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To : Chair of the International Canoe Federation (ICF)

**Mr. Michael Chambers**

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On infringements by the Russian Canoe Federation (RUS) and Belarus Canoe Federation (BLR) the principles of integrity, ethical standards and sports fairness due the funding from organisations whose activities and reputations are inconsistent with the principles set out in the Ethics Code and which sanctioned under the Swiss Law

157.04.2023

**Complaint**

The Ukrainian Canoe Federation (UCF) submits the complaint in connection with the roughly violation of the principles of integrity and sports justice by the Russian Canoe Federations (RUS) and Belarus Canoe Federation (BLR),

***ICF Statutes***

***ARTICLE 2 – PURPOSE***

*2.The ICF shall observe the general and fundamental principles of the Olympic Charter and Paralympic Charter, the IOC manual on sport and the environment and no provision of these Rules shall be deemed to conflict with or derogate from those principles.*

***BYELAW TO ARTICLE 2***

*1.All NF members, continental members, ICF Staff and members of the ICF Executive Committee, members of the ICF Board of Directors and members of the ICF Standing Committees must strictly adhere to and observe the ICF Code of Ethics and the IOC Code of Ethics (as referred to in the Olympic Charter).*

*2.In particular they must declare direct or indirect pecuniary or non-pecuniary interests and may not profit directly or indirectly from the sport. Any member having a pecuniary interest of any kind may not be directly involved in any financial transactions on behalf of the ICF. If any interest is not declared, then the ICF Board of Directors may expel the Member.*

## *IOC Code of Ethics*

### *Article 1*

*Respect for the universal fundamental ethical principles is the foundation of Olympism.*

*These include:*

*1.1 Respect for the Olympic spirit, which requires mutual understanding with a spirit of friendship, solidarity and fair play;*

*1.2 Respect of the principle of the universality and political neutrality of the Olympic Movement;*

*1.3 Maintaining harmonious relations with state authorities, while respecting the principle of autonomy as set out in the Olympic Charter;*

*1.4 Respect for international conventions on protecting human rights insofar as they apply to the Olympic Games' activities and which ensure in particular:*

### *Article 2*

*The Olympic parties must use due care and diligence in fulfilling their mission. At all times, they must act with the highest degree of integrity, and particularly when taking decisions, they must act with impartiality, objectivity, independence and professionalism.*

*They must refrain from any act involving fraud or corruption. They must not act in a manner likely to tarnish the reputation of the Olympic Movement.*

### *Article 3*

*The Olympic parties or their representatives must not, directly or indirectly, solicit, accept or offer any form of remuneration or commission, nor any concealed benefit or service of any nature, connected with the Olympic Games.*

### *Article 4*

*Only tokens of consideration or friendship of nominal value, in accordance with prevailing local customs, may be given or accepted by the Olympic or third parties. Such tokens may not lead to the impartiality and integrity of the Olympic parties being called into question.*

The \*russian federation\* with the assistance of the \*republic of belarus\* is waging an aggressive barbaric war against the Ukrainian people.

On March 2, 2022, the UN General Assembly adopted Resolution ES-11/1 "Aggression against Ukraine". The document condemns the russian invasion of Ukraine and demands the complete withdrawal and cancellation of the decisions of the self-proclaimed Donetsk and Lugansk \*people's republics\*.

International Canoe Federation (ICF) imposed sanctions against athletes from \*russia\* and \*belarus\* banned the participation of athletes from these countries in the sport competitions.

08.04.2022 the EU adopted further sanctions against \*russia\* and certain restrictive measures against \*belarus\* in light of \*russia's\* continuing military aggression against Ukraine and reports of atrocities (committed by the \*russian\* armed forces) in Bucha.

13.04.2022 the Federal Council of Switzerland took the decision to adopt the new EU sanctions against \*russia\* and \*belarus\*.

12.10.2022, in connection with \*russia's\* annexation of Ukrainian territory, the Swiss Federal Department of Economic Affairs, Education and Research (EAER), approved on 12 October the addition of some 30 individuals and entities to Switzerland's sanctions list. The Federal Council was notified on the same day. The Swiss list is thus in line with that of the European Union.

23.11.2022 the Federal Council adopted further sanctions against \*russia\*. It is thus adopting in principle the latest measures adopted by the European Union (EU) as part of its eighth package of sanctions.

16.12.2022, the Federal Council of Switzerland adjusted certain sanctions against \*russia\* and thus adopted the last sanctions imposed by the European Union (EU).

25.01.2023, Switzerland implemented the EU's 9th sanctions package adopted on 16 December 2022, and is now again by and large in alignment with EU sanctions.

It is a well-known fact that Switzerland imposed sanctions on \*belarus\* due to the actions of the existing regime in this country.

The International Canoe Federation (ICF) was established under the Swiss law and must take into account the requirements of Swiss law in its activities, including the Swiss sanctions imposed against \*russia\* and \*belarus\*.

As noted above, International Canoe Federation (ICF) imposed sanctions against the athletes of \*russia\* and \*belarus\* which banned the participation of athletes from these countries in sports competitions. However, ICF has not taken the necessary steps to verify possible links between RUS and BLR and enterprises or persons sanctioned, particularly, by Switzerland.

ICF was also inactive in fulfilling RUS and BLR requirements of the IOC Code of Ethics where is clear referee that any National Federation may not be linked to enterprises or persons whose activities are incompatible with the fundamental principles of the Olympic Movement.

### ***Olympic Charter***

#### ***Fundamental Principles of Olympism***

*1 Olympism is a philosophy of life, exalting and combining in a balanced whole the qualities of body, will and mind. Blending sport with culture and education, Olympism seeks to create a way of life based on the joy of effort, the educational value of good example, social responsibility and respect for universal fundamental ethical principles.*

*2 The goal of Olympism is to place sport at the service of the harmonious development of humankind, with a view to promoting a peaceful society concerned with the preservation of human dignity.*

*3 The Olympic Movement is the concerted, organised, universal and permanent action, carried out under the supreme authority of the IOC, of all individuals and entities who are inspired by the values of Olympism. It covers the five continents. It reaches its peak with the bringing together of the world's athletes at the great sports festival, the Olympic Games. Its symbol is five interlaced rings.*

*4 The practice of sport is a human right. Every individual must have the possibility of practising sport, without discrimination of any kind and in the Olympic spirit, which requires mutual understanding with a spirit of friendship, solidarity and fair play.*

*5 Recognising that sport occurs within the framework of society, sports organisations within the Olympic Movement shall apply political neutrality. They have the rights and obligations of autonomy, which include freely establishing and controlling the rules of sport, determining the structure and governance of their organisations, enjoying the right of elections free from any outside influence and the responsibility for ensuring that principles of good governance be applied.*

*6 The enjoyment of the rights and freedoms set forth in this Olympic Charter shall be secured without discrimination of any kind, such as race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth or other status.*

*7 Belonging to the Olympic Movement requires compliance with the Olympic Charter and recognition by the IOC.*

The requirements reflected in the ICF Statute, ICF Code of Ethics, ICF Code of Integrity, IOC Code of Ethics, Olympic Charter and the sanctions imposed by Switzerland have the same legal nature.

ICF has not taken any actions to investigate possible direct and/or indirect contacts of RUS and BLR with enterprises and/or persons that have been sanctioned by Switzerland and other countries, including EU, USA, Canada, etc.

The ICF did not take into account that the facts of the imposition of sanctions by Switzerland and other countries already indicates that the activities of such enterprises and persons are incompatible with the ethics principles and the rules of the ICF and its Codes.

Sanctions imposed by Switzerland and other countries against \*russian" & \*belarusian\* enterprises and persons from the legal point of view mean that Switzerland and other countries recognize their (\*russian\*&\*belarusian\* enterprises and persons) actions as violating human rights.

In turn, this means that any direct or indirect links of other organizations, including RUS and BLR”, and/or persons with such sanctioned russian&belarusian enterprises and persons will be contrary to Swiss law and ethics rules.

On the websites of RUS (<https://www.kayak-canoe.ru/ru/>) and BLR (<http://canoeing.by>) are indicate:

- a) on the RUS website - Partners and Sponsors:
  - Gasprom is a \*russian\* majority multinational energy corporation , under the sanctions;
- b) All-Russian Association of Summer Olympic Sports (<http://www.valovs.ru>)
  - \*ministry of sport of the russian federation\*
  - The \*russian\* Olympians Foundation (<http://www.olympians.ru/en/>)
  - VTB Bank

Switzerland implemented the remaining measures of the EU ninth package of sanctions in its Ordinance on Measures Connected with the Situation in Ukraine (the "Ordinance"1), with effect from 25 January .

These include a ban on new investments in the mining sector and a ban on services to Russian entities in the areas of product testing, advertising and market research and opinion polling services.

Furthermore, Switzerland expanded the products subject to export-related restrictions to more industrial, high-tech and aviation goods.

Divestment from Russia and international trade in agricultural and food products have been added as grounds for derogations.

Also, expansion of the export ban on aviation-related goods and goods that contribute to the enhancement of Russian industrial capacity.

As from 24 February 2023, any person resident or working from Switzerland will be prohibited from holding any post in the governing bodies of Russian entities (as well as certain of their subsidiaries) that are publicly owned or controlled by \*russia\*, and in which \*russia\*, the \*russian government\* or the \*russian central bank\* has (i) the right to participate in profits, or (ii) other 'substantial economic relationship'.

All \*russian\* Association of Summer Olympic Sports includes the organizations and individuals sanctioned under the Swiss Law.

Since April 8, 2022, VTB Bank has been under EU sanctions.

Switzerland further extended asset freeze restrictions to around 200 individuals and entities.

Switzerland also introduced various new derogations from the asset freeze in relation to the designated \*russian” state-owned banks :

...

- *Specific derogation (subject to prior authorisation) from the asset freeze on the designated Russian banks (i.e. Bank Rossiya, Promsvyazbank, VEB, Otkritie FC Bank, Novikombank, Sovcombank, **VTB Bank**, Sberbank, Credit Bank of Moscow and Dalnevostochny Bank) in relation to funds or economic resources that are necessary for the purchase, import or transport of agricultural and food products, including wheat and fertiliser.*

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The ministry of sport of the \*russian federation\* is a state organization that is financed from the \*russian budget\* and uses part of the budget money to support \*russian canoe federation (RUS)\*. Thus, the some of the financial sources of the RUS’ budget is income from activities that are subject of the sanctions, including Swiss sanctions. Thus, RUS not only has the direct relationship with these enterprise and state body, but also receives financial resources against which the sanctions are directed.

Logos of the \*russian\* organisations mentioned above presented within RUS website along with logos of the ICF and European Canoe Association that is obvious the reputation damage for the sport community.

b) on the BLR website are reflected :

-\* The \*presidential\* Sports Club is a republican state-public association

- all- highest government bodies the \*republic of belarus\*.

Currently, the Decree of the Federal Council of Switzerland “On measures against \*belarus\* dated March 16, 2022 (with amendments and additions) is in force. This legal act covers almost all the current EU restrictive measures against \*belarus\* with minor differences.

Swiss regulations on measures towards \*belarus\* from March 16, 2022 (as of November 16, 2022) , specifically:

- *blockings of funds: preventing any action that enables the management or use of the funds, with the exception of normal administrative actions by financial institutions;*
- *economic resources: assets of any kind, whether tangible or intangible, movable or immovable;*
- *etc.*

\*all-highest government bodies the republic of belarus\* are funding from the “belarusian budget\* and uses part of the budget money to support \*belarusian\* canoe federation(BLR). Thus , the some of the financial sources of the BLR’ budget is income from activities that are subject of the sanctions, including Swiss sanctions. Thus, BLR not only has a direct relationship with these enterprise and state bodies but also receives financial resources against which the sanctions are directed.

Logos of the \*belarus\* government organisations mentioned above presented within RUS website along with logos of the ICF and European Canoe Association that is obvious the reputation damage for the sport community.

Thus, there is irrefutable evidence of the fact that RUS and BLR have the direct links with \*russian & belarusian\* sanctioned enterprise and state body that are incompatible with the principles or the rules of the International Canoe Federation ( ICF) and its Codes, IOC Code of Ethics as well as with Swiss law.

### **ICF Statute**

#### **APTER IV - DISCIPLINARY REGULATIONS ARTICLE 42 - DISCIPLINARY MEASURES**

*The disciplinary measures of the ICF are:*

- a) *Caution*
- b) *Reprimand*
- c) *Exclusion of some or all Members of a National Federation from participation in the international competitions and ICF Competitions*
- d) Suspension**
- e) *Expulsion*
- f) *The imposition of a fine*

*These disciplinary measures can be taken against individuals, Members of a National Federation or **National Federations in their entirety for breach of the ICF Statutes, Sport Governance Rules, Principle Rules and ICF Sport Rules**, having harmed the interests of the ICF, bringing the sport into disrepute, tarnishing the image or good name of the ICF or for the non-payment of Membership Fees and any other financial obligations to the ICF arising from contractual agreements or any other duties.*

*Disciplinary measures may also be taken against:*

- (1) *Any athlete, official or member of a National Federation who by word or gesture threatens any Referee, staff, volunteer or other official during the competition and*
- (2) *Athletes, referees and officials who violate the ICF Statutes or Competition Rules during an ICF Competition.*

**Suspension bars individual Members of a National Federation or the National Federation itself from all rights and prerogatives until the suspension is lifted.**

*In the case of expulsion of a National Federation its Membership of the ICF ceases.*

*Disciplinary measures a, b, c, d and f can be taken by the ICF Executive Committee or the ICF Board of Directors. Disciplinary measure (e) must be by the ICF Congress with a two thirds majority of the National Federations represented at the Congress and entitled to vote.*

#### **ARTICLE 48 – ICF ETHICS COMMISSION**

*The ICF Ethics Commission forms a part of the ICF Court of Arbitration and is charged with defining and updating a framework of ethical principles, including a Code of Ethics, based upon the values and principles enshrined in the Olympic Charter. In addition, it investigates complaints raised in relation to the non-respect of such ethical principles, including breaches of the Code of Ethics and, if necessary, proposes sanctions to the ICF Board.*

##### **48.3 Ethics Commission Chair**

*1. Notice of all Complaints and Disputes in respect of ethical matters shall be given to the Ethics Commission Chair. The Notice shall be given confidentially in writing/email as soon as practicable and within 15 days of the alleged breach of ethics.*

*The Notice shall be given confidentially in writing/email as soon as practicable and within 15 days of the alleged breach of ethics.*

Violations continue in time and occur now, which determines the possibility of filing this complaint in accordance with the ICF established rules,

#### **Request:**

1. To investigate ICF Code of Ethics breaches by the Russians Canoe Federation and Belarus Canoe Federation such as the violations of sanctioned regime established under Swiss Law and take all actions in accordance with the ICF responsibilities and requirements.
2. To recommend ICF Board of Directors and ICF Executive Committee to take the disciplinary measures on Russians Canoe Federation and Belarus Canoe Federation such as **suspension of these federations from the ICF's members.**

President  
of the Ukrainian Canoe Federation



Igor SLIVINSKYI