

Memorandum

TO: Haya Bint Al Hussein, FEI President
CC: Alex McLin, FEI Secretary General; Lisa Lazarus, FEI General Counsel
FROM: Akaash Maharaj, CEO
DATE: Thursday, 03 February 2011

Canada's Submission on FEI Restructuring

We are pleased to submit Canada's views on restructuring of the FEI, in preparation for the Extraordinary General Assembly scheduled for 06 May 2011. Canada emphatically supports renewal of the FEI's governance architecture, to create a more democratic, more agile, and more transparent decision-making system, one that reflects the geographic universality of the international federation's mandate while drawing on talent without regard to national origin.

Responses to the FEI Questionnaire

We have replied to each of the questions posed by the FEI in its letter of 18 January 2011 below, and briefly explained the reasoning behind our positions. For questions 1 and 2, our preferred reply was not amongst the proffered multiple-choice options, and we have therefore described alternative positions in underlined text.

1 – Board Terms: How long should the new Board's term in office be?

(d) 4 years subject to a maximum of two consecutive terms

A four-year term of office would enable board members to govern over a full sport cycle, embracing the path through one World Equestrian Games, one Olympic Games, one Paralympic Games, and one hemispheric games. Equally, a limit of two consecutive terms would balance the FEI's need for an experienced board with its need for institutional renewal: board members could gain experience through one sport cycle, apply that experience through a second sport cycle, and then open the way to new generations of leadership.

2 – Athlete Member Candidates: How should the Athlete member representative on the new Board be selected?

(None of the above) He or she should be nominated by the athletes from all FEI disciplines

We feel strongly that to genuinely claim to speak for athletes, a board member must be selected by athletes. However, the FEI's one suggestion to this effect, option (a), stipulates that only Olympic athletes would participate in the nomination process. The FEI has taken much pride in being one of the first international federations to govern for both Olympic and Paralympic athletes; moreover, the FEI's fastest growing disciplines are non-Olympic and non-Paralympic. To structurally exclude Paralympic athletes and non-Olympic/non-Paralympic athletes from board representation would violate the FEI's principle of equality of participation and would risk bringing the international federation into disrepute. We recognise that there may be logistical challenges involved in canvassing athletes from all FEI disciplines, but we do not believe that these challenges lie beyond the FEI's capacities.

3 – Technical Committee Chairs: How should the Technical Chairs be selected?

(d) He or she should be nominated by their NF and then elected by the General Assembly

We believe that by centralising the nominations process, the other options would dilute the technical committees' essential accountability to the community of National Federations.

4 – Vetting Of Candidacies: Who should vet or review the qualifications of potential candidates for Board positions?

(a) Candidacies should be reviewed by the Nominations Committee prior to candidates being eligible for appointment or election

We see the review of candidates' qualifications as a core function of the Nominations Committee. If deprived of this role, we would question the committee's purpose.

5 – Eligibility Of Candidates: Should there be any constraint on the eligibility of a National Federation's Secretary General or other full-time employee to the new Board?

(a) Secretary Generals and other full-time employees of NFs should not be eligible for a position on the Board.

We are concerned that there might be a heightened potential for conflicts of interest if remunerated National Federation representatives were to serve on the FEI board.

Means and Ends in the Restructuring Process

It is our conviction that reform of the FEI is vital to the global sustainability and growth of equestrianism. Because of this, we believe that the process of formulating, debating, and deciding the statute amendments must be – in fact and in appearance – democratic, inclusive, and above procedural reproach. Legitimate ends are often frustrated and are always tainted if they are pursued through illegitimate means. With this in mind, we ask the FEI to consider our following contributions on the restructuring process.

Create a Global Consensus on the Substance of Reform

The five questions the FEI has asked National Federations to answer by 09 February 2011 deal with the finer details, rather than the fundamental substance, of restructuring. We urge the FEI to create a global consensus in favour of reform, by demonstrating a willingness to make elemental changes to the draft statutes it will publish on 11 February 2011, if such changes are suggested by National Federations prior to the 25 March 2011 deadline.

Create Defensible Procedural Regulations for the EGA

The FEI's "Annex 1 - Procedural Regulations of the General Assembly" has served the FEI well as standing orders for Ordinary General Assemblies. However, the annex is clearly inappropriate for an Extraordinary General Assembly, as the existing text contains date requirements for a November gathering. We strongly recommend that FEI Secretary General promulgate new procedural regulations for the Extraordinary General Assembly that respect the democratic imperative, the spirit, and the letter of FEI statute 17.1(ii), to enable three FEI group chairs acting together to submit statute amendments to the EGA that are not reflected in the amendments brought forward by the bureau.

Beyond the Statutes: the Internal Regulations

We feel that changes to the statutes are a necessary but not sufficient condition to create a greater culture of democracy and accountability within the FEI. Even an ideal structure will fail if it is not animated by good intentions and best practices. We therefore ask the FEI to consider the following amendments to the "Internal Regulations of the FEI".

Create an Obligation for the Board to Respond

The new board should have a positive obligation to reply in writing to requests brought to it during the "Regional Group Meetings with the Board" held at General Assemblies, and to do so within ninety days of those meetings. The board should have a responsibility to report on what it

has done or what it proposes to do in response to regional group requests, or in the alternative, to explain why it declines to act on a request.

Create a Responsibility for Self-Monitoring

The FEI regional groups, the FEI technical committees, and the FEI board should have a responsibility to develop and publish annual plans outlining their objectives for the coming year. Similarly, they should have a complimentary responsibility to publish self-evaluations at each Ordinary General Assembly, measuring their achievements over the previous year against that year's plans.

Increase Public Scrutiny

We believe that the FEI's decision to webcast the General Assemblies has been a great success, increasing public confidence in the institution by opening its proceedings to the full glare of public scrutiny. We believe the success of this initiative should be extended. Those portions of FEI board meetings not subject to confidentiality should be webcast in the same manner as the General Assembly.

Conclusion

We hope that our submission will make a positive contribution to the restructuring of the FEI. Canada recognises and is proud of the FEI's achievements over the institution's ninety-year history. Our enthusiasm for reform stems, therefore, not from any misapprehension that the FEI has failed, but from a recognition that it has reached the limit of what it can achieve through its existing structure. We look forward to playing an active role in the restructuring process, before, during, and after the Extraordinary General Assembly.



Akaash Maharaj
Chief Executive Officer