

**INTERNATIONAL CANOE FEDERATION**  
Individual Neutral Athlete Eligibility Panel ("Panel")  
*Terms of Reference*

20.06.23

## **1. PURPOSE**

In order to comply with the IOC Recommendations and the remarks of the UN Special Rapporteur, the ICF Executive Committee and the Board of Directors decided to adopt a special Policy for the participation of Russian and Belarusian Athletes/Athlete Support Personnel in ICF competitions (hereinafter referred to as the "Special Policy").

The ICF further decided on the appointment an Individual Neutral Athlete Eligibility Panel (hereinafter referred to as the "Panel") which is composed of three independent persons who are responsible for deciding on the AIN status of Athletes/Athlete Support Personnel who apply under the rules of the special Policy.

## **2. PANEL MEMBERS ROLES AND RESPONSIBILITIES**

The ICF Panel member (hereinafter referred to as "Member") shall ensure that it functions and executes its tasks in an impartial and independent manner.

The Member shall

- have recognised competence in the field of sport and/or law or ethics;
- be fluent in English;
- be fully independent from the applicant Athlete/Athlete Support Personnel, and their National Federation and the ICF.

The Panel shall operate in compliance with the

- the Special Policy;
- ICF Rules and regulations (Statutes, Anti-Doping Policy, Competition rules)

The Panel is vested with the following duties and tasks:

- a) to examine each application from Athlete/Athlete Support Personnel on a case-by-case basis to determine whether they comply with the provisions of the Special Policy;
- b) to declare the Athlete/Athlete Support Personnel eligible or ineligible;
- c) to disqualify all or part of the results obtained in ICF Competitions in case the Athlete/Athlete Support Personnel breached the special Policy during an ICF Competition or should not have participated in the competition in the first place due to an exclusion criteria;
- d) refer the matter to the ICF Executive Committee if it considers that further sanctions should be considered;
- e) to fully inform and cooperate with the respective ICF bodies.

The ICF Executive Committee may revoke the appointment of any Member at any point in time in the event that the Member breaches the terms and conditions

contained in these Terms of Reference (including the Confidentiality and Conflict of Interest Agreement and the ICF Rules and regulations).

In the exercise of their functions, the Panel Members 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 organisation and that of the ICF.

The Members of the Panel are appointed in their personal capacity and not by way of representation of any organisations and shall serve independently and not seek or accept instructions from third parties.

In any case a potential conflict of interests arises the relevant member shall immediately report it to the ICF Executive Committee. In this case the member shall refrain from participating in the decision – making process and shall be substituted by the Executive Committee as soon as possible.

### **3. ELIGIBILITY CHECKS**

Members are tasked with developing a practical procedure along with other service providers who are assisting them to ensure they are ready to conclude the investigations in a timely manner.

The Panel shall set up a timeline for each ICF Competition with close collaboration of the ICF Secretariat to define a timeline for the applications.

This timeline shall be determined taking into account;

- the final deadline for the competition
- the time required for the ITA check
- the time required for the cyber security check
- the time required for the Panel.

This deadline shall be properly communicated to the Russian and Belarusian Federation via the ICF Secretariat.

Following the receipt of the respective declarations the Panel shall examine each application individually.

Meetings of the Panel may be held in person, by electronic means, or by a combination of the two. All three members must be present during the eligibility checks. In the event that a member is seriously prevented from fulfilling his/her obligations, he/she must report this to the ICF immediately so that a replacement can be appointed as soon as possible.

The members of the Panel are entitled to request additional information from the Athletes/Athlete Support Personnel/National Federation.

If there is a dispute between the members of the Panel, the majority vote will decide. However, the third member may add his/her dissenting opinion to the decision.

#### **4. CONFIDENTIALITY**

The activities of the Panel, 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).

The obligations under Article 5 shall not apply;

- in instances where it can be demonstrated by clear and convincing evidence, that the relevant information is generally known to the public at the time of disclosure without any breach of Article 5; or
- upon approval of the ICF Executive Committee; or
- when required by the law.

Notwithstanding anything contained herein to the contrary, the provisions of Article 5 and any other Articles which are expressed to survive expiry or termination shall survive expiry or termination of the Agreement for any reason whatsoever and shall continue in full force and effect thereafter.

The present Terms of reference may be amended by the ICF Executive Committee.