UIAA
CODE OF ETHICS

1. Preamble

The UIAA's mission in accordance with Article 3 of its Articles of Association ("AoA") is to lead the climbing and mountaineering movement, to gather all countries that have a competent national federation for climbing and mountaineering committed to complying with UIAA statutes and regulations, to govern climbing and mountaineering competitions throughout the world and work in favour of practice of climbing and mountaineering in the spirit of its traditions, the requirement of the Olympic Charter and the current tendencies in the world sports development.

In furtherance of this aim, the UIAA General Assembly has adopted the following Code of Ethics that sets out the principles of ethical conduct (the "Code").

2. Scope of Application

This Code applies throughout the world to all members of the UIAA Management Committee, the UIAA Executive Board, Commission Presidents and delegates, and any person who acts or is entitled to act on behalf of the UIAA.

This Code applies to all their relations with the UIAA, including the participation at or the organization of UIAA events or events officially supported by the UIAA, to individuals and organizations such as without limitation:

- national member federations of the UIAA
- associations, clubs and other organisations which are members directly or indirectly or part of the national member federations of the UIAA;
- administrators (including officials and staff) at all levels;
- athletes, athlete support personnel, coaches, medical staff, competition officials, officials, anti-doping staff, consultants, managers or other members of any delegation, referees, jury members and any other person who is or has been accredited to attend or participate in an International Competition;
- members and candidate or host cities wishing to host or hosting International Competitions organised by the UIAA and the local organising committees of such competitions and their respective officials, employees and others acting, or entitled to act, on their behalf.

With respect to legal persons, the Code shall apply to all representatives with decision-making powers.

The Code also applies to such other persons who agree in writing at the request of the UIAA to be bound by the Code.

3. Fundamental Principles

Persons subject to the Code shall show commitment to an ethical attitude.

As a general rule, any breach of the Code may be established whether it was committed deliberately or negligently, whether or not the breach constitutes an act or an attempted act, and whether the parties acted as participant, accomplice or instigator.

In their actions the person subject to the Code shall follow and respect the following principles:

Dignity

All forms of physical, verbal, psychological, professional or sexual harassment and all forms of discrimination based on race, ethnic origin, gender, sexual orientation, religion, political or other opinion, marital status, national or social origin, property, birth or other status are strictly prohibited to respect and safeguard the dignity of every individual.

Integrity

Persons subject to the Code shall not act in a manner likely to affect adversely the reputation of the UIAA, or its activities, nor shall they act in a manner likely to bring the sport of climbing and mountaineering into disrepute.

Persons subject to the Code shall act with the utmost integrity, honesty, impartiality, objectivity, professionalism and responsibility in fulfilling their respective roles.

Persons subject to the Code shall not manipulate the results of competitions. Any undertakings that are aimed at or may potentially modify or influence the competition or result of a competition, or any part thereof, in any manner contrary to sporting ethics, such as manipulation, incitation or corruption, is forbidden. The persons bound by the Code shall not take part, either directly or indirectly, or otherwise be associated with betting, gambling, lotteries and similar events or transactions connected with the climbing and mountaineering competitions or events in which they take part or in which they are otherwise involved.

Persons subject to the Code must refrain from any act involving fraud, bribery or corruption.

Persons subject to the Code, shall not offer, promise, give, solicit or accept any personal or undue pecuniary or other benefit (or the legitimate expectation of a benefit irrespective of whether such benefit is in fact given or received) in connection with their activities or duties of the UIAA. As a general rule, only gifts of purely symbolic or trivial value, in accordance with prevailing local customs should be offered or accepted.

Persons bound by the Code shall refrain from any action promoting, facilitating, associating with, or otherwise supporting behaviour or actions that contravene the provisions and the spirit of the UIAA Anti-Doping Rules.

Good Governance

The basic universal principles of good governance of the sports movement, in particular transparency, responsibility and accountability, must be respected by all persons subject to the Code.

Conflicts of Interest

Persons subject to the Code shall avoid any situation that could lead to a conflict of interest. A conflict of interest shall arise when the objectivity of a person bound by the Code, in expressing an opinion, undertaking any action or taking part in a decision, may be influenced or be perceived as being influenced due to private or personal interests. Private or personal interests include gaining any possible advantage for the persons bound by the Code, their family, relatives, friends and acquaintances.

Resources

The UIAA resources may be used only for UIAA related purposes.

The income and expenditure of the UIAA activities shall be recorded in their accounts, which must be maintained in accordance with generally accepted accounting principles. An independent auditor shall check these accounts.

In cases where the UIAA gives financial support to its members the use of these resources for UIAA related purposes must be clearly demonstrated in the accounts of the respective UIAA member federation.

Any contribution made by sponsors, partners and other supporters of sports events, whether financial, material or of any other nature, must be consistent with the principles set out by the Code and the Articles of Association. By virtue of their position, they must not be allowed to interfere with the running of the sport of climbing and mountaineering. The UIAA shall be entitled to request from the recipient the production of any appropriate evidence regarding the use of the resources. Moreover, the recipient shall clearly demonstrate the use and purpose of the resources if requested.

Persons subject to the Code are prohibited from misappropriating UIAA assets, regardless of whether actions are carried out directly or indirectly through third persons.

Candidatures, Bidding and Votes

Members and candidate cities wishing to host International Competitions organized by the UIAA including those persons acting or entitled to act on their behalf shall conduct their candidacies with honesty, dignity and respect for their opponents and respect the provisions of the Code in their entirety. All candidacies shall obey to the regulations described in the UIAA Ice Climbing Competition Regulations and the UIAA Organizer's Handbook.

Persons subject to the Code shall endeavour to protect the environment and sustainability on the occasion of any events they organize.

The applicant's bidding material shall be complete and absolutely truthful. Applicants shall refrain from approaching any person, party, or third authority, with a view to obtaining any financial, political or de facto support inconsistent with the provisions of the Code and regulations relating to the relevant bidding process.

All persons subject to the Code shall neither give nor accept instructions, inconsistent with their respective roles and responsibilities, to vote or intervene in a given manner within the organs of the UIAA, or any organization to which the UIAA is affiliated.

Relations with States and Neutrality

Persons subject to the Code shall work to maintain harmonious relations with State authorities, in accordance with the principle of universality and political neutrality.

In dealing with government institution, national and international organizations, associations and grouping, persons bound by the Code shall remain politically neutral in accordance with the principles and objectives of the UIAA, whenever expressing themselves on behalf of the organization they represent.

Persons subject to the Code are free to play a role in the public life of the State to which they belong. They may not, however, engage in any activity or follow any ideology inconsistent with the principles and rules set out in the present Code or any UIAA regulation.

Confidentiality

Persons subject to the Code shall not disclose information entrusted to them in confidence, unless required to do so by the Code or by the law. The principle of confidentiality shall be strictly respected by the UIAA Court in all its activities.

Disclosure of other information shall not be for personal gain or benefit, nor be undertaken maliciously to damage the reputation of any person or organization.

4. Rules of procedure

4.1 Right to complain and right to be a party

Any person may address a complaint or report an alleged breach of the Code to the UIAA Court constituted under Article 23 of the Articles of Association (“the UIAA Court”).

The UIAA Office shall acknowledge receipt of the complaint or denunciation, although the person submitting the file shall have no entitlement for proceedings to be opened, to be a party to proceedings or to be informed of any decision passed.

The UIAA Court is an independent judicial body formed to decide upon the violations of the Code [other than the violation of the Anti-Doping Rules]. The UIAA Court will have free discretion to consult this person or any other person and request his/her participation in proceedings. Only the persons who are alleged to have committed a violation of the provisions of the Code and against whom proceedings have been initiated shall be considered as parties before the UIAA Court.

4.2 Obligation to collaborate

4.2.1 *General obligation*

The parties shall be obligated to act in good faith during the procedure and to collaborate in establishing facts. Parties to proceedings before the UIAA Court shall, in particular, comply with the UIAA Court's requests for information and production of evidence. The persons bound by the Code are obliged to contribute to establishing the facts of the case and, especially, to provide written or oral information as witnesses as well as evidence at their disposal or which can reasonably be obtained. Witnesses are obliged to tell the truth and respond as per their knowledge and judgement.

4.2.2 *Non-compliance*

Any violation of the above-mentioned obligations to collaborate by a person bound by the Code may be considered as a violation of the Code.

4.3 Right to be heard

The parties shall be granted the right to be heard, the right to present evidence, the right for evidence leading to a decision to be inspected, the right to access files and the right to a reasoned decision in case a sanction should be imposed.

4.4 Representation

Any party may be represented or assisted by a counsel of his/her choice. Any cost related to his/her representation before the UIAA Court shall be borne by the party concerned.

4.5 Languages

The working language of the UIAA Court is English. Only complaints or denunciations remitted in English shall be taken into consideration. All proceedings before the UIAA Court shall be conducted in English. Parties introducing documents in other languages shall bear all costs related to the translation of such documents as well as oral statements.

4.6 Requisites for a complaint or denunciation

4.6. 1 *Form and address*

Matters shall be brought before the UIAA Court in writing and addressed to the UIAA Office. Notifications shall only be considered if sent to the email address of the UIAA Office published on the UIAA website.

4.6.2 *Content and information*

The complaint or denunciation regarding a potential breach of the Code shall include the following information:

- Name and surname of the sender;
- Full contact details of the sender;
- Name and surname of the person(s) concerned by the alleged breach;
- The facts of the matter referred;
- Any and all evidence in the sender's possession;
- Provision(s) of the Code potentially breached;
- Signature of the sender.

4.7 Registration

Upon receipt of a complaint or denunciation, or upon request from the UIAA Court, the UIAA Office will register a file and send it to the President of the UIAA Court. At the same time, the UIAA Office shall inform the UIAA President of the registration of a file. Should the file concern the UIAA President directly, such information shall be provided to the members of the Executive Board of the UIAA.

Upon receipt of the file, the President of the UIAA Court shall proceed to a prima facie examination of the case and determine whether there is any indication that a breach of the Code may have been committed. The President of the UIAA Court may request additional information and documentation from the sender of the complaint or denunciation or any person bound by the Code. If the complaint or denunciation is deemed to be manifestly groundless, the President of the UIAA Court shall decide not to initiate proceedings. In any other case, the decision to initiate proceedings or not shall be made by the UIAA Court, at its full and independent discretion.

4.8 Panel

4.8.1 *Constitution*

After deciding on the initiation of proceedings, the President of the UIAA Court shall proced to the constitution of the panel that shall deal with the case. The panel shall in principle be chaired by the President of the UIAA Court, who may also decide to name any other member to act as chairman of the panel. The panel shall be composed of three members and the appointed members shall not be from the same country as the parties.

4.8.2 *Independence, impartiality and challenge*

The members of the panel shall be fully impartial and independent from any of the persons concerned. A member of the panel shall immediately disclose any circumstance which may affect his/her independence and impartiality with respect to any of the persons concerned.

Any challenge of a member of the panel shall be sent to the UIAA Office within 10 days after the grounds for challenge become known or should reasonably have become known to the challenging person. Any such challenge shall indicate the grounds of the challenge and include all relevant facts and supporting documents. Any application to challenge a member of the panel shall be decided by the other members of the UIAA Court, after the challenged member has been invited to submit written comments. The decision on the challenge is final and is not subject to appeal.

4.9 Notification to parties

Upon registration of a file and constitution of the panel, the UIAA Office shall inform all parties of the case and provide them with a copy of the file.

4.10 Conduct of proceedings

4.10.1 *Investigation*

The President of the UIAA Court shall lead the procedure. The investigation shall be conducted by means of written inquiries and written or oral questioning of the parties, witnesses and any other person, if needed.

Any further investigative measures relevant to the case, such as the appointment of an independent and qualified investigator in each case to investigate alleged violations of the Code; may also be taken, as deemed appropriate.

The UIAA Court may, on its own initiative or at the request of a party, summon all persons and parties concerned to attend a hearing. Unless otherwise decided by the panel, hearings shall take place by video-conference and shall be confidential and not open to the public.

The parties shall be responsible for the appearance at the hearing of any witness or expert they request to be heard and shall cover all costs and expenses associated with their appearance. In case of absence of any person summoned to appear, the UIAA Court may proceed and close the investigation phase.

4.10.2 *Evidence*

As a general rule, the UIAA Court may take into consideration any kind of evidence deemed appropriate. The UIAA Court shall determine the admissibility, relevance, materiality and weight of evidence at its discretion.

4.11 Conclusion of proceedings

Once the UIAA Court considers the file to be complete or that all available investigation measures have been taken, the UIAA Court shall close the investigation phase and the secretary of the UIAA shall inform the parties accordingly.

4.12 Reopening of a case

The UIAA Court may reopen a case at its own discretion.

4.13 Deliberations

Upon conclusion of the investigation, the panel shall deliberate and determine, if any, which of the sanctions listed in Section 4.14.2 below should be imposed or recommended.

4.14 Decisions of the UIAA Court and Sanction

4.14.1 *Decisions*

The decision shall be taken by a majority of the UIAA Court. Any decision shall contain:

a) the names of the members of the panel;
b) the names of the parties;
c) a summary of the relevant facts;
d) a summary of the procedure;
e) the decision on jurisdiction;
f) the provisions on which the decision is based;
g) the reasons of the decision;
h) a notice indicating the possibility to file an appeal before the Court of Arbitration for Sport and the relevant time limit.

4.14.2 *Sanctions*

In relation to breaches of the Code, the UIAA Court may impose the following sanctions:

- reprimand;
- fine up to a maximum of CHF [...];
- withdrawal of title, award or honour;
- suspension;
- ban from taking part in a specific mountaineering and/or climbing activity, event or meeting organized by the UIAA [*or any of the federation part of the UIAA*];
- ban from taking part in any mountaineering and/or climbing activity organized by the UIAA [*or any of the federation part of the UIAA*].

4.14.3 *Recognition of Sanctions*

All federations members of the UIAA shall recognize and take all necessary and reasonable steps within their powers to enforce and give effect to the Code and to all decisions taken and sanctions imposed thereunder.

4.14.4 *Appeal*

Any decision taken by the UIAA Court may be appealed before the Court of Arbitration for Sport.

4.15 Procedural costs

The procedural costs are made up of the costs and expenses of the investigation and disciplinary proceedings.

Procedural costs shall be borne by the party that has been sanctioned. If more than one party is sanctioned, the procedural costs shall be assessed proportionally in accordance with the degree of guilt of the parties. Part of the procedural costs, in particular the costs of the investigation proceedings, may be borne by the UIAA, as appropriate in respect of the imposition of sanctions. The procedural costs may be reduced or waived in exceptional circumstances, in particular taking into account the party's financial circumstances.

5. Miscellaneous

The Code may be amended from time to time in accordance with the UIAA Articles of Association. If any provision of the Code is held invalid, unenforceable or illegal for any reason, it shall be deemed deleted, and the Code shall remain otherwise in full force and effect.

The Code is governed by and shall be construed in accordance with Swiss law.

6. Effective Date

The present Code was adopted by the UIAA General Assembly in ... on ... October 2018 and came into force on the same day. The Code applies to all violations of this Code committed on or after the effective date.

Frits Vrijlandt

UIAA President

Hélène Denis

UIAA General Secretary