



VOTING PROCEDURES: THE CASE OF PASO & CACSO



CANOC SPORTS LAW CONFERENCE 2019

ST. VINCENT & THE GRENADINES



PAN AMERICAN SPORTS ORGANIZATION

■ PASO:

- established on August 8th, 1948
- non-profit Civil Association
- headquartered in Mexico City, Mexico
- recognized by the International Olympic Committee
- is the Continental Association of the National Olympic Committees of the Americas

■ Aims:

- to celebrate and conduct the Pan American Games;
- to promote Olympism;
- to defend the right of its Members and their athletes;
- to develop innovative and creative ideas and strategies to improve sport performance and competitive level;
- to contribute to the education of youth through sport;
- to promote research, study of common interests, exchange of information;
- to encourage ethical behavior and good governance in sport
- to promote cooperation between national authorities and sport organizations

PASO'S MEMBERSHIP

- **Voting Members:**

- 41 recognized by PASO Constitution

- **Non-Voting/Associate Members:**

- sport governing organizations of the countries, territories, protectorates, or protectorate-like countries of the Americas that do not qualify to have a National Olympic Committee recognized by the IOC; and
- these organisations, within their countries, carry out a function and role similar to that of a NOC
- Delegates do not have a right to vote.

- **Honorary Member**

- **Honorary President:**

- Offers advice to the President, Executive Board, and General Assembly

PASO'S VOTING MEMBERS - NOCS

1. ANTIGUA AND BARBUDA
2. ARGENTINA
3. ARUBA
4. BAHAMAS
5. BARBADOS
6. BELIZE
7. BERMUDA
8. BOLIVIA
9. BRAZIL
10. BRITISH VIRGIN ISLANDS
11. CANADA
12. CAYMAN ISLANDS
13. CHILE
14. COLOMBIA
15. COSTA RICA
16. CUBA
17. DOMINICA
18. DOMINICAN REPUBLIC
19. ECUADOR
20. EL SALVADOR
21. GRENADA
22. GUATEMALA
23. GUYANA
24. HAITI
25. HONDURAS
26. JAMAICA
27. MEXICO
28. NICARAGUA
29. PANAMA
30. PARAGUAY
31. PERU
32. PUERTO RICO
33. ST. KITTS & NEVIS
34. ST. LUCIA
35. ST. VINCENT & THE GRENADINES
36. SURINAME
37. TRINIDAD & TOBAGO
38. UNITED STATES
39. URUGUAY
40. VENEZUELA
41. VIRGIN ISLANDS

... and such other National Olympic Committees of countries in the Americas as shall in the future be recognized by the IOC and which on recommendation of the PASO Executive Board are approved for admission to membership by the PASO General Assembly.

ORGANIZATIONAL STRUCTURE

■ **A. GENERAL ASSEMBLY**

- Articles 10, 13
- supreme governing body of PASO
- presided over by President
- Functions:
 - Makes resolutions
 - Elects Honorary Members of PASO and an Honorary Life President
 - Admits new Members of PASO
 - Admonishes and/or suspends a Member of PASO
 - Amends PASO's Constitution
 - Elects the President, Secretary General, Treasurer, and other members of the Executive Board
 - Removes any member of the Executive Board or the Executive Board as a whole
 - Appoints an auditor upon the recommendation of the Executive Board
 - Reviews and considers the annual audited financial statements
 - Approves or rejects reports that are presented to it for its consideration
 - Imposes sanctions in order to compensate PASO for damage caused by Organizing Committee for the Pan American Games failing to comply PASO's Constitution, Host City Contract, or any other agreement
 - Elects the Host City of the Pan American Games

ORGANIZATIONAL STRUCTURE

■ B. EXECUTIVE BOARD

- Articles 14, 15, 16, 17
- Comprised of:
 - President [President can be re-elected up to 3 four year terms; other members' re-election is indefinite]
 - 3 Vice-Presidents [1 from each Group]
 - Secretary General
 - Treasurer
 - 9 members comprised of three (3) per group of Voting Members of PASO
 - President of the Athletes Commission, *ex officio* as a voting member
 - President of the Association of Pan American Sport Confederations, *ex officio* as a non-voting member;
 - The Chair of the PASO Juridical Commission, *ex officio* as a non-voting member;
 - Additional members elected/ appointed by the Executive Board
 - The Honorary Life President can attend meetings, but has no right to vote
 - The Honorary Members can attend meetings, but have no right to vote
- At least 3 voting members of the Executive Board shall be women.
- Members are elected every four (4) years.
- The presence of a majority of the voting members of the Executive Board of PASO with the right to vote shall constitute a quorum
 - The President of PASO shall be entitled to a casting vote to break a tie vote

ORGANIZATIONAL STRUCTURE

■ **B. EXECUTIVE BOARD**

- Recommends Honorary Members of PASO and Honorary Life President
- Recommends admission of new Members of PASO
- executes and enforces the PASO Code of Ethics [suspend, expel, and ban from engagement in PASO and activities under the jurisdiction of PASO, and to remove from any office or position held]
- executes and enforces the Resolutions of the General Assemblies
- responsible for all of the affairs of PASO
- guarantees and protects the celebration and continuity of the Pan American Games
- manages the finances and investments of PASO
- approves income and expenditure budgets at least annually
- appoints such Commissions, Working Groups, and other advisory bodies as it sees fit
- reports annually to the General Assembly on PASO'S financial and general state of affairs
- establishes, regulates and supervises the organization of all kinds of events, functions, and activities e.g. Continental Sport Festivals, and Continental Games
- assists the Organizing Committee of the Pan American Games or any other Member of PASO which requests assistance
- inspects at least one year before the beginning of the Pan American Games
- approves the dates of the Pan American Games when the Host City is chosen, to approve the sport program for the Games at least three years prior to the Opening Ceremonies of the Pan American Games and communicate this information to its Members, the International Olympic Committee and to the Pan American Sports Confederations or similar sports organizations and to the International Federations.
- admonishes and/or suspends a Member of PASO in accordance with this Constitution
- recommends to the General Assembly that it admonish or reprimand the Organizing Committee for the Pan American Games and the Host NOC in the event that they do not comply with the provisions of this Constitution, the Regulations of the Pan American Games, the Host City Contract
- grants the Pan American Olympic Award, the Sports Merit Medal “Mario Vázquez Raña” and the rest of the awards and recognitions
- assists and supports, as deemed appropriate and possible, the Members of PASO, as well as other Regional Sports Organizations
- approves the program of the Opening, Closing and Awards Ceremonies as prepared by each Organizing Committee of the Pan American Games,
- negotiates all contracts related to the production and distribution of the television, Internet and the radio rights as well as any other electronic platforms or other means relative to the Pan American Games
- approves the Pan American Solidarity Programs

WEIGHTED VOTING AT THE GENERAL ASSEMBLY

■ Article 11:

- Each Voting Member of PASO shall be entitled to cast **one** vote at all General Assemblies of PASO
- **However, Voting Members that have organized Pan American Games shall have the right to cast an additional vote** (i.e. 2 votes in total) with respect to:
 - electing the Host City of the Pan American Games; and
 - electing and ratifying, as the case may be, the members of the Executive Board.

■ Two automatic votes for past organisers of Pan Am Games:

- Argentina
- Mexico
- United States
- Brazil
- Canada
- Colombia
- Puerto Rico
- Venezuela
- Cuba
- Dominican Republic
- Peru

***** Question of fairness/equality/good governance

CENTRAL AMERICAN AND CARIBBEAN SPORTS ORGANIZATION

■ **CACSO:**

- was established in 1960
- is the oldest regional sports organization
- is recognized by the International Olympic Committee
- its executive office is wherever the President resides.

■ **OBJECTIVES:**

- the execution of the *Central American and Caribbean Sports Games*
- the development and protection of sports
- the promotion of peace and women's participation in sports
- the promotion of sporting ethics
- the creation and operation of Olympic academies
- the application of doping control

CASCO'S ORGANIZATIONAL STRUCTURE

■ A. THE GENERAL ASSEMBLY

- elects CACSO's Executive Committee
- adopts agreements
- appoints honorary members
- admits new members
- approves the Treasurer's financial report and CACSO's budget
- penalizes CACSO's members
- reviews and approves amendments to CACSO's statutes
- approves or rejects papers submitted for its consideration

■ Comprised of:

- max of 2 delegates appointed by each **affiliated NOC** (primary and alternate)
 - Both have the right to speak, but only one (1) has the right to vote
 - members of **CACSO's Executive Committee**
 - They can speak, but cannot vote
 - max of 2 delegates from **Associate Members** (main delegate and substitute)
 - They can speak, but cannot vote
 - **members of the IOC** resident in the region (ex-officio members)
 - CACSO's permanent **honorary members**
 - **special guests**
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- Quorum is more than half the number of its affiliated NOC.
 - Decisions must be validated by half, plus one, of the votes cast.

CASCO'S ORGANIZATIONAL STRUCTURE

■ B. EXECUTIVE COMMITTEE

- Article 26
- Composed of 11 members:
 - 10 elected members
 - 1 proposed (General Secretariat) by the President, subject to the Assembly's ratification.
- President
- 3 Vice presidents:
 - 1 President of CASCO
 - 1 English-speaking NOC
 - 1 Spanish-speaking NOC
- Treasurer
- 5 vocals
- 1 ex officio member recommended by the Games' Organizing Committee and nominated by the respective NOCs
- permanent honorary members (right to speak, no right to vote)

CASCO'S ORGANIZATIONAL STRUCTURE

■ **B. EXECUTIVE COMMITTEE**

■ **Functions:**

- Ensures regular celebration of the Central American and Caribbean Sports Games
- publishes the General Assembly's agreements and enforces them
- convenes the Assembly's ordinary and extraordinary sessions
- appoints, suspends or removes, creates posts and sets salaries
- provides the technical assistance requested by the Games' Organizing Committee or any affiliated body
- inspects the sporting facilities 1 year prior to the Games
- approves the proposal for the Games' celebration date
- admonishes the Games' Organizing Committee, suspends or transfers Games
- collaborates with the International Olympic Committee, the international sporting federations and the continental and/or regional confederations in resolving any matter
- interprets and regulates CACSO's statutes
- provisionally accepts or rejects the requests for new members' admission
- administers the Organization's funds
- grants stimulus based awards and recognitions
- functions as court of appeal of last resort in controversial matters which are not of a technical nature and are related to the Central American and Caribbean Sports Games.

VOTING RIGHTS AT CACSO

■ Article 13:

- Members have the right to be represented in the General Assembly by a maximum of 2 delegates (primary and alternate)
- delegate will have the right to vote.

■ However, in respect of selecting the Games' hosting sites and the election of the Executive Committee during the assemblies:

- NOCs whose countries have celebrated a Central American and Caribbean Sports Game, shall have the right to 2 votes.

■ Former Host Cities:

- Mexico (4x)
- Cuba (2x)
- El Salvador (2x)
- Panama (2x)
- Colombia (4x)
- Guatemala (1x)
- Venezuela (2x)
- Jamaica (1x)
- Puerto Rico (3x)
- Dominican Republic (2x)

***** Question of fairness/equality/good governance

BETTER APPROACHES: CANOC / GCF

■ CANOC

- **Article 10.6 Each Ordinary Member** that is represented at an **Assembly** shall have the right to cast **one vote** on any matter through one of its duly accredited delegates.
- **Article 12.11 Each member of the Executive Committee shall have one (1) vote** on any matter and voting by proxy is not permitted.

■ CGF

- **Article 16.1 Each member of the Executive Board shall have one vote.**
- **Article 35.1 Each Affiliated CGA shall have one vote at the General Assembly**, unless it has been suspended from voting in accordance with the CGF Documents.
- **Article 3.1** Only the nominated or authorised representative of an Affiliated CGAs present in person or by proxy at the General Assembly at which the **election of the President** takes place shall be entitled to vote. Each affiliated CGA shall be entitled to **one vote**.
- **Article 4.1** A secret ballot of the General Assembly shall be conducted. Only the nominated or authorised representative of an Affiliated CGA present in person or by proxy at the General Assembly at which the **election of Vice Presidents** takes place shall be entitled to vote. Each Affiliated CGA shall be entitled to **one vote**.

THANK YOU!

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QUESTIONS

