

# TERMS OF REFERENCE FOR THE IWF COMMISSION RESPONSIBLE FOR REVIEW OF AND DECISION ON APPLICATIONS OF ATHLETES FOR EXEMPTION BASED ON EXCEPTIONAL CIRCUMSTANCES (IWF QUALIFICATION SYSTEM FOR THE PARIS 2024 OLYMPIC GAMES)

Whereas, the IWF Executive Board has approved the qualification system rules for the 2024 Paris Olympic Games (the “**Rules**”).

Whereas, in accordance with the Rules, an athlete must participate in two compulsory events, which are the 2023 IWF World Senior Championships (Riyadh, KSA) and the 2024 IWF World Cup (Phuket, THA) (each referred to as the “**Event**” and, collectively, the “**Events**”).

Whereas, in the event of truly exceptional circumstances, athletes can file an application for exemption based on exceptional circumstances, to be examined by a commission (the “**Commission**”) in accordance with the relevant provisions under section C.3.1 of the Rules.

Therefore, the IWF Executive Board decides to set the following terms of reference for the Commission:

## 1. Composition and objectives

- 1.1. The Commission shall be appointed by the IWF Executive Board and is composed by: (i) three persons recommended by the ITA, and (ii) the chair of the IWF Technical Committee and the chair of the IWF Medical Committee, with no voting rights. The chairperson shall be designated by the IWF Executive Board among the three members with voting rights.
- 1.2. The Commission examines athletes’ applications for exemption based on exceptional circumstances in case they failed to participate in any of the Events. For the avoidance of doubt, it is clarified that an exemption can only be obtained for one Event. An exemption for both Events is excluded.

## 2. Filing of Applications

- 2.1. Athletes wishing to file an application for exemption based on exceptional circumstances may do so through their National Member Federation, by filing a request, which must be signed by the athlete, together with any supporting documents (with an English translation if in another language), with the IWF Secretariat (competition@iwf.sport). The request should contain a brief account of the relevant facts and a description of the reasons why such facts constitute truly exceptional circumstances in accordance with the Rules.
- 2.2. The application must be filed as soon as possible from the moment the exceptional circumstances have become known, and at the very latest within

five (5) days from the last competition day of the Event in which the athlete did not participate.

- 2.3. As soon as practicable after the filing of the application, the IWF Secretariat notifies the chairperson of the Commission and forwards to him or her all the relevant documentation.

### **3. Meetings**

- 3.1. The Commission organizes the procedure as it considers appropriate.
- 3.2. Meetings are convened by the chairperson giving reasonable advance notice. The quorum for a Commission meeting is three (3) members with voting rights and at least one (1) of the members with no voting rights in attendance.
- 3.3. In principle, meetings are held via telephone conference, video conference or any other similar method.

### **4. Evaluation of evidence**

- 4.1. Any type of proof may be produced. The Commission has absolute discretion regarding the evaluation of evidence supporting the application.
- 4.2. The Commission may invite the athlete and National Member Federation representative to attend its meeting and answer questions from its members before a decision is passed. In exceptional circumstances and upon justified request of the athlete and National Member Federation, the Commission may allow witnesses or experts to give evidence at the same meeting.
- 4.3. The Athlete carries the burden of proof. The Commission must be fully and clearly satisfied that the alleged circumstances are duly established by the submitted evidence.

### **5. Basis of the Decision**

Truly exceptional circumstance within the meaning of the Rules shall be an extraordinary and unforeseeable occurrence which is outside of the sphere of influence and control of the concerned athlete and prevent him or her to attend the Event. For the avoidance of doubt, an injury or a severe health condition is not considered to be a truly exceptional circumstance in the sense of the provision of this article unless it objectively and physically prevents the Athlete to travel to the Event location.

### **6. Decisions**

- 6.1. Decisions are passed by a simple majority of the Commission members with voting rights. Voting shall be conducted at the end of the respective meeting, by open vote, unless the chairperson decides to conduct the vote by secret ballot. Vote by proxy is not allowed.

- 6.2. Decisions can be made by circulation, in the event the Commission requires more time after the respective meeting to consider the evidence before passing the decision.
- 6.3. Decisions are issued with grounds.
- 6.4. The Commission shall make all reasonable efforts to issue a decision and notify the National Member Federation and the athlete concerned normally within fourteen (14) days of the filing of the application.
- 6.5. The Commission may, in exceptional circumstances and if so requested, decide to issue and communicate the operative part of the decision to the applicant National Member Federation prior to delivery of the grounds.
- 6.6. Decisions of the Commission are final and binding from the notification of the operative part.
- 6.7. The IWF shall publish the operative part of decisions granting an application for exemption based on exceptional circumstances. The grounds of such decisions are not published unless the Athlete agrees with the publication.
- 6.8. In the exercise of their functions, the Members of the Commission 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. Members of the Commission should not participate in voting or decision-making processes where they have a conflict of interest with respect to an application.
- 6.9. Any conflict of interest should be disclosed to the chairperson, who will determine whether the member should abstain from the relevant proceedings.
- 6.10. The activities of the Commission, 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) without the prior approval of the IWF.

## **7. Independence**

- 7.1. The Commission is an independent body from the IWF.
- 7.2. The IWF shall provide all the resources and assistance required by the Commission to carry out its duties.

## **8. Amendments**

The present Terms of Reference may be amended by the IWF Executive Board any time.

## **9. Adoption and Enforcement**

The present Terms of Reference were adopted by the IWF Executive Board on 7 August 2023 and come into force immediately.

IWF President  
Mr. Mohammed Jalood

IWF General Secretary Treasurer  
Mr. Antonio Urso