

Anti-Discrimination Code

New Regulation 37

A submission from the Chairman of the World Sailing Classes Committee

Purpose or Objective

In accordance with paragraph 6 of the Olympic Charter and the Aims of the Federation listed in the Constitution, this submission seeks to establish an Anti-Discrimination Code laying out the requirements to members as well as procedures and consequences in case of breaches.

Proposal

Add new Regulation 37 and renumber accordingly:

37 ANTI DISCRIMINATION

General

37.1 There shall be no discrimination of any kind in the worldwide sport of sailing and an obligation of membership of World Sailing is to act without discrimination. World Sailing may impose sanctions on any member who breaches his obligations in this area.

37.2 This regulation ensures that sailors from all MNAs are able to participate fully and equally in sailing competitions they are eligible to enter, including but not limited to:

37.2.1 All sailors at all sailing events shall be entitled to race with their country code letters on their sails.

37.2.2 If country flags are to be displayed, anthems played, or national team clothing worn, this shall apply equally to all sailors from all MNAs.

Complaints Under the Code

37.3 Any complaint, allegation or report that a breach of the Code has been or may have been committed by a Party (a “Complaint”) shall be submitted in writing to the Chief Executive Officer.

37.4 If the Chief Executive Officer believes that the Complaint shows there is a case to answer, he shall commence a formal investigation.

Investigation

37.5 The rules of procedure may include the power to delegate the investigation of a Complaint to a panel of not less than three members of the Ethics Commission.

37.6 After an investigation is complete, the Chief Executive Officer shall prepare a written report of its findings, opinions and recommendations for the Board.

Report

37.7 After the conclusion of any case, the report and the decision of the Board shall be published and brought to the attention of Council for further consideration and action.

Current Position

There is currently no Anti-Discrimination Code

Reasons

1. World Sailing has published a report on 13 January 2016 regarding discrimination at the 2015 Youth World Sailing Championship in Langkawi, Malaysia
2. This report has led to a policy draft with the contents laid out in the submission.
3. The report furthermore outlines conclusions, decisions and possible actions in case of breaches of such policy.
4. Finally, the report states that *"World Sailing shall require the implementation of sailing's "no discrimination" regulation across local, regional and international sailing regattas organized by its members. World Sailing shall publicize the requirements, including clarifications, and encourage all organizations to adhere to these requirements. Advice shall be sought on whether any additions should be made to the Racing Rules of Sailing 2017-2020."*
5. World Sailing Classes are so far not able to reference a rule, regulation or stated policy to implement such requirements in event contracts.
6. The submission outlines a framework stating the policy, a process to report breaches, procedures for investigation, and a framework for sanctioning.
7. World Sailing Classes are not able to impose any sanctions themselves. Such sanction can only come from World Sailing with generally binding actions. It therefore requires an agreed reporting system.

NOVEMBER 2017 COUNCIL

Decision

On a proposal from Markus Schwendner and seconder Elena Papazoglou, Council deferred Submission 036-17 to the Ethics Commission for re-consideration in May 2018 (34 in favour, 4 against, 0 abstain)
