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INTERNATIONAL TAEKWON-DO FEDERATION

**RULES AND PROCEDURES
FOR DEALING WITH REPORTS AND COMPLAINTS
OF UNETHICAL BEHAVIOUR OR DISCIPLINARY NATURE**

Version 3 – 03/11/2021

1. INTRODUCTION

- 1.1. These *Rules and Procedures for Dealing with Reports and Complaints of Unethical Behaviour or Disciplinary Nature ("Rules and Procedures")* apply to all categories of National Members of the International Taekwon-Do Federation ("ITF"), whether they are National Associations ("NA") or Allied Associations ("AA"). They also apply to the individuals who are members of those organizations.
- 1.2. Membership in the ITF carries a commitment to be guided by the provisions contained in (i) the *ITF Code of Conduct*, (ii) the *Condensed Encyclopedia of Taekwon-Do*, by General Choi Hong Hi, Fifth Edition, 1999, (iii) the ITF Statutes, (iv) the ITF By Laws and (v) any other internal policy, rules, guidelines and/or procedures that may be adopted in the future from time to time by the Board of Directors of the ITF ("ITF Rules"). Members demonstrate this commitment by adherence to the *Code of Conduct* and the moral values promoted in the *Encyclopedia of Taekwon-Do*, and by cooperating with the ITF and its Discipline Committee ("Committee") with respect to any matter related to these *Rules and Procedures*.
- 1.3. The ITF seeks to protect the public and to maintain the reputation of, and public confidence in, the ITF and in the art of Taekwon-Do, by promoting high ethical standards and discipline and by taking appropriate action in accordance with these *Rules and Procedures* when a violation of ethical standards or discipline is alleged or is judged to have occurred.
- 1.4. These *Rules and Procedures* are designed to protect the public and the ITF while treating everyone fairly.



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- 1.5. ITF staff and any voluntary official of the ITF (e.g., members of the Board of Directors, members of the Discipline Committee) involved in reviewing and making determinations regarding any matter related to these *Rules and Procedures*, who believe they have a conflict of interest related to a specific matter, shall recuse themselves from such involvement in that specific matter.
- 1.6. The ITF Board of Directors may impose any individual, National Association or Allied Association a written warning for breaching the ITF Rules, decisions or ordinary good behaviour without being deemed penal pursuant to this rule. A written warning cannot be given without a sound proceeding has been followed, considering the nature and seriousness of the offence and the degree of guilt.

2. DISCIPLINE COMMITTEE

- 2.1. The Discipline Committee of the International Taekwon-Do Federation is composed of at least three members and up to five (5) persons, of which one shall be the Chair. The Chair shall be appointed by the Board of Directors. The other members of the Committee shall be recommended by the Chair and appointed by the Board of Directors. The Board of Directors will always have the discretion not to approve and appoint a candidate recommended by the Chair.
- 2.2. The Discipline Committee will take decisions by simple majority. All its decisions will be motivated. A member who does not agree with the majority will present his or her opinion in writing, explaining his or her opinion and describing the reasons of his or her dissent. This writing will be included in the final recommendation that the Committee will send to the ITF Board of Directors.
- 2.3. The Discipline Committee has the power of organizing itself with the purpose of a better distribution of the assigned tasks. If there is a conflict of interest within the Committee, it may assign a case to a different member who will handle the case.

3. COMPLAINTS

- 3.1. No national member of the International Taekwon-Do Federation, be it a National Association or an Allied Association, is allowed to take



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disciplinary actions against one of the other national members of ITF without the authorization of the ITF Board of Directors.

- 3.2. A National Association or Allied Association must deal with internal reports and complaints of unethical behaviour or disciplinary nature about one of its members. It should do so as a first instance in an attempt to resolve the issue/complaint within its own organization, in accordance with its own rules, regulations standards and procedures and in compliance with the laws of its own country.

Criteria for Accepting Complaints

- 3.3. Complaints will be accepted only if the complaint is about a national member of the ITF (NA or AA) or an individual who is a member of the ITF through a NA or AA.
- 3.4. The ITF will consider complaints only if the complaint is filed within a reasonable period of time. Normally, a reasonable period of time is defined as two years from the time that the alleged unethical behaviour occurred. However, if the person making the complaint (“Complainant”) was a minor at the time the alleged unethical behaviour occurred, the time is extended to twenty years from the time that the alleged unethical behaviour occurred. In cases of alleged sexual abuse, there is no limit to the time since the alleged abuse occurred.
- 3.5. A complaint may be accepted if the alleged violation relates to an incident that could affect the integrity and direct interests of the ITF, or the philosophy and moral teachings of Taekwon-Do as developed and formalized by the late General Choi Hong Hi in the *Condensed Encyclopedia of Taekwon-Do* (Fifth Edition, 1999), or a rule of conduct or protocol as articulated in the ITF *Code of Conduct* or in the ITF Rules.
- 3.6. A complaint may be accepted if it refers to a conduct involving discrimination on the basis of sex, race, sexual orientation, religion, language, personal opinion, place of birth or residence, or any other personal or social circumstance.
- 3.7. A complaint may be accepted if it refers to actions against the moral values and beliefs of people.



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- 3.8. A complaint may be accepted if it involves sexual harassment, bullying, intimidation or any other form of aggression, be it psychological or physical.
- 3.9. A complaint involving some type of criminal behaviour should be dealt with by the legal authorities within the country where the alleged crime has been committed. The ITF President and Board of Directors should be notified in brief of the nature of the accusation, the results of the inquiry and the outcomes of the deliberation.
- 3.10. A complaint may be accepted if it refers to some behaviour against the ITF, its own interests, including but not limited to management, handling and administration such as failing to fulfill the financial obligations with the entity, misuse of its moneys especially for those in charge of its custody, the unauthorized taking of money and economic resources of the entity and the illegal and unjustified use of them.
- 3.11. The documentation, files, financial information, records, thesis, writings, minutes, videos and archives of the ITF are exclusive and fundamental. They are part of its history and essential to its patrimony. For this reason, the misuse, mishandling, unauthorized reproduction or publication of those documents and information may constitute a justifiable complaint against a member, be it an individual or a group.
- 3.12. The Complaint must be signed and submitted directly to the ITF Board of Directors, through the ITF President and must be submitted on the official "ITF Discipline Complaint Form". (See Appendix 1).
- 3.13. If the complaint relates to a case of possible use of banned substances not accepted by the ITF, doping or similar, the matter under consideration should follow the ITF Anti-Doping rules and procedure (.i.e., Initial complaint made, possible resolution inside the National Association or Allied Association, notification to the Board of Directors and intervention of the Discipline Committee).
- 3.14. If the complaint cannot be resolved internally in the first instance, the organization, be it a NA or an AA, must refer the issue/complaint to the ITF Board of Directors for appropriate action. This action could



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include referral to the ITF Discipline Committee for review and, if needed, appropriate investigation and recommendation.

- 3.15. The Discipline Committee may receive complaints for investigation only through the ITF Board of Directors.
- 3.16. If the ITF Board of Directors, after considering the nature and seriousness of the complaint, comes to the conclusion that they do not accept the complaint they may act in accordance to article 1.6 in this rules and procedures.

Initial Procedure for Addressing Complaints

- 3.17. Upon receipt of a complaint, the President will open a file, acknowledge receipt, and send the Complainant a copy of the ITF's *Rules and Procedures for Dealing with Reports and Complaints of Unethical Behaviour or Disciplinary Nature*. The President will advise the Complainant of the approximate time it will take (not to exceed 15 days) to determine the initial disposition of the complaint.
- 3.18. Complaints received by the President will be reviewed by the President for conformity to the criteria for accepting a complaint.
- 3.19. If the complaint does not meet the criteria, the President will inform the Complainant in writing of the reasons and of what would be needed to meet the criteria.
- 3.20. If the complaint meets the criteria for acceptance, the President will forward the complaint and all supporting documentation to the Chair of the Discipline Committee for consideration of the complaint, and will inform the Complainant in writing that this step has been taken.
- 3.21. At any point in this initial process, if appropriate in the context of the criteria for accepting complaints, the President may redirect the Complainant to another body (e.g., NA or AA) for consideration of the complaint.
- 3.22. At any point in this initial process, the President, in consultation with the Chair of the Discipline Committee, may deem the complaint not to meet the criteria for acceptance, to be frivolous, vexatious, made in bad faith, or otherwise an abuse of process, and decide not to



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proceed further with the complaint. The President will inform the Complainant in writing of this decision.

- 3.23. In case of a complaint directed against the President or dealing with the Presidents acts or omissions and in case of complaints submitted by the President, all the above mentioned powers and authorities of the Presidents will be transferred to and vested at the hands of the Vice-President.

Committee Process for Consideration of Complaints

- 3.24. The Chair of the Discipline Committee will communicate in writing with the individual or national Member against whom the complaint has been lodged, providing the following information:

- a) A precise description of the nature of the complaint including, if possible, the specific section(s) of the *Code of Conduct*, the *Condensed Encyclopedia of Taekwon-Do* or the *ITF Rules* that the Member is alleged to have violated. This will include all material documentation submitted by the Complainant, except under exceptional circumstances where it is believed that sharing the information would violate the privacy of, or result in harm to, the Complainant or another third party.
- b) A copy of these *Rules and Procedures*.
- c) A request for a reply within 21 days.
- d) A statement that information submitted by the Member against whom the complaint has been lodged will become part of the record, and will be made available to the Complainant for their response, except under exceptional circumstances where it is believed that sharing the information would violate the privacy of, or result in harm to, the Complainant or another third party.
- e) A statement that, at any point in the process, the Chair may request or obtain information from any other source which is deemed appropriate.
- f) A statement that failure to reply, unjustified delay in responding, or lack of co-operation in the Committee process will not prevent continuation of any proceedings, and in itself constitutes a violation of the ITF rules of conduct.

- 3.25. Once received, the Member's response will be shared with the Complainant, who will be invited to respond within 15 days.



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- 3.26. Once received, any response from the Complainant will be shared with the Member against whom the complaint has been lodged. The Member will be invited to provide any further response he/she wishes to make within 15 days. He/she will be informed that he/she may request a Skype meeting conversation with the Chair of the Discipline Committee or all the members of the Committee, including the Chair.
- 3.26.1. If any of the parties violates the deadlines set out in sections 3.23-3.26, such documents will not be admitted and will not be considered and the non-submission on time or the delayed submission will be considered as a waiver of the party that did not meet the deadline of his rights to present the relevant submission. A party may request an extension to submit the relevant submission of not more than 10 days. The request will detail the reasons and justifications for which the extension is needed. Any such request must be sent to the Disciplinary Committee at least 5 days before the expiry of the deadline in order to be considered by the Disciplinary Committee. If at the discretion of the Discipline Committee the reasons for requested extension are reasonable and justify granting the extension, the Discipline Committee will decide on the request and whether to accept it in full or partially.
- 3.27. The Chair of the Discipline Committee will circulate to the members of the Committee all information material related to the complaint, for their individual and independent evaluation and response. They will be asked to respond individually to the Chair within a time frame of not more than 10 days from the time of the request, and to provide in their response their opinions about whether the alleged behaviour violated the *ITF Code of Conduct* or some moral principles or rules of conduct contained in the *Condensed Encyclopedia of Taekwon-Do or in the ITF Rules*, and, if so, the seriousness of the violation. They also will be asked to provide their recommendations regarding the final decision. Also, the Chair may request a Skype meeting with the members of the Committee.
- 3.28. In formulating their opinions and recommendations regarding the final decision, the Committee members of the Discipline Committee will consider the following possibilities:
- a) The complaint is insignificant or has no basis in fact.
 - b) The complaint has been resolved.
 - c) The alleged behaviour was based on reasonable care and judgment and was not a violation of the *ITF Code of Conduct* or



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the moral values or rules of conduct contained in the *Condensed Encyclopedia of Taekwon-Do or the ITF Rules*.

- d) The nature of the complaint is such that the complaint may be resolved between the Committee and the Member without a recommendation of expulsion of the Member. This may include, but shall not be limited to:
 - i. an agreement by the Member against whom the complaint has been lodged to cease and desist the alleged conduct;
 - ii. an agreement by the involved parties to negotiate a mutually acceptable resolution; and/or
 - iii. an agreement by the Member against whom the complaint has been lodged to resign and reapply for membership in the ITF or the organization affiliated with ITF only under stipulated conditions.
- e) The Member be expelled from the ITF.

3.29. The Chair of the Discipline Committee will prepare an integrated report based on the opinions and recommendations submitted by individual Committee members, which will be used for group Committee discussion, agreement, and a final recommendation. The Chair will prepare a report providing the the recommendation/s and the rationale for the recommendation/s and will send the report to the President or to the Vice President in case of application of Rule 2.23. The recommendation will be sent within 10 days as of the day that the Disciplinary Committee completed the internal deliberations between its members.

3.30. The Chair of the Discipline Committee will send the report to the President for presentation to the Board of Directors of the ITF.

3.31. The Board of Directors of the ITF will review the report and make a decision about the case by majority at the next available meeting of the Board of Directors.

3.32. The Secretary-General of the ITF will inform the Complainant and the Defendant in writing of the Board's decision.

Committee expedite Process for Consideration of Complaints



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- 3.33. The ITF President may request the Discipline Committee to apply the expedite process in specific cases where:

The complaint is about the non-compliance of person of ITF Member with respect to a previous disciplinary decision of the Board of Directors against same person or ITF member, or when the Complaint deals with alleged disciplinary violations by a party when the violations that are the subject matter of the complaint are related directly or indirectly to a previous decision of the Board that sanctioned the same person of ITF member that is the subject matter of the new complaint.

- 3.34. In cases under Rule 3.33 above, the Chair of the Discipline Committee will send the complaint to the Respondent and will request the Respondent to answer and send his.its comments with respect to the complaint within 10 days. Upon receipt of the answer the Discipline Committee will consider the complaint and the response and decide the recommendations to the ITF Board of Directors within 10 days as of the day when the response sent his/its response or as of the expiry of the period of time to submit the Response, the shorter of the two. Then the ITF Board of Directors will take a decision which in case that the ITF Board will adopt the Recommendation without any amendments the ITF Board decision will be final is not subject to revision. In case that the ITF Board will take a decision that is different from the recommendation in any aspect, article 5, regarding appeals will apply.

All documentation related to the expedite Procedure will be sent to the Secretary General for record keeping together with the documents of the main file.

4. SANCTIONS

- 4.1. The sanctions that the Discipline Committee may recommend to the ITF Board of Directors are:
- a) Warning. A warning in writing to the Defendant containing a notice with copy to the NA/AA and/or request of an apology letter from the Defendant to the ITF.
 - b) Suspension. Suspension being in relation to any international event of the ITF and/or an extension in the waiting time of the



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degree category for one (1), two (2) or three (3) years. The suspension should be notified to the Defendant with copy to the national associations (NA, AA).

- c) Expulsion from the ITF. The expulsion should be notified to the Defendant with copy to the NA/AA. In case of expulsion of the Defendant, the Board of Director's decision must be ratified in the next ordinary or extraordinary ITF Congress.

- 4.2. The Discipline Committee will not recommend a sanction if the whole disciplinary process or the expedite process was not strictly followed in its entirety. The Committee will recommend sanctions taking into account the gravity of the fault, the repetition of the offense, personality of the Defendant, the suffering he caused to others, damage to persons or things and the detriments caused to the ITF.

5. APPEALS OF DECISIONS

- 5.1. Appeals of decisions under these *Rules and Procedures* may be submitted by a Defendant or a Complainant (hereinafter referred to as the "Appellant") within 20 days of the Appellant being notified of the decision.
- 5.2. Grounds for appeal are limited to:
 - a) an error in fact that would affect the outcome;
 - b) an error in interpretation or application of the ITF *Code of Conduct* or the *Condensed Encyclopedia of Taekwon-Do* or these *Rules and Procedures*, which would affect the outcome;
 - c) an error of procedure or a lack of impartiality with respect to the matter, and that the error or lack of impartiality affected the reliability or fairness of the final decision.
- 5.3. Appeals must be submitted in writing on the ITF's Appeal Form to the President of the ITF (see Appendix 2), and include any documentation that supports the request for the appeal.
- 5.4. The President, in consultation with the Secretary-General of the ITF, will decide whether the Appeal meets the accepted grounds for Appeal.



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- 5.5. If the Appeal meets the accepted grounds, the President will select three members from any of the committees of the ITF to form an *ad hoc* Appeal Panel to consider the appeal. One member of the Appeal Panel will be designated as Chair by the President. Those selected will be deemed to have the expertise needed to consider the appeal. No member of the Discipline Committee who was involved in the matter under appeal, and no member of the current Board of Directors, will be a member of the Appeal Panel.
- 5.6. The Chair of the Appeal Panel will take the steps that are necessary and appropriate to determine if the appeal should be dismissed or granted. This will include reviewing all paper documentation related to the matter; it also may include communicating in writing with the Appellant and/or the Chair of the Discipline Committee.
- 5.7. After reviewing the Appeal, the Appeal Panel may determine that: (a) the Appeal should be dismissed; or (b) the Appeal should be granted. If (b), the Appeal Panel will make recommendations as to any further action that should be taken.
- 5.8. The results of the Appeal Panel's review and, if any, the recommendations made by the Panel will be communicated by the Chair of the Appeal Panel to the President, who will, in consultation with the Secretary-General and the Chair of the Discipline Committee, decide any further action. Further action may include, but is not limited to, anything needed to negate the decision that was appealed, reconsideration based on corrected facts, or reconsideration of the matter with the error(s) in procedure corrected.
- 5.9. The decision regarding the Appeal, including the rationale for the decision, will be communicated in writing to the Appellant by the President within 20 days of the completion of the Appeal Panel's review.
- 5.10. The Appellant will have the right to appeal the decision by requesting a face-to-face meeting with the ITF Board of Directors and one member of the ITF Discipline Committee. After the meeting, the Board of Directors will review the case and make a final decision about it by majority. Secret ballots will be used for voting on the appeal.



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6. RECORD KEEPING

- 6.1. The Secretary-General of the ITF will be responsible for opening, maintaining, and securing individual records of all matters that come under these *Rules and Procedures*.
- 6.2. The records will be maintained in the Head Office of the ITF.
- 6.3. The Chair of the Discipline Committee and the Chair of the Appeal Panel will ensure that a copy of all material documentation received or produced in the course of their activities related to these *Rules and Procedures* is forwarded to the Secretary-General for inclusion in the record.
- 6.4. Once a recommendation, decision, or determination has been made, and the period for Appeal or consideration of an Appeal has been completed, all material documentation related to a matter will be forwarded to the Secretary-General to be part of the record.
- 6.5. Any personally held identifiable confidential information will be destroyed once the information is no longer needed for the purpose for which it have been collected under the *Rules and Procedures*, and once any required information has been transferred to the record in the Head Office of the Association.
- 6.6. Records of all other matters related to these *Rules and Procedures* shall be maintained for a minimum of five years after the matter has been closed.

7. CONFIDENTIALITY

- 7.1. The fact that a Member is under investigation will be kept in confidence with the exception of situations for which the President and the Secretary-General believe there is a strong public interest reason for such disclosure.
- 7.2. Deliberations under these *Rules and Procedures* will be kept confidential, except as otherwise provided under these *Rules and Procedures*.
- 7.3. All ITF staff and voluntary officials receiving or producing information related to proceedings under these *Rules and Procedures* will ensure



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the confidentiality and security of any related personally held information.

- 7.4. All written communications containing identifiable confidential information with regard to these *Rules and Procedures* will be hand delivered, or sent by mail, fax, or email using a method by which receipt of the information can be confirmed. Electronic media will be used only if the information can be sent in a manner where receipt is verifiable and that is considered reasonably secure.
- 7.5. Records maintained in the ITF's Head Office will be made available only on a need-to-know basis and only to duly authorized persons to carry out functions related to these *Rules and Procedures*. These persons will use this information only for the purposes set out in these *Rules and Procedures* and will be subject to its confidentiality provisions.
- 7.6. At the discretion of the President and the Secretary-General, information contained in the records maintained by the ITF's Head Office may be shared with legal counsel of the ITF.
- 7.7. The Chair of the Discipline Committee will report annually to the ITF's Congress the number of matters reviewed related to these *Rules and Procedures*, their general nature, and the types and numbers of specific decisions. **The parties involved will not be identified.**

APPENDIX 1

ITF Discipline Complaint Form

APPENDIX 2

ITF Appeal Form