

# ETHICS EXPERT ADVISORY GROUP

## Terms of Reference

The WADA Ethics Expert Advisory Group (EAG) is a designated panel of independent experts assembled by WADA Management<sup>1</sup>.

*These Terms of Reference (ToR) are approved by the WADA Director General, following consultation with the Chief Operating Officer.*

### **Purpose**

To provide expert ethical opinion, upon request, through the review of urgent or contentious ethical issues that may arise in the fight against doping in sport, and to develop and/or recommend ethically sound policy or suggestions to WADA Management.

### **Objectives/Key Activities**

The Ethics EAG will be responsible for:

#### **1) Policy Issues**

With respect to emerging ethical issues in the fight against doping in sport, and in the absence of an existing relevant policy, the Ethics EAG may develop recommended interim policy positions for WADA which can be appropriately considered by WADA. This may take the form of a draft policy statement or an advocated course of action.

#### **2) Policy Implementation**

The Ethics EAG may help implement WADA policy on ethical issues in doping-free sport, including advice and direction on how a policy applies in specific cases.

#### **3) Innovation**

Monitoring existing and future trends in the Ethics EAG's fields of expertise having the potential to impact the anti-doping system and proposing new ideas, through the WADA liaison person, for WADA's internal Innovation Board consideration.

### **Reporting Structure**

The Ethics EAG reports to WADA Management.

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<sup>1</sup> EAGs are bodies created to provide ongoing advice and assistance to WADA Standing Committees and/or WADA Management (who in turn report to the WADA Executive Committee), on issues requiring significant technical specialist expertise. EAGs may also assist with regular or ad hoc activities, as necessary.

## **Membership/Composition**

The composition of the Ethics EAG shall not exceed a maximum of 12 members.

The WADA Director General will appoint members to the Ethics EAG, following consultation with the Ethics EAG Chair and relevant WADA staff.

Members are selected on the basis of their relevant background and experience (e.g. expertise in the areas of ethics).

The membership of the Ethics EAG is published on the WADA website.

*If required, additional experts may be called upon on an ad-hoc basis to contribute to specific topics or matters.*

Depending on the topic on which advice is sought, the number of experts called to address a matter may vary. Not all members may be asked to contribute to the topic. The Chair of the Ethics EAG and WADA Management will determine who will be requested to review the matter at hand.

Each member (including the Chair) serves a two-year term, renewable but with a 12-year term limit, unless a business case is presented by the responsible WADA Director in charge justifying that a specific expertise is needed and that therefore the Chair or member is to be renewed otherwise the work of the group will be detrimentally affected. The WADA Director General must support the exception.

## **Chair/Rapporteur**

The Ethics EAG Chair is selected based on his/her proven record and expertise in ethics.

He/she shall act as the official reporter<sup>2</sup> who is responsible for ensuring appropriate coordination with WADA Management and for providing accurate and timely information on all relevant issues.

## **WADA Liaison**

The Office of the Director General will designate staff to serve as the liaison between WADA and the Ethics EAG.

The designated staff will be an observer to the Ethics EAG in the sense that he/she contributes to and brings expertise to support the work of the Ethics EAG but does not have a voting position. Additional WADA staff may also participate in Ethics EAG meetings as WADA experts on particular subject matters and to provide general support to the group where required.

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<sup>2</sup> The Chairperson/Rapporteur, in coordination with WADA Management, is responsible for producing a brief annual report to assess the extent to which the Ethics EAG fulfilled its tasks over the preceding year.

## **Meetings and Working Norms**

The Ethics EAG will convene meetings if required. The volume of work before them will determine if meetings are held virtually or if an in-person meeting is warranted (one in-person meeting per year can be supported if required).

The Ethics EAG normally operates on the basis of consensus and maintains as informal a manner as is possible or appropriate for the conduct of business.

Consensus will be sought whenever possible. In the event of divergence of opinion or disagreement concerning recommendations, the absolute majority (determined by vote by hand) will rule. In the event of a tie, the Chair has the casting vote. There is presently no formal practice concerning a quorum. The Chair has the responsibility to determine if a quorum is present. Meeting notes will record any dissenting opinion on request.

The Chair may limit discussion of resurfacing issues by referring to previous recommendations or conclusions of previous discussions.

Meeting notes of the Ethics EAG meetings, reports and correspondence relative to the group's work shall be retained at the WADA Headquarters.

## **Code of Ethics, Conflict of Interest, Confidentiality and Media**

Upon their appointment and again annually, all Ethics EAG members are required to sign a document, pursuant to which they undertake (i) to comply with the Code of Ethics adopted by the WADA Foundation Board (as amended from time to time); (ii) to comply with the Conflict of Interest policy adopted by the WADA Foundation Board (as amended from time to time); (iii) to keep all matters related to WADA confidential; and (iv) to comply with the WADA Media Relations policy issued by the Agency (as amended from time to time).

### **A) Code of Ethics**

The purpose of the WADA Code of Ethics is to establish clear ethical standards over the activities of WADA Officials (as defined in Section 2 of the Code of Ethics) to allow WADA to achieve its mission and protect its core values. WADA and all its Officials undertake to foster a culture of ethics, loyalty, and integrity within their respective areas of competence.

### **B) Conflict of Interest**

Ethics EAG members are bound by the WADA Conflict-of-Interest policy, which is modified from time to time. In accordance with that policy, they are required to annually complete and sign a Statement of Absence of Conflict of Interest, and to update such statement if and as necessary during the year.

### **C) Confidentiality**

All Ethics EAG members are required to sign a Confidentiality Declaration upon appointment and again annually. This ensures all members reflect on the confidential nature of their WADA work and confirm their adherence to such confidentiality rules.

## **D) Communications and Media**

All Ethics EAG members must read and comply with WADA's Media Relations policy. If a member should receive a request for an interview in relation to their role in WADA or WADA's work in the fight against doping in sport, they should first consult with the WADA Head of Media Relations or (if absent), with the WADA Communications Director.

### **Financial Support**

WADA shall provide the necessary administrative and operational resources for meetings. WADA will cover certain expenses and compensate members for meetings in accordance with its applicable indemnity policy.

It is acknowledged that some experts go above and beyond, including providing extensive advice throughout the year, outside of annual meetings. WADA offers a further indemnity to experts for such work carried out. The specific indemnity details are outlined in the "Overview of WADA Expert Advisory Groups" document provided to Members each year.

### **Effective Date and Future Review of ToR**

These ToR came in effect on 1 January 2023. An administrative update to the ToR was made in January 2024.

Whilst the ToR for all WADA EAGs are reviewed annually, the procedures for creating/supporting/managing the EAGs will be reviewed at least every three years to ensure they remain appropriate and applicable.

These ToR are published on the WADA website.