

INTERNATIONAL WEIGHTLIFTING FEDERATION INDEPENDENT MONITORING GROUP "IMG"

Terms of Reference

1. PURPOSE

The International Weightlifting Federation (IWF) considers the fight against doping and the protection of the athletes' health and right to fair competition a top priority. Anti-doping programmes and policies seek to preserve what is intrinsically valuable about sport. This intrinsic value is the essence of Olympism, the pursuit of human excellence through the dedicated perfection of each person's natural talents.

The IWF strives to ensure that all competition results in weightlifting are true and reflect pure athletic achievements on a level playing field, unclouded by the suspicion that some of those results may have been achieved as the result of doping.

In an effort to increase the effectiveness and independence in the fight against doping, the IWF has delegated the implementation and management of its anti-doping programme to the International Testing Agency (ITA), in accordance with the World Anti-Doping Code (Code).

The ITA is an international organization constituted as a not-for-profit Swiss foundation. Its mission is to offer comprehensive anti-doping services, independent from sporting or political powers to International Federations (IFs), Major Event Organizers (MEOs), and all other anti-doping organizations requesting support.

The IWF Anti-Doping Programme is managed independently by the ITA.

In accordance with the IWF Anti-Doping Rules, the IWF Executive Board has established the Independent Monitoring Group (IMG) as a monitoring and decision-making body assessing the compliance of IWF's Member Federations with the decisions of the Independent Member Federations Sanctioning Panel (IMFSP)'s imposed against any such IWF's Member Federations.

The IWF IMG shall operate in compliance with the:

- the IWF Anti-Doping Rules
- the relevant decisions of the IMFSP

2. MISSION

2.1 The IMG has a monitoring and decision-making role in relation to the evaluation of the compliance of IWF's Member Federations with the specific terms of the decisions of the IMFSP imposed against any such IWF's Member Federations.

3. SCOPE OF DUTIES AND RESPONSIBILITIES

3.1 The IMG shall carry out the following activities:

- 3.1.1 Review the compliance of the IWF's Member Federations against which a sanction has been imposed by the IMFSP in accordance with the IWF Anti-Doping Rules and pursuant to the relevant decision of the IMFSP, whenever applicable.
- 3.1.2 Determine whether any sanctioned IWF's Member Federation has complied fully or partially with the terms stipulated by the IMFSP in its decisions, where any such

decision sets out conditions for suspending, lifting or eliminating an imposed sanction based on the fulfilment by the concerned Member Federation of such conditions.

- 3.1.3 Issue decisions determining whether any portion of a sanction which has been suspended or conditionally lifted by the IMFSP may be formally eliminated based solely on the compliance of the concerned sanctioned IWF's Member Federation with the terms and conditions stipulated in the relevant decision of the IMFSP.
- 3.1.4 Request all the relevant information (including from the IWF Secretariat, the ITA and/or the sanctioned IWF's Member Federation) necessary to perform its task of evaluating whether a sanctioned IWF's Member Federation has complied with the conditions stipulated in the relevant decision of the IMFSP.

4. COMPOSITION AND APPOINTMENT PROCESS

- 4.1 The IMG shall have four (4) Members who shall be appointed by the IWF Executive Board, upon proposal of the ITA. The Executive Board appoints the Chairperson of the Commission from the Members.
- 4.2 The Chairperson has the responsibility of chairing the meetings of the IMG.
- 4.3 Only Members of the IMG have the right to attend meetings of the Commission. The IWF Anti Doping Administrator and/or ITA representatives may attend the IMG meetings only if required. The IMG may at its discretion invite other individuals to attend the whole or part of any meeting.
- 4.4 The IMG Members are appointed for a three-year term, with the possibility of renewal of the mandate twice.
- 4.5 The Executive Board may revoke the appointment of any Member at any point in time in the event that the Member breaches the terms and conditions contained in these Terms of Reference (including the Confidentiality and Conflict of Interest Agreement and the IWF Anti-Doping Rules).

5. QUORUM, FREQUENCY AND NOTICE OF MEETINGS

- 5.1 No meeting of the IMG may be held without a quorum being present either in person or electronically. A quorum consists of three (3) Members including the Chairperson.
- 5.2 Each case shall be heard by three (3) Members, including the Chairperson. The Chairperson shall be in charge of appointing the other Members adjudicating each case.
- 5.3 The IMG will meet as many times as needed, depending on the conditions set out in the decisions of the IMFSP. Two (2) Members of the Commission may request that a meeting be held at any time.
- 5.4 Decisions of the IMG are in principle taken by consensus. In case a consensus cannot be reached, decisions shall be taken by an absolute majority of the votes of the Members. In the event of a tie, the Chairperson shall have the casting vote.
- 5.5 Meetings of the IMG may be held in person, by electronic means, or by a combination of the two.

5.6 Meetings of the IMG shall be convened by the Chairperson, or in accordance with Article 5.2.

5.7 Notice of each meeting containing the venue, date and time of the meeting, together with an agenda of the items to be discussed at the meeting shall be forwarded to each Member of the Commission and at least 5 days prior to the date of the proposed meeting.

6. MINUTES OF MEETINGS

6.1 A designated Member of the IMG shall keep minutes of the proceedings and decisions of each meeting. If deemed necessary, the IWF Anti-Doping Administrator or another third-party may be appointed as the Commission's secretary.

6.2 The minutes shall be circulated for approval to all Members of IMG in a timely fashion.

7. DECISION AND REPORTING

7.1 Each time a case requires the review of the IMG, the IWF Secretariat shall refer the case to the IMG and the IMG shall convene to evaluate the requirements of compliance with the decisions of the IMFSP.

7.2 Notwithstanding Article 7.1, the IMG shall be entitled to receive within 30 days of issuing all decisions of the IMFSP incorporating any terms regarding the suspension or conditional lifting of part of the imposed sanction.

7.3 The IMG shall have the authority to request the IWF Secretariat and/or the ITA (but also the IWF's Member Federation under review) relevant information strictly necessary to monitor the compliance of the concerned sanctioned IWF's Member Federation with the terms of the decision of the IMFSP.

7.4 The IMG shall issue a reasoned decision at the end of its assessment against any sanctioned IWF's Member Federation. The decision shall be notified by the IWF Secretariat to the concerned IWF's Member Federation.

7.5 The IMG shall take its decisions by an absolute majority of the votes of the Members present. In the event of a tie, the Chairperson shall have the casting vote.

7.6 The IMG shall report to the IWF Executive Board at least once per year, but as many times as needed, on the monitoring activities and related decisions in accordance with the terms set out in the decisions of the IMFSP.

7.7 The IWF Secretariat shall be in charge of executing and implementing any decision of the IMG.

8. COMPENSATION AND EXPENSES

8.1 IMG Members shall be entitled to receive an indemnity for the work carried out in the exercise of their function. Details of such indemnity are provided to the Members on appointment.

- 8.2 In addition, each IMG Member shall be entitled to the reimbursement of any travel and accommodation expenses and related out-of-pocket expenditures related to the IMG activities, provided that the Member shall submit to the IWF receipts or other evidence of actual payment of such expenses.
- 8.3 The IWF shall bear any administrative or logistical cost associated with the proceedings of the IMG, including without limitation the organization of hearings.
- 8.4 The IWF Secretariat shall be in charge of the administration and processing of payments to the IMG Members.

9. CONFIDENTIALITY AND CONFLICT OF INTEREST

- 9.1 Each Member of the IMG will be required to sign a confidentiality agreement upon appointment.
- 9.2 The activities of the IMG, including without limitation any information, data, notes, analyses, compilations, interpretations, discussions, and element or material related to its functions, as well any derived outcome or document, are to be considered strictly confidential and cannot be disclosed to any third party (including, without limitation, journalists or media).
- 9.3 The obligations under Article 9.2 shall not apply in instances where it can be demonstrated by clear and convincing evidence, that the relevant information is generally known to the public at the time of disclosure without any breach of Article 9.2; or upon approval of the IWF Executive Board; or when required by the law.
- 9.4 In the exercise of their functions, the IMG Members shall be free of any undue influence or other factors which may give rise to a conflict between their own interest or the interest of any other person or organization and that of the IWF.
- 9.5 The Members of the IMG are appointed to the latter in their personal capacity and not by way of representation of any organisations. The Members shall serve independently from their own organisations and shall neither seek nor accept instructions from third parties.
- 9.6 Any potential or concrete conflict of interests in relation to the involvement of any IMG Member in the activities of the IMG, including any fact or circumstances that might be of such nature as to compromise the independence of one Member in the eyes of any parties, shall be immediately raised by the relevant Member in writing to the Chair and the other Members of the IMG. In such cases, the relevant Member shall refrain from participating in the decision-making and discussion processes.
- 9.7 Members of the same nationality of the sanctioned IWF's Member Federation whose compliance with an IMFSP's decision is under review shall refrain from discussing and deciding on that case.

10. ACCEPTANCE OF THESE TERMS AND SUBMISSION TO THE IWF ANTI-DOPING RULES

- 10.1 Upon acceptance of their appointment, each IMG Member shall sign a form whereby he/she confirms having read, understood and accepted these Terms of References.