

REPORT OF THE ELIGIBILITY DETERMINATION PANEL

IWF ATHLETES' COMMISSION ELECTION 2022

for the attention of

IWF President and Electoral Commission

I INTRODUCTION

The International Weightlifting Federation (IWF) Athletes' Commission Election 2022 will take place in conjunction with the 2022 IWF World Championships in Bogota, Colombia from 5 to 16 December 2022.

On 15 September 2022, the IWF invited all candidates in writing to submit their candidacies along with their nomination forms and all related documents, via e-mail to elections2022@iwf.sport and/or via post by 3 October 2022, 5:00 PM CET in Lausanne, Switzerland. The deadline to submit the candidacies was extended by 5 days by decision of the IWF Executive Board and ended on 13 October 2022, 5:00 PM CET in Lausanne.

According to Rule 26.1 of the IWF Constitution and the Candidate Eligibility Rules (Schedule 6 of the IWF Constitution), a candidate for election to any position on the Executive Board, on any IWF Commission and on any IWF Committee must be eligible for nomination and election to that office, within the meaning of the Candidate Eligibility Rules.

The determination as to whether individual candidates satisfy the eligibility criteria is subject to the jurisdiction of the Eligibility Determination Panel (EDP) as per Rule 26.3 of the IWF Constitution.

The present report will be sent to the IWF for publication on the IWF website in due time according to Rule 26.3 of the IWF Constitution (30 days before Electoral Congress).

II ELIGIBILITY DETERMINATION PANEL (EDP)

The EDP is composed of five independent persons from five different countries, who have been appointed as members of the independent Ethics and Disciplinary Commission (EDC) by the Executive Board and ratified by an ordinary resolution of the Congress of the IWF (Rule 34.2 (b), (i) and Rule 37.4 of the IWF Constitution). At the IWF Special Congress in January 2022, all EDC members were newly appointed. The EDC consists of the Chair Mr. Gabriel Nigon (SUI) and the members Mr. Charles Quagliata (AUS), Mr. Ahmad Bin Nooh Al-Thani (QAT), Mr. Nasr El-Din Azzam (EGY). Due to the withdrawal of Mrs. Lorena Novoa (COL), the reserve member Mrs. Ana Maria Montoya Ruales (PER) was appointed as a full EDC member. Valérie Horyna (SUI) is a reserve member of the EDC.

The EDP is an independent body that must decide on the eligibility of a candidate. The duties, powers, functions and responsibilities of the EDP are set out in its Terms of Reference as well as the EDP Rules of Procedures (Schedule 11 of the IWF Constitution).

III LEGAL FRAMEWORK

Schedule 10 of the IWF Constitution establishes the IWF's Athletes' Commission (Athletes' Commission Charter). Based on the IWF Constitution, the Athletes' Commission Election Rules regulate the election process. The fundamental purpose of the Athletes Commission is to champion the voice of the athletes within the International Weightlifting Federation and the Sport.

The Athletes' Commission shall be made up of no more than eleven (11) members and will have a balance of male and female members and representation from different continents who are eligible according to the criteria outlined in section 2.4. The Athletes' Commission must at all times have at least four (4) members who are female, and four (4) members who are male. No more than three (3) Athletes' Commission members can be appointed from any single continent (Schedule 10, Clause 2.3 of the IWF Constitution).

Candidates for election to any elected position on the Executive Board, on any IWF Commission and on any IWF Committee must be eligible for nomination and election to that office, within the meaning of the Candidate Eligibility Rules (Rule 26.1 and Schedule 6 [Candidates Eligibility Rules] of the IWF Constitution).

The determination as to whether a person is eligible as a candidate for election is determined by the EDP (Rule 26.3 of the IWF Constitution). Nothing in the Constitution and the Eligibility Determination Panel Rules of procedure shall be interpreted to prevent or restrict that jurisdiction of the EDP (Schedule 11, Rule 3 of the IWF Constitution).

Different rules within the IWF Constitution underline the principle of confidentiality of the vetting process (e.g. Schedule 11, Section C, Rule 9 and Schedule 11, Section D, Rule 6 of the IWF Constitution). The EDP therefore considers all information it obtained or collected in its process as confidential.

The jurisdiction exercised by the EDP is based on the IWF Constitution, the Athletes' Commission Electoral Rules, the EDC Rules and Swiss law (especially Rule I 2. of the EDC Rules and Rule 3 Schedule 11 of the IWF Constitution, Paragraph 8 of the Swiss Civil Code). According to these provisions, the EDP has the burden of proof when making a determination that a candidate should not be eligible. Consequently, a person remains eligible to be candidate as long as the EDP does not determine on the balance of probabilities the contrary.

Facts may be established by documents, official reports, declarations from candidates and the outcome of the investigations (Paragraph VII, Rule 52 of the EDC Rules).

Nominations must include certified copies of any document relied on, to prove the truth and accuracy of the matters declared, and the candidates have to comply with any request for further information or documents requested by the EDP (Schedule 7, Rule 9 of the IWF Constitution).

To be eligible a candidate has to fulfill the eligibility criteria set out in the Candidates Eligibility Rules (Schedule 6 of the IWF Constitution). In addition, the candidate must not have any grounds for disqualification under Rule 37.2 of the IWF Constitution.

A person cannot be appointed an IWF Commission member or an IWF Committee member, if the person is determined to be not a fit and proper person to be appointed in these bodies (Rule 37.2 (j) of the IWF Constitution).

Furthermore, the following special eligibility criteria shall apply to the candidates of the Athletes Commission, Schedule 10, Rule 2.4 of the IWF Constitution:

- (a) Athlete must be at least eighteen (18) years of age at time of application.
- (b) The Commission should be composed of a majority of athletes who, at the time of their election/nomination, are participating at international level or have done so within the previous four years.
- (c) A person is ineligible for appointment if the person has at any time been found to have committed an Anti-Doping Rule Violation.
- (d) The person must have represented their National Federation in at least one (1) of the following:
 - (i) At least one (1) of the two (2) most-recent Olympic Games.
 - (ii) At least one (1) of the two (2) most-recent Youth Olympic Games.
 - (iii) At least one (1) of the two (2) most-recent Youth, Junior, or Senior World Championships.
 - (iv) The most-recent Continental Championships or Games
- (e) The working language of the Federation is English and the candidates must have a minimum of a conversational capability.

When a candidate is provisionally determined to be ineligible and so notified on a confidential basis, the person is afforded not less than five days to provide a confidential submission to the EDP in respect of such notice (Schedule 11, Rule 9 of the IWF Constitution).

The person concerned and/ or the nominating National Federation Member may appeal the finale determination of the EDP within 10 days exclusively to the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland (Schedule 11, Rule 10 of the IWF Constitution).

IV VETTING PROCESS

Between the receipt of the application forms and today's present Report, the EDP has, according to its primary function, sought to determine whether the candidates could be declared eligible to stand as a candidate for election.

As for the EDP Secretariat, Mrs. Stephanie Ruf has been appointed to support the EDP's administrative tasks. Due to the high workload and tight schedule the EDP reserve member Mrs. Valérie Horyna was appointed for support.

In the event of an appearance of a conflict of interest, the respective member has recused her or himself to participate in the determination. For example, an EDP member did not take part to a determination on a candidate of a continental association including the country of the concerned EDP Member.

Due to the obligation of confidentiality, the present vetting process conducted by the EDP, is described in general and abstract terms.

A first objective evaluation was carried out by the EDP to verify if the candidate meets and satisfies each of the criteria listed in the Candidate Eligibility Rules and required in the declaration form. The documents were thoroughly reviewed and checked as to whether the candidates provided all the information required.

These findings are based on the evidence which could be obtained and collected by the EDP in this vetting process. They are without prejudice further evidence which might become available in the future.

All the determinations of the EDP have been made by consensus.

V RESULTS

1. Eligible

Every candidate listed hereunder has been found to satisfy the Candidate Eligibility Rules (Schedule 6 of the IWF Constitution), the Candidate Nomination Rules (Schedule 7 of the IWF Constitution and the eligibility criteria set out in the Athletes Commission Charter (Schedule 10 of the IWF Constitution) and the Athletes' Commission Electoral Rules. There are no grounds for disqualification according to Rule 37 of the IWF Constitution among those candidates.

**Eligible Candidates under the IWF Constitution and the Athletes' Commission
Electoral Rules for the IWF Athletes' Commission Election 2022 (Eligible
Nominees)**

AFRICA

- Mona PRETORIUS (RSA), F
- Forrester OSEI (GHA), M

ASIA

- Hidilyn DIAZ (PHI), F
- Behad SALIMIKORDASIABI (IRI), M
- Fares Ibrahim ELBAKH (QAT), M

EUROPE

- Yasmin Zammit STEVENS (MLT), F
- Cyrille TCHATCHET II (GBR), M
- Emily MUSKETT GODLEY (GBR), F
- Anaïs MICHEL (FRA), F

OCEANIA

- Luisa PETERS (COK), F
- David LITI (NZL), M

PAN-AMERICA

- Maude CHARRON (CAN), F
- Jessica Marie LUCERO (USA), F
- Hampton Miller MORRIS (USA), M
- Zacarias BONNAT (DOM), M
- Maria Alexandra ESCOBAR GUERRERO (ECU), F

2. Ineligible

All candidates listed in this section do not meet the eligibility criteria. Therefore, the EDP has come to the final / (*provisional) determination that they are ineligible for the IWF Athletes' Commission Election 2022.

For reasons of personal privacy and confidentiality, the EDP does not publicly disclose the reasons for ineligibility.

All candidates were informed on a confidential basis of the reasons by means of a provisional decision and given the right to hand in a written submission to the EDP in response to the notified provisional determination within 5 days (Rule 9, Section C of Schedule 11 and Rule 26.3 of the IWF Constitution).

ASIA

- Sabbagh AFNAN AHMED A (KSA), F

AFRICA

- Janet GEORGES (SEY), F
- Abeer Abdel RAHMAN KHALIL (EGY), M
- Marie Hanitra Roilya RANAIVOSOA (MRI), F*
- Rkia SABIHI (MAR), F*

EUROPE

- Atenery HERNANDEZ MARTIN (ESP), F*

OCEANIA

- Megan SIGNAL (NZL), F*

PAN-AMERICA

- Yusleidy Mariana Figueroa ROLDAN (VEN), F*
- Keydomar Giovanni VALLENILLA SANCHEZ (VEN), M*

* The applications of these candidates are incomplete and despite being granted a grace period, the documents have not been submitted. They therefore received a provisional determination from the EDP declaring them ineligible. They will be granted the right to be heard until Monday, 7 November 2022, 5:00 PM CET Lausanne time.

VI FINAL REMARKS

Out of 25 candidacies for the Athletes' Commission, only three candidates did not meet the eligibility criteria according to the Athletes' Commission Electoral Rules and IWF Constitution. Six candidates have been declared provisional ineligible due non-compliance with the Candidate Nomination Rules. The EDP reserves the right to change this decision after granting the legal hearing of 5 days.

This report shall be published on the IWF website (<https://iwf.sport/>) until 3 November 2022 the latest.

With regard to six candidates, who have been declared provisional ineligible an update of the present report and final determination will be published on the 9 November 2022.

2 November 2022

Yours faithfully,


Gabriel Nigon

Chair of the Eligibility Determination Panel

On behalf of the Eligibility Determination Panel

Gabriel Nigon

Ana Maria Montoya Ruales

Ahmad Bin Nooh Al-Thani

Charles Quagliata

Nasr El-Din Azzam