Constitution Committee Minutes

The Constitution Committee met by Bluejeans videoconference between 11:00 AM and 11:45 AM (BST) on 11 May 2021.

1 Opening of the Meeting
2 Submissions
3 Interpretation 004-21
4 Any Other Business

Present: In Attendance:
David Tillett – Chair Victoria Evans – Interim Director of Legal & Governance
Sarah Treseder – Vice-Chair James Devine – Legal Officer
Dr. Balazs Hajdu
Ute Reisinger
Hiromu Mochizuki Philips Daniels
Juan Curbelo Ashley Tobin
Peter Hall Fabio Mazzoni
Ana Gamulin
Jevan Tan
Philip Baum – Vice-President
Özlem Akdurak – Vice-President

1. Opening of the Meeting
   (a) Welcome from the Chair
   (b) Apologies for absence
   (c) Declaration of conflicts of interests
       The Chair asked for any conflicts of interest to be declared. No new conflicts were declared. Dr Balazs Hajdu noted that he remains the President of the International Finn Class Association.

2. Submissions
   (a) The Committee considered, and gave a recommendation on, the following submissions:
      i) Submissions M01-21 to M11-21 were considered and then voted on en bloc.
         Recommendation
         Valid.
         Subject to policy.
      ii) Submission M12-21 - Alternative Proposal Submission for Paris 2024 Olympic Sailing Competition
          Recommendation
          Invalid. The Submission lacks the mandatory detail required.
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iii) Submission M13-21 - Alternative Proposal Submission for Paris 2024 Olympic Sailing Competition – Men’s One Person Dinghy and Women’s Two Person Dinghy – Finn and 470

Recommendation

Invalid. The Submission does not satisfy Regulation 23.1.11(c) as it proposes to change an already approved Olympic Event that is not a split.

iv) Submission M14-21 - Alternative Proposal Submission for Paris 2024 Olympic Sailing Competition – Open One Person Dinghy - Finn

Recommendation

Invalid. The Submission does not satisfy Regulation 23.1.11(d)(ii) as it does not keep full gender equality on both number of events and athlete quotas.

v) Submission M15-21 - Alternative Proposal Submission for Paris 2024 Olympic Sailing Competition – Men’s One Person Dinghy - Finn

Recommendation

Invalid. The Submission does not satisfy gender requirements set out in Regulation 23.1.11(d)(ii) as it only proposes a men’s event.

The Committee noted that in its review of the Submissions, it only considered the mandatory elements of the new Regulation in determining validity. The Committee did not consider subjective elements in relation to the validity of a Submission.

3. Interpretation 004-21

Due to a declared Conflict of Interest, Dr Balazs Hajdu recused himself from discussion of the Interpretation and left the meeting.

By the eight members present, the Committee unanimously approved Interpretation 004-21 as drafted (attached as Appendix 1).

The Committee noted that “Policy” can be amended on an ongoing basis by further Submissions and/or Regulation change. Furthermore, a strict Interpretation of “different” physiques is already met within the 9 events already approved by the IOC.

4. Any Other Business

The Chair noted that the Interim Director of Legal & Governance would be finishing her fixed term contract shortly and thanked her for all her hard work and dedication during her tenure.
Introductory Notes

The Committee notes that a number of amendments were made to Regulation 23 in April 2021, including the introduction of a new Regulation 23.1.11. The Questions relate to the Regulations as amended and the Committee has interpreted the Regulations as per the amended version.

Question 2 refers to compliance with 23.1.11(d). The Committee believes this should be a reference to 23.1.2(d) and have provided an answer on that basis.

Question 1

The long-standing principle that sailing should cater for people with different physiques has been recognised since the origin of the sport and restated in recent times.

In that latter regard, at the 2017 World Sailing Annual Conference, the Council endorsed the Board’s Submission 070-17 and declared that:

“At the 2024 Olympic Sailing Competition there will be Events that ensure that Men and Women of different physiques have an opportunity to compete.”

Please confirm that the above policy resolution is still in effect and is mandatory in nature for the Board and Council when selecting Olympic Sailing Events, including the selection of Alternative Events under Regulation 23.1.11.

Answer 1

The above referenced policy decision is detailed in Regulation 23.1.2(d). This Regulation is specifically stated as applying to the Olympic event slate as a whole. The ten events – taken together – must meet the requirements set out in Regulation 23.1.2, rather than each of the 10 events having to show that, individually, they meet the criteria in Regulation 23.1.2. Regulation 23.1.2 is to be read as in addition to any criteria set out elsewhere, including the requirements in Regulation 23.1.11.

Question 2

According to Regulation 23.1.2 (d): [In choosing its Olympic Events and Equipment, World Sailing shall seek to ensure that each Event at the Olympic Sailing Competition is, and will be likely to remain, the pinnacle Event for that discipline or area of sailing. In addition, the Olympic Events and Equipment taken together shall meet the requirements and objectives of the IOC and to:]

- be attractive and accessible to young athletes from all continents, and of different size and weight, with a clear pathway from World Sailing Youth to Olympic Events and Equipment;
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Please confirm that Regulation 23.1.2 (d), especially the text highlighted above in bold, is mandatory in nature when selecting Olympic Sailing Events, including the selection of the two Alternative Events under Regulation 23.1.11, which means that the already approved Olympic Sailing Events and any of the Alternative Events approved under Regulation 23.1.11 taken together shall comply with Regulation 23.1.[2].(d).

Answer 2

The opening text in Regulation 23.1.2 states that the Olympic Events and Equipment taken together shall meet the requirements and objectives of the IOC and the objectives set out in Regulation 23.

The 10 Olympic events, considered as a whole slate of events rather than individually, shall meet the requirements and objectives of the IOC including to, pursuant to 23.1.2(d), be attractive and accessible to young athletes from all continents, and of different size and weight, with a clear pathway from World Sailing Youth to Olympic Events and Equipment.

Constitution Committee
World Sailing

11 May 2021