



Lausanne
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To: FAI General Conference 2019

Voting for FAI President and EB Members at General Conference

Proposal by: FAI President

The purpose of this proposal is to clarify the voting procedures for the FAI President and the members of the Executive Board at General Conference.

Two options are provided for the General Conference to consider.

The agreed procedure will be in force for the elections in 2020. The changes required to the FAI Statutes will be formally voted on at the beginning of the General Conference 2020.

Option 1 - The FAI President and the members of the Executive Board represent all bodies within the FAI.

Proposed Decision: Active Members in good standing and Commissions are entitled to vote for the FAI President and for the members of the FAI Executive Board. The first round of voting for the FAI President shall be by absolute majority and subsequent rounds of voting for the FAI President and all voting for EB Members shall be by simple majority.

Option 2 - The election of both the FAI President and the members of the Executive Board be considered as “*constitutional matters*”. This option will be put to the vote only if Option 1 is not accepted.

Proposed Decision: Voting for the FAI President and for the members of the FAI Executive Board is restricted only Active Members in good standing. The first round of voting for the FAI President shall be by absolute majority and subsequent rounds of voting for the FAI President and all voting for EB Members shall be by simple majority.

Background

The GC in Luxor, 2018, included a protracted debate about who was permitted to vote for the FAI President in the first round of voting and in any subsequent rounds of voting. A discussion paper on this topic was circulated to the Commission Presidents, to solicit their input, and to the Executive Board.

Fédération
Aéronautique
Internationale

Current Statutes

A quick refresh of applicable Statutes is provided in the attached Appendix for your ease of reference.

The voting rights of International Affiliate Members (IAM) have been challenged to participate in voting for the FAI President and Executive Board members was challenged during the discussions on this paper, As a result the ability for IAM to vote in these elections has been removed from both options.

Interpretation of Voting Rights

Commissions and IAM hold votes that may be cast during a General Conference. The basic difference between the votes held by the Commissions and IAM and votes held by Members is that Commissions and IAF are not able to vote on changes to the Statutes (Statute 1.4.2). This right is restricted to Active Members, who are defined in the Terms and Definitions and at Statute 2.1.1.2. This means that Commissions and IAM may not vote on constitutional matters. This is a well-established practice.

The voting for the FAI President is made unclear by the change from an **Absolute Majority** in the 1st round of voting. By definition this restricts voting rights to those Members present or represented. "Members" are defined in Statute 2.1.1.2 and include IAM but not the Commissions. Subsequent voting rounds for President, however, are decided by **Simple Majority**, which is defined in relation to the eligible votes present. There is no clear definition in the FAI Constitution of what constitutes an "eligible vote" in this situation. The reason for changing to a simple majority for the 2nd round of voting seems to be to facilitate a viable election should no candidate achieve an absolute majority in the 1st round of votes.

Voting for the Executive Directors is also decided by **Simple Majority**.

Confounding Protocols

There are, as we know, confounding protocols in the FAI voting processes:

- Commissions and IAM may not vote on constitutional matters
- The election of the FAI President and Executive Board is the privilege of the General Conference (Statute 3.4.1.11)
- The election of the FAI President and Executive Board members can be argued as being "constitutional matters" as these persons are charged with the day-to-day control of the FAI and carrying out the decisions of the General Conference
- The change in voting procedure for the President between the 1st round and subsequent rounds of voting is to allow an outcome to be achieved, but, at present, it seems to also allow additional votes to be cast in the 2nd and any subsequent voting rounds.

Opinion of the Executive Board

The Executive Board is generally, but not unanimous, of the opinion that the election of the FAI President and the members of the FAI Executive Board are constitutional matters.

The EB, therefore, supports Option 2 as the voting protocol for the future.

Opinion of the Commission Presidents

A majority of Commissions Presidents participated in a discussion on this subject and their opinions can be summarised as follows:

- Elections are not a constitutional matter in the sense we are changing something on the Statutes. Elections are to decide who we want to represent us and also to identify the guardians of the constitution. Changing the Statutes is considered to be the critical point in terms of limiting voting on the FAI constitution.
- The Presidential election is important for all parties as we are looking for leadership and everyone should be allowed to take responsibility in that choice.
- If we are to build 'One FAI', if we are to consider that competition and people associated with it are FAI's main business, then this means that the FAI President, and the board members are representing the Members and the Commissions and, as a result, these bodies should all have an equal opportunity to participate in the elections of individuals to these roles.

The Commission Presidents recommend Option 1 as the voting protocol for the future.

Appendix 1 : Relevant Statutes

Relevant Statutes

TERMS AND DEFINITIONS

Absolute Majority More than half of the votes belonging to Members present or represented.

Constitution of FAI The body of fundamental laws and principles that prescribe the nature, objectives, functions and limits of FAI. It consists of two parts. The relatively permanent elements of the FAI Constitution are set forth in the FAI Statutes and may only be changed by the General Conference.

Majority (also called simple majority) More than half of the votes cast by eligible votes present.

Member of FAI (or FAI Member) A national or international organisation which has been accepted into one of the classes of membership as defined by Statute 2.1.

2.1 CLASSES OF FAI MEMBERSHIP

2.1.1. *There are six classes of FAI membership:*

2.1.1.1. *Founder Members*

2.1.1.2. *Active Members*

2.1.1.3. *Associate Members*

2.1.1.4. *International Affiliate Members*

2.1.1.5. *Temporary Members*

2.1.1.6. *Historic Members*

1.4 THE FAI STATUTES

1.4.1. The Statutes, established by the FAI General Conference, are the fundamental rules of FAI and prevail over all other FAI rules and regulations.

1.4.2. Changes to the Statutes shall only be made at a General Conference at which at least half of the Active Members of FAI in good standing are present or represented and provided that the amendment is placed on the Agenda sent to all the Members of FAI at least two months before the Conference convenes, with a detailed description of the proposed text. Decision shall be taken on a two thirds majority of the votes belonging to the Active Members present or represented.

2.5 ASSOCIATE MEMBERS

2.5.2. RIGHTS AND DUTIES OF ASSOCIATE MEMBERS

2.5.2.1. Except for the right to ... vote in General Conferences, duties of Associate Members shall be identical to those of Active Members.

2.7 TEMPORARY MEMBERS

2.7.2. RIGHTS AND DUTIES

2.7.2.1. Temporary Members shall have no voting rights in FAI,

3.4 POWERS OF THE ANNUAL GENERAL CONFERENCE

3.4.1.11. - election of the FAI President and the Executive Board;

6.1 THE PRESIDENT OF FAI

6.1.1. ELECTION

6.1.1.1. The President of FAI shall be elected for a four-year term by the General Conference from among the following individuals:

6.1.1.1.1. - The President of FAI;

6.1.1.1.2. - Any other persons nominated by bodies holding voting rights at General Conference.

6.1.1.2. This election shall be by secret ballot. On the first round of voting, an absolute majority shall be required for election. If no such majority is obtained by any candidate, a second round of voting shall be conducted, and the President shall be elected by a simple majority. If there are more than two individuals standing for President and no such majority has been obtained in the second round, a third round of voting shall be conducted with the choice limited to the two candidates who received the largest numbers of votes in the second round ; and the President shall be elected by a simple majority.

6.2 THE EXECUTIVE DIRECTORS OF FAI

6.2.1. NOMINATION AND ELECTION OF EXECUTIVE DIRECTORS

6.2.1.1. Six Executive Directors shall be elected for a two-year term by the General Conference.

6.2.2.2. The FAI Secretariat shall prepare a list of the nominees including the CV of each candidate and send it to all Members with the Agenda for the General Conference. The list shall be submitted to the General Conference for election of Executive Directors from among the individuals on the list by simple majority vote.