



## **RULES CONCERNING CANDIDACY FOR IAAF OFFICE**

**(also known as the “CANDIDACY RULES”)**

### **1. INTRODUCTION**

- 1.1 It is an object of the IAAF to safeguard the authenticity and integrity of Athletics and to take all possible measures to eliminate corrupt conduct that might place the authenticity or integrity of Athletics at risk (Article 4.9, 2017 Constitution)
- 1.2 One such measure is the Integrity Code of Conduct made in accordance with Article 17.1 of the 2017 Constitution.
- 1.3 Rule 6.3(l) of the Integrity Code of Conduct provides that any candidate for an elected IAAF position (“Candidate”) shall conduct his or her candidacy with honesty, dignity and respect for his or her opponents and in accordance with the Rules Concerning Candidacy for IAAF Office.
- 1.4 The Constitution also provides that the procedure for nominating Candidates will be set out in Rules and Regulations (Article 36.2, 2019 Constitution).
- 1.5 These Rules set out the rights and obligations of Candidates seeking election for an IAAF position under the Constitution.

### **2. COMMENCEMENT**

- 2.1 These Rules shall be effective from 27 July 2018 and shall apply to elections at the Election Congress meeting in 2019 and any Election Congress meetings thereafter, together with elections at meetings of Area Associations for the position of Area President, to the extent specified in these Rules.
- 2.2 These Rules replace all previous rules on candidates for election to IAAF office, including the Rules Concerning Candidacy for IAAF Office and Conduct of Elections, which were previously annexed as Annexure 3 of the Former Code of Ethics.
- 2.3 These Rules are made in accordance with Article 7.11(c) of the 2017 Constitution.
- 2.4 These Rules may be amended from time to time by Council.
- 2.5 To the extent of any inconsistency between these Rules and the Constitution, the relevant provision of the Constitution shall apply.
- 2.6 These Rules shall be governed by and interpreted in accordance with the laws of Monaco.

### 3. PURPOSE

3.1 The purpose of these Rules is to set out:

- a. The rights of Candidates (including Candidates who are Existing IAAF Officials) to promote their Candidacies, subject to compliance with the general and specific obligations set out in these Rules;
- b. The obligations of IAAF Officials and IAAF Staff in dealing with Candidates;
- c. The role of the Election Oversight Panel and its functions;
- d. The rules and procedures for the election of the Athletes' Commission;
- e. The procedure and sanctions for any breach of these Rules.

### 4. APPLICATION OF THESE RULES

4.1 Subject to Rule 9 (Area Presidents) and Rule 10 (Athletes' Commission), these Rules apply to all Candidates, including any person who is an Existing IAAF Official at the time of becoming a Candidate.

4.2 These Rules also apply to all IAAF Officials and IAAF Staff, and all Commissions, working groups, committees, tribunals, panels, or persons (including Member Federation Officials and Area Officials), in their dealings with Candidates pursuant to delegated authority or otherwise under these Rules.

### 5. DEFINITIONS

The capitalised words and phrases used in these Rules shall have the meanings specified in the Constitution or the Integrity Code of Conduct, unless specified otherwise. Other words and phrases shall have the following meaning:

**"2017 Constitution"** means the constitution of the IAAF that came into effect on 1 January 2017, including any amendments to it made from time to time.

**"2019 Constitution"** means the constitution of the IAAF to come into effect on 1 January 2019, including any amendments to it made from time to time.

**"Candidacy"** means the period of time beginning from the date of submission of a Candidate Pack by a Candidate and ending upon the earlier of:

- a. withdrawal in writing to the Election Oversight Panel of the Candidate from the election;
- b. removal of the Candidate from the election; or,
- c. the announcement of the election results at the meeting at which the election is held, stating either the election or the non-election of the Candidate.

**"Candidate"** means any person seeking election by Congress as the President, a Vice President, Council Member, and, to the extent expressly set out in Rule 9, any person seeking election as an Area President by an Area Association, as those positions are defined in the 2019 Constitution.

**"Candidate Pack"** means the pack of documentation containing the Nomination Form and other

requirements as determined by the Election Oversight Panel to be completed by a Candidate as described in Schedule 2 of these Rules.

**“Constitution”** means the constitution of the IAAF as in effect from time to time.

**“Disciplinary Tribunal”** means the tribunal established in accordance with Article 18.1 of the 2017 Constitution.

**“Election Congress”** means the Congress meeting held every four (4) years at which elections under Article 36 of the 2019 Constitution are undertaken.

**“Election Oversight Panel”** has the meaning set out in Rule 12 of these Rules.

**“Ethical Compliance Officer”** means the person appointed by the IAAF to carry out the roles and responsibilities identified in the Rules and Regulations, including these Rules.

**“Existing IAAF Official”** means any person who is in office as an IAAF Official at the time he or she becomes a Candidate.

**“IAAF Website”** means the website of the IAAF (*i.e.* www.iaaf.org or such other website as decided by the IAAF).

**“Independent Members”** means a person who does not have or hold any position, contract, or other personal or financial interest (whether directly or indirectly) with or in the IAAF.

**“Integrity Code of Conduct”** means the IAAF Integrity Code of Conduct.

**“Integrity Standard”** means an integrity standard as described in Rule 6 of the Integrity Code of Conduct.

**“Nomination Form”** means the form included in the Candidate Pack as described in Schedule 2 to these Rules.

**“Nominations Panel”** means the panel established to identify, recruit, assess and make recommendations to Council for the appointment (or removal) of members of the various IAAF bodies, as described in the Governance Rules.

**“Vetting”** means the process of vetting IAAF Officials as set out in the Vetting Rules.

**“Vetting Disclosure Form”** means the form defined as such in the Vetting Rules.

**“Vetting Rules”** means the rules of the IAAF which, among other things, set out the procedure for Vetting the Eligibility of Candidates (as described in those Rules).

## 6. SCOPE OF THESE RULES

These Rules:

- a. define the general and specific obligations to which Candidates and those persons dealing with them are subject (Rules 7 to 11);
- b. set out the composition, appointment, responsibilities, powers, and duties of the Election Oversight Panel (Rule 12); and,

- c. set out the separate process for elections to the Athletes' Commission.

## **7. GENERAL OBLIGATIONS OF CANDIDATES**

- 7.1 A Candidate (or any person proposing to be a Candidate) is entitled to promote his or her Candidacy or proposed Candidacy, provided it is conducted with honesty, dignity and moderation and complies with the Integrity Code of Conduct, these Rules and any other applicable Rules and Regulations.
- 7.2 A Candidate (or any person proposing to be a Candidate) shall, in promoting his or her Candidacy or proposed Candidacy, respect the other candidates and the IAAF itself, and shall not act in a way likely to adversely affect the reputation of the IAAF or Athletics generally, or to bring the IAAF or Athletics into disrepute or otherwise be in breach of the Integrity Code of Conduct.
- 7.3 A Candidate (or any person proposing to be a Candidate) shall, in promoting his or her Candidacy or proposed Candidacy, respect Member Federations, their representatives and delegates, and the IAAF.
- 7.4 A Candidate (or any person proposing to be a Candidate) shall not, by spoken or written word or other representation, harm or do anything likely to harm the image of another Candidate or cause any prejudice to them.
- 7.5 The content and presentation of all materials produced by or on behalf of a Candidate (or any person proposing to be a Candidate) to promote his or her Candidacy or proposed Candidacy (including any manifestos) must be fair, honest and respectful of other Candidates and the IAAF and must comply with the Integrity Code of Conduct and these Rules.
- 7.6 The Candidacy of all Candidates (including a Candidate for Area President) is subject to the person being Eligible, including satisfying an Integrity Check in accordance with the Vetting Rules.
- 7.7 These General Obligations apply to all Candidates (and all persons proposing to be Candidates), including any Candidate seeking election as an Area President for an Area Association.

## **8. SPECIFIC OBLIGATIONS OF CANDIDATES**

### **Submission of Candidate Pack**

- 8.1 In accordance with Article 30.2(c) of the 2019 Constitution, in order to stand for election, each person proposing to be a Candidate must submit a completed Candidate Pack to the Chief Executive Officer of the IAAF by no later than three (3) months prior to the Election Congress at which the relevant election will occur.
- 8.2 The Candidacy must be supported by a Member Federation by resolution of its Board, executive committee or equivalent body. In particular, the Nomination Form must be signed on behalf of the Member Federation in accordance with such resolution, by its most senior officer (or, second most senior officer, if the Candidate is the most senior officer of the Member Federation).

### **Eligibility**

- 8.3 Before submission of a Candidate Pack and before his or her Candidacy can be confirmed by the Election Oversight Panel (in accordance with Rule 12.14.5), each person proposing to be a Candidate must be determined by the Vetting Panel to be Eligible to stand for elected office.

- 8.4 Each such person must provide to the Vetting Panel such information as may be required by the Vetting Panel to make such determination. The failure to do so will mean that the person is not permitted to be a Candidate (in accordance with Article 65.1 of the 2019 Constitution).
- 8.5 If a Candidate becomes Ineligible after submission of the Candidate Pack and before the election, he or she will cease to be a Candidate.

#### **Public Statements, Interviews and Written Materials**

- 8.6 A Candidate (or any person proposing to be a Candidate) may make public statements, give interviews or issue written materials to promote his or her Candidacy or proposed Candidacy, provided that they must at all times:
- 8.6.1 comply with the Integrity Code of Conduct;
  - 8.6.2 comply with any guidance issued by the Election Oversight Panel concerning the use of media including social media, and/or requiring coordination with the IAAF Press Office of any such statements or interviews (in whatever media used);
  - 8.6.3 not make payments, directly or indirectly, to journalists or other persons affiliated to the media, or make any use (free of charge or otherwise) of the services of a journalist or the media in order to promote their Candidacies;
  - 8.6.4 not produce (or cause or permit third parties to produce on behalf of the Candidate (or person proposing to be a Candidate) any spoken word, written text or representation of any nature (including any manifestos) which does or is likely to harm the image or reputation of another Candidate or the IAAF.

#### **Debates, Forums and Meetings**

- 8.7 Except with the invitation or permission of the Election Oversight Panel, or in accordance with any guidance issued by the Election Oversight Panel (or, before its formation, by the Ethical Compliance Officer of the IAAF), no forum, debate or public meeting of any kind may be organised, held or participated in, by a Candidate or any person on his or behalf, for the sole or main purpose of promoting a Candidacy.
- 8.7.1 Any such forum, debate or public meeting must be organised so as to offer equal opportunities for participation to all Candidates seeking election;
  - 8.7.2 The Election Oversight Panel (or, before its formation, the Ethical Compliance Officer of the IAAF) will issue guidance and assist with coordination of any such forum, debate or public meeting so as to ensure that these are scheduled and managed to optimise opportunities for all Candidates to promote their Candidacies to the widest possible group of relevant voters.
- 8.8 Any Candidate who is an Existing IAAF Official shall continue to carry out official duties during his or her Candidacy, including scheduling meetings with Member Federations on a basis consistent with the ordinary course of his or her business as an IAAF Official, during which the Candidate may refer to his or her Candidacy in a purely factual manner; provided that promotion of the Candidacy of an Existing IAAF Official by organising or participating in meetings or events with Member Federations or other events solely or mainly for the purpose of promoting a Candidacy is not permitted.

## **Gifts**

- 8.9 No Candidate (or person proposing to be a Candidate) may offer or give any gifts of any nature or value (including gifts otherwise in compliance with the Integrity Code of Conduct), whether directly or indirectly, to any IAAF Official, Member Federation Official, Area Official or any person who will vote in an election.
- 8.10 Without limiting Rule 8.9, in no case and under no pretext shall Candidates (or persons proposing to be Candidates) give presents or offer donations or gifts or grant advantages or benefits of whatever nature (including those otherwise in compliance with the Integrity Code of Conduct) to or at the request of any IAAF Official, Member Federation Official, Area Official or any person (whether directly or indirectly) who will vote in an election, during the course of his or her Candidacy and/or for the purpose of influencing the election or any vote.
- 8.11 All gifts, grants, advantages or benefits of whatever nature or value offered or given by any Candidate during the period beginning 12 months before every Election Congress must be disclosed to and will be subject to review by the Ethical Compliance Officer. For the avoidance of doubt, this includes any Candidate seeking election as an Area President by an Area Association, subject to any different period that may be established by the relevant Area Association,

## **Promises**

- 8.12. Candidates (or persons proposing to be Candidates) shall not enter into any promise or undertaking to act, either as a representative of the IAAF or personally (whether as a Candidate or after the Election Congress in any capacity), for the direct or indirect benefit of an Area Association, Member Federation, a group of Member Federations, or individuals within any such body or grouping, except in the course of an initiative approved by an appropriate body of the IAAF (including, for a Candidate seeking election as an Area President by an Area Association, the relevant Area Association) .
- 8.13 Candidates (or persons proposing to be Candidates) shall not enter into any form of undertaking with any natural or legal person that is likely to affect the Candidate's freedom of decision or action if elected.
- 8.14 Candidates (or persons proposing to be Candidates) shall not directly or indirectly solicit or accept any benefits of whatever nature intended to influence decisions within their authority once elected, or which may reasonably be perceived as intending to have that effect.

## **Collusion**

- 8.15 Candidates (or persons proposing to be Candidates) shall not engage in any act, collaboration or collusion by or between Candidates with the intent to defraud or manipulate the result of the vote.

## **Candidacy Expenditure**

- 8.16 No Candidate may spend more than Euro 25,000 (excluding any applicable taxes) on campaign expenditures for his or her Candidacy, regardless of the nature or source of the funding, except that a Candidate for President may spend up to Euro 50,000 (excluding any applicable taxes); provided that:
- 8.16.1 the Election Oversight Panel (or, before its formation, the Ethical Compliance Officer) may approve spending above these limits in response to a detailed application by a Candidate demonstrating a need to spend an additional specified amount in order to operate an effective campaign (for example, because of reasonable travel costs due to

the Candidate's place of usual residence);

8.16.2 Subject to Rule 8.16.3(Area Presidents), the limit on campaign expenditure in this Rule shall apply from:

- a. 1 January of the year in which the relevant Election Congress meeting will take place (regardless of the date the Candidate submitted a Candidate Pack), and
- b. end upon the conclusion of that Election Congress meeting.

8.16.3 The limit on campaign expenditure in this Rule shall apply to a Candidate seeking election as an Area President of an Area Association, unless the limit is reduced to a lower amount by the relevant Area Association, in which case the lower amount shall apply. For avoidance of doubt, the period covering the limit on campaign expenditure for a Candidate seeking election as an Area President shall commence:

- a. from the commencement of these Rules, if the election for Area President is to be held in 2018; or,
- b. from the period commencing six (6) months prior to the date scheduled for the election for Area President, or such earlier date as decided by the relevant Area Association.

8.17 Each Candidate agrees to provide bank account statements and other relevant information concerning the nature, source and amount of funds used to support his or her Candidacy, upon request by the Ethical Compliance Officer.

8.18 Each Candidate also agrees to provide a statement of all expenditure for his or her Candidacy to the Election Oversight Panel, for purposes of the preparation of a report to Congress following the Election Congress.

#### **Support or Services from IAAF Staff**

8.19 Unless in the ordinary course of his or her business as an Existing IAAF Official, no Candidate (or person proposing to be a Candidate) may receive individual or special support or services from IAAF Staff, including any consultants, agents or advisors engaged by the IAAF to assist with the conduct of Candidacies, beyond general administrative support and services provided to ensure that Candidacies are conducted in a fair, open and consistent manner.

#### **Guidelines**

8.20 In conducting Candidacies, Candidates shall comply with any guidelines, manuals or directives issued by the Election Oversight Panel, either generally or with respect to a particular Election Congress meeting.

## **9. AREA PRESIDENTS**

9.1 These Rules apply to persons seeking election as an Area President of an Area Association, except to the extent set out below.

9.2.1 Every reference to “Candidacy” shall mean the period of time beginning at such point as his or her nomination is received by the Area Association in accordance with the rules of the Area Association and ending upon the earlier of:

- a. withdrawal of the Candidate from the election;
- b. removal of the Candidate from the election; or,
- c. the announcement of the election results at the meeting at which the election is held, stating either the election or non-election of the Candidate.

9.2.2 Rules 8.1 and 8.2 shall not apply. The process for nomination for Area President shall be in accordance with the rules of the relevant Area Association, provided that the nomination process must require each person proposing to be a Candidate for Area President to agree to comply with these Rules to the extent they are applicable, including providing such documentation as required in order to determine Eligibility.

9.2.3 Rule 8.6.2 shall apply but the Candidate (or person proposing to be a Candidate) must in addition comply with any guidance or rules of the Area Association concerning use of social media, and/or any declarations or interviews (in whatever media used).

9.2.4 Rules 8.7 and 8.8 shall apply but in addition any invitation or permission to allow a Candidate to participate in a forum, debate or public meeting, must be given by the Area Association (if the rules of the Area Association permit such approval).

9.2.5 Rule 12 (Election Oversight Panel) shall not apply in respect of specific matters pertaining solely to the Candidacies of persons seeking to be elected at Election Congress meetings.

## **10. ATHLETES’ COMMISSION ELECTIONS**

10.1 Nothing in these Rules apply to the election of members of the Athletes’ Commission, except as stated in this Rule 10.

10.2 The elections of members of the Athletes’ Commission shall be overseen by the Athletes’ Commission Elections Committee in accordance with the specific rules governing such elections established by the Athletes’ Commission, as set out in Schedule 3.

## **11. OBLIGATIONS OF IAAF OFFICIALS**

11.1 Existing IAAF Officials standing as Candidates shall comply with all obligations for Candidates set out in these Rules.

11.2 In dealing with Candidates, IAAF Officials not standing as Candidates must comply with the Integrity Code of Conduct and all other applicable IAAF Rules including these Rules.

### **Gifts, Promises and Undertakings**

11.3 In no case and under no pretext shall an IAAF Official voting in an election or in a position to influence its outcome, accept gifts of whatever nature or value, or any grants of advantages or



benefits of whatever nature or value, from a Candidate or person proposing to be a Candidate, (including gifts otherwise in compliance with the Integrity Code of Conduct).

- 11.4 No IAAF Official shall enter into any promise or undertaking with a Candidate (or person proposing to be a Candidate) for that Candidate (or person proposing to be a Candidate) to personally act (whether as a Candidate or following election), for the direct or indirect benefit of an Area Association, Member Federation, a group of Member Federations or individuals within any such body or grouping, except in the course of an initiative approved by an appropriate body of the IAAF.
- 11.5 No IAAF Official shall enter into any form of undertaking with any Candidate (or person proposing to be a Candidate) that is likely to affect the Candidate's freedom of decision or action if elected.
- 11.6 No IAAF Official shall directly or indirectly give or offer any benefits of whatever nature intended to influence decisions by a Candidate (or person proposing to be a Candidate) within his or her authority once elected, or which may reasonably be perceived as intending to have that effect.
- 11.7 Any gifts of any nature or value, or any grants of advantages or benefits of whatever nature or value, offered to an IAAF Official by a Candidate (or person proposing to be a Candidate), must be promptly disclosed to the Ethical Compliance Officer by the IAAF Official.

#### **IAAF Staff**

- 11.8 IAAF Staff shall maintain a strict duty of neutrality at all times, and a Candidate (or person proposing to be a Candidate) shall respect this duty at all times.
- 11.9 IAAF Staff shall limit their relations and communications with Candidates (or persons proposing to be Candidates) strictly to the performance of their duties and otherwise comply with these Rules and all other IAAF Rules.
- 11.10 Unless in the ordinary course of business with an Existing IAAF Official, IAAF Staff shall not provide any additional support or service to a Candidate (or person proposing to be a Candidate) beyond ordinary and customary administrative support and services provided to all Candidates for election.

#### **12. ELECTION OVERSIGHT PANEL**

- 12.1 All Candidacies will be governed by an Election Oversight Panel, established and maintained in accordance with these Rules.

#### **Composition**

- 12.2 The Election Oversight Panel shall be comprised of five Independent Members, one of whom shall be appointed as the Chairperson.

#### **Inaugural Election Oversight Panel**

- 12.3 The Inaugural Election Oversight Panel shall comprise of the same members as described in Rule 12.2, but shall be appointed by Council, as further described in Rules 12.4 to 12.9 inclusive of these Rules, and shall serve for a term ending at the conclusion of the 2023 Election Congress Meeting.

### **Appointment of Inaugural Election Oversight Panel**

- 12.4 The members and the Chairperson of the Inaugural Election Oversight Panel shall be appointed by Council by no later than 31 December 2018.
- 12.5 The positions on the Inaugural Election Oversight Panel shall be advertised publicly on the IAAF Website.
- 12.6 The appointment of any person to be a member of the Inaugural Election Oversight Panel is subject to the person being Eligible, including satisfying an Integrity Check by the Vetting Panel in accordance with the Vetting Rules.
- 12.7 If there is a Casual Vacancy in any position on the Inaugural Election Oversight Panel:
- 12.7.1 If the Casual Vacancy occurs prior to 1 January 2023, it will be filled in the same manner as described in Rules 12.4 to 12.6 inclusive, with any such modifications as to timing as Council decides; or,
- 12.7.2 If the Casual Vacancy occurs on or after 1 January 2023, it will be filled by the Council on the recommendation of the Nominations Panel, until the conclusion of the 2023 Election Congress meeting.

### **Appointment of Election Oversight Panel (from 2023 Election Congress Meeting)**

- 12.9 At the 2023 Election Congress meeting, and thereafter at each Election Congress meeting (held every four years), the members of the Election Oversight Panel will be appointed by Congress, on the recommendation of the Nominations Panel.
- 12.10 Each member of the Election Oversight Panel is an IAAF Official and subject to Vetting. As such, the appointment of any person to be a member of the Election Oversight Panel is subject to the person being Eligible, including satisfying an Integrity Check by the Vetting Panel in accordance with the Vetting Rules.
- 12.11 Subject to Rule 12.13, each member of the Election Oversight Panel shall have a term of office of four (4) years, commencing at the conclusion of the Election Congress meeting at which he or she is appointed by Congress, and ending at the conclusion of the Election Congress Meeting held four (4) years later, except to the extent required in order to complete his or her responsibilities, such as those set out in Rule 12.14 and 12.15.
- 12.12 If there is a Casual Vacancy in any position on the Election Oversight Panel it will be filled with a replacement member who meets the applicable description for that member who is Eligible, as follows:
- 12.12.1 If the Casual Vacancy arises in the last two years of the vacating member's term of office, the Casual Vacancy will be filled by Council on the recommendation of the Nominations Panel for the balance of the term of office of the vacated position; or,
- 12.12.2 If the Casual Vacancy arises in the first two years of the vacating member's term of office, the Casual Vacancy will be filled by Congress by appointment at the next ordinary Congress meeting, on the recommendation of the Nominations Panel, for the balance of the term of office of the vacated position.

### **Responsibilities and Powers of Election Oversight Panel**

- 12.13 In carrying out its role, the Election Oversight Panel shall operate in accordance with the Terms

of Reference set out as Schedule 1 to these Rules and shall be responsible for:

- 12.13.1 Ensuring that Candidates conduct their Candidacies with honesty, dignity and moderation and in compliance with the Integrity Code of Conduct, these Rules and any other applicable Rules and Regulations; and,
- 12.13.2 Subject to the Constitution and the Rules of Congress Procedure, ensuring the proper administration of tasks relating to the organisation, running and supervision of the elections at the Election Congress.

12.14 The Election Oversight Panel shall have the powers and responsibilities to:

- 12.14.1 Manage the overall candidature process and ensure that the applicable deadlines are complied with;
- 12.14.2 Develop and maintain the Candidate Packs containing the elements described in Schedule 2;
- 12.14.3 Develop and issue directives, guidelines or manuals containing details of the obligations and procedures to be complied with by Candidates;
- 12.14.4 Publish notices regarding the election procedures on the IAAF Website;
- 12.14.5 Review all Candidate applications, ensuring that each Candidate has properly completed the Candidate Pack and has been determined to be Eligible by the Vetting Panel, and determine whether the application is accepted and therefore whether the person is confirmed as a Candidate;
- 12.14.6 At its discretion and when requested to do so by any Candidate, to review and if considered appropriate approve an application to permit campaign expenditures in excess of the limits specified in Rule 8.16;
- 12.14.7 At its discretion or when requested to do so by any person, to review any written materials produced by or on behalf of a Candidate to ensure that such materials are consistent with these Rules;
- 12.14.8 Ensure that a list of confirmed Candidates, including brief profiles of each, is prepared and published on a timely basis to meet the deadlines for submissions to Congress on the IAAF Website;
- 12.14.9 Ensure that information relevant to the election process or individual Candidates is distributed to those attending the Election Congress meeting as well as to the media and the public;
- 12.14.10 Attend the Election Congress meeting to ensure the smooth running of the electoral process in accordance with the Constitution and the Rules of Congress Procedures;
- 12.14.11 Following the Election Congress, obtain information from all Candidates, and prepare a report to Congress, on campaign expenditures; and,
- 12.14.12 Address any breaches or alleged breaches of these Rules in accordance with Rule 13 of these Rules.

## **Duties of Election Oversight Panel Members**

12.15 The duties of all members of the Election Oversight Panel are to:

- 12.15.1 Protect the integrity of Athletics and the IAAF as a whole throughout the world, by overseeing fair elections in accordance with the Integrity Code of Conduct and these Rules;
- 12.15.2 At all times act in good faith and in the best interests of the IAAF;
- 12.15.3 Exercise the powers of the Election Oversight Panel for proper purposes;
- 12.15.4 Act, and ensure the Election Oversight Panel acts, in accordance with the Constitution and the Rules and Regulations including but not limited to the Integrity Code of Conduct;
- 12.15.5 Maintain a reputation for high standards of ethical conduct in overseeing elections;
- 12.15.6 Be bound by all Election Oversight Panel decisions and publicly support all decisions made by the Election Oversight Panel, even if privately they do not agree with them;
- 12.15.7 Not disclose information that the Election Oversight Panel member would not otherwise have available, other than in his or her capacity as an Election Oversight Panel member, to any person, or make use of or act on the information except:
  - a. As agreed by the Election Oversight Panel for the purposes of carrying out its responsibilities and duties; or,
  - b. As required by law;
- 12.15.8 Attend and actively participate in all work of the Election Oversight Panel including its meetings; and,
- 12.15.9 Attend Election Congress meetings.

## **Confidentiality and Personal information**

12.16 All confidential and personal information provided to the Election Oversight Panel will be safeguarded in accordance with strict confidentiality procedures and in compliance with all applicable data protection and privacy laws.

## **Procedure**

12.17 Except to the extent set out in these Rules, the Election Oversight Panel shall regulate its own procedures in accordance with its Terms of Reference (attached as Schedule 1), as may be amended from time to time.

## **13. BREACHES AND DISPUTES; AFFIRMATIVE DUTIES TO REPORT**

13.1 All IAAF Officials including IAAF Staff are subject to affirmative duties to report alleged wrongdoing, as set out in the Integrity Code of Conduct. Where these pertain to alleged breach of these Rules, such report should be made to the Election Oversight Panel without delay. Without limiting the foregoing:

- 13.1.1 Any person may notify the Election Oversight Panel of an alleged breach of these Rules (in writing or by email addressed to the Chair) within 24 hours following discovery of the circumstances but prior to the conclusion of the relevant Election Congress meeting. The Election Oversight Panel may extend this time limit if there is good reason to do so.
- 13.1.2 In addition, the Election Oversight Panel may consider any information that comes to its attention by whatever means to consider whether there has been an alleged breach of these Rules.
- 13.2 The Election Oversight Panel will promptly review any alleged breach of the Rules brought to its attention, or which it identifies itself, and will:
  - 13.2.1 inform the Candidate concerned of the alleged breach in writing;
  - 13.2.2 give the Candidate an opportunity to respond to the alleged breach within such time frame as the Election Oversight Panel considers appropriate.
- 13.3 Any breach of these Rules amounts to a breach of the Integrity Code of Conduct and will accordingly be subject to investigation and prosecution by the Athletics Integrity Unit under the IAAF Athletics Integrity Unit Reporting, Investigation and Prosecution Rules (Non-Doping) and possible enforcement proceedings under the IAAF Disciplinary Tribunal Rules.
- 13.4 The President, a Council Member, an Executive Board Member or the Chief Executive Officer, and/or the Election Oversight Panel may refer any alleged breach of these Rules for investigation by the Athletics Integrity Unit under the IAAF Athletics Integrity Unit Reporting, Investigation and Prosecution Rules (Non-Doping) and possible proceedings for breach pursuant to the IAAF Disciplinary Tribunal Rules.
- 13.5 Without limiting the foregoing, if the Election Oversight Panel concludes that no breach has occurred, it may nevertheless take one or more of the following actions:
  - 13.5.1 Issuance of general guidelines to all Candidates addressing the subject matter of the alleged breach;
  - 13.5.2 Issuance of written observations to the Candidate, which may be made public by the Election Oversight Panel by such means as it considers appropriate, including on the IAAF website and/or at the Election Congress;
  - 13.5.3 Issuance of a warning to the Candidate, which may be made public by the Election Oversight Panel.
- 13.6 If a report of an alleged breach of these Rules prior to the Election Congress is made after the closure of the relevant Election Congress meeting, the Election Oversight Panel shall refer the matter to the Head of the Athletics Integrity Unit.

## **Disputes**

- 13.7 Any dispute arising in connection with these Rules between the Election Oversight Panel and any Candidate or other person to whom these Rules apply (“Applicable Person”), will be submitted to arbitration before the Court of Arbitration for Sport (“CAS”), to the exclusion of any other court or forum. In particular, the validity, legality and/or proper interpretation or application of the Rules may only be challenged (a) by way of ordinary proceedings filed before the CAS; and/or (b) as part of an appeal to the CAS made pursuant to Rule 13.8.

- 13.8 An Applicable Person may appeal a final decision made by the Election Oversight Panel to the CAS, in accordance with these Rules, by filing a Statement of Appeal with the CAS and with the IAAF within thirty (30) days of the date of communication of the written reasons for the decision. The IAAF will be the respondent to the appeal.
- 13.9 The CAS will hear and determine the dispute or appeal definitively in accordance with the relevant provisions of the CAS Code of Sports-Related Arbitration, provided that in any appeal the person will have fifteen (15) days from the filing of the Statement of Appeal to file his/her Appeal Brief, and the IAAF will have thirty days (30) from its receipt of the Appeal Brief to file its Answer. The law governing the dispute or appeal will be the IAAF Constitution and the IAAF Rules, with the laws of Monaco applying subsidiarily. In the case of any conflict between any of the above instruments and the CAS Code then in force, the above instruments will take precedence. The proceedings before the CAS will be conducted in English, unless the parties agree otherwise. Pending determination of the dispute or appeal by the CAS, the Rules under challenge and/or the decision under appeal (as applicable) will remain in full force and effect unless the CAS orders otherwise.
- 13.10 The decision of the CAS determining the dispute or appeal will be final and binding on all parties. All parties waive irrevocably any right to any form of appeal, review or recourse by or in any court or judicial authority in respect of such decision, insofar as such waiver may be validly made.

**ELECTION OVERSIGHT PANEL**

**TERMS OF REFERENCE**

**1. Status and Role**

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- 1.1 The Election Oversight Panel (“Panel”) is appointed by, and reports to, Congress.
- 1.2 The role of the Panel is:
- 1.2.1 to ensure that Candidates conduct their candidacies with honesty, dignity and moderation and complies with the Integrity Code of Conduct, the Rules Concerning Candidacy for IAAF Office (the “Candidacy Rules”) and any other applicable Rules and Regulations; and,
- 1.2.2 subject to the Constitution and the Rules of Congress Procedure, ensuring the proper administration of tasks relating to the organisation, running and supervision of the elections at the Election Congress meeting

**2. Commencement**

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- 2.1 These Terms of Reference were approved by Council on 27 July 2018 and are effective from that date.

**3. Composition**

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- 3.1 **Size:** The Panel shall consist of a Chairperson and four members, together referred to as Panel Members.
- 3.2 **Membership:** The Panel shall comprise persons independent of the IAAF, with experience in governance and ethical compliance matters relevant to the development and management of the electoral process.
- 3.3 **Appointment:** Except for the Inaugural Election Oversight Panel, the Panel Members shall be appointed by Congress on the recommendation of the Nomination Panel at each Election Congress.

**4. Term**

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- 4.1 The term of office for Panel Members shall be 4 years commencing at the conclusion of the Election Congress at which commencing at the conclusion of the Election Congress meeting at which he or she is appointed by Congress, and ending at the conclusion of the Election Congress Meeting held 4 years later, subject to any extension of this period required in order to complete his or her responsibilities, such as those set out in Rule 12.14 and 12.15.
- 4.2 Members of the Panel may be re-appointed for further subsequent and consecutive terms of office without limitation.

## **5. Resignation, Removal, Vacancies**

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- 5.1 A Panel Member may resign from the Panel prior to the expiry of their term of office by giving not less than 3 months' notice in writing to the Chair of the Panel.
- 5.2 A Panel Member may be removed from the Panel prior to the expiry of their term of office, by decision of the Council (after first affording the Panel Member natural justice) on the recommendation to the President from the Panel Chairperson (or if it is the Chairperson to be removed, on the recommendation from the Chief Executive Officer):
- a. If he or she is no longer Eligible;
  - b. For breach of the Candidacy Rules or any other Rules or Regulations; or,
  - c. For any other act or conduct that, in the opinion of Council, brings the Panel or the IAAF into disrepute
- 5.3 If any position on the Panel is vacant, whether by resignation, removal or otherwise at any time:
- 5.3.1 If the vacancy arises in the last two years of the vacating member's term of office, the vacancy shall be filled by Council on the recommendation of the Nominations Panel for the balance of the term of office of the vacated position; or,
  - 5.3.2 If the vacancy arises in the first two years of the vacating member's term of office, the vacancy shall be filled by Congress by appointment at the next ordinary Congress meeting, on the recommendation of the Nominations Panel, for the balance of the term of office of the vacated position

## **6. Responsibilities**

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A Panel Member shall have the powers, responsibilities and duties set out in Rules 12.13-15 of the Candidacy Rules and in addition shall:

- 6.1 act at all times independently of the IAAF, for the sole purpose of ensuring Candidacies are conducted with integrity, dignity, fairness and efficiency in accordance with the Candidacy Rules;
- 6.2 safeguard confidential and personal data in accordance with strict confidentiality procedures and in compliance with all applicable data protection and privacy obligations;
- 6.3 to make decisions concerning Candidates and Candidacies in a timely and efficient manner in accordance with the timeframes set out in the Candidacy Rules, and to report to Congress accordingly; and
- 6.4 to refer issues and matters of concern to the Head of the Integrity Unit where considered by the Panel to be relevant to the work of the Integrity Unit.



## 7. Duties of Panel Members

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- 7.1 **IAAF Interests:** In undertaking any work in connection with the Panel, each Panel Member shall act in the interests of the IAAF.
- 7.2 **Participation:** Panel Members shall attend each meeting of the Panel (in person or using technology) unless excused by the Chair. Each Panel member shall actively participate in Panel meetings and in matters undertaken by the Panel between meetings. Each Panel Member must be adequately prepared for each Panel meeting in order to participate effectively and constructively.
- 7.3 **Integrity Code of Conduct:** Each Panel Member shall agree to be bound by the IAAF Integrity Code of Conduct and all the Rules including the Candidacy Rules.

## 8. Reporting

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- 8.1 **Reports to Council and Congress:** After each Election Congress, and in accordance with timings to be established by Council, the Panel shall prepare a report to Council and to Congress setting out the process and outcomes of the election taking place at that Election Congress, including without limitation a report on expenditures by all Candidates seeking election at that Election Congress.
- 8.2 **Council Meetings:** The Chair of the Panel shall attend Council meetings, as requested by the President, to report on any matter within the Panel's responsibilities.
- 8.3 **Annual Summary Report:** The Panel will report annually to Council and to Congress on its work.

## 9. Panel Meetings and Procedure

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- 9.1 **Work:** The Panel shall undertake its work at meetings of the Panel and in between meetings as is necessary to fulfil its responsibilities.
- 9.2 **Meetings:** The Panel shall meet at least three times a year and on an ad hoc basis as necessary to fulfil its responsibilities.
- 9.2.1 At least one such meeting is expected to be held by using technology rather than in person.
- 9.2.2 The dates of scheduled meetings are to be agreed by the Chairperson, and as much notice as possible, usually at least one-month's notice, will be given to all Panel Members of the date, time and venue for any meeting.
- 9.2.3 In addition, meetings may be called at any time by the Chairperson or any two (2) members of the Panel.
- 9.2.4 Panel meetings may be held by telephone, through video conference facilities or by other means of electronic communication (other than electronic mail (e-mail) communication) provided that prior notice of the meeting is given to all Panel Members and provided all persons participating in the meeting are able to hear each other effectively and

simultaneously. Participation by any Panel Member in this manner at a meeting shall constitute the presence of that member at that meeting.

- 9.3 **Agenda:** The Chairperson shall prepare an agenda for each meeting. The agenda, together with relevant papers, will be distributed by email to all Panel Members by prior to a Panel meeting (usually 1-2 weeks prior).
- 9.4 **Chair:** The Chairperson will chair all meetings
- 9.5 **Attendees:** The Ethical Compliance Officer will attend all meetings, and other persons may be invited by the Chairperson to attend meetings to provide information or advice on a specific item of business at a meeting.
- 9.6 **Quorum:** The quorum for meetings of the Panel shall be at least 2 members of the Panel, one of whom must be the Chairperson.
- 9.7 **Voting:** Determinations of the Panel shall generally be made by consensus. If a consensus cannot be reached and a vote is required, each Panel Member (including the Chairperson) shall have one (1) vote. Voting by proxy is not permitted. Except to the extent specified in these Terms of Reference, a majority of votes in favour of an action by those Panel Members present at a meeting, is required for it to be passed. In the event of an equality of votes, the Chairperson shall have both a deliberative and a casting vote.
- 9.8 **Resolutions:** A resolution in writing signed or consented to, by email, facsimile or other form of visible or other electronic communication, by all Panel Members, shall be valid as if it had been passed at a Panel meeting. Any such resolution may consist of several documents in the same form each signed by 1 or more of the Panel Members.
- 9.9 **Minutes:** Minutes of each meeting of the Panel shall be taken. The minutes will be finalised in consultation with the Chairperson and sent to Panel members within a maximum of one (1) month of the meeting. Any amendments to the Minutes will be agreed at the next meeting of the Panel and noted accordingly.
- 9.10 **Confidentiality:** All meetings and the work of the Panel are confidential. No documents, information, discussion and determinations made at a Panel meeting or otherwise exchanged or agreed in connection with the work of the Panel, shall be disclosed to any other person other than the relevant Candidate or other person to whom the Rules apply (“Applicable Person”) unless:
- 9.10.1 the Panel Chairperson authorises such disclosure on a “need to know” basis to the President, Council members, the Chief Executive Officer, Director of Legal and Business Affairs, and/or Ethical Compliance Officer;
- 9.10.2 without limiting the foregoing to such persons as the Panel agrees that such disclosure is necessary or desirable to advance its work, including in connection with referral of alleged breaches of the Rules to the Head of the Athletics Integrity Unit;
- 9.10.3 the matter is in the public domain; or,
- 9.10.4 such disclosure is required by law or any applicable authority, including the IAAF Disciplinary Tribunal.

## 10 Administration

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- 10.10 **Expenses:** For each Panel member, the IAAF will reimburse expenses, and provide any other allowances or service fees, in accordance with IAAF policy.
- 10.11 **Administration:** The IAAF will arrange travel, accommodation and insurance for Panel meetings in accordance with IAAF policy.
- 10.12 **Documents:** The IAAF will provide the Panel with all documents held by the IAAF relevant to the Panel's work.
- 10.13 **Indemnification:** The Panel Members will be indemnified by the IAAF and/or covered by insurance provided by the IAAF, against claims brought against them for actions properly taken in course of their responsibilities and duties.

**CANDIDATE PACKS**

The content of the Candidate Packs shall be determined by the Election Oversight Panel, and unless otherwise determined by the Election Oversight Panel shall include the following:

1. A Nomination Form signed by the Candidate and by the most senior officer (e.g., President, Secretary General or CEO) of the Candidate's Member Federation, as authorised to do so by resolution of the Member Federation's Board, executive committee or equivalent body. If the Candidate is the President of the Member Federation the form is to be signed by the next most senior officer of the Member Federation;
2. A Competencies Statement (see below) completed and signed by the Candidate, including a statement of the reasons why the Candidate fulfils the Competencies, the reasons why the Candidate is seeking election, and what he or she would bring to the role;
3. A Vetting Disclosure Form signed by the Candidate;
4. Acknowledgment and agreement to comply with the Integrity Code of Conduct and these Rules, signed by the Candidate; and,
5. Biography of the Candidate.

**Competencies Statement**

Each Candidate will be required to complete a statement (provided as part of the Candidate Pack) setting out how they demonstrate or have experience in relation to the desired competencies for the position for which he or she is seeking election.

The Election Oversight Panel will ensure the information required from any Candidate in relation to the desired competencies is clear, consistent and easy to understand. The identified competencies desired of each position will be related to the actual and anticipated roles and responsibilities of that position. The list should consider the changing environment in which the IAAF will work and the roles and responsibilities of elected officials during the period in which the Candidates will be in office.

The competencies will be determined by the Governance Commission and shall include the following.

**Council Members:**

- Leadership
- Strategic Thinking
- Knowledge of Athletics
- Decision-making
- Honesty and Integrity
- Interpersonal Communication
- Organisational Awareness
- Financial Understanding

- Administrative and/or Governance Experience
- Vision and Passion
- International Relations

**Vice President and President (in addition to those suggested for a Council Member):**

- Leadership in a dynamic and complex environment
- Ability to build consensus and collaborative decision-making
- Ability to communicate to the media
- Track Record of governing through openness and transparency
- Commercial expertise, being the capability to understand large and complex commercial contracts in particular related to events, television broadcast and sponsorship
- Working knowledge of international sport politics

**ELECTIONS FOR AF ATHLETES' COMMISSION**

*(February 2018 Version - Subject to Revision)*

The IAAF shall organise the election of six Athletes' Commission members, on the occasion of each IAAF World Championships, in accordance with the following process:

**1. Submission of a Candidature**

- 1.1 Any person who meets all the eligibility requirements to be a member of the Athletes' Commission (set out in the Terms of Reference of the Athletes Commission) may submit a candidacy to be an Elected AC Member.
- 1.2 The official candidature application form must be completed, signed by the candidate, endorsed by an IAAF Member Federation and received by the IAAF at the specified email address by the date and time notified by the IAAF, usually 3 months prior to the election. This deadline will be strictly enforced.
- 1.3 A Member Federation can submit only one candidature.
- 1.4 The candidate may also send a one-page, A4 document in which he/she can detail his/her biography, explaining the reasons for his/her candidature, on the prescribed form.
- 1.5 The eligibility of each candidate shall be verified by the IAAF Chief Executive.

**2. Publication of Candidates and Campaigning**

- 2.1 The names of the eligible candidates seeking election for the Athlete Commission will be published on the IAAF website and circulated to all Member Federations no later than [TBD] days before the election.
- 2.2 Candidates (or any person authorized by them) may not promote their candidacy in any way whatsoever (other than to state they are a candidate) except throughout the Campaign Period described in clause 2.3.
- 2.3 Candidates may promote their candidacy from the opening day of election, until the conclusion of the election ("Campaign Period"), in social situations inside the Athletes' accommodation and the Stadium. Such promotion must be limited to discussions among athletes.
- 2.4 Candidates must campaign with respect for every other candidate.
- 2.5 Apart from the document submitted with their candidature in 1.4 above, no other document, poster, sign, banner or presentation may be distributed and/or displayed inside or outside the Athletes' accommodation.
- 2.6 Promoting a candidacy in or around the Voting Centres is prohibited.

2.7 The IAAF Constitution, Rules and Regulations apply including in particular the Integrity Code and the Rules Concerning Candidacy for IAAF Office and Conduct of Elections.

### **3. The Election**

3.1 The election will be held from 11:00 to 14:00 at each Team Hotel in the city of the World Championships over a period of 5 days at a place to be decided and communicated by the IAAF to all accredited athletes.

3.2 Only accredited athletes may vote. Only one vote per accredited athlete is permitted.

3.3 The vote must be made in person, on the official voting paper, upon presentation of a valid Accreditation Card.

3.4 The vote will be undertaken by secret ballot.

3.5 To be valid the voting ballot must vote for six names, (not more, not less).

3.6 After voting has closed, the Chairperson of the AC Elections Committee will inform the President of the result.

3.7 The names of the elected athletes will be announced, before the closing of the Championships and posted on the IAAF Website. The Member Federations will also be informed of the results via Circular.

### **4. Election Committee**

4.1 There shall be an Athletes' Commission Elections Committee appointed by the Chief Executive which is responsible for overseeing the election of Elected AC Members.

4.2 The AC Elections Committee will be composed of five members appointed by the Chief Executive as follows:

- a. Chairperson;
- b. Secretary; and,
- c. 3 other persons.

4.3 The AC Elections Committee shall:

- a. ensure that candidates abide by these Terms of Reference and applicable rules including responding to any questions or complaints about or by a candidate and investigating any alleged breaches;
- b. referring any alleged breaches to the AIU for investigation and, if appropriate, prosecution under the Integrity Code of Conduct;

- c. organise and supervise the election, including determining the valid votes, counting the votes, certifying the results, and notifying the President of the outcome. The voting papers shall be retained for a period of 3 months and then destroyed by the Chairperson.
- 4.4 The term of office of the AC Elections Committee shall commence upon their appointment usually 3 months prior to the election, and cease on the completion of their duties following the election.
- 4.5 The outcome of the election as certified by the Chairperson of the AC Election Committee is final and there is no right of appeal.
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