

## **I. GENERAL PROVISIONS**

### **1.1. Fundamental rationale for the Rules**

The Anti-Doping Rules (hereinafter referred to as “the Rules”) were developed in accordance with the Federal Law No. 329-FZ dated December 4, 2007 “On Physical Culture and Sport in the Russian Federation” (hereinafter – Federal Law) (Collection of the legislation of the Russian Federation, 2007, № 50, art. 6242; 2008, N 30 (p. 2), art. 3616, N 52 (p. 1), art. 6236; 2009, N 19, art. 2272, N 29, art. 3612, N 48, art. 5726, N 51, art. 6150; 2010, N 19, art. 2290, N 31, art. 4165, N 49, art. 6417, N 51 (p. 3), art. 6810; 2011, N 9, art. 1207, N 17, art. 2317, N 30 (p. 1), art. 4596, N 45, art. 6331, N 49 (p. 5), art. 7062, N 50, art. 7354, N 50, art. 7355; 2012, N 29, art. 3988, N 31, art. 4325, N 50 (p. 5), art. 6960, N 53 (p. 1), art. 7582; 2013, N 19, art. 2331, N 23, art. 2866, N 27, art. 3477, N 30 (p. 1), art. 4025, N 30 (p. 1), art. 4031; 2014, N 23, art. 2930, N 26 (p. 1), art. 3376; 2015, N1, art. 43, art.76, N14, art.2018).

Provisions of the Rules are in conformity with the provisions of the International Convention against Doping in Sport, adopted at the 33rd UNESCO General Conference, Paris, October 19, 2005 (Collection of the legislation of the Russian Federation, 2007, N 24, art. 2835) and ratified by the Federal Law No. 240-FZ dated December 27, 2006 “On Ratification of the International Convention against Doping in Sport” (Collection of the legislation of the Russian Federation, 2007, N. 1, p. 3) (hereinafter referred to as “the Convention”), the World Anti-Doping Code 2015 accepted by the World Anti-Doping Agency, and the WADA International Standards.

### **1.2. Specificity of the Rules**

Rules, aimed at enforcing anti-doping principles in a global and harmonized manner, are distinct in nature from criminal and civil laws, and are not intended to be subject to or limited by any national requirements and legal standards applicable to criminal or civil proceedings. 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 these Anti-Doping Rules and the Code and the fact that the Code represents the consensus of a broad spectrum of stakeholders around the world as to what is necessary to protect and ensure fair sport.

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; the pursuit of human excellence through the dedicated perfection of each person's natural talents. It is how we play true. The spirit of sport is the

celebration of the human spirit, body and mind, and is reflected in values we find in and through sport, including:

- 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.

### **1.3. Scope of these Rules**

#### **1.3.1. The All-Russian ADA**

The All-Russian Anti-Doping Organization (hereinafter referred as ADA) was created in accordance with article 26.1 of the Federal Law.

In accordance with the Federal Law ADA exercises the following functions mentioned in article 26 of the Federal Law and article 20.5 of the Code, in particular:

- Planning, coordinating, implementing, monitoring and advocating improvements in Doping Control;
- Cooperating with other relevant national organizations, agencies and other Anti-Doping Organizations;
- Encouraging reciprocal Testing between National Anti-Doping Organizations;

- Planning, implementing and monitoring anti-doping information, education and prevention programs;
- Promoting anti-doping research;
- Vigorously pursuing all potential anti-doping rule violations within its jurisdiction, including investigating whether Athlete Support Personnel or other Persons may have been involved in each case of doping, and ensuring proper enforcement of Consequences;
- Promoting anti-doping educational programs;
- Conducting an automatic investigation of Athlete Support Personnel within its jurisdiction in the case of any anti-doping rule violation by a Minor and of any Athlete Support Personnel who has provided support to more than one Athlete found to have committed an anti-doping rule violation;
- Cooperating fully with WADA in connection with investigations conducted by WADA within its jurisdiction.

### **1.3.2. The All-Russian Sports Federation**

These Rules are applied to the All-Russian Sports Federations (National Federations) that in accordance with the Federal Law and in order to prevent doping and fight it in sport:

- Publish the Rules and anti-doping rules adopted by relevant International Federations translated into Russian in periodicals of the Russian Federation and (or) post on their official websites on the Internet.
- In accordance with the Rules provide the ADA information for formation of the list of Athletes to be tested In- and Out-of-Competition Period.
- In accordance with the Rules notify the Athletes about their inclusion in ADA Registered Testing Pool.
- Assisting in conducting Testing in accordance with the rules of Doping-Control.
- Apply sanctions (including the Athlete's sports suspension) on basis and in pursuance of decision of relevant anti-doping organization on violation of Rules by Athletes, Athlete's Support Personnel in respect to Athletes and support personnel of animals participating into the competitions.

- Provide information about applied sanctions to the federal body of executive power in sphere of physical culture and sport, the executive authorities of the relevant subjects of the Russian Federation, ADA and International Federation.
- Carry other requirements of the Federal Law and Rules.

### **1.3.3 Physical Persons**

1.3.3.1 These Anti-Doping Rules shall apply to the following Persons:

- a) All Athletes who are nationals, residents, license-holders or members of All-Russian Sports Federation in the Russian Federation, including Athletes who are not nationals or residents of the Russian Federation but who are present in the Russian Federation and all Athletes that participate in Events organized by a sports organization registered on the territory of the Russian Federation; and
- b) All Athlete Support Personnel working with, treating or assisting any Athlete mentioned in Article 1.3.3.1(a) who is participating or preparing for a sports Competition.

1.3.3.2. National-Level Athletes are considered as all Athletes that participate in the Russian Championships and Russian Junior Championships, as well as in any other National Events organized by an All-Russian Sports Federation, provided that such Athletes are not classified by their respective International Federations as International-Level Athletes.

1.3.3.3. Athletes and other Persons mentioned in this Article may also be subject to the anti-doping rules of other Anti-Doping Organisations (for example, in the case of International-Level Athletes, the anti-doping rules of International Federation). These Rules are not intended to limit the responsibilities of any Athlete or other Person under such Rules. The jurisdictional issues on results management shall be resolved in accordance with the Code.

## **II. DEFINITION OF DOPING, RULE VIOLATIONS**

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.10 of these Rules.

The purpose of Article II is to specify the circumstances and conduct which constitute anti-doping rule violations. Hearings in doping cases will proceed based on the assertion that one or more of these specific rules have been violated.

Athletes or 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:

## **2.1. Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample**

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 rule violation under Article 2.1.

2.1.2 Sufficient proof of anti-doping rule violation under Article 2.1 is established by any of the following: presence of a Prohibited Substance or its Metabolites or Markers in an 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 B Sample confirms the presence of the Prohibited Substances or its Metabolites or Markers found in the Athlete's Sample; or, where the Athlete's B Sample is split into two bottles and the analysis of the second bottle confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the first bottle.

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.

2.1.4. As an exception to the general rule of Article 2.1, the Prohibited List or International Standards may establish special criteria for the evaluation of Prohibited Substances that can also be produced endogenously.

## **2.2. Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method**

2.2.1. It is each Athlete's personal duty to ensure that no Prohibited Substance enters his or her body and that no Prohibited Method is Used. 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.

2.2.2. The success or failure of the Use or Attempted 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.

### **2.3. Evading, Refusing or Failing to Submit to Sample Collection**

Evading Sample collection, or without compelling justification, refusing or failing to submit to Sample collection after notification as authorized in applicable anti-doping rules.

### **2.4. Whereabouts Failures**

Any combination of three missed tests and (or) filing failures, as defined in the International Standard for Testing and Investigations, within a twelve-month period by an Athlete in a Registered Testing Pool (hereinafter - Pool).

### **2.5 Tampering or Attempted Tampering with any part of Doping Control**

Conduct which subverts the Doping Control process but which would not otherwise be included in the definition of Prohibited Methods. Tampering shall include, without limitation, intentionally interfering or attempting to interfere with a Doping Control official, providing fraudulent information to an Anti-Doping Organization or intimidating or attempting to intimidate a potential witness.

### **2.6. Possession of a Prohibited Substance or a Prohibited Method**

2.6.1. Possession by an Athlete In-Competition of any Prohibited Substance or any Prohibited Method, or Possession by an Athlete Out-of-Competition of any Prohibited Substance or any Prohibited Method which is prohibited Out-of-Competition unless the Athlete establishes that the Possession is consistent with a Therapeutic Use Exemption (“TUE”) granted in accordance with Article 4.4 or other acceptable justification.

2.6.2. Possession by an Athlete Support Person In-Competition of any Prohibited Substance or any Prohibited Method, or Possession by an Athlete Support Person Out-of-Competition of any Prohibited Substance or any Prohibited Method which is prohibited Out-of-Competition in connection with an Athlete, Competition or training, unless the Athlete Support Person establishes that the Possession is consistent with a TUE granted to an Athlete in accordance with Article 4.4 or other acceptable justification.

### **2.7. Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method**

**2.8. Administration or Attempted Administration to any Athlete In-Competition of any Prohibited Substance or Prohibited Method, or Administration or Attempted Administration to any Athlete Out-of-Competition of any Prohibited Substance or any Prohibited Method that is prohibited Out-of-Competition.**

**2.9. Complicity**

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an anti-doping rule violation, Attempted anti-doping rule violation or violation of Article 10.11.1 by another Person.

**2.10. Prohibited Association**

Association by an Athlete or other Person subject to the authority of an Anti-Doping Organization in a professional or sport-related capacity with any Athlete Support Person who:

2.10.1. If subject to the authority of an Anti-Doping Organization, is serving a period of Ineligibility; or

2.10.2. If not subject to the authority of an Anti-Doping Organization, and where Ineligibility has not been addressed in a results management process pursuant to the Code, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of anti-doping rules if Code-compliant rules had been applicable to such Person. The disqualifying status of such Person shall be in force for the longer of six years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed; or

2.10.3. Is serving as a front or intermediary for an individual described in Article 2.10.1 or 2.10.2.

In order for this provision to apply, it is necessary that the Athlete or other Person has previously been advised in writing by an Anti-Doping Organization with jurisdiction over the Athlete or other Person, or by WADA, of the Athlete Support Person's disqualifying status and the potential Consequence of prohibited association and that the Athlete or other Person can reasonably avoid the association. The Anti-Doping Organization shall also use reasonable efforts to advise the Athlete Support Person who is the subject of the notice to the Athlete or other Person that the Athlete Support Person may, within 15 days, come forward to the Anti-Doping Organization to explain that the criteria described in Articles 2.10.1 and 2.10.2 do not apply to him or her (Notwithstanding Article XVII, this

Article applies even when the Athlete Support Person's disqualifying conduct occurred prior to the effective date provided in Article 20.1.)

The burden shall be on the Athlete or other Person to establish that any association with Athlete Support Personnel described in Article 2.10.1 or 2.10.2 is not in a professional or sport-related capacity.

Anti-Doping Organizations that are aware of Athlete Support Personnel who meet the criteria described in Article 2.10.1, 2.10.2, or 2.10.3 shall submit that information to WADA.

### **III. PROOF OF DOPING**

#### **3.1 Burdens and Standards of Proof**

The ADA shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the ADA 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 the Rules places 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.

#### **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.

3.2.1. Analytical methods or decision limits approved by WADA after consultation within the relevant scientific community and which have been the subject of peer review are presumed to be scientifically valid. Any Athlete or other Person seeking to rebut this presumption of scientific validity shall, as a condition precedent to any such challenge, first notify WADA of the challenge and the basis of the challenge. CAS, on its own initiative, may also inform WADA of any such challenge. At WADA's request, the CAS panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge. Within 10 days of WADA's receipt of such notice, and WADA's receipt of the CAS file, WADA shall also have the right to intervene as a party, appear amicus curiae or otherwise provide evidence in such proceeding.



3.2.2. WADA-accredited laboratories, and other laboratories approved by WADA, 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 for Laboratories 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 the ADA shall have the burden to establish that such departure did not cause the Adverse Analytical Finding.

3.2.3. Departures from any other International Standard or other anti-doping rule or policy set forth in the Code, these Rules or Anti-Doping Organization rules which did not cause an Adverse Analytical Finding or other anti-doping rule violation shall not invalidate such evidence or results. If the Athlete or other Person establishes a departure from another International Standard or other anti-doping rule or policy which could reasonably have caused an anti-doping rule violation based on an Adverse Analytical Finding or other anti-doping rule violation, then the ADA shall have the burden to establish that such departure did not cause the Adverse Analytical Finding or the factual basis for the anti-doping rule violation.

3.2.4. 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.

3.2.5. 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 hearing panel) and to answer questions from the hearing panel or the ADA.

## **IV. THE PROHIBITED LIST**

### **4.1. Incorporation of the Prohibited List**

These Rules incorporate the Prohibited List which is published and revised as prescribed by WADA and that is the essential part of the Convention.

## **4.2. Prohibited Substances and Prohibited Methods Identified on the Prohibited List**

### **4.2.1. Prohibited Substances and Prohibited Methods**

Unless provided otherwise in the Prohibited List and/or revisions, the Prohibited List and revisions shall enter into force under the Rules three months after publication by WADA without requiring any further action by the ADA. All Athletes and other Persons shall be bound by the Prohibited List and any revisions thereto, from the date they enter into force, without further formality. The Prohibited List is approved by the Federal body of executive power in sphere of physical culture and sport according to the legislation of Russian Federation.

### **4.2.2. Specified Substances**

For purposes of the application of Article X, all Prohibited Substances shall be Specified Substances except substances in the classes of anabolic agents and hormones and those stimulants and hormone antagonists and modulators so identified on the Prohibited List. The category of Specified Substances shall not include Prohibited Methods.

## **4.3. WADA's Determination of the Prohibited List**

WADA's determination of the Prohibited Substances and Prohibited Methods that will be included on the Prohibited List, the classification of substances into categories on the Prohibited List, and the classification of a substance as prohibited at all times or In-Competition only, 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.

## **4.4. Therapeutic Use Exemptions (hereinafter referred to as "TUEs")**

4.4.1. The presence of a Prohibited Substance or its Metabolites or Markers, and/or the Use or Attempted Use, Possession or Administration or Attempted Administration of a Prohibited Substance or Prohibited Method shall not be considered an anti-doping rule violation if it is consistent with the provisions of a TUE granted in accordance with the International Standard for Therapeutic Use Exemptions.

4.4.2. National-Level Athletes who need to Use a Prohibited Substance or Prohibited Method for therapeutic purposes should apply to the ADA for a TUE in accordance with the procedure established by the ADA and published on its

website in the Committee on Therapeutic Use of the ADA (hereinafter referred to as “TUE Committee”). An application should be submitted as soon as possible. For substances prohibited In-Competition only, the Athlete should apply for a TUE at least 30 days before his/her next Competition, unless it is an emergency or exceptional situation (as provided in Article 4.3 of the International Standard for Therapeutic Use Exemptions). The TUE Committee shall evaluate the applications and decide whether the Athlete may Use the Prohibited Substance or Prohibited Method in question in accordance with the provisions of the International Standard for Therapeutic Use Exemptions. WADA, the applicable International Federation and All-Russian Sports Federation should be notified about the decision as provided in the International Standard for Therapeutic Use Exemptions.

4.4.3. Athletes who is not an International-Level or a National-Level Athlete is not obligated to apply for an advance TUE and has the right to apply for a retroactive TUE to Use any Prohibited Substance and (or) Prohibited Method for therapeutic purposes within 5 days of receiving the notification of Adverse Analytical Finding. If an Athlete establishes the presence of reasonable excuses, this period could be prolonged by the ADA`s decision.

4.4.4. A TUE granted by the ADA is valid at national level only. If an Athlete becomes an International-Level Athlete and he or she needs to use a Prohibited Substance or Prohibited Methods then he or she should do the following:

4.4.4.1. If the Athlete already has a TUE granted by the ADA for the substance or method in question, then the Athlete may apply to his or her International Federation to recognize that TUE, in accordance with Article 7 of the International Standard for Therapeutic Use Exemptions. If the TUE granted by the ADA meets the criteria set out in the International Standard for Therapeutic Use Exemptions, then the International Federation shall recognize it for the purposes of international-level Competition as well. If the International Federation considers that the TUE granted by the ADA does not meet those criteria and so refuses to recognize it, the International Federation shall notify the International-Level Athlete and ADA promptly, with reasons. The International-Level-Athlete or the ADA has 21 days to refer the matter to WADA for review. If the matter is referred to WADA for review in accordance with Article 4.4.6, the TUE granted by the ADA remains valid for national-level Competitions and Out-of-Competition Testing, but is not valid for international-level Competitions pending WADA`s decision. If the Athlete or the ADA does not refer the matter to WADA for review, the TUE becomes invalid for any purposes when the 21-day review deadline expires.

4.4.4.2. If the Athlete does not already have a TUE granted by the ADA for the substance or method in question, the Athlete must apply directly to the International Federation for a TUE in accordance with the process set out in the International Standard for Therapeutic Use Exemptions. If the International Federation grants the Athlete's application, it shall notify the Athlete and ADA. If the ADA considers that the TUE granted by the International Federation does not meet the criteria set out in the International Standard for Therapeutic Use Exemptions, the ADA has 21 days from such notification to refer the matter to WADA for review. If ADA refers the matter to WADA for review, the TUE granted by the International Federation remains valid for international-level Competition and Out-of-Competition Testing but is not valid for national-level Competition pending WADA's decision. If the ADA does not refer the matter to WADA for review, the TUE granted by the International Federation becomes valid for national-level Competition as well when the 21-day review deadline expires.

#### 4.4.5. Expiration, Cancellation, Withdrawal or Reversal of a TUE

4.4.5.1. A TUE granted pursuant to these Rules:

- a) shall expire automatically at the end of any term for which it was granted, without the need for any further notice or other formality;
- b) may be withdrawn by the TUE Committee if it is subsequently determined that the criteria for grant of a TUE are not in fact met;
- c) may be reversed on review by WADA or on appeal.

4.4.5.2. In such event, the Athlete shall not be subject to any Consequences based on his/her Use or Possession or Administration of the Prohibited Substance or Prohibited Method in question in accordance with the TUE prior to the effective date of expiry, cancellation, withdrawal or reversal of the TUE.

#### 4.4.6. Reviews and Appeals of TUE Decisions

4.4.6.1. If the ADA denies an application for a TUE, the Athlete may ask WADA for review or file an appeal. He/she may appeal exclusively to the national-level appeal body described in Articles 13.2.2 and 13.2.3.

4.4.6.2. WADA shall review any decision by the International Federation not to recognize a TUE granted by the ADA that is referred to WADA by the Athlete or the ADA. In addition, WADA shall review any decision by the International Federation to grant a TUE that is referred to WADA by the ADA. WADA may review any TUE decisions at any time, whether upon request by those affected

(Athlete, the International Federation and the ADA) or on its own initiative. If the TUE decision being reviewed meets the criteria set out in the International Standard for Therapeutic Use Exemptions, WADA will not interfere with it. If the TUE decision does not meet those criteria, WADA will reverse it.

4.4.6.3. Any TUE decision by the International Federation (or by the ADA where it has agreed to consider the application on behalf of the International Federation) that is not reviewed by WADA, or that is reviewed by WADA but is not reversed upon review, may be appealed by the Athlete and (or) the ADA exclusively to CAS, in accordance with Article XIII.

4.4.6.4. A decision by WADA to reverse a TUE decision may be appealed by the Athlete, the ADA and/or the applicable International Federation affected exclusively to CAS, in accordance with Article XIII.

4.4.6.5. A failure to take action within a reasonable time (within 21 days) on a properly submitted application for grant recognition of a TUE or for review of a TUE decision shall be considered a denial of the application.

## **V. TESTING AND INVESTIGATIONS**

### **5.1 Purpose of Testing and Investigations**

5.1.1. Testing and investigations shall only be undertaken for anti-doping purposes. They shall be conducted in conformity with the provisions of the International Standard for Testing and Investigations. Testing shall be undertaken to obtain analytical evidence as to the Athlete's compliance (or non-compliance) with the strict prohibition on the presence/Use of a Prohibited Substance or Prohibited Method.

5.1.2. Investigations shall be undertaken:

a) in relation to Atypical Findings and Adverse Passport Findings, in accordance with Articles 7.4 and 7.5 respectively, gathering intelligence or evidence (in particular, analytical evidence) in order to determine whether an anti-doping rule violation has occurred under Article 2.1 and/or Article 2.2; and

b) in relation to other indications of potential anti-doping rule violations, in accordance with Articles 7.6 and 7.7, gathering intelligence or evidence (including, in particular, non-analytical evidence) in order to determine whether an anti-doping rule violation has occurred under any of Articles 2.2 to 2.10.

5.1.3. ADA may obtain, assess and process anti-doping intelligence from all available sources, to inform the development of an effective, intelligent and

proportionate test distribution plan, to plan Target Testing, and/or to form the basis of an investigation into a possible anti-doping rule violation.

## **5.2. Authority to Conduct Testing**

5.2.1. Subject to the jurisdictional limitations for Event Testing set out in Article 5.3 of the Code, ADA shall have In-Competition and Out-of-Competition Testing authority over all of the Athletes falling within the scope of Article 1.3.3 above.

5.2.2. ADA may require any Athlete over whom it has Testing authority (including any Athlete serving a period of Ineligibility) to provide a Sample at any time and at any place.

5.2.3 WADA has In-Competition and Out-of-Competition Testing authority as set out in Article 20 of the Code.

5.2.4. If an International Federation or Major Event Organization delegates or contracts any part of Testing to ADA (directly or through a National Federation), ADA may collect additional Samples or direct the laboratory to perform additional types of analysis at ADA's expense. If additional Samples are collected or additional types of analysis are performed, the International Federation or Major Event Organization shall be notified.

5.2.5. Where another Anti-Doping Organization with Testing authority over an Athlete who is subject to these Anti-Doping Rules conducts Testing on that Athlete, ADA and the Athlete's All-Russian Federation shall recognize such Testing in accordance with Article XV and any Consequences that are imposed pursuant to the Rules of the aforementioned Anti-Doping Organization.

## **5.3. Event Testing**

5.3.1. Except as provided in Article 5.3.2, only a single organization should be responsible for initiating and directing Testing at Event Venues during an Event Period. At International Events held in the Russian Federation, the collection of Samples shall be initiated and directed by the International Federation (or any other international organization which is the ruling body for the Event). At National Events held in the Russian Federation, the collection of Samples shall be initiated and directed by ADA. At the request of ADA (or the ruling body for that Event), any Testing during the Event Period outside of the Event Venues shall be coordinated with ADA (or the relevant ruling body).

5.3.2. If an Anti-Doping Organization which would otherwise have Testing authority but is not responsible for initiating and directing Testing at an Event

desires to conduct Testing of Athletes at the Event Venues during the Event Period, the Anti-Doping Organization shall first confer with ADA (or the ruling body of the Event) to obtain permission to conduct and coordinate such Testing. If the Anti-Doping Organization is not satisfied with the response from ADA (or the ruling body of the Event), the Anti-Doping Organization may ask WADA for permission to conduct Testing and to determine how to coordinate such Testing, in accordance with the procedures set out in the International Standard for Testing and Investigations. WADA shall not grant approval for such Testing before consulting with and informing ADA (or the ruling body for the Event). WADA's decision shall be final and not subject to appeal. Unless otherwise provided in the authorization to conduct Testing, such tests shall be considered Out-of-Competition tests. Results management for any such test shall be the responsibility of the Anti-Doping Organization initiating the test unless provided otherwise in the rules of the ruling body of the Event.

5.3.3. All-Russian Sports Federations and the organizing committees for National Events, shall authorize and facilitate the Independent Observer Program at such Events.

5.3.4. All-Russian Sports Federations and organizing committees for National Events shall provide conditions for conducting Doping Control at Events included into Unified Calendar Plan of Interregional, All-Russian and International Physical and Sports Events in compliance with rules and provide assistance in conduction of Testing at mentioned Events in accordance with Conduction of Doping Controls Rules.

#### **5.4. Test Distribution Planning**

Consistent with the International Standard for Testing and Investigations, and in coordination with other Anti-Doping Organizations conducting Testing on the Athletes mentioned in Article 1.3.3, ADA shall develop and implement an effective, intelligent and proportionate test distribution plan that prioritizes appropriately between disciplines, categories of Athletes, types of Testing, types of Samples collected, and types of Sample analysis, all in compliance with the requirements of the International Standard for Testing and Investigations. ADA shall provide WADA upon request with a copy of its current test distribution plan.

#### **5.5. Coordination of Testing**

Testing shall be coordinated through ADAMS or another system approved by WADA in order to maximize the effectiveness of the combined Testing effort and to avoid unnecessary repetitive Testing.

## **5.6. Athlete Whereabouts Information**

5.6.1 ADA shall identify a Pool of those Athletes who are required to comply with the whereabouts requirements of Annex I to the International Standard for Testing and Investigations. Each Athlete in Pool shall do the following:

- (a) advise ADA of his/her whereabouts on a quarterly basis;
- (b) update that information as necessary so that it remains accurate and complete at all times; and
- (c) make him/herself available for Testing at such whereabouts.

5.6.2 ADA shall make available through ADAMS a list which identifies those Athletes included in its Pool either by name or by clearly defined, specific criteria. ADA shall coordinate with International Federations the identification of such Athletes and the collection of their whereabouts information. Where an Athlete is included in an international Registered Testing Pool by his/her International Federation and in the Pool by ADA, ADA and the International Federation shall agree between themselves which of them shall accept that Athlete's whereabouts filings; in no case shall an Athlete be required to make whereabouts filings to more than one of them. ADA shall review and update as necessary its criteria for including Athletes in its Pool, and shall revise the membership of its Pool from time to time as appropriate in accordance with those criteria. Athletes shall be notified before they are included in the Pool and when they are removed from that Pool.

5.6.3 For purposes of Article 2.4, an Athlete's failure to comply with the requirements of the International Standard for Testing and Investigations shall be deemed a Filing Failure or a Missed Test (as defined in the International Standard for Testing and Investigations) where the conditions set forth in the International Standard for Testing and Investigations for declaring a filing failure or missed test are met.

5.6.4 An Athlete in ADA Pool shall continue to be subject to the obligation to comply with the whereabouts requirements of Annex I to the International Standard for Testing and Investigations unless and until

- (a) the Athlete gives notice to ADA that he/she has retired or
- (b) ADA has informed him/her that he/she no longer satisfies the criteria for inclusion in ADA Pool.



5.6.5 Whereabouts information relating to an Athlete shall be shared (through ADAMS) with WADA and other Anti-Doping Organizations having authority to test that Athlete, shall be maintained in strict confidence at all times, shall be used exclusively for the purposes set out in Article 5.6 of the Code and these Rules, and shall be destroyed in accordance with the International Standard for the Protection of Privacy and Personal Information once it is no longer relevant for these purposes.

## **5.7. Testing of Minors**

5.7.1. Testing of an Athlete who is a minor shall be conducted in accordance with the International Standard for Testing and Investigations Annex C. Consent of his/her parent or guardian shall be deemed from the fact that the Minor has been permitted by to participate in the sport.

## **5.8. Retired Athletes Returning to Competition**

5.8.1. An Athlete in ADA Pool and (or) International Federation who has given notice of retirement may not resume competing in International Events or National Events until he/she has given to ADA or International Federation written notice of his/her intent to resume competing and has made him/herself available for Testing for a period of six months before returning to competition, including (if requested by ADA and/or International Federation) complying with the whereabouts requirements of Annex I to the International Standard for Testing and Investigations. WADA, in consultation with ADA and the Athlete's International Federation, may grant an exemption to the six-month written notice rule where the strict application of that rule would be manifestly unfair to an Athlete. This decision may be appealed under Article XIII. Any competitive results obtained in violation of this Article shall be Disqualified.

5.8.2 If an Athlete retires from sport while subject to a period of Ineligibility the Athlete shall not resume competing in International Events or National Events until the Athlete has given six months prior written notice (or notice equivalent to the period of Ineligibility remaining as of the date the Athlete retired, if that period was longer than six months) to ADA of his/her intent to resume competing and has made him/herself available for Testing for that notice period.

## **5.9. Notice**

5.9.1. Athletes included into ADA Pool shall provide the ADA with a proper and complete contact information including residential address, mail address (if it is not a residential address), phone number and email. Athletes mentioned in this

Article shall update information as it changes including renewal of information in ADAMS.

5.9.2. Athlete or Athlete Support Personnel shall always (including in doping-control forms) provide with a proper and complete contact information including residential address, mail address (if it is not a residential address), phone number and email that ADA will use to contact him/her.

5.9.3. All ADA correspondence is delivered by registered mail with delivery confirmation by mail addresses provided to ADA. The letter is considered delivered upon expiry of ten working days. On its discretion ADA can choose any other reliable mean of communication (e.g., fax, email, phone) ensuring delivery of communication. Information shall be delivered by one or several means of communication mentioned above.

5.9.4. All-Russian Federation shall assist ADA in obtaining contact information of Athletes and/or Athletes Support Personnel under their authority.

## **VI. ANALYSIS OF SAMPLES**

Samples shall be analyzed in accordance with the following principles:

### **6.1 Use of Accredited and Approved Laboratories**

For purposes of Article 2.1, Samples shall be analyzed only in laboratories accredited or otherwise approved by WADA. The choice of the WADA-accredited or WADA-approved laboratory used for the Sample analysis shall be determined exclusively by the Anti-Doping Organization responsible for results management.

### **6.2 Purpose of Sample collection and Analysis**

6.2.1 Samples shall be analyzed to detect Prohibited Substances and Prohibited Methods and other substances as may be directed by WADA pursuant to the WADA Monitoring Program described in Article 4.5 of the Code; or to assist in profiling relevant parameters in an Athlete's urine, blood or other matrix, including DNA or genomic profiling; or for any other legitimate anti-doping purpose. Samples may be collected and stored for future analysis.

6.2.2 ADA shall ask laboratories to analyze Samples in conformity with Article 6.4 of the Code and these Rules and the relevant International Standards.

### **6.3 Research on Samples**

No Sample may be used for research without the Athlete's written consent. Samples used for purposes other than Article 6.2 shall have any means of identification removed such that they cannot be traced back to a particular Athlete.

#### **6.4 Standards for Sample Analysis and Reporting**

Laboratories shall analyze Samples and report results in conformity with the International Standard for Laboratories. To ensure effective Testing, the Technical Document referenced at Article 5.4.1 of the Code will establish risk assessment-based Sample analysis menus appropriate for particular sports and sport disciplines, and laboratories shall analyze Samples in conformity with those menus, except as follows:

6.4.1 ADA may request that laboratories analyze its Samples using more extensive menus than those described in the Technical Document.

6.4.2 Upon providing written confirmation from WADA ADA may request that laboratories analyze its Samples using less extensive menus than those described in the Technical Document only if it has satisfied WADA that, because of the particular circumstances of its country or of the sport in question, as set out in its test distribution plan, less extensive analysis would be appropriate.

6.4.3 As provided in the International Standard for Laboratories, laboratories at their own initiative and expense may analyze Samples for Prohibited Substances or Prohibited Methods not included on the Sample analysis menu described in the Technical Document or specified by the Testing authority. Results from any such analysis shall be reported and have the same validity and consequence as any other analytical result.

#### **6.5 Further Analysis of Samples**

Any Sample may be stored (no more than 10 years) and subsequently subjected to further analysis for the purposes set out in Article 6.2 at any time exclusively by following organisations: (a) WADA (at any time); or (b) ADA or the Anti-Doping Organization that initiated Testing at any time before both the A and B Sample analytical results (or A Sample result where B Sample analysis has been waived or will not be performed) have been communicated to the Athlete as the asserted basis for an Article 2.1 anti-doping rule violation. Such further analysis of Samples shall conform with the requirements of the International Standard for Laboratories and the International Standard for Testing and Investigations.

### **VII. RESULTS MANAGEMENT**

## **7.1. Responsibility for Conducting Results Management**

7.1.1. The ADA shall take responsibility for results management in respect of Athletes and other Persons under its anti-doping jurisdiction in accordance with Article 7 of the Code. Except as provided in Article 7.1.1 and 7.1.2 of the Code, results management and hearings shall be the responsibility of the ADA where it has initiated and directed Sample collection. However, where no Sample collection is involved, results management and hearings shall be the responsibility of the Anti-Doping Organization which first provides notice to an Athlete or other Person of an asserted anti-doping rule violation and then diligently pursues that anti-doping rule violation. If other Anti-Doping Organization considers that it has results management responsibility over the same fact of possible anti-doping rule violation as the ADA, WADA shall decide which organization has such responsibility in accordance with Article 7.1 of the Code.

7.1.2. If the ADA elects to collect additional Samples pursuant to Article 5.2.4 then it shall be considered the Anti-Doping Organization that initiated and directed Sample collection. However, where the ADA only directs the laboratory to perform additional types of analysis at the National ADA's expense, then the International Federation or Major Event Organization shall be considered the Anti-Doping Organization that initiated and directed Sample collection.

7.1.3. For the purpose of the investigation, conducting hearings and rendering decision of possible anti-doping rule violation, in cases where Article 7.10 of the Rules is not applied, the ADA shall establish the Disciplinary Anti-Doping Committee, carried out in accordance to the ADA's local acts.

## **7.2. Review Regarding Adverse Analytical Findings, Received in Initiated by the ADA Sample Collection**

7.2.1. The Results of Finding shall be proceed to the ADA as reports with confidentiality and signed by the laboratory official and in conformity with ADAMS.

7.2.2. Upon receipt of an Adverse Analytical Finding, the ADA shall conduct a review to determine whether: a) an applicable TUE has been granted or will be granted as provided in the International Standard for Therapeutic Use Exemptions, or b) there is any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the Adverse Analytical Finding.

7.2.3. If the initial review of an Adverse Analytical Finding reveal an applicable TUE or those departures from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the Adverse Analytical Finding, the entire test shall be considered negative and the Athlete, All-Russian Sports Federation, the applicable International Federation and WADA shall be so notified.

### **7.3. Notification After Review Regarding Adverse Analytical Findings**

7.3.1. If the initial review of an Adverse Analytical Finding does not reveal any of the conditions as described in Article 7.2.2, the ADA shall promptly notify the Athlete, All-Russian Sports Federation, the International Federation and WADA according to Article 14.1 of:

- a) the Adverse Analytical Finding;
- b) paragraph of the Rules that possibly had been 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 if the Athlete or the ADA chooses to request an analysis of the B Sample;
- e) the opportunity for the Athlete or the Athlete's representative to attend the B Sample opening and analysis within the time period specified in the International Standard for Laboratories if such analysis is requested;
- f) the Athlete's right to request copies of his or her A and B Sample laboratory documentation package which includes information as required by the International Standard for Laboratories.

If the ADA decides not to bring forward the Adverse Analytical Finding as an anti-doping rule violation, it shall so notify the Athlete and All-Russian Sports Federation, the International Federation and WADA.

7.3.2. B Sample shall be analyzed by the Athlete's or the ADA's request as required by the International Standard for Laboratories. The Athlete can recognize the results of an A Sample analyses, having refused opening and analysis of a B Sample. However the ADA can independently make a decision on opening and analysis of a B Sample at the expense of the ADA.

7.3.3. The Athlete and/or his or her representative as well as representatives of All-Russian Sports Federation and the ADA also have the right to be present at the opening and analysis of a B Sample.

7.3.4. Opening and analysis of a B Sample shall be held at the expense of the Athlete or the other Person. If a B Sample does not confirm an A Sample analysis then all the expenses of opening and analyzing B Sample shall be returned to the Athlete or other Person by the ADA.

7.3.5. If a B Sample analysis is negative, the results of analysis of A and B Samples shall be considered negative and the Athlete, All-Russian Sports Federation, the applicable International Federation and WADA shall be notified. However the ADA might proceed with a case as a possible violation of the Rules according to Article 2.2.

7.3.6. If the result of analysis of a B Sample confirms result of an A Sample analysis, it shall be notified the Athlete, All-Russian Sports Federation, the International Federation and WADA.

#### **7.4. Review of Atypical Findings**

7.4.1. Upon receipt of an A Sample Atypical Finding from the WADA accredited laboratory, reporting the presence of prohibited substances, which may also be produced endogenously, in an organism of the Athlete the ADA shall conduct a review of the Atypical Finding.

7.4.2. The ADA in the conditions described in Article 7.4.1. shall determine whether:

- a) an applicable TUE has been granted or will be granted as provided in the International Standard for Therapeutic Use Exemptions,
- b) there is any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the Atypical Finding.

7.4.3. If that review reveals an applicable TUE or departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Atypical Finding, the entire test shall be considered negative and the Athlete, the Athlete's International Federation and WADA shall so be informed.

7.4.4. If the review under Article 7.4.2 does not reveal the above mentioned conditions, the ADA shall conduct the required investigation.

7.4.5. The Athlete, the Athlete's All-Russian Sports Federation, the International sports federation and WADA shall not be notified by ADA about the Atypical Finding until the analysis has been completed and decision has been made whether it will bring the Atypical Finding forward as an Adverse Analytical Finding unless: a) ADA determines that the B Sample should be analyzed prior to the conclusion of its investigation under Article 7.4, the Anti-Doping Organization 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 7.3(d)-(f) of the Code; or b) the ADA receives a request either from a Major Event Organization shortly before one of its International Events or a request from a sport organization responsible for meeting an imminent deadline for selecting team members for an International Event, to disclose whether any Athlete identified listed by the Major Event Organization or sport organization has a pending Atypical Finding. The ADA shall so identify any such Athlete after first providing notice of the Atypical Finding to the Athlete.

## **7.5. Review of Atypical Passport Findings and Adverse Passport Findings**

Review of Atypical Passport Findings and Adverse Passport Findings shall take place as provided in the International Standard for Testing and Investigations and International Standard for Laboratories. At such time as the ADA is satisfied that an anti-doping rule violation has occurred, it shall promptly give the Athlete, All-Russian Sports Federation, the International Sports Federation and WADA notice at the same time, in the manner set out in its rules, of the anti-doping rule violated, and the basis of the violation.

## **7.6. Review of Whereabouts Failures**

7.6.1. The ADA shall review the potential Filing Failures and Missed Tests as provided in the International Standard for Testing and Investigations in relation to the Athletes who provide whereabouts information to the ADA in accordance to the Annex 1 of the International Standard for Testing and Investigations.

7.6.2. At such time as the ADA is satisfied that an Article 2.4 anti-doping rule violation has occurred, it shall promptly give the Athlete, All-Russian Sports Federation, the International Federation and WADA notice at the same time, that it is asserting a violation of Article 2.4 and the basis of that assertion.

## **7.7. Review of Other Anti-Doping Rule Violations Not Covered by Articles 7.2 –7.6**

The ADA shall conduct any follow-up investigation into a possible anti-doping rule violation not covered by Articles 7.2-7.6. At such time as the ADA is satisfied that an anti-doping rule violation has occurred, it shall promptly give the Athlete, All-Russian Sports Federation, the Athlete's International Federation and WADA notice at the same time of the anti-doping rule violated, and the basis of the violation.

## **7.8. Identification of Prior Anti-Doping Rule Violations**

Before giving an Athlete or other Person notice of an asserted anti-doping rule violation, the ADA shall refer to ADAMS and contact WADA and other relevant Anti-Doping Organizations to determine whether any prior anti-doping rule violation exists.

## **7.9. Provisional Suspensions**

### **7.9.1. Mandatory Provisional Suspension after an Adverse Analytical Finding.**

If analysis of an A Sample has resulted in an Adverse Analytical Finding for a Prohibited Substance that is not a Specified Substance or use of a Prohibited Method including in team sports, and a review in accordance with Article 7.2.2 does not reveal an applicable TUE or departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Adverse Analytical Finding, a Provisional Suspension shall be imposed promptly after the review and notification described in Articles 7.2, 7.3 or 7.5.

### **7.9.2. Optional Provisional Suspension**

If analysis of an A Sample has resulted in an Adverse Analytical Finding for a Prohibited Substance that is a Specified Substance or when the other anti-doping violation has occurred that is not described in Article 7.9.1, Provisional Suspension may be imposed by the ADA to the Athlete or other Person who has asserted to have committed an anti-doping rule violation at any time after the review and notification provided by Article 7.2-7.7 and before a final hearing as described in Article VIII.

If Provisional Suspension was imposed, whether pursuant to Article 7.9.1 or Article 7.9.2, the Athlete or other Persons shall be given an opportunity for:

- a) a provisional hearing either before imposition of the provisional suspension or on a timely basis after imposition of the provisional suspension;
- b) an expedited hearing in accordance with Article VIII on a timely basis after imposition of a provisional suspension.



However the Athlete or other Persons entitled to appeal the Provisional Suspension in accordance to Article 13.2 (except in the conditions provided by Article 7.9.3).

7.9.3. The Provisional Suspension may be lifted if the Athlete demonstrates to the hearing panel that the violation is likely to have involved a Contaminated Product. A hearing panel's decision not to lift a mandatory Provisional Suspension on account of that the Athlete's assertion regarding a Contaminated Product shall not be appealable.

7.9.4. If a provisional suspension is imposed based on an A Sample Adverse Analytical Finding and a subsequent B Sample analysis 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. In circumstances where the Athlete (or the Athlete's team) 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.

7.9.5. Under all circumstances where the Athlete or other Person was notified of anti-doping rule violation without imposing Provisional Suspension, the Athlete or other Person shall be given the possibility of voluntary acceptance of Provisional Suspension before the final decision is made.

## **7.10. Resolution without a Hearings**

7.10.1. Athlete or other Person who is asserted to have committed the Rules violation can accept anti-doping rule violation at any time during conducting results management, withdraw from the Hearing and accept the Consequences as mandated by these Rules or offered by the ADA, where some discretion as to Consequences exists under these Rules.

7.10.2. Alternatively, if the Athlete or other Person against whom an anti-doping rule violation is asserted fails to dispute that assertion within the deadline specified in the notice sent by the ADA asserting the violation, then he/she shall be deemed to have admitted the violation, to have waived a hearing, and to have accepted the Consequences that are mandated by these Anti-Doping Rules or (where some discretion as to Consequences exists under these Anti-Doping Rules) that have been offered by ADA.

7.10.3. In cases where Article 7.10.1 or Article 7.10.2 applies, a hearing before the Disciplinary Anti-Doping Committee shall not be required. In conditions above the

ADA makes a written decision of anti-doping rule violation and consequences with the established period of Ineligibility including the reasons for not imposing the maximum period of Ineligibility. According to Articles 8.8 and 8.9 relevant organizations are notified in accordance with Article 14.2.1 including Anti-Doping organizations that are entitled to appeal under Article 13.2.3. ADA shall also Publicly Disclose its decision in accordance with Article 14.3.2 of the Code.

#### **7.11. Notification of Results Management Decisions**

In all cases where the ADA has asserted the commission of an anti-doping rule violation, withdrawn the assertion of an anti-doping rule violation, imposed a Provisional Suspension, or agreed with an Athlete or other Person on the imposition of Consequences without a hearing, the ADA shall give notice thereof as set forth in Article 14.2.1 to other Anti-Doping Organizations with a right to appeal under Article 13.2.3.

#### **7.12. Retirement from Sport**

If an Athlete or other Person retires while ADA is conducting the results management process, the ADA retains jurisdiction to complete its results management process. If an Athlete or other Person retires before any results management process has begun and the ADA would have had results management authority over the Athlete or other Person at the time the Athlete or other Person committed an anti-doping rule violation, the ADA has authority to conduct results management in respect of that anti-doping rule violation.

### **VIII. DISCIPLINARY PROCEDURE**

#### **8.1. Referring a case for adjudication by the Disciplinary Anti-Doping Committee**

8.1.1. When it appears, following the Results Management process performed in accordance with Article VII of these Rules that anti-doping rules have been violated then the ADA shall assign the case to the Disciplinary Anti-Doping Committee for adjudication and determination of Consequences, only if the Athlete or other Person does not decline the Hearings in accordance to Article 7.10.1 or 7.10.2.

8.1.2. Hearings in the Disciplinary Anti-Doping Committee are carried out according to its Statute that regulates its activity and is approved by the ADA.

8.1.3. The Disciplinary Anti-Doping Committee has the power to hear and determine all issues arising from any matter which is referred to it pursuant to

these Rules. The question of the jurisdiction of the Disciplinary Anti-Doping Committee on concrete case is considered by the Commission formed for adjudication of this case.

8.1.4. The Disciplinary Anti-Doping Committee has to be impartial to all parties who are taking part in Hearings.

## **8.2. Hearings terms.**

Hearings pursuant to this Article shall be completed within reasonable time. At occurrence of special circumstances terms of hearings can be prolonged under the decision of the Disciplinary Anti-Doping Committee.

## **8.3. Hearings held in connection with the Event.**

Hearings held in connection with the Event may be conducted on an expedited basis.

## **8.4. Hearings held in connection with imposed Provisional Suspension**

8.4.1. If the Athlete has been imposed a Provisional Suspension, the Athlete has the right to request that the hearing be conducted on an expedited basis.

8.4.2. If the Commission of the Disciplinary Anti-Doping Committee can be formed and it is possible to conduct hearings within 3 (three) working days of the statement of the Athlete or other Person who is asserted to have committed the Rules violation to conduct hearings on an expedited basis, hearings shall be conducted within this period to establish the fact of Rules violation and determine the Consequences of such violation.

8.4.3. The Disciplinary Anti-Doping Committee is not constrained by this term at decision-making.

8.4.4. If the Commission of the Disciplinary Anti-Doping Committee cannot be formed within this period hearings in regard with imposed Provisional Suspension shall be conducted by the commission that is responsible for initial review within the ADA.

8.4.5. Hearings in regard with imposed Provisional Suspension shall be conducted not later than 3 (three) working days of the statement of the Athlete or other Person who is asserted to have committed the Rules violation to conduct hearings on an expedited basis.

## **8.5. Single Hearing before CAS as first instance**

Anti-doping rule violations asserted against International-Level Athletes or National-Level Athletes may, with the consent of the Athlete, the ADA, WADA, and any other Anti-Doping Organization that would have had a right to appeal a first instance hearing decision to CAS, be heard directly at CAS, with no requirement for a prior hearing.

#### **8.6. Procedural rights and duties of the Athlete or other Person who is asserted to have committed the Rules violation**

8.6.1. An Athlete or other Person who is asserted to have committed the Rules violation and against whom the case is brought to the Disciplinary Anti-Doping Committee, has the right to respond to the asserted anti-doping rule violation and resulting Consequences.

8.6.2. Case can be adjudicated in absence of the Athlete or other Person who is asserted to have committed the Rules violation or their representatives, in case they have been informed properly about hearing (by phone, fax, e-mail or registered mail).

8.6.3. The right to hearing can be reinstated, if the Athlete or other Person who is asserted to have committed the Rules violation will prove that absence at hearings has been caused by reasonable grounds.

8.6.4. The Athlete or other Person who is asserted to have committed the Rules violation shall have the right to be represented at a hearing, at that party's own expense.

8.6.5. The Athlete or other Person who is asserted to have committed the Rules violation shall have the right to an interpreter at the hearing. Expenses of an interpreter shall be covered by the party, which has asked for an interpreter at the hearing. The Chairman of the Commission who holds hearings of that case shall approve the identity of an interpreter.

8.6.6. The Athlete or other Person who is asserted to have committed the Rules violation has the right to present evidence, including the right to call and question witnesses (subject to the Commission's discretion to accept testimony by telephone, written statement or submission, whether by fax, email or other means).

8.6.7. Facts related to Rules violations may be established by any reliable means, including admissions. The Disciplinary Anti-doping Committee may receive evidence, including hearsay, as it thinks fit and shall be entitled to attach such weight to that evidence as it deems appropriate.

8.6.8. The Disciplinary Anti-Doping Committee can postpone or carry over hearings, taking into account requirements of Article 8.2 of the Rules.

8.6.9. The Disciplinary Anti-Doping Committee, at the request of one of the parties to the proceedings or on its own initiative, may require one or more parties to the proceedings, prior to the hearing, to supply it and/or the other parties to the proceedings with further particulars of the case to be presented by that party at the hearing, including what witnesses they intend to call and that party shall comply with that direction.

8.6.10. Any refusal of a person participating in hearing to obey requirements of the Disciplinary Anti-Doping Committee doesn't lead to a suspension or changes in activity of the Disciplinary Anti-Doping Committee and is taken into consideration at decision-making.

### **8.7. Informing about an Athlete Support Personnel**

If during the investigation of anti-doping rules violation the ADA reveals possible violation of anti-doping rules by an Athlete Support Personnel, the ADA shall inform federal authority of executive power whose competence includes consideration of administrative offenses in this sphere about this fact.

### **8.8. Informing about decision**

The decision of the Disciplinary Anti-Doping Committee is referred to the ADA governing body which on basis of the decision of the Disciplinary Anti-Doping Committee without its alteration refers the ADA`s decision to the relevant All-Russian Sports Federation for application of sanction on basis and in pursuance of such decision.

### **8.9. Notification about an adopted decision**

The All-Russian Sports Federation informs the applicable International Federation, the ADA, federal body of executive power in sphere of physical culture and sport, Tourism and Youth Policy of Russia and executive authorities of relevant Russian region about its decision that was adopted on basis and in pursuance of the ADA`s decision in reasonable terms.

The ADA informs WADA about final decision and appeals lodged on the final decision as provided in Article XIII.

## **IX. AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS**

An anti-doping rule violation in Individual Sports in connection with an In-Competition testing automatically leads to Disqualification of the results obtained in that Competition with all resulting Consequences, including forfeiture of any medals, points and prizes.

## **X. SANCTIONS ON INDIVIDUALS**

### **10.1. Disqualification of Results in the 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 10.1.1.

Factors to be included in considering whether to Disqualify other results in an Event might include, for example, the seriousness of the Athlete's anti-doping rule violation and whether the Athlete tested negative in the other Competitions.

10.1.1. 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.

### **10.2. Ineligibility for Presence, Use or Attempted Use or Possession of a Prohibited Substance or Prohibited Method**

The period of Ineligibility for a violation of Article 2.1, 2.2 or 2.6 shall be as follows, subject to potential reduction or suspension pursuant to Articles 10.4, 10.5 or 10.6:

10.2.1. The period of Ineligibility shall be four years where:

10.2.1.1. The anti-doping rule violation does not involve a Specified Substance, unless the Athlete or other Person can establish that the anti-doping rule violation was not intentional.

10.2.1.2. The anti-doping rule violation involves a Specified Substance and the ADA can establish that the anti-doping rule violation was intentional.

10.2.2. If Article 10.2.1 does not apply, the period of Ineligibility shall be two years.

10.2.3. As used in Articles 10.2 and 10.3, the term “intentional” is meant to identify those Athletes who cheat. The term, therefore, requires that the Athlete or other Person engaged in conduct which he or she knew constituted an anti-doping rule violation or knew that there was a significant risk that the conduct might constitute or result in an anti-doping rule violation and manifestly disregarded that risk. An anti-doping rule violation resulting from an Adverse Analytical Finding for a substance which is only prohibited In-Competition shall be rebuttably presumed to be not “intentional” if the substance is a Specified Substance and the Athlete can establish that the Prohibited Substance was Used Out-of-Competition. An anti-doping rule violation resulting from an Adverse Analytical Finding for a substance which is only prohibited In-Competition shall not be considered “intentional” if the substance is not a Specified Substance and the Athlete can establish that the Prohibited Substance was Used Out-of-Competition in a context unrelated to sport performance.

### **10.3. Ineligibility for Other Anti-Doping Rule Violations**

The period of Ineligibility for anti-doping rule violations other than as provided in Article 10.2 shall be as follows, unless Article 10.5 or 10.6 are applicable:

10.3.1. For violations of Article 2.3 or Article 2.5, the period of Ineligibility shall be four years unless, in the case of failing to submit to Sample collection, the Athlete can establish that the commission of the anti-doping rule violation was not intentional (as defined in Article 10.2.3), in which case the period of Ineligibility shall be two years.

10.3.2. For violations of Article 2.4, the period of Ineligibility shall be two years, subject to reduction down to a minimum of one year, depending on the Athlete’s degree of Fault. The flexibility between two years and one year of Ineligibility in this Article is not available to Athletes where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the Athlete was trying to avoid being available for Testing.

10.3.3. For violations of Article 2.7 or 2.8, the period of Ineligibility shall be a minimum of four years up to lifetime Ineligibility, depending on the seriousness of the violation. An Article 2.7 or Article 2.8 violation involving a Minor shall be considered a particularly serious violation and, if committed by Athlete Support Personnel for violations other than for Specified Substances, shall result in lifetime Ineligibility for Athlete Support Personnel. In addition, significant violations of Article 2.7 or 2.8 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.

10.3.4. For violations of Article 2.9, the period of Ineligibility imposed shall be a minimum of two years, up to four years, depending on the seriousness of the violation.

10.3.5. For violations of Article 2.10, the period of Ineligibility shall be two years, subject to reduction down to a minimum of one year, depending on the Athlete or other Person's degree of Fault and other circumstances of the case.

#### **10.4. Elimination of the Period of Ineligibility where there is No Fault or Negligence**

If an Athlete or other Person establishes in an individual case that he or she bears No Fault or Negligence, then the otherwise applicable period of Ineligibility shall be eliminated.

#### **10.5. Reduction of the Period of Ineligibility based on No Significant Fault or Negligence**

10.5.1. Reduction of Sanctions for Specified Substances or Contaminated Products for Violations of Article 2.1, 2.2 or 2.6.

##### 10.5.1.1. Specified Substances

Where the anti-doping rule violation involves a Specified Substance, and the Athlete or other Person can establish No Significant Fault or Negligence, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two years of Ineligibility, depending on the Athlete's or other Person's degree of Fault.

##### 10.5.1.2. Contaminated Products

In cases where the Athlete or other Person can establish No Significant Fault or Negligence and that the detected Prohibited Substance came from a Contaminated Product, then the period of Ineligibility shall be, at a minimum, a reprimand and no period of Ineligibility, and at a maximum, two years Ineligibility, depending on the Athlete's or other Person's degree of Fault.

10.5.2. Application of No Significant Fault or Negligence beyond the Application of Article 10.5.1.

If an Athlete or other Person establishes in an individual case where Article 10.5.1 is not applicable, that he or she bears No Significant Fault or Negligence, then, subject to further reduction or elimination as provided in Article 10.6, the otherwise applicable period of Ineligibility may be reduced based on the Athlete or



other Person's degree of Fault, 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 Article may be no less than eight years.

## **10.6. Elimination, Reduction, or Suspension of Period of Ineligibility or other Consequences for Reasons other than Fault**

10.6.1. Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations.

10.6.1.1. The ADA may, prior to a final appellate decision under Article XIII or the expiration of the time to appeal, suspend a part of the period of Ineligibility imposed in an individual case in which it has results management authority, where the Athlete or other Person has provided Substantial Assistance to an Anti-Doping Organization, criminal authority or professional disciplinary body which results in:

- a) an Anti-Doping Organization discovering or bringing forward an anti-doping rule violation by another Person;
- b) which results in a criminal or disciplinary body discovering or bringing forward a criminal offense or the breach of professional rules committed by another Person and the information provided by the Person providing Substantial Assistance is made available to the ADA.

After a final appellate decision under Article XIII or the expiration of time to appeal, the ADA may only suspend a part of the otherwise applicable period of Ineligibility with the approval of WADA and the applicable International Federation. 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 years. If the Athlete or other Person fails to continue to cooperate and to provide the complete and credible Substantial Assistance upon which a suspension of the period of Ineligibility was based, the ADA shall reinstate the original period of Ineligibility. If the ADA decides to reinstate a suspended period of Ineligibility or decides not to reinstate a suspended period of Ineligibility that decision may be appealed by any Person entitled to appeal under Article XIII.

10.6.1.2. To further encourage Athletes and other Persons to provide Substantial Assistance to Anti-Doping Organizations, at the request of the ADA or at the request of the Athlete or other Person who has, or has been asserted to have, committed an anti-doping rule violation, WADA may agree at any stage of the results management process, including after a final appellate decision under Article XIII, to what it considers to be an appropriate suspension of the otherwise-applicable period of Ineligibility and other Consequences. In exceptional circumstances, WADA may agree to suspensions of the period of Ineligibility and other Consequences for Substantial Assistance greater than those otherwise provided in this Article, or even no period of Ineligibility, and (or) no return of prize money or payment of fines or costs. WADA's approval shall be subject to reinstatement of sanction, as otherwise provided in this Article. Notwithstanding Article XIII, WADA's decisions in the context of this Article may not be appealed by any other Anti-Doping Organization.

10.6.1.3. If the ADA suspends any part of an otherwise applicable sanction because of Substantial Assistance, then notice providing justification for the decision shall be provided to the other Anti-Doping Organizations with a right to appeal under Article 13.2.3 as provided in Article 14.2. In unique circumstances where WADA determines that it would be in the best interest of anti-doping, WADA may authorize the ADA to enter into appropriate confidentiality agreements limiting or delaying the disclosure of the Substantial Assistance agreement or the nature of Substantial Assistance being provided.

#### 10.6.2. 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 2.1, before receiving first notice of the admitted violation pursuant to Article VII) 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.

10.6.3. Prompt Admission of an Anti-Doping Rule Violation after being confronted with a Violation Sanctioned under Article 10.2.1 or Article 10.3.1.

An Athlete or other Person potentially subject to a four-year sanction under Article 10.2.1 or 10.3.1 (for evading or refusing Sample Collection or Tampering with Sample Collection), by promptly admitting the asserted anti-doping rule violation

after being confronted by the ADA, and also upon the approval and at the discretion of both WADA and the ADA, may receive a reduction in the period of Ineligibility down to a minimum of two years, depending on the seriousness of the violation and the Athlete or other Person's degree of Fault.

#### 10.6.4. Application of Multiple Grounds for Reduction of a Sanction

Where an Athlete or other Person establishes entitlement to reduction in sanction under more than one provision of Article 10.4, 10.5 or 10.6, before applying any reduction or suspension under Article 10.6, the otherwise applicable period of Ineligibility shall be determined in accordance with Articles 10.2, 10.3, 10.4, and 10.5. If the Athlete or other Person establishes entitlement to a reduction or suspension of the period of Ineligibility under Article 10.6, then the period of Ineligibility may be reduced or suspended, but not below one-fourth of the otherwise applicable period of Ineligibility.

### **10.7. Multiple Violations**

10.7.1. For an Athlete or other Person's second anti-doping rule violation, the period of Ineligibility shall be the greater of:

- a) six months;
- b) one-half of the period of Ineligibility imposed for the first anti-doping rule violation without taking into account any reduction under Article 10.6;
- c) twice the period of Ineligibility otherwise applicable to the second anti-doping rule violation treated as if it were a first violation, without taking into account any reduction under Article 10.6.

The period of Ineligibility established above may then be further reduced by the application of Article 10.6.

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 10.4 or 10.5, or involves a violation of Article 2.4. In these particular cases, the period of Ineligibility shall be from eight years to lifetime Ineligibility.

10.7.2. An anti-doping rule violation for which an Athlete or other Person has established No Fault or Negligence shall not be considered a prior violation for purposes of this Article.

10.7.3. Additional Rules for Certain Potential Multiple Violations.

10.7.3.1. For purposes of imposing sanctions under Article 10.7, an anti-doping rule violation will only be considered as a second violation if the ADA 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 VII, or after the ADA made reasonable efforts to give notice of the first anti-doping rule violation. If the ADA 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.

10.7.3.2. If, after the imposition of a sanction for a first anti-doping rule violation, the ADA discovers facts involving an anti-doping rule violation by the Athlete or other Person which occurred prior to notification regarding the first violation, then the ADA shall impose an additional sanction based on the sanction that could have been imposed if the two violations had 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 10.8.

#### 10.7.4. Multiple Anti-Doping Rule Violations during Ten-Year Period

For purposes of Article 10.7, each anti-doping rule violation must take place within the same ten-year period in order to be considered multiple violations.

### **10.8. 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 IX, all other competitive results of the Athlete 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.

### **10.9. Allocation of CAS Cost Awards and Forfeited Prize Money**

The priority for repayment of CAS cost awards and forfeited prize money shall be: first, payment of costs awarded by CAS; second, reallocation of forfeited prize money to other Athletes if provided for in the rules of the applicable International Federation; and third, reimbursement of the expenses of the ADA.

### **10.10. Commencement of Ineligibility Period**

Except as provided below, the period of Ineligibility shall start on the date of the final hearing decision providing for Ineligibility or, if the hearing is waived or there is no hearing, on the date Ineligibility is accepted or otherwise imposed.

#### 10.10.1. 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 ADA 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. All competitive results achieved during the period of Ineligibility, including retroactive Ineligibility, shall be Disqualified.

#### 10.10.2. Timely Admission

Where the Athlete or other Person promptly (which, in all events, for an Athlete means before the Athlete competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule violation by the ADA, 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. This Article shall not apply where the period of Ineligibility already has been reduced under Article 10.6.3.

#### 10.10.3. Credit for Provisional Suspension or Period of Ineligibility Served

10.10.3.1. If a Provisional Suspension is imposed and respected by the Athlete or other Person, then the Athlete or other Person shall receive a credit for such period of Provisional Suspension against any period of Ineligibility which may ultimately be imposed. If a period of Ineligibility is served pursuant to a decision that is subsequently appealed, then the Athlete or other Person shall receive a credit for such a period of Ineligibility served against any period of Ineligibility which may ultimately be imposed on appeal.

10.10.3.2. If an Athlete or other Person voluntarily accepts a Provisional Suspension in writing from the ADA and thereafter respects the Provisional Suspension, the Athlete or other Person 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 or other Person's voluntary

acceptance of a Provisional Suspension shall be provided promptly to each party entitled to receive notice of an asserted anti-doping rule violation under Article 14.1.

10.10.3.3. 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.

10.10.3.4. In Team Sports, where a period of Ineligibility is imposed upon a team, unless fairness requires otherwise, the period of Ineligibility shall start on the date of the final hearing decision providing for Ineligibility or, if the hearing is waived, on the date Ineligibility is accepted or otherwise imposed. Any period of team Provisional Suspension (whether imposed or voluntarily accepted) shall be credited against the total period of Ineligibility to be served.

## **10.11. Status during Ineligibility**

### 10.11.1. 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 a Competition or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by any Signatory, Signatory's member organization, or a club or other member organization of a Signatory's member organization, or in Competitions authorized or organized by any professional league or any international- or national-level Event organization or any elite or national-level sporting activity funded by a governmental agency.

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 as an Athlete in local sport events not sanctioned or otherwise under the jurisdiction of a Code Signatory or member of a Code Signatory, but only so long as the local sport event is not at a level that could otherwise qualify such Athlete or other Person directly or indirectly to compete in (or accumulate points toward) a national championship or International Event, and does not involve the Athlete or other Person working in any capacity with Minors.

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

### 10.11.2. Return to Training

As an exception to Article 10.11.1, an Athlete may return to train with a team or to use the facilities of a club or other member organization of a Signatory's member organization during the shorter of:

- 1) the last two months of the Athlete's period of Ineligibility;
- 2) the last one-quarter of the period of Ineligibility imposed.

#### 10.11.3. 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 10.11.1, the results of such participation shall be Disqualified and a new period of Ineligibility equal in length to the original period of Ineligibility shall be added to the end of the original period of Ineligibility. The new period of Ineligibility may be adjusted based on the Athlete or other Person's degree of Fault and other circumstances of the case. The determination of whether an Athlete or other Person has violated the prohibition against participation, and whether an adjustment is appropriate, shall be made by the Anti-Doping Organization whose results management led to the imposition of the initial period of Ineligibility. This decision may be appealed under Article XIII.

Where an Athlete Support Person or other Person assists a Person in violating the prohibition against participation during Ineligibility, the ADA shall impose sanctions for a violation of Article 2.9 for such assistance.

#### 10.11.4. Withholding of Financial Support during Ineligibility

In addition, for any anti-doping rule violation not involving a reduced sanction as described in Article 10.4 or 10.5, some or all sport-related financial support or other sport-related benefits received by such Person will be withheld by the ADA, the federal body of executive power in sphere of physical culture and sport, regional authority of executive power and All-Russian Sports Federations.

### **10.12. Automatic Publication of Sanction**

A mandatory part of each sanction shall include automatic publication, as provided in Article 14.3.

## **XI. CONSEQUENCES TO TEAMS**

### **11.1. Testing of Team Sports**

Where more than one member of a team in a Team Sport has been notified of an anti-doping rule violation under Article VII in connection with an Event, the ruling body for the Event shall conduct appropriate Target Testing of the team during the Event Period.

### **11.2. Consequences for Team Sports**

If more than two members of a team in a Team Sport are found to have committed an anti-doping rule violation during an Event Period, the ruling body of the Event shall impose an appropriate sanction on the team (e.g., loss of points, Disqualification from a Competition or Event, or other sanction) in addition to any Consequences imposed upon the individual Athletes committing the anti-doping rule violation.

### **11.3. Event Ruling Body may Establish Stricter Consequences for Team Sports**

The ruling body for an Event may elect to establish rules for the Event which impose Consequences for Team Sports stricter than those in Article 11.2 for purposes of the Event.

## **XII. SANCTIONS AGAINST SPORTING BODIES**

12.1. The ADA has the authority to request federal body of executive power in sphere of physical culture and sport to withhold some or all funding or other non-financial support to All-Russian Sports Federations that are not in compliance with these Anti-Doping Rules, including their failure in cooperate of informing Athletes about their inclusion in the Pool and failure to render assistance of providing investigation to the ADA.

12.2. If the number of anti-doping rules violations cases by Athlete or Athlete`s Support Personnel have considerably increased, the ADA can request the federal body of executive power in sphere of physical culture and sport to take measures to the applicable All-Russian Sports Federation.

## **XIII. APPEALS**

### **13.1. Decisions Subject to Appeal**

Decisions made under the Rules may be appealed as set forth below in Articles 13.2 - 13.6 or as otherwise provided in the Code or International Standards. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review provided in the Anti-Doping Organization`s rules must be exhausted, provided that such



review respects the principles set forth in Article 13.2.2 below (except as provided in Article 13.1.3).

#### 13.1.1. Scope of Review Not Limited

The scope of review on appeal includes all issues relevant to the matter and is expressly not limited to the issues or scope of review before the initial decision maker.

#### 13.1.2. CAS Shall Not Defer to the Findings Being Appealed

In making its decision, CAS need not give deference to the discretion exercised by the body whose decision is being appealed.

#### 13.1.3. WADA Not Required to Exhaust Internal Remedies

Where WADA has a right to appeal under Article XIII and no other party has appealed a final decision within the ADA's process, WADA may appeal such decision directly to CAS without having to exhaust other remedies in the ADA's process.

### **13.2. Appeals from Decisions Regarding Anti-Doping Rule Violations, Consequences, Provisional Suspensions, Recognition of Decisions and Jurisdiction**

The following decisions may be appealed exclusively as provided in Articles 13.2-13.6:

- a decision that an anti-doping rule violation was committed;
- a decision imposing Consequences or not imposing Consequences for an anti-doping rule violation;
- 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 by WADA not to grant an exception to the six months notice requirement for a retired Athlete to return to Competition under Article 5.7.1;
- a decision by WADA assigning results management under Article 7.1 of the Code;
- a decision by the ADA not to bring forward an Adverse Analytical Finding or an Atypical Finding as an anti-doping rule violation;

- a decision not to go forward with an anti-doping rule violation after an investigation under Article 7.7;
- a decision to impose a Provisional Suspension as a result of a Provisional Hearing;
- the ADA's failure to comply with Article 7.9;
- a decision that the ADA lacks jurisdiction to rule on an alleged anti-doping rule violation or its Consequences;
- a decision to suspend, or not suspend, a period of Ineligibility or to reinstate, or not reinstate, a suspended period of Ineligibility under Article 10.6.1;
- a decision under Article 10.11.3;
- a decision by the ADA not to recognize another Anti-Doping Organization's decision under Article XV.

### 13.2.1 Appeals Involving International-Level Athletes or International Events

In cases arising from participation in an International Event or in cases involving International-Level Athletes, the decision may be appealed exclusively to CAS.

### 13.2.2. Appeals Involving Other Athletes or Other Persons

13.2.2.1. In cases where Article 13.2.1 is not applicable, the decision may be appealed to the national level appeal body that has an agreement with ADA in accordance with rules of this arbitration tribunal.<sup>1</sup>

### 13.2.3. Persons Entitled to Appeal

In cases under Article 13.2.1, 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) the applicable International Federation;
- d) the ADA and (if different) the National Anti-Doping Organization of the Person's

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<sup>1</sup> The name of such national level appealed body and its rules shall be clearly indicated on the ADA official website.

country of residence or countries where the Person is a national or license holder;

e) the International Olympic Committee or International Paralympics Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympics Games, including decisions affecting eligibility for the Olympic Games or Paralympics Games;

f) WADA.

In cases under Article 13.2.2, the parties having the right to appeal to the appeal body specified in article 13.2.2.1 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) All-Russian Sports Federation;

d) the applicable International Federation;

e) The ADA and (if different) National Anti-Doping Organization of the Person's country of residence;

f) the International Olympic Committee or International Paralympics Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympics Games, including decisions affecting eligibility for the Olympic Games or Paralympics Games;

g) WADA.

For cases under Article 13.2.2, WADA, the International Olympic Committee, the International Paralympic Committee, and the relevant International Federation shall also have the right to appeal to CAS with respect to the decision of the appeal body specified in article 13.2.2.1. 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.

13.2.4. Cross Appeals and other Subsequent Appeals Allowed

Cross appeals and other subsequent appeals by any respondent named in cases brought to CAS under the Code are specifically permitted. Any party with a right to appeal under this Article XIII must file a cross appeal or subsequent appeal at the latest with the party's answer.

### **13.3. Failure to Render a Timely Decision by an Anti-Doping Organization**

Where, in a particular case, the ADA fails 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 the ADA had rendered a decision finding no anti-doping rule violation. If the CAS hearing 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 attorney fees in prosecuting the appeal shall be reimbursed to WADA by the ADA.

### **13.4. Appeals Relating to TUEs**

TUE decisions may be appealed exclusively as provided in Article 4.4.

### **13.5. Notification of Appeal Decisions**

Any Anti-Doping Organization that is a party to an appeal shall promptly provide the appeal decision to the Athlete or other Person and to the other Anti-Doping Organizations that would have been entitled to appeal under Article 13.2.3 as provided under Article 14.2.

### **13.6. Time for Filing Appeals**

#### **13.6.1 Appeals to CAS**

The time to file an appeal to CAS shall be twenty-one 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 that led to the decision being appealed:

- (a) Within fifteen days from notice of the decision, such party/ies shall have the right to request a copy of the case file from the body that issued the decision;
- (b) If such a request is made within the fifteen-day period, then the party making such request shall have twenty-one days from receipt of the file to file an appeal to CAS.

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

- (a) Twenty-one days after the last day on which any other party in the case could have appealed; or
- (b) Twenty-one days after WADA's receipt of the complete file relating to the decision.

#### 13.6.2 Appeals Under Article 13.2.2

Appeals under Article 13.2.2 shall be filed in terms and order defined by the appeal body specified in article 13.2.2.1. However, 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 led to the decision subject to appeal:

- (a) Within fifteen 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 fifteen-day period, then the party making such request shall have twenty-one days from receipt of the file to file an appeal to the arbitration tribunal indicated in article 13.2.2.

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

- (a) Twenty-one days after the last day on which any other party in the case could have appealed, or
- (b) Twenty-one days after WADA's receipt of the complete file relating to the decision.

### **XIV. CONFIDENTIALITY AND REPORTING**

#### **14.1. Information Concerning Adverse Analytical Findings, Atypical Findings, and other Asserted Anti-Doping Rule Violations**

##### 14.1.1. Notice of Anti-Doping Rule Violations to Athletes and other Persons

Notice of asserted Anti-Doping Rule Violations to Athletes or other Persons shall occur as provided under Articles VII and XIV of the Rules. All-Russian Sports Federations shall assist the ADA in notifying Athletes or other Persons.

##### 14.1.2. Notice of Anti-Doping Rule Violations to International Federations and WADA

The ADA must notify of the assertion of an anti-doping rule violation to the International Federations and WADA as provided under Articles VII and XIX of the Rules, simultaneously with the notice to the Athlete or other Person.

#### 14.1.3. Content of an Anti-Doping Rule Violation Notice

Notification of an anti-doping rule violation under Article 2.1 of the Rules 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, the analytical result reported by the laboratory, and other information as required by the International Standard for Testing and Investigations.

Notice of anti-doping rule violations under Articles 2.2-2.10 shall include the rule violated and the basis of the asserted violation.

#### 14.1.4. Status Reports

Except with respect to investigations which have not resulted in notice of an anti-doping rule violation pursuant to Article 14.1.1, International Federations and WADA shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Article VII, VIII or XIII. International Federations and WADA shall be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.

#### 14.1.5. 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 Russian Olympic Committee relating to the preparation for the Olympic Games, All-Russian Sports Federation and team in a Team Sport) until the ADA has made Public Disclosure or has failed to make Public Disclosure as required in Article 14.3.

14.1.6. The ADA shall ensure that information concerning Adverse Analytical Findings, Atypical Findings, and other asserted anti-doping rule violations remains confidential until such information is Publicly Disclosed in accordance with Article 14.3. The ADA shall include provisions in any contract entered into between the ADA and any of its employees (whether permanent or otherwise), contractors, agents and consultants, for the protection of such confidential information and unauthorised disclosure of such confidential information.

### **14.2. Notice of Anti-Doping Rule Violation Decisions and Request for Files**

14.2.1. Anti-doping rule violation decisions rendered pursuant to Article 7.11, 8.1, 10.4, 10.5, 10.6, 10.11.3 or 13.5 shall include the full reasons for the decision, including, if applicable, a justification for why the maximum potential sanction was not imposed. Where the decision is not in English or French, the ADA shall provide a short English or French summary of the decision and the supporting reasons to the organizations, as specified in Article 14.1.2.

14.2.2. An Anti-Doping Organization having a right to appeal a decision received pursuant to Article 14.2.1 may, within fifteen days of receipt, request a copy of the full case file pertaining to the decision.

### **14.3. Public Disclosure**

14.3.1. The identity of any Athlete or other Person who is asserted by ADA to have committed an anti-doping rule violation, may be Publicly Disclosed by ADA only after notice has been provided to the Athlete or other Person in accordance with Article 7.3, 7.4, 7.5, 7.6 or 7.7, and to the applicable Anti-Doping Organizations in accordance with Article 14.1.2.

14.3.2. No later than twenty days after the fact of anti-doping rule violation has been determined in a final appellate decision under Article 13.2.1 or 13.2.2, or the right to appeal has been waived, or a hearing in accordance with Article VIII has been waived, or the assertion of an anti-doping rule violation has not been timely challenged, the ADA must Publicly Report the disposition of the 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. The ADA must also Publicly Report within twenty days the results of final appeal decisions concerning anti-doping rule violations, including the information described above.

14.3.3. 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 Publicly Disclosed only with the consent of the Athlete or other Person who is the subject of the decision. The ADA 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.

14.3.4. Publication shall be accomplished at a minimum by placing the required information on the ADA's website and leaving the information up for the longer of one month or the duration of any period of Ineligibility.

14.3.5. Neither the ADA nor All-Russian Sports Federations, nor any official of either body, shall publicly comment on any pending case (as opposed to general description of process and science) except in response to public comments attributed to the Athlete or other Person against whom an anti-doping rule violation is asserted, or their representatives.

14.3.6. The mandatory Public Reporting required in Article 14.3.2 shall not be required where the Athlete or other Person who has been found to have committed an anti-doping rule violation is a Minor. Any optional Public Reporting in a case involving a Minor shall be proportionate to the facts and circumstances of the case.

#### **14.4. Statistical Reporting**

The ADA shall, at least annually, publish publicly a general statistical report of their Doping Control activities, with a copy provided to WADA.

#### **14.5. Doping Control Information Clearinghouse**

To facilitate coordinated test distribution planning and to avoid unnecessary duplication in Testing by the various Anti-Doping Organizations, the ADA shall report all In-Competition and Out-of-Competition tests on such Athletes to the WADA clearinghouse, using ADAMS, as soon as possible after such tests have been conducted. This information will be made accessible, where appropriate and in accordance with the applicable rules, to the Athlete, the Athlete's International Federation and any other Anti-Doping Organizations with Testing authority over the Athlete.

#### **14.6. Data Privacy**

14.6.1. The ADA may collect, store, process or disclose personal information relating to Athletes and other Persons where necessary and appropriate to conduct their anti-doping activities under the Code, the International Standards including specifically the International Standard for the Protection of Privacy and Personal Information and these Rules.

14.6.2. Any Participant who submits information including personal data to any Person in accordance with the Rules shall be deemed to have agreed, pursuant to applicable data protection laws and otherwise, that such information may be collected, processed, disclosed and used by such Person for the purposes of the implementation of the Rules, in accordance with the International Standard for the Protection of Privacy and Personal Information.

## **XV. APPLICATION AND RECOGNITION OF DECISIONS**



15.1. Subject to the right to appeal provided in Article XIII, Testing, hearing results or other final adjudications of any Signatory which are consistent with the Code and are within that Signatory's authority shall be applicable worldwide and shall be recognized and respected by the ADA and All-Russian Sports Federations.

15.2. The ADA and All-Russian Sports Federations shall recognize the measures taken by other bodies which have not accepted the Code if the rules of those bodies are otherwise consistent with the Code.

15.3. All-Russian Sports Federations shall impose sanctions on Athletes or other Persons in regard to the decision of the ADA.

## **XVI. INCORPORATION OF THE RULES AND OBLIGATIONS OF ALL-RUSSIAN SPORTS FEDERATIONS**

16.1. All All-Russian Sports Federations and their members shall comply with the Rules. The Rules shall also be incorporated either directly or by reference into each All-Russian Sports Federation's rules.

16.2. All All-Russian Sports Federations and training centers shall establish rules requiring all Athletes and each Athlete Support Personnel who participates as coach, trainer, manager, agent, team staff, official, medical or paramedical personnel in a Competition or activity authorized or organized by the All-Russian Sports Federation or one of its member organizations to agree to be bound by these Rules and to submit the results management authority of the ADA and other Anti-Doping Organizations responsible under the Code as a condition of such participation.

16.3. All All-Russian Sports Federations shall be required to conduct anti-doping education in coordination with the ADA.

## **XVII. STATUTE OF LIMITATIONS**

No anti-doping rule violation proceeding may be commenced against an Athlete or other Person unless he or she has been notified of the anti-doping rule violation as provided in Article VII, or notification has been reasonably attempted, within ten years from the date the violation is asserted to have occurred.

## **XVIII. THE ADA'S COMPLIANCE REPORTS TO WADA**

The ADA will report to WADA on its compliance with the Code to pursuant of the monitoring program as requested by the WADA Foundation Board and shall explain reasons for any noncompliance.

## **XIX. EDUCATION**

The ADA shall plan, implement, evaluate and monitor information, education and prevention programs for doping-free sport on at least the following issues:

- Substances and methods on the Prohibited List;
- Anti-doping rule violations;
- Consequences of doping, including sanctions, health and social consequences;
- Doping control procedures;
- Athletes' and Athlete Support Personnel's rights and responsibilities;
- TUEs;
- Managing the risks of nutritional supplements;
- Harm of doping to the spirit of sport;
- Applicable whereabouts requirements.

Furthermore the ADA shall support active participation by Athletes and Athlete Support Personnel in such programs.

## **XX. AMENDMENT AND INTERPRETATION OF ANTI-DOPING RULES**

20.1 Rules and any amendments come into force from the moment of their approval by the federal body of executive power in sphere of physical culture and sport but not earlier than 1 January 2015 (the "Effective Date").

20.2 The headings used for the various Parts and Articles of these 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.

20.3 Annex to the Rules is an integral part of the Rules.

20.4. References to articles and Annex are made to articles and Annex of these Rules.

20.5. The Code and the International Standards shall be considered integral parts of these Rules and shall prevail in case of conflict.

20.6. These 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. Relative Code provisions were incorporated to these Rules without substantive change except non-substantive changes to the language in order to refer to the organisation's name, sport, section numbers, etc. Code provisions that were not incorporated into these Rules shall be applied in virtue of the Convention.

20.7. The comments annotating various provisions of the Code are incorporated by reference into these Rules, shall be treated as if set out in full herein, and shall be used to interpret these Rules.

20.8 These Rules shall not apply retroactively to matters pending before the Effective Date; provided, however, that:

20.8.1 Anti-doping rule violations taking place prior to the Effective Date count as "first violations" or "second violations" for purposes of determining sanctions under Article X for violations taking place after the Effective Date.

20.8.2 The retrospective periods in which prior violations can be considered for purposes of multiple violations under Article 10.7.5 and the statute of limitations set forth in Article XVII are procedural rules and should be applied retroactively; provided, however, that Article XVII shall only be applied retroactively if the statute of limitation period has not already expired by the Effective Date. Otherwise, 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.

20.8.3 Any Article 2.4 whereabouts failure (whether a Filing Failure or a Missed Test, as those terms are defined in the International Standard for Testing and Investigations) prior to the Effective Date shall be carried forward and may be relied upon, prior to expiry, in accordance with the International Standard for Testing and Investigation, but it shall be deemed to have expired 12 months after it occurred.

20.8.4 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 case where a final decision finding an anti-doping rule violation has been rendered and the period of Ineligibility has expired.

20.8.5 For purposes of assessing the period of Ineligibility for a second violation under Article 10.7.1, where the sanction for the first violation was determined based on rules in force prior to the Effective Date, the period of Ineligibility which would have been assessed for that first violation had these Rules been applicable, shall be applied.

## **XXI. INTERPRETATION OF THE CODE**

21.1 The official text of the Code shall be maintained by WADA and shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.

21.2 The comments annotating various provisions of the Code shall be used to interpret the Code.

21.3 The Code shall be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of the Signatories or governments.

21.4 The headings used for the various Parts and Articles of the Code are for convenience only and shall not be deemed part of the substance of the Code or to affect in any way the language of the provisions to which they refer.

21.5 The Code shall not apply retroactively to matters pending before the date the Code is accepted by a Signatory and implemented in its rules. However, pre-Code anti-doping rule violations would continue to count as "first violations" or "second violations" for purposes of determining sanctions under Article X for subsequent post-Code violations.

21.6 The Purpose, Scope and Organization of the World Anti-Doping Program and the Code and Appendix 1 "Definitions" and Appendix 2, Examples of the Application of Article 10, shall be considered integral parts of the Code.

## **XXII. ADDITIONAL ROLES AND RESPONSIBILITIES OF ATHLETES AND OTHER PERSONS**

### **22.1 Roles and Responsibilities of Athletes**

Athletes shall:

- 22.1.1 To be knowledgeable of and comply with these Rules.
- 22.1.2 To be available for Sample collection at all times.
- 22.1.3 To take responsibility, in the context of anti-doping, for what they ingest and Use.
- 22.1.4 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 Rules.
- 22.1.5 To disclose to their International Federation and to ADA any decision by a non-Signatory finding that the Athlete committed an anti-doping rule violation within the previous ten years.
- 22.1.6 To cooperate with Anti-Doping Organizations investigating anti-doping rule violations.
- 22.1.7. If anti-doping rules violation is established as result of Testing mentioned in article 10.11.1, Athlete or other Person shall reimburse ADA's expenses on such Testing and analysis.

## **22.2 Roles and Responsibilities of Athlete Support Personnel**

Athlete Support Personnel shall:

- 22.2.1 To be knowledgeable of and comply with these Rules.
- 22.2.2 To cooperate with the Athlete Testing program.
- 22.2.3 To use his or her influence on Athlete values and behavior to foster anti-doping attitudes.
- 22.2.4 To disclose to his or her International Federation and to ADA any decision by a non-Signatory finding that he or she committed an anti-doping rule violation within the previous ten years.
- 22.2.5 To cooperate with Anti-Doping Organizations investigating anti-doping rule violations.
- 22.2.6 Athlete Support Personnel shall not Use or Possess any Prohibited Substance or Prohibited Method without valid justification.

## **APPENDIX 1: DEFINITIONS**

## **ADAMS (Anti-Doping Administration and Management system)**

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.

### **Administration**

Providing, supplying, supervising, facilitating, or otherwise participating in the Use or Attempted Use by another Person of a Prohibited Substance or Prohibited Method. However, this definition shall not include the actions of bona fide medical personnel involving a Prohibited Substance or Prohibited Method 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 that such Prohibited Substances are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

### **Adverse Analytical Finding**

A report from a WADA -accredited laboratory or other WADA-approved laboratory 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.

### **Adverse Passport Finding**

A report identified as an Adverse Passport Finding as described in the applicable International Standards.

### **All-Russian Sports Federation**

All-Russian social organisations established on the basis of the membership, accredited by state with the purpose of the development of one or several types of sport in the Russian Federation, propaganda, organization, conclusion of Events and preparation of the Athletes who are members of Russian national Team.

### **Athlete Biological Passport**

The program and methods of gathering and collating data as described in the International Standard for Testing and Investigations and International Standard for Laboratories.

## **Athlete**

Any Person who competes in sport at the international level (as defined by each International Federation) or the national level (as defined by each National Anti-Doping Organization). An Anti-Doping Organization has discretion to apply anti-doping rules to an Athlete who is neither an International-Level Athlete nor a National-Level Athlete, and thus to bring them within the definition of “Athlete.” In relation to Athletes who are neither International-Level nor National-Level Athletes, an Anti-Doping Organization may elect to: conduct limited Testing or no Testing at all; analyze Samples for less than the full menu of Prohibited Substances; require limited or no whereabouts information; not require advance TUEs. However, if an Article 2.1, 2.3 or 2.5 anti-doping rule violation is committed by any Athlete over whom an Anti-Doping Organization has authority who competes below the international or national level, then the Consequences set forth in the Code (except Article 14.3.2) must be applied. For purposes of Article 2.8 and Article 2.9 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.

## **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.

## **Anti-Doping Organization**

A Signatory that is responsible for adopting rules for initiating, implementing or enforcing any part of the Doping Control process. Anti-Doping Organizations include, inter alia, the International Olympic Committee, the International Paralympics Committee, other Major Event Organizations that conduct Testing at their Events, WADA, International Federations, and National Anti-Doping Organizations.

## **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 WADA-accredited laboratory or other WADA approved laboratory 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.

### **Atypical Passport Finding**

A report described as an Atypical Passport Finding as described in the applicable International Standards.

### **CAS**

The Court of Arbitration for Sport.

### **Code**

The World Anti-Doping Code.

### **Competition**

A single race, match, game or singular sport contest, for example, a basketball game or the finals of the Olympic 100-meter race in athletics. For stage races and other sport 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.

### **Contaminated product**

A product that contains a Prohibited Substance that is not disclosed on the product label or in information available in a reasonable Internet search.

### **Consequences of Anti-doping Rule Violations (Consequences)**

An Athlete's or other Person's violation of an anti-doping rule may result in one or more of the following:

(a) Disqualification is an invalidation of the Athlete's results in a particular Competition or Event with all resulting Consequences including forfeiture of any medals, points and prizes;

(b) Ineligibility is a ban of the Athlete or other Person on account of an anti-doping rule violation for a specified period of time from participating in any Competition or other activity or funding as provided in Article 10.12.1;



(c) Provisional Suspension is a temporary ban of the Athlete or other Person from participating in any Competition or activity prior to the final decision at a hearing conducted under Article 8;

(d) Financial Consequences are the financial sanctions for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation;

(e) Public Disclosure or Public Reporting is the dissemination or distribution of information to the general public or Persons beyond those Persons entitled to earlier notification in accordance with Article 14. Teams in Team Sports may also be subject to Consequences as provided in Article 11.

### **Disqualification**

See Consequences of Anti-doping Rules Violations.

### **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, TUEs, 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.

### **Event Venues**

Those venues so designated by the ruling body for the Event.

### **Fault**

Any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing an Athlete or other Person's degree of Fault include, for example, the Athlete's or other Person's experience, whether the Athlete or other Person is a Minor, special considerations such as impairment, the degree of risk that should have been perceived by the Athlete and the level of care and investigation exercised by the Athlete in relation to what should have been the

perceived level of risk. 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 Article 10.5.1 or 10.5.2.

### **Financial Consequences**

See Consequences of Anti-Doping Rule Violations.

### **In-Competition**

Unless provided otherwise in the rules of an International Federation or the ruling body of the Event in question, "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

### **Independent Observer Program**

A team of observers, under the supervision of WADA, who observe and provide guidance on the Doping Control process at certain Events and report on their observations.

### **Individual Sport**

Any sport that is not a Team Sport.

### **Ineligibility**

See Consequences of Anti-doping Rules Violations.

### **International Event**

An Event or Competition where the International Olympic Committee, the International Paralympics 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 who compete in sport at the international level, as defined by each International Federation, consistent with the International Standard for Testing and Investigations.

### **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 Organization**

The continental associations of the National Olympic Committees and other international multisport organizations that are associated multiple sports and act as the ruling body for any continental, regional or other International Event.

### **Marker**

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

### **Metabolite**

Any substance produced by a biotransformation process.

### **Minor**

A natural Person who has not reached the age of eighteen years.

### **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 at the national level. 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 or Competition involving International- or National-Level Athletes that is not an International Event.

### **National-Level Athlete**

Athletes who compete in sport at the national level, as defined by each National Anti-Doping Organization, consistent with the International Standard for Testing and Investigations. In the Russian Federation a National-Level Athlete is defined by Article 1.3.3.2.

### **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 Fault or Negligence**

The Athlete or other Person'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 or otherwise violated an anti-doping rule. Except in the case of a Minor, for any violation of Article 2.1, the Athlete must also establish how the Prohibited Substance entered his or her system.

### **No Significant Fault or Negligence**

The Athlete or other Person'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. Except in the case of a Minor, for any violation of Article 2.1, the Athlete must also establish how the Prohibited Substance entered his or her system.

### **Out-of-Competition**

Any period which is not In-Competition.

### **Participant**

Any Athlete or Athlete Support Person.

### **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 or intends to exercise control over

the Prohibited Substance or Prohibited Method or the premises in which a Prohibited Substance or Prohibited Method exists). 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.

### **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, or class of substances, so described on the Prohibited List.

### **Provisional Hearing**

For purposes of Article 7.9, an expedited abbreviated hearing occurring prior to a hearing under Article 8 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 Rule Violations.

### **Publicly Disclose or Publicly Report**

See Consequences of Anti-Doping Rule Violations.

### **Regional Anti-Doping Organization**

A regional entity designated by member countries to coordinate and manage delegated areas of their national anti-doping programs, which may include the

adoption and implementation of anti-doping rules, the planning and collection of Samples, the management of results, the review of TUEs, the conduct of hearings, and the conduct of educational programs at a regional level.

### **Registered Testing Pool**

The list established separately at the international level by International Federations and at the national level by National Anti-Doping Organizations. This is the list of highest-priority Athletes, who are subject to focused In-Competition and Out-of-Competition Testing as part of that International Federation's or National Anti-Doping Organization's test distribution plan and therefore are required to provide whereabouts information as provided in Article 5.6 and the International Standard for Testing and Investigations.

### **Sample or Specimen**

Any biological material collected for the purposes of Doping Control.

### **Signatories**

The Organizations signing the Code and agreeing to comply with the Code, as provided in Article 23 of the Code.

### **Specified Substance**

See art. 4.2.2.

### **Strict Liability**

The rule which provides that under Article 2.1 and Article 2.2, it is not necessary that intent, Fault, negligence, or knowing Use on the Athlete's part be demonstrated by the Anti-Doping Organization in order to establish an anti-doping rule violation.

### **Substantial Assistance**

For purposes of Article 10.6.1, 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;
- (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.

### **Target Testing**

Selection of specific Athletes for Testing based on criteria set forth in the International Standard for Testing and Investigations.

### **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.

### **Trafficking**

Selling, giving, transporting, sending, delivering or distributing (or Possessing for any such purpose) a Prohibited Substance or Prohibited Method (either physically or by any electronic or other means) by an Athlete, Athlete Support Person or any other Person subject to the jurisdiction of an Anti-Doping Organization to any third party. 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 another acceptable justification. Besides it 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 or are intended to enhance sport performance.

### **TUE**

Therapeutic Use Exemption, as described in Article 4.4.

### **UNESCO Convention**

The International Convention against Doping in Sport adopted by the 33<sup>rd</sup> 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**

World Anti-Doping Agency

**Notice.** Defined terms shall include their plural and possessive forms, as well as those terms used as other parts of speech.