

THE IOC ATHLETES' COMMISSION ELECTION PROCEDURE

(HEREINAFTER THE "ELECTION PROCEDURE")

(Bye-law 1 to Rule 21 of the Olympic Charter)

I. GENERAL PROVISIONS

This Election Procedure regulates and governs the election process of the members of the IOC Athletes' Commission (hereinafter the "**Commission**"). It includes two successive stages, namely a first phase, entitled the "Preliminary Phase," defined in Article 4, and a second phase, which is the actual election at the Olympic Games, entitled the "**Election Phase**", defined in Article 7.

The Election Procedure shall be applicable to all "**Participants**" in any phase of the election. Within the meaning of this Election Procedure, Participants include not only the candidates for the election but also all National Olympic Committees ("**NOCs**") and/or International Federations ("**IFs**") directly or indirectly involved in the election, as well as any other individuals or legal entities supporting, acting in favour of or opposing any candidate, including NOC staff, coaches, trainers, agents, sponsors, relatives or friends of any candidate.

All decisions taken by the IOC, the IOC Executive Board, the IOC Athletes' Commission or the Election Committee (as defined below in Article 14) in relation to the election are final and binding, subject to Article 16.2.

II. ELIGIBILITY CRITERIA

1. Candidate criteria

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

- 1.1 The candidate must be considered an active athlete at the time of the election. An active athlete within the meaning of the Election Procedure is an athlete who participated in the previous edition of the corresponding Olympic Games (as an Aa athlete), or who has qualified to participate as an Aa athlete in the Olympic Games at the time of the election, and whose qualification has been confirmed by the candidate's NOC.
- 1.2 The candidate must have reached the age of 18 no later than by the date of the Closing Ceremony of the Olympic Games during which the election takes place.
- 1.3 The candidate must at all times act in compliance with the Olympic Charter and the IOC Code of Ethics. The candidate must not have incurred any measure or sanction in relation to any violation of the Olympic Charter, the IOC Code of Ethics, the World Anti-Doping Code, the Olympic Movement Code on the Prevention of Manipulation of Competition or other applicable regulations issued by the IOC, an IF or an NOC.
- 1.4 The candidate presented by his or her NOC must be endorsed by such NOC's Athletes' Commission, subject to Article 2 below.
- 1.5 The candidate must be able to communicate effectively in English or French, the two official working languages of the IOC and the Commission.

- 1.6 The candidate must be accredited either as an athlete participating in the Olympic Games or as a candidate to whom a specific accreditation will be granted for the purpose of the election.
- 1.7 The candidate must be able to fulfil the duties outlined in Article 3 of the IOC Athletes' Commission Regulations.
- 1.8 The candidate must belong to an NOC and to an IF that are eligible to present a candidate as per Articles 2 (NOC Criteria) and 3 (IF criteria), respectively below.

2. NOC criteria

- 2.1 An NOC may not present any candidate for election to the Commission if an elected or appointed member who has represented such NOC at a previous edition of the Olympic Games is currently serving on the Commission, except if such member's term of office expires at the end of the relevant edition of the Olympic Games.
- 2.2 Subject to Article 2.3, the candidate must belong to an NOC with an Athletes' Commission. The statutes of the proposing NOC and the regulations or terms of reference of the NOC's Athletes' Commission must comply with the *IOC Guidelines related to the creation of an NOC Athletes' Commission* (see annex 1).
- 2.3 In the event that an NOC does not have a compliant Athletes' Commission, this criterion may be waived by the IOC Executive Board, provided that the NOC sends written confirmation to the IOC that it (i) agrees to create an Athletes' Commission, by a deadline to be agreed with the IOC, which satisfies the requirements of the *IOC Guidelines related to the creation of an NOC Athletes' Commission*, and (ii) undertakes to work with the IOC on an implementation plan for creating such Athletes' Commission.
- 2.4 The candidate's NOC must confirm that the candidate has no criminal record and has not acted in violation of the Olympic Charter and the IOC Code of Ethics. In addition, the candidate's NOC must determine whether the candidate has incurred any measure or sanction in relation to any violation of the Olympic Charter, the IOC Code of Ethics, the World Anti-Doping Code, the Olympic Movement Code on the Prevention of Manipulation of Competition and other applicable regulations issued by the NOC/NF/IF.

3. IF criteria

- 3.1 Subject to Article 3.2, the candidate must belong to an IF with an Athletes' Commission. The statutes of the candidate's IF and the regulations or terms of reference of the IF's Athletes' Commission must comply with the *IOC Guidelines related to the creation of an IF Athletes' Commission* (see annex 2).
- 3.2 In the event that an IF does not have a compliant Athletes' Commission, this criterion may be waived by the IOC Executive Board, provided that the IF sends written confirmation to the IOC that it (i) agrees to create an Athletes' Commission, by a deadline to be agreed with the IOC, which satisfies the requirements of the *IOC Guidelines related to the creation of an IF Athletes' Commission*, and (ii) undertakes to work with the IOC on an implementation plan for creating such Athletes' Commission.

Upon request of the IOC, the candidate's IF must inform the IOC whether the candidate has incurred any IF measure or sanction within the past 10 years prior to the submission of the candidature, in relation to any violation of the Olympic Charter, the IOC Code of Ethics, the World Anti-Doping Code, the Olympic Movement Code on the Prevention of Manipulation of Competition and any other applicable regulations issued by the IF.

III. PRELIMINARY PHASE

4. Duration

- 4.1 The Preliminary Phase of the election begins with the mailing by the IOC, approximately 12 (twelve) months before the Opening Ceremony of the relevant edition of the Olympic Games, of an invitation to the NOCs to present a candidate for election to the Commission and ends at the opening of the first Olympic Village at the relevant edition of the Olympic Games.

5. Submission of candidature proposals

- 5.1 NOCs intending to present a candidate shall submit, upon invitation and by a deadline established by the IOC, a candidature proposal for election to the Commission in the format and with the content communicated by the IOC.

6. Validation and admissibility of candidatures

All candidatures meeting the criteria set out in Articles 1, 2, 3 and 5 and having been duly examined by the IOC Members Election Commission (as defined in the Olympic Charter) following an IOC ethical check, will be declared valid and admissible by the IOC Executive Board at least 2 (two) months before the opening of the first Olympic Village of the relevant Olympic Games.

IV. ELECTION PHASE

7. Duration

The Election Phase will begin on the date of the opening of the first Olympic Village and end on the date on which the voting stations in the Olympic Village(s) are closed.

8. Candidate roles during the Olympic Games

Candidates may perform other functions (such as a Chef de Mission or a coach) at the Olympic Games during the Election Phase (other than as an athlete or a candidate or both) only with IOC's prior written consent. Requests to perform other functions during the Election Phase must be submitted to the IOC no later than 2 (two) months prior to the opening of the first Olympic Village. The IOC will decide, at its sole discretion, whether to approve or refuse such requests, and will notify its decision to the candidates.

V. PROMOTION OF CANDIDATURES

9. Promotion during the Preliminary and Election Phases

- 9.1 Promotion of candidatures is allowed only to the extent permitted under the Election Procedure. Promotion means any act or action that may enhance the level of awareness of a particular candidature. It includes advertising, campaigns or any organised or planned action for the election of a candidate.
- 9.2 All acts of promotion in favour of any candidature must be carried out with dignity, moderation and respect towards the other candidates as well as all athletes.
- 9.3 Once the IOC Executive Board has approved the list of candidates for the election, candidates may accept interviews from the media and take part in or hold press or media conferences. The IOC may organise one or more press conferences for all candidates to present themselves and to promote their candidatures.

9.4 Candidates may use social media to promote their candidatures, subject to the following conditions:

- Promotion via social media is permitted only from the date that the IOC Executive Board approves the list of candidates for the election until the end of the Election Phase; and
- Candidates using social media to promote their candidatures must comply with the Election Procedure and any other relevant regulations or rules that may apply, including the Olympic Charter and the *IOC Social and Digital Media Guidelines for participants and other accredited persons at the relevant Olympic Games*.
- Candidates may post only the following on social media:
 - digital promotion material provided by the IOC;
 - content related to the promotion of their own candidature created by themselves, without the assistance of third parties;

9.5 The following acts and forms of promotion are prohibited in all circumstances:

- The use of any promotional material other than the material specifically authorised or provided by the IOC in accordance with the Election Procedure, in particular, the use of any document, video or prop such as a tablet, display, sign, panel, mascot, T-shirt, cap, picture, national symbol or any form of advertising or other promotion in favour of the athlete;
- The distribution of any form of gift, memorabilia, souvenir or token; or
- The use of any form of incentive or inducement, whether financial or otherwise, to vote for a candidate.

9.6 Any acts and forms of promotion, including promotion via social media, by NOCs, IFs, NFs, sponsors and/or other third-party organisations linked to the candidate, as well as individuals employed by them, are prohibited, except as otherwise provided in Article 10.2.

9.7 Candidates are prohibited from requesting others to endorse or support their candidature, in any form.

9.8 Candidates, their proposing NOCs 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. In the event of any infringement of the Election Procedure or other applicable regulations by the candidate, their proposing NOC and any other third party, the IOC Executive Board may, in accordance with the procedure set forth in Article 16, decide to withdraw a candidate regardless of who is the author of the infringements.

10. Promotion during the Preliminary Phase

10.1 Except as otherwise provided in Articles 9 and 10.2, any form of promotion is prohibited during the Preliminary Phase.

10.2 Following the IOC media release confirming the candidates approved by the IOC Executive Board:

- 10.2.1 Each proposing NOC with an approved candidate will be allowed to issue and publish through its usual channels one short official media release announcing its candidate. Such official media release must be submitted to the IOC for approval before publication. The respective NF of the candidate will also be allowed to issue and publish this same press release through its usual channels.
- 10.2.2 Each IF with a candidate from its sport will be allowed to issue and publish through its usual channels one short official media release announcing the candidate(s), after publication of the NOC press release. Such official media release must be submitted to the IOC for approval before publication.

11. Promotion during the Election phase

In addition to the permitted promotion as per Article 9, each candidate may promote their candidacy as follows:

11.1 In any authorised area:

- the candidate may wear his or her candidate's badge and/or any other promotional material provided by the IOC;
- the candidate may take the initiative of approaching and talking with athletes and their entourage;
- the candidate may give oral explanations relating to his or her candidature while showing a paper copy or electronic version of the Election Manual (as defined in Article 12.3).

11.2 In all prohibited areas, the only authorised form of promotion for any candidate is to wear his or her candidate's badge and/or use any other promotional material provided by the IOC and to respond to unsolicited questions.

11.3 The IOC will inform the candidates, no later than the day of the opening of the voting stations for the election, of all the authorised and prohibited areas for promoting their candidatures.

VI. ELECTION AT THE OLYMPIC GAMES

12. Electorate and voting

- 12.1. Each athlete holding an "Aa" accreditation at the Olympic Games during which the election takes place will have the right to vote. Voting by proxy is not allowed.
- 12.2. Voting shall only be exercised at the designated voting stations located in the Olympic Village(s) or other venues, as decided by the Election Committee pursuant to Article 15.2.
- 12.3. The IOC will prepare a document entitled the "Election Manual", which will not only present all the candidates but also provide information on the upcoming election, including the exact dates of the election, locations of voting stations, and voting and election instructions. The Election Manual will be made available to the entire electorate during the election in the Olympic Village(s). Votes which do not comply with the voting instructions contained in the Election Manual will be declared null and void.

13. Election venues

- 13.1 The election will be held at the Olympic Village(s) and at any other venues as determined by the IOC. At such venues, there will be a designated space (hereinafter "voting station") provided by the IOC so as to ensure full secrecy of the vote.
- 13.2 All candidates will receive from the IOC an accreditation and/or any relevant upgrade(s), which will give them equal access to all Olympic Villages and voting stations during the Election Phase, as well as to the training site(s) and competition venue(s).

VII. ELECTION COMMITTEE AND ELECTION PROCEDURE

14. Composition of the Election Committee

- 14.1 The Election Committee will be composed of one Chair and two members, all appointed by the IOC President for each edition of the Olympic Games. The members of the Election Committee will be:
- 14.1.1 The Chair of the IOC Athletes' Commission, or his or her representative;
- 14.1.2 The Chief Ethics and Compliance Officer, or his or her representative; and

14.1.3 The Chair of the IOC Legal Affairs Commission, or his or her representative.

A secretary to the Election Committee will be appointed for the duration of the Election Phase by the IOC President; such secretary will be a member of the IOC Department of Legal Affairs and will be authorised to respond to queries and make administrative decisions relating to the Election Procedure and to the election process in general.

If any proposal of withdrawal, other measure or sanction is envisaged, any members of the Election Committee who find themselves in a conflict of interest situation shall refrain from any involvement in the procedure.

15. Role of the Election Committee

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

- 15.1 Subject to Article 16, to take all measures which the Election Committee deems appropriate, at its sole discretion, to ensure full compliance with this Election Procedure, except the withdrawal of any candidature, which may be decided only by the IOC Executive Board or IOC EB delegation (as defined in Article 16.2), in accordance with Article 16.2;
- 15.2 To determine, upon proposal by the IOC, all voting stations, in the Olympic Village(s) or other venues, in which voting will take place, as well as to determine all areas in which the promotion of candidatures may be authorised ("authorised areas") or prohibited ("prohibited areas")
- 15.3 To supervise the entire election process and procedure, including the counting of the votes.
- 15.4 Subject to the requirements of Article 9.3 of the Athletes' Commission's Regulations, to declare elected those 2 (two - in the case of the Olympic Winter Games) or 4 (four - in the case of the Games of the Olympiad) athletes who have obtained the highest numbers of valid votes. In the event of a tie between candidates, the IOC Athletes' Commission will break the tie, after analysing the situation and taking into consideration criteria to ensure a fair and balanced representation within the Commission, including but not limited to geographic balance, or candidates' gender, sports or age.

16. Infringement of the election procedure

- 16.1 Anyone may file or email a report of an alleged infringement of this Election Procedure from the opening of the first Olympic Village. The reports must be sent to the IOC no later than 24 (twenty-four) hours after the time of knowing about the alleged violation and in no case later than 12 (twelve) hours after the closing of the voting stations. They should clearly describe all circumstances of the alleged violation and must be dated and signed by the person(s) filing the report. Any supporting evidence shall be shared with the IOC simultaneously. The personal information included in the report will be processed in accordance with the laws protecting such personal information applicable to the IOC and in accordance with the IOC Athletes' Commission Election Incident Notice.
- 16.2 If the Election Committee considers that there has been an infringement of this Election Procedure, it may take whatever action it considers appropriate. If it considers the infringement to be of little importance, it may decide to refrain from any action or issue an oral or written warning. If it considers the infringement to be serious, a delegation of 3 (three) members of the IOC Executive Board (hereinafter the "IOC EB delegation") will be appointed by the IOC President. The IOC EB delegation will invite the candidate concerned to appear in person, with a representative of the proposing NOC if the candidate so wishes, in order to submit a brief oral explanation of the candidate's position. The withdrawal decision may not be taken before the candidate, a representative of the proposing NOC (if the candidate so wishes) and the author(s) of the infringement, if applicable, have been offered a reasonable opportunity to be heard by the IOC EB delegation. The President shall decide whether the IOC EB delegation will take the final decision, or whether the IOC EB delegation will submit a proposal

to the IOC Executive Board, which will take the final decision. The withdrawal decision, which may be appealed to the Court of Arbitration for Sport, will be notified in writing, including, as the case may be, by email, to the candidate and to the proposing NOC.

- 16.3 The withdrawal of a candidate shall be considered an administrative and not a disciplinary measure. If the IOC EB delegation or the IOC Executive Board considers that the infringement which caused a withdrawal might constitute a violation of the Olympic Charter or of any other decision or regulation issued by the IOC, the IOC Executive Board may take disciplinary action.

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, together with the IOC Athletes' Commission's Regulations, have been issued pursuant to the Olympic Charter, in particular the last paragraph of Bye-Law 1 to Rule 21 of the Olympic Charter, and were adopted by the IOC Executive Board on 21 June 2023. They enter into force immediately.