



**International Olympic Committee**  
**Anti-Doping Rules**  
applicable to the  
**Games of the XXXII Olympiad**  
**Tokyo 2020**  
**(as of March 2021)**

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## **INTRODUCTION**

### **Preface**

The *International Olympic Committee (IOC)* is the supreme authority of the Olympic Movement and, in particular, the Olympic Games. Any *Person* belonging in any capacity whatsoever to the Olympic Movement is bound by the provisions of the Olympic Charter and is required to abide by the decisions of the *IOC*.

The Olympic Charter reflects the importance that the *IOC* places on the fight against doping in sport and its support for the *Code* as adopted by the *IOC*.

The *IOC*, as *Signatory* to the *Code*, has established and adopted these *Rules* in accordance with the *Code*, expecting that, in the spirit of sport, it will contribute to the fight against doping in the Olympic Movement. The *Rules* are complemented by other *IOC* documents and *WADA* documents including, *inter alia*, the *International Standards*.

### **Scope of these Rules**

These *Rules* apply in relation to *the Olympic Games Tokyo 2020*. They shall, without limitation, apply to all *Anti-Doping Activities* and *Doping Controls* over which the *IOC* has jurisdiction in relation to the *Olympic Games Tokyo 2020*.

These *Rules* shall, without limitation, apply to (a) the *IOC* (including its Executive Board members, directors, officers, employees, the *ITA* and other *Delegated Third Parties* and their directors, officers and employees, who are involved in any aspect of *Doping Control*); (b) all *Athletes* entered in the *Olympic Games Tokyo 2020* or who have otherwise been made subject to the authority of the *IOC* in connection with the *Olympic Games Tokyo 2020* (see below); (c) all *Athlete Support Personnel* supporting such *Athletes*; (d) other *Persons* participating in, or accredited to, the *Olympic Games Tokyo 2020* including, without any limitation, *International Federations* and *NOCs*; (e) *Tokyo 2020* (including its members, directors, officers, employees, who are involved in any aspect of *Doping Control*); and (f) any *Person* operating (even if only temporarily) under the authority of the *IOC* in relation to the *Olympic Games Tokyo 2020*.

*Athletes* entered in the *Olympic Games Tokyo 2020* or who have otherwise been made subject to the authority of the *IOC* in connection with the *Olympic Games Tokyo 2020* are bound by these *Rules* as a condition of eligibility to participate in the *Olympic Games Tokyo 2020*. *Athletes* shall, without limitation, be subject to the authority of the *IOC* upon being put forward by their *NOC* as potential participants in the *Olympic Games Tokyo 2020* in advance of the *Period of the Olympic Games Tokyo 2020* and shall in particular be considered to be entered into the *Olympic Games Tokyo 2020* upon being included in the final *NOC* delegation list.

The *Athlete Support Personnel* supporting such *Athletes* and other *Persons* participating in, or accredited to, the *Olympic Games Tokyo 2020* are bound by these *Rules* as a condition of such participation or accreditation.

*Persons* operating (even if only temporarily) under the authority of the *IOC* in connection with the *Olympic Games Tokyo 2020* are bound by these *Rules* as a condition of their participation or involvement in the *Olympic Games Tokyo 2020*.

Italicized terms in these Anti-Doping Rules are defined terms in Appendix 1.

## **Delegation to the ITA**

The *IOC* is a *Signatory* to the *Code* and these *Rules* are adopted by the *IOC* in accordance with the mandatory provisions of the *Code*.

In accordance with the *Code* and these *Rules*, the *IOC* has agreed to delegate some of its responsibilities related to the implementation of all or part of the *Doping Control* in relation to the *Olympic Games Tokyo 2020* to the *ITA* as further described hereunder, including without limitation, test distribution planning, *TUEs* and *Results Management*. The *ITA*, in turn, may sub-delegate the implementation of *Doping Control* as appropriate and customary to other *Delegated Third Parties* (for example to *Tokyo 2020* or *Sample collection agencies*). References in these *Rules* to the *ITA* shall exceptionally, due to the *IOC's* status as a *Major Event Organisation* and where applicable within the context of the aforementioned delegation, be construed and interpreted as references to the *ITA* acting on behalf of the *IOC*.

Notwithstanding the above delegation to the *ITA* (or other *Delegated Third Parties*), and in accordance with the *Code* and the *International Standard for Code Compliance by Signatories*, the *IOC* shall, as the *Signatory*, remain responsible from a *Code* compliance perspective for all aspects of *Doping Control* conducted at the *Olympic Games Tokyo 2020*.

Further, and for the avoidance of doubt, while the *ITA* may act on its behalf, the *IOC* shall be considered as the party asserting anti-doping rule violations and for the purpose of any actions taken within the *Results Management* process, including proceedings in front of the hearing body or in any other matter under these *Rules* where that role would appropriately fall to a *Signatory* under the *Code*. Without limitation, this includes the position of applicant, and in the event of appeal, appellant or respondent as the case may be.

## ARTICLE 1 – DEFINITION OF DOPING

Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.11 of these *Rules*.

## ARTICLE 2 – ANTI-DOPING RULE VIOLATIONS

The purpose of Article 2 is to specify the circumstances and conduct which constitute anti-doping rule violations.

*Athletes* and other *Persons* shall be responsible for knowing (and shall be deemed to know) 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 the *Athletes'* personal duty to ensure that no *Prohibited Substance* enters their bodies. *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 an 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 the *Athlete's A Sample* where the *Athlete* waives analysis of the *B Sample* and the *B Sample* is not analysed; or, where the *Athlete's B Sample* is analysed and the analysis of the *Athlete's B Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Athlete's A Sample*; or where the *Athlete's A* or *B Sample* is split into two parts and the analysis of the confirmation part of the split *Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the first part of the split *Sample* or the *Athlete* waives analysis of the confirmation part of the split *Sample*.

**2.1.3** Excepting those substances for which a *Decision Limit* is specifically identified in the *Prohibited List* or a *Technical Document*, the presence of any reported 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*, *International Standards*, or *Technical Documents* may establish special criteria for reporting or the evaluation of certain *Prohibited Substances*.

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

**2.2.1** It is the *Athletes'* personal duty to ensure that no *Prohibited Substance* enters their bodies 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 by an Athlete**

Evading *Sample* collection; or refusing or failing to submit to *Sample* collection without compelling justification after notification by a duly authorised *Person*.

## **2.4 Whereabouts Failures by an Athlete**

Any combination of three (3) missed tests and/or filing failures, as defined in the *International Standard for Results Management*, within a twelve-month (12) period by an *Athlete* in a *Registered Testing Pool*.

## **2.5 Tampering or Attempted Tampering with any Part of Doping Control by an Athlete or Other Person**

## **2.6 Possession of a Prohibited Substance or a Prohibited Method by an Athlete or Athlete Support Personnel**

**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 *TUE* granted in accordance with Article 4.4 of the *Code* or other acceptable justification.

**2.6.2** *Possession* by an *Athlete Support Personnel In-Competition* of any *Prohibited Substance* or any *Prohibited Method*, or *Possession* by an *Athlete Support Personnel 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 Personnel* establishes that the *Possession* is consistent with a *TUE* granted to an *Athlete* in accordance with Article 4.4 of the *Code* or other acceptable justification.

## **2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method by an Athlete or Other Person**

**2.8 Administration or Attempted Administration by an Athlete or Other Person 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 or Attempted Complicity by an Athlete or Other Person**

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity or *Attempted* complicity involving an anti-doping rule violation, *Attempted* anti-doping rule violation or violation of Article 10.14.1 of the *Code* by another *Person*.

**2.10 Prohibited Association by an Athlete or Other Person**

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

**2.10.1.1** If subject to the authority of an *Anti-Doping Organisation*, is serving a period of *Ineligibility*; or

**2.10.1.2** If not subject to the authority of an *Anti-Doping Organisation*, 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

**2.10.1.3** Is serving as a front or intermediary for an individual described in Article 2.10.1.1 or 2.10.1.2.

**2.10.2** To establish a violation of Article 2.10 of these *Rules*, an *Anti-Doping Organisation* must establish that the *Athlete* or other *Person* knew of the *Athlete Support Personnel's* disqualifying status.

The burden shall be on the *Athlete* or other *Person* to establish that any association with an *Athlete Support Personnel* described in Article 2.10.1.1 or 2.10.1.2 is not in a professional or sport-related capacity and/or that such association could not have been reasonably avoided.

If the *IOC* or *ITA* becomes aware of an *Athlete Support Personnel* who meets the criteria described in Article 2.10.1.1, 2.10.1.2 or 2.10.1.3, it shall submit that information to *WADA*.

## **2.11 Acts by an *Athlete* or Other *Person* to Discourage or Retaliate Against Reporting to Authorities**

Where such conduct does not otherwise constitute a violation of Article 2.5 of these *Rules*:

**2.11.1** Any act which threatens or seeks to intimidate another *Person* with the intent of discouraging the *Person* from the good-faith reporting of information that relates to an alleged anti-doping rule violation or alleged non-compliance with the *Code to WADA*, an *Anti-Doping Organisation*, law enforcement, regulatory or professional disciplinary body, hearing body or *Person* conducting an investigation for *WADA* or an *Anti-Doping Organisation*.

**2.11.2** Retaliation against a *Person* who, in good faith, has provided evidence or information that relates to an alleged anti-doping rule violation or alleged non-compliance with the *Code to WADA*, an *Anti-Doping Organisation*, law enforcement, regulatory or professional disciplinary body, hearing body or *Person* conducting an investigation for *WADA* or an *Anti-Doping Organisation*.

For purposes of Article 2.11 of these *Rules*, retaliation, threatening and intimidation include an act taken against such *Person* either because the act lacks a good faith basis or is a disproportionate response.

## **ARTICLE 3 – PROOF OF DOPING**

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

The *IOC* (or the *ITA* acting before the hearing panel on behalf of the *IOC* as set forth in Article 8.1.1 of these *Rules*) shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether the *IOC* 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 probabilities but less than proof beyond a reasonable doubt. Where these *Rules* place the burden of proof upon the *Athlete* or other *Person* alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, except as provided in Articles 3.2.2 and 3.2.3 of these *Rules*, the standard of proof shall be by a balance of probabilities.

### **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 and *Decision Limits* approved by WADA after consultation within the relevant scientific community, or which have been the subject of peer review, are presumed to be scientifically valid. Any *Athlete* or other *Person* seeking to challenge whether the conditions for such presumption have been met or 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. The CAS (including *CAS Anti-Doping Division*), the initial hearing body or appellate body on its own initiative may also inform WADA of any such challenge. Within ten (10) days of WADA's receipt of such notice and the case file related to such challenge, WADA shall also have the right to intervene as a party, appear *amicus curiae* or otherwise provide evidence in such proceeding. In cases before the *CAS Anti-Doping Division*, at WADA's request, the *CAS Anti-Doping Division* panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge.
- 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 IOC shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.
- 3.2.3** Departures from any other applicable *International Standard* or other anti-doping rule or policy set forth in these *Rules* shall not invalidate analytical results or other evidence of an anti-doping rule violation, and shall not constitute a defence to an anti-doping rule violation, provided, however, if the *Athlete* or other *Person* establishes that a departure from one of the specific *International Standard* provisions listed below could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding* or whereabouts failure, then the IOC shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding* or whereabouts failure:
- 3.2.3.1** a departure from the *International Standard* for Testing and Investigations related to *Sample* collection or *Sample* handling which could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding*, in which case the IOC shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*;
- 3.2.3.2** a departure from the *International Standard* for Results Management or *International Standard* for Testing and Investigations related to *Adverse Passport Finding* which could reasonably have caused an anti-doping rule violation, in which case the IOC shall have the burden to establish that such departure did not cause the anti-doping rule violation;

- 3.2.3.3** a departure from the *International Standard* for Results Management related to the requirement to provide notice to the *Athlete* of the *B Sample* opening which could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding*, in which case the *IOC* shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*;
- 3.2.3.4** a departure from the *International Standard* for Results Management related to *Athlete* notification which could reasonably have caused an anti-doping rule violation based on a whereabouts failure, in which case the *IOC* shall have the burden to establish that such departure did not cause the whereabouts failure.
- 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 (including for the avoidance of doubt, the *CAS Anti-Doping Division*) 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 and the *ITA*.

## **ARTICLE 4 – THE PROHIBITED LIST**

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

These *Rules* incorporate the *Prohibited List* which is published and revised by *WADA* as described in Article 4.1 of the *Code*. The *NOCs* shall be responsible for ensuring that their delegations, including their *Athletes*, are made aware of such *Prohibited List*. Notwithstanding the foregoing, ignorance of the *Prohibited List* shall not constitute an excuse for any *Participant* or other *Person* participating in, or accredited to, the *Olympic Games Tokyo 2020*.

### **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* or a revision, the *Prohibited List* and revisions shall go into effect under these *Rules* three months after publication by *WADA*, without requiring any further action by the *IOC*.

#### **4.2.2** All *Athletes* and other *Persons* shall be bound by the *Prohibited List*, and any revisions thereto, from the date they go into effect, without further formality. It is the responsibility of all *Athletes* and other *Persons* to familiarise themselves with the most up-to-date version of the *Prohibited List* and all revisions thereto.

#### **4.2.3** *Specified Substances or Specified Methods*

All *Prohibited Substances* shall be *Specified Substances* except as identified on the *Prohibited List*. No *Prohibited Method* shall be a *Specified Method* unless it is specifically identified as a *Specified Method* on the *Prohibited List*.

#### **4.2.4** *Substances of Abuse*

For purposes of applying Article 10 of these *Rules*, *Substances of Abuse* shall include those *Prohibited Substances* which are specifically identified as *Substances of Abuse* on the *Prohibited List* because they are frequently abused in society outside of the context of sport.

### **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*, the classification of a substance as prohibited at all times or *In-Competition* only, the classification of a substance or method as a *Specified Substance*, *Specified Method* or *Substance of Abuse* is final and shall not be subject to any challenge by an *Athlete* or other *Person*, including, but not limited to, any challenge 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**

**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** The *ITA* shall appoint the members of the *TUEC* which shall be composed of specialists in accordance with the *International Standard* for Therapeutic Use Exemptions. Each *TUE* application shall be assessed by three members of the *TUEC*.

**4.4.2.1** The *TUEC* shall promptly evaluate applications for a *TUE* and render a decision as quickly as possible, which decision shall be reported via *ADAMS*.

**4.4.2.2** The *ITA* shall promptly notify the *Athlete*, the *Athlete's NOC*, *WADA*, the relevant *Athlete's National Anti-Doping Organisation* and *International Federation* of the decision of the *TUEC*.

**4.4.2.3** The provisions of the *International Standard* for Therapeutic Use Exemptions shall be complied with during the entire *TUE* application, recognition, decision, review and appeal process and applied automatically. *TUEs* granted by the *TUEC* shall be effective for the *Olympic Games Tokyo 2020* only.

- 4.4.3** Without prejudice to the review by the *TUEC* under Article 4.4.5 below, where the *Athlete* already has a *TUE* granted by the *Athlete's National Anti-Doping Organisation* or *International Federation* and such *TUE* is available on *ADAMS*, the *Athlete* does not need to apply for the recognition of this *TUE* which shall be automatically recognised.
- 4.4.4** Where the *Athlete* already has a *TUE* granted by the *Athlete's National Anti-Doping Organisation* or *International Federation* and provided that such *TUE* is not available on *ADAMS*, the *Athlete* shall submit such *TUE* to the *TUEC* for recognition at least 30 days before the start of the *Period of the Olympic Games Tokyo 2020*.
- 4.4.5** The *TUEC* shall be entitled, including prior to the *Period of the Olympic Games Tokyo 2020*, to review any *TUE* in order to ensure that it meets the criteria set out in the *International Standard* for Therapeutic Use Exemptions and, if necessary, request the provision of further supporting documentation. If the *TUEC* decides to review a *TUE* and determines that it does not meet the aforementioned criteria, and, accordingly, refuses to recognise it, it must notify the *Athlete*, the *Athlete's NOC* and the granting *Athlete's National Anti-Doping Organisation* or *International Federation*, and *WADA* promptly, explaining its reasons. Such decision shall also be reported via *ADAMS*.
- 4.4.6** A decision by the *TUEC* not to grant or not to recognise a *TUE* may be appealed by the *Athlete* exclusively to *WADA*. If the *Athlete* does not appeal (or *WADA* decides to uphold the refusal to grant/recognise the *TUE* and so rejects the appeal), the *Athlete* may not *Use* the *Prohibited Substance* or *Prohibited Method* in question in relation to the *Olympic Games Tokyo 2020*, but any *TUE* granted by the *Athlete's National Anti-Doping Organisation* or *International Federation* for that substance or method remains valid outside of the *Olympic Games Tokyo 2020*.
- 4.4.7** Notwithstanding Article 4.4.6, *WADA* may review the *TUEC's* decisions on *TUEs* at any time, whether upon request by those affected 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. A decision by *WADA* to reverse a *TUE* decision may be appealed by the *Athlete*, the *Athlete's National Anti-Doping Organization* and/or the *International Federation* affected, exclusively to *CAS* in accordance with Article 12 of these *Rules*.
- 4.4.8** All *TUEs* must be managed, requested and declared through *ADAMS*. All applications, decisions and supporting documentation regarding *TUEs* must be applied for, managed and notified as soon as possible through *ADAMS*.

## ARTICLE 5 – TESTING AND INVESTIGATIONS

### 5.1 Purpose of *Testing* and Investigations

**5.1.1** *Testing* and investigations may be undertaken for any anti-doping purposes. They shall be conducted in conformity with the provisions of the *International Standard* for Testing and Investigations and any specific protocols of the *IOC* and/or the *ITA* (within the scope of its delegation) supplementing that *International Standard*, provided that such protocols are compliant with the *Code* and *International Standard* for Testing and Investigations.

**5.1.2** *Testing* shall be undertaken to obtain analytical evidence as to whether the *Athlete* has violated Article 2.1 (Presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample*) or Article 2.2 (*Use or Attempted Use* by an *Athlete* of a *Prohibited Substance* or a *Prohibited Method*) of these *Rules*.

### 5.2 Authority to Test

**5.2.1** In accordance with Article 5.2.3 of the *Code*, the *IOC* shall have *In-Competition* and *Out-of-Competition Testing* authority over all *Athletes* in connection with the *Olympic Games Tokyo 2020*.

**5.2.2** Accordingly, the *ITA* may conduct *In-Competition* and *Out-of-Competition Testing* on the *IOC's* behalf, on any *Athlete* entered to or who may be entered to participate in the *Olympic Games Tokyo 2020*. The *ITA* may notably conduct *Out-of-Competition Testing* on these *Athletes* starting from the *Period of the Pre-Olympic Games Tokyo 2020*.

**5.2.3** The *ITA* may require any *Athlete* over whom the *IOC* has *Testing* authority to provide a *Sample* at any time and at any place.

**5.2.4** Subject to Article 5.3 of the *Code*, the *ITA* shall have exclusive authority to conduct *Testing* at the *Event Venues* during the *Period of the Olympic Games Tokyo 2020*. In accordance with Article 5.3.1 of the *Code*, not only the *ITA*, but also *Anti-Doping Organisations* with *Testing* authority over *Athletes* participating at the *Olympic Games Tokyo 2020* may test such *Athletes* during the *Period of the Olympic Games Tokyo 2020* outside of the *Event Venues*. Such *Testing* shall be communicated to and coordinated with the *ITA*.

**5.2.5** If an *Anti-Doping Organisation*, which would otherwise have *Testing* authority but is not responsible for initiating and directing *Testing* at the *Olympic Games Tokyo 2020*, desires to conduct *Testing* of *Athletes* at the *Event Venues* during the *Period of the Olympic Games Tokyo 2020*, the *Anti-Doping Organisation* shall first confer with the *ITA* to obtain permission to conduct and coordinate such *Testing*.

**5.2.6** Notwithstanding the above, *WADA* shall have *In-Competition* and *Out-of-Competition Testing* authority as set out in Article 20.7.10 of the *Code*.

### **5.3 Delegation of responsibility, overseeing and monitoring of *Doping Control***

**5.3.1** Subject to the *International Standard* for Code Compliance by Signatories and Article 5.3.2 of these *Rules*, the *IOC* has delegated some of its obligations and responsibilities pursuant to these *Rules*, including the implementation of all or part of the *Doping Control* in relation to the *Olympic Games Tokyo 2020*, including without limitation, test distribution planning, *TUEs* and *Results Management*, to the *ITA*. The references in these *Rules* to the *ITA* shall, where applicable, be construed and interpreted as references to the *ITA* acting on behalf of the *IOC* within the scope of the above-mentioned delegation.

The *ITA* may in turn sub-delegate the responsibility for implementing all or part of the *Doping Control* in relation to the *Olympic Games Tokyo 2020* to the organising committee for the *Olympic Games Tokyo 2020 (Tokyo 2020)* or any *Anti-Doping Organisation* or other *Delegated Third Parties* it deems to be appropriate (such as a *Sample* collection agency). In such event, *Tokyo 2020* and such *Anti-Doping Organisations* or *Delegated Third Parties* shall act in accordance with these *Rules* and any further requirements and instructions provided by the *ITA*.

The delegation of obligations or responsibilities to the *ITA* shall continue in effect until revocation or withdrawal of such delegation by the *IOC* at any time and at its own discretion. In the event of revocation or withdrawal, any references to the *ITA* in the *Rules* shall be deemed to be references to the *IOC*.

**5.3.2** Notwithstanding the aforementioned delegation to the *ITA* or other *Delegated Third Parties* and, to the extent applicable, any sub-delegation by the *ITA* as indicated in these *Rules*, the *IOC* remains ultimately responsible for *Doping Control* and for the *Code* compliance of any *Doping Control* conducted by the *ITA* and/or any *Anti-Doping Organisation* or other *Delegated Third Parties* acting under its authority at the *Olympic Games Tokyo 2020*.

**5.3.3** *Doping Control* may be monitored by qualified *Persons* so authorised by the *ITA* and/or the *IOC*.

### **5.4 Test Distribution Planning**

The *ITA* shall develop, conduct, update and implement an effective test distribution plan for the *Olympic Games Tokyo 2020* complying with the requirements of the *International Standard* for Testing and Investigations. The *ITA* shall be responsible for overseeing the implementation of such test distribution plan and any subsequent changes thereto. The *ITA* shall provide the *IOC* and *WADA*, promptly upon request, with a copy of such test distribution plan, including any subsequent changes thereto.

### **5.5 Coordination of Doping Control**

In order to deliver an effective anti-doping programme for the *Olympic Games Tokyo 2020* and to avoid unnecessary duplication in *Doping Control*, the *ITA*, in collaboration with the *IOC*, *Tokyo 2020*, *WADA*, the *International Federations*, other *Anti-Doping Organisations* and the *NOCs* shall ensure that

there is coordination of *Doping Control* during both the *Period of the Pre-Olympic Games Tokyo 2020* and the *Period of the Olympic Games Tokyo 2020*.

The *ITA* shall also report information about all completed tests, including results, to the members of the *Independent Observers Programme*.

Where reasonably feasible, *Testing* shall be coordinated through *ADAMS* in order to maximise the effectiveness of the combined *Testing* effort and to avoid unnecessary repetitive *Testing*. All relevant information regarding *Doping Control* and *Sample Collection* should be promptly entered into *ADAMS*.

## **5.6 Athlete Whereabouts Information**

**5.6.1** Where an *Athlete* is in a *Registered Testing Pool*, the *ITA*, in collaboration with *Tokyo 2020*, may access the *Athlete's* Whereabouts Filings (as defined in the *International Standard* for Testing and Investigations) for the period for which the *Athlete* is subject to the *IOC's* *Testing* authority in accordance with Article 5.2 of these *Rules*. Such *Athletes* shall be subject to *Consequences* for violations of Article 2.4 of these *Rules* as provided in Article 10.3.2 of the *Code*. The *IOC* and the *ITA* will access the *Athlete's* Whereabouts Filings primarily via *ADAMS* and/or the *International Federations* or *National Anti-Doping Organisation* that is receiving the *Athlete's* Whereabouts Filings.

**5.6.2** In addition, each *NOC* shall provide the *ITA* with further details with respect to the location and arrival/departure dates of all *Athletes* belonging to their delegation (including *Athletes* not forming part of a *Registered Testing Pool*) during the *Period of the Olympic Games Tokyo 2020*; such information shall include, without limitation, the name of the building and room number at which an *Athlete* is staying at the Olympic Village, detailed accommodation information for *Athletes* not staying in the Olympic Village, and *Athlete's* training schedules and venues. Such information shall be provided to the *ITA* as soon as the *NOC* becomes aware of *Athlete's* whereabouts information. For the avoidance of doubt, the *ITA* may use this information for the purposes of investigations and *Doping Controls* in connection with the *Olympic Games Tokyo 2020*. The *NOCs* shall also monitor and manage the whereabouts information and provide any further reasonable assistance requested by the *ITA* in order to locate *Athletes* belonging to their delegations during the *Period of the Olympic Games Tokyo 2020*. Without prejudice to any other *Consequences*, which, depending on the circumstances, might be applicable if such failure constitutes an anti-doping rule violation pursuant to these *Rules*, failure to provide the above-mentioned assistance may give rise to measures or sanctions in application of Rule 59.1 and/or Rule 59.2 of the Olympic Charter.

**5.6.3** Upon request by the *ITA*, *Athletes* and the *NOC* shall directly provide to the *ITA* (or make available to the *ITA*) information regarding *Athletes'* location during the *Period of the Olympic Games Tokyo 2020* (information as mentioned above under Article 5.6.2), in the manner requested by the *ITA*. *Athletes* shall respect any time-limit imposed by the *ITA* for the provision of such information. Without prejudice to any other *Consequences*, which, depending on the circumstances, might be applicable if such failure constitutes an anti-doping rule violation pursuant to these *Rules*, failure to provide the above-mentioned information may give rise to measures or sanctions in application of Rule 59.2 of the Olympic Charter.

## **5.7 Investigations and Intelligence Gathering**

The *ITA* and the *IOC* shall have the capability to conduct, and shall conduct, investigations and gather intelligence as required by the *International Standard for Testing and Investigations* and the *International Standard for Results Management*.

## **5.8 Independent Observer Programme**

The *IOC* shall authorise and, in collaboration with the *ITA* and *Tokyo 2020*, facilitate the *Independent Observer Programme* at the *Olympic Games Tokyo 2020*.

## **ARTICLE 6 – ANALYSIS OF SAMPLES**

*Samples* shall be analysed in accordance with the following principles:

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

In accordance with the *Code* and for purposes of directly establishing an *Adverse Analytical Finding* under Article 2.1 of these *Rules*, *Samples* shall be analysed only in laboratories (or satellite facilities) accredited or otherwise approved by *WADA*.

As provided in Article 3.2 of these *Rules*, anti-doping rule violations may be established by any reliable means. This would include, for example, reliable laboratory or other forensic testing conducted outside of *WADA*-accredited or approved laboratories.

### **6.2 Purpose of Analysis of Samples and Data**

*Samples* and related analytical data or *Doping Control* information shall be analysed to detect *Prohibited Substances* and *Prohibited Methods* and other substances as may be directed by *WADA* pursuant to the Monitoring Programme 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 for DNA or genomic profiling; or for any other legitimate anti-doping purpose.

### **6.3 Research on *Samples* and Data**

*Samples*, related analytical data and *Doping Control* information may be used for anti-doping research purposes, although no *Sample* may be used for research without the *Athlete's* written consent. *Samples* and related analytical data or *Doping Control* information used for research purposes shall first be processed in such a manner as to prevent *Samples* and related analytical data or *Doping Control* information being traced back to a particular *Athlete*. Any research involving *Samples* and related analytical data or *Doping Control* information shall adhere to the principles set out in Article 19 of the *Code*.

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

**6.4.1** Laboratories shall analyse *Samples* and report results in conformity with the *International Standard* for Laboratories.

**6.4.2** Laboratories at their own initiative and expense may analyse *Samples* for *Prohibited Substances* or *Prohibited Methods* not included on the standard *Sample* analysis menu, or as requested by the *ITA*. Results from any such analysis shall be reported to the *ITA* and have the same validity and *Consequences* as any other analytical result.

### **6.5 Further Analysis of a *Sample* Prior to or During *Results Management***

There shall be no limitation on the authority of a laboratory to conduct repeat or additional analysis on a *Sample* prior to the time the *ITA* notifies an *Athlete* that the *Sample* is the basis for an Article 2.1 anti-doping rule violation charge. If after such notification the *ITA* wishes to conduct additional analysis on that *Sample*, it may do so with the consent of the *Athlete* or approval from a hearing body.

### **6.6 Further Analysis of a *Sample* After it has been Reported as Negative or has Otherwise not Resulted in an Anti-Doping Rule Violation Charge**

After a laboratory has reported a *Sample* as negative, or the *Sample* has not otherwise resulted in an anti-doping rule violation charge, it may be stored and may be subject to further analyses at any time for the purpose of Article 6.2 of these *Rules* by the *IOC*, the *ITA* or *WADA*. Any other *Anti-Doping Organisation* with authority to test the *Athlete* that wishes to conduct further analysis on a stored *Sample* may do so with the permission of the *IOC* or *WADA*, and shall be responsible for any follow-up *Results Management*. Such further analysis of *Samples* shall conform with the requirements of the *International Standard* for Laboratories applicable at the time of the further analysis.

### **6.7 Split of A or B *Sample***

Where the *IOC*, the *ITA*, *WADA* and/or a *WADA*-accredited laboratory (with approval from the *IOC*, the *ITA* or *WADA*) wishes to split an A or B *Sample* for the purpose of using the first part of the split *Sample* for an A *Sample* analysis and the second part of the split *Sample* for confirmation, then the procedures set forth in the *International Standard* for Laboratories shall be followed.

## **6.8 WADA's Right to Take Possession of Samples and Data**

*WADA* may, in its sole discretion at any time, with or without prior notice, take physical possession of any *Sample* and related analytical data or information in the possession of a laboratory or the *ITA*. Upon request by *WADA*, the laboratory or the *ITA* in possession of the *Sample* or data shall immediately grant access to and enable *WADA* to take physical possession of the *Sample* or data. If *WADA* has not provided prior notice to the laboratory or the *ITA* before taking possession of a *Sample* or data, it shall provide such notice to the laboratory and to the *ITA* whose *Samples* or data have been taken by *WADA* within a reasonable time after taking possession. After analysis and any investigation of a seized *Sample* or data, *WADA* may direct another *Anti-Doping Organisation* with authority to test the *Athlete* to assume *Results Management* responsibility for the *Sample* or data if a potential anti-doping rule violation is discovered.

## **ARTICLE 7 – RESULTS MANAGEMENT: RESPONSIBILITY, INITIAL REVIEW, NOTICE AND PROVISIONAL SUSPENSIONS**

*Results Management* under the *Code* and these *Rules* (as set forth in Articles 7, 8 and 12) establishes a process designed to resolve anti-doping rule violations matters in a fair, expeditious and efficient manner.

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

**7.1.1** For *Results Management* relating to a *Sample* collected by the *ITA* on behalf of the *IOC* in accordance with Article 5 of these *Rules* or an anti-doping rule violation occurring during the *Olympic Games Tokyo 2020*, the *IOC* shall assume *Results Management* responsibility to determine whether an anti-doping rule violation was committed and, if so, all *Consequences* flowing from the anti-doping rule violation(s), including the applicable *Disqualifications* and other *Consequences* under Articles 9, 10.1, 10.2 and 11 of these *Rules*, the forfeiture of any medals, diplomas, points and prizes from the *Olympic Games Tokyo 2020*, and any recovery of costs applicable to the anti-doping rule violation. However, as part of its delegated responsibilities, the *ITA* shall be responsible to represent the *IOC* and act on its behalf and name in the conduct of the *Results Management* process for anti-doping rule violations arising under these *Rules*. Without limitation, the *ITA* shall notably conduct the reviews provided for in this Article 7.

**7.1.2** Responsibility for the completion of *Results Management* and the conduct of hearings for anti-doping rule violations arising under these *Rules* in relation to *Consequences* that extend beyond the *Olympic Games Tokyo 2020* shall be referred to the *Athlete* or other *Person's International Federation*.

### **7.2 Review of Adverse Analytical Findings**

*Results Management* in respect of the results of tests initiated and conducted by the *ITA* pursuant to these *Rules* (including any tests performed by *WADA* in accordance with Article 5.2.6 of these *Rules*) shall proceed as follows:

**7.2.1** The results from all analyses will be reported into *ADAMS* whether during or outside the *Period of the Pre-Olympic Games Tokyo 2020* and the *Period of the Olympic Games Tokyo 2020*.

All communications and reports must be provided in a manner preserving confidentiality and data privacy, in conformity with the *International Standard for Laboratories*, the *International Standard for the Protection of Privacy and Personal Information*, the applicable data protection and privacy laws and reported into *ADAMS* as applicable.

## **7.2.2 Initial Review**

**7.2.2.1** Upon receipt of an *Adverse Analytical Finding*, the *ITA* 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* (as set out in Article 7.2.2.3 below);
- (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* (as set out in Article 7.2.2.4 below); and/or
- (c) it is apparent that the *Adverse Analytical Finding* was caused by an ingestion of the relevant *Prohibited Substance* through a permitted route (as set out in Article 7.2.2.5 below).

**7.2.2.2** The *ITA* may, without limitation, request additional information, documents and explanations related to the review of an *Adverse Analytical Finding*, including regarding the route of administration, from the *Athlete* or any other *Person*. The *ITA* may also liaise with third parties in order to assess the validity of the information, documents and/or explanations.

**7.2.2.3** The *ITA* shall consult the *Athlete's* records in *ADAMS* and with other *Anti-Doping Organisations* that might have approved a *TUE* for the *Athlete* to determine whether a *TUE* exists. If the initial review reveals that the *Athlete* has an applicable *TUE*, then the *ITA* shall conduct such follow up review as necessary to determine if the specific requirements of the *TUE* have been complied with.

**7.2.2.4** The *ITA* must review the *Adverse Analytical Finding* to determine if there has been any departure from the *International Standard for Testing and Investigations* and/or the *International Standard for Laboratories*. This may include a review of the *Laboratory Documentation Package* produced by the laboratory to support the *Adverse Analytical Finding* (if available at the time of the review) and relevant *Doping Control* form(s) and *Testing* documents.

**7.2.2.5** If the *Adverse Analytical Finding* involves a *Prohibited Substance* permitted through (a) specific route(s) as per the *Prohibited List*, the *ITA* shall consult any relevant available documentation (e.g. *Doping Control* form) to determine whether the *Prohibited Substance* appears to have been administered through a permitted route and, if so, shall consult an expert to determine whether the *Adverse Analytical Finding* is compatible with the apparent route of ingestion.

### **7.2.3 Notification**

**7.2.3.1** If the review of an *Adverse Analytical Finding* under Article 7.2.2 of these *Rules* does not reveal an applicable *TUE* or entitlement to a *TUE* as provided in the *International Standard* for Therapeutic Use Exemptions, an apparent departure from the *International Standard* for Testing and Investigations or the *International Standard* for Laboratories that caused the *Adverse Analytical Finding* or that it is apparent that the *Adverse Analytical Finding* was caused by an ingestion of the relevant *Prohibited Substance* through a permitted route, the *ITA* shall promptly notify:

- (a) the *Athlete*;
- (b) the *Athlete's NOC*;
- (c) the *Athlete's International Federation* (who will be entitled to send a representative(s) to attend the hearing);
- (d) the relevant *National Anti-Doping Organisation* of the *Athlete*;
- (e) the *IOC*; and
- (f) *WADA* (which will be entitled to send a representative to attend the hearing) and, during the *Period of the Olympic Games Tokyo 2020*, a representative of the *Independent Observer Programme*

of the existence of the *Adverse Analytical Finding*, and the essential details available concerning the case as further set out in Article 7.2.3.2 below, and promptly report it into *ADAMS*.

**7.2.3.2** The notifications specified above under Article 7.2.3.1 (a) to (f) shall be done in the manner set out in Articles 13.1 and 14, and shall include:

- (a) the *Adverse Analytical Finding*;
- (b) the fact that the *Adverse Analytical Finding* may result in an anti-doping rule violation of the Article 2.1 and/or Article 2.2. of these *Rules* and the applicable *Consequences*;
- (c) the *Athlete's* right to request the analysis of the *B Sample* or, failing such request, that the *B Sample* analysis may be deemed irrevocably waived;
- (d) the scheduled date, time and place for the *B Sample* analysis if the *Athlete* or the *ITA* chooses to request an analysis of the *B Sample*. It shall be indicated either in the notification described in this Article

7.2.3.2 or in a subsequent letter promptly after the *Athlete* or the *ITA* has requested the *B Sample* analysis;

- (e) the opportunity for the *Athlete* and/or the *Athlete's* representative to attend the *B Sample* opening and analysis in accordance with the *International Standard* for Laboratories if such analysis is requested;
- (f) the *Athlete's* right to request copies of the *A and B Sample Laboratory Documentation Package* which includes information as required by the *International Standard* for Laboratories;
- (g) the opportunity for the *Athlete* to provide an explanation within a reasonable deadline taking into consideration the circumstances;
- (h) the opportunity for the *Athlete* to provide *Substantial Assistance* as set out under Article 10.7.1 of the *Code*, to admit the anti-doping rule violation and potentially benefit from the regime set out in Articles 10.8.1 or to seek to enter into a case resolution agreement under Article 10.8.2 of the *Code* (if applicable) which may be granted at the occasion of the completion of *Results Management* proceedings conducted by the applicable *International Federation* in accordance with Article 7.1.2 of these *Rules*; and
- (i) to the extent applicable, the fact that mandatory or optional *Provisional Suspension* is sought or imposed (including the possibility for the *Athlete* to accept a voluntary *Provisional Suspension* as per Article 7.7 of these *Rules*) and an opportunity for a *Provisional Hearing* or an expedited final hearing when a *Provisional Suspension* is sought or has been imposed either under Articles 7.6.1 or 7.6.2.

**7.2.3.3** In the event that the *Adverse Analytical Finding* relates to *Prohibited Substances* described in the *International Standard* for Results Management (such as salbutamol, formoterol or other *Prohibited Substance* subject to specific *Results Management* requirements in a *Technical Document* or other document issued by *WADA*), the *ITA* shall act in accordance with the requirements set forth in the *International Standard* for Results Management.

**7.2.3.4** Where requested by the *Athlete* or the *ITA*, arrangements may be made to analyse the *B Sample* in accordance with the *International Standard* for Laboratories and the *International Standard* for Results Management. The timing of the *B Sample* analysis may be strictly fixed in the short term with no postponement possible, when circumstances justify it in accordance with the *International Standard* for Laboratories. An *Athlete* may accept the *A Sample* analytical results by waiving the requirement for *B Sample* analysis. The *ITA* may nonetheless elect to proceed with the *B Sample* analysis.

- 7.2.3.5** The *Athlete* and/or *Athlete's* representative shall be allowed to be present at the opening and analysis of the *B Sample*. Also, a representative of the *ITA* shall be allowed to be present. If the *Athlete* and the *Athlete's* representative claim not to be available on the scheduled date, time and place, or on two alternative occasions (which during the *Olympic Games Tokyo 2020* may be limited to two alternative times within the same date), the *ITA* may instruct the laboratory to proceed regardless and appoint an *Independent Witness* to verify that the *B Sample* container shows no signs of *Tampering* and that the identifying numbers match that on the collection documentation. An *Independent Witness* may be appointed even if the *Athlete* has indicated that the *Athlete* and/or the *Athlete's* representative be present.
- 7.2.3.6** If the results of the *B Sample* analysis confirms the results of the *A Sample* analysis, the results shall be promptly notified to the *Athlete*, the *Athlete's* *NOC*, the *Athlete's International Federation*, the relevant *National Anti-Doping Organisation* of the *Athlete*, the *IOC* and to *WADA*, and a short deadline taking into consideration the circumstances shall be granted to the *Athlete* to provide or supplement the *Athlete's* explanations. The *Athlete* shall be afforded the possibility to admit the anti-doping rule violation and potentially benefit from the regime set out in Articles 10.8.1 of the *Code* which may be granted at the occasion of the completion of *Results Management* proceedings conducted by the applicable *International Federation* in accordance with Article 7.1.2 of these *Rules* (if applicable), and/or voluntarily accept a *Provisional Suspension* as per Article 7.7 of these *Rules*.
- 7.2.3.7** The notification to the *Athlete* shall constitute the commencement of the proceeding in respect of the asserted anti-doping rule violation for the purposes of Article 17 of these *Rules*.
- 7.2.3.8** In parallel or upon conclusion of the notification process hereinabove, an application pursuant to Article 8.1.1 of these *Rules* shall be filed by the *ITA* with the *CAS Anti-Doping Division*, as per Article 8 of these *Rules* and the *CAS Anti-Doping Division Arbitration Rules*.

### **7.3 Review of Atypical Findings**

- 7.3.1** Upon receipt of an *Atypical Finding*, the *ITA* 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 (as set out in Article 7.2.2.3 above by analogy);
  - (b) there is any apparent departure from the *International Standard* for Testing and Investigations or *International Standard* for Laboratories that caused the *Atypical Finding* (as set out in Article 7.2.2.4 above by analogy); and/or
  - (c) it is apparent that the *Atypical Finding* was caused by an ingestion of the relevant *Prohibited Substance* through a permitted route (as set out in Article 7.2.2.5 above by analogy).

**7.3.2** If the review set out in Article 7.3.1 of these *Rules* does not reveal an applicable *TUE*, an apparent departure from the *International Standard* for Testing and Investigations or the *International Standard* for Laboratories that caused the *Atypical Finding*, or that it is apparent that the *Atypical Finding* was caused by an ingestion of the relevant *Prohibited Substance* through a permitted route, the *ITA* shall conduct the required investigation or cause it to be conducted.

**7.3.3** The *ITA* will not provide notification of an *Atypical Finding* until it has completed its investigation and has decided that it will bring the *Atypical Finding* forward as an *Adverse Analytical Finding* unless one of the following circumstances exists:

- (a) if the *ITA* determines that the *B Sample* should be analysed prior to the conclusion of its investigation. In this case, the *ITA* may conduct the *B Sample* analysis after notifying the *Athlete*, with such notification to include a description of the *Atypical Finding* and the information described in Article 7.2.3.2 (c) - (f); or
- (b) If the *ITA* receives a request, either from a *Major Event Organisation* shortly before one of its *International Events* or from a sport organisation responsible for meeting an imminent deadline for selecting team members for an *International Event*, to disclose whether any *Athlete* identified on a list provided by the *Major Event Organisation* or sport organisation has a pending *Atypical Finding*, the *ITA* shall identify any *Athlete* after first providing notice of the *Atypical Finding* to the *Athlete*; or
- (c) if the *Atypical Finding* is, in the opinion of qualified medical or expert personnel, likely to be connected to a serious pathology that requires urgent medical attention.

**7.3.4** If after the investigation is completed the *ITA* decides to pursue the *Atypical Finding* as an *Adverse Analytical Finding*, then the procedure shall follow the provisions of Article 7.2 of these *Rules* *mutatis mutandis*.

## **7.4 Matters not Involving an Adverse Analytical Finding or Atypical Finding**

### **7.4.1 Specific cases**

The pre-adjudication phase of *Results Management* of a possible failure to comply, potential whereabouts failures and *Adverse Passport Findings*, shall take place as provided in and in accordance with the *International Standard* for Results Management. For the sake of clarity, whereabouts failures will be referred for the *Results Management* by the competent *Athlete's Results Management* authority with which the respective *Athlete* files his/her whereabouts information. Moreover, as the *IOC* is not a *Passport Custodian* (as defined in the *International Standard* for Results Management), all *Adverse Passport Findings* shall be reported to the competent *Athlete's Results Management* authority.

**7.4.2 Notification for specific cases under Article 7.4.1 of these Rules and other anti-doping rules violations not involving an Adverse Analytical Finding or Atypical Finding**

**7.4.2.1** At such time as the *ITA* considers that the *Athlete* or other *Person* may have committed (an) anti-doping rule violation(s) for which the *IOC* is the *Results Management* authority pursuant to the *Code*, the *International Standard for Results Management* and these *Rules*, the *ITA* shall promptly notify:

- (a) the *Athlete* or other *Person*;
- (b) the *Athlete's* or other *Person's* *NOC*;
- (c) the *Athlete's* or other *Person's* *International Federation* (who will be entitled to send a representative(s) to attend the hearing);
- (d) the relevant *National Anti-Doping Organisation* of the *Athlete* or other *Person*;
- (e) the *IOC*; and
- (f) *WADA* (which will be entitled to send a representative to attend the hearing) and, during the *Period of the Olympic Games Tokyo 2020*, a representative of the *Independent Observer Programme*

of the alleged anti-doping rule violation(s) and the essential details available concerning the case as further set out in Article 7.4.2.2 below, and promptly report it into *ADAMS*.

**7.4.2.2** The notifications specified above under Article 7.4.2.1 (a) to (f) shall be done in the manner set out in Articles 13.1 and 14, and shall include:

- (a) the relevant anti-doping rule violation(s) and the applicable *Consequences*;
- (b) the relevant factual circumstances upon which the allegations are based;
- (c) the relevant evidence in support of those facts that the *ITA* considers demonstrate that the *Athlete* or other *Person* may have committed (an) anti-doping rule violation(s);
- (d) the right for the *Athlete* or other *Person* to provide an explanation within a reasonable deadline taking into consideration the circumstances;
- (e) the opportunity for the *Athlete* or other *Person* to provide *Substantial Assistance* as set out under Article 10.7.1 of the *Code*, to admit the anti-doping rule violation and potentially benefit from the regime set out in Articles 10.8.1 or to seek to enter into a case resolution agreement under Article of 10.8.2 of the *Code* (if applicable) which may be granted at the occasion of the completion of *Results Management* proceedings conducted by the applicable *International Federation* in accordance with Article 7.1.2 of these *Rules*; and
- (f) to the extent applicable, the fact that mandatory or optional *Provisional*

*Suspension* is sought or imposed (including the possibility for the *Athlete* or other *Person* to accept a voluntary *Provisional Suspension* as per Article 7.7 of these *Rules*) and an opportunity for a *Provisional Hearing* or an expedited final hearing when a *Provisional Suspension* is sought or has been imposed either under Articles 7.6.1 or 7.6.2.

- 7.4.2.3** The *ITA* may, without limitation, request additional information, documents and explanations related to the review of a potential anti-doping rule violation, from the *Athlete* or any other *Person*. The *ITA* may also liaise with third parties in order to assess the validity of the information, documents and/or explanations.
- 7.4.2.4** The notification of the *Athlete* or other *Person* shall constitute the commencement of the proceeding in respect of the asserted anti-doping rule violation for the purposes of Article 17 of these *Rules*.
- 7.4.2.5** In parallel or upon conclusion of the notification process hereinabove, an application pursuant to Article 8.1.1 of these *Rules* shall be filed by the *ITA* with the *CAS Anti-Doping Division*, in accordance with Article 8 of these *Rules* and the *CAS Anti-Doping Division Arbitration Rules*.

## **7.5 Decision Not to Move Forward**

If at any point during the *Results Management* up until the application to the *CAS Anti-Doping Division* pursuant to Article 8.1.1 of these *Rules*, the *ITA* decides not to move forward with a matter, the *Athlete* or other *Person* (provided that the *Athlete* or other *Person* had been already informed of the ongoing *Results Management*), the *Athlete's* or other *Person's* *NOC*, the *Athlete's* or other *Person's* *International Federation*, the relevant *National Anti-Doping Organisation* of the *Athlete* or other *Person*, the *IOC* and *WADA* shall be so notified.

## **7.6 Provisional Suspensions**

### **7.6.1 Mandatory *Provisional Suspension* after an *Adverse Analytical Finding* or *Adverse Passport Finding***

If analysis of an *A Sample* has resulted in an *Adverse Analytical Finding* or *Adverse Passport Finding* (upon completion of the *Adverse Passport Finding* review process) for a *Prohibited Substance* or a *Prohibited Method*, other than a *Specified Substance* or *Specified Method*, and a review in accordance with Article 7.2.2 of these *Rules* does not reveal an applicable *TUE* or an apparent departure from the *International Standard* for Testing and Investigations or the *International Standard* for Laboratories that caused the *Adverse Analytical Finding* or that it is apparent that the *Adverse Analytical Finding* was caused by an ingestion of the relevant *Prohibited Substance* through a permitted route, a *Provisional Suspension* shall be imposed by the *CAS Anti-Doping Division* promptly upon or after the review and notification described in Article 7.2.3 of these *Rules* and the *Athlete* or other *Person* being given the opportunity to be heard as specified in Article 7.6.3. In accordance with Article 7.1.2 of these *Rules*, the scope of the *Provisional Suspension* shall be limited to the *Olympic Games Tokyo 2020*.

## **7.6.2 Optional Provisional Suspension Based on an Adverse Analytical Finding for Specified Substances, Specified Methods, Contaminated Products or Other Anti-Doping Rule Violations**

In case of any other anti-doping rule violations not covered by Article 7.6.1, a *Provisional Suspension* on the *Athlete* or other *Person* against whom the anti-doping rule violation is asserted may be imposed by the *CAS Anti-Doping Division* upon or promptly after the notification described in Article 7.2.3 or Article 7.4.2 and the *Athlete* or other *Person* being given the opportunity to be heard as specified in Article 7.6.3. In accordance with Article 7.1.2, the scope of the *Provisional Suspension* shall be limited to the *Olympic Games Tokyo 2020*.

**7.6.3** The *Athlete* or other *Person* against whom a *Provisional Suspension* is sought or has been imposed either under Articles 7.6.1 or 7.6.2 shall be given an opportunity for a *Provisional Hearing* or an expedited final hearing before the *CAS Anti-Doping Division* on a timely basis, which may be held by tele-conference or video-conference, before or after the imposition (in that case to reconsider a decision issued without a hearing) of the *Provisional Suspension*.

**7.6.4** The mandatory *Provisional Suspension* may be lifted if the *Athlete* demonstrates to the *CAS Anti-Doping Division* that the anti-doping rule violation is likely to have involved a *Contaminated Product*, or the violation involves a *Substance of Abuse* and the *Athlete* established entitlement to a reduced period of *Ineligibility* under Article 10.2.4.1 of the *Code*. A hearing panel's decision not to lift a mandatory *Provisional Suspension* on account of the *Athlete's* assertion regarding a *Contaminated Product* shall not be appealable.

**7.6.5** If a *Provisional Suspension* is imposed based on an *A Sample Adverse Analytical Finding* and subsequent analysis of the *B Sample* does not confirm the *A Sample* analysis, then the *Provisional Suspension* shall automatically be lifted on account of a violation of Article 2.1 of these *Rules*. In circumstances where the *Athlete* (or the *Athlete's* team) has been removed from an *Event* based on a violation of Article 2.1 of these *Rules* and the subsequent *B Sample* analysis does not confirm the *A Sample* finding, then if it is still possible for the *Athlete* or team to be reinserted without otherwise affecting the *Event*, the *Athlete* or team may continue to take part in the *Event*. In addition, the *Athlete* or team may thereafter take part in other *Competitions* and *Events* at the *Olympic Games Tokyo 2020*.

## **7.7 Voluntary acceptance of Provisional Suspension**

**7.7.1** *Athletes* on their own initiative may voluntarily accept a *Provisional Suspension* if done so prior to the later of: (i) the expiration of 10 days from the report of *B Sample* (or waiver of the *B Sample*) or 10 days from the notice of any other anti-doping rule violation, or (ii) the date on which the *Athlete* first competes after such report or notice. Other *Persons* on their own initiative may voluntarily accept a *Provisional Suspension* if done so within 10 days from the notice of the anti-doping rule violation.

**7.7.2** Upon such voluntary acceptance, the *Provisional Suspension* shall have the full effect and be treated in the same manner as if the *Provisional Suspension* had been imposed under Article 7.6.1 or 7.6.2; provided, however, at any time after voluntarily accepting a *Provisional Suspension*, the *Athlete* or other *Person* may withdraw such acceptance, in which event the *Athlete* or other *Person* shall not receive any credit for time previously served during the *Provisional Suspension*.

## **7.8 Resolution upon Waiver of Hearing**

**7.8.1** An *Athlete* or other *Person* against whom an anti-doping rule violation is asserted may expressly waive a hearing and accept the *Consequences* that have been offered by the *ITA* under these *Rules*.

**7.8.2** 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 *ITA*, then such *Athlete* or other *Person* shall be deemed to have admitted the violation, to have waived a hearing, and to have accepted the proposed *Consequences*.

**7.8.3** In cases where Article 7.8.1 or Article 7.8.2 applies, the *CAS Anti-Doping Division* shall decide at its discretion whether or not a hearing is required. The hearing panel shall, if it considers that no hearing is necessary, promptly issue a written decision confirming the commission of the anti-doping rule violation and imposing the relevant *Consequences*. The *CAS Anti-Doping Division* shall send copies of that decision to *Anti-Doping Organisations* with a right to appeal under Article 12.2.2, and that decision shall be promptly reported by the *ITA* into *ADAMS* and *Publicly Disclosed* in accordance with Article 13.3.2.

## **7.9 Results Management Decisions**

*Results Management* decisions or adjudications will address and determine without limitation (i) whether an anti-doping rule violation was committed or a *Provisional Suspension* should be imposed, the factual basis for such determination, and the specific articles of these *Rules* violated, and (ii) all *Consequences* flowing from the anti-doping rule violation(s), including applicable *Disqualifications* and other *Consequences* under Articles 9, 10.1, 10.2 and 11 of these *Rules*, any forfeiture of medals, diplomas, points and prizes, and any recovery of costs (if applicable) . In accordance with Article 7.1.2 of these *Rules* and Article 7.5 of the *Code*, the completion of the *Results Management* of the case in terms of sanctions beyond the *Olympic Games Tokyo 2020* itself shall be referred to the applicable *International Federation*.

## **7.10 Notice of Results Management Decisions**

*Athletes*, other *Persons*, *Signatories* and *WADA* shall be notified of *Results Management* decisions as provided in Article 13.2 of these *Rules* and the *International Standard* for Results Management.

## **7.11 Reporting information related to Results Management into ADAMS**

The following information related to *Results Management* shall be reported

into ADAMS:

- (a) notifications of anti-doping rule violations and related decisions for *Adverse Analytical Findings*;
- (b) notifications and related decisions for other anti-doping rule violations that are not *Adverse Analytical Findings*; and
- (c) any decision imposing or lifting a *Provisional Suspension*.

## **7.12 Retirement from Sport**

If an *Athlete* or other *Person* retires while the *ITA* is conducting the *Results Management* process, the *IOC* retains authority to complete its *Results Management* process. If an *Athlete* or other *Person* retires before any *Results Management* process has begun, the *Anti-Doping Organisation* which 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, has authority to conduct the *Results Management*.

## **ARTICLE 8 – RESULTS MANAGEMENT: HEARING PROCESS**

### **8.1 CAS Anti-Doping Division**

**8.1.1** Where the *ITA* decides to assert an anti-doping rule violation, the *ITA* shall promptly file an application with the *CAS Anti-Doping Division*, acting as first-instance authority to conduct proceedings and to issue decisions, as per the *CAS Anti-Doping Division Arbitration Rules*. The application shall be filed in the name of the *IOC* by the *ITA* acting on the *IOC*'s behalf. A copy of such application (which shall be deemed as the notice of charge as defined in the *International Standard for Results Management*) will be provided to the *Athlete*, the *Athlete's NOC*, the *Athlete's International Federation*, the relevant *National Anti-Doping Organisation* of the *Athlete*, the *IOC* and *WADA*.

**8.1.2** The composition of the hearing panel and procedures applicable to the *CAS Anti-Doping Division* shall be as per the *CAS Anti-Doping Division Arbitration Rules*.

### **8.2 Hearings and procedures of the CAS Anti-Doping Division**

**8.2.1** In all procedures relating to any alleged anti-doping rule violation pursuant to these *Rules*, the right of any *Person* to be heard pursuant to paragraph 3 to the Bye-law to Rule 59 of the Olympic Charter will be exercised solely before the *CAS Anti-Doping Division*.

Pursuant to Rule 59.2.4 of the Olympic Charter, the *IOC* Executive Board delegates to the *CAS Anti-Doping Division* all powers which are necessary for it to take the measures and sanctions envisaged by these *Rules* including, in particular, Articles 9, 10.1, 10.2 and 11.

Hearings may proceed following the assertion of one or more of the anti-doping rule violations set out in Article 2.1 through Article 2.11 of these *Rules*.

**8.2.2** The *CAS Anti-Doping Division* shall issue a timely reasoned decision. The *CAS Anti-Doping Division* shall promptly notify such decision to the *Athlete* or other *Person* concerned, the *IOC*, the *ITA*, the *Athlete's* or other *Person's* *NOC*, the *International Federation* concerned, the *National Anti-Doping Organisation* of the *Athlete's* or other *Person's* country of residence or countries where the *Person* is a national or license holder, a representative of the *Independent Observer Programme* (during the *Period of the Olympic Games Tokyo 2020*) and *WADA* of such decision.

**8.2.3** The decision of the *CAS Anti-Doping Division* shall also be reported by the *ITA* into *ADAMS* and *Publicly Disclosed* as provided in Article 13.3 and may be appealed as provided in Article 12. Article 13.3.6 shall be applied in cases involving a *Minor*, a *Protected Person* or a *Recreational Athlete*.

### **8.3 Single Hearing Before CAS**

In accordance with the *Arbitration Rules of the CAS Anti-Doping Division*, anti-doping rule violations asserted against an *Athlete* or other *Person* may, with the consent of the *Athlete* or other *Person*, the *ITA* and *WADA*, be heard by the *CAS Anti-Doping Division* acting as a sole instance subject to the conditions set forth in the *Arbitration Rules of the CAS Anti-Doping Division*.

Such decision shall not be construed as an admission of the anti-doping rule violation, a waiver to a hearing and to the right to a written defence, and/or an acceptance of the *Consequences* applicable under these *Rules*, as referred to in Article 7.8 above.

## **ARTICLE 9 – AUTOMATIC DISQUALIFICATION OF INDIVIDUAL RESULTS**

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

## **ARTICLE 10 – SANCTIONS ON INDIVIDUALS**

### **10.1 Disqualification of Results in the Olympic Games Tokyo 2020**

**10.1.1** An anti-doping rule violation occurring during or in connection with the *Olympic Games Tokyo 2020* may, pursuant to the decision of the *CAS Anti-Doping Division*, lead to *Disqualification* of all of the *Athlete's* individual results obtained in the *Olympic Games Tokyo 2020* with all *Consequences*, including forfeiture of all medals, diplomas, points and prizes, except as provided in Article 10.1.2.

Factors to be included in considering whether to *Disqualify* other results in the *Olympic Games Tokyo 2020* may include, for example, the seriousness of the *Athlete's* anti-doping rule violation and whether the *Athlete* tested negative in other *Competitions*.

**10.1.2** If the *Athlete* establishes that *he/she* bears *No Fault or Negligence* for the anti-doping rule 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 and other Consequences***

**10.2.1** Should an *Athlete* or other *Person* be found to have committed an anti-doping rule violation, the *CAS Anti-Doping Division* may declare the *Athlete* or other *Person Ineligible*, considering Articles 10.2 to 10.9 and 10.13 of the *Code*, for such *Competitions* at the *Olympic Games Tokyo 2020* in which such *Athlete* or other *Person* has not yet participated, along with other sanctions and measures which may follow, such as exclusion of the *Athlete* and other *Persons* concerned from the *Olympic Games Tokyo 2020* and the loss of accreditation.

No *Athlete* or other *Person* who has been declared *Ineligible* or is subject to a *Provisional Suspension* may, during the period of *Ineligibility* or *Provisional Suspension*, continue to participate in any capacity in the *Olympic Games Tokyo 2020*.

**10.2.2** In accordance with Article 7.1.2, completion of the *Results Management* in the case in terms of sanctions beyond the *Olympic Games Tokyo 2020* itself shall be referred to the applicable *International Federation*.

**10.2.3** In addition to the automatic *Disqualification* of the results in the *Competition* which produced the positive *Sample* under Article 9 of these *Rules*, all other competitive results of the *Athlete* in the *Olympic Games Tokyo 2020* 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, diplomas, points and prizes.

## **10.3 *Automatic Publication of Sanction***

A mandatory part of each sanction shall include automatic publication, as provided in Article 13.3.

## **ARTICLE 11 – *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 7 in connection with the *Olympic Games Tokyo 2020*, the *ITA* shall conduct appropriate *Target Testing* of the team during the *Period of the Olympic Games Tokyo 2020*.

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

If one or more members of a team in a *Team Sport* are found to have

committed an anti-doping rule violation during the *Period of the Olympic Games Tokyo 2020*, the *CAS Anti-Doping Division* shall apply the rules of the relevant *International Federation* to impose an appropriate sanction on the team (e.g., loss of points, *Disqualification* from a *Competition*, *Event* or the *Olympic Games Tokyo 2020*, or other sanction), in addition to any *Consequences* imposed pursuant to these *Rules* on the individual *Athlete(s)* found to have committed the anti-doping rule violation.

Should the relevant *International Federation* not have such rules or, if in the *CAS Anti-Doping Division's* discretion, the rules of the relevant *International Federation* do not adequately protect the integrity of the *Competition*, the Panel shall have the authority to determine the *Consequences* on the team, including the *Disqualification* of the team's results in any *Competition* or *Event* or any other *Consequences*. The *CAS Anti-Doping Division* may only take such action in circumstances when one or more members of a team in a *Team Sport* is found to have committed an anti-doping rule violation and, in the Panel's discretion, the violation may have affected the results of the team in the concerned *Competition(s)* or *Event(s)*.

### **11.3 Consequences to Teams in sports which are not Team Sports**

If one or more members of a team in a sport which is not a *Team Sport* but where awards are given to teams, is found to have committed an anti-doping rule violation during the *Period of the Olympic Games Tokyo 2020*, the *CAS Anti-Doping Division* shall apply the rules of the relevant *International Federation* to determine the *Consequences* on the team (e.g., loss of points, *Disqualification* from a *Competition*, *Event* or the *Olympic Games Tokyo 2020*, or other *Consequences*), in addition to any *Consequences* imposed pursuant to these *Rules* on the individual *Athlete(s)* found to have committed the anti-doping rule violation.

Should the relevant *International Federation* not have such rules or, if in the *CAS Anti-Doping Division's* discretion, the rules of the relevant *International Federation* do not adequately protect the integrity of the *Competition*, the Panel shall have the authority to determine the *Consequences* on the team, including the *Disqualification* of the team's results in any *Competition* or *Event* or any other *Consequences*. The *CAS Anti-Doping Division* may only take such action in circumstances when one or more members of a team are found to have committed an anti-doping rule violation and, in the Panel's discretion, the violation may have affected the results of the team in the concerned *Competition(s)* or *Event(s)*.

## **ARTICLE 12 – RESULTS MANAGEMENT: APPEALS**

### **12.1 Decisions Subject to Appeal**

Decisions made under these *Rules* may be appealed as set forth below in Articles 12.2 through 12.5 or as otherwise provided in these *Rules*. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

#### **12.1.1 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. Any party to the appeal may submit evidence, legal arguments and claims that were not raised before *CAS Anti-Doping Division's* hearing so long as they arise from the same cause of action or same general facts or circumstances raised or addressed before *CAS Anti-Doping Division*.

### **12.1.2 CAS Shall Not Defer to the Findings Being Appealed**

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

## **12.2 Appeals of Decisions Regarding Anti-Doping Rule Violations, Consequences, Provisional Suspensions, Implementation of Decisions and Authority**

A decision that an anti-doping rule violation was committed, a decision imposing *Consequences* or not imposing *Consequences* for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed; a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription); a decision by *WADA* assigning *Results Management* under Article 7.1 of the *Code*; a decision by the *ITA* not to bring forward an *Adverse Analytical Finding* or an *Atypical Finding* as an anti-doping rule violation, or a decision not to go forward with an anti-doping rule violation after an investigation in accordance with the *International Standard* for Results Management; a decision to impose or lift a *Provisional Suspension* as a result of a *Provisional Hearing*; the *ITA's* failure to comply with Article 7.6.1; a decision that the *IOC* lacks authority to rule on an alleged anti-doping rule violation or its *Consequences*; failure to comply with Articles 7.1.4 and 7.1.5 of the *Code*; and a decision by the *IOC* not to implement another *Anti-Doping Organisation's* decision under Article 16 may be appealed exclusively as provided in this Article 12.

**12.2.1** Subject to Article 12.3 below, in cases arising from participation in *the Olympic Games Tokyo 2020*, decisions may be appealed exclusively to *CAS*, in accordance with the provisions applicable to Appeals Arbitration Procedure as set forth in the *CAS Code of Sports-related Arbitration*.

### **12.2.2 Persons Entitled to Appeal**

**12.2.2.1** The following *Persons* 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 *IOC*;
- (c) the relevant *International Federation*;
- (d) the *National Anti-Doping Organisation* of the *Person's* country of residence or countries where the *Person* is a national or license holder; and
- (e) *WADA*.

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

**12.2.2.3** All parties to any *CAS* appeal must ensure that *WADA* and all other parties with a right to appeal have been given timely notice of the appeal.

### **12.2.3** 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 12 of these *Rules* must file a cross appeal or subsequent appeal at the latest with the party's answer.

### **12.2.4** Failure to Render a Timely Decision by the *IOC*

Where, in a particular case, the *IOC* and/or the *ITA* acting on behalf of the *IOC*, 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 *IOC* or the *ITA* acting on behalf of the *IOC* 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 *IOC*.

## **12.3** Appeals Relating to *TUEs*

*TUE* decisions may be appealed exclusively as provided in Article 4.4 of these *Rules*.

## **12.4** Notice of Appeal Decisions

The *IOC* or the *ITA* acting on behalf of the *IOC*, or any *Anti-Doping Organisation* 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 Organisations* or other *Persons* that would have been entitled to appeal under Article 12.2.2 as provided under Article 13.2.

## **12.5** Time for Filing Appeals

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 case 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 having a right to appeal could have appealed; or
- (b) Twenty-one days after WADA's receipt of the complete case file relating to the decision.

## **ARTICLE 13 – CONFIDENTIALITY AND REPORTING**

### **13.1 Information Concerning Adverse Analytical Findings, Atypical Findings, and Other Asserted Anti-Doping Rule Violations**

#### **13.1.1 Notification of Anti-Doping Rule Violations to Athletes and other Persons**

Notification to *Athletes* or other *Persons* of anti-doping rule violations asserted against them shall occur as provided under Articles 7, 13 and 14 of these *Rules*.

#### **13.1.2 Notification of Anti-Doping Rule Violations to NOCs, a representative of the Independent Observer Programme, the International Federation and the National Anti-Doping Organisation concerned, the IOC and WADA**

Notification of the assertion of an anti-doping rule violation to the *NOC*, a representative of the *Independent Observer Programme*, the *International Federation* and the *National Anti-Doping Organisation* concerned, the *IOC* and *WADA* shall occur as provided under Articles 7, 13 and 14 of these *Rules*, simultaneously with the notice to the *Athlete* or other *Person*.

#### **13.1.3 Content of an Anti-Doping Rule Violation Notification**

Notification of an anti-doping rule violation under Article 2.1 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 Results Management*.

Notification of anti-doping rule violations other than under Article 2.1 shall also include other *Person's* name, the rule violated and the basis of the asserted violation.

#### **13.1.4 Confidentiality**

The recipient Organisations shall not disclose this information beyond those *Persons* with a need to know (which would include the appropriate personnel at the applicable *National Olympic Committee, National Federation*, and team in a *Team Sport*) until the *ITA* has made *Public Disclosure* as permitted by Article 13.3.

The *ITA*, the *IOC*, *CAS Anti-Doping Division* and *CAS* 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 13.3.

#### **13.2 Notification of Anti-Doping Rule Violation Decisions or Decisions Related to Provisional Suspension and Request for Files**

**13.2.1** Anti-doping rule violation decisions or decisions related to *Provisional Suspension* rendered pursuant to these *Rules* shall include the full reasons for the decision.

**13.2.2** A *Person* or an *Anti-Doping Organisation* having a right to appeal a decision received pursuant to Article 13.2.1 is entitled to receive a copy of the full case file pertaining to the decision. Such request for the case file shall be made in accordance with Article 12.5(a).

#### **13.3 Public Disclosure**

**13.3.1** After notice has been provided to the *Athlete* or other *Person* in accordance with Article 7 and the *International Standard* for Results Management, and also to the *NOC*, a representative of the *Independent Observer Programme*, *WADA* and the *International Federation* and the *National-Anti Doping Organisation* of the *Athlete* or other *Person* in accordance with Article 13.1.2, the identity of any *Athlete* or other *Person* who is notified by the *ITA* of a potential anti-doping rule violation, the *Prohibited Substance* or *Prohibited Method* and nature of the violation involved, and whether the *Athlete* or other *Person* is subject to a *Provisional Suspension*, may be *Publicly Disclosed*.

**13.3.2** No later than twenty days after it has been determined in an appellate decision under Article 12.2.1, or such appeal has been waived, or a hearing in accordance with Article 8 has been waived, or the assertion of an anti-doping rule violation has not been timely challenged, or the matter has been resolved under Article 10.8 of the *Code*, 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 (if any) and the *Consequences* imposed must be *Publicly Disclosed*. The results of final appeal decisions concerning anti-doping rule violations, including the information described above must also be *Publicly Disclosed* within the same deadline.

- 13.3.3** After an anti-doping rule violation has been determined to have been committed in an appellate decision under Article 12.2.1 or such appeal has been waived, or in a hearing in accordance with Article 8 or where such hearing has been waived, or the assertion of an anti-doping rule violation has not otherwise been timely challenged, or the matter has been resolved under Article 10.8 of the *Code*, such determination or decision may be made public and it may be commented publicly on the matter.
- 13.3.4** 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 fact that the decision has been appealed may be *Publicly Disclosed*. However, the decision itself and the underlying facts may not be *Publicly Disclosed* except with the consent of the *Athlete* or other *Person* who is the subject of the decision. Reasonable efforts shall be made to obtain such consent. If consent is obtained, the decision shall be *Publicly Disclosed* in its entirety or in such redacted form as the *Athlete* or other *Person* may approve.
- 13.3.5** Except as provided in Articles 13.3.1 and 13.3.3 of these *Rules*, no public comment shall be made on the specific facts of any pending case (as opposed to general description of process and science) except in response to public comments attributed to, or based on information provided by, the *Athlete* or other *Person* against whom an anti-doping rule violation is asserted, or their entourage or other representatives.
- 13.3.6** The mandatory *Public Disclosure* required in Article 13.3.2 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*, a *Protected Person* or a *Recreational Athlete*. Any optional *Public Disclosure* in a case involving a *Minor*, a *Protected Person* or a *Recreational Athlete* shall be proportionate to the facts and circumstances of the case.

## **13.4 Data Privacy**

- 13.4.1** The *ITA*, the *IOC* and other *Anti-Doping Organisations*, all strictly for the purpose of the implementation of these *Rules* and/or the *Code*, shall be authorised to *Process* any *Personal Information* relating to *Athletes* and other *Persons* for the duration and in all manners necessary and adequate to conduct their *Anti-Doping Activities* under these *Rules* and the *Code*. Further information addressing the requirements of the *International Standard* for the Protection of Privacy and *Personal Information* in relation to the *Processing* of *Personal Information* will be communicated to *Athletes* and other *Persons* subject to the *IOC's* authority.

- 13.4.2** By participating in the *Olympic Games Tokyo 2020*, *Athletes* and other *Persons* agree to be bound by these *Rules* and to comply with them, and, as part of the accreditation process to the *Olympic Games Tokyo 2020* or otherwise, such *Athletes* or other *Persons* have acknowledged that it is necessary to *Process* their *Personal Information* and that such *Personal Information* may be *Processed* by the *ITA*, the *IOC*, *WADA*, *Delegated Third Parties* or any other *Anti-Doping Organisation* in the manner and for the purposes set forth in Article 13.4.1 above. Without limiting the foregoing, *Processing of Personal Information* related to anti-doping research purposes shall be made in accordance with Article 6.3 of these *Rules*.
- 13.4.3** The *ITA* as well as the *IOC* and other *Anti-Doping Organisations* will implement adequate security safeguards, including physical, organisational, technical, environmental and other measures, to prevent the loss, theft, or unauthorised access, destruction, use, modification or disclosure (including disclosures made via electronic networks) of the *Personal Information* as required under the *International Standard* for the Protection of Privacy and Personal Information.
- 13.4.4** *Athletes* or other *Persons* shall have the right to access their *Personal Information*, to request the modification or deletion of their *Personal Information* or to initiate a complaint in accordance with the provisions of the *International Standard* for the Protection of Privacy and Personal Information.

## **ARTICLE 14 – DEEMED NOTIFICATIONS**

- 14.1** Any notification under these *Rules* by the *ITA* and/or an *Anti-Doping Organisation* to an *Athlete* or other *Person* accredited pursuant to the request of a *NOC* shall be deemed to be accomplished by delivery of the notification to that *NOC*. This applies, without limitation, for all notifications sent before, during and after the *Period of the Olympic Games Tokyo 2020*. It shall be the responsibility of the *NOC* to notify the *Athlete* or other *Person* in person. The *NOC* shall inform the *ITA* once the notification is delivered to the *Athlete* or other *Person*. Bona fide efforts by the *ITA* and any *Anti-Doping Organisation* to secure notification in person shall be without prejudice to the validity of notifications to the *NOC* in application of this provision.
- 14.2** Notification under these *Rules* to a *NOC* shall be deemed to be accomplished by delivery of the notification to either the President, the Secretary General, the chef de mission, the deputy chef de mission or another representative of the *NOC* in question designated by the *NOC* for that purpose.
- 14.3** During the *Period of the Olympic Games Tokyo 2020* and for the purpose of the application of these *Rules*, the *Athlete* and other *Person* accredited pursuant to the request of a *NOC* shall be deemed to be validly represented by that *NOC*, acting through the persons mentioned in Article 14.2. Without limitation, this applies in the context of the application of Article 7 of these *Rules*.

## **ARTICLE 15 – DOPING AND MEDICATION CONTROL FOR HORSES – EQUINE ANTI-DOPING AND CONTROLLED MEDICATION REGULATIONS**

- 15.1** To determine anti-doping rule violations, *Results Management*, fair hearings, *Consequences*, and appeals for Horses, the Fédération Équestre Internationale (FEI) has established and implemented rules (i) that are generally consistent with Articles 1, 2, 3, 9, 10, 11, 13 and 17 of the *Code* and (ii) which include a list of prohibited substances, appropriate *Testing* procedures and a list of approved laboratories for *Sample* analysis (its “**FEI Equine Anti-Doping and Controlled Medication Regulations**” and the “**FEI Veterinary Regulations**” (hereinafter collectively referred to as the “**FEI Regulations**”).
- 15.2** Notwithstanding the application of the present *Rules* to all *Athletes* and *Persons*, the FEI shall implement and apply the rules established in relation to Horses, in particular the *FEI Regulations*. The FEI shall forthwith provide the *ITA* with any decision(s) rendered pursuant to the *FEI Regulations*. The *ITA* shall send copies of such decision(s) to *Anti-Doping Organisations* with a right to appeal under Article 12.2.2.1. The right of any *Person* to be heard in relation to (i) a procedure of the FEI applying the *FEI Regulations* and (ii) any potential further consequences or sanctions deriving from a decision of the FEI applying the *FEI Regulations*, shall be exercised in front of the competent body of the FEI.

## **ARTICLE 16 – IMPLEMENTATION OF DECISIONS**

- 16.1 Automatic Binding Effect of Decisions by Signatory Anti-Doping Organisations**
- 16.1.1** A decision of an anti-doping rule violation made by a *Signatory Anti-Doping Organisation*, an appellate body (in accordance with Article 13.2.2 of the *Code*), or *CAS* shall, after the parties to the proceeding are notified, automatically be binding beyond the parties to the proceeding upon the *IOC* and every *Signatory* in every sport with the effects described below:
- 16.1.1.1** A decision by any of the above-described bodies imposing a *Provisional Suspension* (after a *Provisional Hearing* has occurred or the *Athlete* or other *Person* has either accepted the *Provisional Suspension* or has waived the right to a *Provisional Hearing*, expedited hearing or expedited appeal offered in accordance with Article 7.4.3 of the *Code*) automatically prohibits the *Athlete* or other *Person* from participation (as described in Article 10.14.1 of the *Code*) in all sports within the authority of any *Signatory*, during the *Provisional Suspension*.
- 16.1.1.2** A decision by any of the above-described bodies imposing a period of *Ineligibility* (after a hearing has occurred or been waived) automatically prohibits the *Athlete* or other *Person* from participation (as described in Article 10.14.1 of the *Code*) in all sports within the authority of any *Signatory* for the period of *Ineligibility*.
- 16.1.1.3** A decision by any of the above-described bodies accepting an anti-doping rule violation automatically binds all *Signatories*.

- 16.1.1.4** A decision by any of the above-described bodies to *Disqualify* results under Article 10.10 of the *Code* for a specified period automatically *Disqualifies* all results obtained within the authority of any *Signatory* during the specified period.
- 16.1.2** The *IOC* and each *Signatory* recognises and implements a decision and its effects as required by Article 16.1.1 of these *Rules*, without any further action required, on the earlier of the date the *IOC* or other *Signatory* receives actual notice of the decision or the date the decision is placed into *ADAMS*.
- 16.1.3** A decision by an *Anti-Doping Organisation*, an appellate body, or *CAS* to suspend, or lift, *Consequences* shall be binding upon the *IOC* and each other *Signatory* without any further action required, on the earlier of the date the *IOC* or other *Signatory* receives actual notice of the decision or the date the decision is placed into *ADAMS*.
- 16.1.4** Notwithstanding any provision in Article 16.1.1, however, a decision of an anti-doping rule violation by the *IOC* made in an expedited process during the *Olympic Games Tokyo 2020* shall be binding upon all *Signatories* regardless of whether the *Athlete* or other *Person* chooses the expedited appeal option as according to Article 12 of these *Rules*, the *CAS* appeal follows the provisions applicable to Appeals Arbitration Procedure as set forth in the *CAS Code of Sports-related Arbitration*.

## **16.2 Implementation of Other Decisions by Anti-Doping Organisations**

Subject to the right to appeal provided in Article 12, *Testing*, *Provisional Suspensions*, hearing results, or other final adjudications of any *Signatory*, that are not described in Article 16.1 of these *Rules* above, which are consistent with the *Code* and are within that *Signatory's* authority, shall be recognised and implemented by the *IOC*.

## **16.3 Implementation of Decisions by Bodies that are not Signatories**

The *IOC* shall implement the anti-doping decisions taken by other bodies which are not *Signatories* to the *Code* if the *IOC* finds that decisions purport to be within the authority of such bodies and the anti-doping rules of those bodies are otherwise consistent with the *Code*.

## **ARTICLE 17 – 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 7, or notification has been reasonably attempted, within ten years from the date the violation is asserted to have occurred.

## **ARTICLE 18 – AMENDMENT AND INTERPRETATION OF THE RULES**

- 18.1** These *Rules* may be amended from time to time by the *IOC* Executive Board. The English version of these *Rules* shall prevail.
- 18.2** These *Rules* shall be governed by Swiss law and the Olympic Charter.

- 18.3** Nothing in these *Rules* shall be interpreted as to limit or waive any rights granted to *Anti-Doping Organisations* to conduct their *Anti-Doping Activities* under applicable laws.
- 18.4** 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 *Rules* or to affect in any way the language of the provisions to which they refer. The masculine gender used in relation to any physical *Person* shall, unless there is a specific provision to the contrary, be understood as including the feminine gender.
- 18.5** Where the term “days” is used in these *Rules*, the *Code* or an *International Standard*, it shall mean calendar days unless otherwise specified.
- 18.6** The *Code* and the *International Standards* shall be considered integral parts of these *Rules* and shall prevail in case of conflict.
- 18.7** 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*. The Introduction and Appendix 1 shall be considered an integral part of these *Rules*. In the event that these *Rules* do not cover an issue arising in connection with such *Rules*, the relevant provisions from the *Code* shall apply *mutatis mutandis*. For the sake of clarity, in the event that there are any inconsistencies or lacunae within these *Rules*, such inconsistencies or lacunae shall be resolved so as to carry out the spirit of the *Code* and these *Rules*.
- 18.8** 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*.
- 18.9** In the event that there is any conflict between these *Rules* and the *CAS Anti-Doping Division Arbitration Rules*, such conflict shall be resolved by the President of the relevant Division of the *CAS*, or the Panel, so as to carry out the spirit of both sets of rules in a reasonable manner.

## APPENDIX 1 - DEFINITIONS

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

**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 establishes in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* 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*.

**Anti-Doping Activities**: Anti-doping education and information, test distribution planning, maintenance of a *Registered Testing Pool*, managing *Athlete Biological Passports*, conducting *Testing*, organising analysis of *Samples*, gathering of intelligence and conduct of investigations, processing of *TUE* applications, *Results Management*, monitoring and enforcing compliance with any *Consequences* imposed, and all other activities related to anti-doping to be carried out by or on behalf of an *Anti-Doping Organisation*, as set out in the *Code* and/or the *International Standards*.

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

**Athlete**: Any *Person* who competes, or may potentially compete, in the *Olympic Games Tokyo 2020*.

**Athlete Biological Passport**: The programme and methods of gathering and collating data as described in the *International Standard* for Testing and Investigations and *International Standard* for Laboratories.

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

**Attempt**: Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an anti-doping rule violation.

Provided, however, there shall be no anti-doping rule violation based solely on an *Attempt* to commit a violation if the *Person* renounces the *Attempt* prior to it being discovered by a third party not involved in the *Attempt*.

*Atypical Finding*: A report from a 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; unless the contrary is stated, references to the CAS shall include its ad hoc Division on the occasion of the *Olympic Games Tokyo 2020*, to the exclusion of its *CAS Anti-Doping Division*.

*CAS Anti-Doping Division*: the Division of the Court of Arbitration for Sport set up by the *CAS Anti-Doping Division Arbitration Rules*.

*CAS Anti-Doping Division Arbitration Rules*: the Arbitration Rules applicable to doping-related cases arising during the Olympic Games adopted by ICAS, setting up the *CAS Anti-Doping Division* to conduct hearings and issue decisions under the *Rules*.

*Code*: The World Anti-Doping Code.

*Competition*: A single race, match, game or singular sport contest at the *Olympic Games Tokyo 2020*. For example, a basketball match or the final of the Olympic 100-meter race in athletics.

*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* means the *Athlete's* results in a particular *Competition* or *Event* are invalidated, with all resulting *Consequences* including forfeiture of any medals, points and prizes;
- (b) *Ineligibility* means the *Athlete* or other *Person* is barred 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 10.14 of the *Code*;
- (c) *Provisional Suspension* means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* or activity prior to the final decision at a hearing conducted under Article 8;
- (d) *Financial Consequences* means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and
- (e) *Public Disclosure* means the dissemination or distribution of information to the general public or *Persons* beyond those *Persons* entitled to earlier notification in accordance with Article 13. Teams in *Team Sports* may also be subject to *Consequences* as provided in Article 11.

*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.

*Decision Limit*: The value of the result for a threshold substance in a *Sample*, above which an *Adverse Analytical Finding* shall be reported, as defined in the *International Standard* for Laboratories.

*Delegated Third Party*: Any *Person* to which the *IOC* delegates any aspect of *Doping Control* or anti-doping Education programs including, but not limited to, third parties or other *Anti-Doping Organizations* that conduct *Sample* collection or other *Doping Control* services or anti-doping Educational programs for the *IOC*, or individuals serving as independent contractors who perform *Doping Control* services for the *IOC* (e.g., non-employee *Doping Control* officers or chaperones). This definition does not include *CAS* and *CAS Anti-Doping Division*.

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

*Doping Control*: All steps and processes from test distribution planning through to ultimate disposition of any appeal and the enforcement of *Consequences*, including all steps and processes in between, including but not limited to, *Testing*, investigations, whereabouts information, *TUEs*, *Sample* collection and handling, laboratory analysis, *Results Management*, and investigations or proceedings relating to violations of Article 10.14 of the *Code* (Status During *Ineligibility* or *Provisional Suspension*).

*Event*: A series of individual *Competitions* forming part of the *Olympic Games Tokyo 2020* in respect of which medals are awarded (e.g., the women's volleyball tournament).

*Event Venues*: Those venues for which it is necessary to have an accreditation, ticket or permission from the *IOC* or *Tokyo 2020* and any other areas that are specifically designated as such by the *IOC* or *Tokyo 2020*, which may include without limitation accommodation outside the athlete village for the *Olympic Games Tokyo 2020*.

*Fault*: *Fault* is any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing an *Athlete's* 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 *Protected Person*, 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 behaviour. 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 *Athlete's* career, or the timing of the sporting calendar, are not relevant factors to be considered in reducing the period of *Ineligibility* under Article 10.6.1 or 10.6.2 of the *Code*.

*Financial Consequences*: See *Consequences of Anti-Doping Rule Violations* above.

*In-Competition*: For purposes of these *Rules*, “*In-Competition*” means the period commencing at 11:59 p.m. on the day 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*. Provided, however, *WADA* may approve, for a particular sport, an alternative definition if an *International Federation* provides a compelling justification that a different definition is necessary for its sport; upon such approval by *WADA*, the alternative definition shall be followed by the *IOC* for that particular sport.

*Independent Observer Programme*: A team of observers and/or auditors, under the supervision of *WADA*, who observe and provide guidance on the *Doping Control* process prior to or during certain *Events* and report on their observations as part of *WADA*'s compliance monitoring programme.

*Independent Witness*: A *Person*, invited by the *IOC*, the *ITA*, the laboratory or *WADA* to witness parts of the analytical *Testing* process. The *Independent Witness* shall be independent of the *Athlete* and the *Athlete*'s representative(s), the laboratory, the *IOC*, the *ITA* or *WADA*, as applicable.

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

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

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

*International Federation*: shall mean an international non-governmental organisation, recognised by the *IOC*, administering one or several sports at world level and encompassing organisations administering such sports at national level.

*International-Level Athletes*: *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*.

*IOC*: The International Olympic Committee.

*ITA*: International Testing Agency; set up as a Swiss foundation and having the purpose of providing independent *Doping Control* services to *Anti-Doping Organisations*, including without limitation the *IOC*.

*Laboratory Documentation Package*: The material produced by the laboratory to support an analytical result such as an *Adverse Analytical Finding* as set forth in the *WADA Technical Document* for Laboratory Documentation Packages.

Major Event Organisations: The continental associations of *National Olympic Committees* and other international multi-sport organisations that function as the ruling body for any continental, regional or other *International Event*. For purposes of these *Rules*, the *Major Event Organisation* is the *IOC*.

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 Organisation: 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*, manage test results, and conduct *Results Management* 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 Federation: A national or regional entity which is a member of or is recognised by an *International Federation* as the entity governing the *International Federation's* sport in that nation or region.

National-Level Athletes: *Athletes* who compete in sport at the national level, as defined by each *National Anti-Doping Organisation*, consistent with the *International Standard for Testing and Investigations*.

National Olympic Committee or NOC: The organisation recognised by the *IOC*. 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 *Protected Person* or *Recreational Athlete*, for any violation of Article 2.1, the *Athlete* must also establish how the *Prohibited Substance* entered the *Athlete's* system.

No Significant Fault or Negligence: The *Athlete* or other *Person's* establishing that any *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 *Protected Person* or *Recreational Athlete*, for any violation of Article 2.1, the *Athlete* must also establish how the *Prohibited Substance* entered the *Athlete's* system.

Olympic Games Tokyo 2020: *Games of the XXXII Olympiad Summer Games, Tokyo 2020*.

*Out-of-Competition*: Any period which is not *In-Competition*.

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

*Period of the Olympic Games Tokyo 2020*: The period commencing on the date of the opening of the athlete village for the *Olympic Games Tokyo 2020*, namely, 13 July 2021, up until and including the day of the closing ceremony of the *Olympic Games Tokyo 2020*, namely, 8 August 2021.

*Period of the Pre-Olympic Games Tokyo 2020*: The period commencing on 13 May 2021, up until and including the day prior to the opening of the athlete village for the *Olympic Games Tokyo 2020*, namely, 12 July 2021 inclusive.

*Person*: A natural *Person* or an organisation or other entity.

*Personal Information*: Information, including without limitation *Sensitive Personal Information*, relating to an identified or identifiable *Participant* or other *Person* whose information is *Processed* solely in the context of the *Anti-Doping Activities* of the IOC, the *ITA*, *Delegated Third Parties* and *Anti-Doping Organisations*.

*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); provided, however, that if the *Person* does not have exclusive control over the *Prohibited Substance* or *Prohibited Method* or the premises in which a *Prohibited Substance* or *Prohibited Method* exists, constructive *Possession* shall only be found if the *Person* knew about the presence of the *Prohibited Substance* or *Prohibited Method* and intended to exercise control over it. Provided, however, there shall be no anti-doping rule violation based solely on *Possession* if, prior to receiving notification of any kind that the *Person* has committed an anti-doping rule violation, the *Person* has taken concrete action demonstrating that the *Person* never intended to have *Possession* and has renounced *Possession* by explicitly declaring it to an *Anti-Doping Organisation*. 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.

*Processing (and its cognates, Process and Processed)*: Collecting, accessing, retaining, storing, disclosing, transferring, transmitting, amending, deleting or otherwise making use of *Personal Information*.

*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*.

*Protected Person*: An *Athlete* or other natural *Person* who at the time of the anti-doping rule violation: (i) has not reached the age of sixteen years; (ii) has not reached the age of eighteen years and is not included in any *Registered Testing Pool* and has never competed in any *International Event* in an open category; or (iii) for reasons other than

age has been determined to lack legal capacity under applicable national legislation.

Provisional Hearing: For purposes of Article 7.6, 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* above.

Publicly Disclose: See *Consequences of Anti-Doping Rule Violations* above.

Recreational Athlete: A natural *Person* who is so defined by the relevant *National Anti-Doping Organisation*; provided, however, the term shall not include any *Person* who, within the five years prior to committing any anti-doping rule violation, has been an *International-Level Athlete* or *National-Level Athlete*, has represented any country in an *International Event* in an open category or has been included within any *Registered Testing Pool* or other whereabouts information pool maintained by any *International Federation* or *National Anti-Doping Organisation*.

Regional Anti-Doping Organisation: A regional entity designated by member countries to coordinate and manage delegated areas of their national anti-doping programmes, 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 programmes at a regional level.

Registered Testing Pool: The pool of highest-priority *Athletes* established separately at the international level by *International Federations* and at the national level by *National Anti-Doping Organisations*, who are subject to focused *In-Competition* and *Out-of-Competition Testing* as part of that *International Federation's* or *National Anti-Doping Organisation's* test distribution plan and therefore are required to provide whereabouts information as provided in Article 5.5 of the *Code* and the *International Standard* for Testing and Investigations.

Results Management: The process encompassing the timeframe between notification as per Article 5 of the *International Standard* for Results Management, or in certain cases (e.g., *Atypical Finding*, *Athlete Biological Passport*, whereabouts failure), such pre-notification steps expressly provided for in Article 5 of the *International Standard* for Results Management, through the charge until the final resolution of the matter, including the end of the hearing process at first instance or on appeal (if an appeal was lodged).

Rules: The *IOC Anti-Doping Rules* applicable to the *Olympic Games Tokyo 2020*.

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

Sensitive Personal Information: *Personal Information* relating to a *Participant's* racial or ethnic origin, commission of offences (criminal or otherwise), health (including information derived from analysing an *Athlete's Samples* or specimens) and biometric and genetic information.

Signatory(ies): Those entities accepting the *Code* and agreeing to implement the *Code*, as provided in Article 23 of the *Code*.

Specified Method: See Article 4.2.3.

Specified Substance: See Article 4.2.3.

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 Organisation* in order to establish an anti-doping rule violation.

Substance of Abuse: See Article 4.2.4.

Substantial Assistance: For purposes of Article 10.7.1 of the *Code*, a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement or recorded interview all information he or she possesses in relation to anti-doping rule violations or other proceeding described in Article 10.7.1.1 of the *Code*, and (2) fully cooperate with the investigation and adjudication of any case or matter related to that information, including, for example, presenting testimony at a hearing if requested to do so by an *Anti-Doping Organisation* or hearing panel. Further, the information provided must be credible and must comprise an important part of any case or proceeding which is initiated or, if no case or proceeding is initiated, must have provided a sufficient basis on which a case or proceeding could have been brought.

Tampering: Intentional 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, offering or accepting a bribe to perform or fail to perform an act, preventing the collection of a *Sample*, affecting or making impossible the analysis of a *Sample*, falsifying documents submitted to an *Anti-Doping Organisation* or *TUE* committee or hearing panel, procuring false testimony from witnesses, committing any other fraudulent act upon the *Anti-Doping Organisation* or hearing body to affect *Results Management* or the imposition of *Consequences*, and any other similar intentional interference or *Attempted* interference with any aspect of *Doping Control*.

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*.

Technical Document: A document adopted and published by *WADA* from time to time containing mandatory technical requirements on specific anti-doping topics as set forth in an *International Standard*.

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

Therapeutic Use Exemption (TUE): A *Therapeutic Use Exemption* allows an *Athlete* with a medical condition to *Use* a *Prohibited Substance* or *Prohibited Method*, but only if the conditions set out in Article 4.4 of these *Rules* and the *International Standard* for Therapeutic Use Exemptions are met.

Threshold Substance: An exogenous or endogenous *Prohibited Substance, Metabolite* or *Marker* of a *Prohibited Substance* for which the identification and quantitative determination (e.g. concentration, ratio, score) in excess of a pre-determined *Decision Limit*, or, when applicable, the establishment of an exogenous origin, constitutes an *Adverse Analytical Finding*. *Threshold Substances* are identified as such in the *Technical Document* on Decision Limits.

Tokyo 2020: The organising committee for the *Olympic Games Tokyo 2020*.

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 Personnel* or any other *Person* subject to the authority of an *Anti-Doping Organisation* to any third party; provided, however, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance Used* for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving *Prohibited Substances* which are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

TUEC: Therapeutic Use Exemption Committee, as described in Article 4.4.2.

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

WADA: The World Anti-Doping Agency.