

IBU Athletes' Committee Terms of Reference

1. Status and role

- 1.1. The *Athletes' Committee* is established in accordance with Article 25 of the *Constitution*. Further to that provision, the role of the *Athletes' Committee* is to represent active *Athletes* and to give them a voice in the governance of the sport, including providing advice to the *Executive Board* and to the *Technical Committee* on matters affecting the *IBU* and *Biathlon* from the *Athletes'* perspective.
- 1.2. The business of the *Athletes' Committee* will be conducted, decisions will be made, and elections will be conducted, in accordance with these Terms of Reference, which are issued by the *Executive Board* in accordance with Article 25.5 of the *Constitution*, as proposed by the *Athletes' Committee*.
- 1.3. This version of the Terms of Reference replaces any prior documents pertaining to its subject-matter, and is effective as from 31 December, 2021. These Terms of Reference may be amended from time to time by the *Executive Board*, as proposed by the *Athletes' Committee*.
- 1.4. Unless otherwise stated, defined words and terms used in these Terms of Reference (denoted by italicised text) have the meaning given to them in the *Constitution*.
- 1.5. In the case of any conflict between these Terms of Reference and the *Constitution*, the *Constitution* will prevail.
- 1.6. Where a matter arises that is not otherwise provided for in these Terms of Reference, the *Constitution* or other *IBU Rules*, the *Chair* will address the matter as they see fit.

2. Composition

- 2.1. The *Athletes' Committee* consists of five members, who are elected/appointed in accordance with Article 25 of the *Constitution*. In particular:
 - 2.1.1. There will be four elected members, including at least two members of the male gender and at least two members of the female gender (provided that there are at least two from each gender among the candidates for election).
 - 2.1.2. The four elected members (once elected) will appoint a person (who must be an active *Athlete* or someone who has retired from competition in the previous six years) to sit as the fifth member of the *Athletes' Committee* and (in accordance with Article 25.2 of the *Constitution*) as a member of the *Technical Committee*.
 - 2.1.3. The elected members are elected in *Olympic Years* by the *Athletes* that have competed in the World Cup in at least one of the first two trimesters of the season encompassing the Olympic Games in question.
 - 2.1.4. Each elected member must be proficient in English, must have been an active *Athlete* in that season (or would have been an active *Athlete* in that season save for injury, illness or other incapacity), and must be *Eligible* in accordance with Article 26.
 - 2.1.5. The elected members of the *Athletes' Committee* must be affiliated to different full *NF Members* (i.e., no two or more of them may be affiliated to the same full *NF Member*). Two candidates may stand for election who are affiliated to the same full *NF Member* provided they have different genders, but only one of them may be elected.

2.2. The application and election procedure for *Athletes' Committee* members is set out in Schedule 1.

3. Term

3.1. The term of office of members of the *Athletes' Committee* will be four years. A member of the *Athletes' Committee* may be re-elected for up to two further and consecutive terms, provided they remain *Eligible*, i.e., they may serve up three consecutive terms.

4. Powers and responsibilities

4.1. Members of the *Athletes' Committee* qualify as *IBU Officials* within the meaning of Article 27.1 of the *Constitution*. As such, they are bound by and must comply at all times with all the rules and regulations of the *IBU* (including the *Integrity Code*) and these Terms of Reference.

4.2. The *Athletes' Committee* has the right:

4.2.1. to appoint the *Chair* or one of its other members as a voting member of the *Executive Board*, in accordance with Article 17.1.2 of the *Constitution*; and

4.2.2. to appoint a person to sit as the fifth member of the *Athletes' Committee* and as a member of the *Technical Committee* in accordance with Article 26.2 of the *Constitution*.

4.3. The *Athletes' Committee* has all of the powers that are necessary or helpful to carry out its mandate under Article 25 of the *Constitution*, including the power to:

4.3.1. consult and liaise with *Athletes*, especially World Cup *Athletes* as they comprise the electorate of the *Athletes' Committee*, and other relevant persons within *Biathlon*;

4.3.2. consult and liaise with athletes and other relevant persons in other sports, including other athletes' committees;

4.3.3. act as a sounding board to the *Technical Committee*, *Executive Board* and *Congress* on matters affecting athletes;

4.3.4. identify and propose matters for the *Technical Committee*, *Executive Board* and/or *Congress* to review or consider;

4.3.5. propose persons to represent the *Athletes' Committee* on other *Committees* within the *IBU*, as required; and

4.3.6. carry out any other specific responsibilities that are within the scope of the role and responsibilities of the *Athletes' Committee*.

4.4. For the avoidance of doubt, the *Athletes' Committee* has no authority to represent or to bind the *IBU*.

4.5. The *Athletes' Committee* must host at least one in-person meeting per season that is open to all *Athletes*. In extraordinary circumstances, in which an in-person meeting is not feasible and as an exception only, a virtual meeting may be held.

5. Chair

5.1. The members of the *Athletes' Committee* will elect one of their number to act as chair of the *Athletes' Committee* and its meetings (the **Chair**). Subject always to Article 5.2, they may also

elect a deputy chair to stand in for the *Chair* when the *Chair* is unavailable, should they see fit (the **Deputy Chair**), and if so then references to the *Chair* shall include the *Deputy Chair* when the *Chair* is unavailable.

- 5.2. If the *Chair* is the person appointed by the *Athletes' Committee* to the *Executive Board* (see Article 4.2.1), no one else may stand in for the *Chair* as a member of the *Executive Board* because alternates are not permitted on the *Executive Board*.
- 5.3. The *Chair* also has the right to attend and speak on behalf of the *Athletes' Committee* at meetings of *Congress*. The other members of the *Athletes' Committee* have the right to attend meetings of *Congress* as *Observers*.
- 5.4. The *Chair* also has the power and/or responsibility to:
 - 5.4.1. prepare the agenda/papers for and chair all meetings of the *Athletes' Committee*;
 - 5.4.2. be the spokesperson for the *Athletes' Committee*, including to the media;
 - 5.4.3. liaise with the *President* and *Secretary General* as required or requested;
 - 5.4.4. liaise with the *Athletes' Committee* appointee to the *Technical Committee* (the **Technical Committee Representative**);
 - 5.4.5. be the *IBU* athlete representative at any forums, groups or presentations as requested by the *President* or the *Secretary General*;
 - 5.4.6. liaise with the other members of the *Athletes' Committee* and other athletes and persons to identify issues for the *Athletes' Committee* to consider;
 - 5.4.7. prepare reports on the work of the *Athletes' Committee* to the *Technical Committee*, *Executive Board* and/or (by a date specified by the *Secretary General*) to *Congress*; and
 - 5.4.8. relay relevant information from the *Executive Board*, *Technical Committee*, *Athletes' Committee*, *International Olympic Committee*, etc., to *Athletes*.
- 5.5. The *Chair* will circulate copies of the *Athletes' Committee* reports to all members of the *Athletes' Committee*.
- 5.6. The *Deputy Chair* is responsible for carrying out any of the responsibilities described above if the *Chair* is unable to do so, and for carrying out any specific responsibilities delegated to them by the *Chair* or the *Athletes' Committee*.
- 5.7. The *Athletes' Committee* may replace the *Chair* or *Deputy Chair* (with or without removing them as members of the *Athletes' Committee*) by unanimous decision of all other members of the *Athletes' Committee*.

6. Technical Committee Representative

- 6.1. The *Technical Committee Representative* is appointed by the *Athletes' Committee* as set out in Article 4.2.2).
- 6.2. The *Technical Committee Representative* has the power and/or responsibility to:
 - 6.2.1. be the spokesperson for the *Athletes' Committee* in the *Technical Committee*;

- 6.2.2. liaise with the chairs of the *Technical Committee* and *Athletes' Committee* as required or requested;
- 6.2.3. liaise with the other members of the *Athletes' Committee* to identify issues for the *Technical Committee* to consider; and
- 6.2.4. prepare reports on the work of the *Technical Committee* for the *Athletes' Committee*.

7. Conduct of the business of the *Athletes' Committee*

- 7.1. The *Athletes' Committee* shall undertake its work at meetings of the committee and in between meetings by telephone, email, and other means of communication specified by the *Chair*, in order to keep members apprised of relevant matters.
- 7.2. The *Athletes' Committee* will meet at least three times each calendar year on such dates and at such times and places as the *Chair* decides, either in person or (if the *Chair* so permits) via telephone or video conference (***Virtual Attendance***). For cost purposes, the location of in-person meetings, including the meeting referred to in Article 4.5, will be agreed in advance by the *Chair* and the *President* and/or the *Secretary General*.
- 7.3. The agenda for a meeting of the *Athletes' Committee* shall be set by the *Chair*. Any other member may request the inclusion of items on the agenda at any time, including during the meeting.
- 7.4. Notice of *Athletes' Committee* meetings and an agenda should ordinarily be provided at least 21 days before they are held. However, where more urgent action is required, the *Chair* may call a meeting on shorter notice (of not less than 12 hours, unless unanimously agreed by the *Athletes' Committee* members then in office), which may be attended by members by *Virtual Attendance*.
- 7.5. No business may be validly conducted at an *Athletes' Committee* meeting unless a quorum is present (either in person or, if permitted, by *Virtual Attendance*). For these purposes, a quorum is at least three of the members of the *Athletes' Committee*.
- 7.6. Each member shall actively participate in *Athletes' Committee* meetings and in matters undertaken by the *Athletes' Committee* between meetings. Each member must be adequately prepared for each meeting (including by reviewing all materials when circulated) in order to participate effectively and constructively.
- 7.7. Meetings of the *Athletes' Committee* are not public but the *Chair* may invite third parties to attend all or part of such meetings, subject to such confidentiality protections as the *Chair* may deem appropriate. For example, the *Chair* may invite the *President* and/or the *Secretary General* or other person(s) to attend all or part of meetings of the *Athletes' Committee* as observers or to provide information or advice on a specific item of business at a meeting.
- 7.8. Voting at meetings:
 - 7.8.1. Each *Athletes' Committee* member present (in person or by *Virtual Attendance*) at an *Athletes' Committee* meeting will have one vote on each motion, save that *Athletes' Committee* members may not cast a vote on any matter in respect of which they have a conflict of interest. Voting by proxy or by letter is not permitted.
 - 7.8.2. In the event of a dispute as to whether an *Athletes' Committee* member has a conflict of interest, if the dispute arises before an *Athletes' Committee* meeting it will be resolved as set out in the *IBU Integrity Code*. If the dispute arises at the meeting, it will be resolved by decision of the *Athletes' Committee*.

- 7.8.3. Voting will be conducted by voice, or (if requested by any *Athletes' Committee* member) by a show of hands.
- 7.8.4. Unless otherwise specified in the *Constitution* or these Terms of Reference, motions require a majority of votes cast by those present at the meeting to be in favour of the motion in order for the motion to be passed. In such cases, in the event of a tie in votes, the *Chair* will have a deciding vote.
- 7.9. The *Chair* or their delegate will take minutes of each meeting of the *Athletes' Committee*, noting the names of the persons present and all motions considered and all motions passed at the meeting. The minutes will be finalised by the *Chair* and sent to *Athletes' Committee* members within one month of the meeting, and discussed and agreed at the next meeting. Once agreed, minutes of *Athletes' Committee* meetings (or a summary thereof) will be distributed to the *Athletes* on the *Chair's* athlete distribution list (and such other *Athletes* who request to receive a copy).
- 7.10. Conducting business outside of meetings:
- 7.10.1. If all members of the *Athletes' Committee* then in office and entitled to vote agree unanimously, any business that could have been conducted at an *Athletes' Committee* meeting may be considered and voted upon by email, facsimile or other available form of electronic communication, without a meeting of the *Athletes' Committee* having to be convened.
- 7.10.2. A motion in writing that is signed or consented to by email, facsimile or other forms of electronic communication by all of the members of the *Athletes' Committee* then in office and entitled to vote will be valid as if it had been passed at a meeting of the *Athletes' Committee*. Any such motion may consist of several documents in the same form, each signed or consented to by one or more of the *Athletes' Committee* members.
- 7.11. Subject to Article 7.9, no documents, information, discussion, recommendations or decisions made at a *Athletes' Committee* meeting or otherwise exchanged or agreed in connection with the work of the *Athletes' Committee* shall be disclosed to any other person (other than the *President, Secretary General, and/or the Biathlon Integrity Unit*) unless:
- 7.11.1. the *Chair* authorises such disclosure;
- 7.11.2. the *Athletes' Committee* agrees that such disclosure is necessary or desirable to advance its work;
- 7.11.3. the matter is in the public domain; or
- 7.11.4. such disclosure is required by law or any applicable authority, including the *Biathlon Integrity Unit* or the *Disciplinary Tribunal*.

8. Administration

- 8.1. *Athletes' Committee* members act as such in a voluntary capacity and will not be compensated for their work as a *Committee* member. The *IBU* will reimburse expenses for each *Athletes' Committee* member in accordance with *IBU* policy.
- 8.2. Subject to Article 7.2, the *IBU* will arrange travel, accommodation and insurance for *Athletes' Committee* members when they are conducting business of the *Athletes' Committee* in accordance with *IBU* policy.

9. Resignation or removal

- 9.1. A member of the *Athletes' Committee* may resign prior to the expiry of their term of office by giving not less than one month's notice in writing to the *Chair* and *President*.
- 9.2. The *Chair* may resign prior to the expiry of their term of office by giving not less than one month's notice in writing to the *President* and the other members of the *Athletes' Committee*.
- 9.3. In accordance with Article 16.6 of the *Constitution*, no person may hold more than one elected *IBU* position at any one time. If an elected member of the *Athletes' Committee* is elected to the *Executive Board*, they must immediately resign from the *Athletes' Committee*.
- 9.4. A member of the *Athletes' Committee* may be removed from the *Athletes' Committee* prior to the expiry of their term of office:
 - 9.4.1. if they are no longer *Eligible* under Article 27 of the *Constitution*;
 - 9.4.2. as a sanction imposed pursuant to the *Constitution* and/or the *IBU Rules*, including the *IBU Integrity Code*; and/or
 - 9.4.3. where they have failed to attend two or more meetings of the *Athletes' Committee* without valid excuse, by the unanimous decision of all of the other members of the *Athletes' Committee*.
- 9.5. If any position on the *Athletes' Committee* becomes vacant, whether by resignation, removal or otherwise, the *Chair* will appoint a replacement member who will be the candidate of the same gender as the outgoing member who received the next highest number of votes for election to the *Athletes' Committee* in the last election. If there are no such candidates, the *Chair* (in consultation with the other *Athletes' Committee* members) will appoint another person as a replacement member. In each case, such replacement member must first be vetted by the *Vetting Panel* in accordance with the *Vetting Rules* and determined to be *Eligible* in accordance with Article 27 of the *Constitution*. The replacement member will sit for the remainder of the term of the replaced member.

10. Transitional provision

- 10.1. As at the effective date of these Terms of Reference, (i) the four members of the *Athletes' Committee* in office will stay in office until the next *Athletes' Committee* election, and (ii) the person sitting on the *Technical Committee* as an appointee of the *Athletes' Committee* will be appointed as the fifth member of the *Athletes' Committee* until the next *Athletes' Committee* election.

Schedule 1 – Elections procedure for *Athletes' Committee*

1. Invitation to submit applications

- 1.1. The *Chair* and/or the *IBU* must publicise the *Athletes' Committee* election at least three months prior to the election, at a minimum by posting a notice on the *IBU* website and by the *Chair* circulating details by email to the relevant team, athlete, and support personnel distribution lists.
- 1.2. The *Athletes' Committee* and/or the *IBU* should encourage teams to nominate candidates. Candidates may also self-nominate. In either case, the candidate must submit an application form.

2. Submitting an application form

- 2.1. The official candidate application form (see Schedule 2) must be completed, signed by the candidate, and received by the **Chair** by no later than one month prior to the date of the election.
- 2.2. Any person who submits an official candidate application form is bound by the rules and regulations of the *IBU* (including the *Integrity Code*) and these Terms of Reference, as if they were already an *IBU Official*.

3. Vetting

- 3.1. As a pre-condition to acceptance of their candidacy, candidates will be vetted by the *Vetting Panel* in accordance with the *Vetting Rules*. If the *Vetting Panel* confirms that the person is *Eligible* to stand for election under Article 27 of the *Constitution*, their candidacy for election to the *Athletes' Committee* will be accepted. If the *Vetting Panel* does not so confirm, then their candidacy will not be accepted.

4. Publication of candidates and campaigning

- 4.1. The candidate may send a one-page A4 document explaining the reasons why they want to be elected to the *Athletes' Committee*. No other document, poster, sign, banner or presentation may be distributed and/or displayed for campaigning purposes. The *IBU* may request that the candidate amend the promotional document or (if they refuse to do so) decline to publish the promotional document in the event that it contains information that would bring the *IBU* or the sport of biathlon into disrepute.
- 4.2. The names of the eligible candidates seeking election for the *Athletes' Committee* (and any promotional document submitted under paragraph 4.1 of this Schedule 1) will be published on the *IBU* website no later than 14 days prior to the election.
- 4.3. Candidates must campaign with respect for every other candidate. They must comply with any candidacy rules issued by or on behalf of the *IBU* or the *Biathlon Integrity Unit*.

5. The election

- 5.1. The elections for the *Athletes Committee* shall take place through an online (secret ballot) voting system on a date after the winter Olympic Games but before the final competition of that winter's World Cup season. The online voting system and election date will be selected by the *Chair*, in consultation with the *IBU* for approval of costs.
- 5.2. For the vote, there will be one list of candidates listing all female and male candidates together.

[UPDATE – 31 December 2021]

- 5.3. Each *Athlete* with a right to vote under Article 25 of the *Constitution* may cast four votes. Each vote cast must be for a different person on the list of candidates, i.e. two or more votes may not be cast for the same person.
- 5.4. The two female candidates and the two male candidates with the most votes will be elected, provided that:
 - (a) there are at least two from each gender among the candidates for election; and
 - (b) if one female candidate and one male candidate from the same *NF Member* both have the necessary number of votes to be elected, only the candidate from that *NF Member* with the most amount of votes will be elected (because as per Article 2.1.4, only one person affiliated to any *NF Member* may be elected to the *Athletes' Committee*).
- 5.5. If two candidates from the same *NF Member* have the same number of votes, then the *NF Member* will decide which candidate will sit on the *Athletes' Committee*.
- 5.6. After voting has closed, the *Chair* will confirm the result and inform the *President*. The result as confirmed by the *President* will be final and there is no right of appeal.
- 5.7. The names of the elected *Athletes* will be announced on the *IBU* website. The *IBU* will also inform the *NF Members* of the results.

Schedule 2 – Candidate application form

To be completed by the candidate	
Candidate's full name (printed):	
Candidate's country:	
Candidate's languages:	
Candidate contact details:	Email: Telephone:
Passport-size photograph of the candidate	To be enclosed with application

Persons who wish to be elected as a member of the *IBU Athletes' Committee* must send this form (with supporting documents) to the *Chair* by email by no later than one month prior to the date of the election.

Candidates may also enclose a one-page A4 document explaining the reasons for their application. The promotional document (if submitted) must contain the mandatory information marked below with an asterisk, and may include the other optional information listed below:

- Candidate's full name*
- Passport-size photograph of the candidate*
- Candidate's country*
- Position sought by the candidate* (i.e. *IBU Athletes' Committee* member)
- Languages*
- Age
- Email address
- Professional career
- Education
- Experience in biathlon
- Experience in sports administration
- Other relevant experience or information
- Candidate's statement explaining why they wish to become a member of the *Athletes' Committee*

All candidatures are subject to the approval of the *Vetting Panel* (see *Constitution* Articles 26 and 27).

By submitting their candidacy for election to the *Athletes' Committee*, each candidate agrees that they are bound by the rules and regulations of the *IBU* (including the *Integrity Code*) and the *Athletes' Committee* Terms of Reference, as if they were already an *IBU Official*.

Candidate's signature:

Date:
