



International Ski
Mountaineering
Federation

ARTICLES OF THE EUROPEAN SKI MOUNTAINEERING COUNCIL (ESMC)

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DEFINITIONS

ESMC	The European Ski Mountaineering Council
Bureau	The President, the Treasurer Vice President and the General Secretary
General Assembly	Means the assembly provided in Article 8
IOC	International Olympic Committee
ISMF	International Ski Mountaineering Federation
The Management Committee	Means the elected or serving as: The President, the Treasurer Vice President, the General Secretary and up to seven members elected by the NF members.

I. GENERAL PROVISIONS

ARTICLE 1. Name, legal form of council, headquarters and language

- 1.1 The European Ski Mountaineering Council, hereinafter abbreviated in all languages as ESMC, is the delegated European body responsible for the administration, development, and furtherance of ski mountaineering competitions.
- 1.2 The ESMC is established as a non-governmental and non-profit association and is the continental representative of ISMF. It operates in concert with and as the approved continental body of the ISMF Councils according to article 32 of the ISMF Statutes.
- 1.3 The location of the ESMC headquarters will be decided by the ISMF Council.
- 1.4 The official language of the ESMC is English.

ARTICLE 2. Objectives and principles

- 2.1 The ESMC is furthermore responsible and undertakes in association with ISMF and its Articles of Association the following:
 - 2.1.1 to encourage, promote, develop and supervise ski-mountaineering competitions in Europe, regardless of age, gender or race,
 - 2.1.2 to promote ski mountaineering as a healthy and educational activity for youth;
 - 2.1.3 to consider the protection of the environment when organizing and promoting its activities;
 - 2.1.4 to maintain and promote the doping control regulations in accordance with ISMF Anti-doping Rules and WADA Code;
 - 2.1.5 to establish and maintain rules and standards for competitions that only apply to Europe.
- 2.2 All activities of the ESMC are independent of any political or governmental influences. The ESMC does not allow any discrimination for political, racial or religious reasons.
- 2.3 The ESMC promotes and supports with all means gender equality in its activities. Its principal purposes are to promote, develop, and supervise ski-mountaineering in

Europe. The ESMC fosters friendly relations among its member countries and regions, competition participants and administrators.

II. MEMBERSHIP

ARTICLE 3. Member Federations

- 3.1 A national federation of ski mountaineering in any European country acknowledged as a Member of ISMF shall be eligible for membership of ESMC.
- 3.2 The following categories of memberships are available:
 - 3.2.1 Full Member: organization which act as the national representative of the sport of ski mountaineering competition in its country. This is based on their recognition by the ISMF.
 - 3.2.2 Associate Member: Organization in countries where an ESMC Full member already exists, provided they are approved by the existent Full Member. These organizations may be admitted by the General Assembly. Once approved the Associate Member shall be subject to the same obligations and duties as the Full Member.
 - 3.2.3 Provisional Member: organisation that act at the national level and shall undertake, within the span of four years for one time only, the process to obtain recognition from the ISMF. It can only be established in countries where no ISMF member exists.
- 3.3 The list of European countries shall be according to the directory of the European Olympic Committees.
- 3.4 In exceptional cases, the national federation of a country outside Europe that is acknowledged as a Member of ISMF may be accepted to membership of ESMC. Such acceptance will only be possible in cases where ISMF has authorised ESMC to grant such membership to a federation that belongs geographically to another continent and is not affiliated to the Continental Organisation on that continent.
- 3.5 The jurisdiction of a Member Federation shall be limited to the political boundaries of the country that it represents.
- 3.6 The membership fee for all Members shall be determined by the ESMC's General Assembly.

ARTICLE 4. Rights and duties of Member Federations

- 4.1 Each Full Member has the right:
 - 4.1.1 To take part and to make proposals to the General Assembly and the Management Committee, and to vote;
 - 4.1.2 To appeal and to be consulted in all matters specifically concerning the Member;
 - 4.1.3 To enter its athletes in all competitions approved by the ESMC and in accordance with the entry rules for these competitions;
 - 4.1.4 to make proposals to amend the ESMC Regulations and to propose candidates for the positions in the Management Committee and Commissions.
- 4.2 Each Associate Member has the right:
 - 4.2.1 To take part in the Assembly, to make proposals to the General Assembly and the Management Committee, they do not have the right to vote;
 - 4.2.2 To appeal and to be consulted in all matters specifically concerning the Associate Member;
- 4.3 It shall be the duty of each Member Federation, including the Associate Member, all clubs and individuals affiliated (where applicable):

- 4.3.1 to act in accordance with the ISMF Rules and Regulations;
- 4.3.2 to support ESMC to achieve its objectives;
- 4.3.3 not to make use of the names "European" or "Europe" for any ski mountaineering federation competition, event, activity or club under the jurisdiction of the Member Federation nor in any other way, unless approved in advance by ESMC;
- 4.3.4 to include Rules within its constitution which allows doping control at a ESMC Event according to ISMF Rules and Regulations;
- 4.3.5 Any sanction imposed by ESMC and any decision made by ESMC or the CAS shall be recognised and complied with by all Member Federations and Registered Federations, including the affiliated clubs and individuals.
- 4.3.6 to encourage and promote diversity and gender equality in electing and appointing members of its governing bodies.

ARTICLE 5. Application process for membership

- 5.1 Any application for membership should be filed through the Secretary General or through the ESMC office, with the following:
 - 5.1.1 Information about the applicant: name, address, email, website, key contacts;
 - 5.1.2 Latest annual report of activities of the organization;
 - 5.1.3 Payment of the registration fee and annual subscription fee determined by the General Assembly (in case of non-acceptance the registration fee and annual subscription fee will be refunded)
- 5.2 Every application for membership shall be decided by the ESMC Management Committee. The Statutes, Rules and Regulations are automatically accepted if the membership is granted. If membership is not granted, the applicant may appeal to the General Assembly, which shall then make the final decision.
- 5.3 Each Member Federation shall be named in accordance with the decision of ISMF. Its name shall be stated in the ESMC List of Nations. At meetings, at events and in official documents only this name and/or the abbreviation decided by ISMF shall be used.

ARTICLE 6. Termination of membership

- 6.1 The membership shall end if:
 - 6.1.1 the Member Federation no longer exists;
 - 6.1.2 the Member Federation is no longer recognised by or affiliated to ISMF;
 - 6.1.3 the Member Federation withdraws its affiliation;
 - 6.1.4 the Member Federation is excluded in accordance with 6.3 below.
- 6.2 Any Member Federation wishing to withdraw its affiliation shall give written notice to ESMC. The affiliation shall end immediately, but no refund of fees will be made.
- 6.3 The Management Committee shall have the power to require to the ISMF Plenary Assembly the exclusion a Member Federation in cases of significant violation of the ESMC Regulations or where the Member Federation no longer has the sufficient representation of the sport in its country.

III. ORGANISATIONAL STRUCTURE OF THE ESMC

ARTICLE 7. Compositions of the ESMC

- 7.1 The following entities are established to govern and administer the ESMC:
 - 7.1.1 The General Assembly
 - 7.1.2 The Management Committee
 - 7.1.3 The Bureau

7.1.4 The Commissions

IV. THE GENERAL ASSEMBLY

ARTICLE 8. General Assembly

- 8.1 The General Assembly is the highest body of the ESMC and has the ultimate rights for all activities of the ESMC. The General Assembly convenes every year.
- 8.2 Composition of General Assembly:
 - 8.2.1 All members may take part in the General Assembly;
 - 8.2.2 Full Members shall be represented in the General Assembly by delegates who represent their Federation according to these regulations.
- 8.3 Organization of the General Assembly shall be entrusted alternately to one of its Members and Associate Members. The date and venue for the Assembly shall be agreed at the Assembly meeting two years prior. The Assembly must be held no later than the end of December of any year.
- 8.4 The calling notice must be sent to all Members and Associate Members at least 1 month prior to the date set for the Assembly.

ARTICLE 9. Rights to the General Assembly

- 9.1 The General Assembly has the following rights and responsibilities:
 - 9.1.1 to elect the President and Management Committee;
 - 9.1.2 to determine registration, membership and other fees;
 - 9.1.3 to approve the plans for future activities;
 - 9.1.4 to adopt and amend all regulations; the Assembly can, however, authorize other bodies to independently establish technical rules where it seems appropriate;
 - 9.1.5 to decide the admission of new Member Federation of any kind on the recommendation of the Management Committee;
 - 9.1.6 to decide the expulsion of Members and Associate Members which do not comply with the obligations as stated in these articles;
 - 9.1.7 to approve the Minutes of meetings;
 - 9.1.8 to review and approve the annual accounts after having heard the report of the auditors;
 - 9.1.9 to approve the budget; and
 - 9.1.10 to decide on all matters which no other body is competent to decide or which other bodies refer to the Assembly for final decision.

ARTICLE 10. Conduct and Agenda

- 10.1 The General Assembly shall be held every calendar year.
- 10.2 The final agenda of the Assembly shall be sent to all the Members of ESMC at least 4 weeks prior to Assembly.
- 10.3 The General Assembly shall preferably be held in person, except in exceptional cases it shall be held by videoconference or other means of communication.
- 10.4 Matters which the Management Committee considers urgent and which have arisen too late for inclusion on the agenda may be brought before a General Assembly.
- 10.5 Upon affirmative vote of no less than 2/3 of the Members being present and having voting rights, the Assembly itself may add items to the agenda of any meeting.

ARTICLE 11. Quorum

- 11.1 There is no quorum except in case of dissolution of the ESMC. Decisions are taken with half of the votes cast.

- 11.2 The proposal of changes and amendments to the present ESMC Statutes may only be considered if at least half of the Members of ESMC having the right to vote are present or represented. To be adopted, approval of the majority of the votes cast is required.

ARTICLE 12. Voting Rights

- 12.1 Each Member of the ESMC has one vote. Associate members have no voting rights.
12.2 Any Member with voting rights may be represented by the delegate of another Member being duly entitled to vote by means of a written proxy.
12.3 One delegate may not represent more than two other Members at the same time.

ARTICLE 13. Voting Decisions

- 13.1 Voting at the Assembly is conducted by a show of hands. Upon the request of any delegate entitled to vote, voting may be by secret ballot in writing. Elections shall always be decided by secret ballot and in writing.
13.2 In the event, the General Assembly is being held by videoconference, the pertinent measures shall be taken to conduct an electronic voting system.

ARTICLE 14. Proposals

- 14.1 Any case submitted by ESMC Members is to be sent to the ESMC Management Committee at least six weeks prior to the Assembly.
14.2 Associate Members are entitled to speak, but not to present motions to the General Assembly, in accordance to the relevant regulations.

ARTICLE 15. Extraordinary Assembly

- 15.1 The Management Committee may at any time call for an extraordinary Assembly.
15.2 At the written request of one-third of the Members entitled to vote, the Management Committee shall convene a special Assembly within 3 months of receipt of such request. The request must be substantiated and accompanied by a proposal for the Agenda.

V. THE MANAGEMENT COMMITTEE

ARTICLE 16. Composition of the Management Committee

- 16.1 The Management Committee shall consist of:
16.1.1 The President
16.1.2 The Treasurer Vice President
16.1.3 The General Secretary; and
16.1.4 Up to seven members elected by the National Federations members.
16.2 The Management Committee members shall not be composed of more than two members of the same National Federation.
16.3 Any Bureau member shall be a resident and/or a citizen of the country where the Member Federation is located and have the full support (confirmed in writing to the ESMC General Secretary) of that Member Federation.
16.4 Efforts will be made to achieve at least 25% of the composition of the Management Committee of the opposite gender.

ARTICLE 17. Election of the Management Committee Members

- 17.1 The members of the Management Committee shall be elected by the General Assembly held in the year of the Winter Olympic Games for a period of four (4) years.

They shall remain in office to the end of the General Assembly electing the next Management Committee.

- 17.2 The members of the Management Committee can be elected for a maximum of three (3) full terms. The President can be elected for a maximum of three (3) full terms as President irrespective of terms served before as member of the Management Committee
- 17.3 Nominations of candidates for election as President, Treasurer Vice President, General Secretary and any other Management Committee members may only be made by the Member Federation where the candidate is under the jurisdiction and with the full support (confirmed in writing to the ESMC General Secretary) of the Member Federation.
- 17.4 Nominations must be received in writing, by the ESMC General Secretary at least thirty (30) days before the date of the General Assembly where the elections are to be made.
- 17.5 Information about candidates for office shall be communicated to Member Federations together with the proposals and/or the Agenda submitted in time at least fifteen days (15) days prior to the General Assembly.

ARTICLE 18. Rights and Duties of the Management Committee Members

- 18.1 The Management Committee shall have the rights and duties, among others:
 - 18.1.1 to establish and publish a Strategic Plan for the term of its office and to report to the General Assembly on the progress;
 - 18.1.2 to execute all matters assigned to it by the General Assembly;
 - 18.1.3 to decide and to take action in any matter concerning ESMC;
 - 18.1.4 to appoint, to exclude and to replace the members of the Committees;
 - 18.1.5 to appoint permanent and ad hoc Commissions and nominate their members;
 - 18.1.6 to allocate and to determine the dates of ESMC Events;
 - 18.1.7 to decide upon the place and the date of the ESMC General Assembly;
 - 18.1.8 to decide on and to circulate General Event Rules, Regulations for each ESMC Event and other Regulations.
 - 18.1.9 to reduce or waive fines and/or fees if there is reason;
 - 18.1.10 to control the conduct of ESMC Events (in cooperation with the Committees);
 - 18.1.11 to decide provisionally on any matter pertaining to the General Assembly competence or jurisdiction in case of urgency; such decisions shall remain in force until their ratification or annulment to be made by the following General Assembly.

VI. THE BUREAU

ARTICLE 19. Composition of the Bureau

- 19.1 The following entities compose the Bureau:
 - 19.1.1 The President
 - 19.1.2 The Treasurer Vice President
 - 19.1.3 The General Secretary

ARTICLE 20. Rights and duties of the Bureau

- 20.1 The rights and the duties of the Bureau Executive shall be:
 - 20.1.1 to supervise the activities of the ESMC Office;

- 20.1.2 to make decisions on matters transferred to it by the Management Committee;
- 20.1.3 to make decisions on urgent matters between the meetings of the Management Committee;
- 20.1.4 any other mandate attributed by the General Assembly or stated in the ISMF Rules and Regulations.
- 20.1.5 The Bureau Executive shall report their decisions and actions in writing.
- 20.1.6 The Bureau Executive members shall be from different National Federations.

ARTICLE 21. The President

- 21.1 The President chairs all meetings of the General Assembly, the Management Committee and the Bureau.
- 21.2 If the President is unable to attend a meeting of the Management Committee or an Assembly, the Management Committee shall appoint the Treasurer Vice President to chair the meeting.

ARTICLE 22. The Treasurer Vice president

- 22.1 The Treasurer Vice President shall assist and act on behalf of President during the President's absence. The Treasurer Vice President will be an automatic President until the next General Assembly when the presidency is vacant.

ARTICLE 23. The General Secretary

- 23.1 The General Secretary shall conduct the business of the ESMC and shall carry out the instruction of the General Assembly and the Management Committee meeting.
- 23.2 The General Secretary shall be responsible for conducting all correspondence among ESMC members.
- 23.3 The General Secretary shall attend all meetings to record the minutes and circulate to all ESMC members.
- 23.4 The General Secretary will compile a report and prepare the General Assembly agenda before circulating to ESMC members.

VII. COMMISSIONS

ARTICLE 24. Commissions

- 24.1 The ESMC may, if necessary, establish several Commissions approved by the General Assembly. The regulations and rules for naming, organizing, and operating of each Commission are to be drafted separately by the Council.

VIII. FINANCES

ARTICLE 25. ESMC financing sources

- 25.1 The ESMC will finance its own activities through sources including:
 - 25.1.1 Membership and subscription fees of its Members;
 - 25.1.2 The organization and authorization of competitions, competitor entry fees, and any other fees related to official competitions; and
 - 25.1.3 Any other sources that may be available (sponsorships, TV rights, donations, etc.).

ARTICLE 26. Financial considerations

- 26.1 Within approved budgets, the General Assembly of the ESMC and the Management Committee are empowered to authorize payment of fees and expenses to individuals and/or organizations to provide specific professional service or advice.
- 26.2 The fiscal year of the ESMC shall run from July 1st until June 30th
- 26.3 The General Assembly of the ESMC shall receive and approve annual budgets detailing the forecast income from all sources and the proposed annual expenditures and shall establish and maintain a financial accounting system and produce annual accounts audited by the accredited Auditor, appointed by the General Assembly of the ESMC.
- 26.4 Only the assets of the ESMC can be used to settle the ESMC liabilities and obligations. Any liability of the Member Associations is excluded.
- 26.5 Members of the ESMC may be entitled to receive compensation laid down in a Compensation Policy.
- 26.6 The basic currencies for annual accounting purposes will be the EUR euro.

IX. DISSOLUTION OF THE ESMC

ARTICLE 27. Dissolution of the ESMC

- 27.1 A half (50%) of ESMC Members can suggest the dissolution of ESMC. The organization may be voluntarily dissolved by resolution of no less than a half (50%) of the total voting members and requires at least a half (50%) of the members of ESMC having the right to vote, be present or represented.
- 27.2 Specific rules necessary for carrying out these articles are drawn up separately by the Management Committee.

X. MISCELLANEOUS

ARTICLE 28. Dispute resolution

- 28.1 Disputes arising under the ESMC articles or otherwise will be dealt with under the procedure and rules set out in a regulation made by the General Assembly and under the approval of the ISMF Council.

ARTICLE 29. Interpretation

- 29.1 To give effect to this Articles of European Ski Mountaineering Council (ESMC), words in the singular shall include the plural, words in the plural shall include the singular; words of the masculine, feminine or neuter gender shall include any gender, except in the specification of a competition being for male or female competitors. Correction of any manifestly evident clerical errors shall be made.
- 29.2 For particular situations unregulated by these Articles, the ISMF Statutes shall apply.
- 29.3 Any changes in the Articles of the ESMC must be submitted to the ISMF Council for approval.

ARTICLE 30. Certification

- 30.1 Certified as a true copy of the Articles of The European Ski Mountaineering Council (ESMC), as adopted at the Council held online, on November 17th, 2022.

Transitory Dispositions

The entry into force of provisions 17.1 and 17.2 will be effective as from the 2026 Winter Olympics Games of Milano – Cortina. Regarding the periodicity of time served before the Olympics would be disregarded in calculating the number of full terms that a person has served as a Management Committee.