

ATHLETE COUNCIL

Terms of Reference

The World Anti-Doping Agency (WADA)'s Athlete Council (AC) is constituted under Article 6, paragraph 10 of the Constitutive Instrument of Foundation (also known as the Statutes) as a Permanent Special Committee of the organization. The AC replaced the WADA Athlete Committee and began its mandate on 1 January 2023.

These Terms of Reference have been approved by the WADA Foundation Board and are publicly available and published on the WADA website. They are reviewed annually to ensure they remain accurate and fit for purpose and can be amended whenever necessary.

The [WADA Statutes](#) and the Regulations of the Permanent Special Committees (Part IV of the [WADA Governance Regulations](#)) can be referenced in conjunction with these Terms of Reference.

The WADA Athlete Council Election Procedure and the WADA Athlete Council Appointment Procedure, each approved by the WADA Executive Committee in May 2022, are annexed to these Terms of Reference.

Purpose

To represent, support and promote the voices of athletes on anti-doping issues within WADA and the athlete community at large, by engaging, informing, and interacting with athletes, athlete representatives, other relevant stakeholders and other WADA bodies through its representation on such bodies. The role and tasks of the AC are limited to the scope of anti-doping.

Goals and Objectives

1. Support and promote the voices of athletes on anti-doping issues by engaging, informing and interacting with athletes, athlete representatives, other relevant stakeholders and other WADA bodies;
2. Continually solicit and share athlete feedback on WADA programs and activities;
3. Review, evaluate and provide guidance on educational programs and materials developed by WADA, where athlete input is relevant;
4. Provide insight to and feedback on the World Anti-Doping Program including the World Anti-Doping Code (Code), [International Standards](#), the Anti-Doping Administration & Management System ([ADAMS](#)), etc.;
5. Act as ambassadors for WADA and role models for clean sport;

6. Promote WADA's Athlete Engagement activities and participate in events upon request;
7. Assist in reviewing and recommending effective ways to reach athletes and their entourage;
8. Help identify issues athletes are having with anti-doping and work with WADA to remedy them or improve the situation;
9. Propose ideas and solutions to help the fight against doping in sport;
10. Represent the voices of athletes within WADA and the anti-doping community;
11. Support the planning and delivery of AC-led initiatives such as the Athletes' Anti-Doping Ombuds, the Human Rights Impact Assessment, etc.; and
12. Monitor existing and future trends in the AC's fields of expertise having the potential to impact the anti-doping system and propose new ideas to WADA's internal Innovation Board to assess.

Reporting Structure

The AC reports in writing to the Foundation Board on its work and provides regular updates to the Executive Committee and the Director General on its activities.

The AC shall work to keep the athlete community updated and engaged on anti-doping matters and find ways to report to the athlete community on its work and any athlete-related issues in anti-doping.

Eligibility Criteria

Members of the AC must meet both of the following eligibility criteria at some point within the nine years immediately preceding the commencement of their first term of office on the AC:

- a) Be an International-Level Athlete within the meaning of the Code;
- b) Be bound by anti-doping rules that implement the Code.

A member can be re-elected or re-appointed twice for a three-year term provided that such member has met the criteria at a) and b) at some point during the twelve years immediately preceding the commencement of each such subsequent term.

If any Provisional Suspension (within the meaning of the Code) is imposed on or voluntarily assumed by a member serving on the AC, the member will be provisionally suspended from the AC for the duration of that Provisional Suspension.

If a member is found by a competent Anti-Doping Organization or hearing body (including at first instance) to have committed an anti-doping rule violation¹, the member is no longer eligible to sit

¹ Whether or not a Period of Ineligibility is imposed for that violation but excluding cases of No Fault or Negligence (as these terms are defined in the Code).

as a member of the AC and therefore automatically and immediately loses their position on the AC.

These ineligibility rules are without prejudice to the right of the AC to vote to remove a member as provided under the *Removal or Retirement* section below.

The two official languages of WADA are French and English; however the primary working language of the AC will be English and AC members should be able to communicate effectively in English.

Further eligibility criteria are set out in the Athlete Council Election Procedure, Athlete Council Appointment Procedure or in these Terms of Reference.

Composition

The AC is composed of 20 members (including the Chair and the Vice-Chair) appointed from the following three constituency groups:

- 1) Group 1 consists of five athletes, four from members of the International Olympic Committee Athletes' Commission (IOC AC) as appointed by the IOC AC, and one from members of the International Paralympic Committee Athletes' Council (IPC AC) as appointed by the IPC AC. The members sitting in Group 1 sit in an "ex-officio" capacity, and their mandate on the AC therefore depends on their mandate on the IOC AC or IPC AC.
 - At least three of the five athletes from Group 1 must have been elected to the IOC AC and IPC AC. To maintain fairness between these two bodies, the IPC AC may choose one athlete who was either elected or appointed to sit on the IPC AC.
- 2) Group 2 consists of eight athletes elected by the athletes' commissions (ACs) of International Federations (IFs) and International Organisations of Sports for the Disabled (IOSD) which manage IFs, that are signatories to the Code. The election procedure of the Group 2 AC members is set out in the Athlete Council Election Procedure adopted by the Executive Committee.
- 3) Group 3 consists of seven athletes appointed by a special Appointment Panel in order to fill skills and diversity gaps among Groups 1 and 2. The appointment procedure of the Group 3 AC members is set out in the Athlete Council Appointment Procedure adopted by the Executive Committee.
 - In case no athlete from Paralympic sports is elected to Group 2, the AC Appointment Panel shall appoint an athlete from Paralympic sports within Group 3 in order to ensure that a minimum of two athletes from Paralympic sports sit on the AC.

Given the high number of athletes coming from Olympic and Paralympic sports that are subject to the Code, the majority of the AC is to be composed of athletes coming from Olympic and Paralympic sports.

Subject to the inaugural terms described below, member terms are for three years, and they may be reappointed for a maximum of two further consecutive terms of three years provided that they

continue to meet all relevant eligibility criteria. They cannot serve for more than nine years in aggregate on the AC (inclusive of an individual's term on the prior WADA Athlete Committee).²

WADA aims to apply a rotation policy for its Permanent Special and Standing Committee members whereby generally one third of the members change every year. The inaugural members of the AC will be allocated one, two and three-year terms (as set out in the below chart), and at the end of their first terms, will be eligible for three-year terms.

	<i>Initial Term</i>	<i>End of Initial Term</i>	<i>Term Length Thereafter</i>
<i>Group 1</i>	1 year	End of 2023	3 years (2026, 2029 etc.)
<i>Group 2</i>	2 years	End of 2024	3 years (2027, 2030 etc.)
<i>Group 3</i>	3 years	End of 2025	3 years (2028, 2031 etc.)

The members are accountable to the AC and not to the constituency that appointed or elected them. For clarity, this means that members are and must remain independent of that constituency, and must make decisions and cast their vote based on their assessment of what is in the best interests of clean athletes and the fight against doping.

Additional information regarding the [AC composition](#) is available on WADA's website.

Chair of the AC

The members of the AC elect a chairperson (Chair) among its members by an absolute majority³ of the votes (including blank votes) cast by the members present at the time of the vote. Any member of the AC can be elected as Chair. The candidate(s) must meet the same eligibility criteria as the members.

The AC shall determine the date of the election. The election can be held in person or virtually, or in a hybrid format. The AC will decide if, at the meeting where the election is due to take place, it is appropriate for the candidates to give a brief presentation and answer any questions the members may have.

Any member of the AC who wishes to stand for election will in advance of the election nominate themselves for the role by sending to the WADA Director General or their designee their detailed C.V. or biography and a cover letter outlining their ability to perform the functions of the role and what they aim to accomplish. The Director General or their designee shall send the application(s) to each member of the AC, including the incumbent chair, within a reasonable time before the election. If requested, the Director General or their designee shall organize the election process.

The voting will be held by secret ballot. Abstentions and spoiled votes shall not be taken into consideration in the calculation of the required majority. Voting by proxy is not allowed. Each member of the AC has one vote. The quorum for the voting is 15 members of the AC.

If no candidate obtains an absolute majority of the votes cast, successive rounds of voting will be organized. The candidate having the least number of votes in each round will be eliminated. In the case of a tie among two or more candidates, a vote between those candidates will be

² For clarity, inaugural Group 1 and Group 2 members would not be eligible for a fourth term.

³ Meaning 50% of the votes, plus one vote.

organized and the candidate having the least number of votes (in each round) will be eliminated. If, following this subsequent vote, there is still a tie, the name of the candidate to be eliminated will be drawn. If the last candidate, or the only candidate, does not obtain an absolute majority in the last voting round, the Chair currently in place will remain in their position until the next AC meeting when a new election will be held.

The length of the Chair's term will be equal to the length of their term as a member of the AC. The Chair can run for re-election subject to them being on the AC and thus having met the eligibility criteria to sit on the AC.

Any proposal requesting the removal of the Chair will only be submitted for voting if it is supported by a majority of all the AC members. The removal of the Chair requires a two-thirds majority of the votes cast by the members present at the time of the vote to remove the Chair. In such case, the former Chair remains on the AC as a member, unless they are also removed as a member. Upon removal of the Chair, the Vice-Chair will take over the functions of the Chair on an interim basis until a new Chair is elected. An election should be held to elect the new Chair as soon as practicable.

The Chair of the AC is a member of the WADA Executive Committee. If the newly elected Chair was already sitting on the WADA Executive Committee in another capacity, they shall immediately step down from the WADA Executive Committee in such other capacity, so as to sit solely thereon in their capacity of Chair of the AC.

The Chair is responsible for ensuring appropriate coordination with WADA Management and for providing accurate and timely information on all relevant issues, in order for WADA Management to adequately support the AC.

Skill Requirements

A detailed position description which outlines the profile and competencies of the Chair of the AC will be circulated to AC members at least 6 months prior to the position becoming vacant. In general, the Chair must have an impeccable reputation, high integrity, and strong ethics, and should have experience in chairing Committees.

On the whole, the members of the AC should have skills and experience commensurate with the purpose, goals and objectives of the AC.

Position descriptions, whether for the Chair, the Vice-Chair or the Foundation Board members (see below) may be amended from time to time and agreed to by the AC. Such documents will be provided upon written request to WADA.

Vice-Chair and Members on the Foundation Board

The AC shall also elect a Vice-Chair and two members to sit on the Foundation Board.

Once the Chair is elected, the Vice-Chair can be elected. If a person runs for both positions and is elected the Chair, they cannot also then run to be Vice-Chair. The Vice-Chair of the AC is elected by the members by an absolute majority of the votes cast by the members present at the time of the vote. The Vice-Chair's eligibility criteria and term limits are the same as for all members. Except for the Chair, all members of the AC can be elected as Vice-Chair. The Vice-Chair is the registered deputy of the Chair on the WADA Executive Committee. If the newly

elected Vice-Chair was already sitting on the WADA Executive Committee in another capacity, they shall immediately step down from the WADA Executive Committee in such other capacity, so as to sit solely thereon in their capacity of deputy of the Chair of the AC (when required).

Once the Chair and Vice-Chair are elected, the AC shall elect two of its members to sit on the WADA Foundation Board. At least one of the members of the AC to sit on the WADA Foundation Board must be a para-athlete. If a member runs for the Chair and/or the Vice-Chair positions and is not elected for either of those positions, they are eligible to run for one of the Foundation Board seats. No member can hold more than one of the four elected positions mentioned herein. If the newly elected Foundation Board members were already sitting on the WADA Foundation Board in another capacity, they shall immediately step down from the WADA Foundation Board in such other capacity, so as to sit solely thereon in their capacity of representatives of the AC.

The elections for these positions will be conducted in the same manner as the election for the Chair. Members can be removed from these positions in the same way that the Chair can be removed. The same quorum rules apply as those for the election and removal of the Chair.

The length of the Vice-Chair's and the Foundation Board members' terms will be equal to the length of their respective term as a member of the AC.

The AC can elect two deputies from within the AC for the two AC members sitting on the WADA Foundation Board, as regulated by the WADA Statutes.

Membership of other WADA bodies

The AC selects, among its members, the athletes' representatives sitting on the WADA Standing Committees and applicable WADA Expert Advisory and Working Groups as detailed in the relevant provisions of such groups. Such selection will be decided by the AC on a case-by-case basis in view of relevant member skills and interest. When an AC member sits on a Standing Committee, Expert Advisory or Working Group, such AC member reports back to the AC on the meetings of such Standing Committee, Expert Advisory or Working Group, as appropriate. Should an AC member's term on the AC end, then their term on any Standing Committee, Expert Advisory or Working Group that is dependent on them being a member of the AC shall also end.

For the athlete member of the Compliance Review Committee (CRC), this person shall be nominated by the AC but cannot sit on the AC. This person must fulfil the AC eligibility criteria as provided for in these Terms of Reference. The AC determines the nomination process for the athlete member sitting on the CRC.

Removal or Retirement

Any proposal requesting the removal of a member will only be submitted for voting if it is supported by a majority of all the AC members. The removal of a member requires a two-thirds majority of the votes cast by the members present at the time of the vote and a majority of the votes cast by the members of each Group.

Grounds for removal may include, but are not limited to, not attending meetings, bringing WADA or the AC into disrepute, a breach of WADA's Code of Ethics or other such grounds as decided by the AC.

Should a member of the AC be removed from the AC or retire from the AC before the completion of their term for any reason, the AC, in collaboration with WADA, will determine the process to be

followed in replacing this member, taking into account the length of term remaining, regional needs and any other relevant factors. The proposed process must be supported by two-thirds of the votes cast by AC members present at the time of the vote and a majority of the votes cast by the members of each Group.

The member that replaces the existing member shall have a term only to the end of the term that the existing member would have had but is eligible for reappointment/election if they continue to meet the eligibility criteria.

Observers

The AC, through its Chair and with the agreement of all AC members, may decide to invite observers to its meetings (without voting rights). Observers should be invited for specific purposes, including to provide expertise or views on a particular topic.

Working Norms

The AC will normally operate on the basis of consensus and maintain as informal a manner as is possible or appropriate for the conduct of AC business.

Consensus will be sought whenever possible. In the event of divergence of opinion or disagreement concerning recommendations, the majority (determined by vote by hand) will rule. In the event of a tie, the Chair has the casting vote. Minutes 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.

At least ten members must attend a meeting in order for the AC to take valid decisions, however, a quorum of 15 members attending the meeting is required for the Chair/Vice-Chair election, the election of the members who sit on the Foundation Board, and the removal of Chair/Vice-Chair or of a member. In case the Chair/Vice-Chair election, Foundation Board members election or removal of Chair/Vice-Chair or members is tabled for a second time (because the quorum was not reached the first time), no quorum is required. The Chair has the responsibility to determine if a quorum is present.

Where necessary, votes and decisions may be made between meetings by circular email or other suitable means.

Meetings

The AC will meet in-person (or in a hybrid form, partly in-person and partly by teleconference, videoconference or any such other electronic means that permit all participants to properly communicate with each other) up to two times per year. The meetings are convened by the Chair. Such meetings are funded by WADA. WADA will look for opportunities to hold such meetings around major sporting events and/or other sports or anti-doping meetings (e.g., athlete forums, WADA Symposium). Other meeting opportunities may be possible where substantial financial support is provided by a host.

The Chair may convene additional meetings via teleconference, videoconference, or other electronic means that permit all members to communicate properly with each other, as required to fulfill the work of the AC.

The Chair may at any time ask all attendees who are not members to leave the meeting to hold a closed session among members of the AC only.

Members are expected to attend each meeting, but absences on reasonable grounds may be explained in advance by the member in writing to the Chair. The absent member may if they choose, submit in writing any comments that they have on any items on the agenda for the meeting. If a member is absent without reasonable excuse from two or more meetings in any one calendar year, their membership of the AC may be terminated under the removal process outlined in these Terms of Reference.

AC meeting agendas should be circulated to all AC members two weeks prior to the meetings. Agendas will be determined by the Chair, in consultation with WADA and AC members. Any AC member may request the inclusion of items on the agenda and such items should be submitted to the Chair at least five days before the opening of the meeting, at the latest. However, the AC may add additional items to the agenda at the opening of the meeting with the approval of a majority of the AC members present at the meeting.

Outcomes of the AC meetings will be posted on the WADA website once approved by the AC. Other reports and correspondence relative to the AC shall be retained at the WADA Headquarters.

Independence

All AC members must meet the requirements of the Operational Independence criteria and the Personal Independence criteria as set out in the WADA Regulations on Independence at the time they take office and for the entire term of their office:

- **Operational Independence:** the official in the exercise of their mandate shall always act in the best interest of WADA and remain free of undue influence. The fact that an official has a duty or responsibility to, or holds an office or a relationship with, a WADA stakeholder, or was nominated or proposed by a stakeholder does not per se hinder the official from exercising their mandate in the best interest of WADA.
- **Personal Independence:** the official must exercise their mandate in a personal capacity and shall not act upon direction or coordinate with any other person / entity outside WADA.

Code of Ethics, Conflict of Interest, Confidentiality and Media

All AC members are required to sign a document upon their appointment or election, and again annually, 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 disseminate the culture of ethics, loyalty, and integrity within their respective areas of competence.

B) Conflict of Interest

AC members are bound by the WADA Conflict of Interest Policy, and as such, will be required to annually complete and sign a Statement of Absence of Conflict of Interest in accordance with the current policy, and to update such statement if and as necessary during the year.

C) Confidentiality

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

Members sitting on other WADA bodies, in particular the Foundation Board and Executive Committee, must furthermore adhere to the confidentiality requirements applicable to such bodies.

D) Communications and Media

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

Administrative and Funding Support

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

The WADA Athlete Engagement Impact Area, and in particular the Head of Athlete Engagement, will serve as the primary liaison between WADA and the AC.

WADA provides on an annual basis "General Information and Guidelines" to all its governance members. The AC members will receive this information as the materials provide an overview of administrative policies and procedures applicable to the AC members. Given the special nature of the AC, additional, specific information to the AC may be added to this annual document set, as required.

No later than end of June of each year, the Chair shall provide WADA Director General with proposed activities for the coming year, so that a budget is established in consultation with WADA's Management, which budget shall be compatible with the available resources in WADA's overall budget. Specific financial contribution arrangements may be agreed between the Chair and WADA Director General, if special circumstances so require.

Effective Date

These Terms of Reference came into effect on 13 April 2023. They were amended on 14 May 2024 further to the AC's annual review and the WADA Foundation Board's approval.

ANNEXES TO ATHLETE COUNCIL TERMS OF REFERENCE

1. WADA Athlete Council Election Procedure
2. WADA Athlete Council Appointment Procedure

Annex 1 – WADA Athlete Council Election Procedure

[*See attached.*]

WADA Athlete Council Election Procedure

May
2022

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I. PREAMBLE

The World Anti-Doping Agency's (WADA)'s Athlete Council (hereinafter the "Council") is composed of 20 members:

- five athletes appointed by the International Olympic Committee's Athletes' Commission and International Paralympic Committee's Athlete Council (group 1),
- eight athletes elected by the Athlete bodies, known hereinafter as Athlete Commissions ("ACs")¹ of International Federations ("IFs") and International Organisations of Sports for the Disabled (IOSD) which manage IFs (group 2), and
- seven athletes selected by the Council's Appointment Panel that is made up by a majority of Council members, to fill skills and diversity gaps (group 3).

This Election Procedure regulates and governs the election process of the members of group 2 of the Council, i.e. athletes elected by the ACs of IFs which are Signatories to the World Anti-Doping Code ("the Code").

This Election Procedure is adopted by the Executive Committee of WADA.

II. GENERAL PROVISIONS

1. Scope of application

The Election Procedure shall be applicable to the following "Participants":

- Candidates for the election;
- IF and IF AC Officials (as such term is defined hereafter) involved in the election process;
- WADA Officials involved in the election process;
- Any other individuals or legal entities supporting, acting in favor of or opposing any candidate.

Officials are defined as:

- each person serving as a member of the governing bodies, committees or any other statutory bodies of the IF, IF AC or WADA;
- each person engaged as an agent, consultant or contractor, or employed by the IF, IF AC or WADA.

Any reference to written communication in the Election Procedure shall be by email unless otherwise specified.

¹ Athlete bodies fulfilling the eligibility criteria set out in this Election Procedure will be considered eligible irrespective of their name (e.g. athlete commission, athlete committee, athlete council, etc.).

2. Fundamental principles

Participants shall respect the WADA ethical principles as defined in the [WADA Code of Ethics](#). Each Participant must conduct himself/herself honestly, fairly, and in accordance with the principles of integrity and transparency.

Each Participant must in particular:

- Demonstrate the highest standards of integrity and act in good faith, with intellectual honesty and fairness;
- Respect human dignity;
- Reject and refrain from discrimination of any kind on whatever grounds;
- Reject and refrain from all forms of harassment, bullying and abuse, be it physical, professional or sexual, and any physical or mental injuries;
- Refrain from any behavior which would bring, or risk bringing WADA into disrepute.

III. ELIGIBILITY CRITERIA

3. IF AC criteria

To be eligible to nominate candidates and vote, an IF AC must meet the following criteria:

- 3.1 The AC must be attached to an IF or an IOSD which manage IFs which is a Signatory to the Code and which must at all time during the Preliminary Phase or the Election Phase (as defined in Articles 7 and 10 below) fully retain its WADA Privileges (as defined in the [International Standard on Code Compliance for Signatories](#)).
- 3.2 The AC must be an organ of the IF with a recognized role in its structure, composed of a minimum of three athletes among whom a majority are athletes who, at the time of their election/appointment to the IF AC, are participating at an international level as defined under the Code or have done so within the previous nine years, and meet at least once a year.

4. Candidate criteria

To be eligible for election to the Council, a candidate must meet the following criteria:

- 4.1 The candidate must meet the eligibility requirements to sit on the Council:
- 4.2 Be an International-Level Athlete as defined by the Code;
- 4.3 Be bound by the Code;
- 4.4 Meet the criteria (4.1.1) and (4.1.2) within the last nine years before taking office for the first time. The candidate can be re-elected twice for a three-year term but cannot stand on the Council for more than 12 years after his/her (last) fulfilment of the first two criteria.

- 4.5 The candidate must be nominated by an IF AC that is eligible to present a candidate as per Article 3. Each IF AC may nominate only one candidate.
- 4.6 The candidate must be from the same sport as the IF AC but does not need to be a member of the IF AC.
- 4.7 The candidate must not be a member of the International Olympic Committee (“IOC”) AC or International Paralympic (“IPC”) AC at the date of the opening of the Election Phase as a separate process is foreseen to ensure representation of these two bodies within the Council².
- 4.8 The candidate can be a past or outgoing member of the Council as long as he/she has not reached the term limit of three time three years to sit on the Council or any other term limit defined in the Council Terms of Reference, and he/she still fulfills the eligibility requirements.
- 4.9 The candidate must have reached the age of 18 no later than by the date of the opening of the Election Phase.
- 4.10 The candidate must not be Provisionally Suspended or serving a period of Ineligibility under the Code.
- 4.11 The candidate must be able to communicate effectively in English. The two working languages of WADA are French and English. The primary working language of the Council will be English.
- 4.12 The candidate must be able to fulfil the requirements outlined in the Council Terms of Reference.

IV. ELECTION SCRUTINEER

5. Nomination of the Election Scrutineer

The WADA Independent Ethics Board will nominate among its independent members an Election Scrutineer. The Election Scrutineer shall be nominated before the beginning of the Preliminary Phase as defined under Article 7 below.

6. Role of the Election Scrutineer

The role of the Election Scrutineer is to ensure compliance with this Election Procedure. The powers of the Election Scrutineer include the following:

² See Section I (Preamble).

- 6.1 To take all measures which the Election Scrutineer deems appropriate, at its sole discretion, to ensure full compliance with this Election Procedure, including the withdrawal of any candidature or annulment of a candidate's election (see Article 7.4);
- 6.2 To endorse the voting platform which is used for the election procedure;
- 6.3 To supervise the entire election process and procedure, including the counting of the votes;
- 6.4 To adjudicate any complaint related to the admissibility or election of a candidate or of an IF AC in accordance with Articles 9 and 15;
- 6.5 To declare elected the athletes' representatives who have obtained the highest numbers of valid votes in accordance with Article 14. In the event of a tie between candidates, a second round will be organized immediately after the first round, with only the tied candidates being allowed to stand on the ballot.

V. PRELIMINARY PHASE

7. Duration

The Preliminary Phase of the election begins with the communication by WADA, via email, at least two months before the opening of the Election Phase as defined in Article 10 below, of an invitation to the IF ACs to present candidates for election to the Council. It ends at the opening of the Election Phase.

8. Submission of candidature proposals

IF ACs intending to present candidates shall submit by a deadline established by WADA, a candidature proposal for election to the Council in the format and with the content communicated by WADA. The proposal shall make clear which region the candidate is from as specified in Article 4.9.

9. Validation and admissibility of candidatures

- 9.1 All candidatures confirmed by the Election Scrutineer as meeting the criteria set out in Articles 3 and 4 will be declared valid and admissible.
- 9.2 Any Participant wishing to challenge the admissibility of a candidature shall submit such contest to the Election Scrutineer in writing, stating the grounds on which the allegation is founded. The Election Scrutineer will examine the challenge and communicate its decision in writing to the person lodging the challenge and any other concerned party. Such decision is final.

- 9.3 The final list of candidates as reviewed by the Election Scrutineer shall be communicated by WADA to all IF ACs at the end of the Preliminary Phase. It should include short biographies of each candidate.
- 9.4 Should eight candidatures not be received by WADA by the end of the Preliminary Phase WADA will extend the deadline for IF ACs to present candidates for a maximum of 15 additional days. Should eight candidatures or less be received by WADA at the expiration of the extended deadline, the vote will be organized for the number of admissible candidatures received.

VI. ELECTION PHASE

10. Duration

The Election Phase will begin immediately after the Preliminary Phase and end on the date the voting procedure is closed. The Election Phase shall not start earlier than two months after the opening of the Preliminary Phase and shall last at least one month. The dates of the Election Phase shall be made clear in the invitation to IF ACs communicated by WADA and described under Article 7.

11. Promotion of candidatures

- 11.1 Promotion of candidatures is allowed only to the extent permitted under the Election Procedure as stated below. Promotion means any act or action that may enhance the level of awareness of a particular candidature.
- 11.2 All acts of promotion in favour of any candidature must be carried out in respect to the fundamental principles set out in clause 2.2. In particular, any promotion shall be conducted with dignity and respect towards the other candidates.
- 11.3 Promotion of candidatures shall only be conducted during the Election Phase.
- 11.4 Candidates may use social media to promote their candidatures, subject to respecting the WADA Media Policy.
- 11.5 The use of any form of incentive or inducement, whether financial or otherwise, to vote for a candidate is prohibited.
- 11.6 Candidates, their proposing IF ACs and any other persons or entities acting in their favour or for their benefit shall be considered as individually and jointly responsible for any act of promotion that is prohibited under the Election Procedure or other relevant regulations.
- 11.7 In the event of any infringement of the Election Procedure or other applicable regulations by the candidate, the proposing IF AC and any other third party, the Election Scrutineer may, in accordance

with the procedure set forth in Article 15, impose the withdrawal of a candidate regardless of who is the author of the infringements.

VII. ELECTION PROCEDURE

12. Eligibility to vote

12.1 IF ACs which meet the requirements set out in Article 3 are eligible to cast votes in the election process.

12.2 Each eligible IF AC shall be able to cast a minimum of three votes and up to eight votes in the election, with a maximum of one vote per candidate.

12.3 Any IF or IF AC wishing to challenge or claim the admissibility of an IF AC to cast a vote shall submit such contest or claim to the Election Scrutineer in writing, stating the grounds on which the allegation is founded. The Election Scrutineer will examine the challenge or claim and communicate its decision in writing to the concerned party(ies). Such decision is final.

13. Voting procedure

13.1 Each eligible IF AC will receive from WADA the official list of candidates as set out in Article 9.3 and a secure access to the voting platform. The voting platform will only be accessible for a defined period, communicated by WADA at the opening of the Election Phase. Such period shall be sufficient to allow access during working hours across all world time zones. No vote will be accepted before or after the defined voting period.

13.2 Each IF AC will be responsible for managing its allocated voting access.

13.3 Anonymity of the voting process will be preserved.

14. Voting results

14.1 The candidates who have obtained the highest numbers of valid votes will be declared elected by the Election Scrutineer.

14.2 The full results, including the number of votes received by each candidate, shall be made available by WADA upon written request.

15. Infringement of the election procedure

- 15.1 Anyone may file, via email, a report of an alleged infringement of this Election Procedure from the opening of the Preliminary Phase. The report must be sent to the Election Scrutineer no later than 48 hours after the time of knowing about the alleged violation and in no case later than 72 hours after the closing of the Election Phase. The report should clearly describe all circumstances of the alleged violation, including any supporting evidence, and must be dated and signed by the person(s) filing the report.
- 15.2 If the Election Scrutineer considers, whether on the basis of a third party report or otherwise, that there has (potentially) been an infringement of this Election Procedure, it may take whatever action it considers appropriate. If it considers the (potential) infringement to be serious and possibly justify a withdrawal of a candidate or annulment of a candidate's election, it will invite the candidate concerned to respond in writing to the complaint and/or to appear before the Election Scrutineer (in person or virtually), with a representative of the proposing IF AC if the candidate so wishes, in order to submit a brief oral explanation of the candidate's position. If, after having heard the candidate or the candidate has declined a reasonable opportunity to be heard (in writing and/or orally), the Election Scrutineer shall determine the applicable consequences, including withdrawal of the candidature or annulment of the candidate's election. The decision will be notified in writing, including, as the case may be, by email, to the candidate and the proposing IF AC.
- 15.3 In the event that the Election Scrutineer decides to withdraw or annul the election of a candidate, that decision may be appealed by the candidate concerned exclusively to the Court of Arbitration for Sport. The appeal must be filed within seven (7) days of the written notification (including email) of the decision to the candidate, unless the Election Scrutineer decides in its discretion to impose a shorter appeal deadline taking into account the urgency of the matter. For the avoidance of doubt, any shorter deadline shall be set out in the decision of the Election Scrutineer and shall automatically replace the otherwise applicable deadline of seven (7) days. Unless the parties agree otherwise in writing, the appeal shall be adjudicated by a Sole Arbitrator and the language of the arbitration shall be English.

VI. PROTECTION OF PERSONAL INFORMATION

Any personal information collected within the Election Procedure will be processed in accordance with the [International Standard for the Protection of Privacy and Personal Information](#) and the applicable laws protecting such personal information.

VII. TRANSITIONAL PROVISIONS

Considering that the inaugural election process will be conducted before the first Council is established in its full composition as described under in the Preamble, references to the Council Terms of Reference should be understood as referring to the Terms of Reference of the WADA Athlete Committee (Version 23 September 2019) until the newly established Council has adopted its own Terms of Reference.

Considering that the WADA Independent Ethics Board is to be established concomitantly to the adoption of the present Procedure, the nomination of the Scrutineer for the inaugural election process will be confirmed during the Preliminary Phase as an exception to Article 5, and in any event before the deadline for submission of candidatures as defined under Article 8. Furthermore, any timeline/date set out in the procedures will be followed as best as possible and any delay will be minimised as much as possible. Any delay shall respect the order of procedure as set out in the above provisions.

The inaugural election will be for eight members.

VIII. FINAL PROVISIONS

In case of discrepancy between the English and the French versions of this document, the English version shall prevail.

The Election Procedure has been adopted by the Executive Committee of WADA on 18 May 2022. It enters into force immediately.

Annex 2 – WADA Athlete Council Appointment Procedure

[*See attached.*]

WADA Athlete Council Appointment Procedure

May
2022

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I. PREAMBLE

The World Anti-Doping Agency's (WADA)'s Athlete Council (hereinafter the "Council") is composed of 20 members:

- five athletes appointed by the International Olympic Committee (IOC)'s Athletes' Commission and International Paralympic Committee (IPC)'s Athlete Council (group 1),
- eight athletes elected by the Athlete bodies, known hereinafter as Athlete Commissions ("ACs") of International Federations ("IFs") and International Organisations of Sports for the Disabled (IOSD) which manage IFs (group 2), and
- seven athletes selected by the Council's Appointment Panel that is made up by a majority of Council members, to fill skills and diversity gaps (group 3).

This Appointment Procedure regulates and governs the appointment of athletes in group 3.

This Appointment Procedure is adopted by the Executive Committee of WADA.

II. GENERAL PROVISIONS

1. Scope of application

The Appointment Procedure shall be applicable to the following "Participants":

- Candidates for appointment;
- WADA Officials involved in the appointments process;
- Any other individuals or legal entities, involved in and/or supporting, acting in favor of or opposing any candidate.

Officials are defined as:

- each person serving as a member of the governing bodies, committees or any other statutory bodies of the IF, IF AC or WADA;
- each person engaged as an agent, consultant or contractor, or employed by the IF, IF AC or WADA.

2. Fundamental principles

Participants shall respect the WADA ethical principles as defined in the [WADA Code of Ethics](#). Each Participant must conduct himself/herself honestly, fairly and impartially, and must act in accordance with the principles of integrity and transparency.

Each Participant must in particular:

- Demonstrate the highest standards of integrity and act in good faith, with intellectual honesty and fairness;

- Respect human dignity;
- Reject and refrain from discrimination of any kind on whatever grounds;
- Reject and refrain from all forms of harassment, bullying and abuse, be it physical, professional or sexual, and any physical or mental injuries;
- Refrain from any behavior which would bring, or risk bringing WADA into disrepute.

III. ELIGIBILITY AND APPLICATION

3. Eligibility criteria

3.1 To be eligible to apply, a candidate shall meet the eligibility criteria of the Council:

- Be an International-Level Athlete as defined by the World Anti-Doping Code (Code);
- Be bound by the Code;
- Must meet the two above criteria within the last nine years before taking office for the first time. The candidate can be re-elected twice for a three-year term but cannot stand on the Council for more than 12 years after his/her (last) fulfilment of the first two criteria.

3.2 A candidate who has stood on the ballot for the elections of the Council group 2 and who was not elected is eligible to apply. Members of the IOC AC and IPC AC are not eligible to apply¹.

3.3 A candidate who has been a past member of the WADA Athlete Committee or WADA Athlete Council, including within groups 1 and 2, is eligible to apply, as long as the maximum membership of nine years has not been reached².

3.4 The candidate must have reached the age of 18 no later than by the date of the deadline that applications must be received by.

3.5 The candidate must not be Provisionally Suspended or serving a period of Ineligibility under the Code.

3.6 The candidate must be able to communicate effectively in English. The two working languages of WADA are French and English. The primary working language of the Council will be English.

3.7 The candidate must be able to fulfil the requirements outlined in the Council Terms of Reference.

¹ Members of the IOC AC and IPC AC can be elected on to the WADA AC through group 1.

² The nine-year term limit is currently set out in the WADA Governance Regulations.

4. Candidate application

Candidates nominate themselves. They shall apply by sending to WADA a detailed C.V. or biography, a motivation letter, confirming that they meet the Council eligibility criteria, and confirmation that they both have the time and ability to take part in the activities of the Council.

IV. ATHLETE COUNCIL APPOINTMENT PANEL

The Athlete Council Appointment Panel (“Panel”) shall be set up before the appointment process begins. The Panel will be supported administratively by WADA Management.

5. Composition of the Panel

The Athlete Council Appointment Panel (“Panel”) is composed of three members:

- Two members from the Council, one elected by group 1 among its members and one elected by group 2 among its members. Members of group 3 cannot sit on the Panel.
- One member of the Nominations Committee representing the Nominations Committee³.

6. Role of the Panel

- 6.1 The Panel shall undertake an initial assessment of the current diversity and skills of the Council, noting in particular the role and strategic priorities of the Council.
- 6.2 The Panel shall consult with the WADA President in order to take into consideration the strategic priorities and needs of the organization before drawing up its final list of candidates.
- 6.3 The Panel shall consult with the Chair of the Council to take into consideration the needs of the Council.
- 6.4 Should the Panel consider that the desired skill and diversity needs cannot be found within the applicant pool, the Panel may recommend extending the call for applications.
- 6.5 The Panel shall have a transparent process and explain the strategic priorities and other criteria it took into account when drawing up the final list of candidates. Such report should be made available to all Athlete Council members, as well as WADA Executive Committee and Foundation Board.
- 6.6 The Panel should work on a consensus basis. If a vote is needed, decisions are taken by majority.
- 6.7 The Panel shall finally decide on which candidates will become members of the Council.

³ The Nominations Committee can only hold one vote on the Panel. However this should not prevent the Nominations Committee to be involved as a whole in the proceedings of the Panel, in order to preserve the benefits of its collective work.

V. APPOINTMENT CRITERIA

7. Purpose

The purpose of the appointment process for group 3 members is to fill skills and diversity gaps not otherwise sufficiently provided for by groups 1 and 2 and thus ensure that the Council can adequately represent athletes and conduct its work.

The appointment process should therefore be based at first on a skills and diversity analysis of groups 1 and 2 members, conducted by the Panel. Any skills or diversity not adequately covered should be sought through the appointment process.

The Panel should use its discretion when considering the skills and diversity criteria (see Articles 9 and 10) and deciding on the final list of appointed members for group 3.

8. General Criteria

- 8.1 In case no athlete from Paralympic sports is elected to Group 2, the Panel shall appoint an athlete from Paralympic sports within group 3 in order to ensure that a minimum of two athletes from Paralympic sports sit on the Council.
- 8.2 Given the high number of athletes coming from Olympic and Paralympic Sports that are subject to the World Anti-Doping Code (Code), the majority of the Council is to be composed of athletes coming from Olympic and Paralympic Sports. The Panel must ensure this criterion is met as part of the outcomes of its appointments.

9. Skills Criteria

The skills criteria should be considered by the Panel so as to ensure that the Council has the required skills to effectively represent athletes and while also taking into account the strategic priorities and needs of WADA and the Council.

Skills to be considered may include experience, knowledge, or expertise of the following:

Legal	Medical	Scientific	Education	Anti-doping
WADA AC	Nutritional	Athlete representation	Athlete Committee	Communications
Management	Regulation	Policy Development	Outreach	Financial
Strategic Planning	Human resources	Research	Human rights	

10. Diversity Criteria

The diversity criteria to be considered by the Panel should include, but not be limited to the following:

Sport	Disability	Nationality	Gender
Ethnicity	Culture	Background	Age

VI. PROCEDURE FOR THE INAUGURAL ATHLETE COUNCIL

Considering that the first appointment process under this procedure will be conducted before the first Council is established, specific provisions will be applied for the inaugural Athlete Council.

11. Inaugural appointment procedure

- 11.1 A public notification of the procedure for the establishment of the Council and the key dates to achieve that establishment will be published by WADA by the end of June 2022.
- 11.2 Following the completion of the notification of the IOC and IPC AC members (Group 1) and the completion of the Election (Group 2), the Panel will be set up. Group 1 and group 2 will each elect among their members their representative on the appointment panel. The two representatives should be elected by simple majority of the members present. If members fail to elect two representatives, the WADA President will nominate two outgoing members of the WADA Athlete Committee who do not stand for appointment on the AC to sit on the Panel.
- 11.3 The Nominations Committee will select their representative to be on the Panel.
- 11.4 Once the Panel is set up, it will complete an initial skills and diversity analysis of groups 1 and 2.
- 11.5 The public call for candidates for group 3 will set out the deadline by which candidates need to submit their application, the eligibility criteria, required documents for the candidate, and all other required information. The call should highlight the skills and diversity criteria that are being sought. The deadline to submit an application should not expire before the confirmation of elected members from group 2 of the Athlete Council so that candidates who did not get elected have the opportunity to apply.
- 11.6 Should less than seven applications be received by WADA by the deadline to submit an application, WADA will extend such deadline.
- 11.7 On receipt of the applications, the Panel shall review them, consult with WADA's President, and compare the applicant's skill and diversity against the desired skill and diversity needs of the Council. Should the Panel consider that the desired skill and diversity needs cannot be found within the applicant pool, the Panel may recommend extending the call for applications.

- 11.8 The Panel may conduct interviews of candidates and referees, carry out vetting/background checks, and request further information from the candidates.
- 11.9 The Panel shall decide on who the appointed members shall be and shall present its list of appointed members. This list is communicated to the Council, as well as to WADA Executive Committee and Foundation Board.
- 11.10 The Panel will cease its mandate once the appointment process for the inaugural Athlete Council is complete.

12. Inaugural appointment procedure timeline

Date	Steps
By end of June	WADA communication on Athlete Council establishment procedure and timeline
2 September to 30 September	Public call for Interest (for Group 3) – general list of skills listed
Week of 5 or 12 September	Group 1 and Group 2 meet to appoint their representatives on the Appointment Panel
Week of 12 or 19 September	Panel meet to determine process, including development of assessment of skills and diversity of Groups 1 and 2
30 September to 9 December	Review, interview process etc. including consultation with WADA President
Week of 12 December	Successful candidates advised, including the process to elect Chair and Members for the Foundation Board

VII. PROCEDURE BEYOND THE INAUGURAL ATHLETE COUNCIL

The below provisions describe the Appointment Procedure to be followed after the establishment of the inaugural Athlete Council and as such replace any of the provisions of Article 6 that are in conflict.

13. Appointment procedure

- 13.1 The public call for candidates to fill upcoming vacancies from group 3 should be issued by WADA not later than six months before the term of the appointed member/s to be replaced expires. The deadline for candidates to apply after the public call for candidates should be not less than 2 months and not more than 3 months after date of publication.
- 13.2 The two members of the Athletes Council sitting on the Panel should be elected respectively within group 1 and group 2 by simple majority of all present members at the beginning of each calendar year to fill the role for the year.
- 13.3 The skills and diversity analysis of the Council should be updated every year and at a minimum, whenever a new appointment process is necessary. Such analysis should encompass all members whose terms are not affected by the appointment process, i.e., the vacancy or vacancies in question.
- 13.4 The Panel may conduct interviews of candidates and referees, carry out vetting/background checks, and request further information from the candidates.
- 13.5 Not later than one month before the end of the term of the members to be replaced, the Panel presents its list of appointed members. This list is communicated to the Council, as well as to WADA Executive Committee and Foundation Board.

VIII. PROTECTION OF PERSONAL INFORMATION

Any personal information collected within the Appointment Procedure will be processed in accordance with the [International Standard for the Protection of Privacy and Personal Information](#) and the applicable laws protecting such personal information.

IX. TRANSITIONAL PROVISIONS

Considering that the inaugural appointment process will be conducted before the first Council is established in its full composition, any references to the Council Terms of Reference should be understood as referring to the Terms of Reference of the WADA Athlete Committee (Version 23 September 2019) until the newly established Council has adopted its own Terms of Reference.

Furthermore, any timeline/date set out in the procedures will be followed as best as possible and any delay will be minimised as much as possible. Any delay shall respect the order of procedure as set out in the above provisions.

X. FINAL PROVISIONS

In case of discrepancy between the English and the French versions of this document, the English version shall prevail.

The Appointment Procedure has been adopted by the Executive Committee of WADA on 18 May 2022. It enters into force immediately.