

## **TERMS OF REFERENCE FOR ACTING INTERIM\* IWF PRESIDENT**

### **WHEREAS:**

- A. On January 5, 2020 the ARD Television station aired the show “Der Herr de Heber”, a video by Hajo Seppelt, Nick Butler and Gritt Hartmann detailing allegations primarily against the IWF President, Dr Tamas Ajan. Within the documentary, allegations were raised with respect to financial irregularities, corruption, doping control distribution, doping sample manipulation, doping payment irregularities, doping activities in specific nations and nepotism.
- B. On 22 January 2020, the Executive Board appointed IWF Vice President Ursula Garza Papandrea to the post of IWF Acting President for 90 days, with oversight responsibility for the investigation and the IWF’s day-to-day operations. On 21 March 2020, the Executive Board extended the mandate for the Acting President to end 19 June 2020. *On 20 April 2020 the Executive Board voted to extend the mandate for the Acting President until the next Electoral Congress. On 2 June 2020 By-law 4.2.1.1 amended, Acting President upgraded to Interim President.*

### **1. Appointment and mandate of the IWF Acting Interim President**

- 1.1 The IWF Executive Board appointed Ursula Garza Papandrea to the post of Acting President of the IWF, and the following powers are delegated to the IWF Acting President for a period of 90 days from 22 January 2020. On 21 March 2020, the Executive Board extended the mandate for the Acting President to end 19 June 2020. *On 20 April 2020 the Executive Board voted to extend the mandate for the Acting President until the next Electoral Congress. On 2 June 2020 By-law 4.2.1.1 amended, Acting President upgraded to Interim President.*
  1. To IWF Constitution 4.1.3, the IWF Acting President will convene (and Chair) the IWF Congress.
  2. To IWF Constitution 4.1.7 (a), the IWF Acting President will give the report of the President at the IWF Congress.
  3. To IWF Constitution 4.1.12, the IWF Acting President will have the authority to invite the public or persons to the IWF Congress.
  4. To IWF Constitution 4.1.14, the IWF Acting President shall convene an IWF Congress if requested in writing by at least 1/5<sup>th</sup> of IWF Member Federations.
  5. To IWF Constitution 4.2.6, Executive Board members will inform the IWF Acting President of absences from any IWF Executive Board meetings in writing.
  6. To IWF Constitution 5.4, the IWF Acting President will be an ex-officio member of all IWF Committees
  7. To IWF Constitution 6.1 and 6.2, the IWF Acting President may propose to the Executive Board the establishment of further Commissions.

8. To IWF Constitution 7.1, the IWF Acting President supervises the IWF Secretariat.
9. To IWF Constitution 8.4.3, the IWF Acting President must include on the Agenda of the next IWF Congress (if within the period) a report on any decision regarding the expulsion of any officer of the Executive Board.
10. IWF By-law to 4.1 (4), the IWF Acting President will decide the number and duration of speeches permitted during an IWF Congress.
11. IWF By-law to 4.2 (8), the IWF Acting President will propose the dates and location of any IWF Congress to the IWF Executive Board
12. IWF By-law to 4.2 (9), the Executive Board will monitor the financial operations of the IWF and advise the Acting President on financial issues.
13. IWF By-law to 4.2.1.1, points 1, 2, 3, 5, 7, 8, 9, 10, 12 are delegated in full to the IWF Acting President.
14. IWF By-law to 4.2.1.1, point 9, the IWF President will attend where the duty is appropriate to his role as an IOC Honorary Member, and will be invited to join the IWF Acting President for such occasions as described in the bylaw.
15. IWF By-law to 4.2.1.2, points 2, 5, 6, the IWF General Secretary/Treasurer will assist the IWF Acting President during the 90-day period.
16. IWF By-law to 6.1.4, point 1.3, the Disciplinary and Ethics Commission will provide assistance, including advice or proposals to the IWF Acting President, the IWF Executive Board and/or IWF Congress.
17. IWF By-law to 6.1.4, point 1.7, the Disciplinary and Ethics Commission will pursue any other tasks related to the development and implementation of the IWF Principles of Ethics and Conduct, as requested by the IWF Acting President, the Executive Board or the IWF Congress.
18. IWF By-law to 6.1.4, point 2.3, the IWF Acting President shall be an ex-officio member of the Disciplinary and Ethics Commission
19. IWF By-law to 6.1.5, point 2, the IWF Acting President will be a member of the Inter-Continental Commission.
20. IWF Bylaw to 7, point 1, the IWF Secretariat (administrative office) is under the responsibility of the IWF Acting President
21. IWF Bylaw to 7, point 4, the IWF Acting President will oversee, manage and delegate relations with National Federations, the IOC, the Sport Accord, ASOIF, National Olympic Committees and other organizations and individuals.
22. IWF By-law to 11, point 2.3, the IWF Acting President will assume responsibilities as described in 2.3
23. IWF By-law to 11, point 4, the IWF Acting President manages and supervises the activities of the IWF and of the Secretariat that administers the financial activities and keeps the accounts of the IWF
24. IWF By-law to 11, point 5.3, the IWF Acting President may authorise described expenditure amounts.

25. The IWF Acting President shall, for the avoidance of doubt, be considered the Chair of the IWF Executive Board throughout the mandate and will have the power to call a meeting of said body.
26. The IWF Acting President is obliged to act in a transparent way with the IWF Executive Board, who have the right to request reports of the IWF Acting President at any time.

#### **4. Transparency of the Acting Interim President's Mandate**

- 4.1 These Terms of Reference will be published on the IWF's website.
- 4.2 The IWF Acting President is the sole authorized spokesperson of the IWF during the mandate.

#### **5. ~~Rights of the IWF President Made redundant as IWF President resigned on 2020 April 15~~**

- ~~5.1 The IWF President shall be retained and referred to as the IWF President.~~
- ~~5.2 The IWF President shall be respected by all members of the Executive Board throughout the mandate.~~
- ~~5.3 The IWF President shall be free to communicate with individual member federations as he wishes.~~
- ~~5.4 The IWF President shall have a presumption of innocence, until or unless a case is proven against the President.~~

#### **6. Term of the Acting Interim President**

- 6.1 The IWF Acting President shall complete her term after 90 days, however, this mandate may be extended by the IWF Executive Board at its sole discretion. On 21 March 2020, the Executive Board extended the mandate for the Acting President to end 19 June 2020. *On 20 April 2020 the Executive Board voted to extend the mandate for the Acting President until the next Electoral Congress. On 2 June 2020 By-law 4.2.1.1 amended, Acting President upgraded to Interim President.*

#### **7. Choice of law and language**

- 7.1 These Terms of Reference are governed by, and shall be construed in accordance with, Swiss law.
- 7.2 These Terms of Reference will be published in English.

#### **8. Amendments/matters not otherwise provided for**

- 8.1 These Terms of Reference may be amended by the IWF Executive Board, in agreement with the IWF Acting President, as necessary following consultation with appropriate legal counsel. Any such amendments will be made public.
- 8.2 Any matter arising that is not addressed in these Terms of Reference will be determined by the IWF Executive Board, in consultation with legal counsel.

- 8.3 Any acts of non-compliance with any provision of these Terms of Reference, will result in referral to the Disciplinary and Ethics Commission by the Oversight and Integrity Commission as a violation of the IWF By-Law to 12. 1.3.2 and thusly be subject to Constitution 12.5.



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Ursula Garza Papandrea  
IWF Acting Interim President

For and on behalf of the IWF



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Mohammed Jalood  
IWF General Secretary

For and on behalf of the IWF

**\* June 2, 2020**

**Proposal Passed: To amend current by-law 4.2.1.1 to read as follows:**

By-law:

4.2.1.1 In case the President's position becomes vacant for any reason for the remaining part of the term, the 1st Vice President fulfils **the function of Interim President** until the next Congress, which may endorse the appointment until the next elections, or convene a Congress for election.

**In case that the 1<sup>st</sup> Vice President is unable or unwilling to assume the responsibility the Board will appoint one of the Vice Presidents, as Interim President until the next Congress, which may endorse the appointment until the next elections, or convene a Congress for election.**

**Additional Information: This amended by-law goes into effect immediately and is applicable to the current Acting President, who is upgraded to the title of Interim President.**