

General Assembly FMJD 2015

Introduction FMJD code of ethics and ethics committee.

The proposal for the document, “FMJD code of ethics and ethics committee “ is meant to come in the place of the chapters in statutes and bye laws about the code of ethics.

The text is for the greatest part a copy of the existing texts. In the statutes or bye laws we propose to mention the ethics code and committee shortly and then refer to the separate document of the ethics code.

After several cases before the Ethics committee and even before Dutch court, it has become clear that our rules are not correct.

As the FMJD is a Dutch organisation it has to obey Dutch law and it did not.

For instance:

- the number of members may not be even and it was 4, so we propose 5
- the final verdict has to be dated
- the final verdict has to be signed by all members of the committee
- the final verdict has to mention the members of the committee included in the decision
- the verdict has to be filed at the court in Utrecht, Netherlands

All these rules are obligatory and the FMJD may not choose to do it in another way.

Apart from mentioning these points it has been made much more clear in this code of ethics what formal conditions have to be met before the ethics committee may treat a protest.

Also the rules about appealing to the General Assembly and to the Court of Arbitration for Sport in Lausanne were not clear enough and have been corrected.

As the treatment of the protests in the last years by the ethics committee was not done correctly, as judged by Dutch court, we propose that the president of the committee, at least, needs to have a juridical background to be able to judge whether all legal formalities have been satisfied.

This may also mean that we need to have some new members and probably another president for this committee to be appointed by the General Assembly.