

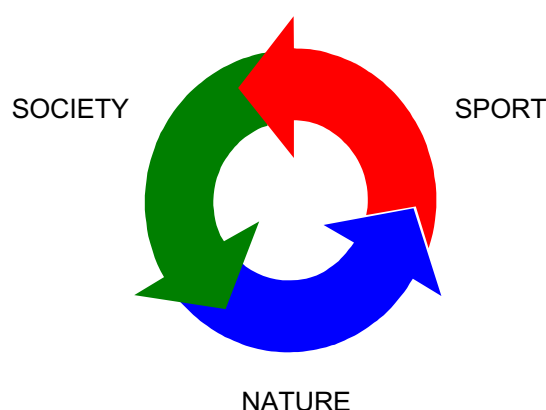
## ANNEX 6

# JU-JITSU INTERNATIONAL FEDERATION (JJIF)

The Federation of National Ju-Jitsu Associations



## STATUTES & BYE-LAWS of the JJIF ETHICS Commission



MEMBER of

GAISF Global Association of International Sports Federations  
and  
IWGA International World Games Association



# **STATUTES**

of the  
JJIF Ethics Commission

## **A. COMPOSITION AND ORGANISATION**

### Article 1

The Members of the JJIF Ethics Commission are elected by the JJIF Electoral Congress among the candidates proposed by the JJIF Executive Board, in a secret ballot, with a simple majority vote of the delegates present and voting.

### Article 2

2.1 The Commission is composed of five members with voting right, among whom there must be:  
a) no more than four active JJIF members;  
b) at least three from different JJIF Continental Unions.

2.2 Whenever appropriate, personalities with specific expertise, who are not active JJIF members, may be invited to co-operate with the JJIF Ethics Commission for a limited time or in relation with specific situations.

### Article 3

3.1 During the first meeting after their election, the five members shall allocate among themselves the specific roles and elect the President and the Vice-President of the Commission.

3.2 The Vice-President is at the disposal of the President to support him/her whenever needed.

## **B. OPERATIONAL BOUNDARY LINES**

### Article 4

4.1 The Commission, being established after direct election by JJIF Members, operates independently from the JJIF Board, but of course in close liaison with it.

4.2 In due time the establishment of Continental Union Ethics Commissions should be considered.

4.3 Names and pictures of the Commission Members are posted on the JJIF website, but without reference to any personal way of contact (address, telephone, email, etc.). It is expected to post this matter under a menu navigation bar on [www.jjif.org](http://www.jjif.org) > JJIF Structure and Board -> Ethics Commission, with an official email address.

### Article 5

5.1 All the travelling, lodging and allowance expenses related to the activity of the JJIF Ethics Commission are covered by JJIF.

5.2 In relation to the objectives to be implemented, an annual budget is established and allocated by the JJIF Board to the Commission, for its functioning.

5.4 Whenever possible, meetings among Members of the Commission will be planned in conjunction with JJIF Board meetings.

#### Article 6

The JJIF Ethics Commission meets when convened by its President, at least once a year.

#### Article 7

The required quorum for any recommendation or decision is constituted if more than 50% of the elected members are present. Each member will do whatever they can to be present at the meetings and participate in them.

#### Article 8

The administrative organisation and operational support to the JJIF Ethics Commission are provided by the JJIF Headquarters offices.

### **C. TERMS OF REFERENCE OF THE COMMISSION**

#### Article 9

In the framework of the competence as defined in the JJIF Statutes, the terms of reference of the JJIF Ethics Commission are:

- a) to define and update a framework of ethical principles, including the JJIF Code of Ethics, based upon the values and principles enshrined in the moral and educational principles of the Martial Art of Ju-Jitsu, of which the said Code forms an integral part;
- b) to investigate complaints raised in relation to the non-respect of such ethical principles, including breaches of the Code of Ethics and, if necessary, propose sanctions to the JJIF Executive Board, to be charged upon the JJIF parties involved.

#### Article 10

The JJIF Ethics Commission presents an annual report on its activities to the JJIF Congress. This report will be published.

#### Article 11

The anti-doping matter is managed by dedicated and specialised organizations and is therefore not of competence of the JJIF Ethics Commission.

### **C. CONFLICTS OF INTERESTS**

#### Article 12

Members of the JJIF Ethics Commission shall not take any measure nor exercise any influence in relation to a matter where any conflict of interests or any other conflict exists or is perceived to exist.

### **D. TERMS OF APPOINTMENT OF COMMISSION MEMBERS**

#### Article 13

13.1 The duration of the term of appointment of an JJIF Ethics Commission member is four years. Such term is renewable. The term of a person who is a JJIF Ethics Commission member by virtue of his or her JJIF membership shall end when such person ceases to be a JJIF member.

13.2 He or she may however be appointed as a JJIF Ethics Commission member in the category of personalities who are not JJIF members.

#### Article 14

The term of a JJIF Ethics Commission member takes effect on the day of his/her election by the JJIF Electoral Congress.

#### Article 15

15.1 In the event of the President being impeded from performing his or her duties as President, the Vice-President of the JJIF Ethics Commission shall perform these functions.

15.2 In the event of death, resignation or inability of a member to perform his or her functions, the member shall be replaced. In such a case, or cases of urgency, the JJIF Executive Board may designate a replacement member for the remaining period until the next JJIF Congress.

#### Article 16

In the event of a breach of the present Statutes, a JJIF Ethics Commission member may be removed from office only by a specific vote by the JJIF Congress, and with the approval of two-thirds of the elected JJIF Ethics Commission members, the member concerned being heard by the JJIF Executive Board.

### D. TRANSITIONAL PROVISIONS

#### Article 17

Any modification of the Statutes of the JJIF Ethics Commission and any other regulation and implementing provisions emanating from the JJIF Ethics Commission are submitted for the approval of the JJIF Executive Board, for subsequent ratification by the JJIF Congress.

#### Article 18

During the JJIF General and Electoral Congress on September 22, 2016 in Da Nang (Vietnam) four members were elected to form the first JJIF Ethics Commission. In the following day, during the first meeting of the Commission, the Structure and Roles were assigned as follows:

- a) **Rinaldo Orlandi** from Italy, as the President
- b) **Tsegaye Degineh** from Ethiopia, as the Vice-President
- c) **Ray Nassiri** from Iran, as the Inspector
- d) **Tomasz Knap** from Poland, as the Commissioner

and they will remain in charge until the JJIF Electoral Congress of year 2020. The secretarial office functions to be established at a later date.

#### Article 19

The Statutes of the JJIF Ethics Commission has been approved by the JJIF Congress on November 26 2018 in Malmö, Sweden.

Panagiotis Theodoropoulos  
JJIF President

# **By-laws**

## **of the JJIF Ethics Commission**

### **A. GENERAL PROVISIONS**

#### **Article 1**

The Rules of Procedure reported in this document apply to all cases brought before the JJIF Ethics Commission.

#### **Article 2**

The working language is English. Any document written in another language must be officially translated into such working language.

#### **Article 3**

The proceedings opened through application of these Rules of Procedure are confidential. All the parties concerned undertake not to divulge to third parties any of the facts or other information linked to the proceedings, before their official disclosure.

### **B. PROCEDURE FOR ANALYSING COMPLAINTS, DENUNCIATIONS OR ACTS**

#### **Article 4 (Areas of Competence)**

4.1 The Ethics Commission shall be entitled to handle all cases arising from the application of the JJIF Code of Ethics, or any other JJIF rules and regulations.

4.2 The Ethics Commission shall be entitled to judge the conduct of all persons bound by this Code while performing their duties. In addition to the conduct of persons bound by this Code who are performing their duties, the Ethics Commission shall also judge the conduct of other persons bound by this Code and related to the former, if a uniform judgement is considered appropriate based on the specific circumstances.

4.3 The Ethics Commission shall reserve the right to investigate and to judge the conduct of all persons bound by this Code even if they are not performing their duties, if such conduct is likely to seriously damage the integrity, image or reputation of JJIF.

4.4 The Ethics Commission shall be entitled to investigate and to judge the conduct of all persons bound by this Code if the case on which the alleged violation is based has international implications (affecting various associations) and is not judged at Federation, Continental or Board level or an adequate judgement cannot be expected at level given the specific circumstances.

4.5 The Ethics Commission shall also be entitled to investigate and to judge national cases if Nation federations, Unions, JJIF Board and other sports organizations fail to investigate, judge and prosecute such breaches, fail to prosecute them in compliance with the fundamental principles of law, or an adequate judgement cannot be expected given the specific circumstances.

#### **Article 5 (Requests for Action)**

5.1 Complaints and internal JJIF Disputes will be handled following the internal Dispute Resolution Mechanism (IDRM Policy).

5.2 In case the IDRM fails to solve the Dispute, the JJIF Operating bodies may present the case to the JJIF Ethics Commission for their analysis and intervention, when they have envisaged a breach

of the ethical principles of the Olympic Charter, the JJIF Code of Ethics or its implementing provisions, calling for the jurisdiction of the JJIF Ethics Commission.

5.3 If and when the matter addressed by the Commission may be in conflict of interest with one of its Member, this same Member will not act on the matter.

#### **Article 6 (National Issues)**

6.1 Matters addressed to the JJIF Ethics Commission, directly by a National Organization (or one of its affiliate) will be redirected to the competent Continental Union for consideration and action, according with IDRM, in order to recompose possible conflicts at local level; if not resolved at Union level, the matter will be reported to JJIF Board for solution.

6.2 If the matter is not resolved even at this level, than the JJIF Ethics Commission will be involved on request from the JJIF President.

6.3 When unethical situations are identified directly by the Commission, then it will proceed with the investigation, timely informing the JJIF Structure of competence.

#### **Article 7 (Preliminary Considerations)**

7.1 With a view to facilitating the analysis of the likelihood of a breach and to writing a referral report about it, the JJIF Ethics Commission may:

- a) consult all the relevant documents;
- b) ask to be provided with all the relevant documents and the written observations of the person concerned, in particular with regard to the evidence;
- c) seek the advice of any relevant expertise;
- d) travel to the place concerned if this may facilitate an understanding of the facts;
- e) hear the person concerned. In such cases, the interview will be recorded, and a copy of the recording given to the person concerned.

7.2 If the likelihood of a breach of the ethical principles of the JJIF Statutes, the JJIF Code of Ethics or its implementing provisions and if the competence of the JJIF Ethics Commission are established, the JJIF Ethics commission Officer involved will officially forward the complaint to the President and members of the JJIF Ethics Commission with the complete file, including the referral report.

7.3 In the event that the likelihood of a breach of the ethical principles of the JJIF Statutes, the JJIF Code of Ethics or its implementing provisions and that the competence of the JJIF Ethics Commission are not established, the JJIF Ethics Commission will record this accordingly in a specific report. This specific report will be an agenda for the first subsequent meeting of the JJIF Ethics Commission.

7.4 The person behind the complaint or denunciation will be informed of this decision and may ask the Chair of the JJIF Ethics Commission to re-examine the file.

### **C. REFERRAL AND PROCEDURE BEFORE THE JJIF ETHICS COMMISSION**

#### **Article 8**

The JJIF Ethics Commission takes note of the referral report, the complete file and the various written observations made by the person concerned.

#### **Article 9**

9.1 The Ethics Commission shall assign the investigation to the appointed Investigator (who is not necessarily a member of the JJIF Ethics Commission). The Investigator shall direct the investigation proceedings.

9.2 The parties shall be notified of the commencement of the investigation proceedings and of the possible violations of the Code to which the Proceedings relate and shall be afforded the right to make a written submission to the Investigator.

#### Article 10

The JJIF Ethics Commission may appoint one of the Commission members as a rapporteur. The Chair may delegate to the rapporteur all or part of the measures required; in particular hearing the person concerned. The rapporteur then presents their report to the JJIF Ethics Commission.

#### Article 11

The person concerned may exercise their right to be heard by the JJIF Ethics Commission or its rapporteur, either through written observations or orally, during an interview for which the circumstances will be decided by the Commission or its rapporteur. Such interviews will be recorded, and a copy of the recording given to the person concerned.

#### Article 12

12.1 The accused parties shall be granted the right to be heard, the right to present evidence, the right to be inspected, the right to access files and the right to a reasoned decision.

12.2 The right to be heard may be restricted in exceptional circumstances, such as when confidential matters need to be safeguarded, witnesses need to be protected or if it is required to establish the elements of the proceedings.

#### Article 13

13.1 The parties may have legal representation at their own cost and expense.

13.2 If they are not required to appear personally, the parties may be represented by a legal counsel or another person.

13.3 The parties are free to choose their own legal counsel or representation.

13.4 The Ethics Commission may request that the parties' representatives submit a duly signed power of attorney.

#### Article 14

14.1 The parties shall be obligated to act in good faith during the whole proceedings.

14.2 The parties shall be obligated to collaborate to establish the facts of the case. In particular, they shall comply with requests for information from the investigatory chamber and the adjudicatory chamber of the JJIF Ethics Commission and with an order to appear in person.

14.3 Whenever necessary, the parties' statements may be verified using the appropriate means.

14.4 If the parties are dilatory in responding, the chairman of the investigatory chamber may, after warning them, impose further disciplinary measures on them.

14.5 If the parties fail to collaborate, the investigatory chamber may prepare a final report using the file in its possession or the adjudicatory chamber may reach a decision on the case using the file in its possession, taking into account the conduct of the parties to the proceedings.

#### Article 15

15.1 When conducting an investigation, the JJIF Ethics Commission or its rapporteur may take any other appropriate measures, including:

- a) asking for written information or documents from the parties concerned;
- b) deciding to hear witnesses at its own discretion or at the request of the parties concerned;
- c) travelling to the place concerned, or sending one of its members, or delegating a person to go there if it deems that such action may clarify the proceedings under way;
- d) appointing one or more experts tasked with assisting him on one or more points and establishing the scope of their terms of reference and remuneration within the limits of its operating budget.

15.2 The person concerned will have to fully cooperate with the JJIF Ethics Commission or the rapporteur, in particular by communicating any information or document judged necessary by the Commission for the investigation and for the formulation of its recommendations. Any lack of cooperation will be taken into account when assessing the situation.

## Article 16

16.1 The JJIF Ethics Commission deliberates in camera and takes the decisions of provisional measures or the recommendations of measures or sanctions it deems appropriate.

16.2 The Commission's deliberations are led by the President or the Vice President.

16.3 The Commission's decisions of provisional measures and/or recommendations are taken by a simple majority of the members present.

16.4 Voting takes place by secret ballot if the Chair of the Commission so decides, or if a majority of the members present request it. Voting by proxy is not allowed.

16.5 If necessary, the members may take part in the deliberations via telephone or video conference. In certain circumstances, the Commission members may be consulted by circulating the documents.

16.6 All deliberations and votes are confidential.

## Article 17

17.1 The JJIF Ethics Commission may, during an investigation and after having heard the person concerned, take a decision regarding provisional measures like:

- a) suspension of a person, group, Federation;
- b) ban on a person, group, Federation;
- c) pronounce, alter and annul provisional measures,

with the consequence of suspension of all or part of the rights, prerogatives and functions deriving from such person or organization's membership or status.

17.2 This decision of provisional measures, including the reasons, takes the form of a written decision signed by the President of the Commission or the Vice President.

17.4 The JJIF Ethics and Compliance Investigator or Commissioner informs the person concerned of any decisions and the reasons regarding provisional measures and shall forward to the JJIF President the decision on provisional measures for the JJIF Executive Board's information.

17.5 The decision on provisional measures may be made public.

17.6 The provisional measure will be taken into consideration by the JJIF Ethics Commission when assessing the recommendations for the measures or sanctions to be presented to the JJIF Executive Board.



## Article 18

18.1 The JJIF Ethics Commission recommends to the JJIF Executive Board the measures or sanctions or any other appropriate measures, in particular those provided by one of the implementing provisions of the JJIF Code of Ethics.

18.2 Such recommendation takes the form of a written decision signed by the President of the Commission or the vice President.

18.3 The JJIF Ethics Commission forwards the recommendation to the JJIF President for referral to the JJIF Executive Board. The recommendation remains confidential.

18.4 At the same time, the JJIF Ethics Commission's informs the person concerned of such transmission, and, if the JJIF Ethics Commission recommends any sanction or measure, of the evidence against them and the reasons given by the JJIF Ethics Commission.

## **D. PROCEDURE BEFORE THE JJIF EXECUTIVE BOARD FOLLOWING A RECOMMENDATION BY THE JJIF ETHICS COMMISSION**

## Article 19

Regarding the measures or sanctions against the person or the parties concerned, the JJIF Ethics Commission makes recommendation to the JJIF Executive Board which makes final decision about applying the recommended measures or sanctions.

## Article 20

The person concerned is invited to exercise their right to be heard by the JJIF Executive Board, if they so wish, in the form of written observations, which must be submitted by the deadline established by the JJIF President's Executive Office.

## Article 21

21.1 The JJIF Executive Board will decide on the basis of the JJIF Ethics Commission's recommendations and the written observations from the person concerned.

21.2 If necessary, the JJIF President may ask the JJIF Ethics Commission for any explanations.

21.3 Before a decision by the JJIF Executive Board, the JJIF President may return the file to the JJIF Ethics Commission if new elements emerge.

## Article 22

The decision by the JJIF Executive Board is immediately notified to the person concerned.

## Article 23

The JJIF Ethics Commission's recommendations may be published on the web site after notification of the decision by the JJIF Executive Board to the person concerned.

## **Article 24 (Statement of Appeal)**

24.1 The Appellant shall submit to the Ethics Commission a statement of appeal containing:

- a) the name and full address of the Respondent;
- b) a copy of the decision appealed against;
- c) the Appellant's request for relief;
- d) if applicable, an application to suspend the execution of the decision
- e) appealed against, together with reasons;

f) a copy of the provisions of the Statutes providing for appeal to the  
g) Ethics Commission.  
24.2 Upon filing the statement, the Appellant shall pay the fee related to procedural costs.

24.3 The time limit for an appeal shall be 14 days from the receipt of the decision appealed against.

## **E. PROCEDURAL COSTS**

### **Article 25**

25.1 In general, the procedural costs are made up of the costs and expenses of the investigation and adjudicatory proceedings, excluding legal costs.

25.2 If the Panel has determined that there has been violation of the Code of Ethics, the procedural costs shall be borne by the party that has been sanctioned. The procedural costs imposed on the sanctioned party may be reduced or waived in exceptional circumstances in particular taking into account the parties financial circumstances.

25.3 Except as provided in 24.2 above, the procedural costs shall be borne by the JJIF.

25.4 In the event of closure of proceedings or acquittal, the procedural costs shall be borne by the JJIF. The Panel may however order the complainant to pay the procedural costs, in whole or in part, if it considers the complaint to have been frivolous or vexatious or on account of the conduct of the complainant in the course of the proceeding.

25.5 The present Bye-Laws have been introduced and approved by the JJIF Ethics Commission on May 20, 2017, and it was revised on October 20, 2018.

25.6 The present Bye-laws of the JJIF Ethics Commission have been ratified by the JJIF Congress on November 26 2018 (Malmö, Sweden).

Panagiotis Theodoropoulos  
JJIF President