

INTERNATIONAL FEDERATION OF SPORT CLIMBING



Anti Doping Rules

IFSC - December 2010 - all rights reserved

www.ifsc-climbing.org

Adopted by IFSC Executive Board on 10 December 2010, to take effect from 1 January 2011

Table of Contents

Introduction.....	1
1. Anti Doping Roles and Responsibilities.....	2
2. Anti Doping Policy	4
3. Anti-doping rule violations	4
3.1 Definition of doping.....	4
3.2 Anti-doping rule violations	4
3.3 Proof of doping	8
4. Anti Doping Procedures	9
4.1 Athlete Awareness.....	9
4.2 Prohibited List.....	9
4.3 Therapeutic Use.....	11
4.4 Testing.....	12
4.5 Athlete Whereabouts Requirements	15
4.6 Retirement and Return to Competition	16
4.7 Analysis of <i>Samples</i>	16
5. Results Management and Disciplinary Procedures	18
5.1 Results Management for Tests Initiated by IFSC.....	18
5.2 Results Management for Atypical Findings.....	19
5.3 Results Management for <i>Tests</i> Initiated During Other <i>International Events</i>	20
5.4 Results Management for <i>Tests</i> initiated by <i>National Federations</i>	20
5.5 Results Management for Whereabouts Violations	20
5.6 <i>Provisional Suspensions</i>	21
5.7 Retirement from Sport.....	22
5.8 Disciplinary Procedure and <i>Hearing</i>	22
6. Automatic Disqualification of Individual Results	24
7. Sanctions on Individuals	24
7.1 <i>Disqualification</i> of Results in <i>Event</i> During which an <i>Anti-Doping Rule Violation</i> Occurs.....	25
7.2 <i>Ineligibility</i> for Presence, <i>Use</i> or <i>Attempted Use</i> , or <i>Possession</i> of <i>Prohibited Substances</i> and <i>Prohibited Method</i>	25
7.3 <i>Ineligibility</i> for Other <i>Anti-Doping Rule Violations</i>	26
7.4 Elimination or Reduction of the Period of <i>Ineligibility</i> for Specified Substances under Specific Circumstances	26
7.5 Elimination or Reduction of Period of <i>Ineligibility</i> Based on Exceptional Circumstances	27
7.6 Aggravating Circumstances Which May Increase the Period of Ineligibility.....	32
7.7 Multiple Violations	33
7.8 <i>Disqualification</i> of Results in <i>Competitions</i> Subsequent to <i>Sample</i> Collection or Commission of an <i>Anti-Doping Rule Violation</i>	35
7.9 Commencement of <i>Ineligibility</i> Period	36
7.10 Status During <i>Ineligibility</i>	37
7.11 Reinstatement <i>Testing</i>	38
7.12 Imposition of Financial Sanctions.....	38
8. Consequences to Teams	38
9. Sanctions and Costs assessed against <i>National Federations</i>.....	39
10 Appeals	39
10.1 Decisions Subject to Appeal	39
10.2 Appeals from Decisions Regarding <i>Anti-Doping Rule Violations</i> , Consequences, and <i>Provisional Suspension</i>	39
10.3 Failure to Render a Timely Decision by IFSC and its <i>National Federations</i>	41
10.4 Appeals from Decisions Granting or Denying a Therapeutic Use Exemption	41
10.5 Appeal from Decisions Pursuant to Article 9	41
10.6 Time for Filing Appeals.....	41

11 Reporting and Recognition	42
11.1 Notice, Confidentiality and Reporting	42
11.2 Public Disclosure.....	43
11.3 <i>Athlete</i> Whereabouts Information	44
11.4 Statistical Reporting.....	44
11.5 <i>Doping Control</i> Information Clearinghouse	44
11.6 Data Privacy.	44
12 Mutual Recognitions	45
13 Incorporation of IFSC Anti-Doping Rules	45
14 Statute of limitations	45
15 IFSC Compliance Reports to WADA	46
16 Amendment and Interpretation of Anti-Doping Rules	46
17 Additional roles and responsibilities of <i>Athletes</i> and other <i>persons</i>	47
18 IFSC Rights	48
Annexe 1. Definitions	49
Annexe 2. Doping Violation Report	55

Introduction

Preface

At the International Federation of Sport Climbing ("IFSC") Plenary Assembly held on 21 June 2008 in Imst the IFSC accepted the revised (2009) World Anti-Doping Code (the "Code"). These Anti-Doping Rules are adopted and implemented in conformance with IFSC's responsibilities under the Code, and are in furtherance of IFSC's continuing efforts to eradicate doping in the sport of climbing.

Anti-Doping Rules, like Competition and Disciplinary rules, are sport rules governing the conditions under which sport is played. Athletes and other Persons accept these rules as a condition of participation and shall be bound by them. These sport-specific rules and procedures, aimed at enforcing anti-doping principles in a global and harmonized manner, are distinct in nature and, therefore, not intended to be subject to or limited by any national requirements and legal standards applicable to criminal proceedings or employment matters. When reviewing the facts and the law of a given case, all courts, arbitral tribunals and other adjudicating bodies should be aware of and respect the distinct nature of the anti-doping rules in the Code and the fact that these rules represent the consensus of a broad spectrum of stakeholders around the world with an interest in fair sport.

Fundamental Rationale for the Code and IFSC's Anti-Doping Rules

Anti-doping programs seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as "the spirit of sport"; it is the essence of Olympism; it is how we play true. The spirit of sport is the celebration of the human spirit, body and mind, and is characterized by the following values:

- . Ethics, fair play and honesty
- . Health
- . Excellence in performance
- . Character and education
- . Fun and joy
- . Teamwork
- . Dedication and commitment
- . Respect for rules and laws
- . Respect for self and other participants
- . Courage
- . Community and solidarity

Doping is fundamentally contrary to the spirit of sport.

1. Anti Doping Roles and Responsibilities

- 1.1 The IFSC adopts and implements the World Anti-Doping Program in its entirety and is responsible for ensuring that all its Member Associations and Athletes respect and comply with the revised (2009) World Anti-Doping Code ("the Code"), all relevant International Standards and all the principles inherent to the Code.
- 1.2 Athletes participating in IFSC approved competitions, and other competitions run by IFSC member associations, are responsible for complying with the Code and all relevant International Standards. All athletes have a right to enjoy competitions that are properly organised under rules that aim to ensure fairness and prevent doping.
- 1.3 Member Associations are responsible for complying with the Code and the IFSC Anti Doping Rules. As such, these Anti Doping Rules shall apply to the IFSC, each Member Association of the IFSC, and each Participant in the activities of the IFSC or any of its National Federations by virtue of the Participant's membership, accreditation, or participation in IFSC, its Member Associations, or their activities or Events. Member Associations will make agreements in writing with athletes that confirms the athletes' support for the Anti Doping Rules and the other IFSC rules and regulations.
- 1.4 Member Associations enter athletes in IFSC competitions on the basis of an undertaking to comply with the Code and IFSC Anti Doping Rules, which requires the Member Associations to be able to conduct appropriate disciplinary and appeals procedures and run education and prevention programmes for all athletes.
- 1.5 Member Associations participating in and organising national and international competitions will ensure that its athletes comply with the Code; and are therefore required to:
 - 1.5.1 Adopt and implement a policy, or official regulation, or amendment to the articles of association or constitution setting out the Member Association's adoption of the Code; and their support for drug free sport and a commitment to educate, inform and test athletes to confirm the drug free status of competitions.
 - 1.5.2 Adopt these rules as set out in Article 11.1
 - 1.5.3 Identify a responsible person and/or a group within the Member Association to be responsible and accountable for managing anti doping activities in accordance with the Code. Anti doping rules and procedures should be published and the implementation should be open and accountable. There must be written agreements with athletes that establish their clear consent to be subject to anti doping procedures including unannounced out of competition testing. Member Associations should promote their anti doping policy and run, promote or co-ordinate education programmes for athletes.
 - 1.5.4 Have disciplinary procedures for doping cases arising from national competitions that comply with the Code, in particular Article 7 and 8 of the Code.

- 1.5.5 Refer to the IFSC office any doping case as set out in Article 11.3:
- 1.5.6 Publish and send to the IFSC office an annual report on anti doping activities as set out in Article 11.2 by 31st January in each year (covering the 12 months ending on 31st December in the previous year). The IFSC office will send the report to the IFSC Anti-Doping Commission
- 1.5.7 It is the responsibility of each Member Association to ensure that all national-level Testing on the Member Association's Athletes complies with these Anti-Doping Rules. In some countries, the Member Association itself will be conducting the Doping Control described in these Anti-Doping Rules. In other countries, many of the Doping Control responsibilities of the Member Association have been delegated or assigned by statute or agreement to a National Anti-Doping Organization. In those countries, references in these Anti-Doping Rules to the Member Association shall apply, as appropriate, to the National Anti-Doping Organization.
- These Anti-Doping Rules shall apply to all Doping Controls over which IFSC and its Member Associations have jurisdiction
- 1.6 The IFSC promotes the Anti Doping Rules and provide guidance to Member Associations on how to meet the standards set for anti doping procedures including the conduct of discipline and appeals and the promotion of education and prevention programmes for all athletes.
- 1.7 The IFSC Anti Doping Commission assists Member Association to implement the Code and the Anti Doping Rules. The Anti Doping Commission is responsible for managing the IFSC's responsibilities for the Code including Registered Testing Pool
- 1.8 The IFSC Therapeutic Use Exemption (TUE) Panel is responsible for the IFSC's responsibilities under the Code for TUEs.
- 1.9 Definitions of some of the terms used in these rules are set out in Annexe 1 below.

2. Anti Doping Policy

- 2.1 The IFSC has adopted the revised (2009) World Anti-Doping Code; this includes the mandatory articles of the Code and all relevant International Standards.
- 2.2 IFSC officials, representatives, Member Associations and athletes in IFSC organised or approved events are expected to conduct themselves in a manner that is appropriate for an international federation of sport and in accordance with the Anti Doping Rules. Failure to observe the Anti Doping Rules shall result in a disciplinary procedure and sanctions.
- 2.3 **The aims of the IFSC's Anti Doping Rules are to:**
 - 2.3.1 Promote drug free competitions in IFSC recognised sports.
 - 2.3.2 Develop fair and consistent anti doping procedures and regulations.
 - 2.3.3 Assist Member Associations to meet their obligations to their national sports authorities and comply with relevant national legislation (such as in the field of contracts, human rights, and data protection).

3. Anti-doping rule violations

3.1 Definition of doping

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in 3.2 below.

3.2 Anti-doping rule violations

The terms in *italics* below are defined in the Code

Athletes and other *Persons* shall be responsible for knowing what constitutes an anti-doping rule violation and the substances and methods which have been included on the *Prohibited List*.

The following constitute anti-doping rule violations:

[Comment to Article 3.2: The purpose of Article 3.2 is to specify the circumstances and conduct which constitute violations of anti-doping rules. Hearings in doping cases will proceed based on the assertion that one or more of these specific rules has been violated.]

3.2.1 The presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample*

3.2.1.1 It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her body. *Athletes* are responsible for any *Prohibited Substance* or its *Metabolites* or *Markers* found to be present in their *Samples*. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the *Athlete's* part be demonstrated in order to establish an anti-doping violation under Article 3.2.

[Comment to Article 3.2.1.1: For purposes of anti-doping violations involving the presence of a Prohibited Substance (or its Metabolites or Markers), IFSC's Anti-Doping Rules adopt the rule of strict liability which was found in the Olympic Movement Anti-Doping Code ("OMADC") and the vast majority of pre-Code anti-doping rules. Under the strict liability principle, an Athlete is responsible, and an anti-doping rule violation occurs, whenever a Prohibited Substance is found in an Athlete's Sample. The violation occurs whether or not the Athlete intentionally or unintentionally used a Prohibited Substance or was negligent or otherwise at fault. If the positive Sample came from an In-Competition test, then the results of that Competition are automatically invalidated (Article 6 (Automatic Disqualification of Individual Results)). However, the Athlete then has the possibility to avoid or reduce sanctions if the Athlete can demonstrate that he or she was not at fault or significant fault (Article 7.5 (Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances)) or in certain circumstances did not intend to enhance his or her sport performance (Article 7.4 (Elimination or Reduction of the Period of Ineligibility for Specified Substances under Specific Circumstances)).]

The strict liability rule for the finding of a Prohibited Substance in an Athlete's Sample, with a possibility that sanctions may be modified based on specified criteria, provides a reasonable balance between effective anti-doping enforcement for the benefit of all "clean" Athletes and fairness in the exceptional circumstance where a Prohibited Substance entered an Athlete's system through No Fault or Negligence or No Significant Fault or Negligence on the Athlete's part. It is important to emphasize that while the determination of whether the anti-doping rule has been violated is based on strict liability, the imposition of a fixed period of Ineligibility is not automatic. The strict liability principle set forth in IFSC's Anti-Doping Rules has been consistently upheld in the decisions of CAS.]

3.2.1.2 Sufficient proof of an anti-doping rule violation under Article 3.2.1 is established by either of the following: presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in the *Athlete's A Sample* where the *Athlete* waives analysis of the *B Sample* and the *B Sample* is not analyzed; or, where the *Athlete's B Sample* is analyzed and the analysis of the *Athlete's B Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Athlete's A Sample*.

[Comment to Article 3.2.1.2: IFSC may in its discretion choose to have the B Sample analyzed even if the Athlete does not request the analysis of the B Sample.]

3.2.1.3 Excepting those substances for which a quantitative threshold is specifically identified in the *Prohibited List*, the presence of any quantity of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample* shall constitute an anti-doping rule violation.

3.2.1.4 As an exception to the general rule of this Article, the *Prohibited List* or *International Standards* may establish special criteria for the evaluation of *Prohibited Substances* that can also be produced endogenously.

3.2.2 *Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method*

[Comment to Article 3.2.2: It has always been the case that Use or Attempted Use of a Prohibited Substance or Prohibited Method may be established by any reliable means. As noted in the comment to Article 3.3.2 (Methods of Establishing Facts and Presumptions), unlike the proof required to establish an anti-doping rule violation under Article 3.2.1, Use or Attempted Use may also be established by other reliable means such as admissions by the Athlete, witness statements, documentary evidence, conclusions drawn from longitudinal profiling, or other analytical information which does not otherwise satisfy all the requirements to establish "Presence" of a Prohibited Substance under Article 3.2.1. For example, Use may be established based upon reliable analytical data from the analysis of an A Sample (without confirmation from an analysis of a B Sample) or from the analysis of a B Sample alone where IF provides a satisfactory explanation for the lack of confirmation in the other Sample.]

3.2.2.1 It is each Athlete's personal duty to ensure that no *Prohibited Substance* enters his or her body. Accordingly, it is not necessary that intent, fault, negligence or knowing *Use* on the Athlete's part be demonstrated in order to establish an anti-doping rule violation for *Use* of a *Prohibited Substance* or a *Prohibited Method*.

3.2.2.2 The success or failure of the *Use* of a *Prohibited Substance* or *Prohibited Method* is not material. It is sufficient that the *Prohibited Substance* or *Prohibited Method* was *Used* or *Attempted* to be *Used* for an anti-doping rule violation to be committed.

[Comment to Article 3.2.2.2: Demonstrating the "Attempted Use" of a Prohibited Substance requires proof of intent on the Athlete's part. The fact that intent may be required to prove this particular anti-doping rule violation does not undermine the strict liability principle established for violations of Article 3.2.1 and violations of Article 3.2.2 in respect of Use of a Prohibited Substance or Prohibited Method.]

An Athlete's "Use" of a Prohibited Substance constitutes an anti-doping rule violation unless such substance is not prohibited Out-of-Competition and the Athlete's Use takes place Out-of-Competition. (However, the presence of a Prohibited Substance or its Metabolites or Markers in a Sample collected In-Competition will be a violation of Article 3.2.1 (Presence of a Prohibited Substance or its Metabolites or Markers) regardless of when that substance might have been administered.)]

3.2.3 Refusing or failing without compelling justification to submit to Sample collection after notification as authorized in these Anti-Doping Rules or otherwise evading Sample collection.

[Comment to Article 3.2.3: Failure or refusal to submit to Sample collection after notification was prohibited in almost all pre-Code anti-doping rules. This Article expands the typical pre-Code rule to include "otherwise evading Sample collection" as prohibited conduct. Thus, for example, it would be an anti-doping rule violation if it were established that an Athlete was hiding from a Doping Control official to evade notification or Testing. A violation of "refusing or failing to submit to Sample collection" may be based on either intentional or negligent conduct of the Athlete, while "evading" Sample collection contemplates intentional conduct by the Athlete.]

3.2.4 Violation of applicable requirements regarding Athlete availability for Out-of-Competition Testing, including failure to file required whereabouts information and missed tests which are declared based on rules which comply with the International Standard for Testing. Any combination of three missed tests and/or filing failures within an eighteen-month period as determined by Anti-Doping Organizations with jurisdiction over the Athlete shall constitute an anti-doping rule violation..

[Comment to Article 3.2.4: Separate whereabouts filing failures and missed tests declared under the rules of IFSC or any other Anti-Doping Organization with authority to declare whereabouts filing failures and missed tests in accordance with the International Standard for Testing shall be combined in applying this Article. In appropriate circumstances, missed tests or filing failures may also constitute an anti-doping rule violation under Article 3.2.3 or Article 3.2.5.]

3.2.5 Tampering, or Attempted tampering, with any part of Doping Control.

[Comment to Article 3.2.5: This Article prohibits conduct which subverts the Doping Control process but which would not otherwise be included in the definition of Prohibited Methods. For example, altering identification numbers on a Doping Control form during Testing, breaking the B Bottle at the time of B Sample analysis or providing fraudulent information to IFSC.]

3.2.6 Possession of Prohibited Substances and Methods

3.2.6.1 Possession by an Athlete In-Competition of any Prohibited Method or any Prohibited Substance, or Possession by an Athlete Out-of-Competition of any Prohibited Method or any Prohibited Substance which is prohibited in Out-of-Competition Testing unless the Athlete establishes that the Possession is pursuant to a therapeutic use exemption (TUE) granted in accordance with Article 4.3 (Therapeutic Use) or other acceptable justification.

3.2.6.2 Possession by Athlete Support Personnel In-Competition of any Prohibited Method or any Prohibited Substance, or Possession by Athlete Support Personnel Out-of-Competition of any Prohibited Method or any Prohibited Substance which is prohibited Out-of-Competition in connection with an Athlete, Competition or training, unless the Athlete Support Personnel establishes that the Possession is pursuant to a TUE granted to an Athlete in accordance with Article 4.3 (Therapeutic Use) or other acceptable justification.

[Comment to Article 3.2.6.1 and 3.2.6.2: Acceptable justification would not include, for example, buying or possessing a Prohibited Substance for purposes of giving it to a friend or relative, except under justifiable medical circumstances where that Person had a physician's prescription, e.g., buying Insulin for a diabetic child.]

[Comment to Article 3.2.6.2: Acceptable justification would include, for example, a team doctor carrying Prohibited Substances for dealing with acute and emergency situations.]

3.2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method.

3.2.8 Administration or Attempted administration to any Athlete In-Competition of any Prohibited Method or Prohibited Substance, or administration or Attempted administration to any Athlete Out-of-Competition of any Prohibited Method or any Prohibited Substance that is prohibited Out-of-Competition, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any Attempted anti-doping rule violation.

[Comment to Article 3.2: The Code does not make it an anti-doping rule violation for an Athlete or other Person to work or associate with Athlete Support Personnel who are serving a period of Ineligibility. However, IF may adopt its own specific policy which prohibit such conduct.]

3.3 Proof of doping

3.3.1 Burdens and Standards of Proof

IFSC and its *National Federations* shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether IFSC or its *National Federation* has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these Rules place the burden of proof upon the *Athlete* or other *Person* alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability, except as provided in Articles 7.4 and 7.6, where the *Athlete* must satisfy a higher burden of proof.

[Comment to Article 3.3.1: This standard of proof required to be met by IFSC or its National Federation is comparable to the standard which is applied in most countries to cases involving professional misconduct. It has also been widely applied by courts and hearing panels in doping cases. See, for example, the CAS decision in N., J., Y., W. v. FINA, CAS 98/208, 22 December 1998.]

3.3.2 Methods of Establishing Facts and Presumptions

Facts related to anti-doping rule violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in doping cases:

[Comment to Article 3.3.2: For example, IFSC or its National Federation may establish an anti-doping rule violation under Article 3.2.2 (Use of a Prohibited Substance or Prohibited Method) based on the Athlete's admissions, the credible testimony of third Persons, reliable documentary evidence, reliable analytical data from either an A or B Sample as provided in the Comments to Article 3.2.2, or conclusions drawn from the profile of a series of the Athlete's blood or urine Samples.]

3.3.2.1 WADA-accredited laboratories are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the *International Standard for Laboratories*. The *Athlete* or other *Person* may rebut this presumption by establishing that a departure from the *International Standard* occurred which could reasonably have caused the *Adverse Analytical Finding*.

If the *Athlete* or other *Person* rebuts the preceding presumption by showing that a departure from the *International Standard* for laboratories occurred which could reasonably have caused the *Adverse Analytical Finding*, then IFSC or its *National Federation* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.

[Comment to Article 3.3.2.1: The burden is on the Athlete or other Person to establish, by a balance of probability, a departure from the International Standard that could reasonably have caused the Adverse Analytical Finding. If the Athlete or other Person does so, the burden shifts to IF or its National Federation to prove to the comfortable satisfaction of the hearing panel that the departure did not cause the Adverse Analytical Finding.]

3.3.2.2 Departures from any other *International Standard* for Laboratories or other anti-doping rule or policy which did not cause an *Adverse Analytical Finding* or other anti-doping rule violation shall not invalidate such results. If the *Athlete* or other *Person* establishes that a departure from

another *International Standard* or other anti-doping rule or policy which could reasonably have caused the *Adverse Analytical Finding* or other anti-doping rule violation occurred, then IFSC or its *National Federation* shall have the burden to establish that such a departure did not cause the *Adverse Analytical Finding* or the factual basis for the anti-doping rule violation.

3.3.2.3 The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the *Athlete* or other *Person* to whom the decision pertained of those facts unless the *Athlete* or other *Person* establishes that the decision violated principles of natural justice.

3.3.2.4 The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the *Athlete* or other *Person* who is asserted to have committed an anti-doping rule violation based on the *Athlete's* or other *Person's* refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the tribunal) and to answer questions either from the hearing panel or from the *Anti-Doping Organization* asserting the anti-doping rule violation.

[Comment to Article 3.3.2.4: Drawing an adverse inference under these circumstances has been recognized in numerous CAS decisions.]

4. Anti Doping Procedures

4.1 Athlete Awareness

4.1.1 The IFSC competition bodies shall promote the Anti Doping Policy and make Member Associations aware of sources of information and advice published by the World Anti Doping Agency (WADA), the national anti-doping organisation of their country and the National Olympic Committees.

4.1.2 Member Associations shall ensure their athletes are made aware of the dangers of prohibited substances and how to avoid unintentional doping infringements; and shall obtain written consent from athletes for anti doping tests, including unannounced out of competition testing.

4.1.3 Member Associations will keep up to date contact details of all competitors who compete at an international level and for the purpose of un-announced out of competition testing make this information available to the IFSC, WADA and, or the relevant national body for anti doping.

4.2 Prohibited List

4.2.1 Incorporation of the *Prohibited List*

These Anti-Doping Rules incorporate the Prohibited List which is published and revised by WADA as described in Article 4.1 of the Code. IFSC will make the current Prohibited List available to

each *National Federation*, and each *National Federation* shall ensure that the current Prohibited List is available to its members and constituents.

[Comment to Article 4.2.1: The Prohibited List will be revised and published on an expedited basis whenever the need arises. However, for the sake of predictability, a new Prohibited List will be published every year whether or not changes have been made. The Prohibited List in force is available on WADA's website at www.wada-ama.org. The Prohibited List is an integral part of the International Convention against Doping in Sport.]

4.2.2 Prohibited Substances and Prohibited Methods Identified on the Prohibited List

4.2.2.1 Prohibited Substances and Prohibited Methods

Unless provided otherwise in the *Prohibited List* and/or a revision, the *Prohibited List* and revisions shall go into effect under these Anti-Doping Rules three months after publication of the *Prohibited List* by WADA without requiring any further action by IF or its *National Federations*. As described in Article 4.2 of the *Code*, IFSC may request that WADA expand the *Prohibited List* for the sport of climbing or certain disciplines within the sport of climbing. IFSC may also request that WADA include additional substances or methods, which have the potential for abuse in the sport of climbing, in the monitoring program described in Article 4.5 of the *Code*. As provided in the *Code*, WADA shall make the final decision on such requests by IFSC.

[Comment to Article 4.2.2.1 There will be one Prohibited List. The substances which are prohibited at all times would include masking agents and those substances which, when Used in training, may have long term performance enhancing effects such as anabolics. All substances and methods on the Prohibited List are prohibited In-Competition. Out-of-Competition Use (Article 3.2.2) of a substance which is only prohibited In-Competition is not an anti-doping rule violation unless an Adverse Analytical Finding for the substance or its Metabolites is reported for a Sample collected In-Competition (Article 3.2.1).]

There will be only one document called the "Prohibited List." WADA may add additional substances or methods to the Prohibited List for particular sports (e.g. the inclusion of beta-blockers for shooting) but this will also be reflected on the single Prohibited List. A particular sport is not permitted to seek exemption from the basic list of Prohibited Substances (e.g. eliminating anabolics from the Prohibited List for "mind sports"). The premise of this decision is that there are certain basic doping agents which anyone who chooses to call himself or herself an Athlete should not take.]

4.2.2.2 Specified Substances

For purposes of the application of Article 7 (Sanctions on Individuals), all *Prohibited Substances* shall be "Specified Substances" except (a) substances in the classes of anabolic agents and hormones; and (b) those stimulants and hormone antagonists and modulators so identified on the *Prohibited List*. *Prohibited Methods* shall not be Specified Substances.

[Comment to Article 4.2.2.2. In drafting the Code there was considerable debate among stakeholders over the appropriate balance between inflexible sanctions which promote harmonization in the application of the rules and more flexible sanctions which better take into consideration the circumstances of each individual case. This balance continued to be discussed in various CAS decisions interpreting the Code. After three years experience with the Code, the strong consensus of stakeholders is that while the occurrence of an anti-doping rule violation under Articles 3.2.1 (Presence of a Prohibited Substance or its Metabolites or Markers) and 3.2.2 (Use of a Prohibited Substance or Prohibited Method) should still be based on the principle of strict liability, the Code sanctions should be made more flexible where the

Athlete or other Person can clearly demonstrate that he or she did not intend to enhance sport performance. The change to Article 4.2 and related changes to Article 7 provide this additional flexibility for violations involving many Prohibited Substances. The rules set forth in Article 7.5 (Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances) would remain the only basis for eliminating or reducing a sanction involving anabolic steroids and hormones, as well as the stimulants and the hormone antagonists and modulators so identified on the Prohibited List, or Prohibited Methods.]

4.2.3 Criteria for Including Substances and Methods on the *Prohibited List*

As provided in Article 4.3.3 of the *Code*, WADA's determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List* shall be and the classification of substances into categories on the *Prohibited List* is final and shall not be subject to challenge by an *Athlete* or other *Person* based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.

[Comment to Article 4.2.3: The question of whether a substance meets the criteria in Article 4.2.3 (Criteria for Including Substances and Methods on the Prohibited List) in a particular case cannot be raised as a defense to an anti-doping rule violation. For example, it cannot be argued that the Prohibited Substance detected would not have been performance enhancing in that particular sport. Rather, doping occurs when a substance on the Prohibited List is found in an Athlete's Sample. Similarly, it cannot be argued that a substance listed in the class of anabolic agents does not belong in that class.]

4.3 Therapeutic Use

- 4.3.1 *Athletes* with a documented medical condition requiring the use of a *Prohibited Substance* or a *Prohibited Method* must first obtain a TUE. The presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (Article 3.2.1), *Use or Attempted Use* of a *Prohibited Substance* or a *Prohibited Method* (Article 3.2.2), *Possession of Prohibited Substances or Prohibited Methods* (Article 3.2.6) or administration of a *Prohibited Substance* or *Prohibited Method* (Article 3.2.8) consistent with the provisions of an applicable TUE issued pursuant to the *International Standard* for Therapeutic Use Exemptions shall not be considered an anti-doping rule violation
- 4.3.2 *Athletes* included by IFSC in its *Registered Testing Pool* and other *Athletes* participating in any *International Event* must obtain a TUE from or recognized by IFSC. The application for a TUE must be made as soon as possible (in the case of an *Athlete* in the *Registered Testing Pool*, this would be when he/she is first notified of his/her inclusion in the pool) and in any event (save in emergency situations) no later than 30 days before the *Athlete's* participation in the *Event*. TUE granted by IFSC shall be reported to the *Athlete's National Federations* and to WADA through ADAMS
- 4.3.3 *Athletes* who are not included by IF in its *Registered Testing Pool* and/or who do not participate in an *International Event* identified by IF must obtain a TUE from their *National Anti-Doping Organization* or other body designated by their *National Federation*, as required under the rules of the *National Anti-Doping Organization* or the *National Federation*. The application for a TUE must

be made as soon as possible (in the case of an *Athlete* in the *Registered Testing Pool*, this would be when he/she is first notified of his/her inclusion in the pool) and in any event (save in emergency situations) no later than 30 days before the *Athlete's* participation in the *Event*. *National Federations* shall promptly report any such TUE's to IF, and *WADA* through ADAMS.

- 4.3.4 The IFSC Board shall appoint a panel to consider requests for TUE's (the "**TUE Panel**") in accordance with the *International Standard* for Therapeutic Use Exemptions.. The TUE Panel member(s) shall promptly evaluate the request in accordance with the *International Standard* for Therapeutic Use Exemptions and render a decision on such request, which shall be the final decision of IFSC.
- 4.3.5 *WADA*, on its own initiative, may review at any time the granting of a TUE to any *International Level Athlete* or athlete entered in a international event for which a TUE pursuant to the International Federation's rules is required or national-level *Athlete* who is included in his or her *National Anti-Doping Organization* or *National Federation's Registered Testing Pool*. Further, upon any request of any such *Athlete* who has been denied a TUE, *WADA* may review such denial. If *WADA* determines that such granting or denial of a TUE did not comply with the *International Standard* for Therapeutic Use Exemptions *WADA* may reverse that decision. Decisions on TUE's are subject to further appeal as provided in Article 10.

4.4 Testing

4.4.1 Authority to Test

All *Athletes* under the jurisdiction of a *National Federation* shall be subject to *Testing* by IFSC, the *Athlete's National Federation*, and any other *Anti-Doping Organization* responsible for *Testing* at a *Competition* or *Event* in which they participate. All *Athletes* under the jurisdiction of a *National Federation*, including *Athletes* serving a period of ineligibility or a *Provisional Suspension*, shall be subject to *Testing* at any time or place, with or without advance notice, by IF, *WADA*, the *Athlete's National Federation*, the *National Anti-Doping Organization* of any country where the *Athlete* is present or of which the *Athlete* is national, resident, licence-holder or member of a sport organization, the IOC in connection with the Olympic Games, the IPC in connection with Paralympic Games, and any other *Anti-Doping Organization* responsible for *Testing* at a *Competition* or *Event* in which they participate..

All *Athletes* must comply with any request for *Testing* by any *Anti-Doping Organization* with *Testing* jurisdiction.

4.4.2 Test Distribution Plan

In coordination with other *Anti-Doping Organizations* conducting *Testing* on the same *Athletes*, and consistent with the *International Standard* for *Testing*, IF and its *National Federations* shall:

4.4.2.1 Plan and conduct an effective number of *In-Competition* and *Out-of-Competition* tests on *Athletes* over whom they have jurisdiction, including but not limited to *Athletes* in their respective *Registered Testing Pools*.

4.4.2.2 Except in exceptional circumstances all *Out-of-Competition Testing* shall be *No Advance Notice*.

4.4.2.3 Make *Target Testing* a priority.

4.4.2.4 Conduct *Testing* on *Athletes* serving a period of *Ineligibility* or a *Provisional Suspension*.

[Comment to Article 4.6.2.3: Target Testing is specified because random Testing, or even weighted random Testing, does not ensure that all of the appropriate Athletes will be tested (e.g., world-class Athletes, Athletes whose performances have dramatically improved over a short period of time, Athletes whose coaches have had other Athletes test positive, etc.). Obviously, Target Testing must not be used for any purposes other than legitimate Doping Control. These anti-doping rules make it clear that Athletes have no right to expect that they will be tested only on a random basis. Similarly, they do not impose any reasonable suspicion or probable cause requirement for Target Testing]

4.4.3 Standards for Testing

Testing conducted by IFSC and its *National Federations* shall be in substantial conformity with the *International Standard for Testing* in force at the time of *Testing*.

4.4.3.1 Blood (or other non-urine) *Samples* may be used to detect *Prohibited Substances* or *Prohibited Methods*, for screening procedure purposes, or for longitudinal hematological profiling (“the passport”).

4.4.4 Coordination of Testing

4.4.4.1 Event Testing

The collection of *Samples* for *Doping Control* shall take place at both *International Events* and *National Events*. However, except as otherwise provided below, only a single organization should be responsible for initiating and directing *Testing* during the *Event Period*. At *International Events*, the collection of *Doping Control Samples* shall be initiated and directed by the international organization which is the ruling body for the *Event* (e.g., the International Olympic Committee for the Olympic Games, IFSC for a World Championship, and Pan-American Sports Organisation for the Pan American Games). At *National Events*, the collection of *Doping Control Samples* shall be initiated and directed by the designated *National Anti-Doping Organization* or *National Federation* of that country.

Member Associations (or their appointed organiser) hosting IFSC approved events (including master’s events on the IFSC calendar) shall ensure that a competent and authorised Sample Collection Authority is appointed and the provision of the necessary assistance and facilities for the Sample Collection Authority to carry out procedures in accordance with the *International*

Standards. The Member Associations (or their appointed organizer) shall ensure that at least the winning athlete in each category is tested

4.4.4.1.1 If IFSC or its *National Federations* nevertheless desires to conduct additional *Testing* of *Athletes* at an *Event* for which they are not responsible for initiating and directing *Testing* during the *Event Period*, IF or its *National Federations* shall first confer with the ruling body of the *Event* to obtain permission to conduct, and to coordinate, any additional *Testing*. If IFSC or its *National Federations* are not satisfied with the response from the ruling body of the *Event*, IFSC or its *National Federations* may ask WADA for permission to conduct additional *Testing* and to determine how to coordinate such additional *Testing*.

[Comment to Article 4.4.4.1.1: The Anti-Doping Organization "initiating and directing Testing" may, if it chooses, enter into agreements with other organizations to which it delegates responsibility for Sample collection or other aspects of the Doping Control process.]

4.4.4.2 Out-of-Competition Testing

Out-of-Competition Testing shall be initiated and directed by both international and national organizations. *Out-of-Competition Testing* may be initiated and directed by: (a) WADA; (b) the International Olympic Committee or International Paralympic Committee in connection with the Olympic Games or Paralympic Games; (c) IF or the *Athlete's National Federation*; or (d) any other *Anti-Doping Organization* that has *Testing* jurisdiction over the *Athlete* as provided in Article 4.6.1 (Authority to Test). *Out-of-Competition Testing* shall be coordinated through ADAMS where reasonably feasible in order to maximize the effectiveness of the combined *Testing* effort and to avoid unnecessary repetitive *Testing* of individual *Athletes*.

[Comment to Article 4.4.4.2: Additional authority to conduct Testing may be authorized by means of bilateral or multilateral agreements among Signatories and governments.]

4.4.4.3 Report

IFSC and *National Federations* shall promptly report completed tests through the WADA clearinghouse in accordance with article 11.3 to avoid unnecessary duplication in *Testing*.

4.4.5 IFSC and the organizing committees for IFSC *Events*, as well as the *National Federations* and the organizing committees for *National Federation Events*, shall provide access to independent observers at *Events* in accordance with the *Independent Observers Program*.

- 4.4.6 An *Athlete* who is not regular member of IFSC or one of its *National Federations* will not be permitted to compete unless he or she is available for *Sample* collection and where applicable, he/she provides accurate and up-to-date whereabouts information as part of the IFSC's a National Federation's *Registered Testing Pool* at least one month before he or she expects to compete.

4.5 Athlete Whereabouts Requirements

- 4.5.1 The IFSC shall identify a *Registered Testing Pool* of those *Athletes* who are required to comply with the whereabouts requirements of the *International Standard for Testing* and shall publish the criteria for *Athletes* to be included in this *Registered Testing Pool* as well as a list of the *Athletes* meeting those criteria for the period in question. IFSC shall review and update as necessary its criteria for including *Athletes* in its *Registered Testing Pool*, and shall revise the membership of its *Registered Testing Pool* from time to time as appropriate in accordance with the set criteria. Each *Athlete* in the *Registered Testing Pool* (a) shall advise IFSC of his/her whereabouts on a quarterly basis, in the manner set out in Article 11.3 of the *International Standard for Testing*; (b) shall update this information as necessary, in accordance with Article 11.4.2 of the *International Standard for Testing*, so that it remains accurate and complete at all times; and (c) shall make him/herself available for Testing at such whereabouts, in accordance with Article 11.4 of the *International Standard for Testing*.

[Comment to Article 4.5.1: The purpose of the IFSC Registered Testing Pool is to identify top-level International Athletes who the IF requires to provide whereabouts information to facilitate Out-of-Competition Testing by IFSC and other Anti-Doping Organizations with jurisdiction over the Athletes. IFSC will identify such Athletes in accordance with the requirements of Articles 4 and 11.2 of the International Standard for Testing.]

- 4.5.2 An *Athlete's* failure to advise IFSC of his/her whereabouts shall be deemed a Filing Failure for purposes of Article 3.2.4 where the conditions of Article 11.3.5 of the *International Standard for Testing* are met.
- 4.5.3 An *Athlete's* failure to be available for Testing at his/her declared whereabouts shall be deemed a Missed Test for purposes of Article 3.2.4 where the conditions of Article 11.4.3 of the *International Standard for Testing* are met.
- 4.5.4 Each *National Federation* shall also assist its *National Anti-Doping Organization* in establishing a national level *Registered Testing Pool* of top level national *Athletes* to whom the whereabouts requirements of the *International Standard for Testing* shall also apply. Where those *Athletes* are also in the IFSC's *Registered Testing Pool*, the IFSC and the *National Anti-Doping Organization* will agree (with the assistance of *WADA* if required) on which of them will take responsibility for receiving whereabouts filings from the *Athlete* and sharing it with the other (and with other *Anti-Doping Organizations*) in accordance with Article 4.5.5.
- 4.5.5 Whereabouts information provided pursuant to Article 4.5.1 and 4.5.4 shall be shared with *WADA* and other Anti-Doping Organizations having jurisdiction to test an *Athlete* in accordance with Articles 11.7.1(d) and 11.7.3(d) of the *International Standard for Testing*, including the strict condition that it be used only for Doping Control purposes.

4.6 Retirement and Return to Competition

- 4.6.1 An *Athlete* who has been identified by IFSC for inclusion in IFSC's *Registered Testing Pool* shall continue to be subject to these Anti-Doping Rules, including the obligation to comply with the whereabouts requirements of the *International Standard for Testing* unless and until the *Athlete* gives written notice to IFSC that he or she has retired or until he or she no longer satisfies the criteria for inclusion in IFSC's *Registered Testing Pool* and has been so informed by IFSC.
- 4.6.2 An *Athlete* who has given notice of retirement to IFSC may not resume competing unless he or she notifies IFSC at least six months before he or she expects to return to competition and makes him/herself available for unannounced *Out-of-Competition Testing*, including (if requested) complying with the whereabouts requirements of the *International Standard for Testing*, at any time during the period before actual return to competition.
- 4.6.3 *Member Associations/National Anti-Doping Organizations* may establish similar requirements for retirement and returning to competition for *Athletes* in the national *Registered Testing Pool*.

4.7 Analysis of Samples

Doping Control Samples collected under these Anti-Doping Rules shall be analyzed in accordance with the following principles:

4.7.1 Use of Approved Laboratories

For purposes of Article 2.2.1 (Presence of a *Prohibited Substance* or its *Metabolites* or *Markers*) IFSC or its *National Federations* shall send *Samples* for analysis only to WADA-accredited laboratories or as otherwise approved by WADA. The choice of the WADA-accredited laboratory (or other laboratory or method approved by WADA) used for the *Sample* analysis shall be determined exclusively by IFSC or its *National Federations*.

[Comment to Article 4.7.1: Violations of Article 3.2.1 (Presence of a Prohibited Substance or its Metabolites or Markers) may be established only by Sample analysis performed by a WADA-approved laboratory or another laboratory specifically authorized by WADA. Violations of other Articles may be established using analytical results from other laboratories so long as the results are reliable.]

4.7.2 Purpose of Collection and Analysis of Samples

Samples shall be analyzed to detect *Prohibited Substances* and *Prohibited Methods* identified on the *Prohibited List* and other substances as may be directed by WADA pursuant to the Monitoring Program described in Article 4.5 of the *Code* or to assist IFSC in profiling relevant parameters in an *Athlete's* urine, blood or other matrix, including DNA or genomic profiling, for anti-doping purposes.

[Comment to Article 4.7.2: For example, relevant profile information could be used to direct Target Testing or to support an anti-doping rule violation proceeding under Article 3.2.2 (Use or Attempted Use of a Prohibited Substance), or both.]

4.7.3 Research on Samples

No *Sample* may be used for any purpose other than as described in Article 4.7.2 without the *Athlete's* written consent. *Samples* used (with the *Athlete's* consent) for purposes other than Article 4.7.2 shall have any means of identification removed such that they cannot be traced back to a particular *Athlete*.

4.7.4 Standards for Sample Analysis and Reporting

Laboratories shall analyze *Doping Control Samples* and report results in conformity with the *International Standard for Laboratories*

4.7.5 Retesting Samples

A *Sample* may be reanalyzed for the purposes described in Article 4.7.2 at any time exclusively at the direction of IF or WADA. The circumstances and conditions for retesting *Samples* shall conform with the requirements of the *International Standard for Laboratories*.

[Comment to Article 4.7.5: Although this Article is new, Anti-Doping Organizations have always had the authority to reanalyze Samples. The International Standard for Laboratories or a new technical document which is made a part of the International Standard will harmonize the protocol for such retesting.]

5. Results Management and Disciplinary Procedures

5.1 Results Management for Tests Initiated by IFSC

Results management for tests initiated by IF (including tests performed by *WADA* pursuant to agreement with IFSC) shall proceed as set forth below:

- 5.1.1 The results from all analyses must be sent to IFSC office in encoded form, in a report signed by an authorized representative of the laboratory. All communication must be conducted in confidentiality and in conformity with *ADAMS*, a database management tool developed by *WADA*. *ADAMS* is consistent with data privacy statutes and norms applicable to *WADA* and other organizations using it.

The National Federation of an athlete with a positive test result arising from an international competition will immediately send to the IFSC office the full name and address of the relevant athlete. The Member Association will also provide any further information requested by the IFSC Disciplinary Commission.

- 5.1.2 Upon receipt of an *A Sample Adverse Analytical Finding*, the IFSC Disciplinary Commission shall conduct a review to determine whether: (a) the *Adverse Analytical Finding* is consistent with an applicable TUE, or (b) there is any apparent departure from the *International Standards for Testing or International Standard for Laboratories* that caused the *Adverse Analytical Finding*.

- 5.1.3 If the initial review of an *Adverse Analytical Finding* under Article 5.1.2 does not reveal an applicable TUE, or departure from the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Adverse Analytical Finding*, IFSC shall promptly notify the *Athlete* of: (a) the *Adverse Analytical Finding*; (b) the anti-doping rule violated; (c) the *Athlete's* right to promptly request the analysis of the *B Sample* or, failing such request, that the *B Sample* analysis may be deemed waived; (d) the scheduled date, time and place for the *B Sample* analysis (which shall be within the time period specified in the *International Standard for Laboratories*) if the *Athlete* or IFSC chooses to request an analysis of the *B Sample*; (e) the opportunity for the *Athlete* and/or the *Athlete's* representative to attend the *B Sample* opening and analysis at the scheduled date, time and place if such analysis is requested; and (f) the *Athlete's* right to request copies of the *A and B Sample* laboratory documentation package which includes information as required by the *International Standard for Laboratories*. IFSC shall also notify the *Athlete's National Anti-Doping Organization* and *WADA*. If IFSC decides not to bring forward the *Adverse Analytical Finding* as an anti-doping rule violation, it shall so notify the *Athlete*, the *Athlete's National Anti-Doping Organization* and *WADA*.

- 5.1.4 Where requested by the *Athlete* or IFSC, arrangements shall be made for *Testing* the B *Sample* within the time period specified in the *International Standard for Testing*. An *Athlete* may accept the A *Sample* analytical results by waiving the requirement for B *Sample* analysis. IFSC may nonetheless elect to proceed with the B *Sample* analysis.
- 5.1.5 The *Athlete* and/or his representative shall be allowed to be present at the analysis of the B *Sample* within the time period specified in the *International Standard for Laboratories*. Also a representative of the *Athlete's National Federation* as well as a representative of IFSC shall be allowed to be present.
- 5.1.6 If the B *Sample* proves negative, then (unless IFSC takes the case forward as an anti-doping rule violation under Article 3.2) the entire test shall be considered negative and the *Athlete*, his *National Federation*, and IFSC shall be so informed.
- 5.1.7 If a *Prohibited Substance* or the *Use of a Prohibited Method* is identified, the findings shall be reported to the *Athlete*, his *National Federation*, IFSC, and to WADA.
- 5.1.8 IFSC shall conduct any follow-up investigation into a possible anti-doping rule violation not covered by Articles 5.1.1 to 5.1.8. At such time as IFSC is satisfied that an anti-doping rule violation has occurred, it shall promptly give the *Athlete* or other *Person* subject to sanction notice, in the manner set out in Article 15, of the anti-doping rule violated, and the basis of the violation. IFSC shall also notify the *Athlete's National Anti-Doping Organization* and WADA.

5.2 Results Management for Atypical Findings

- 5.2.1 As provided in the *International Standards*, in certain circumstances laboratories are directed to report the presence of *Prohibited Substances* that may also be produced endogenously as *Atypical Findings* that should be investigated further.
- 5.2.2 If a laboratory reports an *Atypical Finding* in respect of a *Sample* collected from an *Athlete* by or on behalf of IFSC, the IFSC Disciplinary Commission shall conduct a review to determine whether: (a) the *Atypical Finding* is consistent with an applicable TUE that has been granted as provided in the *International Standard for Therapeutic Use Exemptions*, or (b) there is any apparent departure from the *International Standard for Testing* or *International Standard for Laboratories* that caused the *Atypical Analytical Finding*.
- 5.2.3 If the initial review of an *Atypical Finding* under Article 5.2.2 reveals an applicable TUE or departure from the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Atypical Finding*, the entire test shall be considered negative and the *Athlete*, his *National Federation*, and IFSC shall be so informed.
- 5.2.4 If the initial review of an *Atypical Finding* under Article 5.2.2 does not reveal an applicable TUE or departure from the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Atypical Finding*, IFSC shall conduct the follow-up investigation required by the *International Standards*. If, once that investigation is completed, it is concluded

that the *Atypical Finding* should be considered an *Adverse Analytical Finding*, IF shall pursue the matter in accordance with Article 5.1.3.

5.2.5 IFSC will not provide notice of an *Atypical Finding* until it has completed its investigation and has decided whether it will bring the *Atypical Finding* forward as an *Adverse Analytical Finding* unless one of the following circumstances exists:

- a) If IFSC determines the B *Sample* should be analyzed prior to the conclusion of its follow-up investigation, it may conduct the B *Sample* analysis after notifying the *Athlete*, with such notice to include a description of the *Atypical Finding* and the information described in Article 5.1.4 (c) to (f).
- b) If IFSC receives a request, either from a *Major Event Organization* shortly before one of its *International Events* or from a sports organization responsible for meeting an imminent deadline for selecting team members for an *International Event*, to disclose whether any *Athlete* identified on a list provided but the *Major Event Organization* or sports organization has a pending *Atypical Finding*, IFSC shall so identify any such *Athlete* after first providing notice of the *Atypical Finding* to the *Athlete*.

5.3 Results Management for Tests Initiated During Other International Events

Results management and the conduct of hearings from a test by the International Olympic Committee, the International Paralympic Committee, or a Major Event Organization, shall be managed, as far as sanctions beyond Disqualification from the Event or the results of the Event, by IFSC.

5.4 Results Management for Tests initiated by National Federations

Results management conducted by *National Federations* shall be consistent with the general principles for effective and fair results management which underlie the detailed provisions set forth in this Article 5. *Adverse Analytical findings*, *Atypical Findings* and other asserted violations of anti-doping rules shall be reported by *National Federations* in accordance with the principles outlined in this Article 7 to the *Athlete's National Anti-Doping Organization*, IFSC and WADA no later than the completion of the *National Federation's* results management process. Any apparent anti-doping rule violation by an *Athlete* who is a member of that *National Federation* shall be promptly referred to an appropriate hearing panel established pursuant to the rules of the *National Federation* or national law. Apparent anti-doping rule violations by *Athletes* who are members of another *National Federation* shall be referred to the *Athlete's National Federation* for hearing.

5.5 Results Management for Whereabouts Violations

5.5.1 Results management in respect of an apparent *Filing Failure* by an *Athlete* in IFSC's *Registered Testing Pool* shall be conducted by IFSC in accordance with Article 11.6.2 of the *International Standard for Testing* (unless it has been agreed in accordance with Article 4.4.4 that the *National Federation* or *National Anti-Doping Organization* shall take such responsibility).

- 5.5.2 Results management in respect of an apparent Missed Test by an *Athlete* in IFSC's *Registered Testing Pool* as a result of an attempt to test the *Athlete* by or on behalf of IFSC shall be conducted by IFSC in accordance with Article 11.6.3 of the *International Standard for Testing*. Results management in respect of an apparent Missed Test by such *Athlete* as a result of an attempt to test the *Athlete* by or on behalf of another *Anti-Doping Organization* shall be conducted by that other *Anti-Doping Organization* in accordance with Article 11.7.6 (c) of the *International Standard for Testing*.
- 5.5.3 Where, in any eighteen-month period, an *Athlete* in IFSC's *Registered Testing Pool* is declared to have three Filing Failures, or three Missed Tests, or any combination of Filing Failures or Missed Tests adding up to three in total, whether under these Anti-Doping Rules or under the rules of any other *Anti-Doping Organization*, IFSC shall bring them forward as an apparent anti-doping rule violation.
- 5.6 Provisional Suspensions**
- 5.6.1 If analysis of an A *Sample* has resulted in an *Adverse Analytical Finding* for a *Prohibited Substance* that is not a Specified Substance, and a review in accordance with Article 5.1.2 does not reveal an applicable TUE or departure from the *International Standard for Testing* or the *International Standard for Laboratories* that caused the *Adverse Analytical Finding*, IFSC shall *Provisionally Suspend* the *Athlete* pending the hearing panel's determination of whether he/she has committed an anti-doping rule violation.
- 5.6.2 In any case not covered by Article 5.6.1 where IFSC decides to take the matter forward as an apparent anti-doping rule violation in accordance with the foregoing provisions of this Article 5, a *Provisional Suspension* may be imposed after the review and notification described in Article 5.1, but prior to the analysis of the *Athlete's B Sample* or the final hearing as described in Article 8 of IFSC Disciplinary Rules (The Hearing) and Article 5.8 of these rules (Disciplinary Procedure and hearing).
- 5.6.3 However a *Provisional Suspension* may not be imposed, whether pursuant to Article 5.6.1 or Article 5.6.2, unless the *Athlete* or other *person* is given either (a) an opportunity for a *Provisional Hearing* either before imposition of the *Provisional Suspension* or on a timely basis after imposition of the *Provisional Suspension*; or (b) an opportunity for an expedited hearing in accordance with Article 8 of IFSC Disciplinary Rules (The Hearing) and Article 5.8 of these rules (Disciplinary Procedure and hearing) on a timely basis after imposition of a *Provisional Suspension*. *National Federations* shall impose *Provisional Suspensions* in accordance with the principles set forth in this Article 5.6.
- 5.6.4 If a *Provisional Suspension* is imposed based on an A *Sample Adverse Analytical Finding*, and a subsequent analysis of the B *Sample* analysis (if requested by the *Athlete* or *Anti-Doping Organization*) does not confirm the A *Sample* analysis, then the *Athlete* shall not be subject to any further *Provisional Suspension* on account of a violation of Article 2.1 of the *Code* (Presence of a *Prohibited Substance* or its *Metabolites* or *Markers*). In circumstances where the *Athlete* (or the *Athlete's* team as may be provided in these rules) has been removed from a *Competition* based on a violation of Article 2.1 and the subsequent B *Sample* analysis does not confirm the A *Sample*

finding, if, without otherwise affecting the *Competition*, it is still possible for the *Athlete* or team to be reinserted, the *Athlete* or team may continue to take part in the *Competition*.

[Comment to Article 5.6: Before a Provisional Suspension can be unilaterally imposed by an Anti-Doping Organization, the internal review specified in the Code must first be completed. In addition, a Signatory imposing a Provisional Suspension is required to give the Athlete an opportunity for a Provisional Hearing either before or promptly after the imposition of the Provisional Suspension, or an expedited final hearing under Article 8 of IFSC Disciplinary Rules (The Hearing) and Article 5.8 of these rules (Disciplinary Procedure and hearing) promptly after imposition of the Provisional Suspension. The Athlete has a right to appeal under Article 10.2.]

In the rare circumstance where the B Sample analysis does not confirm the A Sample finding, the Athlete who had been provisionally suspended will be allowed, where circumstances permit, to participate in subsequent Competitions during the Event. Similarly, depending upon the relevant rules of the International Federation in a Team Sport, if the team is still in Competition, the Athlete may be able to take part in future Competitions.

Athletes shall receive credit for a Provisional Suspension against any period of Ineligibility which is ultimately imposed as provided in Article 7.9.3.]

5.7 Retirement from Sport

If an *Athlete* or other *Person* retires while a results management process is underway, IFSC or its *National Federations* retains jurisdiction to complete its results management process. If an *Athlete* or other *Person* retires before any results management process has begun and IFSC would have had results management jurisdiction over the *Athlete* or other *Person* at the time the *Athlete* or other *Person* committed an anti-doping rule violation, IFSC or its *National Federations* have jurisdiction to conduct results management.

[Comment to Article 5.7: Conduct by an Athlete or other Person before the Athlete or other Person was subject to the jurisdiction of any Anti-Doping Organization would not constitute an anti-doping rule violation but could be a legitimate basis for denying the Athlete or other Person membership in a sports organization.]

5.8 Disciplinary Procedure and Hearing

5.8.1 Principles for a Fair Hearing

All hearings pursuant to following Article 5.8.2 or 5.8.3 shall respect the following principles:

- a timely hearing;
- fair and impartial hearing panel;
- the right to be represented by counsel at the *Person's* own expense;
- the right to be informed in a fair and timely manner of the asserted anti-doping rule violation;
- the right to respond to the asserted anti-doping rule violation and resulting *Consequences*;
- the right of each party to present evidence, including the right to call and question witnesses (subject to the hearing panel's discretion to accept testimony by telephone or written submission);
- the *Person's* right to an interpreter at the hearing, with the hearing panel to determine the identity, and responsibility for the cost of the interpreter; and

- a timely, written, reasoned decision, specifically including an explanation of the reason(s) for any period of *Ineligibility*.

5.8.2 Hearings following IF's result management

5.8.2.1 When it appears, following the Results Management process performed by IFSC in accordance with Article 5, that these Anti-Doping Rules have been violated—then the case shall be assigned to the IFSC Disciplinary Commission for adjudication.

5.8.2.2 Hearings pursuant to this Article shall be completed expeditiously following the completion of the results management process described in Article 5. Hearings held in connection with *Events* may be conducted on an expedited basis. If the *Athlete* has been imposed a *Provisional Suspension* as per Article 5.6, the *Athlete* has the right to request that the hearing be conducted on an expedited basis. *[Comment to Article 5.8.2.2: For example, a hearing could be expedited on the eve of a major Event where the resolution of the anti-doping rule violation is necessary to determine the Athlete's eligibility to participate in the Event or during an Event where the resolution of the case will affect the validity of the Athlete's results or continued participation in the Event.]*

5.8.2.3 The *National Federation* of the *Athlete* or other *Person* alleged to have violated these Anti-Doping Rules may attend the hearing as an observer.

5.8.2.4 IFSC shall keep WADA fully apprised as to the status of pending cases and the result of all hearings.

5.8.2.5 An *Athlete* or other *Person* may forego a hearing by acknowledging the violation of these Anti-Doping Rules and accepting *Consequences* consistent with Articles 6 and 7 as proposed by IFSC. The right to a hearing may be waived either expressly or by the *Athlete's* or other *Person's* failure to challenge the *National Federation's* assertion that an anti-doping rule violation has occurred within seven (7) days. Where no hearing occurs, the *National Federation* shall submit to the persons described in Article 10.2.3 a reasoned decision explaining the action taken.

5.8.2.6 Decisions of the IFSC Disciplinary Commission may be appealed to the Court of Arbitration for Sport as provided in Article 10.

5.8.3 Hearings following National Federations result management

5.8.3.1 When it appears, following the Results Management process performed by National Federations in accordance with Article 5, that these Anti-Doping Rules have been violated in connection, the *Athlete* or other *Person* involved shall be brought before a disciplinary panel of the *Athlete* or other *Person's National Federation* or *National Anti-Doping Organization* in accordance with the rules of the *National Federation* or the *National Anti-Doping Organization* for a hearing to adjudicate whether a violation of these Anti-Doping Rules occurred and if so what *Consequences* should be imposed.

5.8.3.2 Hearings pursuant to this Article 5.8.3 shall be completed expeditiously and in all cases within three months of the completion of the Results Management process described in Article 5. Hearings held in connection with *Events* may be conducted by an expedited process. If the *Athlete*

has been imposed a *Provisional Suspension* as per Article 5.6, the *Athlete* has the right to request that the hearing be conducted on an expedited basis. If the completion of the hearing is delayed beyond three months, IFSC may elect to bring the case directly before the IFSC Disciplinary Commission at the responsibility and at the expense of the *National Federation*.

5.8.3.3 *National Federations* shall keep IFSC and *WADA* fully apprised as to the status of pending cases and the results of all hearings.

5.8.3.4 IFSC and *WADA* shall have the right to attend hearings as an observer.

5.8.3.5 The *Athlete* or other *Person* may forego a hearing by acknowledging the violation of these Anti-Doping Rules and accepting *Consequences* consistent with Articles 9 and 10 as proposed by the *National Federation*. The right to a hearing may be waived either expressly or by the *Athlete's* or other *Person's* failure to challenge the *National Federation's* assertion that an anti-doping rule violation has occurred within [Period of Time]. Where no hearing occurs, the *National Federation* shall submit to the *Persons* described in Article 13.2.3 a reasoned decision explaining the action taken.

5.8.3.6 Decisions by *National Federations* or *National Anti-Doping Organizations*, whether as the result of a hearing or the *Athlete* or other *Person's* acceptance of *Consequences*, may be appealed as provided in Article 10.

6. Automatic Disqualification of Individual Results

A violation of these Anti-Doping Rules in *Individual Sports* in connection with an *In-Competition* test automatically leads to *Disqualification* of the result obtained in that *Competition* with all resulting consequences, including forfeiture of any medals, points and prizes.

[Comment to Article 6: When an Athlete wins a gold medal with a Prohibited Substance in his or her system, that is unfair to the other Athletes in that Competition regardless of whether the gold medalist was at fault in any way. Only a "clean" Athlete should be allowed to benefit from his or her competitive results.

For Team Sports, see Article 8 (Consequences to Teams).

In sports which are not Team Sports but where awards are given to teams, Disqualification or other disciplinary action against the team when one or more team members have committed an anti-doping rule violation shall be as provided in the applicable rules of IF.]

7. Sanctions on Individuals

7.1 Disqualification of Results in Event During which an Anti-Doping Rule Violation Occurs

An *anti-doping rule* violation occurring during or in connection with an *Event* may, upon the decision of the ruling body of the *Event*, lead to *Disqualification* of all of the *Athlete's* individual results obtained in that *Event* with all consequences, including forfeiture of all medals, points and prizes, except as provided in Article 7.1.1.

[Comment to Article 7.1: Whereas Article 6 (Automatic Disqualification of Individual Results) Disqualifies the result in a single Competition in which the Athlete tested positive, this Article may lead to Disqualification of all results in all races during the Event. Factors to be included in considering whether to Disqualify other results in an Event might include, for example, the severity of the Athlete's anti-doping rule violation and whether the Athlete tested negative in the other Competitions.]

- 7.1.1 If the *Athlete* establishes that he or she bears *No Fault or Negligence* for the violation, the *Athlete's* individual results in the other *Competitions* shall not be *Disqualified* unless the *Athlete's* results in *Competitions* other than the *Competition* in which the anti-doping rule violation occurred were likely to have been affected by the *Athlete's* anti-doping rule violation.

7.2 Ineligibility for Presence, Use or Attempted Use, or Possession of Prohibited Substances and Prohibited Method

The period of *Ineligibility* imposed for a violation of Article 3.2.1 (Presence of *Prohibited Substance* or its *Metabolites* or *Markers*), Article 3.2.2 (*Use or Attempted Use of Prohibited Substance* or *Prohibited Method*) or Article 3.2.6 (*Possession of Prohibited Substances and Prohibited Methods*) shall be as follows, unless the conditions for eliminating or reducing the period of *Ineligibility*, as provided in Articles 7.4 and 7.5, or the conditions for increasing the period of *Ineligibility*, as provided in Article 7.6, are met:

First violation: Two (2) years' *Ineligibility*.

[Comment to Article 7.2: Harmonization of sanctions has been one of the most discussed and debated areas of anti-doping. Harmonization means that the same rules and criteria are applied to assess the unique facts of each case. Arguments against requiring harmonization of sanctions are based on differences between sports including, for example, the following: in some sports the Athletes are professionals making a sizable income from the sport and in others the Athletes are true amateurs; in those sports where an Athlete's career is short (e.g., artistic gymnastics) a two year Disqualification has a much more significant effect on the Athlete than in sports where careers are traditionally much longer (e.g., equestrian and shooting); in Individual Sports, the Athlete is better able to maintain competitive skills through solitary practice during Disqualification than in other sports where practice as part of a team is more important. A primary argument in favor of harmonization is that it is simply not right that two Athletes from the same country who test positive for the same Prohibited Substance under similar circumstances should receive different sanctions only because they participate in different sports. In addition, flexibility in sanctioning has often been viewed as an unacceptable opportunity for some sporting bodies to be more lenient with dopers. The lack of harmonization of sanctions has also frequently been the source of jurisdictional conflicts between IFs and National Anti-Doping Organizations.]

7.3 *Ineligibility for Other Anti-Doping Rule Violations*

The period of *Ineligibility* for violations of these Anti-Doping Rules other than as provided in Article 7.2 shall be as follows:

- 7.3.1 For violations of Article 3.2.3 (Refusing or Failing to Submit to *Sample* collection) or Article 3.2.5 (*Tampering with Doping Control*), the *Ineligibility* period shall be two (2) years unless the conditions provided in Article 7.5, or the conditions provided in Article 7.6, are met.
- 7.3.2 For violations of Article 3.2.7 (*Trafficking*) or Article 3.2.8 (Administration or *Attempted Administration of Prohibited Substance or Prohibited Method*), the period of *Ineligibility* imposed shall be a minimum of four (4) years up to lifetime *Ineligibility* unless the conditions provided in Article 7.4 are met. An anti-doping rule violation involving a *Minor* shall be considered a particularly serious violation, and, if committed by *Athlete Support Personnel* for violations other than Specified Substances shall result in lifetime *Ineligibility* for *Athlete Support Personnel*. In addition, significant violations of Articles 3.2.7, 3.2.8 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.

[Comment to Article 7.3.2: Those who are involved in doping Athletes or covering up doping should be subject to sanctions which are more severe than the Athletes who test positive. Since the authority of sport organizations is generally limited to Ineligibility for credentials, membership and other sport benefits, reporting Athlete Support Personnel to competent authorities is an important step in the deterrence of doping.]

- 7.3.3 For violations of Article 3.2.4 (Filing Failures and/or Missed Tests), the period of *Ineligibility* shall be: at a minimum one (1) year and at a maximum two (2) years based on the *Athlete's* degree of fault.

[Comment to Article 7.3.3: The sanction under Article 7.3.3 shall be two years where all three filing failures or missed tests are inexcusable. Otherwise, the sanction shall be assessed in the range of two years to one year, based on the circumstances of the case.]

7.4 **Elimination or Reduction of the Period of *Ineligibility* for Specified Substances under Specific Circumstances**

Where an *Athlete* or other *Person* can establish how a Specified Substance entered his or her body or came into his or her possession and that such Specified Substance was not intended to enhance the *Athlete's* sport performance or mask the use of a performance-enhancing substance, the period of *Ineligibility* found in Article 7.2 shall be replaced with the following:

First violation: At a minimum, a reprimand and no period of *Ineligibility* from future *Events*, and at a maximum, two (2) years of *Ineligibility*.

To justify any elimination or reduction, the *Athlete* or other *Person* must produce corroborating evidence in addition to his or her word which establishes to the comfortable satisfaction of the hearing panel the absence of an intent to enhance sport performance or mask the use of a performance enhancing substance. The *Athlete* or other *Person's* degree of fault shall be the criterion considered in assessing any reduction of the period of *Ineligibility*.

[Comment to Article 7.4: Specified Substances as now defined in Article 4.2.2.2 are not necessarily less serious agents for purposes of sports doping than other Prohibited Substances (for example, a stimulant that is listed as a Specified Substance could be very effective to an Athlete in competition); for that reason, an Athlete who does not meet the criteria under this Article would receive a two-year period of Ineligibility and could receive up to a four-year period of Ineligibility under Article 7.6. However, there is a greater likelihood that Specified Substances, as opposed to other Prohibited Substances, could be susceptible to a credible, non-doping explanation.]

This Article applies only in those cases where the hearing panel is comfortably satisfied by the objective circumstances of the case that the Athlete in taking a Prohibited Substance did not intend to enhance his or her sport performance. Examples of the type of objective circumstances which in combination might lead a hearing panel to be comfortably satisfied of no performance-enhancing intent would include: the fact that the nature of the Specified Substance or the timing of its ingestion would not have been beneficial to the Athlete; the Athlete's open Use or disclosure of his or her Use of the Specified Substance; and a contemporaneous medical records file substantiating the non-sport-related prescription for the Specified Substance. Generally, the greater the potential performance-enhancing benefit, the higher the burden on the Athlete to prove lack of an intent to enhance sport performance.

While the absence of intent to enhance sport performance must be established to the comfortable satisfaction of the hearing panel, the Athlete may establish how the Specified Substance entered the body by a balance of probability.

In assessing the Athlete's or other Person's degree of fault, the circumstances considered must be specific and relevant to explain the Athlete's or other Person's departure from the expected standard of behavior. Thus, for example, the fact that an Athlete would lose the opportunity to earn large sums of money during a period of Ineligibility or the fact that the Athlete only has a short time left in his or her career or the timing of the sporting calendar would not be relevant factors to be considered in reducing the period of Ineligibility under this Article. It is anticipated that the period of Ineligibility will be eliminated entirely in only the most exceptional cases.]

7.5 Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances

7.5.1 No Fault or Negligence

If an Athlete establishes in an individual case that he or she bears *No Fault or Negligence*, the otherwise applicable period of *Ineligibility* shall be eliminated. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in an Athlete's *Sample* in violation of Article 3.2.1 (Presence of *Prohibited Substance*), the Athlete must also establish how the *Prohibited Substance* entered his or her system in order to have the period of *Ineligibility* eliminated. In the event this Article is applied and the period of *Ineligibility* otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation for the limited purpose of determining the period of *Ineligibility* for multiple violations under Article 7.7.

7.5.2 No Significant Fault or Negligence

If an Athlete or other Person establishes in an individual case that he or she bears *No Significant Fault or Negligence*, then the period of *Ineligibility* may be reduced, but the reduced period of *Ineligibility* may not be less than one-half of the period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this section may be no less than 8 years. When a *Prohibited Substance* or its *Markers* or *Metabolites* is detected in an Athlete's *Sample* in violation of Article 3.2.1 (Presence of *Prohibited Substance* or its

Metabolites or Markers), the *Athlete* must also establish how the *Prohibited Substance* entered his or her system in order to have the period of *Ineligibility* reduced.

[Comment to Articles 7.5.1 and 7.5.2: IFSC's Anti-Doping Rules provide for the possible reduction or elimination of the period of Ineligibility in the unique circumstance where the Athlete can establish that he or she had No Fault or Negligence, or No Significant Fault or Negligence, in connection with the violation. This approach is consistent with basic principles of human rights and provides a balance between those Anti-Doping Organizations that argue for a much narrower exception, or none at all, and those that would reduce a two year suspension based on a range of other factors even when the Athlete was admittedly at fault. These Articles apply only to the imposition of sanctions; they are not applicable to the determination of whether an anti-doping rule violation has occurred. Article 7.5.2 may be applied to any anti-doping violation even though it will be especially difficult to meet the criteria for a reduction for those anti-doping rule violations where knowledge is an element of the violation.]

Articles 7.5.1 and 7.5.2 are meant to have an impact only in cases where the circumstances are truly exceptional and not in the vast majority of cases.

To illustrate the operation of Article 7.5.1, an example where No Fault or Negligence would result in the total elimination of a sanction is where an Athlete could prove that, despite all due care, he or she was sabotaged by a competitor. Conversely, a sanction could not be completely eliminated on the basis of No Fault or Negligence in the following circumstances: (a) a positive test resulting from a mislabeled or contaminated vitamin or nutritional supplement (Athletes are responsible for what they ingest (Article 3.2.1.1) and have been warned against the possibility of supplement contamination); (b) the administration of a Prohibited Substance by the Athlete's personal physician or trainer without disclosure to the Athlete (Athletes are responsible for their choice of medical personnel and for advising medical personnel that they cannot be given any Prohibited Substance); and (c) sabotage of the Athlete's food or drink by a spouse, coach or other person within the Athlete's circle of associates (Athletes are responsible for what they ingest and for the conduct of those persons to whom they entrust access to their food and drink). However, depending on the unique facts of a particular case, any of the referenced illustrations could result in a reduced sanction based on No Significant Fault or Negligence. (For example, reduction may well be appropriate in illustration (a) if the Athlete clearly establishes that the cause of the positive test was contamination in a common multiple vitamin purchased from a source with no connection to Prohibited Substances and the Athlete exercised care in not taking other nutritional supplements.)

For purposes of assessing the Athlete or other Person's fault under Articles 7.5.1 and 7.5.2, the evidence considered must be specific and relevant to explain the Athlete or other Person's departure from the expected standard of behavior. Thus, for example the fact that an Athlete would lose the opportunity to earn large sums of money during a period of Ineligibility or the fact that the Athlete only has a short time left in his or her career or the timing of the sporting calendar would not be relevant factors to be considered in reducing the period of Ineligibility under this Article.

While minors are not given special treatment per se in determining the applicable sanction, certainly youth and lack of experience are relevant factors to be assessed in determining the Athlete or other Person's fault under Article 7.5.2, as well as Articles 7.4 and 7.5.1.

Article 7.5.2 should not be applied in cases where Articles 7.3.3 or 7.4 apply, as those Articles already take into consideration the Athlete or other Person's degree of fault for purposes of establishing the applicable period of Ineligibility.]

7.5.3 Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations

IFSC or its *National Federations* may, prior to a final appellate decision under Article 10 or the expiration of the time to appeal, suspend a part of the period of *Ineligibility* imposed in an

individual case where the *Athlete* or other *Person* has provided *Substantial Assistance* to an *Anti-Doping Organization*, criminal authority or professional disciplinary body which results in the *Anti-Doping Organization* discovering or establishing an anti-doping rule violation by another *Person* or which results in a criminal or disciplinary body discovering or establishing a criminal offense or the breach of professional rules by another *Person*. After a final appellate decision under Article 10 or the expiration of time to appeal, IFSC may only suspend a part of the applicable period of *Ineligibility* with the approval of WADA. The extent to which the otherwise applicable period of *Ineligibility* may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the *Athlete* or other *Person* and the significance of the *Substantial Assistance* provided by the *Athlete* or other *Person* to the effort to eliminate doping in sport. No more than three-quarters of the otherwise applicable period of *Ineligibility* may be suspended. If the otherwise applicable period of *Ineligibility* is a lifetime, the non-suspended period under this Article must be no less than eight (8) years. If IFSC suspends any part of the period of *Ineligibility* under this Article, it shall promptly provide a written justification for its decision to each *Anti-Doping Organization* having a right to appeal the decision. If IFSC or its *National Federations* subsequently reinstates any part of the suspended period of *Ineligibility* because the *Athlete* or other *Person* has failed to provide the *Substantial Assistance* which was anticipated, the *Athlete* or other *Person* may appeal the reinstatement pursuant to Article 10.2.

[Comment to Article 7.5.3: The cooperation of Athletes, Athlete Support Personnel and other Persons who acknowledge their mistakes and are willing to bring other anti-doping rule violations to light is important to clean sport..]

Factors to be considered in assessing the importance of the Substantial Assistance would include, for example, the number of individuals implicated, the status of those individuals in the sport, whether a scheme involving Trafficking under Article 3.2.7 or administration under Article 3.2.8 is involved and whether the violation involved a substance or method which is not readily detectable in Testing. The maximum suspension of the Ineligibility period shall only be applied in very exceptional cases. An additional factor to be considered in connection with the seriousness of the anti-doping rule violation is any performance-enhancing benefit which the Person providing Substantial Assistance may be likely to still enjoy. As a general matter, the earlier in the results management process the Substantial Assistance is provided, the greater the percentage of the period of Ineligibility may be suspended.

If the Athlete or other Person who is asserted to have committed an anti-doping rule violation claims entitlement to a suspended period of Ineligibility under this Article in connection with the Athlete or other Person's waiver of a hearing under Article 8 of IFSC Disciplinary rules and Article 5.8, IFSC shall determine whether a suspension of a portion of the period of Ineligibility is appropriate under this Article. If the Athlete or other Person claims entitlement to a suspended period of Ineligibility before the conclusion of a hearing under Article 8 of IFSC Disciplinary rules and Article 5.8 on the anti-doping rule violation, the hearing panel shall determine whether a suspension of a portion of the period of Ineligibility is appropriate under this Article at the same time the hearing panel decides whether the Athlete or other Person has committed an anti-doping rule violation. If a portion of the period of Ineligibility is suspended, the decision shall explain the basis for concluding the information provided was credible and was important to discovering or proving the anti-doping rule violation or other offense. If the Athlete or other Person claims entitlement to a suspended period of Ineligibility after a final decision finding an anti-doping rule violation has been rendered and is not subject to appeal under Article 10, but the Athlete or other Person is still serving the period of Ineligibility, the Athlete or other Person may apply to IFSC to consider a suspension in the period of Ineligibility under this Article. Any such suspension of the period of Ineligibility shall require the approval of WADA. If any condition upon which the suspension of a period of Ineligibility is based is not fulfilled, IFSC shall reinstate the period of Ineligibility which would otherwise be applicable. Decisions rendered by IFSC under this Article may be appealed pursuant Article 10.2.

This is the only circumstance under IFSC's Anti-Doping Rules where the suspension of an otherwise applicable period of Ineligibility is authorized.]

7.5.4 Admission of an Anti-Doping Rule Violation in the Absence of Other Evidence

Where an *Athlete* or other *Person* voluntarily admits the commission of an anti-doping rule violation before having received notice of a *Sample* collection which could establish an anti-doping rule violation (or, in the case of an anti-doping rule violation other than Article 3.2.1, before receiving first notice of the admitted violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of *Ineligibility* may be reduced, but not below one-half of the period of *Ineligibility* otherwise applicable.

[Comment to Article 7.5.4: This Article is intended to apply when an Athlete or other Person comes forward and admits to an anti-doping rule violation in circumstances where no Anti-Doping Organization is aware that an anti-doping rule violation might have been committed. It is not intended to apply to circumstances where the admission occurs after the Athlete or other Person knows he or she is about to be caught.]

7.5.5. Where an Athlete or Other Person Establishes Entitlement to Reduction in Sanction under More than One Provision of this Article

Before applying any reductions under Articles 7.5.2, 7.5.3 or 7.5.4, the otherwise applicable period of *Ineligibility* shall be determined in accordance with Articles 7.2, 7.3, 7.4 and 7.6. If the *Athlete* or other *Person* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under two or more of Articles 7.5.2, 7.5.3 or 7.5.4, then the period of *Ineligibility* may be reduced or suspended, but not below one-quarter of the otherwise applicable period of *Ineligibility*.

[Comment to Article 7.5.5: The appropriate sanction is determined in a sequence of four steps. First, the hearing panel determines which of the basic sanctions (Article 7.2, Article 7.3, Article 7.4 or Article 7.6) applies to the particular anti-doping rule violation. In a second step, the hearing panel establishes whether there is a basis for elimination or reduction of the sanction (Articles 7.5.1 through 7.5.4). Note, however, not all grounds for elimination or reduction may be combined with the provisions on basic sanctions. For example, Article 7.5.2 does not apply in cases involving Articles 7.3.3 or 7.4, since the hearing panel, under Articles 7.3.3 and 7.4, will already have determined the period of Ineligibility based on the Athlete or other Person's degree of fault. In a third step, the hearing panel determines under Article 7.5.5 whether the Athlete or other Person is entitled to a reduction under more than one provision of Article 7.5. Finally, the hearing panel decides on the commencement of the period of Ineligibility under Article 7.9. The following four examples demonstrate the proper sequence of analysis:]

Example 1.

Facts: An Adverse Analytical Finding involves the presence of an anabolic steroid; the Athlete promptly admits the anti-doping rule violation as alleged; the Athlete establishes No Significant Fault (Article 7.5.2); and the Athlete provides important Substantial Assistance (Article 7.5.3).

Application of Article 7:

- 1. The basic sanction would be two years under Article 7.2. (Aggravating circumstances (Article 7.6) would not be considered because the Athlete promptly admitted the violation. Article 7.4 would not apply because a steroid is not a Specified Substance.)*

2. *Based on No Significant Fault alone, the sanction could be reduced up to one-half of the two years. Based on Substantial Assistance alone, the sanction could be reduced up to three-quarters of the two years.*
3. *Under Article 7.5.5, in considering the possible reduction for No Significant Fault and Substantial Assistance together, the most the sanction could be reduced is up to three-quarters of the two years. Thus, the minimum sanction would be a six-month period of Ineligibility.*
4. *Under Article 7.9.2, because the Athlete promptly admitted the anti-doping rule violation, the period of Ineligibility could start as early as the date of Sample collection, but in any event the Athlete would have to serve at least one-half of the Ineligibility period (minimum three months) after the date of the hearing decision.*

Example 2.

Facts: An Adverse Analytical Finding involves the presence of an anabolic steroid; aggravating circumstances exist and the Athlete is unable to establish that he did not knowingly commit the anti-doping rule violation; the Athlete does not promptly admit the anti-doping rule violation as alleged; but the Athlete does provide important Substantial Assistance (Article 7.5.3).

Application of Article 7:

1. *The basic sanction would be between two and four years Ineligibility as provided in Article 7.6.*
2. *Based on Substantial Assistance, the sanction could be reduced up to three-quarters of the maximum four years.*
3. *Article 7.5.5 does not apply.*
4. *Under Article 7.9.2, the period of Ineligibility would start on the date of the hearing decision.*

Example 3.

Facts: An Adverse Analytical Finding involves the presence of a Specified Substance; the Athlete establishes how the Specified Substance entered his body and that he had no intent to enhance his sport performance; the Athlete establishes that he had very little fault; and the Athlete provides important Substantial Assistance (Article 7.5.3).

Application of Article 7:

1. *Because the Adverse Analytical Finding involved a Specified Substance and the Athlete has satisfied the other conditions of Article 7.4, the basic sanction would fall in the range between a reprimand and two years Ineligibility. The hearing panel would assess the Athlete's fault in imposing a sanction within that range. (Assume for illustration in this example that the panel would otherwise impose a period of Ineligibility of eight months.)*
2. *Based on Substantial Assistance, the sanction could be reduced up to three-quarters of the eight months. (No less than two months.) [No Significant Fault (Article 7.2) would not be applicable because the Athlete's degree of fault was already taken into consideration in establishing the eight-month period of Ineligibility in step 1.]*
3. *Article 7.5.5 does not apply.*

4. Under Article 7.2, because the Athlete promptly admitted the anti-doping rule violation, the period of Ineligibility could start as early as the date of Sample collection, but in any event, the Athlete would have to serve at least half of the Ineligibility period after the date of the hearing decision. (Minimum one month.)

Example 4.

Facts: An Athlete who has never had an Adverse Analytical Finding or been confronted with an anti-doping rule violation spontaneously admits that he intentionally used multiple Prohibited Substances to enhance his performance. The Athlete also provides important Substantial Assistance (Article 7.5.3).

Application of Article 7:

1. While the intentional Use of multiple Prohibited Substances to enhance performance would normally warrant consideration of aggravating circumstances (Article 7.6), the Athlete's spontaneous admission means that Article 7.6 would not apply. The fact that the Athlete's Use of Prohibited Substances was intended to enhance performance would also eliminate the application of Article 7.4 regardless of whether the Prohibited Substances Used were Specified Substances. Thus, Article 7.2 would be applicable and the basic period of Ineligibility imposed would be two years.

2. Based on the Athlete's spontaneous admissions (Article 7.5.4) alone, the period of Ineligibility could be reduced up to one-half of the two years. Based on the Athlete's Substantial Assistance (Article 7.5.3) alone, the period of Ineligibility could be reduced up to three-quarters of the two years.

3. Under Article 7.5.5, in considering the spontaneous admission and Substantial Assistance together, the most the sanction could be reduced would be up to three-quarters of the two years. (The minimum period of Ineligibility would be six months.)

4. If Article 7.5.4 was considered by the hearing panel in arriving at the minimum six month period of Ineligibility at step 3, the period of Ineligibility would start on the date the hearing panel imposed the sanction. If, however, the hearing panel did not consider the application of Article 7.5.4 in reducing the period of Ineligibility in step 3, then under Article 7.9.2, the commencement of the period of Ineligibility could be started as early as the date the anti-doping rule violation was committed, provided that at least half of that period (minimum of three months) would have to be served after the date of the hearing decision.]

7.6 Aggravating Circumstances Which May Increase the Period of Ineligibility

If IFSC establishes in an individual case involving an anti-doping rule violation other than violations under Article 3.2.7 (Trafficking or *Attempted* trafficking) and 3.2.8 (Administration or *Attempted* Administration) that aggravating circumstances are present which justify the imposition of a period of *Ineligibility* greater than the standard sanction, then the period of *Ineligibility* otherwise applicable shall be increased up to a maximum of four (4) years unless the *Athlete* or other *Person* can prove to the comfortable satisfaction of the hearing panel that he did not knowingly violate the anti-doping rule.

An *Athlete* or other *Person* can avoid the application of this Article by admitting the anti-doping rule violation as asserted promptly after being confronted with the anti-doping rule violation by IFSC.

[Comment to Article 7.6: Examples of aggravating circumstances which may justify the imposition of a period of Ineligibility greater than the standard sanction are: the Athlete or other Person committed the anti-doping rule violation

as part of a doping plan or scheme, either individually or involving a conspiracy or common enterprise to commit anti-doping rule violations; the Athlete or other Person used or possessed multiple Prohibited Substances or Prohibited Methods or used or possessed a Prohibited Substance or Prohibited Method on multiple occasions; a normal individual would be likely to enjoy the performance-enhancing effects of the anti-doping rule violation(s) beyond the otherwise applicable period of Ineligibility; the Athlete or Person engaged in deceptive or obstructing conduct to avoid the detection or adjudication of an anti-doping rule violation.

For the avoidance of doubt, the examples of aggravating circumstances described in this Comment to Article 7.6 are not exclusive and other aggravating factors may also justify the imposition of a longer period of Ineligibility. Violations under Article 3.2.7 (Trafficking or Attempted Trafficking) and 3.2.8 (Administration or Attempted Administration) are not included in the application of Article 7.6 because the sanctions for these violations (from four years to lifetime Ineligibility) already build in sufficient discretion to allow consideration of any aggravating circumstance.]

7.7 Multiple Violations

7.7.1 Second Anti-Doping Rule Violation

For an *Athlete's* or other *Person's* first anti-doping rule violation, the period of *Ineligibility* is set forth in Articles 7.2 and 7.3 (subject to elimination, reduction or suspension under Articles 7.4 or 7.5, or to an increase under Article 7.6). For a second anti-doping rule violation the period of Ineligibility shall be within the range set forth in the table below.

Second Violation First Violation	RS	FFMT	NSF	St	AS	TRA
RS	1-4	2-4	2-4	4-6	8-10	10-life
FFMT	1-4	4-8	4-8	6-8	10-life	life
NSF	1-4	4-8	4-8	6-8	10-life	life
St	2-4	6-8	6-8	8-life	life	life
AS	4-5	10-life	10-life	life	life	life
TRA	8-life	life	Life	life	life	life

Definitions for purposes of the second anti-doping rule violation table:

RS (Reduced sanction for Specified Substance under Article 7.4): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Article 7.4 because it involved a Specified Substance and the other conditions under Article 7.4 were met.

FFMT (Filing Failures and/or Missed Tests): The anti-doping rule violation was or should be sanctioned under Article 7.3.3 (Filing Failures and/or Missed Tests).

NSF (Reduced sanction for *No Significant Fault* or *Negligence*): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Article 7.5.2 because *No Significant Fault* or *Negligence* under Article 7.5.2 was proved by the *Athlete*.

St (Standard sanction under Articles 7.2 or 7.3.1): The anti-doping rule violation was or should be sanctioned by the standard sanction of two years under Article 7.2 or 7.3.1.

AS (Aggravated sanction): The anti-doping rule violation was or should be sanctioned by an aggravated sanction under Article 7.6 because the *Anti-Doping Organization* established the conditions set forth under Article 7.6.

TRA (*Trafficking or Attempted Trafficking* and administration or *Attempted* administration): The anti-doping rule violation was or should be sanctioned by a sanction under Article 7.3.2.

[Comment to Article 7.7.1: The table is applied by locating the Athlete or other Person's first anti-doping rule violation in the left-hand column and then moving across the table to the right to the column representing the second violation. By way of example, assume an Athlete receives the standard period of Ineligibility for a first violation under Article 7.2 and then commits a second violation for which he receives a reduced sanction for a Specified Substance under Article 7.4. The table is used to determine the period of Ineligibility for the second violation. The table is applied to this example by starting in the left-hand column and going down to the fourth row which is "St" for standard sanction, then moving across the table to the first column which is "RS" for reduced sanction for a Specified Substance, thus resulting in a 2-4 year range for the period of Ineligibility for the second violation. The Athlete or other Person's degree of fault shall be the criterion considered in assessing a period of Ineligibility within the applicable range.]

[Comment to Article 7.7.1 RS Definition: See Code Article 25.4 with respect to application of Article 7.7.1 to pre-Code anti-doping rule violations.]

7.7.2 Application of Articles 7.5.3 and 7.5.4 to Second Anti-Doping Rule Violation

Where an *Athlete* or other *Person* who commits a second anti-doping rule violation establishes entitlement to suspension or reduction of a portion of the period of *Ineligibility* under Article 7.5.3 or Article 7.5.4, the hearing panel shall first determine the otherwise applicable period of *Ineligibility* within the range established in the table in Article 7.7.1, and then apply the appropriate suspension or reduction of the period of *Ineligibility*. The remaining period of *Ineligibility*, after applying any suspension or reduction under Articles 7.5.3 and 7.5.4, must be at least one-fourth of the otherwise applicable period of *Ineligibility*.

7.7.3 Third Anti-Doping Rule Violation

A third anti-doping rule violation will always result in a lifetime period of *Ineligibility*, except if the third violation fulfills the condition for elimination or reduction of the period of *Ineligibility* under Article 7.4 or involves a violation of Article 3.2.4 (Filing Failures and/or and Missed Tests). In these particular cases, the period of *Ineligibility* shall be from eight (8) years to life ban.

7.7.4 Additional Rules for Certain Potential Multiple Violations

- For purposes of imposing sanctions under Article 7.7, an anti-doping rule violation will only be considered a second violation if the IFSC (or its *National Federation*) can establish that the *Athlete* or other *Person* committed the second anti-doping rule violation after the *Athlete* or other *Person* received notice pursuant to Article 5 (Results Management), or after IFSC (or its *National Federation*) made-reasonable efforts to give notice, of the first anti-doping rule violation; if the IFSC (or its *National Federation*) cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that

carries the more severe sanction; however, the occurrence of multiple violations may be considered as a factor in determining Aggravating Circumstances (Article 7.6).

- If, after the resolution of a first anti-doping rule violation, IFSC discovers facts involving an anti-doping rule violation by the *Athlete* or other *Person* which occurred prior to notification regarding the first violation, then IFSC shall impose an additional sanction based on the sanction that could have been imposed if the two violations would have been adjudicated at the same time. Results in all *Competitions* dating back to the earlier anti-doping rule violation will be *Disqualified* as provided in Article 7.8. To avoid the possibility of a finding of Aggravating Circumstances (Article 7.6) on account of the earlier-in-time but later-discovered violation, the *Athlete* or other *Person* must voluntarily admit the earlier anti-doping rule violation on a timely basis after notice of the violation for which he or she is first charged. The same rule shall also apply when IFSC discovers facts involving another prior violation after the resolution of a second anti-doping rule violation.

[Comment to Article 7.7.4: In a hypothetical situation, an Athlete commits an anti-doping rule violation on January 1, 2008 which IFSC does not discover until December 1, 2008. In the meantime, the Athlete commits another anti-doping rule violation on March 1, 2008 and the Athlete is notified of this violation by IFSC on March 30, 2008 and a hearing panel rules on June 30, 2008 that the Athlete committed the March 1, 2008 anti-doping rule violation. The later-discovered violation which occurred on January 1, 2008 will provide the basis for Aggravating Circumstances because the Athlete did not voluntarily admit the violation in a timely basis after the Athlete received notification of the later violation on March 30, 2008.]

7.7.5. Multiple Anti-Doping Rule Violations during an Eight-Year Period

For purposes of Article 7.7, each anti-doping rule violation must take place within the same eight (8) year period in order to be considered multiple violations.

7.8 Disqualification of Results in Competitions Subsequent to Sample Collection or Commission of an Anti-Doping Rule Violation

In addition to the automatic *Disqualification* of the results in the Competition which produced the positive *Sample* under Article 6 (Automatic *Disqualification* of Individual Results), all other competitive results obtained from the date a positive *Sample* was collected (whether *In-Competition* or *Out-of-Competition*), or other anti-doping rule violation occurred, through the commencement of any *Provisional Suspension* or *Ineligibility* period, shall, unless fairness requires otherwise, be *Disqualified* with all of the resulting consequences including forfeiture of any medals, points and prizes.

7.8.1 As a condition of regaining eligibility after being found to have committed an anti-doping rule violation, the *Athlete* must first repay all prize money forfeited under this Article.

7.8.2 Allocation of Forfeited Prize Money.

Forfeited prize money shall be allocated first to reimburse the collection expenses incurred by the *Anti-Doping Organization* in order to perform the necessary steps to collect the prize money back, then to reimburse the expenses incurred by the *Anti-Doping Organization* in order to conduct

results management in the case, with the balance, if any, allocated in accordance with IFSC's specific rules.

[Comment to Article 7.8.2: Nothing in IFSC's Anti-Doping Rules precludes clean Athletes or other Persons who have been damaged by the actions of a Person who has committed an anti-doping rule violation from pursuing any right which they would otherwise have to seek damages from such Person.]

7.9 Commencement of *Ineligibility* Period

Except as provided below, the period of *Ineligibility* shall start on the date of the hearing decision providing for *Ineligibility* or, if the hearing is waived, on the date *Ineligibility* is accepted or otherwise imposed.

7.9.1 Delays Not Attributable to the *Athlete* or other *Person*

Where there have been substantial delays in the hearing process or other aspects of *Doping Control* not attributable to the *Athlete* or other *Person*, the *IFSC* or *Anti-Doping Organization* imposing the sanction may start the period of *Ineligibility* at an earlier date commencing as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred.

7.9.2 Timely Admission

Where the *Athlete* promptly (which, in all events, means before the *Athlete* competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule violation by *IFSC*, the period of *Ineligibility* may start as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred. In each case, however, where this Article is applied, the *Athlete* or other *Person* shall serve at least one-half of the period of *Ineligibility* going forward from the date the *Athlete* or other *Person* accepted the imposition of a sanction, the date of a hearing decision imposing a sanction, or the date the sanction is otherwise imposed.

[Comment to Article 7.9.2: This Article shall not apply where the period of Ineligibility already has been reduced under Article 7.5.4 (Admission of an Anti-Doping Rule Violation in the Absence of Other Evidence).]

7.9.3 If a *Provisional Suspension* is imposed and respected by the *Athlete*, then the *Athlete* shall receive a credit for such period of *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed.

7.9.4 If an *Athlete* voluntarily accepts a *Provisional Suspension* in writing from *IFSC* and thereafter refrains from competing, the *Athlete* shall receive a credit for such period of voluntary *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed. A copy of the *Athlete's* voluntary acceptance of a *Provisional Suspension* shall be provided promptly to each party entitled to receive notice of a potential anti-doping rule violation under Article 11.1.

[Comment to Article 7.9.4: An Athlete's voluntary acceptance of a Provisional Suspension is not an admission by the Athlete and shall not be used in any way as to draw an adverse inference against the Athlete.]

- 7.9.5 No credit against a period of *Ineligibility* shall be given for any time period before the effective date of the *Provisional Suspension* or voluntary *Provisional Suspension* regardless of whether the *Athlete* elected not to compete or was suspended by his or her team.

[Comment to Article 7.9: The text of Article 7.9 has been revised to make clear that delays not attributable to the Athlete, timely admission by the Athlete and Provisional Suspension are the only justifications for starting the period of Ineligibility earlier than the date of the hearing decision. This amendment corrects inconsistent interpretation and application of the previous text.]

7.10 Status During *Ineligibility*

7.10.1 Prohibition against Participation during *Ineligibility*

No *Athlete* or other *Person* who has been declared *Ineligible* may, during the period of *Ineligibility*, participate in any capacity in an *Event* or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by IFSC or any *National Federation* or a club or other member organization of IFSC or any *National Federation*, or in *Competitions* authorized or organized by any professional league or any international or national level *Event* organization.

An *Athlete* or other *Person* subject to a period of *Ineligibility* longer than four years may, after completing four years of the period of *Ineligibility*, participate in local sport events in a sport other than sports subject to the jurisdictions of IFSC and its *National Federations*, but only so long as the local sport event is not at a level that could otherwise qualify such *Person* directly or indirectly to compete in (or accumulate points toward) a national championship or *International Event*.

An *Athlete* or other *Person* subject to a period of *Ineligibility* shall remain subject to *Testing*.

[Comment to Article 7.10.1: For example, an ineligible Athlete cannot participate in a training camp, exhibition or practice organized by his or her National Federation or a club which is a member of that National Federation. Further, an ineligible Athlete may not compete in a non-Signatory professional league (e.g., the National Hockey League, the National Basketball Association, etc.), Events organized by a non-Signatory International Event organization or a non-Signatory national-level event organization without triggering the consequences set forth in Article 7.10.2. Sanctions in one sport will also be recognized by other sports (see Article 12).]

7.10.2 Violation of the Prohibition of Participation during *Ineligibility*

Where an *Athlete* or other *Person* who has been declared *Ineligible* violates the prohibition against participation during *Ineligibility* described in Article 7.10.1, the results of such participation shall be *Disqualified* and the period of *Ineligibility* which was originally imposed shall start over again as of the date of the violation. The new period of *Ineligibility* may be reduced under Article 7.5.2 if the *Athlete* or other *Person* establishes he or she bears *No Significant Fault or Negligence* for violating the prohibition against participation. The determination of whether an *Athlete* or other *Person* has violated the prohibition against participation, and whether a reduction under Article 7.5.2 is appropriate, shall be made by IFSC.

[Comment to Article 7.10.2: If an Athlete or other Person is alleged to have violated the prohibition against participation during a period of Ineligibility, IFSC shall determine whether the Athlete violated the prohibition and, if so, whether the

Athlete or other Person has established grounds for a reduction in the restarted period of Ineligibility under Article 7.5.2. Decisions rendered by IFSC under this Article may be appealed pursuant to Article 10.2.

Where an Athlete Support Personnel or other Person substantially assists an Athlete in violating the prohibition against participation during Ineligibility, IF may appropriately impose sanctions under its own disciplinary rules for such assistance.]

7.10.3 Withholding of Financial Support during Ineligibility

In addition, for any anti-doping rule violation not involving a reduced sanction for *Specified Substances* as described in Article 7.4, some or all sport-related financial support or other sport-related benefits received by such *Person* will be withheld by IFSC and its *National Federations*.

7.11 Reinstatement Testing

As a condition to regaining eligibility at the end of a specified period of *Ineligibility*, an *Athlete* must, during any period of *Provisional Suspension* or *Ineligibility*, make him or herself available for *Out-of-Competition Testing* by IFSC, the applicable *National Federation*, and any other *Anti-Doping Organization* having *Testing* jurisdiction, and must comply with the whereabouts requirements of Article 11 of the *International Standard for Testing*. If an *Athlete* subject to a period of *Ineligibility* retires from sport and is removed from *Out-of-Competition Testing* pools and later seeks reinstatement, the *Athlete* shall not be eligible for reinstatement until the *Athlete* has notified IFSC and the applicable *National Federation* and has been subject to *Out-of-Competition Testing* for a period of time equal to the longer of (a) the period set forth in Article 4.5 and (b) period of *Ineligibility* remaining as of the date the *Athlete* had retired. During such remaining period of *Ineligibility*, a minimum of two (2) tests must be conducted on the *Athlete* with at least three months between each test. The *National Federation* shall be responsible for conducting the necessary tests, but tests by any *Anti-Doping Organization* may be used to satisfy the requirement. The results of such tests shall be reported to IFSC. In addition, immediately prior to the end of the period of *Ineligibility*, an *Athlete* must undergo *Testing* by IFSC or its *National Federations* for the *Prohibited Substances* and *Methods* that are prohibited in *Out-of-Competition Testing*. Once the period of an *Athlete's Ineligibility* has expired, and the *Athlete* has fulfilled the conditions of reinstatement, then the *Athlete* will become automatically re-eligible and no application by the *Athlete* or by the *Athlete's National Federation* will then be necessary.

7.12 Imposition of Financial Sanctions

IFSC may provide for financial sanctions on account of anti-doping rule violations. However, no financial sanction may be considered a basis for reducing the period of *Ineligibility* or other sanction which would otherwise be applicable under the *Code*.

8. Consequences to Teams

- 8.1** If a member of a team is found to have committed a violation of these Anti-Doping Rules during an *Event*, the team shall be *Disqualified* from the *Event*.

9. Sanctions and Costs assessed against *National Federations*

- 9.1** The IFSC Board has the authority to withhold some or all funding or other non financial support to *National Federations* that are not in compliance with these Anti-Doping Rules.

- 9.2** *National Federations* shall be obligated to reimburse IFSC for all costs (including but not limited to laboratory fees, hearing expenses and travel) related to a violation of these Anti-Doping Rules committed by an *Athlete* or other *Person* affiliated with that *National Federation*.

- 9.3** IFSC may elect to take additional disciplinary action against *National Federations* with respect to recognition, the eligibility of its officials and athletes to participate in International Events.

10 Appeals

10.1 Decisions Subject to Appeal

Decisions made under these Anti-Doping Rules may be appealed as set forth below in Article 10.2 through 10.4 or as otherwise provided in these Anti-Doping Rules. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review authorized in these rules must be exhausted (except as provided in Article 10.1.1)

10.1.1 WADA Not Required to Exhaust Internal Remedies

Where *WADA* has a right to appeal under Article 10 and no other party has appealed a final decision within the IFSC or its *National Federation's* process, *WADA* may appeal such decision directly to *CAS* without having to exhaust other remedies in the IFSC or its *National Federation's* process.

[Comment to Article 10.1.1: Where a decision has been rendered before the final stage of IFSC or its National Federation's process (for example, a first hearing) and no party elects to appeal that decision to the next level of IFSC or its National Federation's process (e.g., IFSC Appeal Commission), then WADA may bypass the remaining steps in IFSC or its National Federation's internal process and appeal directly to CAS.]

10.2 Appeals from Decisions Regarding *Anti-Doping Rule Violations*, *Consequences*, and *Provisional Suspension*

A decision that an anti-doping rule violation was committed, a decision imposing *Consequences* for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed; a

decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription); a decision under Article 7.10.2 (prohibition of participation during *Ineligibility*); a decision that the IFSC or its *National Federation* lacks jurisdiction to rule on an alleged anti-doping rule violation or its *Consequences*; a decision by an *Anti-Doping Organization* not to bring forward an *Adverse Analytical Finding* or an *Atypical Finding* as an anti-doping rule violation, or a decision not to go forward with an anti-doping rule violation after an investigation under Article 5.6; and a decision to impose a *Provisional Suspension* as a result of a *Provisional Hearing* or otherwise in violation of Article 5.6 may be appealed exclusively as provided in this Article 10.2.

10.2.1 Appeals Involving *International-Level Athletes*

In cases arising from competition in an *International Event* or in cases involving *International-Level Athletes*, the decision may be appealed exclusively to CAS in accordance with the provisions applicable before such court.

[Comment to Article 10.2.1: CAS decisions are final and binding except for any review required by law applicable to the annulment or enforcement of arbitral awards.]

10.2.2 Appeals Involving *National-Level Athletes*

In cases involving *national-level Athletes* as defined by each *National Anti-Doping Organization* who do not have a right to appeal under Article 10.2.1, the decision may be appealed to an independent and impartial body in accordance with rules established by the *National Anti-Doping Organization*. If the *National Anti-Doping Organization* has not established such a body, the decision may be appealed to CAS in accordance with the provisions applicable before such court.

10.2.3 Persons Entitled to Appeal

In cases under Article 10.2.1, the following parties shall have the right to appeal to CAS: (a) the *Athlete* or other *Person* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) IFSC; (d) the *National Anti-Doping Organization* of the *Person's* country of residence or countries where the *Person* is a national or license holder; (e) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (f) *WADA*.

In cases under Article 10.2.2, the parties having the right to appeal to the national-level reviewing body shall be as provided in the *National Federation's* rules but, at a minimum, shall include the following parties: (a) the *Athlete* or other *Person* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) IFSC; (d) the *National Anti-Doping Organization* of the *Person's* country of residence; and (e) *WADA*. For cases under Article 10.2.2, *WADA* and IFSC shall also have the right to appeal to CAS with respect to the decision of the national-level reviewing body. Any party filing an appeal shall be entitled to

assistance from *CAS* to obtain all relevant information from the *Anti-Doping Organization* whose decision is being appealed and the information shall be provided if *CAS* so directs.

Notwithstanding any other provision herein, the only *Person* who may appeal from a *Provisional Suspension* is the *Athlete* or other *Person* upon whom the *Provisional Suspension* is imposed.

10.3 Failure to Render a Timely Decision by IFSC and its *National Federations*

Where, in a particular case, IFSC or its *National Federations* fail to render a decision with respect to whether an anti-doping rule violation was committed within a reasonable deadline set by *WADA*, *WADA* may elect to appeal directly to *CAS* as if IFSC or its *National Federations* had rendered a decision finding no anti-doping rule violation. If the *CAS* panel determines that an anti-doping rule violation was committed and that *WADA* acted reasonably in electing to appeal directly to *CAS*, then *WADA*'s costs and attorneys fees in prosecuting the appeal shall be reimbursed to *WADA* by IFSC or its *National Federations*.

[Comment to Article 10.3: Given the different circumstances of each anti-doping rule violation investigation and results management process, it is not feasible to establish a fixed time period for IFSC to render a decision before WADA may intervene by appealing directly to CAS. Before taking such action, however, WADA will consult with IFSC and give IFSC an opportunity to explain why it has not yet rendered a decision. Nothing in this rule prohibits IFSC from also having rules which authorize it to assume jurisdiction for matters in which the results management performed by one of its National Federations has been inappropriately delayed.]

10.4 Appeals from Decisions Granting or Denying a Therapeutic Use Exemption

Decisions by *WADA* reversing the grant or denial of a TUE may be appealed exclusively to *CAS* by the *Athlete*, or the *Anti-Doping Organization* whose decision was reversed. Decisions by *Anti-Doping Organizations* other than *WADA* denying TUE's, which are not reversed by *WADA*, may be appealed by *International-Level Athletes* to *CAS* and by other *Athletes* to the national level reviewing body described in Article 10.2.2. If the national level reviewing body reverses the decision to deny a TUE, that decision may be appealed to *CAS* by *WADA*.

When IFSC, *National Anti-Doping Organizations* or other bodies designated by *National Federations* fail to take action on a properly submitted TUE application within a reasonable time, their failure to decide may be considered a denial for purposes of the appeal rights provided in this Article.

10.5 Appeal from Decisions Pursuant to Article 9

Decisions by IFSC pursuant to Article 9 may be appealed exclusively to *CAS* by the *National Federation*.

10.6 Time for Filing Appeals

The time to file an appeal to *CAS* shall be twenty-one (21) days from the date of receipt of the decision by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings having lead to the decision subject to appeal:

a) Within ten (10) days from notice of the decision, such party/ies shall have the right to request from the body having issued the decision a copy of the file on which such body relied;

b) If such a request is made within the ten-day period, then the party making such request shall have twenty-one (21) days from receipt of the file to file an appeal to CAS.

The above notwithstanding, the filing deadline for an appeal or intervention filed by *WADA* shall be the later of:

(a) Twenty-one (21) days after the last day on which any other party in the case could have appealed, or

(b) Twenty-one (21) days after *WADA's* receipt of the complete file relating to the decision.

11 Reporting and Recognition

11.1 Notice, Confidentiality and Reporting

11.1.1 Notice to *Athletes* and Other *Persons*.

Notice to *Athletes* or other *Persons* shall occur as provided under Article 5. Notice to an *Athlete* or other *Person* who is a member of a *National Federation* may be accomplished by delivery of the notice to the *National Federation*.

11.1.2 Notice to *National Anti-Doping Organizations*, *IFSC* and *WADA*.

Notice to *National Anti-Doping Organizations*, *IFSC* and *WADA* shall occur as provided under Article 5.

11.1.3 Content of Notification.

Notification to the *Athlete's National Anti-Doping Organization*, *IFSC* and *WADA* according to Article 5 shall include: the *Athlete's* name, country, sport and discipline within the sport, the *Athlete's* competitive level, whether the test was *In-Competition* or *Out-of-Competition*, the date of *Sample* collection and the analytical result reported by the laboratory.

11.1.4 Status Reports.

The same *Persons* and *Anti-Doping Organizations* shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Articles 5 (Results Management), 5.8.1 (Principles for a Fair Hearing) or 10 (Appeals) and shall be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.

11.1.5 Confidentiality.

The recipient organizations shall not disclose this information beyond those *Persons* with a need to know (which would include the appropriate personnel at the applicable *National Olympic Committee, National Federation, and team in a Team Sport*) until the *Anti-Doping Organization* with results management responsibility has made public disclosure or has failed to make public disclosure as required in Article 11.2 below.

[Comment to Article 11.1.5: Each Anti-Doping Organization shall provide, in its own anti-doping rules, procedures for the protection of confidential information and for investigating and disciplining improper disclosure of confidential information by any employee or agent of the Anti-Doping Organization.]

11.2 Public Disclosure

- 11.2.1 The identity of any *Athlete* or other *Person* who is asserted by IFSC or its *National Federations* to have committed an anti-doping rule violation, may be *publicly disclosed* by IFSC or its *National Federations* only after notice has been provided to the *Athlete* or other *Person* in accordance with Articles 5.1, 5.2 or 5.4, and to the applicable *Anti-Doping Organizations* in accordance with Article 11.1.2.
- 11.2.2 No later than twenty (20) days after it has been determined in a hearing in accordance with Article 8 that an anti-doping rule violation has occurred, or such hearing has been waived, or the assertion of an anti-doping rule violation has not been timely challenged, IFSC or its *National Federations* must publicly report the disposition of the anti-doping matter including the sport, the anti-doping rule violated, the name of the *Athlete* or other *Person* committing the violation, the *Prohibited Substance* or *Prohibited Method* involved and the *Consequences* imposed. IFSC or its *National Federations* must also publicly report within twenty (20) days appeal decisions concerning anti-doping rule violations. IFSC or its *National Federations* shall also, within the time period for publication, send all hearing and appeal decisions to WADA.
- 11.2.3 In any case where it is determined, after a hearing or appeal, that the *Athlete* or other *Person* did not commit an anti-doping rule violation, the decision may be disclosed publicly only with the consent of the *Athlete* or other *Person* who is the subject of the decision. IFSC or its *National Federation* shall use reasonable efforts to obtain such consent, and if consent is obtained, shall publicly disclose the decision in its entirety or in such redacted form as the *Athlete* or other *Person* may approve.
- 11.2.4 For purposes of Article 14.2, publication shall be accomplished at a minimum by placing the required information on the IF or its *National Federations'* Web site and leaving the information up for at least one (1) year.
- 11.2.5 Neither IFSC nor its *National Federation* or WADA accredited laboratory, or official of either, shall publicly comment on the specific facts of a pending case (as opposed to general description of process and science) except in response to public comments attributed to the *Athlete*, other *Person* or their representatives.

11.3 *Athlete Whereabouts Information*

As further provided in the *International Standard for Testing*, *Athletes* who have been identified by IFSC or its *National Federations* for inclusion in a *Registered Testing Pool* shall provide accurate, current location information. IFSC and *National Anti-Doping Organizations* shall coordinate the identification of *Athletes* and the collecting of current location information and shall submit these to WADA. This information will be accessible, through ADAMS where reasonably feasible, to other *Anti-Doping Organizations* having jurisdiction to test the *Athlete*. This information shall be maintained in strict confidence at all times; shall be used exclusively for purposes of planning, coordinating or conducting *Testing*, and shall be destroyed after it is no longer relevant for these purposes.

11.4 *Statistical Reporting*

- 11.4.1 IFSC or its *National Federations* shall, at least annually, publish publicly a general statistical report of their *Doping Control* activities with a copy provided to WADA. IFSC or its *National Federations* may also publish reports showing the name of each *Athlete* tested and the date of each *Testing*.

11.5 *Doping Control Information Clearinghouse*

WADA shall act as a central clearinghouse for *Doping Control Testing* data and results for *International-Level Athletes* and national-level *Athletes* who have been included in their *National Anti-Doping Organizations Registered Testing Pool*. To facilitate coordinated test distribution planning and to avoid unnecessary duplication in *Testing* by the various *Anti-Doping Organizations*, IF or its *National Federations* shall report all *In-Competition* and *Out-of-Competition* tests on such *Athletes* to the WADA clearinghouse as soon as possible after such tests have been conducted. This information will be made accessible to the *Athlete*, the *Athlete's* National Federation, *National Olympic Committee* or *National Paralympic Committee*, *National Anti-Doping Organization*, IF, and the *International Olympic Committee* or *International Paralympic Committee*.

To enable it to serve as a clearinghouse for *Doping Control Testing* data, WADA has developed a database management tool, ADAMS, that reflects emerging data privacy principles.. Private information regarding an *Athlete*, *Athlete Support Personnel*, or others involved in anti-doping activities shall be maintained by WADA, which is supervised by Canadian privacy authorities, in strict confidence and in accordance with the *International Standard* for the protection of privacy.

11.6 *Data Privacy.*

When performing obligations under these rules, IFSC or its *National Federations* may collect, store, process or disclose personal information relating to *Athletes* and third parties. IFSC or its *National Federations* shall ensure that they comply with applicable data protection and privacy laws with respect to their handling of such information, as well as the *International Standard* for the protection of privacy that WADA shall adopt to ensure *Athletes* and non-athletes are fully informed of and, where necessary, agree to the handling of their personal information in connection with anti-doping activities arising under the *Code* and these *anti-doping rules*.

12 Mutual Recognitions

- 12.1** Subject to the right to appeal provided in Article 10, the *Testing*, TUE's and hearing results or other final adjudications of any *National Federation* or *Signatory* which are consistent with the *Code* and are within the *National Federation* or *Signatory's* authority, shall be recognized and respected by IF and all *National Federations*.

[Comment to Article 12.1: There has in the past been some confusion in the interpretation of this Article with regard to therapeutic use exemptions. Unless provided otherwise by the rules of an International Federation or an agreement with an International Federation, National Anti-Doping Organizations do not have "authority" to grant therapeutic use exemptions to International-Level Athletes.]

- 12.2** IFSC and its *National Federations* shall recognize the same actions of other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code*.

[Comment to Article 12.2: Where the decision of a body that has not accepted the Code is in some respects Code compliant and in other respects not Code compliant, IF or its National Federation should attempt to apply the decision in harmony with the principles of the Code. For example, if in a process consistent with the Code a non-Signatory has found an Athlete to have committed an anti-doping rule violation on account of the presence of a Prohibited Substance in his body but the period of Ineligibility applied is shorter than the period provided for in the Code, then IF or its National Federation should recognize the finding of an anti-doping rule violation and they should conduct a hearing consistent with Article 8 of IFSC Disciplinary Rules and Article 5.8 of these rules to determine whether the longer period of Ineligibility provided in the Code should be imposed.]

- 12.3** Subject to the right to appeal provided in Article 13, any decision of IFSC regarding a violation of these Anti-Doping Rules shall be recognized by all *National Federations*, which shall take all necessary action to render such decision effective.

13 Incorporation of IFSC Anti-Doping Rules

All *National Federations* shall comply with these Anti-Doping Rules. These Anti-Doping Rules shall also be incorporated either directly or by reference into each *National Federations* Rules. All *National Federations* shall include in their regulations the procedural rules necessary to effectively implement these Anti-Doping Rules.

14 Statute of limitations

No action may be commenced against an Athlete or other Person for an anti-doping rule violation contained in these Anti-Doping Rules unless such action is commenced within eight (8) years from the date the violation is asserted to have occurred.

15 IFSC Compliance Reports to WADA

The IFSC will report to *WADA* on the IFSC's compliance with the *Code* every second year and shall explain reasons for any noncompliance.

16 Amendment and Interpretation of Anti-Doping Rules

- 16.1 These Anti-Doping Rules may be amended from time to time by the IFSC Board
- 16.2 These Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes, except as provided in Article 16.5.
- 16.3 The headings used for the various Parts and Articles of these Anti-Doping Rules are for convenience only and shall not be deemed part of the substance of these Anti-Doping Rules or to affect in any way the language of the provisions to which they refer.
- 16.4 The "Introduction", the "Appendix I Definitions" and the *International Standards* issued by WADA shall be considered integral parts of these Anti-Doping Rules.
- 16.5 These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the *Code* and shall be interpreted in a manner that is consistent with applicable provisions of the *Code*. The comments annotating various provisions of the *Code* may, where applicable, assist in the understanding and interpretation of these Anti-Doping Rules.
- 16.6 The comments annotating various provisions of the *Code* and these Anti-Doping Rules should be used to interpret these Anti-Doping Rules.
- 16.7 These Anti-Doping Rules shall come into full force and effect on 1 January 2011 (the "**Effective Date**"). They shall not apply retrospectively to matters pending before the Effective Date; provided, however, that:
 - 16.7.1 With respect to any anti-doping rule violation case which is pending as of the Effective Date and any anti-doping rule violation case brought after the Effective Date based on an anti-doping rule violation which occurred prior to the Effective Date, the case shall be governed by the substantive anti-doping rules in effect at the time the alleged anti-doping rule violation occurred unless the panel hearing the case determines the principle of "lex mitior" appropriately applies under the circumstances of the case.

- 16.7.2 Any Article 3.2.4 whereabouts violation (whether a filing failure or a missed test) declared by IFSC under rules in force prior to the Effective Date that has not expired prior to the Effective Date and that would qualify as a whereabouts violation under Article 11 of the *International Standard for Testing* shall be carried forward and may be relied upon, prior to expiry, in accordance with the *International Standards for Testing*.
- 16.7.3 With respect to cases where a final decision finding an anti-doping rule violation has been rendered prior to the Effective Date, but the *Athlete* or other *Person* is still serving the period of *Ineligibility* as of the Effective Date, the *Athlete* or other *Person* may apply to the *Anti-Doping Organization* which had results management responsibility for the anti-doping rule violation to consider a reduction in the period of *Ineligibility* in light of these anti-doping rules. Such application must be made before the period of *Ineligibility* has expired. The decision rendered may be appealed pursuant to Article 13.2. These anti-doping rules shall have no application to any anti-doping rule violation case where a final decision finding an anti-doping rule violation has been rendered and the period of *Ineligibility* has expired.
- 16.7.4 Subject always to Article 7.7.5, anti-doping rule violations committed under rules in force prior to the Effective Date shall be taken into account as prior offences for purposes of determining sanctions under Article 7.7. Where such pre-Effective Date anti-doping rule violation involved a substance that would be treated as a Specified Substance under these Anti-Doping Rules, for which a period of *Ineligibility* of less than two years was imposed, such violation shall be considered a Reduced Sanction violation for purposes of Article 7.7.1.

17 Additional roles and responsibilities of *Athletes* and other *persons*

17.1 Roles and Responsibilities of *Athletes*.

- 17.1.1 To be knowledgeable of and comply with these anti-doping rules
- 17.1.2 To be available for *Sample* collection.
- 17.1.3 To take responsibility, in the context of anti-doping, for what they ingest and use.
- 17.1.4 To inform medical personnel of their obligation not to *Use Prohibited Substances* and *Prohibited Methods* and to take responsibility to make sure that any medical treatment received does not violate these anti-doping rules.

17.2 Roles and Responsibilities of *Athlete Support Personnel*

- 17.2.1 To be knowledgeable of and comply with these anti-doping rules.
- 17.2.2 To cooperate with the *Athlete Testing* program.
- 17.2.3 To use their influence on *Athlete* values and behavior to foster anti-doping attitudes.

18 IFSC Rights

The IFSC reserves the following rights:

- 18.1** The right to be a party in disciplinary proceedings conducted by a *National Federation*.
- 18.2** The right to refuse international licences to competitors of member associations which do not have correct anti doping procedures or do not apply them.
- 18.3** The right to appeal as set out in Article 10.
- 18.4** To test athletes from the IFSC Registered Pool out of competition, as set out in Article 4.4.1,. Athletes in the Registered Testing Pool will be invited to nominate an athlete representative to the Anti Doping Commission and be encouraged to help promote awareness about the dangers of doping in sport.

Annexe 1. Definitions

ADAMS. The Anti-Doping Administration and Management System is a Web-based database management tool for data entry, storage, sharing, and reporting designed to assist stakeholders and WADA in their anti-doping operations in conjunction with data protection legislation.

Adverse Analytical Finding. A report from a laboratory or other WADA-approved *Testing* entity that, consistent with the *International Standard* for Laboratories and related Technical Documents, identifies in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the *Use* of a *Prohibited Method*.

Anti-Doping Organization. A *Signatory* that is responsible for adopting rules for initiating, implementing or enforcing any part of the *Doping Control* process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, other *Major Event Organizations* that conduct *Testing* at their *Events*, WADA, International Federations, and *National Anti-Doping Organizations*.

Athlete. Any *Person* who participates in sport at the international level (as defined by each International Federation) or national level (as defined by each *National Anti-Doping Organization*), including but not limited to those *Persons* in its *Registered Testing Pool*, and any other competitor in sport who is otherwise subject to the jurisdiction of any *Signatory* or other sports organization accepting the *Code*. All provisions of the *Code*, including, for example, *Testing*, and TUE's must be applied to international and national-level competitors. Some *National Anti-Doping Organizations* may elect to test and apply anti-doping rules to recreational-level or masters competitors who are not current or potential national caliber competitors. *National Anti-Doping Organizations* are not required, however, to apply all aspects of the *Code* to such *Persons*. Specific national rules may be established for Doping Control for non-international-level or national-level competitors without being in conflict with the *Code*. Thus, a country could elect to test recreational-level competitors but not require TUE's or whereabouts information. In the same manner, a *Major Event Organization* holding an *Event* only for masters-level competitors could elect to test the competitors but not require advance TUE or whereabouts information. For purposes of Article 3.2.8 (Administration or Attempted Administration) and for purposes of anti-doping information and education, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the *Code* is an *Athlete*.

[Comment to Athlete: This definition makes it clear that all international and national-caliber athletes are subject to the anti-doping rules of the Code, with the precise definitions of international and national level sport to be set forth in the anti-doping rules of the IFs and National Anti-Doping Organizations, respectively. At the national level, anti-doping rules adopted pursuant to the Code shall apply, at a minimum, to all persons on national teams and all persons qualified to compete in any national championship in any sport. That does not mean, however, that all such Athletes must be included in a National Anti-Doping Organization's Registered Testing Pool. The definition also allows each National Anti-Doping Organization, if it chooses to do so, to expand its anti-doping control program beyond national-caliber athletes to competitors at lower levels of competition. Competitors at all levels of competition should receive the benefit of anti-doping information and education.]

Athlete Support Personnel. Any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other *Person* working with, treating or assisting an *Athlete* participating in or preparing for sports *Competition*.

Attempt. Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an anti-doping rule violation. Provided, however, there shall be no anti-doping rule violation based solely on an *Attempt* to commit a violation if the *Person* renounces the *Attempt* prior to it being discovered by a third party not involved in the *Attempt*.

Atypical Finding. A report from a laboratory or other WADA-approved entity which requires further investigation as provided by the *International Standard* for Laboratories or related Technical Documents prior to the determination of an *Adverse Analytical Finding*.

CAS. The Court of Arbitration for Sport

Code. The World Anti-Doping *Code*.

Competition. A single race, match, game or singular athletic contest. For example, a basketball game or the finals of the Olympic 100-meter race in athletics. For stage races and other athletic contests where prizes are awarded on a daily or other interim basis the distinction between a *Competition* and an *Event* will be as provided in the rules of the applicable International Federation.

Consequences of Anti-Doping Rule Violations. An *Athlete's* or other *Person's* violation of an anti-doping rule may result in one or more of the following: (a) *Disqualification* means the *Athlete's* results in a particular *Competition* or *Event* are invalidated, with all resulting Consequences including forfeiture of any medals, points and prizes; (b) *Ineligibility* means the *Athlete* or other *Person* is barred for a specified period of time from participating in any *Competition* or other activity or funding as provided in Article 7.9. *Provisional Suspension* means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* prior to the final decision at a hearing conducted under IFSC Disciplinary Rules Article 8 (The hearing) and Article 5.8 of these rules (Disciplinary Procedure and hearing).

Disqualification. See *Consequences of Anti-Doping Rule Violations* above.

Doping Control. All steps and processes from test distribution planning through to ultimate disposition of any appeal including all steps and processes in between such as provision of whereabouts information, sample collection and handling, laboratory analysis, TUE's results management and hearings.

Event. A series of individual *Competitions* conducted together under one ruling body (e.g., the Olympic Games, FINA World Championships, or Pan American Games).

Event Period. The time between the beginning and end of an *Event*, as established by the ruling body of the *Event*.

In-Competition. Unless provided otherwise in the rules of an International Federation or other relevant *Anti-Doping Organization*, "*In-Competition*" means the period commencing twelve hours before a *Competition* in which the *Athlete* is scheduled to participate through the end of such *Competition* and the *Sample* collection process related to such *Competition*.

Individual Sport. Any sport that is not a *Team Sport*.

Independent Observer Program. A team of observers, under the supervision of WADA, who observe the *Doping Control* process at certain *Events* and report on observations. If WADA is testing *In-Competition* at an *Event*, the observers shall be supervised by an independent organization.

Ineligibility. See *Consequences of Anti-Doping Rule Violations* above.

International Event. An *Event* where the International Olympic Committee, the International Paralympic Committee, an International Federation, a *Major Event Organization*, or another international sport organization is the ruling body for the *Event* or appoints the technical officials for the *Event*.

International-Level Athlete. *Athletes* designated by one or more International Federations as being within the *Registered Testing Pool* for an International Federation.

International Standard. A standard adopted by WADA in support of the *Code*. Compliance with an *International Standard* (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the *International Standard* were performed properly. *International Standards* shall include any Technical Documents issued pursuant to the *International Standard*.

Major Event Organizations. The continental associations of *National Olympic Committees* and other international multi-sport organizations that function as the ruling body for any continental, regional or other *International Event*.

Marker. A compound, group of compounds or biological parameter(s) that indicates the *Use* of a *Prohibited Substance* or *Prohibited Method*.

Member Association or association. A IFSC member participating in IFSC competitions;

Metabolite. Any substance produced by a biotransformation process.

Minor. A natural *Person* who has not reached the age of majority as established by the applicable laws of his or her country of residence.

National Anti-Doping Organization. The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of *Samples*, the management of test results, and the conduct of hearings, all at the national level. This includes an entity which may be designated by multiple countries to serve as regional *Anti-Doping Organization* for such countries. If this designation has not been made by the competent public authority(ies), the entity shall be the country's *National Olympic Committee* or its designee.

National Event. A sport *Event* involving international or national-level *Athletes* that is not an *International Event*.

National Olympic Committee. The organization recognized by the International Olympic Committee. The term *National Olympic Committee* shall also include the National Sport Confederation in those countries where the National Sport Confederation assumes typical *National Olympic Committee* responsibilities in the anti-doping area.

No Advance Notice. A *Doping Control* which takes place with no advance warning to the *Athlete* and where the *Athlete* is continuously chaperoned from the moment of notification through *Sample* provision.

No Fault or Negligence. The *Athlete's* establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had *Used* or been administered the *Prohibited Substance* or *Prohibited Method*.

No Significant Fault or Negligence. The *Athlete's* establishing that his or her fault or negligence, when viewed in the totality of the circumstances and taking into account the criteria for *No Fault or Negligence*, was not significant in relationship to the anti-doping rule violation.

Out-of-Competition. Any *Doping Control* which is not *In-Competition*.

Participant. Any *Athlete* or *Athlete Support Personnel*.

Person. A natural *Person* or an organization or other entity.

Possession. The actual, physical *Possession*, or the constructive *Possession* (which shall be found only if the person has exclusive control over the *Prohibited Substance/Method* or the premises in which a *Prohibited Substance* or *Prohibited Method* exists); provided, however, that if the person does not have exclusive control over the *Prohibited Substance* or *Prohibited Method* or the premises in which a *Prohibited Substance* or *Prohibited Method* exists, constructive *Possession* shall only be found if the person knew about the presence of the *Prohibited Substance* or *Prohibited Method* and intended to exercise control over it. Provided, however, there shall be no anti-doping rule violation based solely on *Possession* if, prior to receiving notification of any kind that the *Person* has committed an anti-doping rule violation, the *Person* has taken concrete action demonstrating that the *Person* never intended to have *Possession* and has renounced *Possession* by explicitly declaring it to an *Anti-Doping Organization*. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a *Prohibited Substance* or *Prohibited Method* constitutes *Possession* by the *Person* who makes the purchase.

[Comment: Under this definition, steroids found in an Athlete's car would constitute a violation unless the Athlete establishes that someone else used the car; in that event, the Anti-Doping Organization must establish that, even though the Athlete did not have exclusive control over the car, the Athlete knew about the steroids and intended to have control over the steroids. Similarly, in the example of steroids found in a home medicine cabinet under the joint control of an Athlete and spouse, the Anti-Doping Organization must establish that the Athlete knew the steroids were in the cabinet and that the Athlete intended to exercise control over the steroids.]

Prohibited List. The List identifying the *Prohibited Substances* and *Prohibited Methods*.

Prohibited Method. Any method so described on the *Prohibited List*.

Prohibited Substance. Any substance so described on the *Prohibited List*.

Provisional Hearing. For Purposes of Article 5.6, an expedited abbreviated hearing occurring prior to a hearing under IFSC Disciplinary Rules Article 8 (The hearing) and Article 5.8 of these rules (Disciplinary Procedure and hearing) that provides the *Athlete* with notice and an opportunity to be heard in either written or oral form.

Provisional Suspension. See *Consequences of Anti-Doping Rules Violations* above.

Publicly Disclose or Publicly Report. To disseminate or distribute information to the general public or persons beyond those persons entitled to earlier notification in accordance with Article 11.

Registered Testing Pool. The pool of top level *Athletes* established separately by each International Federation and *National Anti-Doping Organization* who are subject to both *In-Competition* and *Out-of-Competition Testing* as part of that International Federation's or National Anti-Doping Organization's test distribution plan.

Sample or Specimen. Any biological material collected for the purposes of *Doping Control*.

[Comment to Sample or Specimen: It has sometimes been claimed that the collection of blood samples violates the tenets of certain religious or cultural groups. It has been determined that there is no basis for any such claim.]

Signatories. Those entities signing the *Code* and agreeing to comply with the *Code*, including the International Olympic Committee, International Federations, International Paralympic Committee, *National Olympic Committees*, National Paralympic Committees, *Major Event Organizations*, *National Anti-Doping Organizations*, and WADA.

Specified Substances. As defined in Article 4.2.2.2.

Substantial Assistance. For purposes of Article 7.5.3, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement all information he or she possesses in relation to anti-doping rule violations, and (2) fully cooperate with the investigation and adjudication of any case related to that information, including, for example, presenting testimony at a hearing if requested to do so by an *Anti-Doping Organization* or hearing panel. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

Tampering. Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly; obstructing, misleading or engaging in any fraudulent conduct to alter results or prevent normal procedures from occurring; or providing fraudulent information to an *Anti-Doping Organization*.

Target Testing. Selection of *Athletes* for *Testing* where specific *Athletes* or groups of *Athletes* are selected on a non-random basis for *Testing* at a specified time.

Team Sport. A sport in which the substitution of players is permitted during a *Competition*.

Testing. The parts of the *Doping Control* process involving test distribution planning, *Sample* collection, *Sample* handling, and *Sample* transport to the laboratory.

Therapeutic Use Exemption (TUE). Therapeutic Use Exemption as defined by the *Code*.

Trafficking. Selling, giving, transporting, sending, delivering or distributing a *Prohibited Substance* or *Prohibited Method* (either physically or by any electronic or other means) by an *Athlete*, *Athlete Support Personnel* or any other *Person* subject to the jurisdiction of an *Anti-Doping Organization* to any third party; provided, however, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance* used for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving *Prohibited Substances* which are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes.

TUE. As defined in Article 3.2.6.1.

TUE Panel. As defined in Article 4.3.4.

UNESCO Convention. The International Convention against Doping in Sport adopted by the 33rd session of the UNESCO General Conference on 19 October 2005 including any and all amendments adopted by the States Parties to the Convention and the Conference of Parties to the International Convention against Doping in Sport.

Use. The utilization, application, ingestion, injection or consumption by any means whatsoever of any *Prohibited Substance* or *Prohibited Method*.

WADA. The World Anti-Doping Agency.

Annexe 2. Doping Violation Report

This information is to be provided by the athlete's national federation by e-mail or fax to the IFSC office.

The IFSC may request further information from you.

Stage 1 – Notification of alleged violation

If there is an adverse analytical finding or other doping violation the following information is to be provided immediately when the national federation receives notice of the alleged violation.

- 1.1 Name and address of athlete
- 1.2 Date of birth of athlete
- 1.3 Name of national federation
- 1.4 Time and place at which alleged violation occurred
- 1.5 Nature of alleged violation and prohibited substance (if applicable)
- 1.6 Action taken by national federation and/or national sports bodies
- 1.7 Has the athlete been suspended?
- 1.8 Provide copies of the following documents:
 - Applicable disciplinary rules
 - Test report (if adverse analytical finding)
 - Written complaint or other document (if other violation)
 - Any decision sent to athlete (e.g. suspension)
 - Any Therapeutic Use Exemption

Stage 2 – B Sample analysis

If there is an adverse analytical finding the following information is to be provided immediately when the national federation receives the B sample analysis (if requested by athlete) or the time limit for athlete to request B sample analysis expires (if no request made).

- 2.1 Has the athlete requested a B sample analysis?
- 2.2 Date of expiry of time limit for athlete to request B sample analysis (if no request made)
- 2.3 Has the B sample analysis confirmed the A sample analysis?
- 2.4 Provide copies of the following documents (if applicable):
 - B Sample analysis
 - Any decision sent to athlete

Stage 3 – Disciplinary decision

The following information is to be provided immediately after the disciplinary decision has been made (this does not include any appeal).

- 3.1 Date of decision

3.2 Was the violation proved?

3.3 Sanction imposed (if any)

3.4 Date of expiry of time limit to appeal (in the disciplinary rules)

3.5 Provide copies of the following documents:

- The decision (which should include reasons for eliminating or reducing any period of ineligibility applied as a sanction)
- If the IFSC model Disciplinary Rules were used, then you must also send the documents listed in those rules

Stage 4 – notification of appeal

The following information is to be provided immediately if the member federation receives notice of appeal from the athlete:

4.1 Date, time and place of any appeal hearing

4.2 Provide copies of the following documents:

- Notice of appeal and any other documents received from the athlete
- Appeal rules (if not included in the disciplinary rules)

Stage 5 – Appeal decision

The following information is to be provided immediately after the appeal decision has been made.

5.1 Date of appeal decision

5.2 What is the appeal decision?

5.3 Provide copies of the following documents:

- The appeal decision

Note: If there is a further appeal to the Court of Arbitration for Sport, the IFSC will require information concerning the further appeal including the information required in stages 4 and 5 above.