conflicts of interest must be disclosed and, where possible, strictly avoided.
- 2.11** The leadership of federations and all administrative bodies is neutral in respect of religious, racial, and sexual aspects and carried out without any discrimination.
- 2.12** The sporting performance of all athletes in sporting competitions is encouraged, also accordingly through the FIL development program.
- 2.13** With regards to hiring decisions; the transparency and neutrality of choices is ensured and internationality is guaranteed.
- 2.14** The combination of private interests with the FIL's interests and / or the interests of the National Federations is to be strictly avoided and can at best be accepted after the disclosure of which through the responsible body.
- 2.15** The acceptance and / or promise of financial or non-material benefits in connection with the planning, handling, or closing of business for the FIL or National Federations is forbidden.
- 2.16** All financial transactions for the benefit of or at the expense of the FIL must be made transparent to and disclosed to the Congress as a FIL institution and to the relevant auditing bodies.
- 2.17** The transparency of all payments to members of FIL bodies, FIL representatives and business partners is guaranteed.
- 2.18** Suspected corruption must be disclosed to the responsible FIL bodies with concrete, substantiated facts.

- 2.19** All actions which could risk the loss of non-profit status and tax integrity must be avoided.
- 2.20** If any noticeable competition is present on the relevant purchasing market, applicable to the purchase of goods or services in the value of at least €50,000, there is an obligation to obtain at least three competing offers. If according to any mandatory, statutory regulations there exists an obligation to tender, these regulations must be observed.
- 2.21** The management of the Federation budget must satisfy the principles of the economy.
- 2.22** The management of the Federation should, if possible, affordable, and practical, endeavor to implement reasonable insurance cover to protect the risks from sporting competitions, and the activity of institutions and representatives of the FIL.

### **III Procedure for suspicion of violations of the FIL Ethics Code**

#### **1. Responsible Investigative Bodies**

- 1.1** The responsible investigative bodies of the FIL are the FIL Ethics Authority and the three member FIL Ethics Commission. Both bodies are to be elected through Congress. At the request of the Executive Board, all members of the Legal Committee can also be members of the FIL Ethics Commission.
- 1.2** The FIL Ethics Authority and the FIL Ethics Commission will each be elected at the Congress that is held in the same year as the next Winter Olympic Games.
- 1.3** The FIL Ethics Authority and the FIL Ethics Commission are independent and neutral and are not subject to instructions. The FIL Ethics Authority is not a member of the Executive Board and may not belong to any other body of the FIL. The FIL Ethics Commission are not members of the Executive Board and also may not belong to any other body of the FIL, with the exception of the Legal Committee.

## **2. Notification of violations against the Ethics Code**

A notification of a violation of the FIL Ethics Code can be submitted by any FIL body, any national Federation, any athlete or any third party who feels that they have been affected by the alleged violation. A notification can also be made anonymously. Notifications of violations of the FIL Ethics Code must be submitted to the FIL Ethics Authority.

When the FIL Ethics Authority believes there could be a violation of the FIL Ethics Code, in the case of a minor violation they will speak with the parties concerned to request that they voluntarily cease the prohibited behavior. If the request is refused, or in the case of a more serious violation, the FIL Ethics Authority will request that the FIL Ethics Commission begin investigation proceedings, unless the court of arbitration are deemed to be the responsible body. If the FIL Ethics Authority believes that the initial suspicion is unfounded they can discontinue the proceedings.

## **3. Conduct of Investigations**

At the request of the FIL Ethics Authority, the Chairman of the FIL Ethics Commission leads the preliminary proceedings and carries out a hearing from the parties concerned and a clarification of the violation of the FIL Ethics Code. If required, the Chairman of the FIL Ethics Commission can consult with the other members of the FIL Ethics Commission. The FIL Ethics Commission can also call in or question third parties in connection with the investigation.

## **4. Conclusion by the FIL Ethics Commission**

If after the assessment the FIL Ethics Commission have a sufficient suspicion regarding a violation of the FIL Ethics Code, they can at their discretion, according to the seriousness of the offence, impose suitable provisional sanctions, without anticipating the outcome of the overall investigation. In particular, the FIL Ethics Commission can provisionally suspend the parties concerned from their position and duties for a maximum period of 90 days

and/or prohibit them from other activities. In urgent cases of suspected contest manipulation, or a serious violation of the FIL Ethics Code, athletes can be provisionally banned for a maximum period of 90 days.

In addition, the FIL Ethics Commission apply for the execution of proceedings by the court of arbitration.

The FIL Ethics Commission end the proceedings if as a result of their investigation no sufficient suspicion is found, if the violation is classified as minor, or if the matter can be settled with the payment of a fine.

## **5. Sanctioning of Violations of the FIL Ethics Code**

The court of arbitration have to punish proven violations of the FIL Ethics Code with the sanctions that are specified for this purpose in the FIL Statutes. The court of arbitration also decide upon the costs of the investigations and the arbitration proceedings. In the case of a termination of proceedings, the court of arbitration can, upon application to the FIL Ethics Commission, impose the cost of the investigation either in full or in part onto the complainant whose claim is considered an abuse of law.

## **6. Conduct of Proceedings**

The arbitration process is led under the exclusion of the public. The results of these arbitration proceedings may be published by the FIL Ethics Commission in an appropriate manner and with the protection of the personal rights of the parties involved.

## **7. Other Applicable Rules and Commencement**

In addition, the Statutes, Legal Order, Rules of Procedure of the FIL **as well as the IOC Code of Ethics** are applied.



The "Olympic Movement Code on the Prevention of the Manipulation of Competitions" applies to the following versions of Article 1 and Article 2, and Article 6:

### **Article 1 - Definitions**

- 1.1 "Benefit" means the direct or indirect receipt or provision of money or the equivalent such as, but not limited to, bribes, gains, gifts and other advantages including, without limitation, winnings and/or potential winnings as a result of a wager; the foregoing shall not include official prize money, appearance fees or payments to be made under sponsorship or other contracts;
- 1.2 "Competition" means any sports competition, tournament, match or event, organized in accordance with the rules of a Sports Organization or its affiliated organizations, or, where appropriate, in accordance with the rules of any other competent sports organization;
- 1.3 "Inside Information" means information relating to any competition that a person possesses by virtue of his or her position in relation to a sport or competition, excluding any information already published or common knowledge, easily accessible to interested members of the public or disclosed in accordance with the rules and regulations governing the relevant Competition;
- 1.4 "Participant" means any natural or legal person belonging to one of the following categories:
  - a. "athlete" means any person or group of persons, participating in sports competitions;
  - b. "athlete support personnel" means any coach, trainer, manager, agent, team staff, team official, medical or paramedical personnel working with or treating athletes participating in or preparing for sports competitions, and all other persons working with the athletes;
  - c. "official" means any person who is the owner of, a shareholder in, an executive or a staff member of the entities which organize and/or promote sports competitions, as well as referees, jury members and any other accredited or engaged persons. The term also covers the executives and staff of the sports organization, or where appropriate, other competent sports organization or club that recognizes the competition.
- 1.5 "Sports Betting, Bet or Betting" means any wager of a stake of monetary value in the expectation of a prize of monetary value, subject to a future and uncertain occurrence related to a sports competition

## **Article 2 – Violations**

The following conduct as defined in this Article constitutes a violation of this Code:

### **2.1 Betting**

Betting in relation either: to the Participant's sport.

### **2.2 Manipulation of sports competitions**

An intentional arrangement, act or omission aimed at an improper alteration of the result or the course of a sports competition in order to remove all or part of the unpredictable nature of the sports competition with a view to obtaining an undue Benefit for oneself or for others.

### **2.3 Corrupt conduct**

Providing, requesting, receiving, seeking, or accepting a Benefit related to the manipulation of a competition or any other form of corruption.

### **2.4 Inside information**

2.4.1. Using Inside Information for the purposes of Betting, any form of manipulation of sports competitions or any other corrupt purposes whether by the Participant or via another person and/or entity.

2.4.2. Disclosing Inside Information to any person and/or entity, with or without Benefit, where the Participant knew or should have known that such disclosure might lead to the information being used for the purposes of Betting, any form of manipulation of competitions or any other corrupt purposes.

2.4.3 Giving and/or receiving a Benefit for the provision of Inside Information regardless of whether any Inside Information is actually provided.

### **2.5 Failure to report**

2.5.1 Failing to report to the **FIL** concerned or a relevant disclosure/reporting mechanism or authority, at the first available opportunity, full details of any approaches or invitations received by the Participant to engage in conduct or incidents that could amount to a violation of this Code.

2.5.2 Failing to report to the **FIL** concerned or a relevant disclosure/reporting mechanism or authority, at the first available opportunity, full details of any incident, fact or matter that comes to the attention of the Participant (or of which they ought to have been reasonably aware) including approaches or invitations that have been received by another Participant to engage in conduct that could amount to a violation of this Code.

### **2.6 Failure to cooperate**

2.6.1 Failing to cooperate with any investigation carried out by the **FIL** in relation to a possible breach of this Code, including, without limitation, failing to provide accurately, completely and without undue delay any information and/or documentation and/or access or assistance requested by the **FIL** as part of such investigation.

- 2.6.2 Obstructing or delaying any investigation that may be carried out by the **FIL** in relation to a possible violation of this Code, including without limitation concealing, tampering with or destroying any documentation or other information that may be relevant to the investigation.
- 2.7 Application of Articles 2.1 to 2.6
- 2.7.1 For the determination of whether a violation has been committed, the following are not relevant:
- a. Whether or not the Participant is participating in the Competition concerned;
  - b. Whether or not the outcome of the Competition on which the Bet was made or intended to be made;
  - c. Whether or not any Benefit or other consideration was actually given or received;
  - d. The nature or outcome of the Bet;
  - e. Whether or not the Participant's effort or performance in the Competition concerned were (or could be expected to be) affected by the acts or omission in question;
  - f. Whether or not the result of the Competition concerned was (or could be expected to be) affected by the acts or omission in question;
  - g. Whether or not the manipulation included a violation of a technical rule of the **FIL**;
  - h. Whether or not the competition was attended by the competent national or international representative of the **FIL**.
- 2.7.2 Any form of aid, abetment or attempt by a Participant that could culminate in a violation of this Code shall be treated as if a violation had been committed, whether or not such an act in fact resulted in a violation and/or whether that violation was committed deliberately or negligently.

## **Article 6 – Mutual recognition**

- 6.1 Subject to the right of appeal, any decision in compliance with this Code by a Sporting Organizations must be recognized and respected by all other Sporting Organizations.
- 6.2 All Sporting Organizations must recognize and respect the decision(s) made by any other sporting body or court of competent jurisdiction which is not Sporting Organization as defined under this Code.

Otherwise, the rules of procedure and sanctions of FIL Statutes, the FIL Law and Procedure Regulations, and the FIL Ethics Code apply.

The FIL Ethics Code comes into force with the passing of a resolution during the **70<sup>th</sup> FIL Congress 2022**

Amended on **June 18, 2022**