

GOVERNANCE GUIDELINES

Scheduling of national federation general assemblies after the postponement of Tokyo 2020

The purpose of this document is to summarise different options regarding scheduling general assemblies of national archery federations in 2020 and 2021.

The document is potentially useful for any federation which has:

- reference to the “Olympic year” in their constitution
- (elective) general assemblies linked to Olympic cycle
 - therefor, assembly planned in late 2020 or early 2021

In this situation:

- not postponing elections would bring the risk of major changes in the federation before Olympics
or
- postponing the elections would make the term of currently elected officers longer than described in the constitution

1 Context

Several national federations are considering how to resolve dilemmas regarding the scheduling of General Assemblies/Congresses resulting from the [postponement](#) of the Olympic Games Tokyo 2020 due to the global COVID-19 crisis. This document provides some notes on the situation.

2 Need for legal input

This document does not constitute legal guidance. It is recommended that national federations take appropriate legal advice before making what are clearly important decisions for the organisation and their members. Precise legal requirements may vary depending on the type of legal entity involved and on the country in which they are based.

It is also important to be aware of the government or National Olympic Committee decisions regards this topic, if any. There might be common approach among national sports federations.

3 Incompatible requirements in Constitution/Statutes regarding scheduling of General Assembly

A number of national federations and their constituent member organisations have articles in their Constitution/Statutes specifying that a biennial General Assembly will take place “in even numbered years” / “in the year of the Olympic Games” etc. In some cases it is also explicitly stated that this will be an electoral General Assembly. In other cases, the General Assembly is held annually.

The postponement of Tokyo 2020 may make the requirements of the Statutes/Constitution impossible to fulfil, or a decision may be needed because a General Assembly is currently scheduled for later in 2020.

4 Possible decisions regarding the General Assembly

4.1 Maintain the plan to hold the General Assembly in the later months of 2020

Pros:

- No disruption to General Assembly schedule or electoral cycle
- Planning work that is already underway can continue

Cons:

- General Assembly would make major decisions and elections would take place only a few months before the Olympic Games in 2021 (only an issue for biennial General Assemblies)
- Depending on how the situation regarding COVID-19 and restrictions progresses in your country, it might still prove necessary to postpone the General Assembly nearer the time

4.2 Postpone the General Assembly until after the Olympic Games in 2021, potentially with an online meeting for members before the end of 2020

Pros:

- Retain link to Olympic cycle, with continuity for the time being then important decisions and elections taking place after the Games (for biennial General Assemblies)
- Reduced risk of a need to postpone the General Assembly nearer the time

Cons:

- Existing mandates for elected and appointed officials will need to be extended for one year, if elections are due in 2020
- Electoral terms would presumably need to be for three years from 2021 to 2024 on an exceptional basis, if elections are due in 2020
- Important General Assembly decisions will be postponed and members will not have an opportunity to provide their input this year
- Potential costs incurred for cancellation of 2020 event, if any already done
- Possibility of suspicions about political motives for the delay

If the General Assembly is postponed until 2021, consider organising a special online meeting / information session for members before the end of 2020, which could provide an opportunity for dialogue and interaction. It may even be possible to reach formal agreement on certain matters.

4.3 Organise the General Assembly in 2020 as an online event only

Pros:

- Enable the General Assembly to take place on or close to the planned dates, regardless of restrictions
- Opportunity to test an online system which might not be accepted in other circumstances
- Costs will probably be lower than for an in-person meeting

Cons:

- Potentially difficult to manage with different levels of technological capability and experience among the membership
- Online voting systems are not yet well-established
- General Assembly would make major decisions and elections would take place only a few months before the Olympic Games in 2021 (only an issue for biennial General Assemblies)

5 Methods of changing the dates of the General Assembly

5.1 General decision done on national level

There might be a decision done by the ministry or National Olympic Committee that would have the legislative power over all national federations in that country. This might be done in order to avoid major changes before the Olympic Games.

5.2 Decision possible by Executive Board, in some cases

There are examples of organisations where the Statutes allow for the possibility of the Executive Board changing the dates of the General Assembly in exceptional circumstances.

In other cases, the Statutes are silent on this matter.

5.3 Extraordinary General Assembly to change Statutes

Most organisations will provide for the possibility of an Extraordinary General Assembly, which could be convened to make a change to the Statutes regarding the scheduling of the Ordinary General Assembly. However, this is likely to be a time-consuming and cumbersome process.

5.4 General Assembly rearranged because quorum not reached

The Statutes will generally specify a quorum below which the General Assembly is not valid. It would theoretically be possible to arrange a General Assembly in the knowledge that only a very small number of people will attend, which will then allow it to be rescheduled as it is inquorate. This seems unlikely to be a preferred option.

6 Considerations in making the decision

- Act in the best interests of the organisation and the sport
- Ensure that the Executive Board has an opportunity to consider the options properly, taking account of financial and logistical matters
- Consult members and other stakeholders during the process (although the timetable may make it preferable to avoid a formal vote of members, if possible)
- Explain transparently to members and stakeholders the rationale for the decision reached
- Making a reasoned decision at the right time is probably preferable to being forced into a late change by circumstances
- Precedents set by other organisations may inform the decision (but the precise circumstances of each organisation will be different)
- Principle of equality and fairness (including towards the organisers of a 2020 General Assembly, if one is scheduled)

7 Possible outline process

- Executive Board discusses options with input from key stakeholders, including the 2020 General Assembly organisers and the Ethics Commission
- Set a deadline by which date a decision is needed
- Consult with members
- Reach agreement before the deadline (methods to reach the decision may vary)
- Communicate the decision
- Implement the decision and follow-up on resulting implications