



the 2<sup>nd</sup> of July 2008

## **New Statutes for the EFC – Giant Step Towards Enhancing Fencing in Europe**

The General Assembly of the European Fencing Confederation decided in Izmir, the 2<sup>nd</sup> of July 2006, that the Executive Committee would appoint a commission to prepare new statutes for the Confederation and present the result before the extraordinary General Assembly. In Poznan, the 2<sup>nd</sup> of November 2006, the new statutes were considered, but not found to be satisfactory. The proposed statutes removed all the power from the Congress and the Executive Committee to the President. A new working group was elected including members from five different federations and two members from the Executive Committee.

The working group gathered first time in Moscow, the 17<sup>th</sup> of December 2007. It was agreed that the working group would examine the comments pointed out by member federations and also render the draft compatible with the FIE statutes. Next time, the working group gathered in Belek, the 8<sup>th</sup> of April 2007. Mr. Gordon Rapp had prepared a new version of the statutes based on the comments received from member federations and on the results of comparing the draft to the FIE statutes. Altogether 39 additional changes were agreed on during the two day meeting. However, before the Congress in Gent, the 30<sup>th</sup> of June 2007, the work was still unfinished. The Congress wisely decided to postpone the approval of the new statutes and the working group continued the preparation.

For the next working group meeting, Mr. Giuseppe Cafiero and I prepared a proposal for changes. We were convinced that we would have to find a solution which would create a balance of powers between the President and the Executive Committee. The new draft included altogether 27 changes to the version presented in Gent.

A group, which included Maxim Paramonov, Giuseppe Cafiero, J.P. Kessler, Gordon Rapp, Kimmo Pentikäinen, Krisztian Kulcsar, Rodion Plitukhin and Max Geuter, gathered again in Milan, the 28<sup>th</sup> of July 2007. The new version created during this meeting included 55 more changes. All the members of the working group were enthusiastic with the new, final version of the statutes, which was proofread and translated into French.

The main changes compared with the version presented in Gent concerned the executive roles of the Confederation - the balance between the Executive Committee and the President. According to the changes, the President, assisted by the Bureau members, attends to all ongoing matters and subsequently obtains the Executive Committee's ratification of the decisions taken. Furthermore, the Executive Committee will have the power to organize and control the reasonable/proper spending of the EFC funds in respect of the approved budget, while the President has the power to open and operate a bank account on his sole signature and to carry out current transactions in compliance with the present statutes. This arrangement will assure that the EFC can function on practical day to day bases.

The new statutes will give the executive role to the President. It is not reasonable to assume that the Executive Committee will take part in daily activities and, on the other hand, the fencing community in Europe is still too small a community for designing a role in the statutes for an executive director who would take control of daily business. Therefore, it is crucial to ensure that the President can perform his role and execute the tasks assigned to him by the statutes. This is why our changes included that the President presents to the Executive Committee the proposals regarding the distribution of functions between its members and allocation of the financial funds of the EFC. Furthermore, the President appoints the other members of the Bureau among the elected members of the Executive Committee. The President has the executive power to implement resolutions based on the working plan and the budget.

Nevertheless, the final decisions concerning the spending of funds will be in the hands of the Congress and the Executive Committee. The Executive Committee establishes a general budget, showing the main expenses and receipts, for the approval of the Congress. This budget is intended for the management of the EFC, the



President, the Bureau, the Executive Committee and the Auditors. All expenses which are not provided for in the budget and that exceed the budget by more than 10 % must be approved by the Executive Committee. Only payments and invoices for the amounts below 0.15% of the EFC Budget can be signed by the Treasurer or the President alone. Finally, an independent auditor can be appointed by the Congress.

There is no doubt that we have a critical need of new statutes. Our sport has made remarkable progress in this continent and together we will be more capable of promoting fencing. For these purposes cooperation is required and the European Fencing Confederation, together with the FIE, has a key role in these activities. However, the present statutes do not meet the requirements and expectations we have for these new more demanding mutual activities. We need an organisation that is capable of taking executive decisions and managing demanding, professional cooperation projects and planning. For these crucial purposes we need the new statutes. The present statutes do not acknowledge the Bureau and the important idea of team work with structured roles for the executive decisions.

The proposal for new statutes is compliant with the FIE statutes and even with the IOC charter. It is a carefully crafted work, the preparation of which involved strong commitment from several member federations and individuals. It will make place for the executive role of the Bureau and the President and it conforms with the classical concept of the separation of powers, elaborated by the French political Enlightenment thinker, Baron de Montesquieu. Finally, I would like to repeat what mr. Cafiero said as a guidance to our work with the statutes: *"I am interested in the final result, that is a statute consistent, respectful of the authority of the Assembly, of the Executive Committee and obviously of the President."* I am convinced that this will now, at last, be presented to the EFC congress in Kiev, the 4<sup>th</sup> of July 2008.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Kimmo Pentikäinen', is written over a light blue horizontal line.

Kimmo Pentikäinen  
Member of the Statutes Working Group  
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