

ETHICS EXPERT ADVISORY GROUP

Terms of Reference

The WADA Ethics Expert Advisory Group is a designated panel of independent experts assembled by WADA Management¹.

Purpose

To provide expert ethical opinion, when required 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 as deemed appropriate by the Expert Advisory Group.

Objectives/Key Activities

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

Reporting Structure

The Ethics Expert Advisory Group reports to WADA Management.

Membership/Composition

The composition of the Ethics Expert Advisory Group shall not exceed a maximum of 12 members.

¹ 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.

The WADA Director General, following consultation with the responsible Director in charge of Ethics Expert Advisory Group, will appoint members to the Ethics Expert Advisory Group.

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

Each member (including the Chair) serves a two-year term², 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 Expert Advisory Group Chair is selected based on his/her proven record and expertise in ethics.

He/she shall act as the official reporter³ who is responsible for ensuring appropriate coordination with WADA Management and for providing accurate and timely information on all relevant issues.

WADA Liaison

The WADA Executive Department, and in particular the Deputy Chief Operating Officer, will serve as the primary liaison between WADA and the Ethics Expert Advisory Group.

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

Meetings and Working Norms

The Ethics Expert Advisory Group will endeavor to meet in person at least once a year and virtually as required.

The Ethics Expert Advisory Group 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

² A rotation will be implemented at the outset (of the effective date of this ToR, i.e. 1 January 2021) so as to avoid all terms ending at the same time. For example, half the Ethics Expert Advisory Group would have an initial one-year term, whereas the other half would have a two-year term. Thereafter, all terms will be for two years.

³ The Chairperson/Rapporteur, in coordination with WADA Management, is responsible for producing a brief annual report to assess the extent to which the Ethics Expert Advisory Group fulfilled its tasks over the preceding year.

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 Expert Advisory Group meetings, reports and correspondence relative to the group's work shall be retained at the WADA Headquarters.

Conflict of Interest

Ethics Expert Advisory Group members will be bound by the Conflict of Interest policy adopted by the WADA Foundation Board in November 2019⁴, and will be required to annually complete and sign a Statement of Absence of Conflict of Interest in accordance with the policy.

Confidentiality

All group members are required to sign a Confidentiality Agreement upon appointment (and again at the start of each year if their appointment is renewed). This ensures all members reflect on the confidential nature of their WADA work and confirm their adherence to such confidentiality rules. Signing this document each year is a new process as of 2020 (as a result of the governance changes mentioned above); previously members were only required to sign once.

Communications and Media

All Ethics Expert Advisory Group 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 they should first consult with the WADA Media Relations Senior Manager or (if absent), with the WADA Communications Director.

Financial Support

WADA shall provide the necessary administrative and operational resources for meetings. WADA will meet all travel and accommodation costs, as well as most meals onsite. A daily indemnity is provided to cover incidental costs during travel to and from the meeting.

Where meetings are held virtually and meet certain rules such as a minimum duration, a daily indemnity for virtual attendance is disbursed.

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 daily indemnity to experts for such work carried out. The specific indemnity details are outlined in the full "Overview of WADA Expert Advisory Groups" document provided to Members on appointment.

⁴ WADA's Foundation Board approved a set of governance reforms in November 2018 at its meeting in Baku, Azerbaijan. In 2019, WADA's Statutes were modified to reflect these reforms, and a new set of bylaws and operational regulations were created to supplement the formal Statutes. They were approved by WADA's Foundation Board in November 2019 in Katowice, Poland.

Effective Date and Future Review of ToR

These ToR came in effect on 1 January 2021. An administrative update to the TOR was made in January 2022.

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.