

# IBA OBSERVER GUIDELINES



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## 1. INTRODUCTION

- 1.1 In accordance with article 5.6 of the IBA Membership Policy (the “**Membership Policy**”), IBA shall be entitled to send an observer (the “**Observer**”) to attend a National Federation Congress (the “**Congress**”) and/or to undertake any other step to ensure that the elections conducted by a National Federation comply with the Membership Policy and the IBA Constitution (the “**Constitution**”).
- 1.2 In particular, an Observer shall look after the elections to ensure that they are conducted by a National Federation in accordance with its National Constitution and generally recognized democratic and based on good governance principles, and that no third party influences the elections.

## 2. APPOINTMENT OF OBSERVER

- 2.1 The IBA President shall decide to send an observer to a Congress at his discretion or upon request of a National Federation concerned or a Confederation to which this National Federation is affiliated.
- 2.2 The IBA President shall be entitled to choose an observer from the List of Observers established by the Board provided that the Observer is not a national of the country of the National Federation concerned or affiliated with this National Federation. In exceptional circumstances, any Board member not included in the List of Observers but meeting the above-mentioned requirements may also be chosen by the IBA President to act as an Observer.
- 2.3 The List of Observers shall include at least 10 (ten) Observers. The IBA Head Office and the Confederation shall be entitled to nominate candidates to be approved by the Board. The List of Observers can be found [here](#).
- 2.4 The terms of office of an Observer shall be 4 (four) years from his or her appointment by the Board. An Observer shall be limited to a maximum of 1 (one) consecutive term of office.
- 2.5 An Observer shall be enough experienced, in particular, he or she shall have experience in international sports, government relations, top management, business, legal or other similar areas. The Board may establish other criteria for the candidates.
- 2.6 An Observer shall have an untarnished reputation, implying notably that (i) he or she has

never been sanctioned and is not subject to a pending procedure for a serious criminal offence; (ii) he or she has never been sanctioned for a breach (except for minor breaches or a breach occurring with no fault or with a very slight negligence) of the Constitution, the Regulations, the IOC Code of Ethics or anti-doping regulations adopted pursuant to the World Anti-Doping Code or any of its national derivatives, (iii) is not a bankrupt or otherwise insolvent under the law of an official's place of domicile and (iv) is not the subject of any current order made under the law of an official's place of domicile declaring him or her to be insane or of unsound mind. Anyone who does not meet these criteria cannot be an Observer, and if it is occurred, he or she shall be replaced immediately with another candidate. The terms of office of the one who replaced the excluded Observer shall be 4 (four) years from his or her appointment by the Board.

### **OBSERVER'S CODE OF CONDUCT**

- 2.7 An Observer shall comply with the IBA Disciplinary and Ethics Code (the "**Code**") and fully accept jurisdiction of the BIIU Tribunal (the "**Tribunal**").
- 2.8 An Observer shall avoid a conflict of interest and shall comply with the IBA Conflict of Interest Policy (the "**IBA Conflict of Interest Policy**").
- 2.9 An Observer shall immediately notify the IBA Head Office once someone has attempted to influence his or her independence and impartiality.
- 2.10 An Observer may only accept gifts or other benefits where such gifts or benefits:
- (a) have symbolic or trivial value;
  - (b) are not offered or accepted as a way of influencing an Observer to execute or omit an act that is related to his or her official activities or falls within his or her discretion;
  - (c) are not offered or accepted in contravention of an Observer's duties;
  - (d) do not create any undue pecuniary or other advantage;
  - (e) do not create a conflict of interest.

Any gifts or other benefits not meeting all of these criteria are prohibited.

### **OBSERVER'S COSTS**

- 2.11 An Observer shall serve for the IBA as a volunteer.
- 2.12 IBA shall be responsible for travel and accommodation costs of an Observer as well as

for a *per diem* allowance to cover his or her other expenses.

- 2.13 Neither a National Federation concerned nor a Confederation to which a National Federation concerned is affiliated shall be entitled (directly or indirectly) to cover any costs and expenses of an Observer, other than meals and cultural program.

### **3. ATTENDANCE TO CONGRESS**

- 3.1 An Observer shall attend to a Congress and to be present there in person until it is closed.
- 3.2 No one shall interfere into an Observer's activity and to prevent him or her from performance of his or her functions.
- 3.3 In case of a force majeure that does not allow to be present at any part of a Congress, an Observer shall immediately notify the IBA Head Office.
- 3.4 Within 24 (twenty-four) hours following the end of a Congress an Observer shall provide the IBA Head Office with his or her report according to the template attached hereto (**Annex I**).

### **4. FINAL PROVISIONS**

These Guidelines are adopted by the Board on 3 March 2024 and come into force with immediate effect.

<b>OBSERVER REPORT</b>
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<b>Observer</b>			
<b>NF Concerned</b>			
<b>Event Name</b>			
<b>Date:</b>		<b>Place</b>	

<b>Quorum</b>	
Total number of members eligible to participate	
Attendance	
%	
Quorum (yes/ no)	

**Were there any government representatives?**

No  Yes       If yes, what was their role in the elections      Active

Neutral

Passive

**Were there any NOC representatives?**

No  Yes       If yes, what was their role in the elections      Active

Neutral

Passive

**Where there any third-party representatives?**

No  Yes       If yes, what was their role in the elections      Active

Neutral

Passive

Try to describe the  
third party

<b>Elections 1</b>	
Position/Body to be elected	
Candidates	
Results	
Form of voting (open vote/secret ballot)	

<b>Elections 2</b>	
Position/Body to be elected	
Candidates	
Results	
Form of voting (open vote/secret ballot)	

<b>Elections 3</b>	
Position/Body to be elected	
Candidates	
Results	
Form of voting (open vote/secret ballot)	

**Complaints  
received by an  
Observer:**

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Observer Notes		Observer Remarks
Were the elections alternative? (yes/no/partially)		
Was the voting open or secret? (open/secret/partially)		
Was there equal treatment for all candidates? (yes/no/partially)		
Was there any manipulation with the elections, at least prima facie? (yes/no/likely)		
Was there any third-party influence? (yes/no/likely)		

**General Conclusion**