
WADA Athlete Council Election Procedure

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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:
 - 4.1.1 Be an International-Level Athlete as defined by the Code;
 - 4.1.2 Be bound by the Code;
 - 4.1.3 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.

- 4.2 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.
- 4.3 The candidate must be from the same sport as the IF AC but does not need to be a member of the IF AC.
- 4.4 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.
- 4.5 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.
- 4.6 The candidate must have reached the age of 18 no later than by the date of the opening of the Election Phase.
- 4.7 The candidate must not be Provisionally Suspended or serving a period of Ineligibility under the Code.
- 4.8 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.
- 4.9 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.

VIII. 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.

IX. 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.

X. 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.