

FIL-STATUTEN UND ORDNUNGEN FIL STATUTES AND REGULATIONS

Stand nach Kongress 2023
Stand after the 2023 Congress

FIL-Statuten / *FIL Statutes*

Ordnungen / *Regulations:*

Rechts- und Verfahrensordnung / *Law and Procedure Regulation*

Geschäftsordnung / *Rules of Procedure*

Finanzordnung / *Finance Regulations*

Ehrenordnung / *Code of Honor*

FIL Anti-Doping Code

FIL Ethik-Code

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FIL-Statuten

(Stand nach dem Kongress 2023)
Beschluss am 17.06.2023

1 Grundlagen

1.1 Name, Zusammensetzung und Sitz

Unter dem Namen „Fédération Internationale de Luge“, „International Luge Federation“, „Internationaler Rodelverband“ besteht aufgrund der vorliegenden Statuten ein Verein Österreichischen Rechtes. Ihm gehören die nationalen Rodelverbände/Nationale Föderationen (im weiteren NFs genannt) an, welche den Statuten zugestimmt haben und als Mitglieder aufgenommen worden sind.

Die offizielle Abkürzung für den Namen Internationaler Rodelverband lautet in allen Sprachen FIL.

Die FIL wurde am 25. Januar 1957 in Davos/SUI gegründet.

Die FIL hat ihren Sitz in Salzburg-Wals/AUT.

1.2 Zweck

FIL, deren Tätigkeit nicht auf Gewinn gerichtet ist, bezweckt:

- den Rodelsport, weltweit zu entwickeln, zu überwachen, zu fördern und zu lenken;
- den Rodelsport im Rahmen der Olympischen Bewegung zu vertreten.

1.3 Mittel zur Erreichung des Zwecks

Der Zweck der FIL soll durch die nachfolgend angeführten ideellen und materiellen Mittel erreicht werden:

1.3.1 Ideelle Mittel

- Unterstützung der Zielsetzungen der NFs in Form von Hilfe in Theorie und Praxis;
- Zusammenarbeit mit anderen internationalen Sport- und im Rodelsport involvierte Organisationen;
- Organisation und Förderung des Sportverkehrs;
- Veranstaltungen von Weltmeisterschaften, Kontinental-Meisterschaften, Welt- und Kontinentalcups sowie weitere vom Kongress oder von der Exekutive genehmigte Wettkämpfe;
- Funktion als höchste Berufungsinstanz für Proteste und andere Rechtsfragen aus internationalen Rodelwettbewerben sowie für alle Fragen, welche die FIL-Statuten und Richtlinien betreffen;
- Die Förderung des Austausches von Erfahrungen und Erkenntnissen aus der Entwicklung des Rodelsports auf internationaler Ebene;
- Setzung verbindlicher Regeln für alle Rodeldisziplinen sowie Empfehlungen für den Rodelsport im Allgemeinen;
- Anerkennung jener internationalen Rodelwettbewerbe, die in Übereinstimmung mit den Statuten und Reglements der FIL durchgeführt werden;
- Setzung der erforderlichen Maßnahmen um sicherzustellen, dass die geltenden Statuten und Reglements bei den von der FIL anerkannten Wettbewerben beachtet werden;
- Setzung möglichst wirksamer Maßnahmen zur Unfallverhütung;
- Rücksichtnahme auf die Umwelt;
- Gewährleistung des „Fairplay“ – Prinzips;
- Umfassende Dokumentation des Rodelsportes insbesondere durch Speicherung und Sicherung von Film-, Bild- und Tonmaterial;
- Werbung für und mit dem Rodelsport;
- Förderung des Rodelsports FIL fördert den Rodelsport als Breitensport;
- ~~Alle Maßnahmen zur Unfallverhütung in möglichst wirksamer Weise zu betreiben;~~
- Kampf gegen Doping und Manipulationen im sportlichen Wettbewerb.

1.3.2 Materielle Mittel

- Mittel des Internationalen Olympischen Komitees (IOC) insbesondere aus der Vermarktung Olympischer Spiele;
- Vermarktung von Rodelsportveranstaltungen insbesondere durch den Abschluss von Werbe- und Sponsorverträgen;
- Produktion von Film-, Bild- und Tonmaterial und deren Vermarktung;
- Lizenzeinnahmen;
- Mitgliedsbeiträge;
- ~~Einnahmen aus Vermögensverwaltung, insbesondere aus Kapitalvermögen einschließlich Erträgen aus Zinsen und Wertpapieren, sowie aus Beteiligungen an juristischen Personen und Kapitalgesellschaften.~~

1.4 Zuständigkeit

- 1.4.1 Die FIL ist die oberste Behörde in allen Fragen, die den Rodelsport betreffen. Sie ist alleiniger Vertreter des internationalen Rodelsports und vertritt die Interessen des Rodelsports weltweit. Die FIL anerkennt den Kunstbahnsport und den Naturbahnsport inklusive Breitensport.
- 1.4.2 Die FIL ist der einzige vom Internationalen Olympischen Komitee (IOC) anerkannte Rodelverband mit all seinen Disziplinen.
- 1.4.3 Die FIL anerkennt die Olympische Charta, ~~die integraler Bestandteil der FIL-Statuten ist. und sie ist integraler Bestandteil der FIL-Statuten.~~

1.5 Diskriminierungsverbot und Verhaltenscodex

- 1.5.1 Die FIL erlaubt keinerlei Diskriminierung gegenüber ihren unmittelbaren und mittelbaren Mitgliedern aus politischen, rassistischen, religiösen oder anderen Gründen.
- 1.5.2 Die FIL erkennt die Grundsätze und Regeln des IOC Code of Ethics an. In eigener Autonomie bestimmt die FIL einen Rahmen moralischer Grundsätze einschließlich eines Verhaltenscodex, der integraler Bestandteil der Statuten der FIL ist: den FIL Ethik-Code

1.6 Sprachen und Schriftform

- 1.6.1 Die offiziellen Sprachen der FIL sind Deutsch und Englisch.
- 1.6.2 Der Kongress kann weitere Sprachen als Arbeitssprachen beschließen.
- 1.6.3 Für die Auslegung der Statuten, Reglements und Beschlüsse sowie bei Übersetzungen in andere Sprachen ist der deutsche Wortlaut maßgebend. Bezüglich des FIL Anti-Doping Codes und seiner Anlagen ist der englische Text verbindlich.
- 1.6.4 Die Schriftform wird auch durch E-Mail und/oder Telefax gewahrt. Ein Zustellungsnachweis kann durch eine elektronische Lesebestätigung (E-Mail) und/oder Sendebestätigung (Telefax) erbracht werden.

2 Mitgliedschaft

2.1 Erwerb der ordentlichen Mitgliedschaft

- 2.1.1 Ordentliches Mitglied kann jede NF werden, deren Ziel es ist, den Rodelsport zu fördern.
- 2.1.2 Ordentliches Mitglied der FIL darf nur eine juristische Person sein.
- 2.1.3 Ein Staat darf nur durch eine NF in der FIL vertreten sein, unabhängig von der inneren Organisation und vom Wirkungsbereich dieser Föderation. Die NF muss durch das Nationale Olympische Komitee oder von der höchsten Sportbehörde des Staates anerkannt sein.
- 2.1.4 Eine NF, die Mitglied der FIL zu werden wünscht, muss ein schriftliches Aufnahmegesuch an die Exekutive der FIL richten. Dem Gesuch ist eine Abschrift der Statuten und der Rodel-Wettkampfbestimmungen der NF in deutscher oder englischer Sprache beizufügen, um zu beweisen, dass diese mit den Statuten der FIL übereinstimmen.
- 2.1.5 Der Kongress beschließt über die Aufnahme in die FIL. Die Aufnahme bedarf einer 2/3-Mehrheit.

2.2 Erwerb der außerordentlichen Mitgliedschaft

- 2.2.1 Außerordentliche Mitglieder der FIL können sein:
- Unterstützende Mitglieder (Einzelpersonen oder Vereinigungen)
 - Ehrenmitglieder
- 2.2.2 Über die Aufnahme von unterstützenden Mitgliedern, ~~die auch von vermögengwerten Leistungen abhängig gemacht werden kann,~~ entscheidet der Kongress.
- 2.2.3 Ehrenmitglieder werden nach der Ehrenordnung der FIL ernannt.

2.3 Rechte und Pflichten der ordentlichen Mitglieder

- 2.3.1 Die ordentlichen Mitglieder haben gleiche Rechte und Pflichten.

- 2.3.2 Jedes ordentliche Mitglied hat das Recht, am Kongress teilzunehmen, Anträge an die Exekutive und an den Kongress zu stellen sowie das Stimmrecht auszuüben. Auf Antrag der Exekutive kann der Kongress jedoch die Ausübung des Stimmrechtes entziehen, wenn die Mitgliedsbeiträge über einen Zeitraum von mindestens drei Jahren nicht bezahlt worden sind.
- 2.3.3 Jedes ordentliche Mitglied hat im Kongress nur eine Stimme. Sie wird von einem von der NF schriftlich legitimierten Delegierten ausgeübt, der Staatsbürger des Mitgliedslandes ist.
- 2.3.4 Die ordentlichen Mitglieder haben das Recht:
- in allen Fragen, welche die NF betreffen, gehört zu werden und Berufung einzulegen,
 - Angehörige von NFs für die Tätigkeit in der FIL vorzuschlagen,
 - ihre Athleten zu allen FIL-Wettbewerben anzumelden, in Übereinstimmung mit den Meldevorschriften für diese Wettbewerbe,
 - FIL-Wettbewerbe zu organisieren und durchzuführen.
- 2.3.5 Die ordentlichen Mitglieder sind verpflichtet, die Statuten und die für sie verbindlichen Ordnungen und Beschlüsse der FIL zu befolgen. Sie sind verpflichtet, dafür zu sorgen, dass die ihnen angeschlossenen Sportvereine und Athleten sich im Rahmen von FIL-Aktivitäten den Statuten und Ordnungen der FIL unterwerfen. Sie verpflichten sich weiterhin, die von der FIL vergebenen Wettbewerbe nach den von der FIL vorgeschriebenen Bedingungen auszurichten.
- 2.3.6 Die ordentlichen Mitglieder müssen der FIL bis 31. Dezember die Jahresbeiträge leisten.
- 2.3.7 Weitere Rechte und Pflichten der ordentlichen Mitglieder regelt die Geschäftsordnung.
- 2.4 Erlöschen der Mitgliedschaft**
- 2.4.1 Die Mitgliedschaft eines ordentlichen Mitgliedes erlischt:
- durch Wegfall einer für die Mitgliedschaft erforderlichen Voraussetzung,
 - durch Austritt,
 - durch Ausschluss.
- 2.4.2 Der Ausschluss eines ordentlichen Mitgliedes kann auf Antrag eines anderen ordentlichen Mitgliedes oder der Exekutive der FIL durch den Kongress mit einer 2/3-Mehrheit beschlossen werden, wenn dem betroffenen ordentlichen Mitglied ein schwerwiegender Verstoß gegen die Statuten der FIL nachgewiesen wird. ~~Das ausgeschlossene Mitglied kann binnen zweier Wochen nach dem Kongressbeschluss das Schiedsgericht der FIL anrufen.~~ Das ausgeschlossene Mitglied kann diesen Kongressbeschluss binnen einer Frist von einem Monat ab Erhalt des Kongressprotokolls durch Anrufung des Schiedsgerichts der FIL anfechten.
- 2.4.3 Die Mitgliedschaft eines außerordentlichen Mitgliedes erlischt:
- durch Tod oder Liquidation
 - durch Austritt
 - durch Aberkennung
- 2.5 Provisorische Mitgliedschaft**
- 2.5.1 Provisorisches Mitglied kann eine sich im Aufbau befindliche NF werden, die noch keine angeschlossenen Vereine oder einzelne Athleten hat. Ihr Ziel muss es sein, den Rodelsport aufzubauen und Athleten für die Teilnahme an FIL-Wettbewerben auszubilden.
- 2.5.2 Die Exekutive entscheidet auf der Grundlage von Kriterien, die die Exekutive vorgibt, über die Aufnahme von provisorischen Mitgliedern.

3 Organisation der FIL

- 3.1 Die FIL ist - im Sinne der Regeln des IOC - eine freiwillige, gemeinnützige, internationale Vereinigung der nationalen Verbände der einzelnen Staaten.
- 3.2 Die NFs besitzen ihre eigenen Statuten. Sie sind selbständig. Sie sind jedoch an die Statuten und Ordnungen der FIL sowie an die Beschlüsse der FIL-Kongresse und der Exekutive gebunden. Dies gilt insbesondere auch für den Anti-Doping Code der FIL in der aktuell gültigen Fassung.
- 3.3 Die FIL hat kein Recht, sich in die inneren Angelegenheiten der angeschlossenen NFs einzumischen. Das betrifft auch die Beziehungen zwischen den einzelnen NFs, soweit sie nicht in den Statuten und Ordnungen geregelt sind.

- 3.4** Jede Mitgliedschaft der FIL in einem anderen Verband bedarf der Zustimmung des Kongresses.
- 3.5** Kommt es bei der Besetzung von Organen oder sonstigen Gremien der FIL auf die Zugehörigkeit des Funktionärs zu einer NF an, so gilt er als zu derjenigen NF zugehörig, der er angehört oder für die er eine ehrenamtliche oder bezahlte Tätigkeit ausübt. Gehört er keiner NF an und übt auch keine ehrenamtliche oder bezahlte Funktion für eine NF aus, so entscheidet seine Staatsangehörigkeit. Bei mehrfacher Staatsangehörigkeit entscheidet sein tatsächlicher Wohnsitz.

4 Organe der FIL

4.1 Die Organe der FIL sind:

- 4.1.1 Der Kongress
- 4.1.2 Die Exekutive
- 4.1.3 Das Präsidium
- 4.1.4 Die Fachkommissionen für den Kunstbahnsport und Naturbahnsport/Breitensport
- 4.1.5 Die Revisionskommission
- 4.1.6 Das Schiedsgericht
- 4.1.7 Der Rechtsausschuss
- 4.1.8 Die Ethik-Kommission
- 4.1.9 Der Ethikbeauftragte
- 4.1.10 Die Kommission Jugend/Entwicklung Kunstbahn
- 4.1.11 Die Athleten-Kommission
- 4.1.12 Die Medizinische Kommission
- 4.1.13 Die Kommissionen für Bahnbau Kunstbahn und Naturbahn
- 4.1.14 Arbeitsgruppen

4.2 Der Kongress

4.2.1 Der Kongress ist das oberste Organ der FIL und setzt sich zusammen aus:

- den ordentlichen Mitgliedern
- den Mitgliedern der Exekutive
- den Mitgliedern der Revisionskommission
- den Vorsitzenden der unter 4.1 genannten Fachkommissionen
- dem Vorsitzenden des Rechtsausschusses
- dem Vorsitzenden der FIL Ethik-Kommission
- dem Vorsitzenden des Schiedsgerichts
- dem Ethikbeauftragten

Das Rederecht beim Kongress ist auf diejenigen begrenzt, die in diesem Punkt und in Punkt 4.1 aufgeführt sind und diejenigen, die von der Exekutive eingeladen wurden, einen Bericht zu erstellen.

- 4.2.2 Ordentliche Kongresse finden jährlich statt, möglichst im Juni. Anträge zu IRO-Änderungen werden nur alle zwei Jahre (in den geraden Jahren) beraten.
- 4.2.3 Stimmberechtigt sind die NFs. NFs, die mindestens drei Jahre keine Mitgliedsbeiträge bezahlt haben, kann ihr Stimmrecht entzogen werden (2.3.2).
- 4.2.4 Sofern der vorangegangene Kongress keinen Beschluss gefasst hat, bestimmt die Exekutive Ort, Zeit und Tagesordnung des Kongresses. **Die Exekutive kann beschließen, den Kongress in der Form einer Videokonferenz oder in Hybridform abzuhalten, wenn die technischen Voraussetzungen eine einwandfreie Durchführung sowie die aktive Teilnahme und elektronische Ausübung des Stimmrechts aller nicht präsenten Mitglieder gewährleisten.** Der Präsident beruft den ordentlichen Kongress durch schriftliche Benachrichtigung mindestens drei Monate vor dem Kongress ein.
- 4.2.5 Der Kongress beschließt über grundsätzliche Fragen und wählt in jedem 4. Jahr jeweils im Jahr der Olympischen Winterspiele die Exekutive, das Schiedsgericht und die zu wählenden Mitglieder der Kommissionen. Arbeitsgruppen können bei jedem Kongress gebildet werden.

4.2.6 Die Tagesordnung muss folgende Punkte enthalten:

- Eröffnung des Kongresses
- Feststellung der Stimmberechtigung
- Ehrungen
- Genehmigung des Protokolls des letzten Kongresses
- Berichte der Mitglieder der Exekutive
- Jahresabrechnung und Haushaltsvoranschlag
- Bericht der Revisionskommission
- Diskussion der Berichte und Entlastung der Exekutive
- Wahlen (in jedem 4. Jahr; Ersatzmitglied der Revisionskommission in jedem 2. Jahr)
- Wahl der Mitglieder der Exekutive (4.5.1) mit Ausnahme des Exekutivdirektors
- Wahl des Vorsitzenden, des Stellvertreters und der Mitglieder des Schiedsgerichtes (4.9.4)
- Wahl des Ersatzmitgliedes der Revisionskommission (4.8)
- Wahl des Ethikbeauftragten
- Wahl der Mitglieder des Rechtsausschusses
- Wahl der Mitglieder der Ethik-Kommission
- Wahl der vom Kongress zu wählenden Mitglieder der Kommissionen
- Festlegung der Mitgliedsbeiträge
- Anträge
- Vergabe von FIL-Meisterschaften für maximal vier Jahre im Voraus
- Orts- und Terminbestimmung der nächsten Kongresse
- Aufnahme neuer Mitglieder

4.2.7 Anträge zum Kongress können von den NFs, der Exekutive, den Fachkommissionen gemäß 4.7.1 und von der Revisionskommission gemäß 4.8.3 gestellt werden. Diese Anträge müssen - außer jene der Exekutive, der Revisionskommission und der Fachkommissionen - beim Präsidenten schriftlich und mit Begründung spätestens zehn Wochen vor Beginn des Kongresses eingebracht werden. Anträge auf Änderungen und Zusätze zur IRO müssen - außer jene der Exekutive und der Fachkommissionen - beim Präsidenten schriftlich und mit Begründung spätestens vier Wochen vor Beginn der Kommissionssitzungen eingebracht werden. Der Generalsekretär versendet vier Wochen vor dem Kongress eine Zusammenstellung der Anträge an die NFs in deutscher und englischer Sprache; bezüglich des FIL Anti-Doping Codes und seiner Anlagen genügt die Versendung in englischer Sprache.

4.2.8 Anträge zur Änderung der IRO dürfen, soweit nicht die §§ *Grundsatzbestimmungen, Medizinischer Dienst, Werbung, Titelvergabe/Siegerehrung, Schlußbestimmungen* sowie die Anlagen *Regelung der Rechte für audiovisuelle Medien und Olympische Regeln* zur IRO-Kunstbahn und die Anlage *Regelung der Rechte für audiovisuelle Medien* zur IRO-Naturbahn betroffen sind, dem Kongress erst dann zur Beschlussfassung vorgelegt werden, wenn sie zuvor von der zuständigen Fachkommission gemäß 4.7.1 angenommen worden sind. Hat die zuständige Fachkommission den Antrag zur Änderung der IRO abgelehnt, kann das Organ, das diesen Änderungsantrag gestellt hat, unter Angabe guter Gründe bei der Exekutive beantragen, diesen Antrag zur Änderung der IRO trotzdem dem nächsten Kongress zur Beschlussfassung vorzulegen. Die Exekutive entscheidet, ob dieser Antrag zur Änderung der IRO auf die Tagesordnung des nächsten Kongresses gesetzt wird.

4.2.9 Anträge zur Änderung der §§ *Grundsatzbestimmungen, Medizinischer Dienst, Werbung, Titelvergabe/Siegerehrung, Schlußbestimmungen* sowie die Anlagen *Regelung der Rechte für audiovisuelle Medien und Olympische Regeln* zur IRO-Kunstbahn und die Anlage *Regelung der Rechte für audiovisuelle Medien* zur IRO-Naturbahn können von der Exekutive dem Kongress zur Beschlussfassung vorgelegt werden. Die NFs sind berechtigt, der Exekutive entsprechende Vorschläge zur Änderung der genannten §§ der IRO vorzulegen.

4.2.10 Der Kongress beschließt nicht über Änderungen des FIL Anti-Doping Codes und seiner Anlagen, soweit sich diese Änderungen auf Anpassungen an den WADA World Anti-Doping Code und seiner Anlagen beschränken.

4.2.11 Der Kongress kann bei Bedarf Athleten zu seinen Sitzungen zulassen.

4.3 Der außerordentliche Kongress

4.3.1 Auf begründeten Antrag von mindestens einem Zehntel der NFs oder aufgrund eines Beschlusses der Exekutive ist ein außerordentlicher Kongress einzuberufen.

4.3.2 Die Exekutive bestimmt Ort, Zeit und Tagesordnung des außerordentlichen Kongresses, der innerhalb von sechs Wochen nach Antragstellung abzuhalten ist. **Die Exekutive kann beschließen, den außerordentlichen Kongress in der Form einer Videokonferenz oder in Hybridform abzuhalten, wenn die technischen Voraussetzungen eine einwandfreie Durchführung sowie die aktive Teilnahme und elektronische Ausübung des**

Stimmrechts aller nicht präsenten Mitglieder gewährleisten. Die Einladungsfrist beträgt vier Wochen vor dem außerordentlichen Kongress.

4.4 **Misstrauensvotum**

Auf Antrag eines ordentlichen Mitgliedes oder der Exekutive kann der Kongress durch 2/3-Mehrheit einem Mitglied der Organe das Misstrauen aussprechen und es seiner Funktion entheben.

4.5 **Exekutive**

4.5.1 Die Exekutive besteht aus:

Mit Sitz und Stimme und durch den Kongress gewählt:

- dem Präsidenten (*)
- dem Generalsekretär (*)
- dem Vizepräsidenten für Finanzen (*)
- dem Vizepräsidenten für Marketing
- dem Vizepräsidenten für Sport – Kunstbahn
- dem Vizepräsidenten für Technik – Kunstbahn
- dem Vizepräsidenten – Naturbahn und Breitensport
- zwei weiteren Mitgliedern
- dem Vorsitzenden der Athletenkommission (deklaratorische Bestätigung)

Mit Sitz aber ohne Stimme und durch den Kongress gewählt:

- Jeweils einem Vizepräsidenten der Kontinente, auf denen der Rodelsport ausgeübt wird, und welcher mit mindestens 2 Nationalverbänden als ordentliche Mitglieder in der FIL vertreten ist, und nicht bereits mit mindestens einem Mitglied in der Exekutive vertreten ist.

Nur mit Sitz

- dem Exekutivdirektor

(*) Der Präsident, der Generalsekretär und der Vizepräsident für Finanzen müssen verschiedenen NFs angehören.

4.5.2 Die Mitglieder der Exekutive üben ihre Tätigkeit mit Ausnahme des Exekutivdirektors ehrenamtlich aus.

4.5.3 Die Mitglieder der Exekutive (Ausnahme: Exekutivdirektor) werden für einen Zeitraum von vier Jahren, entsprechend der Olympischen Winterspiele, gewählt.
Kandidatenvorschläge sind spätestens sechs Wochen vor der Eröffnung des Wahlkongresses an den Exekutivdirektor zu übersenden. Nach Ablauf der Frist hat dieser umgehend die NFs über die eingegangenen Kandidatenvorschläge schriftlich zu informieren. Gibt es für Funktionen keine Kandidaten, so kann der Kongress auf Antrag des Präsidenten oder einer NF beschließen, dass Kandidaten zur Wahl in die Exekutive zugelassen werden, die während des Wahlkongresses binnen einer zu bestimmenden Nachfrist schriftlich von einer NF vorgeschlagen werden.

4.5.4 Scheidet eine Person in einer gewählten Funktion im Laufe der Amtsperiode aus, so wird beim darauffolgenden Kongress ein Nachfolger bis zur nächsten ordentlichen Wahl gewählt.

4.5.5 Die Exekutive erfüllt ihre Aufgaben gemäß den Statuten. Sie vollzieht die Beschlüsse der Kongresse und nimmt im Übrigen alle Aufgaben der FIL wahr, soweit diese nicht dem Kongress, dem Präsidium oder einem anderen Organ der FIL ausdrücklich vorbehalten sind und soweit sie der Kongress noch nicht durch Beschluss geregelt hat. Das Präsidium und gegebenenfalls unter Hinzuziehung der fachlich zuständigen Vizepräsidenten und fachlich zuständigen Direktoren beschließt über die Vergabe der FIL-Wettbewerbe (außer FIL-Meisterschaften) sowie über Änderungen des FIL Anti-Doping Codes einschließlich seiner Anlagen, soweit der Kongress gemäß 4.2.10 keine Beschlusszuständigkeit hat, und bestätigt die Terminkalender. Für die Geschäftsverteilung erlässt die Exekutive einen Geschäftsverteilungsplan, der den NFs zur Kenntnis zu bringen ist.

4.5.6 Die Exekutive kann Entscheidungen, die gemäß Ziffer 4.2.5 der Statuten (einschließlich der Abnahme der Jahresrechnung und des Haushaltsvoranschlags sowie Änderungen und Ergänzungen der IRO, jedoch ausschließlich der Wahlen der Organe), eigentlich dem Kongress vorbehalten sind, in dringlichen Ausnahmefällen vorläufig treffen, wenn wegen einer Gefahr im Verzug diese Entscheidungen keinen Aufschub bis zum nächsten ordentlichen Kongress dulden. Die Exekutive hat die von ihr getroffenen Dringlichkeitsentscheidungen dem nächsten Kongress zur definitiven Beschlussfassung vorzulegen.

4.5.7 Die Exekutive kann bei Bedarf Athleten und andere Fachpersonen im Rahmen von Entscheidungsfindungen hinzuziehen.

4.5.8 In nachstehenden Fällen, welche außerhalb der Einflussphäre der FIL liegen, wie insbesondere

- Terrorismus, gewaltbereite Personen, Aufruhr, Revolution, Angriffs- oder Verteidigungskrieg, Bürgerkrieg, Streik, Boykott, Blockade, Brand, Embargo, Sabotage, Geiselnahme, nukleare oder chemische Vergiftungsrisiken,
 - Naturkatastrophen jeder Art, einschließlich Überschwemmungen, Erdbeben, Unwetter, Vulkanausbrüchen, gesundheitsbeeinträchtigender Temperaturen und Niederschlägen,
 - Pandemie, Epidemie und andere gemeinschaftsschädliche Gesundheitsrisiken,
- kann die Exekutive zur Gewährleistung von sicheren, friedlichen, integren und regelgerechten Aktivitäten, insbesondere bei FIL-sanktionierten sportlichen Wettbewerben und bei Zusammenkünften aller FIL-Organen und sonstiger FIL-Gremien, geeignete Maßnahmen ergreifen, gegebenenfalls auch anstelle des Kongresses oder eines anderen zuständigen FIL-Organes.

Geeignete organisatorische Maßnahmen in diesem Sinne können unter anderem, aber nicht ausschliesslich, sein:

- Suspendierung sämtlicher satzungsmäßiger Rechte der Mitgliedsverbände, Vereine, Athleten, Betreuer, Trainer, Funktionäre oder anderer Personen in der FIL oder in den ihr angeschlossenen Mitgliedsverbänden und Vereinen auf bestimmte oder unbestimmte Zeit hinsichtlich einzelner oder sämtlicher Aktivitäten für die FIL.
- Entzug des Rechts auf Durchführung von FIL-sanktionierten Wettkämpfen auf einzelnen oder sämtlichen Sportstätten eines Landes sowie auf Durchführung sonstiger Veranstaltungen von FIL-Gremien in einzelnen oder sämtlichen Örtlichkeiten eines Landes bzw. Verlegung von FIL-Veranstaltungen auf einen anderen Zeitpunkt und / oder in andere Örtlichkeiten oder in ein anderes Land nach Vergabe dieser Veranstaltungen.
- sonstige Maßnahmen, die der Exekutive als geeignet erscheinen, die Sicherheit, Integrität und Fairness von FIL-Events oder FIL-Zusammenkünften sowie die Erfüllung der Verbandszwecke gemäß den Statuten zu gewährleisten.

Die Maßnahme kann nur dann getroffen werden, wenn den Betroffenen eine kausale persönliche Mitverantwortung/Unterstützung/ Förderung/Beteiligung an den oben beschriebenen Fällen nachzuweisen ist und wenn die Maßnahme verhältnismäßig ist.

Die Exekutive kann bei einem Ereignis, welches ihr zum Erlass von Maßnahmen bei obigen Fällen Anlass gegeben hat, die Ethik-Kommission zur Beurteilung etwa zu verhängender Maßnahmen einschalten.

Die Exekutive ist verpflichtet, von ihr erlassene Maßnahmen unverzüglich wieder aufzuheben, wenn der Anlass für die getroffene Maßnahme nicht mehr vorliegt. Gilt die Maßnahme noch bis zum nächsten ordentlichen Kongress, hat dieser über die Fortführung der Maßnahme oder deren Abänderung oder Aufhebung zu entscheiden. Über diese Maßnahme hat der Kongress ohne Rücksicht auf die Einhaltung der Formvorschriften für die Ladung und Tagesordnung abzustimmen.

4.6 Präsidium

4.6.1 Das Präsidium besteht aus dem Präsidenten, dem Generalsekretär und dem Vizepräsidenten für Finanzen (jeweils stimmberechtigt), sowie dem Exekutivdirektor (nicht stimmberechtigt).

4.6.2 Das Präsidium führt alle laufenden Geschäfte der FIL und erfüllt zusätzliche Aufgaben, die es von der Exekutive übertragen bekommt.

4.6.3 Alle stimmberechtigten Mitglieder des Präsidiums vertreten die FIL je einzeln nach außen. Im Innenverhältnis können Beschränkungen der Vertretungsmacht bestimmt werden.

Schriftstücke der FIL bedürfen zu ihrer Gültigkeit der Unterschrift eines stimmberechtigten Präsidiumsmitglieds. Der Exekutivdirektor kann durch Beschluss der stimmberechtigten Mitglieder des Präsidiums ermächtigt werden, im Schriftverkehr der FIL in einzelnen oder allen Zuständigkeitsbereichen einzeln zu zeichnen. Schriftstücke in Finanzangelegenheiten, durch die vermögenswerte Dispositionen bis zu 10.000 € getätigt werden, sind von einem stimmberechtigten Mitglied des Präsidiums zu unterzeichnen. Der Exekutivdirektor kann durch Beschluss der stimmberechtigten Mitglieder des Präsidiums ermächtigt werden, in Finanzangelegenheiten bis 10.000 € einzeln zu zeichnen.

Ab 10.000 € müssen Schriftstücke in Finanzangelegenheiten vom Vize-Präsidenten für Finanzen und einem weiteren Präsidiumsmitglied unterzeichnet werden (auch Exekutivdirektor). Ist der Vize-Präsident für Finanzen verhindert, so wird er durch ein anderes Präsidiumsmitglied vertreten. In diesem Fall ist die Genehmigung des Vize-Präsidenten für Finanzen umgehend einzuholen (telefonisch, per Fax oder per E-Mail).

Rechtsgeschäfte zwischen einem Mitglied oder mehreren Mitgliedern des Präsidiums und der FIL bedürfen der Zustimmung eines anderen stimmberechtigten Präsidiumsmitglieds.

Rechtsgeschäftliche Bevollmächtigungen, die FIL nach außen zu vertreten bzw. für sie zu zeichnen, können ausschließlich durch Beschluss des Präsidiums erteilt werden. Die Bevollmächtigung kann jederzeit durch Beschluss des Präsidiums widerrufen werden. Dies gilt auch für die Bevollmächtigung des Exekutivdirektors nach Absatz 2 und 3.

4.6.4 Bei Gefahr im Verzug ist der Präsident berechtigt, auch in Angelegenheiten, die in den Wirkungsbereich des Kongresses oder der Exekutive fallen, unter eigener Verantwortung selbständig Anordnungen zu treffen; im

Innenverhältnis bedürfen diese jedoch der nachträglichen Genehmigung durch das jeweils zuständige Organ der FIL.

4.7 Fachkommissionen

4.7.1 Die Aufgaben der folgenden Fachkommissionen ergeben sich u.a. aus nachstehenden Zuständigkeitsbereichen:

Sport – Kunstbahn

- IRO
- Statistik
- Kampfrichterausbildung
- Schulungsprogramme, Lehrgänge, Solidarität

Technik - Kunstbahn

- IRO
- Sportgeräte
- Ausrüstung
- Bahnen
- Sicherheit und Medizin

Naturbahn und Breitensport

- IRO
- Kalender
- Statistik
- Kampfrichterausbildung
- Schulungsprogramme, Lehrgänge, Solidarität
- Jugend / Entwicklung
- Technik
- Sportgeräte
- Ausrüstung
- Bahnen
- Sicherheit und Medizin

Die Fachkommissionen behandeln alle Anträge auf Änderung der IRO, außer zu den §§ 1, 6, 7, 12, 13 sowie der Anlagen 3, 4 zur IRO-Kunstbahn und der Anlage 5 zur IRO-Naturbahn, und können in diesem Rahmen Anträge auf Änderung der IRO dem Kongress zur Beschlussfassung vorlegen, wozu es aber einer 2/3-Mehrheit der betreffenden Fachkommission bedarf.

4.7.2 Die Mitglieder der Sportkommission Kunstbahn sind:

- als Vorsitzender der Vizepräsident Sport - Kunstbahn,
- als stellvertretender Vorsitzender der Sportdirektor, der kein Stimmrecht hat und von der Exekutive ernannt wird,
- drei Mitglieder, die vom Kongress gewählt werden,
- bis zu vier Mitglieder, die auf Empfehlung des Vizepräsidenten Sport Kunstbahn nach Zustimmung der NF von der Exekutive ernannt werden und einer NF angehören müssen, welche über eine von der FIL homologierte Kunstbahn oder über zumindest einen Athleten mit FIL Weltcup-Lizenz verfügen müssen,
- ein Athletenvertreter gemäß 4.12.
- der Vorsitzende der Kommission Jugend/Entwicklung Kunstbahn (ohne Stimmrecht)

Unter ihnen müssen sich mindestens zwei Mitglieder weiblichen und mindestens zwei Mitglieder männlichen Geschlechts befinden.

Die Mitglieder der Kommission müssen jeweils verschiedenen NFs angehören. Jedoch werden der Vorsitzende, der Sportdirektor und der Athletenvertreter insoweit keiner NF zugerechnet.

4.7.3 Die Mitglieder der Technischen Kommission Kunstbahn sind:

- als Vorsitzender der Vizepräsident Technik – Kunstbahn
- als stellvertretender Vorsitzender der Technische Direktor, der von der Exekutive ernannt wird und kein Stimmrecht hat,
- drei Mitglieder, die vom Kongress gewählt werden,
- bis zu vier Mitglieder, die auf Empfehlung des Vizepräsidenten Technik Kunstbahn nach Zustimmung der NF von der Exekutive ernannt werden und einer NF angehören müssen, welche über eine FIL homologierte Kunstbahn oder über zumindest einen Athleten mit FIL Weltcup-Lizenz verfügen müssen,
- ein Athletenvertreter gemäß 4.12
- der Ständige Technische Delegierte Junioren/Jugend A Kunstbahn (ohne Stimmrecht)

Unter ihnen müssen sich mindestens zwei Mitglieder weiblichen und mindestens zwei Mitglieder männlichen Geschlechts befinden.

Die Mitglieder der Kommission müssen jeweils verschiedenen NFs angehören. Jedoch werden der Vorsitzende, der Technikdirektor und der Athletenvertreter insoweit keiner NF zugerechnet.

4.7.4 Die Mitglieder der Kommission Naturbahn und Breitensport sind:

- als Vorsitzender der Vizepräsident Naturbahn und Breitensport,
- als stellvertretender Vorsitzender der Direktor für Sport und Technik Naturbahn und Breitensport, der von der Exekutive ernannt wird und kein Stimmrecht hat,
- drei Mitglieder, die vom Kongress gewählt werden,
- bis zu fünf Mitglieder, die auf Empfehlung des Vizepräsidenten Naturbahn und Breitensport nach Zustimmung der NF von der Exekutive ernannt werden,
- zwei Athletenvertreter gemäß 4.12.

Unter ihnen müssen sich mindestens zwei Mitglieder weiblichen und mindestens zwei Mitglieder männlichen Geschlechts befinden.

Maximal zwei Mitglieder der Kommission dürfen derselben NF angehören. Jedoch werden der Direktor für Sport und Technik und die Athletenvertreter insoweit keiner NF zugerechnet.

4.7.5 Die Exekutive kann die von ihr ernannten Mitglieder der Fachkommissionen auch wieder entlassen. Ein Entlassungsbeschluss bedarf keiner Zustimmung der zugehörigen NF. Die Mitglieder, deren NF Zugehörigkeit gemäß 3.5 zu ermitteln ist, bleiben bis zur nächsten Wahl ausschließlich in der fraglichen Fachkommission im Amt, auch wenn sich die NF-Zugehörigkeit im Laufe ihrer Amtsperiode ändern sollte.

4.7.6 Die Kommissionen dürfen einem in ungeraden Jahren abgehaltenen Kongress keine IRO-Änderungen vorschlagen

4.8 Revisionskommission

4.8.1 Der Kongress wählt eine Revisionskommission, bestehend aus zwei ordentlichen Mitgliedern und einem Ersatzmitglied. Sie müssen drei verschiedenen NFs angehören, die keine Vertreter in der Exekutive haben.

4.8.2 Das dienstälteste Mitglied der Revisionskommission scheidet nach zwei Jahren aus. Das Ersatzmitglied wird automatisch ordentliches Mitglied der Revisionskommission. Ein neues Ersatzmitglied ist durch den Kongress zu wählen. Ein ausscheidendes Mitglied kann wieder gewählt werden. Mindestens zwei der drei gewählten Mitglieder müssen fachliche Kompetenz im Rechnungswesen vorweisen.

4.8.3 Die Aufgaben der Revisionskommission sind:

- Kontrolle der Realisierung des Haushaltsplanes
- Prüfung der Jahresrechnung und Vorlage des Prüfberichtes beim Kongress
- Antragstellung auf Entlastung der Exekutive

4.9 Rechtsorgane

4.9.1 Rechtsorgane sind das Schiedsgericht, der Rechtsausschuss, die Ethik-Kommission und der Ethik-Beauftragte. Die Mitglieder des Schiedsgerichts, des Rechtsausschusses, der Ethik-Kommission und der Ethik-Beauftragte werden wie die Mitglieder der Exekutive für denselben Zeitraum von vier Jahren gewählt.

4.9.2 Über Verstöße der Mitglieder der FIL-Organe und zur Schlichtung von Streitigkeiten entscheidet auf Antrag einer NF, der Exekutive, des Präsidiums oder einer betroffenen Person das Schiedsgericht. Es entscheidet ferner in allen anderen, in den Statuten vorgesehenen Fällen sowie im Beschwerdeverfahren gegen Sanktionen und Strafen der Exekutive.

4.9.3 Das Schiedsgericht entscheidet unter Ausschluss des ordentlichen Rechtsweges.

4.9.4 Das Schiedsgericht besteht aus einem Vorsitzenden, seinem Stellvertreter und drei Beisitzern, die vom Kongress gewählt werden. Der Vorsitzende soll eine abgeschlossene juristische Ausbildung besitzen. Die Mitglieder des Schiedsgerichts dürfen der Exekutive und dem Rechtsausschuss nicht angehören. Grundsätzlich entscheidet das Schiedsgericht in dreiköpfiger Besetzung mit seinem Vorsitzenden bzw. dessen Stellvertreter und zwei Beisitzern. In dringenden Fällen kann der Vorsitzende bzw. dessen Stellvertreter über vorläufige Maßnahmen ausnahmsweise allein entscheiden.

4.9.5 Gegen die Entscheidung des Schiedsgerichts der FIL findet unter Ausschluss des ordentlichen Rechtsweges die Berufung zum Tribunal Arbitral du Sport (TAS) / Court of Arbitration for Sport (CAS) mit Sitz in Lausanne auf der Basis des Code of Sports-related Arbitration statt, soweit nicht die Rechts- und Verfahrensordnung der FIL Vorgaben für das Berufungsverfahren enthält.

- 4.9.6 Das vom Schiedsgericht einzuhaltende Verfahren regelt die Rechts- und Verfahrensordnung, die als Anlage Bestandteil der Statuten ist.
- 4.9.7 In der Rechts- und Verfahrensordnung wird im Einzelnen bestimmt, dass die NFs, Organe und Beauftragten (wie z. B. Trainer, Kampfrichter, etc.) der FIL, alle Beteiligten an FIL-Wettbewerben sowie alle sonstigen Personen, die mitgliedschafts- oder vertragsrechtlich den Statuten, Ordnungen, Beschlüssen und Anordnungen der FIL-Organe unterstellt sind, bei Verstoß gegen die genannten FIL-Bestimmungen und Beschlüsse bestraft werden können.

Folgende Strafen sind zulässig:

- Verweis,
- Sperren von einem halben Monat bis zu zwei Jahren,
- Ausschluss von Athleten vom offiziellen Training oder von Wertungsläufen im Rahmen von Wettbewerben mit sofortiger Wirkung,
- Suspendierung als Kampfrichter für den Zeitraum von einem halben Monat bis zu zwei Jahren,
- Streichung von der Kampfrichterliste,
- von sechs Monaten bis zu 24 Monaten zeitlich befristete oder dauernde Aberkennung des Rechts, eine Verbandsfunktion auszuüben,
- Geldstrafen von € 100,00 bis zu € 7.000,00,
- Ausschluss

Bei Doping-Verstößen gelten ausschließlich die Verfahren, Tatbestände und Sanktionen, die im FIL Anti-Doping Code und seinen Anlagen geregelt sind. In den Entscheidungen zu allen Verfahren, die nach der Rechts- und Verfahrensordnung und nach dem FIL Anti-Doping Code durchgeführt werden, können den Verfahrensbeteiligten ganz oder teilweise die Verfahrenskosten auferlegt werden.

- 4.9.8 Über die Verstöße gegen FIL-Regeln, Beschlüsse und Anordnungen von FIL-Gremien entscheidet in erster Instanz zunächst die Exekutive, deren Entscheidung im Beschwerdeweg beim Schiedsgericht der FIL angefochten werden kann, sofern nicht 4.9.2 die sofortige Anrufung des Schiedsgerichts anordnet.
- 4.9.9 Der Rechtsausschuss besteht aus einem Vorsitzenden und zwei weiteren Mitgliedern. Die Mitglieder des Rechtsausschusses werden durch den Kongress gewählt. Die gewählten Mitglieder bestimmen ein Mitglied zum Vorsitzenden. Die Amtszeit beträgt regelmäßig 4 Jahre entsprechend der Amtszeit der Exekutive. Der Vorsitzende muss eine abgeschlossene juristische Ausbildung besitzen. Die speziellen Aufgaben des Rechtsausschusses beinhalten die Beratung der Exekutive in allen Rechtsfragen sowie die rechtliche Beurteilung von Kongressbeschlüssen.
- 4.9.10 Die Ethik-Kommission besteht aus einem Vorsitzenden und zwei weiteren Mitgliedern, die durch den Kongress zu wählen sind. Die gewählten Mitglieder bestimmen ein Mitglied zum Vorsitzenden. Der Vorsitzende muss eine abgeschlossene juristische Ausbildung besitzen. Auf Antrag der Exekutive können alle Mitglieder des Rechtsausschusses personenidentisch zu Mitgliedern der Ethik-Kommission gewählt werden. Die Ethik-Kommission überwacht die Umsetzung und Einhaltung des FIL Ethik-Codes; seine Adressaten sind alle mit der FIL in Kontakt stehenden Personen, Organisationen und Einrichtungen, Ziff. 1 der Rechts- und Verfahrensordnung.

Sie ist berechtigt, bei von ihr festgestellten Verstößen gegen den FIL Ethik-Code die folgenden Sanktionen (auch kumulativ) beim Schiedsgericht zu beantragen:

- a) Ausschluss von Wettbewerben,
- b) Entzug des Rechts zur Organisation von Veranstaltungen,
- c) Verweis, Verwarnung oder Abmahnung
- d) Abgabe einer Unterlassungsverpflichtung,
- e) Geldbußen von € 1'000,00 bis € 20'000,00,
- f) Zeitlich befristete oder dauernde Entbindung von Funktionen oder Aufgaben.

Eine Aussetzung auf Bewährung ist zulässig.

Die Ethik-Kommission kann bei besonders schwerwiegenden Verstößen gegen den FIL-Ethik-Code Betroffene vorläufig von ihren Ämtern und Funktionen suspendieren und weitere Tätigkeiten untersagen. Athleten und Athletinnen können bei dringendem Tatverdacht der Wettkampfmanipulation oder eines schweren Verstoßes gegen den FIL-Ethik-Code vorläufig gesperrt werden. Näheres regelt der FIL-Ethik-Code.

4.10 Kommission Jugend / Entwicklung Kunstbahn

Die Kommission Jugend / Entwicklung besteht aus folgenden Mitgliedern:

- einem von der Exekutive zu bestimmenden Vorsitzenden
- dem Ständigen Technischen Delegierten Junioren ohne Stimmrecht
- zwei vom Kongress gewählten Mitgliedern,
- weiteren, von der Exekutive ernannten Mitgliedern,
- einem Mitglied der Trainer der FIL ohne Stimmrecht

Die Kommission Jugend / Entwicklung tagt jeweils zeitlich vor den Fachkommissionen und ist berechtigt, Anträge an die Vorsitzenden der Fachkommissionen zu richten.

4.11 Medizinische Kommission

Die Medizinische Kommission ist ein durch die Exekutive der FIL ernanntes Organ zum Zwecke der Beratung und Hilfestellung sowie Kontrolle des durch die FIL vertretenen Rodelsports in medizinischen Angelegenheiten. Die Exekutive der FIL hat vor der Berufung von Personen in die Medizinische Kommission die Zustimmung des betreffenden Nationalen Verbandes einzuholen. Die Exekutive bestimmt einen Vorsitzenden der Medizinischen Kommission. Die Aufgaben der Medizinischen Kommission sind in der von der Exekutive zu bestätigenden „Ordnung für die Medizinische Kommission“ festgelegt.

4.12 Athletenvertreter (Athletenkommission)

4.12.1 Die Athleten, die an FIL-Wettbewerben im Kunstbahnsport und Naturbahnsport teilnehmen, nominieren Kandidaten für die Athletenkommission, von denen mindestens ein Kandidat männlich und ein Kandidat weiblich sein muss. Athleten können Kandidaten aus der eigenen NF oder einer anderen NF vorschlagen. Sowohl im Kunstbahnbereich als auch im Naturbahnbereich werden die Athletin sowie der Athlet mit den meisten Stimmen in die Athletenkommission gewählt. Fünftes Mitglied der Kommission wird die Athletin oder der Athlet aus dem Kunstbahnbereich mit der höchsten Stimmenanzahl außerhalb der bereits gewählten Athleten.

4.12.2 Bis zum Schlusstag des ersten Weltcups der jeweiligen Saison wird jeder Athlet gebeten, je einen Kandidaten für die Wahlpositionen gemäß 4.12.1 zu nominieren und dies schriftlich, entweder an das FIL-Büro oder an den für diesen Weltcup verantwortlichen FIL-Repräsentanten zu übersenden bzw. zu übergeben. Die Kandidatenliste wird dann seitens der FIL vor dem 1.1. des Wahljahres in Umlauf gebracht. Bei der WM der nacholympischen Saison findet die Wahl der Athleten für die Athletenkommission statt. Der Athlet mit der höchsten Stimmenanzahl für die jeweilige Position ist der Athletenvertreter für die gesamte Wahlperiode. Bei Stimmengleichheit wird ein weiterer Wahlgang in schriftlicher und geheimer Form lt. 4.12.4 durchgeführt. Endet dieser erneut mit Stimmengleichheit entscheidet das Los.

4.12.3 Die Athletenvertreter in der Athletenkommission müssen aktive Athleten im FIL-Weltcup oder FIL-Nationencup/Europacup sein und dürfen niemals mit einer WADA-Sanktion belegt worden sein. Ein Athlet gilt als aktiv, wenn er zum Zeitpunkt seiner Nominierung innerhalb der letzten 24 Monate zumindest an drei Weltcup-, Nationencup- oder Europacup- Wettbewerben oder an zwei FIL- Meisterschaften teilgenommen hat. Er verliert seinen Status als aktiver Athlet, wenn zum Zeitpunkt des Endes jeder Rennsaison festgestellt wird, dass er nicht nur vorübergehend (z.B. wegen Verletzung) nicht mehr an diesen Wettkämpfen teilnehmen wird oder er nicht innerhalb der letzten 24 Monate zumindest an drei Weltcup-, Nationencup- oder Europacup- Wettbewerben oder an zwei FIL- Meisterschaften teilgenommen hat, außer wenn ihm dies aufgrund einer von der FIL festgestellten Verletzung nicht möglich war. Hat ein Athletenvertreter seinen Status als aktiver Athlet verloren, darf er Mitglied der Athletenkommission bleiben. Sollte es mehr als zwei nicht-aktive Athleten geben, so findet bei nächster Gelegenheit eine Neuwahl eines von der Athletenkommission bestimmten Athletenvertreters gemäß 4.12.4 statt. Bis zum Zeitpunkt der Wahl eines neuen Athletenvertreters bleibt dessen Vorgänger im Amt.

4.12.4 Die Wahl erfolgt schriftlich und die Auszählung der Stimmen wird von dem beim Wettkampf anwesenden FIL-Repräsentanten oder Vorsitzenden der Jury vorgenommen. Die Amtszeit des jeweiligen Athletensprechers beträgt vier Jahre, beginnend mit seiner Wahl. Athletenvertreter, welche in der Wahlperiode das Amt ihrer Vorgänger übernommen haben, gelten bis zum Ablauf der ursprünglich vorgesehenen Amtszeit als gewählt.

4.12.5 Die gewählten Mitglieder der Athletenkommission wählen aus ihren Reihen einen Vorsitzenden, welcher einer olympischen Rennrodeldisziplin angehören muss.

4.12.6 Die Athletenkommission wird auf Kosten der FIL zu den Sitzungen der Fachkommissionen eingeladen. Die Athletenkommission wählt innerhalb ihres Kreises, welcher Athlet für die gesamte Wahlperiode eine Stimme in der Sportkommission und in der Technischen Kommission (Kunstbahn) und für die Naturbahn-Kommission erhält. Der zusätzliche Athlet wird als Experte zur Sitzung der Fachkommissionen Kunstbahn eingeladen, hat aber kein Stimmrecht. Der Vorsitzende der Athletenkommission wird auf Kosten der FIL zu allen Exekutivsitzungen eingeladen. Der Vorsitzende sowie ein Athlet aus der Naturbahnkommission werden auf Kosten der FIL zum FIL-Kongress eingeladen. Die Athletenkommission kann Allgemeine Anträge an die Exekutive stellen, welche anlässlich der unmittelbar vor dem Kongress stattfindenden Exekutivsitzung durch den Kommissionsvorsitzenden der Exekutive erläutert werden können.

4.13 Bahnbaukommission

4.13.1 Bahnbaukommission Kunstbahn

Die Bahnbaukommission Kunstbahn hat die Umbauten bestehender Kunstbahnen und die Errichtung neuer Kunstbahnen zu überwachen. Sie kann bei Bedarf externe Experten hinzuziehen und Erfahrungen und Pläne mit den für den Bobsport und Skeletonsport zuständigen Verbänden, insbesondere der FIBT, austauschen. Die Bahnbaukommission Kunstbahn ist dem Vizepräsidenten Technik- Kunstbahn unterstellt. Der Vorsitzende und die Mitglieder der Kommission werden von der Exekutive ernannt.

4.13.2 Bahnbaukommission Naturbahn

Die Bahnbaukommission Naturbahn hat die Umbauten bestehender Naturbahnen und die Errichtung neuer Naturbahnen zu überwachen. Sie kann bei Bedarf externe Experten hinzuziehen. Die Bahnbaukommission Naturbahn ist dem Vizepräsidenten Naturbahn unterstellt. Der Vorsitzende und die Mitglieder der Kommission werden von der Exekutive ernannt.

4.14 Arbeitsgruppen

4.14.1 Bei Bedarf können der Kongress, die Exekutive oder der Präsident Arbeitsgruppen einsetzen. Dasjenige FIL-Organ, welches die Arbeitsgruppe eingesetzt hat, ernennt und entlässt den Vorsitzenden der jeweiligen Arbeitsgruppe und deren weitere Mitglieder.

4.14.2 Der Vorsitzende der Arbeitsgruppe hat gegenüber demjenigen Organ, welches die Arbeitsgruppe eingesetzt hat, nach Aufforderung einen schriftlichen Bericht zu erstatten.

5 Finanzen der FIL

5.1 Die Finanzmittel der FIL bestehen aus:

5.1.1 Mitgliedsbeiträgen der NFs,

5.1.2 Fördermitteln öffentlicher oder privater Institutionen,

5.1.3 Spenden, Schenkungen, Erbschaften oder sonstigen Zuwendungen aller Art,

5.1.4 Einnahmen aus Vermietung, Verpachtung, Verkauf oder sonstigen Nutzungsrechten an Grundstücken und Grundstücksrechten sowie aus dem Betrieb von Sportanlagen,

5.1.5 Erträgen von FIL-Wettbewerben und Olympischen Winterspielen,

5.1.6 Erträgen aus der Vermarktung von FIL-Veranstaltungen einschließlich von Übertragungsrechten für Fernsehen und Rundfunk,

5.1.7 Vergütungen für die Erteilung von Lizenzrechten, Werbe- und Vertriebsrechten sowie Sponsorenleistungen,

5.1.8 Vergütungen für die Abhaltung von Lehrgängen, Unterricht, Ausbildungen, Kursen, Prüfungen sowie sonstige Teilnahmegebühren,

5.1.9 Einnahmen aus der Verwaltung des FIL-Vermögens, insbesondere aus Kapitalvermögen einschließlich Zinsen und Wertpapieren, aus Beteiligungen an juristischen Personen und Kapitalgesellschaften.

5.1.10 Die Finanzmittel können auch durch Einschaltung einer von der FIL beherrschten Kapitalgesellschaft akquiriert werden, sofern die Gemeinnützigkeit der FIL hierdurch nicht gefährdet wird.

~~5.1.1 Jahresbeiträgen der NFs~~

~~5.1.2 Spenden~~

~~5.1.3 Erträgen aus FIL-Wettbewerben~~

~~5.1.4 Anderen Einnahmen~~

5.2 Die Wirtschaftsprüfung wird durch die Finanzordnung geregelt.

5.3 Verwendung der finanziellen Mittel

5.3.1 Etwaige Gewinne bzw. Überschüsse dürfen nur für die satzungsmäßigen Zwecke verwendet werden. Die NFs erhalten keine Gewinnanteile und in ihrer Eigenschaft als Mitglieder auch keine sonstigen Zuwendungen aus Mitteln der FIL; dies gilt auch für die Tätigkeit der Mitglieder der Exekutive und der anderen Organe.

- 5.3.2 Kein Mitglied hat bei seinem Ausscheiden oder bei Auflösung der FIL Anspruch auf Anteile des Vereinsvermögens.
- 5.3.3 Es darf keine Person durch Verwaltungsausgaben, die dem Zweck der FIL fremd sind, oder durch unverhältnismäßig hohe Vergütungen begünstigt werden.
- 5.3.4 Barauslagen von Mitgliedern der Exekutive und anderer Organe werden laut Beleg und/oder Spesenpauschalen in gesetzlich zulässiger Höhe im Rahmen des Vereinszweckes erstattet.

6 Auflösung der FIL

- 6.1 Über die Auflösung der FIL beschließt der Kongress mit 4/5-Mehrheit bei Anwesenheit von mindestens der Hälfte der NFs.
- 6.2 Bei Auflösung der FIL oder bei Wegfall ihres bisherigen Zwecks fällt das Vermögen einer gemeinnützigen ähnlichen Sportorganisation zu, die es unmittelbar und ausschließlich für gemeinnützige Zwecke zu verwenden hat. Beschlüsse über die künftige Verwendung des Vermögens dürfen erst nach Einwilligung der zuständigen Finanzbehörde ausgeführt werden.

7 Abstimmungen

- 7.1 Beschlüsse in allen Organen der FIL werden mit mehr als der Hälfte der gültigen Stimmen (einfache Mehrheit) bei Anwesenheit von mindestens einem Drittel der stimmberechtigten Mitglieder der Organe gefasst. Erreicht keine der zur Abstimmung gestellten Alternativen die einfache Mehrheit, so scheidet bei dem nachfolgenden Abstimmungsvorgang diejenige Alternative aus, die die wenigsten Stimmen auf sich vereinigt hat.

Ausnahmen:
- 7.1.1 Die Aufnahme einer NF (2.1.5) oder der Ausschluss einer NF (2.4.2) darf nur durch den Kongress geschehen und bedarf einer 2/3-Mehrheit, bei Anwesenheit von mindestens einem Drittel der NFs.
- 7.1.2 Änderungen der Statuten dürfen nur durch den Kongress beschlossen werden und bedürfen einer 2/3-Mehrheit bei Anwesenheit von mindestens einem Drittel der NFs. Dies gilt nicht für Änderungen des FIL Anti-Doping Codes und seiner Anlagen im Sinne von 4.2.10.
- 7.1.3 Vorgeschlagene IRO-Änderungen mit Ausnahme der §§ 1 *Grundsatzbestimmungen*, *Medizinischer Dienst*, *Werbung*, *Titelvergabe/Siegerehrung*, *Schlußbestimmungen* sowie die Anlagen *Regelung der Rechte für audiovisuelle Medien* und *Olympische Regeln* zur IRO-Kunstbahn und die Anlage *Regelung der Rechte für audiovisuelle Medien* zur IRO-Naturbahn bedürfen einer 2/3 Mehrheit der gemäß 4.7.1 zuständigen Fachkommission, bevor die IRO-Änderungen dem Kongress zur Beschlussfassung unterbreitet werden können (4.2.8).
- 7.2 Die Abstimmungen sind offen. Erfolgt ein Antrag von einem Drittel der Stimmberechtigten auf geheime Abstimmung, ist diesem Antrag Folge zu leisten. **Elektronisch durchzuführende Abstimmungen müssen nicht offen erfolgen.**
- 7.3 Bei Feststellung der Stimmenmehrheiten werden ungültige Stimmen und Stimmenthaltungen nicht mitgezählt.

8 Wahlen

- 8.1 Die Wahlen sind grundsätzlich in der unter 4.5, 4.7, 4.8, 4.9 und 4.10 festgelegten Reihenfolge vorzunehmen.
- 8.2 Vorschlagsberechtigt für alle Wahlfunktionen sind ausschließlich die NFs.
- 8.3 Gewählt ist, wer in dem betreffenden Wahlgang die einfache Mehrheit (mehr als 50% der gültigen Stimmen) der stimmberechtigten Mitglieder auf sich vereinigt. Auf Antrag der Exekutive oder des Wahlleiters kann der Kongress beschließen, dass die relative Mehrheit genügt, wenn sich mehr als zwei Kandidaten für die zu wählende Funktion zur Wahl gestellt haben.

- 8.4** Die Gültigkeit einer Wahl setzt die Beschlussfähigkeit des Kongresses gemäß 7.1 voraus. Im Übrigen wird das Wahlverfahren durch die Geschäftsordnung geregelt.

9 Anlagen und Ordnungen

- 9.1 Gleichrangiger Bestandteil der Statuten** ist der FIL Anti-Doping Code (FIL Anti-Doping Rules) einschließlich seiner Anlagen, der International Standards, insbesondere ~~der Standards Prohibited List, Code Compliance by Signatories, Education, Therapeutic Use Exemptions (TUEs), Testing and Investigations, Laboratories, Results Management, Protection of Privacy and Personal Information. der Prohibited List, des International Standard for Testing and Investigations (ISTI) for Therapeutic Use Exemptions (ISTUE), for Protection of Privacy and Personal Information (ISPPPI) and for Laboratories (ISL).~~

- 9.2. Nachgeordneter Bestandteil der Statuten sind:**

- 9.2.1 Die IRO - Internationale Rodelordnungen für Kunstbahn und Naturbahn – einschließlich der Anlagen
- 9.2.2 Die Geschäftsordnung
- 9.2.3 Die Finanzordnung
- 9.2.4 Die Ehrenordnung
- 9.2.5 Die Rechts- und Verfahrensordnung
- 9.2.6 Der FIL-Ethik-Code

- 9.3 Der Geschäftsverteilungsplan** wird von der Exekutive beschlossen und ist den NFs bekannt zu geben.

10 Embleme der FIL

Alle mitgliedschaftlich oder vertraglich an die FIL gebundenen natürlichen und juristischen Personen dürfen die Embleme der FIL nur nach vorheriger schriftlicher Zustimmung der Exekutive verwenden.

11 Änderungen der Statuten

- 11.1** Änderungen der Statuten sind nur bei einem ordentlichen Kongress möglich. Dies gilt nicht für Änderungen des FIL Anti-Doping Codes einschließlich seiner Anlagen im Sinne von 4.2.10.
- 11.2** Änderungen sind vorher auf der Tagesordnung anzukündigen.
- 11.3** Dringlichkeitsanträge zur Änderung der Statuten (außer IRO-Änderungen) und zur Auflösung der FIL sind nicht möglich.

12 Inkrafttreten

Diese Statuten treten nach Beschlussfassung durch den **71.** FIL-Kongress in Kraft und ersetzen die bisher gültigen Statuten.

RECHTS- UND VERFAHRENSORDNUNG

des Internationalen Rodelverbandes (FIL)

1 Vergehen

Mitglieder (NFs), Organe einschließlich deren Mitglieder und Beauftragte (wie z. B. Trainer und Kampfrichter) der FIL, alle Athleten und sonstigen Beteiligten an FIL-Wettbewerben sowie alle sonstigen Personen, die mitgliedschafts- oder vertragsrechtlich den Statuten, Beschlüssen und Anordnungen der FIL-Organe unterstellt sind, können bei Verstoß gegen die Statuten einschließlich der Ordnungen, Beschlüsse oder Anordnungen der FIL-Organe bestraft werden. Bei Doping-Vergehen gilt hinsichtlich der zu sanktionierenden Tatbestände und der hierfür zu verhängenden Sanktionen ausschließlich der FIL Anti-Doping Code einschließlich seiner Anlagen.

2 Verjährung

Vergehen, die im gegebenen Fall nur mit Verweis zu ahnden wären, können nach Ablauf von drei Monaten seit der Tat nicht mehr verfolgt werden. Alle sonstigen Vergehen sind nach einem Jahr verjährt. Die Einleitung eines sportgerichtlichen Verfahrens (Ziff. 4) und jede sportgerichtliche Handlung unterbricht die Verjährung. Entzieht sich ein Betroffener durch Austritt einem Strafverfahren oder der Einleitung eines solchen Verfahrens, so wird es nach Erwerb einer neuen Mitgliedschaft fortgesetzt oder eingeleitet. Der Austritt hemmt die Verjährung bis zu diesem Zeitpunkt.

Die Verjährung von Doping-Vergehen richtet sich ausschließlich nach dem FIL Anti-Doping Code.

3 Strafmaß

3.1 Als Strafen sind zulässig:

- a) Verweis,
- b) Sperren gegen NFs und deren Mitglieder sowie gegen Athleten, Betreuer, Trainer, Ärzte, Kampfrichter oder sonstige in Ziff. 1 bezeichnete Personen von einem halben Monat bis zu zwei Jahren,
- c) Ausschluss von Athleten vom offiziellen Training oder von Wertungsläufen im Rahmen von Wettbewerben mit sofortiger Wirkung,
- d) Streichung von der Kampfrichterliste,
- e) von sechs bis zu 24 Monaten zeitlich befristete oder dauernde Aberkennung des Rechts, eine Verbandsfunktion auszuüben,
- f) Geldstrafen von € 100,00 bis zu € 7.000,00,
- g) Ausschluss.

3.2 Bei Doping-Vergehen gilt ausschließlich der FIL Anti-Doping Code mit seinen Anlagen, insbesondere der Liste Verbotener Wirkstoffe und Verbotener Methoden, den Standards für Dopingkontrollen und den Standards für die Analyse von Proben und Berichterstattung. Die Anlagen zum FIL Anti-Doping Code und der World Anti-Doping Code sind in englischer Sprache auch im Internet auf der WADA Website www.wada-ama.org veröffentlicht.

4 Verfahren

Über die Vergehen im Sinne von Ziffer 1 entscheidet zunächst die Exekutive, sofern es nicht um Verstöße von Mitgliedern der FIL-Organen geht. Gegen die Entscheidung der Exekutive kann unter Ausschluss des ordentlichen Rechtsweges binnen 1 Monat Beschwerde beim Schiedsgericht der FIL eingelegt werden. Die Frist beginnt mit der Zustellung der Entscheidung oder des Protokolls.

Die Monatsfrist und der Ausschluss des ordentlichen Rechtsweges gelten auch für sonstige Verfahren des Schiedsgerichts.

Bei Doping-Verstößen gelten hinsichtlich der Zuständigkeit und des Verfahrens ausschließlich die Vorschriften des FIL Anti-Doping Codes und seiner Anlagen.

4.1 Schiedsgericht der FIL

4.1.1 Über Verstöße der Mitglieder der FIL-Organen, zur Schlichtung von Streitigkeiten sowie in den von den Statuten vorgesehenen Fällen entscheidet auf Antrag einer NF, der Exekutive, des Präsidiums oder eines Betroffenen das Schiedsgericht der FIL unter Ausschluss des ordentlichen Rechtsweges. Es hört in der Schlussverhandlung noch beide Parteien und spricht mit Stimmenmehrheit das Urteil.

4.1.2 Das Schiedsgericht entscheidet in der Regel durch einen Vorsitzenden und zwei Beisitzer. Die Besetzung des Schiedsgerichts erfolgt nach einem Geschäftsverteilungsplan, über den das Schiedsgericht mit einfacher Mehrheit zu Beginn der Wahlperiode entscheidet. In besonders dringenden Angelegenheiten entscheidet der Vorsitzende, in der Regel nach Anhörung der Parteien, über vorläufige Maßnahmen und/oder einstweilige Anordnungen allein. Auf Widerspruch der beschwerten Partei entscheidet das Schiedsgericht in der Regelbesetzung. Der Widerspruch hat keine aufschiebende Wirkung. Er ist spätestens vier Wochen nach Verkündung, ersatzweise Zustellung der vollständigen Entscheidung im schriftlichen Verfahren, beim Schiedsgericht der FIL einzulegen.

4.1.3 Das Schiedsgericht ist berechtigt, von den Parteien schriftliche Stellungnahmen zu verlangen, Zeugen zu laden, Sachverständige zu hören, Augenscheine einzunehmen sowie Verbands- und Vereinsakten oder sonstiges, geeignet erscheinendes Material heranzuziehen und zum Gegenstand des Verfahrens zu machen. Zur Beschleunigung des Verfahrens kann das Schiedsgericht Einlassungs- und Ladungsfristen nach billigem Ermessen festsetzen. Bei verschuldeter Säumnis kann das Schiedsgericht Angriffs- und Verteidigungsmittel zurückweisen und nach Aktenlage entscheiden. Das Schiedsgericht kann mündliche Verhandlungen auch im Wege einer Telefonkonferenz durchführen.

4.1.4 Das Schiedsgericht legt seinen Entscheidungen die Statuten und die Ordnungen der FIL sowie die im Rahmen ihrer Kompetenzen erlassenen Richtlinien der FIL-Organen sowie einschlägige Verträge zu Grunde.

4.1.5 Gegen endgültige Entscheidungen des Schiedsgerichts der FIL findet unter Ausschluss des ordentlichen Rechtsweges die Berufung zum Tribunal Arbitral du Sport (TAS) statt. Die Berufungsfrist beträgt zwei Monate; sie beginnt mit der Zustellung der in vollständiger Form abgefassten Entscheidung. Bezüglich der Formvorschriften bei Einlegung der Berufung gilt die Verfahrensordnung des TAS.

- 4.1.6 In Verfahren, bei welchen es um Dopingverstöße geht, gelten ausschließlich die Vorschriften des FIL Anti-Doping Codes, seiner Anlagen und Verweisungen auch hinsichtlich der Rechtsmittel unter Ausschluss des ordentlichen Rechtsweges.

4.2. Schiedsgericht beim IOC

Streitigkeiten innerhalb der FIL, die durch die Exekutive sowie das Schiedsgericht der FIL nicht beigelegt werden, können durch die Parteien dem Tribunal Arbitral du Sport (TAS) unter Ausschluss des ordentlichen Rechtsweges zum Entscheid vorgelegt werden. Der Entscheid des TAS ist bindend und endgültig.

5. Ausschluss der Haftung der FIL-Instanzen

Die FIL und die Mitglieder ihrer Organe bzw. deren Untergliederungen haften nicht für den Schaden, der den Nationalverbänden einschließlich deren Organen und Mitgliedern, den Teilnehmern an FIL-Veranstaltungen und allen sonstigen Personen und Institutionen, die von Verfahren und Entscheidungen der Rechtsorgane der FIL betroffen sind, durch Entscheidungen oder Unterlassungen dieser Rechtsorgane bzw. deren Mitgliedern entsteht.

6. Vollstreckbarkeit

Die Einlegung einer Beschwerde, eines Rechtsmittels oder Rechtsbehelfs hat keine aufschiebende Wirkung. Die Vollstreckung der angefochtenen Entscheidung kann jedoch in begründeten Ausnahmefällen auf Antrag der Betroffenen oder von Amts wegen vom Vorsitzenden der nunmehr zuständigen Instanz ausgesetzt werden.

7. Kosten des Verfahrens

Kostenpflichtig ist, wer im Verfahren unterlegen ist oder wer die Kosten veranlasst hat. Dies gilt auch bei Rücknahme der Anzeige, des Antrages oder des Rechtsmittels; in diesen Fällen kann nur die Hälfte der festgesetzten Gebühr erhoben werden. In begründeten Ausnahmefällen kann nach pflichtgemäßem Ermessen die zuständige Instanz eine andere Kostenentscheidung treffen. Für FIL-Organen und deren Mitglieder entfällt eine Kostentragungspflicht. Die zuständige Instanz entscheidet nach pflichtgemäßem Ermessen auch über eine Kostenerstattungspflicht unter den Streitparteien.

8. Inkrafttreten

Diese Rechts- und Verfahrensordnung tritt mit Annahme durch den 70. FIL-Kongress am 18.06.2022 in Kraft.

GESCHÄFTSORDNUNG

des Internationalen Rodelverbandes (FIL)

1 Geltungsbereich - Öffentlichkeit

- 1.1 Die Fédération Internationale de Luge (FIL) erlässt zur Durchführung von Kongressen, Sitzungen und Tagungen (nachstehend Versammlungen genannt) vorliegende Geschäftsordnung.
- 1.2 Der Kongress ist öffentlich. Durch einen auf Antrag beruhenden Beschluss kann die Öffentlichkeit ausgeschlossen werden.
- 1.3 Alle weiteren Versammlungen sind nichtöffentlich. Durch Beschluss der Mitglieder der jeweiligen Versammlung kann die Öffentlichkeit zu dieser Versammlung zugelassen werden.
- 1.4 Die Mitglieder des Präsidiums sind berechtigt, an allen Versammlungen teilzunehmen.
- 1.5 Bei Öffentlichkeit von Versammlungen können Einzelgruppen oder Einzelpersonen nicht ausgeschlossen werden, es sei denn, dass ohne solche Maßnahme die Aufrechterhaltung der Ordnung nicht gewährleistet werden kann.
- 1.6 Die Aufzeichnungen von Sitzungen und Tagungen der FIL-Organen und Ausschüsse auf Bild- und/oder Tonträger sind unzulässig, es sei denn, das betreffende FIL-Organ hat auf Antrag eines Mitgliedes des FIL-Organes oder des Ausschusses die Aufzeichnung beschlossen. Der Kongress wird auf Bild und/oder Tonträger aufgezeichnet.

2 Einberufung

- 2.1 Die Einberufung des Kongresses richtet sich nach den Kapiteln 4.2 und 4.3 der Statuten und erfolgt schriftlich. Die Einladungsfrist für alle anderen Versammlungen soll acht Wochen betragen. Sie erfolgt durch den jeweiligen Vorsitzenden. Die Tagesordnung ist beizufügen.
- 2.2 Mit Übersendung der Einladungsunterlagen zu Versammlungen ist gleichzeitig das Präsidium zu informieren.
- 2.3 Eine Versammlung muss durchgeführt werden, wenn mehr als ein Drittel der Mitglieder eines Gremiums dies verlangt.

3 Beschlussfähigkeit

- 3.1 Eine Versammlung ist beschlussfähig, wenn nach ordnungsgemäß ergangener Einladung mindestens ein Drittel der stimmberechtigten Mitglieder anwesend ist. Übertragungen der Stimmausübung sind nicht gestattet.
- 3.2 Eine Versammlung ist beschlussunfähig, wenn mehr als zwei Drittel der stimmberechtigten Mitglieder nicht oder nicht mehr anwesend ist.

- 3.3 Erfolgt die Auflösung einer Versammlung wegen Beschlussunfähigkeit, so ist innerhalb von vier Wochen eine erneute Versammlung einzuberufen, bei der nur mehr die noch nicht erledigten Tagesordnungspunkte zu behandeln sind.

4 Versammlungsleitung

- 4.1 Der Kongress und die Exekutivsitzungen werden vom FIL-Präsidenten, die sonstigen Versammlungen werden vom Vorsitzenden (nachfolgend Versammlungsleiter genannt) eröffnet, geleitet und geschlossen.
- 4.2 Bei Verhinderung des Versammlungsleiters und seiner satzungsmäßigen Vertreter wählen die erschienenen Mitglieder aus ihrer Mitte einen Versammlungsleiter. Das gleiche gilt für Aussprachen und Beratungen, die den Versammlungsleiter persönlich betreffen.
- 4.3 Dem Versammlungsleiter stehen alle zur Aufrechterhaltung der Ordnung notwendigen Befugnisse zu. Ist die ordnungsgemäße Durchführung der Versammlung gefährdet, kann er das Wort entziehen, Ausschlüsse von Einzelmitgliedern auf Zeit oder für die ganze Versammlungszeit und Unterbrechung oder Aufhebung der Versammlung anordnen.
- 4.4 Über Einsprüche, die unmittelbar ohne Begründung vorzubringen sind, entscheidet die Versammlung mit einfacher Mehrheit ohne Aussprache.
- 4.5 Nach Eröffnung der Versammlung prüft der Versammlungsleiter die Ordnungsmäßigkeit der Einberufung, die Anwesenheitsliste und die Stimmberechtigung und gibt die Tagesordnung bekannt. Die Prüfungen können delegiert werden.
- 4.6 Über Einsprüche gegen die Tagesordnung oder Änderungsanträge entscheidet die Versammlung mit einfacher Mehrheit.
- 4.7 Die einzelnen Tagesordnungspunkte kommen in der festgesetzten Reihenfolge zur Beratung und Abstimmung.

5 Worterteilung und Rednerfolge

- 5.1 Grundsätzlich hat jeder geladene Versammlungsteilnehmer Rederecht. Dies gilt beim Kongress für maximal zwei geladene Delegierte pro Nationale Föderation (NF) und für jedes Mitglied der Organe der FIL. Weitergehende Worterteilung erfolgt durch den Versammlungsleiter, nach Einverständnis der Versammlung.
- 5.2 Zu jedem Tagesordnungspunkt ist eine Rednerliste aufzustellen. Die Eintragung erfolgt in der Reihenfolge der Wortmeldungen. Die Rednerliste darf vor Beginn der Aussprache nicht veröffentlicht werden.
- 5.3 Das Wort zur Aussprache erteilt der Versammlungsleiter. Die Worterteilung erfolgt in der Reihenfolge der Rednerliste.
- 5.4 Teilnehmer einer Versammlung müssen den Versammlungsraum verlassen, wenn Tagesordnungspunkte behandelt werden, die sie persönlich betreffen, auch wenn dadurch die Beschlussunfähigkeit herbeigeführt wird.

- 5.5 Berichterstatte und Antragsteller erhalten zu Beginn der Aussprache ihres Tagesordnungspunktes das Wort. Sie können sich auch außerhalb der Rednerliste zu Wort melden; ihrer Wortmeldung ist vom Versammlungsleiter nachzukommen.
- 5.6 Der Versammlungsleiter kann in jedem Fall außerhalb der Rednerliste das Wort ergreifen.

6 Wort zur Geschäftsordnung

- 6.1 Zur Geschäftsordnung wird das Wort außer der Reihenfolge der Rednerliste erteilt, wenn der Vorredner geendet hat.
- 6.2 Zur Geschäftsordnung dürfen nur jeweils ein Für- und ein Gegenredner gehört werden.
- 6.3 Falls erforderlich, kann der Versammlungsleiter jederzeit das Wort zur Geschäftsordnung ergreifen und Redner unterbrechen.

7 Anträge

- 7.1 Die Antragsberechtigungen zum Kongress sind in den Kapiteln 4.2.7, 4.2.8 und 4.2.9 der Statuten festgelegt. Anträge an die anderen Organe und Versammlungen können nur die stimmberechtigten Mitglieder und die Mitglieder der entsprechenden Organe und Versammlungen stellen.
- 7.2 Soweit die Frist zur Einreichung von Anträgen nicht durch die Statuten geregelt ist, müssen diese eine Woche vor der Versammlung dem Versammlungsleiter vorliegen.
- 7.3 Alle Anträge müssen schriftlich eingereicht und begründet werden. Anträge ohne Unterschrift dürfen nicht behandelt werden.
- 7.4 Anträge, die sich aus der Beratung eines Antrages ergeben und diesen verbessern, kürzen oder erweitern, sind ohne Feststellung der Dringlichkeit zugelassen.
- 7.5 Für Anträge auf Änderung der Statuten gelten die Bestimmungen des Kapitels 11 der Statuten.

8 Dringlichkeitsanträge

- 8.1 Anträge, die nicht auf der Tagesordnung stehen, gelten als Dringlichkeitsanträge und können nur mit Zustimmung einer 2/3-Mehrheit zur Beratung und Beschlussfassung zugelassen werden. Dringlichkeitsanträge müssen dem Versammlungsleiter schriftlich vorgelegt werden.
- 8.2 Über die Dringlichkeit eines Antrages ist außerhalb der Rednerliste sofort abzustimmen, nachdem der Antragsteller gesprochen hat. Ein Gegenredner ist zugelassen.
- 8.3 Dringlichkeitsanträge zur Änderung der Statuten (außer IRO-Änderungen) und zur Auflösung der FIL sind nicht möglich.

9 Anträge zur Geschäftsordnung

- 9.1 Über Anträge zur Geschäftsordnung, auf Schluss der Debatte oder Begrenzung der Redezeit ist außerhalb der Rednerliste sofort abzustimmen, nachdem der Antragsteller und sein Gegenredner gesprochen haben.
- 9.2 Redner, die zur Sache gesprochen haben, dürfen keinen Antrag auf Schluss der Debatte oder Begrenzung der Redezeit stellen.
- 9.3 Vor Abstimmung über einen Antrag auf Schluss der Debatte oder Begrenzung der Redezeit sind die Namen der in der Rednerliste noch eingetragenen Redner zu verlesen.
- 9.4 Wird der Antrag angenommen, erteilt der Versammlungsleiter auf Verlangen nur noch dem Antragsteller oder Berichterstatter das Wort.
- 9.5 Anträge auf Schluss der Rednerliste sind unzulässig.

10 Abstimmungen

- 10.1 Vor Beginn der Abstimmung ist die Reihenfolge der zur Abstimmung kommenden Anträge deutlich bekannt zu geben.
- 10.2 Jeder Antrag ist vor der Abstimmung nochmals durch den Versammlungsleiter zu verlesen.
- 10.3 Liegen in einer Sache mehrere Anträge vor, so ist über den weitestgehenden Antrag abzustimmen. Bestehen Zweifel, welcher Antrag der weitestgehendste ist, so entscheidet die Versammlung ohne Aussprache.
- 10.4 Zusatz-, Erweiterungs- und Unteranträge zu einem Antrag kommen im Anschluss an den die Sache betreffenden Antrag gesondert zur Abstimmung.
- 10.5 Abstimmungen erfolgen offen. Sind Stimmkarten ausgegeben, sind diese vorzuzeigen. Der Versammlungsleiter kann jedoch eine geheime oder namentliche Abstimmung anordnen. Er muss dies tun, wenn dies auf Antrag beschlossen wird. Solche Anträge müssen von mindestens 1/3 der Stimmberechtigten unterstützt werden.
- 10.6 Die namentliche Abstimmung erfolgt durch Namensaufruf nach der Anwesenheitsliste; die Namen der Abstimmenden und ihre Entscheidung sind im Protokoll festzuhalten.
- 10.7 Nach Eintritt in die Abstimmung darf das Wort zur Sache nicht mehr erteilt werden.
- 10.8 Bei Zweifeln über die Abstimmung kann sich der Versammlungsleiter jedoch zu Wort melden und Auskunft geben.
- 10.9 Bei allen Abstimmungen entscheidet, soweit die Statuten nichts anderes vorschreiben, die einfache Mehrheit der abgegebenen Stimmen; Stimmgleichheit bedeutet Ablehnung. Stimmenthaltung und ungültige Stimmen werden nicht gezählt.
- 10.10 Angezweifelte offene Abstimmungen müssen auf Antragsbeschluss namentlich oder geheim wiederholt werden.

- 10.11 Für die Abstimmung gilt folgende Reihenfolge: Frage um Zustimmung, Ablehnung, Enthaltung.

11 Wahlen

- 11.1 Wahlen dürfen nur dann durchgeführt werden, wenn sie satzungsgemäß erforderlich, auf der Tagesordnung vorgesehen und bei Einberufung bekannt gegeben worden sind.
- 11.2 Wahlen sind grundsätzlich schriftlich und geheim in der satzungsmäßig vorgeschriebenen Reihenfolge vorzunehmen, wenn die Versammlung nichts anderes beschließt.
- 11.3 Vor Wahlen ist ein Wahlausschuss mit mindestens drei Mitgliedern zu bestellen, der die Aufgabe hat, die abgegebenen Stimmen zu zählen und zu kontrollieren.
- 11.4 Der Wahlausschuss hat aus seinen Reihen einen Wahlleiter zu bestimmen, der während des Wahlganges die Rechte und Pflichten eines Versammlungsleiters innehat.
- 11.5 Vor dem Wahlgang hat der Wahlausschuss zu prüfen, ob die zur Wahl vorgeschlagenen Kandidaten die Voraussetzungen erfüllen, die die Satzung vorschreibt.
- 11.6 Ein Abwesender kann nur dann gewählt werden, wenn dem Wahlleiter vor der Abstimmung eine schriftliche Erklärung des Kandidaten vorliegt, aus der die Bereitschaft, die Wahl anzunehmen, hervorgeht. Dies gilt nicht für die Wahl der Mitglieder der Fachkommissionen, entsprechend Punkt 4.7 der Statuten, und der Mitglieder der Kommission „Jugend/Entwicklung“, gemäß Punkt 4.10 der Statuten. Hier genügt die Bestätigung des Delegierten des jeweiligen Nationalverbandes.
- 11.7 Vor der Wahl sind die Kandidaten zu fragen, ob sie im Falle einer Wahl das Amt annehmen.
- 11.8 Das Wahlergebnis ist durch den Wahlausschuss festzustellen, dem Versammlungsleiter bekannt zu geben und seine Gültigkeit ausdrücklich für das Protokoll zu bestätigen.

12 Versammlungsprotokolle

- 12.1 Über alle Versammlungen sind Protokolle zu führen, die innerhalb von ~~vier~~ sechs Wochen den Versammlungsteilnehmern, den Mitgliedern der betreffenden Organe und der Exekutive in Abschrift zuzustellen sind.
- 12.2 Über Beschlüsse der Exekutive sind die NFs unverzüglich in deutscher und englischer Sprache zu informieren.
- 12.3 Die Protokolle gelten als angenommen, wenn nicht innerhalb von vier Wochen nach Zustellung schriftlich Einspruch gegen die Fassung des Protokolls erhoben wird (Ausnahme Kapitel 4.2.6 der Statuten).

13 Inkrafttreten

Diese Geschäftsordnung tritt mit Annahme durch den **71. FIL-Kongress** am **17.06.2023** in Kraft.

FINANZORDNUNG

des Internationalen Rodelverbandes (FIL)

1 Geltungsbereich

Die vorliegende Finanzordnung regelt gemäß Kapitel 5 der Statuten der FIL die Wirtschaftsführung.

2 Mittelverwendung

Die der FIL zur Verfügung stehenden Finanzmittel sind effektiv und sparsam einzusetzen.

3 Vizepräsident für Finanzen

- 3.1 Der Vizepräsident für Finanzen ist dem Kongress und der Exekutive gegenüber für alle Angelegenheiten der Wirtschaftsführung verantwortlich.
- 3.2 Der Vizepräsident für Finanzen hat auf die Einhaltung der Zahlungsverpflichtungen der Mitglieder zu achten und bei Verzug zur Zahlung zu mahnen.

4 Rechtsverbindlichkeiten

- 4.1 Das Eingehen von Rechtsverbindlichkeiten bleibt grundsätzlich der Exekutive vorbehalten. In dringenden Fällen kann der Vizepräsident für Finanzen entscheiden. Der Beschluss der Exekutive ist nachzuholen.
- 4.2 In Angelegenheiten der laufenden Geschäftsführung kann das Präsidium Rechtsverbindlichkeiten im Rahmen des Haushaltsplanes eingehen.

5 Haushaltsplan

- 5.1 Der Haushaltsplan bildet die Grundlage für die Wirtschaftsführung. Für jeweils ein Geschäftsjahr (01.04. - 31.03.) wird der Entwurf des Haushaltsplanes vom Vizepräsidenten für Finanzen erstellt und 4 Wochen vor dem Kongress den Nationalen Föderationen (NFs) übersandt. Er wird von der Exekutive dem Kongress zur Genehmigung vorgelegt.
- 5.2 Reichen die für das laufende Geschäftsjahr vorgesehenen Mittel insgesamt nicht aus, so ist vom Vizepräsidenten für Finanzen ein Nachtragshaushalt der Exekutive zur Genehmigung vorzulegen.
- 5.3 Übertragungen innerhalb der einzelnen Kapitel der Haushalte kann der Vizepräsident für Finanzen bei Bedarf vornehmen.
- 5.4 Der Kongress setzt den Mitgliedsbeitrag fest. Die Einzahlung der jährlichen Beiträge hat bis spätestens 31. Dezember für das laufende Geschäftsjahr zu erfolgen.

6 Jahresabschluss

- 6.1 Im Jahresabschluss sind die Einnahmen und Ausgaben des Haushaltsjahres im Vergleich mit dem Haushaltsplan nachzuweisen und die Forderungen und Verbindlichkeiten anzuführen. Der Jahresabschluss hat außerdem eine Vermögensübersicht zu enthalten. Der Jahresabschluss ist den NFs spätestens vier Wochen vor dem Kongress zuzusenden.
- 6.2 Nach Prüfung durch die Revisionskommission erstattet der Vizepräsident für Finanzen der Exekutive über das Ergebnis Bericht. Die Revisionskommission beantragt auf der Grundlage des Jahresabschlusses die Entlastung der Exekutive durch den Kongress.

7 Kassenverwaltung

- 7.1 Der Zahlungsverkehr ist ausschließlich über die Konten der FIL - weitgehendst bargeldlos - abzuwickeln. Die Verfügungsberechtigung über die Konten erteilt das Präsidium.
- 7.2 Die Zahlungen erfolgen auf Grundlage des genehmigten Haushaltsplanes sowie auf Beschluss der Exekutive, in laufenden Geschäften der FIL auf Beschluss des Präsidiums.
- 7.3 Alle Rechnungen im Gegenwert von mehr als € 5.000,-- sind vor der Zahlungsanweisung von zwei Mitgliedern des Präsidiums (wobei ein Mitglied der Vizepräsident für Finanzen sein soll) auf ihre sachliche und rechnerische Richtigkeit zu überprüfen. Schriftstücke in Finanzangelegenheiten, durch die vermögenswerte Dispositionen im Wert bis zu € 10.000,-- getätigt werden, sind von einem stimmberechtigten Mitglied des Präsidiums zu unterzeichnen. Der Exekutivdirektor kann durch Beschluss der stimmberechtigten Mitglieder des Präsidiums ermächtigt werden, in Finanzangelegenheiten bis zum Wert von € 10.000,-- einzeln zu zeichnen. Ab einem Wert von mehr als € 10.000,-- müssen Schriftstücke in Finanzangelegenheiten, insbesondere im Bankverkehr, vom Vize-Präsidenten für Finanzen und einem weiteren Präsidiumsmitglied (einschließlich des Exekutivdirektors) unterzeichnet werden. Ist der Vize-Präsident für Finanzen verhindert, so wird er durch ein anderes Präsidiumsmitglied (einschließlich des Exekutivdirektors) vertreten. In diesem Fall ist die Genehmigung des Vize-Präsidenten für Finanzen umgehend per Telefon, Fax oder E-Mail einzuholen. Rechtsgeschäfte zwischen einem Mitglied oder mehreren Mitgliedern des Präsidiums und der FIL bedürfen der Zustimmung eines anderen stimmberechtigten Präsidiumsmitgliedes.

8 Tagungen und Reisen

- 8.1 Sitzungen, Tagungen, Teilnahme an Veranstaltungen usw. werden im Rahmen der im Haushaltsplan hierfür vorgesehenen Mittel veranlasst.
- 8.2 Die Erstattung der Reise- und Aufenthaltskosten erfolgt nach der jeweils gültigen Reisekostenordnung.
- 8.3 Dienstreisen sind grundsätzlich durch den Präsidenten der FIL genehmigungspflichtig. Dies gilt nicht für Reisen, die der Kongress beschlossen hat.

9 Kontrolle

Sie wird durch die Revisionskommission gemäß Kapitel 4.8 der Statuten wahrgenommen.

10 Schlussbestimmungen

- 10.1 Über alle Finanz- und Kassenfragen, die in dieser Finanzordnung nicht geregelt sind, entscheidet die Exekutive auf Vorschlag des Vizepräsidenten für Finanzen.
- 10.2 Diese Finanzordnung tritt mit Annahme durch den 70. FIL-Kongress am 18.06.2022 in Kraft.

EHRENORDNUNG

des Internationalen Rodelverbandes (FIL)

1 Ehrenzeichen der FIL

1.1 Verleihung

1.1.1 An Funktionäre der FIL, die mindestens zwei Wahlperioden ihre Funktion ausgeübt haben.

1.1.2 An verdienstvolle Funktionäre der NFs, Sponsoren, Förderer.

1.2 Vorschlagsrecht

1.2.1 NFs

1.2.2 Mitglieder der Exekutive der FIL

1.3 Bestätigung

1.3.1 Durch die Exekutive

1.3.2 In dringenden Fällen durch den Präsidenten

1.3.3 Durch den Kongress (bei Diamant)

1.4 Richtlinien für Anträge bei Funktionären der FIL bzw. der NFs

1.4.1 Bronze 10 Jahre Mitarbeit / Verdienste national oder international

1.4.2 Silber 15 Jahre Mitarbeit / Verdienste national oder international

1.4.3 Gold 20 Jahre Mitarbeit / Verdienste international

1.4.4 Diamant Über 20 Jahre internationale Mitarbeit oder bei besonderen Verdiensten für die FIL und bereits Träger des Goldenen Ehrenzeichens der FIL

1.5 Übergabe von Ehrenzeichen und Diplom

1.5.1 Bei den Kongressen bzw. Exekutivsitzungen

1.5.2 Beim Abschluss von FIL-Wettbewerben

1.5.3 Bei Festveranstaltungen der FIL bzw. der NFs

1.6 Diplom (Urkunde)

Es muss beinhalten:

- Den Familien- und Vornamen des Empfängers
- Ort und Datum der Bestätigung
- Grad der Auszeichnung (Bronze, Silber, Gold, Diamant)
- Die Unterschrift des Präsidenten
- Stempel der FIL

1.7 Registrierung

Diese ist durch das FIL-Büro durchzuführen und laufend zu ergänzen, wobei in der Liste angeführt sein muss:

- Der volle Name des Ausgezeichneten
- Der Grad der Auszeichnung
- Die zuständige NF
- Jahr der Verleihung

1.8 Aberkennung der Auszeichnung

Diese erfolgt über Antrag durch Kongressbeschluss

2 Ehrenmitgliedschaft

2.1 Titel

2.1.1 Ehrenmitglied

- An langjährige verdienstvolle FIL-Funktionäre nach Beendigung der aktiven Mitarbeit
- An Sponsoren und Förderer
- Posthume Verleihung

~~2.1.2 Ehrenvizepräsident~~

- ~~• An Vizepräsidenten, die diese Funktion mindesten drei Wahlperioden ausübten, nach Beendigung ihrer aktiven Mitarbeit.~~
- ~~• Posthume Verleihung~~

2.1.3 Ehrenpräsident

- An Präsidenten, die diese Funktion mindestens drei Wahlperioden ausübten, nach Beendigung ihrer aktiven Mitarbeit.
- Posthume Verleihung

2.2 Vorschlagsrecht

2.2.1 Die Exekutive

2.2.2 Die NFs

2.3 Bestätigung

Durch den Kongress

2.4 Ernennung

Die Ernennung erfolgt zu Beginn des Kongresses und zwar durch Übergabe von Diplom und Ehrenmedaille.

2.5 Das Diplom hat zu enthalten

2.5.1 Den Familien- und Vornamen des Ausgezeichneten

2.5.2 Ort und Datum des Kongressbeschlusses

2.5.3 Den Titel der Ernennung

2.5.4 Die Unterschrift des Präsidenten

2.5.5 Den Stempel der FIL

2.6 Ehrenmedaille der FIL

Wird verliehen an verdiente Persönlichkeiten außerhalb der FIL-Organisation, auf Vorschlag der Exekutive.

2.7 Registrierung

2.7.1 Alle mit einer Ehrenmitgliedschaft der FIL ausgezeichneten Personen sind in einer Liste zu erfassen, in welcher der volle Name, der verliehene Titel, das Jahr der Verleihung und die zuständige NF einzutragen sind.

2.7.2 Diese Liste ist vom FIL-Büro zu führen.

2.7.3 Die Liste der Personen, die eine Ehrenmitgliedschaft besitzen, soll bei besonderen FIL-Veröffentlichungen (Sonderbulletins, Magazinen etc.) Berücksichtigung finden.

2.7.4 Im Adressenverzeichnis der FIL sind die Namen und die Wohnadressen der Ehrenmitglieder anzuführen.

2.8 Privilegien von Ehrenmitgliedern

2.8.1 Zusendung von FIL-Informationsschriften

2.8.2 Freier Zutritt und bevorzugte Behandlung bei allen FIL-Veranstaltungen

2.8.3 Einladung zu besonderen FIL-Veranstaltungen oder zum Kongress

2.8.4 Einladung des Ehrenpräsidenten zum Kongress und zu besonderen FIL-Veranstaltungen

2.9 Aberkennung

Die Ehrenmitgliedschaft kann bei vorliegenden Gründen über Antrag mit Kongressbeschluss aberkannt werden.

3 Schlussbestimmungen

Die FIL-Ehrenordnung tritt mit Annahme durch den **71. FIL-Kongress** am **17.06.2023** in Kraft.



**FIL
ANTI-DOPING RULES
(FADC)**

**Adopted on 20 November 2020
Takes effect on 1 January 2021**

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FIL ANTI-DOPING RULES

INTRODUCTION

Preface

These Anti-Doping Rules are adopted and implemented in accordance with FIL's responsibilities under the *Code*, and in furtherance of FIL's continuing efforts to eradicate doping in sport.

These Anti-Doping Rules are sport rules governing the conditions under which sport is played. Aimed at enforcing anti-doping rules in a global and harmonized manner, they are distinct in nature from criminal and civil laws. They are not intended to be subject to or limited by any national requirements and legal standards applicable to criminal or civil proceedings, although they are intended to be applied in a manner which respects the principles of proportionality and human rights. When reviewing the facts and the law of a given case, all courts, arbitral tribunals and other adjudicating bodies should be aware of and respect the distinct nature of these Anti-Doping Rules, which implement the *Code*, and the fact that these rules represent the consensus of a broad spectrum of stakeholders around the world as to what is necessary to protect and ensure fair sport.

As provided in the *Code*, FIL shall be responsible for conducting all aspects of *Doping Control*. Any aspect of *Doping Control* or anti-doping *Education* may be delegated by FIL to a *Delegated Third Party*, such as the International Testing Agency (ITA), however, FIL shall require the *Delegated Third Party* to perform such aspects in compliance with the *Code*, *International Standards*, and these Anti-Doping Rules. FIL may delegate its adjudication responsibilities and the *Results Management* to the CAS Anti-Doping Division.

When FIL has delegated its responsibilities to implement part or all of *Doping Control* to the ITA or to other *Delegated Third Party*, any reference to FIL in these *Rules* should be intended as a reference to the ITA or to the other *Delegated Third Party*, where applicable and within the context of the aforementioned delegation. FIL shall always remain fully responsible for ensuring that any delegated aspects are performed in compliance with the *Code*.

Terms used in these Anti-Doping Rules that are defined terms from the *Code* and Appendix 1 are italicized.

Unless otherwise specified, references to Articles are references to Articles of these Anti-Doping Rules.

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

Anti-doping programs are founded on the intrinsic value of sport. This intrinsic value is often referred to as "the spirit of sport": the ethical pursuit of human excellence through the dedicated perfection of each *Athlete's* natural talents.

Anti-doping programs seek to protect the health of *Athletes* and to provide the opportunity for *Athletes* to pursue human excellence without the *Use of Prohibited Substances* and *Prohibited Methods*.

Anti-doping programs seek to maintain the integrity of sport in terms of respect for rules, other competitors, fair competition, a level playing field, and the value of clean sport to the world.

The spirit of sport is the celebration of the human spirit, body and mind. It is the essence of Olympism and is reflected in the values we find in and through sport, including:

- Health
- Ethics, fair play and honesty
- *Athletes'* rights as set forth in the *Code*
- Excellence in performance

- Character and *Education*
- Fun and joy
- Teamwork
- Dedication and commitment
- Respect for rules and laws
- Respect for self and other *Participants*
- Courage
- Community and solidarity

The spirit of sport is expressed in how we play true.

Doping is fundamentally contrary to the spirit of sport.

Scope of these Anti-Doping Rules

These Anti-Doping Rules shall apply to:

- (a) FIL, including its board members, directors, officers and specified employees, and *Delegated Third Parties* and their employees, who are involved in any aspect of *Doping Control*;
- (b) each of its *National Federations*, including their board members, directors, officers and specified employees, and *Delegated Third Parties* and their employees, who are involved in any aspect of *Doping Control*;
- (c) the following *Athletes*, *Athlete Support Personnel* and other *Persons*:
 - (i) all *Athletes* and *Athlete Support Personnel* who are members of FIL, or of any *National Federation*, or of any member or affiliate organization of any *National Federation* (including any clubs, teams, associations, or leagues);
 - (ii) all *Athletes* and *Athlete Support Personnel* who participate in such capacity in *Events*, *Competitions* and other activities organized, convened, authorized or recognized by FIL, or any *National Federation*, or by any member or affiliate organization of any *National Federation* (including any clubs, teams, associations, or leagues), wherever held;
 - (iii) any other *Athlete* or *Athlete Support Personnel* or other *Person* who, by virtue of an accreditation, a license or other contractual arrangement, or otherwise, is subject to the authority of FIL, or of any *National Federation*, or of any member or affiliate organization of any *National Federation* (including any clubs, teams, associations, or leagues), for purposes of anti-doping; and
 - (iv) *Athletes* who are not regular members of FIL or of one of its *National Federations* but who want to be eligible to compete in a particular *International Event*.

Each of the abovementioned *Persons* is deemed, as a condition of his or her participation or involvement in the sport, to have agreed to and be bound by these Anti-Doping Rules, and to have submitted to the authority of FIL to enforce these Anti-Doping Rules, including any *Consequences* for the breach thereof, and to the jurisdiction of the hearing panels specified in Article 8 and Article 13 to hear and determine cases and appeals brought under these Anti-Doping Rules.¹

¹ [Comment: Where the Code requires a Person other than an Athlete or Athlete Support Person to be bound by the Code, such Person would of course not be subject to Sample collection or Testing, and would not be subject to an anti-doping rule violation under the Code for Use or Possession of a Prohibited Substance or Prohibited Method. Rather, such Person would only be subject to discipline for a violation of Code Articles 2.5 (Tampering), 2.7 (Trafficking), 2.8 (Administration), 2.9 (Complicity), 2.10 (Prohibited Association) and 2.11 (Retaliation). Furthermore, such Person would be subject to the additional roles and responsibilities according to Code Article 21.3. Also, the obligation to require an employee to be bound by the Code is subject to applicable law.

Within the overall pool of *Athletes* set out above who are bound by and required to comply with these Anti-Doping Rules, the following *Athletes* shall be considered to be *International-Level Athletes* for the purposes of these Anti-Doping Rules, and, therefore, the specific provisions in these Anti-Doping Rules applicable to *International-Level Athletes* (e.g., *Testing*, *TUEs*, whereabouts, and *Results Management*) shall apply to such *Athletes*:

- (a) *Athletes* who compete in any of the following *International Events*: any event under the jurisdiction of FIL, particularly *World Championships*, *Continental Championships*, *World and Continental Cups*, others from Congress or from Executive Board approved competitions;
- (b) *Athletes* included in FIL's *Registered Testing Pool* and *Testing Pool*, if any.

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 Anti-Doping 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. Hearings in doping cases will proceed based on the assertion that one or more of these specific rules have been violated.

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

The following constitute anti-doping rule violations:

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

2.1.1 It is 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

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 analyzed; or, where the *Athlete's* B *Sample* is analyzed and the analysis of the *Athlete's* B *Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Athlete's* A *Sample*; or where the *Athlete's* A or B *Sample* is split into two (2) parts and the analysis of the confirmation part of the split *Sample* confirms the presence of the

FIL shall ensure that, as per Article 19 of these Anti-Doping Rules, any arrangements with their board members, directors, officers, and specified employees, as well as with the Delegated Third Parties and their employees – either employment, contractual or otherwise – have explicit provisions incorporated according to which such *Persons* are bound by, agree to comply with these Anti-Doping Rules, and agree on the FIL's authority to solve the anti-doping cases.]

² [Comment to Article 2.1.1: An anti-doping rule violation is committed under this Article without regard to an *Athlete's Fault*. This rule has been referred to in various CAS decisions as "Strict Liability". An *Athlete's Fault* is taken into consideration in determining the Consequences of this anti-doping rule violation under Article 10. This principle has consistently been upheld by CAS.]

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*.³

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 Method⁴

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.⁵

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 authorized *Person*.⁶

³ [Comment to Article 2.1.2: The Anti-Doping Organization with Results Management responsibility may, at its discretion, choose to have the B Sample analyzed even if the Athlete does not request the analysis of the B Sample.]

⁴ [Comment to Article 2.2: It has always been the case that Use or Attempted Use of a Prohibited Substance or Prohibited Method may be established by any reliable means. As noted in the Comment to Article 3.2, unlike the proof required to establish an anti-doping rule violation under Article 2.1, Use or Attempted Use may also be established by other reliable means such as admissions by the Athlete, witness statements, documentary evidence, conclusions drawn from longitudinal profiling, including data collected as part of the Athlete Biological Passport, or other analytical information which does not otherwise satisfy all the requirements to establish "Presence" of a Prohibited Substance under Article 2.1.

For example, Use may be established based upon reliable analytical data from the analysis of an A Sample (without confirmation from an analysis of a B Sample) or from the analysis of a B Sample alone where the Anti-Doping Organization provides a satisfactory explanation for the lack of confirmation in the other Sample.]

⁵ [Comment to Article 2.2.2: Demonstrating the "Attempted Use" of a Prohibited Substance or a Prohibited Method requires proof of intent on the Athlete's part. The fact that intent may be required to prove this particular anti-doping rule violation does not undermine the Strict Liability principle established for violations of Article 2.1 and violations of Article 2.2 in respect of Use of a Prohibited Substance or Prohibited Method.

An Athlete's Use of a Prohibited Substance constitutes an anti-doping rule violation unless such substance is not prohibited Out-of-Competition and the Athlete's Use takes place Out-of-Competition. (However, the presence of a Prohibited Substance or its Metabolites or Markers in a Sample collected In-Competition is a violation of Article 2.1 regardless of when that substance might have been administered.)]

⁶ [Comment to Article 2.3: **Fehler! Nur Hauptdokument**For example, it would be an anti-doping rule violation of "evading Sample collection" if it were established that an Athlete was deliberately avoiding a Doping Control official to evade notification or Testing.

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 (12) month 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 Person

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

2.6.2 *Possession by an Athlete Support Person In-Competition of any Prohibited Substance or any Prohibited Method, or Possession by an Athlete Support Person Out-of-Competition of any Prohibited Substance or any Prohibited Method which is prohibited Out-of-Competition in connection with an Athlete, Competition or training, unless the Athlete Support Person establishes that the Possession is consistent with a TUE granted to an Athlete in accordance with Article 4.4 or other acceptable justification.⁷*

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 by another *Person*.⁸

2.10 Prohibited Association by an Athlete or Other Person

A violation of "failing to submit to Sample collection" may be based on either intentional or negligent conduct of the Athlete, while "evading" or "refusing" Sample collection contemplates intentional conduct by the Athlete.]

⁷ *[Comment to Articles 2.6.1 and 2.6.2: Acceptable justification would not include, for example, buying or Possessing a Prohibited Substance for purposes of giving it to a friend or relative, except under justifiable medical circumstances where that Person had a physician's prescription, e.g., buying Insulin for a diabetic child.]*

[Comment to Article 2.6.1 and 2.6.2: Acceptable justification may include, for example, (a) an Athlete or a team doctor carrying Prohibited Substances or Prohibited Methods for dealing with acute and emergency situations (e.g., an epinephrine auto-injector), or (b) an Athlete Possessing a Prohibited Substance or Prohibited Method for therapeutic reasons shortly prior to applying for and receiving a determination on a TUE.]

⁸ *[Comment to Article 2.9: Complicity or Attempted Complicity may include either physical or psychological assistance.]*

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

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

2.10.1.2 If not subject to the authority of an *Anti-Doping Organization* and where *Ineligibility* has not been addressed in a *Results Management* process pursuant to the *Code*, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of anti-doping rules if *Code-compliant* rules had been applicable to such *Person*. The disqualifying status of such *Person* shall be in force for the longer of six (6) 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, an *Anti-Doping Organization* must establish that the *Athlete* or other *Person* knew of the *Athlete Support Person's* disqualifying status.

The burden shall be on the *Athlete* or other *Person* to establish that any association with an *Athlete Support Person* 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.

Anti-Doping Organizations that are aware of *Athlete Support Personnel* who meet the criteria described in Article 2.10.1.1, 2.10.1.2, or 2.10.1.3 shall submit that information to WADA.⁹

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:

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 Organization*, law enforcement, regulatory or

⁹ [Comment to Article 2.10: *Athletes* and other *Persons* must not work with coaches, trainers, physicians or other *Athlete Support Personnel* who are *Ineligible* on account of an anti-doping rule violation or who have been criminally convicted or professionally disciplined in relation to doping. This also prohibits association with any other *Athlete* who is acting as a coach or *Athlete Support Person* while serving a period of *Ineligibility*. Some examples of the types of association which are prohibited include: obtaining training, strategy, technique, nutrition or medical advice; obtaining therapy, treatment or prescriptions; providing any bodily products for analysis; or allowing the *Athlete Support Person* to serve as an agent or representative. Prohibited association need not involve any form of compensation.

*While Article 2.10 does not require the *Anti-Doping Organization* to notify the *Athlete* or other *Person* about the *Athlete Support Person's* disqualifying status, such notice, if provided, would be important evidence to establish that the *Athlete* or other *Person* knew about the disqualifying status of the *Athlete Support Person*.]*

professional disciplinary body, hearing body or *Person* conducting an investigation for WADA or an *Anti-Doping Organization*.

- 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 Organization*, law enforcement, regulatory or professional disciplinary body, hearing body or *Person* conducting an investigation for WADA or an *Anti-Doping Organization*.

For purposes of Article 2.11, 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.¹⁰

ARTICLE 3 PROOF OF DOPING

3.1 Burdens and Standards of Proof

FIL shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether FIL has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these Anti-Doping 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, the standard of proof shall be by a balance of probability.¹¹

3.2 Methods of Establishing Facts and Presumptions

Facts related to anti-doping rule violations may be established by any reliable means, including admissions.¹² The following rules of proof shall be applicable in doping cases:

- 3.2.1** Analytical methods or *Decision Limits* approved by WADA after consultation within the relevant scientific community 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 initial hearing body, appellate body or CAS, 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

¹⁰ [Comment to Article 2.11.2: This Article is intended to protect Persons who make good faith reports, and does not protect Persons who knowingly make false reports.]

[Comment to Article 2.11.2: Retaliation would include, for example, actions that threaten the physical or mental well-being or economic interests of the reporting Persons, their families or associates. Retaliation would not include an Anti-Doping Organization asserting in good faith an anti-doping rule violation against the reporting Person. For purposes of Article 2.11, a report is not made in good faith where the Person making the report knows the report to be false.]

¹¹ [Comment to Article 3.1: This standard of proof required to be met by FIL is comparable to the standard which is applied in most countries to cases involving professional misconduct.]

¹² [Comment to Article 3.2: For example, FIL may establish an anti-doping rule violation under Article 2.2 based on the *Athlete's* admissions, the credible testimony of third Persons, reliable documentary evidence, reliable analytical data from either an A or B Sample as provided in the Comments to Article 2.2, or conclusions drawn from the profile of a series of the *Athlete's* blood or urine Samples, such as data from the *Athlete Biological Passport*.]

challenge, WADA shall also have the right to intervene as a party, appear as amicus curiae or otherwise provide evidence in such proceeding. In cases before CAS, at WADA's request, the CAS panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge.¹³

- 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 FIL shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.¹⁴

- 3.2.3** Departures from any other *International Standard* or other anti-doping rule or policy set forth in the *Code* or these Anti-Doping Rules shall not invalidate analytical results or other evidence of an anti-doping rule violation, and shall not constitute a defense to an anti-doping rule violation;¹⁵ 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 FIL shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding* or the whereabouts failure:

- (i) 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 FIL shall have the

¹³ [Comment to Article 3.2.1: For certain Prohibited Substances, WADA may instruct WADA-accredited laboratories not to report Samples as an Adverse Analytical Finding if the estimated concentration of the Prohibited Substance or its Metabolites or Markers is below a Minimum Reporting Level. WADA's decision in determining that Minimum Reporting Level or in determining which Prohibited Substances should be subject to Minimum Reporting Levels shall not be subject to challenge. Further, the laboratory's estimated concentration of such Prohibited Substance in a Sample may only be an estimate. In no event shall the possibility that the exact concentration of the Prohibited Substance in the Sample may be below the Minimum Reporting Level constitute a defense to an anti-doping rule violation based on the presence of that Prohibited Substance in the Sample.]

¹⁴ [Comment to Article 3.2.2: **Fehler! Nur Hauptdokument** The burden is on the Athlete or other Person to establish, by a balance of probability, a departure from the International Standard for Laboratories that could reasonably have caused the Adverse Analytical Finding. Thus, once the Athlete or other Person establishes the departure by a balance of probability, the Athlete or other Person's burden on causation is the somewhat lower standard of proof – "could reasonably have caused." If the Athlete or other Person satisfies these standards, the burden shifts to FIL to prove to the comfortable satisfaction of the hearing panel that the departure did not cause the Adverse Analytical Finding.]

¹⁵ [Comment to Article 3.2.3: Departures from an International Standard or other rule unrelated to Sample collection or handling, Adverse Passport Finding, or Athlete notification relating to whereabouts failure or B Sample opening – e.g., the International Standard for Education, International Standard for the Protection of Privacy and Personal Information or International Standard for Therapeutic Use Exemptions (TUEs) – may result in compliance proceedings by WADA but are not a defense in an anti-doping rule violation proceeding and are not relevant on the issue of whether the Athlete committed an anti-doping rule violation. Similarly, FIL's violation of the document referenced in Article 20.7.7 of the Code shall not constitute a defense to an anti-doping rule violation.]

burden to establish that such departure did not cause the *Adverse Analytical Finding*;

- (ii) a departure from the *International Standard for Results Management* or *International Standard for Testing and Investigations* related to an *Adverse Passport Finding* which could reasonably have caused an anti-doping rule violation, in which case FIL shall have the burden to establish that such departure did not cause the anti-doping rule violation;
- (iii) 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 FIL shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*;¹⁶
- (iv) 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 FIL 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 may draw an inference adverse to the *Athlete* or other *Person* who is asserted to have committed an anti-doping rule violation based on the *Athlete's* or other *Person's* refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the hearing panel) and to answer questions from the hearing panel or FIL.

ARTICLE 4 THE PROHIBITED LIST

4.1 Incorporation of the *Prohibited List*

These Anti-Doping Rules incorporate the *Prohibited List*, which is published and revised by WADA as described in Article 4.1 of the *Code*.

Unless provided otherwise in the *Prohibited List* or a revision, the *Prohibited List* and revisions shall go into effect under these Anti-Doping Rules three (3) months after publication by WADA, without requiring any further action by FIL or its *National Federations*. 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 familiarize themselves with the most up-to-date version of the *Prohibited List* and all revisions thereto.

¹⁶ [Comment to Article 3.2.3 (iii): FIL would meet its burden to establish that such departure did not cause the *Adverse Analytical Finding* by showing that, for example, the B *Sample* opening and analysis were observed by an independent witness and no irregularities were observed.]

FIL shall provide its *National Federations* with the most recent version of the *Prohibited List*. Each *National Federation* shall in turn ensure that its members, and the constituents of its members, are also provided with the most recent version of the *Prohibited List*.¹⁷

4.2 Prohibited Substances and Prohibited Methods Identified on the Prohibited List

4.2.1 Prohibited Substances and Prohibited Methods

The *Prohibited List* shall identify those *Prohibited Substances* and *Prohibited Methods* which are prohibited as doping at all times (both *In-Competition* and *Out-of-Competition*) because of their potential to enhance performance in future *Competitions* or their masking potential, and those substances and methods which are prohibited *In-Competition* only. The *Prohibited List* may be expanded by WADA for a particular sport. *Prohibited Substances* and *Prohibited Methods* may be included in the *Prohibited List* by general category (e.g., anabolic agents) or by specific reference to a particular substance or method.¹⁸

4.2.2 Specified Substances or Specified Methods

For purposes of the application of Article 10, 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*.¹⁹

4.2.3 Substances of Abuse

For purposes of applying Article 10, *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 ("TUEs")

¹⁷ [Comment to Article 4.1: The current *Prohibited List* is available on WADA's website at <https://www.wada-ama.org>. The *Prohibited List* will be revised and published on an expedited basis whenever the need arises. However, for the sake of predictability, a new *Prohibited List* will be published every year whether or not changes have been made.]

¹⁸ [Comment to Article 4.2.1: *Out-of-Competition Use* of a substance which is only prohibited *In-Competition* is not an anti-doping rule violation unless an *Adverse Analytical Finding* for the substance or its *Metabolites* or *Markers* is reported for a *Sample* collected *In-Competition*.]

¹⁹ [Comment to Article 4.2.2: The *Specified Substances* and *Methods* identified in Article 4.2.2 should not in any way be considered less important or less dangerous than other doping substances or methods. Rather, they are simply substances and methods which are more likely to have been consumed or used by an *Athlete* for a purpose other than the enhancement of sport performance.]

- 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** *TUE Applications*
- 4.4.2.1** *Athletes* who are not *International-Level Athletes* shall apply to their *National Anti-Doping Organization* for a *TUE*. If the *National Anti-Doping Organization* denies the application, the *Athlete* may appeal exclusively to the appellate body described in Article 13.2.2.
- 4.4.2.2** *Athletes* who are *International-Level Athletes* shall apply to FIL.
- 4.4.3** *TUE Recognition*²⁰
- 4.4.3.1** Where the *Athlete* already has a *TUE* granted by their *National Anti-Doping Organization* pursuant to Article 4.4 of the *Code* for the substance or method in question and provided that such *TUE* has been reported in accordance with Article 5.5 of the *International Standard for Therapeutic Use Exemptions*, FIL will automatically recognize it for purposes of international-level *Competition* without the need to review the relevant clinical information.
- 4.4.3.2** If FIL chooses to test an *Athlete* who is not an *International-Level Athlete*, FIL must recognize a *TUE* granted to that *Athlete* by their *National Anti-Doping Organization* unless the *Athlete* is required to apply for recognition of the *TUE* pursuant to Articles 5.8 and 7.0 of the *International Standard for Therapeutic Use Exemptions*.
- 4.4.4** *TUE Application Process* ²¹
- 4.4.4.1** If the *Athlete* does not already have a *TUE* granted by their *National Anti-Doping Organization* for the substance or method in question, the *Athlete* must apply directly to FIL.
- 4.4.4.2** An application to FIL for grant or recognition of a *TUE* must be made as soon as possible, save where Articles 4.1 or 4.3 of the *International Standard for Therapeutic Use Exemptions* apply. The application shall

²⁰ [Comment to Article 4.4.3: If FIL refuses to recognize a *TUE* granted by a *National Anti-Doping Organization* only because medical records or other information are missing that are needed to demonstrate satisfaction with the criteria in the *International Standard for Therapeutic Use Exemptions*, the matter should not be referred to WADA. Instead, the file should be completed and re-submitted to FIL.]

[Comment to Article 4.4.3: FIL may agree with a *National Anti-Doping Organization* that the *National Anti-Doping Organization* will consider *TUE* applications on behalf of FIL.]

²¹ [Comment to Article 4.4.4: The submission of falsified documents to a *TUEC* or FIL, offering or accepting a bribe to a *Person* to perform or fail to perform an act, procuring false testimony from any witness, or committing any other fraudulent act or any other similar intentional interference or *Attempted interference* with any aspect of the *TUE* process shall result in a charge of *Tampering* or *Attempted Tampering* under Article 2.5.

An *Athlete* should not assume that their application for the grant or recognition of a *TUE* (or for renewal of a *TUE*) will be granted. Any *Use* or *Possession* or *Administration* of a *Prohibited Substance* or *Prohibited Method* before an application has been granted is entirely at the *Athlete's* own risk.]

be made in accordance with Article 6 of the *International Standard for Therapeutic Use Exemptions* as posted on FIL's website.

4.4.4.3 FIL shall establish a *Therapeutic Use Exemption* Committee ("TUEC") to consider applications for the grant or recognition of *TUEs*. in accordance with Article 4.4.4.3(a)-(d) below:

- (a) The TUEC shall consist of a minimum of five (5) members with experience in the care and treatment of Athletes and sound knowledge of clinical, sports and exercise medicine. Each appointed member should serve a term of four (4) years which is renewable.
- (b) Before serving as a member of the TUEC, each member must sign a conflict of interest and confidentiality declaration. The appointed members shall not be employees of FIL.
- (c) When an application to FIL for the grant or recognition of a *TUE* is made, the Chair of the TUEC or the FIL shall appoint three (3) members (which may include the Chair) to consider the application.
- (d) Before considering a *TUE* application, each member shall disclose any circumstances likely to affect their impartiality with respect to the Athlete making the application. If a member is unwilling or unable to assess the Athlete's *TUE* application, for any reason, the Chair or the FIL may appoint a replacement from the pool of members appointed under point (a) above. The Chair cannot serve as a member of the TUEC if there are any circumstances which are likely to affect the impartiality of the *TUE* decision.

4.4.4.4 The TUEC shall promptly evaluate and decide upon the application in accordance with the relevant provisions of the *International Standard for Therapeutic Use Exemptions* and usually (i.e., unless exceptional circumstances apply) within no more than twenty-one (21) days of receipt of a complete application. Where the application is made in a reasonable time prior to an *Event*, the TUEC must use its best endeavors to issue its decision before the start of the *Event*.

4.4.4.5 The TUEC decision shall be the final decision of FIL and may be appealed in accordance with Article 4.4.7. FIL TUEC decision shall be notified in writing to the *Athlete*, and to WADA and other *Anti-Doping Organizations* in accordance with the *International Standard for Therapeutic Use Exemptions*. It shall also promptly be reported into ADAMS.

4.4.4.6 If FIL (or the *National Anti-Doping Organization*, where it has agreed to consider the application on behalf of FIL) denies the *Athlete's* application, it must notify the *Athlete* promptly, with reasons. If FIL grants the *Athlete's* application, it must notify not only the *Athlete* but also their *National Anti-Doping Organization*. If the *National Anti-Doping Organization* considers that the *TUE* granted by FIL does not meet the criteria set out in the *International Standard for Therapeutic Use Exemptions*, it has twenty-one (21) days from such notification to refer the matter to WADA for review in accordance with Article 4.4.7.

If the *National Anti-Doping Organization* refers the matter to WADA for review, the *TUE* granted by FIL remains valid for international-level *Competition* and *Out-of-Competition Testing* (but is not valid for national-level *Competition*) pending WADA's decision. If the *National Anti-Doping Organization* does not refer the matter to WADA for review, the *TUE* granted by FIL becomes valid for national-level *Competition* as well when the twenty-one (21) day review deadline expires.

4.4.5 Retroactive *TUE* Applications

If FIL chooses to collect a *Sample* from an *Athlete* who is not an *International-Level Athlete* or a *National-Level Athlete*, and that *Athlete* is *Using a Prohibited Substance* or *Prohibited Method* for therapeutic reasons, FIL must permit that *Athlete* to apply for a retroactive *TUE*.

4.4.6 Expiration, Withdrawal or Reversal of a *TUE*

4.4.6.1 A *TUE* granted pursuant to these Anti-Doping Rules: (a) shall expire automatically at the end of any term for which it was granted, without the need for any further notice or other formality; (b) will be withdrawn if the *Athlete* does not promptly comply with any requirements or conditions imposed by the TUEC upon grant of the *TUE*; (c) may be withdrawn by the TUEC if it is subsequently determined that the criteria for grant of a *TUE* are not in fact met; or (d) may be reversed on review by WADA or on appeal.

4.4.6.2 In such event, the *Athlete* shall not be subject to any *Consequences* based on their *Use* or *Possession* or *Administration* of the *Prohibited Substance* or *Prohibited Method* in question in accordance with the *TUE* prior to the effective date of expiry, withdrawal, or reversal of the *TUE*. The review pursuant to Article 5.1.1.1 of the *International Standard for Results Management* of an *Adverse Analytical Finding*, reported shortly after the *TUE* expiry, withdrawal or reversal, shall include consideration of whether such finding is consistent with *Use* of the *Prohibited Substance* or *Prohibited Method* prior to that date, in which event no anti-doping rule violation shall be asserted.

4.4.7 Reviews and Appeals of *TUE* Decisions

4.4.7.1 WADA must review FIL's decision not to recognize a *TUE* granted by the *National Anti-Doping Organization* that is referred to WADA by the *Athlete* or the *Athlete's National Anti-Doping Organization*. In addition, WADA must review FIL's decision to grant a *TUE* that is referred to WADA by the *Athlete's National Anti-Doping Organization*. WADA may review any other *TUE* decisions 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.²²

²² [Comment to Article 4.4.7.1: WADA shall be entitled to charge a fee to cover the costs of: (a) any review it is required to conduct in accordance with Article 4.4.7; and (b) any review it chooses to conduct, where the decision being reviewed is reversed.]

- 4.4.7.2** Any *TUE* decision by FIL (or by a *National Anti-Doping Organization* where it has agreed to consider the application on behalf of FIL) that is not reviewed by WADA, or that is reviewed by WADA but is not reversed upon review, may be appealed by the *Athlete* and/or the *Athlete's National Anti-Doping Organization*, exclusively to CAS.²³
- 4.4.7.3** A decision by WADA to reverse a *TUE* decision may be appealed by the *Athlete*, the *National Anti-Doping Organization* and/or FIL, exclusively to CAS.
- 4.4.7.4** A failure to render a decision within a reasonable time on a properly submitted application for grant/recognition of a *TUE* or for review of a *TUE* decision shall be considered a denial of the application thus triggering the applicable rights of review/appeal.

ARTICLE 5 TESTING AND INVESTIGATIONS

5.1 Purpose of Testing and Investigations²⁴

- 5.1.1** *Testing* and investigations may be undertaken for any anti-doping purpose. They shall be conducted in conformity with the provisions of the *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*).

5.2 Authority to Test

- 5.2.1** Subject to the limitations for *Event Testing* set out in Article 5.3, FIL shall have *In-Competition* and *Out-of-Competition Testing* authority over all *Athletes* specified in the Introduction to these Anti-Doping Rules (Section "Scope of these Anti-Doping Rules").
- 5.2.2** FIL may require any *Athlete* over whom it has *Testing* authority (including any *Athlete* serving a period of *Ineligibility*) to provide a *Sample* at any time and at any place.²⁵
- 5.2.3** WADA shall have *In-Competition* and *Out-of-Competition Testing* authority as set out in Article 20.7.10 of the *Code*.

²³ [Comment to Article 4.4.7.2: In such cases, the decision being appealed is the FIL's *TUE* decision, not WADA's decision not to review the *TUE* decision or (having reviewed it) not to reverse the *TUE* decision. However, the time to appeal the *TUE* decision does not begin to run until the date that WADA communicates its decision. In any event, whether the decision has been reviewed by WADA or not, WADA shall be given notice of the appeal so that it may participate if it sees fit.]

²⁴ [Comment to Article 5.1: Where *Testing* is conducted for anti-doping purposes, the analytical results and data may be used for other legitimate purposes under the Anti-Doping Organization's rules. See, e.g., Comment to Article 23.2.2 of the *Code*.]

²⁵ [Comment to Article 5.2.2: FIL may obtain additional authority to conduct *Testing* by means of bilateral or multilateral agreements with other Signatories. Unless the *Athlete* has identified a sixty (60) minute *Testing* window between the hours of 11:00 p.m. and 6:00 a.m., or has otherwise consented to *Testing* during that period, FIL will not test an *Athlete* during that period unless it has a serious and specific suspicion that the *Athlete* may be engaged in doping. A challenge to whether FIL had sufficient suspicion for *Testing* during this time period shall not be a defense to an anti-doping rule violation based on such test or attempted test.]

- 5.2.4** If FIL delegates or contracts any part of *Testing* to a *National Anti-Doping Organization* directly or through a *National Federation*, that *National Anti-Doping Organization* may collect additional *Samples* or direct the laboratory to perform additional types of analysis at the *National Anti-Doping Organization's* expense. If additional *Samples* are collected or additional types of analysis are performed, FIL shall be notified.

5.3 Event Testing

- 5.3.1** Except as otherwise provided below, only a single organization shall have authority to conduct *Testing* at *Event Venues* during an *Event Period*. At *International Events*, FIL (or other international organization which is the ruling body for an *Event*) shall have authority to conduct *Testing*. At *National Events*, the *National Anti-Doping Organization* of that country shall have authority to conduct *Testing*. At the request of FIL (or other international organization which is the ruling body for an *Event*), any *Testing* during the *Event Period* outside of the *Event Venues* shall be coordinated with FIL (or the relevant ruling body of the *Event*).

- 5.3.2** If an *Anti-Doping Organization*, which would otherwise have *Testing* authority but is not responsible for initiating and directing *Testing* at an *Event*, desires to conduct *Testing* of *Athletes* at the *Event Venues* during the *Event Period*, the *Anti-Doping Organization* shall first confer with FIL (or other international organization which is the ruling body of the *Event*) to obtain permission to conduct and coordinate such *Testing*. If the *Anti-Doping Organization* is not satisfied with the response from FIL (or other international organization which is the ruling body of the *Event*), the *Anti-Doping Organization* may, in accordance with the procedures described in the *International Standard for Testing and Investigations*, ask WADA for permission to conduct *Testing* and to determine how to coordinate such *Testing*. WADA shall not grant approval for such *Testing* before consulting with and informing FIL (or other international organization which is the ruling body for the *Event*). WADA's decision shall be final and not subject to appeal. Unless otherwise provided in the authorization to conduct *Testing*, such tests shall be considered *Out-of-Competition* tests. *Results Management* for any such test shall be the responsibility of the *Anti-Doping Organization* initiating the test unless provided otherwise in the rules of the ruling body of the *Event*.²⁶

5.4 Testing Requirements

- 5.4.1** FIL shall conduct test distribution planning and *Testing* as required by the *International Standard for Testing and Investigations*.
- 5.4.2** Where reasonably feasible, *Testing* shall be coordinated through ADAMS in order to maximize the effectiveness of the combined *Testing* effort and to avoid unnecessary repetitive *Testing*.

²⁶ [Comment to Article 5.3.2: Before giving approval to a *National Anti-Doping Organization* to initiate and conduct *Testing* at an *International Event*, WADA shall consult with the international organization which is the ruling body for the *Event*. Before giving approval to an *International Federation* to initiate and conduct *Testing* at a *National Event*, WADA shall consult with the *National Anti-Doping Organization* of the country where the *Event* takes place. The *Anti-Doping Organization* "initiating and directing *Testing*" may, if it chooses, enter into agreements with a *Delegated Third Party* to which it delegates responsibility for *Sample collection* or other aspects of the *Doping Control* process.]

5.5 Athlete Whereabouts Information

- 5.5.1** FIL has established a *Registered Testing Pool* of those *Athletes* who are required to provide whereabouts information in the manner specified in the *International Standard for Testing and Investigations* and who shall be subject to *Consequences* for Article 2.4 violations as provided in Article 10.3.2. FIL shall coordinate with *National Anti-Doping Organizations* to identify such *Athletes* and to collect their whereabouts information.
- 5.5.2** FIL shall make available through ADAMS a list which identifies those *Athletes* included in its *Registered Testing Pool* by name. FIL shall regularly review and update as necessary its criteria for including *Athletes* in its *Registered Testing Pool*, and shall periodically (but not less than quarterly) review the list of *Athletes* in its *Registered Testing Pool* to ensure that each listed *Athlete* continues to meet the relevant criteria. *Athletes* shall be notified before they are included in the *Registered Testing Pool* and when they are removed from that pool. The notification shall contain the information set out in the *International Standard for Testing and Investigations*.
- 5.5.3** Where an *Athlete* is included in an international *Registered Testing Pool* by FIL and in a national *Registered Testing Pool* by their *National Anti-Doping Organization*, the *National Anti-Doping Organization* and FIL shall agree between themselves which of them shall accept that *Athlete's* whereabouts filings; in no case shall an *Athlete* be required to make whereabouts filings to more than one of them.
- 5.5.4** In accordance with the *International Standard for Testing and Investigations*, each *Athlete* in the *Registered Testing Pool* shall do the following: (a) advise FIL of his/her whereabouts on a quarterly basis; (b) update that information as necessary so that it remains accurate and complete at all times; and (c) make himself or herself available for *Testing* at such whereabouts.
- 5.5.5** For purposes of Article 2.4, an *Athlete's* failure to comply with the requirements of the *International Standard for Testing and Investigations* shall be deemed a filing failure or a missed test, as defined in Annex B of the *International Standard for Results Management*, where the conditions set forth in Annex B are met.
- 5.5.6** An *Athlete* in FIL's *Registered Testing Pool* shall continue to be subject to the obligation to comply with the whereabouts requirements set in the *International Standard for Testing and Investigations* unless and until (a) the *Athlete* gives written notice to FIL that he or she has retired or (b) FIL has informed him or her that he or she no longer satisfies the criteria for inclusion in FIL's *Registered Testing Pool*.
- 5.5.7** Whereabouts information provided by an *Athlete* while in the *Registered Testing Pool* will be accessible through ADAMS to WADA and to other *Anti-Doping Organizations* having authority to test that *Athlete* as provided in Article 5.2. Whereabouts information shall be maintained in strict confidence at all times; it shall be used exclusively for purposes of planning, coordinating or conducting *Doping Control*, providing information relevant to the *Athlete Biological Passport* or other analytical results, to support an investigation into a potential anti-doping rule violation, or to support proceedings alleging an anti-doping rule violation; and shall be destroyed after it is no longer relevant for these purposes in

accordance with the *International Standard* for the Protection of Privacy and Personal Information.

5.5.8 FIL may, in accordance with the *International Standard* for Testing and Investigations, collect whereabouts information from *Athletes* who are not included within a *Registered Testing Pool* or a *Testing Pool*. If it chooses to do so, an *Athlete's* failure to provide requested whereabouts information on or before the date required by FIL or the *Athlete's* failure to provide accurate whereabouts information may result in consequences defined in Article 5.5.12 below.

5.5.9 In accordance with the *International Standard* for Testing and Investigations, FIL may establish a *Testing Pool*, which includes *Athletes* who are subject to less stringent whereabouts requirements than *Athletes* included in FIL's *Registered Testing Pool*.

5.5.10 FIL shall notify *Athletes* before they are included in the *Testing Pool* and when they are removed. Such notification shall include the whereabouts requirements and the consequences that apply in case of non-compliance, as indicated in Articles 5.5.11 and 5.5.12.

5.5.11 *Athletes* included in the *Testing Pool* shall provide FIL at least with the following whereabouts information so that they may be located and subjected to *Testing*:

- (a) An overnight address;
- (b) Competition / Event schedule; and
- (c) Regular training activities.

Such whereabouts information should be filed in ADAMS to enable better *Testing* coordination with other *Anti-Doping Organizations*.

5.5.12 An *Athlete's* failure to provide whereabouts information on or before the date required by FIL or the *Athlete's* failure to provide accurate whereabouts information might result in FIL elevating the *Athlete* to FIL's *Registered Testing Pool* and/or additional appropriate and proportionate non-Code Article 2.4 consequences, established by FIL if any.

5.6 Retired *Athletes* Returning to Competition

5.6.1 If an *International-Level Athlete* or *National-Level Athlete* in FIL's *Registered Testing Pool* retires and then wishes to return to active participation in sport, the *Athlete* shall not compete in *International Events* or *National Events* until the *Athlete* has made himself or herself available for *Testing*, by giving six (6) months prior written notice to FIL and their *National Anti-Doping Organization*.

WADA, in consultation with FIL and the *Athlete's National Anti-Doping Organization*, may grant an exemption to the six (6) month written notice rule where the strict application of that rule would be unfair to the *Athlete*. This decision may be appealed under Article 13.²⁷

²⁷ [Comment to Article 5.6.1: WADA has developed a protocol and exemption application form that *Athletes* must use to make such requests, and a decision template that the *International Federations* must use. Both documents are available on WADA's website at <https://www.wada-ama.org>.]

Any competitive results obtained in violation of this Article 5.6.1 shall be *Disqualified* unless the *Athlete* can establish that he or she could not have reasonably known that this was an *International Event* or a *National Event*.

- 5.6.2** If an *Athlete* retires from sport while subject to a period of *Ineligibility*, the *Athlete* must notify the *Anti-Doping Organization* that imposed the period of *Ineligibility* in writing of such retirement. If the *Athlete* then wishes to return to active competition in sport, the *Athlete* shall not compete in *International Events* or *National Events* until the *Athlete* has made himself or herself available for *Testing* by giving six (6) months prior written notice (or notice equivalent to the period of *Ineligibility* remaining as of the date the *Athlete* retired, if that period was longer than six (6) months) to FIL and to their *National Anti-Doping Organization*.

5.7 Independent Observer Program

FIL and the organizing committees for FIL's *Events*, as well as the *National Federations* and the organizing committees for *National Events*, shall authorize and facilitate the *Independent Observer Program* at such *Events*.

ARTICLE 6 ANALYSIS OF SAMPLES

Samples shall be analyzed in accordance with the following principles:

6.1 Use of Accredited, Approved Laboratories and Other Laboratories

- 6.1.1** For purposes of directly establishing an *Adverse Analytical Finding* under Article 2.1, *Samples* shall be analyzed only in WADA-accredited laboratories or laboratories otherwise approved by WADA. The choice of the WADA-accredited or WADA-approved laboratory used for the *Sample* analysis shall be determined exclusively by FIL.²⁸
- 6.1.2** As provided in Article 3.2, facts related to 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 analyzed to detect *Prohibited Substances* and *Prohibited Methods* identified on the *Prohibited List* and other substances as may be directed by WADA pursuant to the monitoring program described in Article 4.5 of the *Code*, or to assist FIL 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.²⁹

²⁸ [Comment to Article 6.1: Violations of Article 2.1 may be established only by *Sample* analysis performed by a WADA-accredited laboratory or another laboratory approved by WADA. Violations of other Articles may be established using analytical results from other laboratories so long as the results are reliable.]

²⁹ [Comment to Article 6.2: For example, relevant *Doping Control*-related information could be used to direct *Target Testing* or to support an anti-doping rule violation proceeding under Article 2.2, or both.]

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*.³⁰

6.4 Standards for Sample Analysis and Reporting

In accordance with Article 6.4 of the *Code*, FIL shall ask laboratories to analyze *Samples* in conformity with the *International Standard* for Laboratories and Article 4.7 of the *International Standard for Testing* and Investigations.

Laboratories at their own initiative and expense may analyze *Samples* for *Prohibited Substances* or *Prohibited Methods* not included on the standard *Sample* analysis menu, or as requested by FIL. Results from any such analysis shall be reported to FIL and have the same validity and *Consequences* as any other analytical result.³¹

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 FIL notifies an *Athlete* that the *Sample* is the basis for an Article 2.1 anti-doping rule violation charge. If after such notification FIL 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 subjected to further analyses for the purpose of Article 6.2 at any time exclusively at the direction of either the *Anti-Doping Organization* that initiated and directed *Sample* collection or WADA. Any other *Anti-Doping Organization* with authority to test the *Athlete* that wishes to conduct further analysis on a stored *Sample* may do so with the permission of the *Anti-Doping Organization* that initiated and directed *Sample* collection or WADA, and shall be responsible for any follow-up *Results Management*. Any *Sample* storage or further analysis initiated by WADA or another *Anti-Doping Organization* shall be at WADA's or that organization's expense. Further analysis of *Samples* shall conform with the requirements of the *International Standard* for Laboratories.

³⁰ [Comment to Article 6.3: As is the case in most medical or scientific contexts, use of *Samples* and related information for quality assurance, quality improvement, method improvement and development or to establish reference populations is not considered research. *Samples* and related information used for such permitted non-research purposes must also first be processed in such a manner as to prevent them from being traced back to the particular *Athlete*, having due regard to the principles set out in Article 19 of the *Code*, as well as the requirements of the *International Standard* for Laboratories and *International Standard* for the Protection of Privacy and Personal Information.]

³¹ [Comment to Article 6.4: The objective of this Article is to extend the principle of "Intelligent Testing" to the *Sample* analysis menu so as to most effectively and efficiently detect doping. It is recognized that the resources available to fight doping are limited and that increasing the *Sample* analysis menu may, in some sports and countries, reduce the number of *Samples* which can be analyzed.]

6.7 Split of A or B Sample

Where WADA, an *Anti-Doping Organization* with *Results Management* authority, and/or a WADA-accredited laboratory (with approval from WADA or the *Anti-Doping Organization* with *Results Management* authority) 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 *Anti-Doping Organization*. Upon request by WADA, the laboratory or *Anti-Doping Organization* 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 *Anti-Doping Organization* before taking possession of a *Sample* or data, it shall provide such notice to the laboratory and each *Anti-Doping Organization* 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 Organization* 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.³²

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

Results Management under these Anti-Doping Rules establishes a process designed to resolve anti-doping rule violation matters in a fair, expeditious and efficient manner.

7.1 Responsibility for Conducting Results Management

- 7.1.1** Except as otherwise provided in Articles 6.6, 6.8 and Code Article 7.1, *Results Management* shall be the responsibility of, and shall be governed by, the procedural rules of the *Anti-Doping Organization* that initiated and directed *Sample* collection (or, if no *Sample* collection is involved, the *Anti-Doping Organization* which first provides notice to an *Athlete* or other Person of a potential anti-doping rule violation and then diligently pursues that anti-doping rule violation).
- 7.1.2** In circumstances where the rules of a *National Anti-Doping Organization* do not give the *National Anti-Doping Organization* authority over an *Athlete* or other Person who is not a national, resident, license holder, or member of a sport organization of that country, or the *National Anti-Doping Organization* declines to exercise such authority, *Results Management* shall be conducted by the applicable International Federation or by a third party with authority over the

³² [Comment to Article 6.8: Resistance or refusal to WADA taking physical possession of *Samples* or data could constitute Tampering, Complicity or an act of non-compliance as provided in the *International Standard* for Code Compliance by Signatories, and could also constitute a violation of the *International Standard* for Laboratories. Where necessary, the laboratory and/or the *Anti-Doping Organization* shall assist WADA in ensuring that the seized *Sample* and related data are not delayed in exiting the applicable country.]

WADA would not, of course, unilaterally take possession of *Samples* or analytical data without good cause related to a potential anti-doping rule violation, non-compliance by a Signatory or doping activities by another Person. However, the decision as to whether good cause exists is for WADA to make in its discretion and shall not be subject to challenge. In particular, whether there is good cause or not shall not be a defense against an anti-doping rule violation or its Consequences.]

Athlete or other *Person* as directed by the rules of the applicable International Federation.

- 7.1.3** In the event the *Major Event Organization* assumes only limited *Results Management* responsibility relating to a *Sample* initiated and taken during an *Event* conducted by a *Major Event Organization*, or an anti-doping rule violation occurring during such *Event*, the case shall be referred by the *Major Event Organization* to the applicable International Federation for completion of *Results Management*.
- 7.1.4** *Results Management* in relation to a potential whereabouts failure (a filing failure or a missed test) shall be administered by FIL or the *National Anti-Doping Organization* with whom the *Athlete* in question files whereabouts information, as provided in the *International Standard for Results Management*. If FIL determines a filing failure or a missed test, it shall submit that information to WADA through ADAMS, where it will be made available to other relevant *Anti-Doping Organizations*.
- 7.1.5** Other circumstances in which FIL shall take responsibility for conducting *Results Management* in respect of anti-doping rule violations involving *Athletes* and other *Persons* under its authority shall be determined by reference to and in accordance with Article 7 of the *Code*.
- 7.1.6** WADA may direct FIL to conduct *Results Management* in particular circumstances. If FIL refuses to conduct *Results Management* within a reasonable deadline set by WADA, such refusal shall be considered an act of non-compliance, and WADA may direct another *Anti-Doping Organization* with authority over the *Athlete* or other *Person*, that is willing to do so, to take *Results Management* responsibility in place of FIL or, if there is no such *Anti-Doping Organization*, any other *Anti-Doping Organization* that is willing to do so. In such case, FIL shall reimburse the costs and attorney's fees of conducting *Results Management* to the other *Anti-Doping Organization* designated by WADA, and a failure to reimburse costs and attorney's fees shall be considered an act of non-compliance.

7.2 Review and Notification Regarding Potential Anti-Doping Rule Violations

FIL shall carry out the review and notification with respect to any potential anti-doping rule violation in accordance with the *International Standard for Results Management*.

7.3 Identification of Prior Anti-Doping Rule Violations

Before giving an *Athlete* or other *Person* notice of a potential anti-doping rule violation as provided above, FIL shall refer to ADAMS and contact WADA and other relevant *Anti-Doping Organizations* to determine whether any prior anti-doping rule violation exists.

7.4 Provisional Suspensions ³³

- 7.4.1** *Mandatory Provisional Suspension after an Adverse Analytical Finding or Adverse Passport Finding*

³³ [Comment to Article 7.4: Before a Provisional Suspension can be unilaterally imposed by FIL, the internal review specified in these Anti-Doping Rules and the International Standard for Results Management must first be completed.]

If FIL receives an *Adverse Analytical Finding* or an *Adverse Passport Finding* (upon completion of the *Adverse Passport Finding* review process) for a *Prohibited Substance* or a *Prohibited Method* that is not a *Specified Substance* or a *Specified Method*, FIL shall impose a *Provisional Suspension* on the *Athlete* promptly upon or after the review and notification required by Article 7.2.

A mandatory *Provisional Suspension* may be eliminated if: (i) the *Athlete* demonstrates to FIL's Hearing Panel (CAS Anti-Doping Division) that the violation is likely to have involved a *Contaminated Product*, or (ii) the violation involves a *Substance of Abuse* and the *Athlete* establishes entitlement to a reduced period of *Ineligibility* under Article 10.2.4.1.

FIL's Hearing Panel's (CAS Anti-Doping Division's) decision not to eliminate a mandatory *Provisional Suspension* on account of the *Athlete's* assertion regarding a *Contaminated Product* shall not be appealable.

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

FIL may impose a *Provisional Suspension* for anti-doping rule violations not covered by Article 7.4.1 prior to the analysis of the *Athlete's* B Sample or final hearing as described in Article 8.

An optional *Provisional Suspension* may be lifted at the discretion of FIL at any time prior to FIL's Hearing Panel's (CAS Anti-Doping Division's) decision under Article 8, unless provided otherwise in the *International Standard for Results Management*.

7.4.3 Opportunity for Hearing or Appeal

Notwithstanding Articles 7.4.1 and 7.4.2, a *Provisional Suspension* may not be imposed unless the *Athlete* or other *Person* is given: (a) an opportunity for a *Provisional Hearing*, either before or on a timely basis after imposition of the *Provisional Suspension*; or (b) an opportunity for an expedited hearing in accordance with Article 8 on a timely basis after imposition of the *Provisional Suspension*.

The imposition of a *Provisional Suspension*, or the decision not to impose a *Provisional Suspension*, may be appealed in an expedited process in accordance with Article 13.2.

7.4.4 Voluntary Acceptance of *Provisional Suspension*

Athletes on their own initiative may voluntarily accept a *Provisional Suspension* if done so prior to the later of: (i) the expiration of ten (10) days from the report of the B Sample (or waiver of the B Sample) or ten (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 ten (10) days from the notice of the anti-doping rule violation.

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 7.4.1 or 7.4.2; 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*.

- 7.4.5** If a *Provisional Suspension* is imposed based on an A Sample Adverse Analytical Finding and a subsequent B Sample analysis (if requested by the *Athlete* or FIL) does not confirm the A Sample analysis, then the *Athlete* shall not be subject to any further *Provisional Suspension* on account of a violation of Article 2.1. In circumstances where the *Athlete* or the *Athlete's* team has been removed from an *Event* based on a violation of Article 2.1 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*.

7.5 Results Management Decisions

Results Management decisions or adjudications by FIL must not purport to be limited to a particular geographic area or the FIL's sport and shall address and determine without limitation the following issues: (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 that have been violated, and (ii) all *Consequences* flowing from the anti-doping rule violation(s), including applicable *Disqualifications* under Articles 9 and 10.10, any forfeiture of medals or prizes, any period of *Ineligibility* (and the date it begins to run) and any *Financial Consequences*.³⁴

7.6 Notification of Results Management Decisions

FIL shall notify *Athletes*, other *Persons*, *Signatories* and WADA of *Results Management* decisions as provided in Article 14 and in the *International Standard for Results Management*.

7.7 Retirement from Sport³⁵

If an *Athlete* or other *Person* retires while the FIL's *Results Management* process is underway, FIL retains authority to complete its *Results Management* process. If an *Athlete* or other *Person* retires before any *Results Management* process has begun, and FIL 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, FIL has authority to conduct *Results Management*.

³⁴ [Comment to Article 7.5: *Results Management* decisions include *Provisional Suspensions*.

Each decision by FIL should address whether an anti-doping rule violation was committed and all *Consequences* flowing from the violation, including any *Disqualifications* other than *Disqualification* under Article 10.1 (which is left to the ruling body for an *Event*). Pursuant to Article 15, such decision and its imposition of *Consequences* shall have automatic effect in every sport in every country. For example, for a determination that an *Athlete* committed an anti-doping rule violation based on an Adverse Analytical Finding for a Sample taken In-Competition, the *Athlete's* results obtained in the Competition would be *Disqualified* under Article 9 and all other competitive results obtained by the *Athlete* from the date the Sample was collected through the duration of the period of *Ineligibility* are also *Disqualified* under Article 10.10; if the Adverse Analytical Finding resulted from Testing at an *Event*, it would be the Major Event Organization's responsibility to decide whether the *Athlete's* other individual results in the *Event* prior to Sample collection are also *Disqualified* under Article 10.1.]

³⁵ [Comment to Article 7.7: Conduct by an *Athlete* or other *Person* before the *Athlete* or other *Person* was subject to the authority of any Anti-Doping Organization would not constitute an anti-doping rule violation but could be a legitimate basis for denying the *Athlete* or other *Person* membership in a sports organization.]

ARTICLE 8 RESULTS MANAGEMENT: RIGHT TO A FAIR HEARING AND NOTICE OF HEARING DECISION

For any *Person* who is asserted to have committed an anti-doping rule violation, FIL shall provide a fair hearing within a reasonable time by a fair, impartial and *Operationally Independent* hearing panel in compliance with the *Code* and the *International Standard for Results Management*.

8.1 Fair Hearings

8.1.1 Fair, Impartial and *Operationally Independent* Hearing Panel

FIL has delegated its Article 8 responsibilities (first instance hearings, waiver of hearings and decisions) to the CAS Anti-Doping Division (CAS ADD). The procedural rules of CAS ADD pertaining to the hearing of first instance shall apply. CAS ADD will always ensure that the *Athlete* or other *Person* is provided with a fair hearing within a reasonable time by a fair, impartial and *Operationally Independent* hearing panel in compliance with the *Code* and the *International Standard for Results Management*.

8.1.2 Hearing Process

8.1.2.1 When FIL sends a notice to an *Athlete* or other *Person* notifying them of a potential anti-doping rule violation, and the *Athlete* or other *Person* does not waive a hearing in accordance with Article 8.3.1 or Article 8.3.2, then the case shall be referred to CAS ADD for hearing and adjudication, which shall be conducted in accordance with its procedural rules and the principles described in Articles 8 and 9 of the *International Standard for Results Management*.

8.1.2.2 Hearings held in connection with *Events* in respect to *Athletes* and other *Persons* who are subject to these Anti-Doping Rules may be conducted by an expedited process where permitted by CAS ADD.³⁶

8.1.2.3 WADA, the *National Federation* and the *National Anti-Doping Organization* of the *Athlete* or other *Person* may attend the hearing as observers. In any event, FIL shall keep them fully apprised as to the status of pending cases and the result of all hearings.

8.2 Notice of Decisions

8.2.1 At the end of the hearing, or promptly thereafter, CAS ADD shall issue a written decision that conforms with Article 9 of the *International Standard for Results Management* and which includes the full reasons for the decision, the period of *Ineligibility* imposed, the *Disqualification* of results under Article 10.10 and, if applicable, a justification for why the greatest potential *Consequences* were not imposed.

8.2.2 FIL shall notify that decision to the *Athlete* or other *Person* and to other *Anti-Doping Organizations* with a right to appeal under Article 13.2.3, and shall promptly report it into ADAMS. The decision may be appealed as provided in Article 13.

³⁶ [Comment to Article 8.1.2.4: For example, a hearing could be expedited on the eve of a major Event where the resolution of the anti-doping rule violation is necessary to determine the Athlete's eligibility to participate in the Event, or during an Event where the resolution of the case will affect the validity of the Athlete's results or continued participation in the Event.]

8.3 Waiver of Hearing

- 8.3.1** An *Athlete* or other *Person* against whom an anti-doping rule violation is asserted may waive a hearing expressly and agree with the *Consequences* proposed by FIL.
- 8.3.2** However, if the *Athlete* or other *Person* against whom an anti-doping rule violation is asserted fails to dispute that assertion within twenty (20) days or the deadline otherwise specified in the notice sent by the FIL asserting the violation, then they shall be deemed to have waived a hearing, to have admitted the violation, and to have accepted the proposed *Consequences*.
- 8.3.3** In cases where Article 8.3.1 or 8.3.2 applies, a hearing before CAS ADD shall not be required. Instead FIL shall promptly issue a written decision that conforms with Article 9 of the *International Standard for Results Management* and which includes the full reasons for the decision, the period of *Ineligibility* imposed, the *Disqualification* of results under Article 10.10 and, if applicable, a justification for why the greatest potential *Consequences* were not imposed.
- 8.3.4** FIL shall notify that decision to the *Athlete* or other *Person* and to other *Anti-Doping Organizations* with a right to appeal under Article 13.2.3, and shall promptly report it into ADAMS. FIL shall *Publicly Disclose* that decision in accordance with Article 14.3.2.

8.4 Single Hearing Before CAS

Anti-doping rule violations asserted against *International-Level Athletes*, *National-Level Athletes* or other *Persons* may, with the consent of the *Athlete* or other *Person*, FIL (where it has *Results Management* responsibility in accordance with Article 7) and WADA, be heard in a single hearing directly at CAS.³⁷

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, points and prizes.³⁸

ARTICLE 10 SANCTIONS ON INDIVIDUALS

- 10.1** *Disqualification of Results in the Event during which an Anti-Doping Rule Violation Occurs*
- 10.1.1** An anti-doping rule violation occurring during or in connection with an *Event* may, upon the decision of the ruling body of the *Event*, lead to *Disqualification* of all of the *Athlete's* individual results obtained in that *Event* with all *Consequences*,

³⁷ [Comment to Article 8.4: Nothing set out in Article 8.4 precludes the *Athlete* or other *Person* and FIL (where it has *Results Management* responsibility) to waive their right to appeal by agreement. Such waiver, however, only binds the parties to such agreement and not any other entity with a right of appeal under the Code.]

³⁸ [Comment to Article 9: For Team Sports, any awards received by individual players will be *Disqualified*. However, *Disqualification* of the team will be as provided in Article 11. In sports which are not Team Sports but where awards are given to teams, *Disqualification* or other disciplinary action against the team when one or more team members have committed an anti-doping rule violation shall be as provided in the applicable rules of the International Federation.]

including forfeiture of all medals, points and prizes, except as provided in Article 10.1.2.

Factors to be included in considering whether to *Disqualify* other results in an *Event* might include, for example, the seriousness of the *Athlete's* anti-doping rule violation and whether the *Athlete* tested negative in the other *Competitions*.³⁹

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

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

The period of *Ineligibility* for a violation of Article 2.1, 2.2 or 2.6 shall be as follows, subject to potential elimination, reduction or suspension pursuant to Article 10.5, 10.6 or 10.7:

- 10.2.1** The period of *Ineligibility*, subject to Article 10.2.4, shall be four (4) years where:

10.2.1.1 The anti-doping rule violation does not involve a *Specified Substance* or a *Specified Method*, unless the *Athlete* or other *Person* can establish that the anti-doping rule violation was not intentional.⁴⁰

10.2.1.2 The anti-doping rule violation involves a *Specified Substance* or a *Specified Method* and FIL can establish that the anti-doping rule violation was intentional.

- 10.2.2** If Article 10.2.1 does not apply, subject to Article 10.2.4.1, the period of *Ineligibility* shall be two (2) years.

- 10.2.3** As used in Article 10.2, the term “intentional” is meant to identify those *Athletes* or other *Persons* who engage in conduct which they knew constituted an anti-doping rule violation or knew that there was a significant risk that the conduct might constitute or result in an anti-doping rule violation and manifestly disregarded that risk. An anti-doping rule violation resulting from an *Adverse Analytical Finding* for a substance which is only prohibited *In-Competition* shall be rebuttably presumed to be not “intentional” if the substance is a *Specified Substance* and the *Athlete* can establish that the *Prohibited Substance* was *Used Out-of-Competition*. An anti-doping rule violation resulting from an *Adverse Analytical Finding* for a substance which is only prohibited *In-Competition* shall not be considered “intentional” if the substance is not a *Specified Substance* and

³⁹ [Comment to Article 10.1.1: Whereas Article 9 Disqualifies the result in a single Competition in which the Athlete tested positive (e.g., the 100 meter backstroke), this Article may lead to Disqualification of all results in all races during the Event (e.g., the swimming World Championships).]

⁴⁰ [Comment to Article 10.2.1.1: While it is theoretically possible for an Athlete or other Person to establish that the anti-doping rule violation was not intentional without showing how the Prohibited Substance entered one's system, it is highly unlikely that in a doping case under Article 2.1 an Athlete will be successful in proving that the Athlete acted unintentionally without establishing the source of the Prohibited Substance.]

the *Athlete* can establish that the *Prohibited Substance* was *Used Out-of-Competition* in a context unrelated to sport performance.⁴¹

10.2.4 Notwithstanding any other provision in Article 10.2, where the anti-doping rule violation involves a *Substance of Abuse*:

10.2.4.1 If the *Athlete* can establish that any ingestion or *Use* occurred *Out-of-Competition* and was unrelated to sport performance, then the period of *Ineligibility* shall be three (3) months *Ineligibility*.

In addition, the period of *Ineligibility* calculated under this Article 10.2.4.1 may be reduced to one (1) month if the *Athlete* or other *Person* satisfactorily completes a *Substance of Abuse* treatment program approved by FIL. The period of *Ineligibility* established in this Article 10.2.4.1 is not subject to any reduction based on any provision in Article 10.6.⁴²

10.2.4.2 If the ingestion, *Use* or *Possession* occurred *In-Competition*, and the *Athlete* can establish that the context of the ingestion, *Use* or *Possession* was unrelated to sport performance, then the ingestion, *Use* or *Possession* shall not be considered intentional for purposes of Article 10.2.1 and shall not provide a basis for a finding of *Aggravating Circumstances* under Article 10.4.

10.3 Ineligibility for Other Anti-Doping Rule Violations

The period of *Ineligibility* for anti-doping rule violations other than as provided in Article 10.2 shall be as follows, unless Article 10.6 or 10.7 are applicable:

10.3.1 For violations of Article 2.3 or 2.5, the period of *Ineligibility* shall be four (4) years except: (i) in the case of failing to submit to *Sample* collection, if the *Athlete* can establish that the commission of the anti-doping rule violation was not intentional, the period of *Ineligibility* shall be two (2) years; (ii) in all other cases, if the *Athlete* or other *Person* can establish exceptional circumstances that justify a reduction of the period of *Ineligibility*, the period of *Ineligibility* shall be in a range from two (2) years to four (4) years depending on the *Athlete* or other *Person's* degree of *Fault*; or (iii) in a case involving a *Protected Person* or *Recreational Athlete*, the period of *Ineligibility* shall be in a range between a maximum of two (2) years and, at a minimum, a reprimand and no period of *Ineligibility*, depending on the *Protected Person* or *Recreational Athlete's* degree of *Fault*.

10.3.2 For violations of Article 2.4, the period of *Ineligibility* shall be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the *Athlete's* degree of *Fault*. The flexibility between two (2) years and one (1) year of *Ineligibility* in this Article is not available to *Athletes* where a pattern of last-

⁴¹ [Comment to Article 10.2.3: Article 10.2.3 provides a special definition of "intentional" which is to be applied solely for purposes of Article 10.2.]

⁴² [Comment to Article 10.2.4.1: The determinations as to whether the treatment program is approved and whether the *Athlete* or other *Person* has satisfactorily completed the program shall be made in the sole discretion of FIL. This Article is intended to give FIL the leeway to apply their own judgment to identify and approve legitimate and reputable, as opposed to "sham", treatment programs. It is anticipated, however, that the characteristics of legitimate treatment programs may vary widely and change over time such that it would not be practical for WADA to develop mandatory criteria for acceptable treatment programs.]

minute whereabouts changes or other conduct raises a serious suspicion that the *Athlete* was trying to avoid being available for *Testing*.

- 10.3.3** For violations of Article 2.7 or 2.8, the period of *Ineligibility* shall be a minimum of four (4) years up to lifetime *Ineligibility*, depending on the seriousness of the violation. An Article 2.7 or Article 2.8 violation involving a *Protected Person* shall be considered a particularly serious violation and, if committed by *Athlete Support Personnel* for violations other than for *Specified Substances*, shall result in lifetime *Ineligibility* for *Athlete Support Personnel*. In addition, significant violations of Article 2.7 or 2.8 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.⁴³
- 10.3.4** For violations of Article 2.9, the period of *Ineligibility* imposed shall be a minimum of two (2) years, up to lifetime *Ineligibility*, depending on the seriousness of the violation.
- 10.3.5** For violations of Article 2.10, the period of *Ineligibility* shall be two (2) years, subject to reduction down to a minimum of one (1) year, depending on the *Athlete* or other *Person's* degree of *Fault* and other circumstances of the case.⁴⁴
- 10.3.6** For violations of Article 2.11, the period of *Ineligibility* shall be a minimum of two (2) years, up to lifetime *Ineligibility*, depending on the seriousness of the violation by the *Athlete* or other *Person*.⁴⁵

10.4 Aggravating Circumstances which may Increase the Period of Ineligibility

If FIL establishes in an individual case involving an anti-doping rule violation other than violations under Article 2.7 (*Trafficking* or *Attempted Trafficking*), 2.8 (*Administration* or *Attempted Administration*), 2.9 (*Complicity* or *Attempted Complicity*) or 2.11 (*Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting*) that *Aggravating Circumstances* are present which justify the imposition of a period of *Ineligibility* greater than the standard sanction, then the period of *Ineligibility* otherwise applicable shall be increased by an additional period of *Ineligibility* of up to two (2) years depending on the seriousness of the violation and the nature of the *Aggravating Circumstances*, unless the *Athlete* or other *Person* can establish that he or she did not knowingly commit the anti-doping rule violation.⁴⁶

⁴³ [Comment to Article 10.3.3: Those who are involved in doping Athletes or covering up doping should be subject to sanctions which are more severe than the Athletes who test positive. Since the authority of sport organizations is generally limited to *Ineligibility* for accreditation, membership and other sport benefits, reporting *Athlete Support Personnel* to competent authorities is an important step in the deterrence of doping.]

⁴⁴ [Comment to Article 10.3.5: Where the "other Person" referenced in Article 2.10 is an entity and not an individual, that entity may be disciplined as provided in Article 12.]

⁴⁵ [Comment to Article 10.3.6: Conduct that is found to violate both Article 2.5 (*Tampering*) and Article 2.11 (*Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting to Authorities*) shall be sanctioned based on the violation that carries the more severe sanction.]

⁴⁶ [Comment to Article 10.4: Violations under Articles 2.7 (*Trafficking* or *Attempted Trafficking*), 2.8 (*Administration* or *Attempted Administration*), 2.9 (*Complicity* or *Attempted Complicity*) and 2.11 (*Acts by an Athlete or Other Person to Discourage or Retaliate Against Reporting to Authorities*) are not included in the application of Article 10.4 because the sanctions for these violations already build in sufficient discretion up to a lifetime ban to allow consideration of any *Aggravating Circumstance*.]

10.5 Elimination of the Period of *Ineligibility* where there is No Fault or Negligence

If an *Athlete* or other *Person* establishes in an individual case that he or she bears *No Fault or Negligence*, then the otherwise applicable period of *Ineligibility* shall be eliminated.⁴⁷

10.6 Reduction of the Period of *Ineligibility* based on No Significant Fault or Negligence

10.6.1 Reduction of Sanctions in Particular Circumstances for Violations of Article 2.1, 2.2 or 2.6.

All reductions under Article 10.6.1 are mutually exclusive and not cumulative.

10.6.1.1 Specified Substances or Specified Methods

Where the anti-doping rule violation involves a *Specified Substance* (other than a *Substance of Abuse*) or *Specified Method*, and the *Athlete* or other *Person* can establish *No Significant Fault or Negligence*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, two (2) years of *Ineligibility*, depending on the *Athlete's* or other *Person's* degree of *Fault*.

10.6.1.2 Contaminated Products

In cases where the *Athlete* or other *Person* can establish both *No Significant Fault or Negligence* and that the detected *Prohibited Substance* (other than a *Substance of Abuse*) came from a *Contaminated Product*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, two (2) years *Ineligibility*, depending on the *Athlete* or other *Person's* degree of *Fault*.⁴⁸

⁴⁷ [Comment to Article 10.5: This Article and Article 10.6.2 apply only to the imposition of sanctions; they are not applicable to the determination of whether an anti-doping rule violation has occurred. They will only apply in exceptional circumstances, for example, where an *Athlete* could prove that, despite all due care, he or she was sabotaged by a competitor. Conversely, *No Fault or Negligence* would not apply in the following circumstances: (a) a positive test resulting from a mislabeled or contaminated vitamin or nutritional supplement (*Athletes* are responsible for what they ingest (Article 2.1) and have been warned against the possibility of supplement contamination); (b) the Administration of a *Prohibited Substance* by the *Athlete's* personal physician or trainer without disclosure to the *Athlete* (*Athletes* are responsible for their choice of medical personnel and for advising medical personnel that they cannot be given any *Prohibited Substance*); and (c) sabotage of the *Athlete's* food or drink by a spouse, coach or other *Person* within the *Athlete's* circle of associates (*Athletes* are responsible for what they ingest and for the conduct of those *Persons* to whom they entrust access to their food and drink). However, depending on the unique facts of a particular case, any of the referenced illustrations could result in a reduced sanction under Article 10.6 based on *No Significant Fault or Negligence*.]

⁴⁸ [Comment to Article 10.6.1.2: In order to receive the benefit of this Article, the *Athlete* or other *Person* must establish not only that the detected *Prohibited Substance* came from a *Contaminated Product*, but must also separately establish *No Significant Fault or Negligence*. It should be further noted that *Athletes* are on notice that they take nutritional supplements at their own risk. The sanction reduction based on *No Significant Fault or Negligence* has rarely been applied in *Contaminated Product* cases unless the *Athlete* has exercised a high level of caution before taking the *Contaminated Product*. In assessing whether the *Athlete* can establish the source of the *Prohibited Substance*, it would, for example, be significant for purposes of establishing whether the *Athlete* actually Used the *Contaminated Product*, whether the *Athlete* had declared the product which was subsequently determined to be contaminated on the Doping Control form.

This Article should not be extended beyond products that have gone through some process of manufacturing. Where an Adverse Analytical Finding results from environment contamination of a "non-product" such as tap water or lake water in circumstances where no reasonable person would expect any risk of an anti-doping rule violation, typically there would be *No Fault or Negligence* under Article 10.5.]

10.6.1.3 Protected Persons or Recreational Athletes

Where the anti-doping rule violation not involving a *Substance of Abuse* is committed by a *Protected Person* or *Recreational Athlete*, and the *Protected Person* or *Recreational Athlete* can establish *No Significant Fault* or *Negligence*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, two (2) years *Ineligibility*, depending on the *Protected Person* or *Recreational Athlete's* degree of *Fault*.

10.6.2 Application of *No Significant Fault* or *Negligence* beyond the Application of Article 10.6.1

If an *Athlete* or other *Person* establishes in an individual case where Article 10.6.1 is not applicable that he or she bears *No Significant Fault* or *Negligence*, then, subject to further reduction or elimination as provided in Article 10.7, the otherwise applicable period of *Ineligibility* may be reduced based on the *Athlete* or other *Person's* degree of *Fault*, but the reduced period of *Ineligibility* may not be less than one-half of the period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this Article may be no less than eight (8) years.⁴⁹

10.7 Elimination, Reduction, or Suspension of Period of *Ineligibility* or other Consequences for Reasons other than *Fault*

10.7.1 Substantial Assistance in Discovering or Establishing Code Violations⁵⁰

10.7.1.1 FIL may, prior to an appellate decision under Article 13 or the expiration of the time to appeal, suspend a part of the *Consequences* (other than *Disqualification* and mandatory *Public Disclosure*) imposed in an individual case where the *Athlete* or other *Person* has provided *Substantial Assistance* to an *Anti-Doping Organization*, criminal authority or professional disciplinary body which results in: (i) the *Anti-Doping Organization* discovering or bringing forward an anti-doping rule violation by another *Person*; or (ii) which results in a criminal or disciplinary body discovering or bringing forward a criminal offense or the breach of professional rules committed by another *Person* and the information provided by the *Person* providing *Substantial Assistance* is made available to FIL or other *Anti-Doping Organization* with *Results Management* responsibility; or (iii) which results in WADA initiating a proceeding against a *Signatory*, WADA-accredited laboratory, or *Athlete* passport management unit (as defined in the *International Standard* for Laboratories) for non-compliance with the *Code*, *International Standard* or *Technical Document*; or (iv) with the approval by WADA, which results in a criminal or disciplinary body bringing forward a criminal offense or the breach of professional or sport rules arising out of a sport integrity violation other than doping. After an appellate decision under Article 13 or the expiration of time to appeal, FIL may only suspend a part of the otherwise applicable *Consequences* with the approval of WADA.

⁴⁹ [Comment to Article 10.6.2: Article 10.6.2 may be applied to any anti-doping rule violation except those Articles where intent is an element of the anti-doping rule violation (e.g., Article 2.5, 2.7, 2.8, 2.9 or 2.11) or an element of a particular sanction (e.g., Article 10.2.1) or a range of *Ineligibility* is already provided in an Article based on the *Athlete* or other *Person's* degree of *Fault*.]

⁵⁰ [Comment to Article 10.7.1: The cooperation of *Athletes*, *Athlete Support Personnel* and other *Persons* who acknowledge their mistakes and are willing to bring other anti-doping rule violations to light is important to clean sport.]

The extent to which the otherwise applicable period of *Ineligibility* may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the *Athlete* or other *Person* and the significance of the *Substantial Assistance* provided by the *Athlete* or other *Person* to the effort to eliminate doping in sport, non-compliance with the *Code* and/or sport integrity violations. No more than three-quarters of the otherwise applicable period of *Ineligibility* may be suspended. If the otherwise applicable period of *Ineligibility* is a lifetime, the non-suspended period under this Article must be no less than eight (8) years. For purposes of this paragraph, the otherwise applicable period of *Ineligibility* shall not include any period of *Ineligibility* that could be added under Article 10.9.3.2 of these Anti-Doping Rules.

If so requested by an *Athlete* or other *Person* who seeks to provide *Substantial Assistance*, FIL shall allow the *Athlete* or other *Person* to provide the information to it subject to a *Without Prejudice Agreement*.

If the *Athlete* or other *Person* fails to continue to cooperate and to provide the complete and credible *Substantial Assistance* upon which a suspension of *Consequences* was based, FIL shall reinstate the original *Consequences*. If FIL decides to reinstate suspended *Consequences* or decides not to reinstate suspended *Consequences*, that decision may be appealed by any *Person* entitled to appeal under Article 13.

10.7.1.2 To further encourage *Athletes* and other *Persons* to provide *Substantial Assistance* to *Anti-Doping Organizations*, at the request of FIL or at the request of the *Athlete* or other *Person* who has, or has been asserted to have, committed an anti-doping rule violation, or other violation of the *Code*, WADA may agree at any stage of the *Results Management* process, including after an appellate decision under Article 13, to what it considers to be an appropriate suspension of the otherwise-applicable period of *Ineligibility* and other *Consequences*. In exceptional circumstances, WADA may agree to suspensions of the period of *Ineligibility* and other *Consequences* for *Substantial Assistance* greater than those otherwise provided in this Article, or even no period of *Ineligibility*, no mandatory *Public Disclosure* and/or no return of prize money or payment of fines or costs. WADA's approval shall be subject to reinstatement of *Consequences*, as otherwise provided in this Article. Notwithstanding Article 13, WADA's decisions in the context of this Article 10.7.1.2 may not be appealed.

10.7.1.3 If FIL suspends any part of an otherwise applicable sanction because of *Substantial Assistance*, then notice providing justification for the decision shall be provided to the other *Anti-Doping Organizations* with a right to appeal under Article 13.2.3 as provided in Article 14. In unique circumstances where WADA determines that it would be in the best interest of anti-doping, WADA may authorize FIL to enter into appropriate confidentiality agreements limiting or delaying the disclosure of the *Substantial Assistance* agreement or the nature of *Substantial Assistance* being provided.

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

Where an *Athlete* or other *Person* voluntarily admits the commission of an anti-doping rule violation before having received notice of a *Sample* collection which could establish an anti-doping rule violation (or, in the case of an anti-doping rule violation other than Article 2.1, before receiving first notice of the admitted violation pursuant to Article 7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of *Ineligibility* may be reduced, but not below one-half of the period of *Ineligibility* otherwise applicable.⁵¹

10.7.3 Application of Multiple Grounds for Reduction of a Sanction

Where an *Athlete* or other *Person* establishes entitlement to reduction in sanction under more than one provision of Article 10.5, 10.6 or 10.7, before applying any reduction or suspension under Article 10.7, the otherwise applicable period of *Ineligibility* shall be determined in accordance with Articles 10.2, 10.3, 10.5, and 10.6. If the *Athlete* or other *Person* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under Article 10.7, then the period of *Ineligibility* may be reduced or suspended, but not below one-fourth of the otherwise applicable period of *Ineligibility*.

10.8 Results Management Agreements

10.8.1 One (1) Year Reduction for Certain Anti-Doping Rule Violations Based on Early Admission and Acceptance of Sanction

Where an *Athlete* or other *Person*, after being notified by FIL of a potential anti-doping rule violation that carries an asserted period of *Ineligibility* of four (4) or more years (including any period of *Ineligibility* asserted under Article 10.4), admits the violation and accepts the asserted period of *Ineligibility* no later than twenty (20) days after receiving notice of an anti-doping rule violation charge, the *Athlete* or other *Person* may receive a one (1) year reduction in the period of *Ineligibility* asserted by FIL. Where the *Athlete* or other *Person* receives the one (1) year reduction in the asserted period of *Ineligibility* under this Article 10.8.1, no further reduction in the asserted period of *Ineligibility* shall be allowed under any other Article.⁵²

10.8.2 Case Resolution Agreement

Where the *Athlete* or other *Person* admits an anti-doping rule violation after being confronted with the anti-doping rule violation by FIL and agrees to *Consequences* acceptable to FIL and WADA, at their sole discretion, then: (a) the *Athlete* or other *Person* may receive a reduction in the period of *Ineligibility* based on an assessment by FIL and WADA of the application of Articles 10.1 through 10.7 to the asserted anti-doping rule violation, the seriousness of the violation, the *Athlete* or other *Person's* degree of *Fault* and how promptly the *Athlete* or other *Person* admitted the violation; and (b) the period of

⁵¹ [Comment to Article 10.7.2: This Article is intended to apply when an *Athlete* or other *Person* comes forward and admits to an anti-doping rule violation in circumstances where no Anti-Doping Organization is aware that an anti-doping rule violation might have been committed. It is not intended to apply to circumstances where the admission occurs after the *Athlete* or other *Person* believes he or she is about to be caught. The amount by which *Ineligibility* is reduced should be based on the likelihood that the *Athlete* or other *Person* would have been caught had he or she not come forward voluntarily.]

⁵² [Comment to Article 10.8.1: For example, if FIL alleges that an *Athlete* has violated Article 2.1 for Use of an anabolic steroid and asserts the applicable period of *Ineligibility* is four (4) years, then the *Athlete* may unilaterally reduce the period of *Ineligibility* to three (3) years by admitting the violation and accepting the three (3) year period of *Ineligibility* within the time specified in this Article, with no further reduction allowed. This resolves the case without any need for a hearing.]

Ineligibility may start as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred. In each case, however, where this Article is applied, the *Athlete* or other *Person* shall serve at least one-half of the agreed-upon period of *Ineligibility* going forward from the earlier of the date the *Athlete* or other *Person* accepted the imposition of a sanction or a *Provisional Suspension* which was subsequently respected by the *Athlete* or other *Person*. The decision by WADA and FIL to enter or not enter into a case resolution agreement, and the amount of the reduction to, and the starting date of, the period of *Ineligibility* are not matters for determination or review by a hearing body and are not subject to appeal under Article 13.

If so requested by an *Athlete* or other *Person* who seeks to enter into a case resolution agreement under this Article, FIL shall allow the *Athlete* or other *Person* to discuss an admission of the anti-doping rule violation with it subject to a *Without Prejudice Agreement*.⁵³

10.9 Multiple Violations

10.9.1 Second or Third Anti-Doping Rule Violation

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

- (a) A six (6) month period of *Ineligibility*; or
- (b) A period of *Ineligibility* in the range between:
 - (i) the sum of the period of *Ineligibility* imposed for the first anti-doping rule violation plus the period of *Ineligibility* otherwise applicable to the second anti-doping rule violation treated as if it were a first violation, and
 - (ii) twice the period of *Ineligibility* otherwise applicable to the second anti-doping rule violation treated as if it were a first violation.

The period of *Ineligibility* within this range shall be determined based on the entirety of the circumstances and the *Athlete* or other *Person*'s degree of *Fault* with respect to the second violation.

10.9.1.2 A third anti-doping rule violation will always result in a lifetime period of *Ineligibility*, except if the third violation fulfills the condition for elimination or reduction of the period of *Ineligibility* under Article 10.5 or 10.6, or involves a violation of Article 2.4. In these particular cases, the period of *Ineligibility* shall be from eight (8) years to lifetime *Ineligibility*.

10.9.1.3 The period of *Ineligibility* established in Articles 10.9.1.1 and 10.9.1.2 may then be further reduced by the application of Article 10.7.

⁵³ [Comment to Article 10.8: Any mitigating or aggravating factors set forth in this Article 10 shall be considered in arriving at the Consequences set forth in the case resolution agreement, and shall not be applicable beyond the terms of that agreement.]

10.9.2 An anti-doping rule violation for which an *Athlete* or other *Person* has established *No Fault* or *Negligence* shall not be considered a violation for purposes of this Article 10.9. In addition, an anti-doping rule violation sanctioned under Article 10.2.4.1 shall not be considered a violation for purposes of Article 10.9.

10.9.3 Additional Rules for Certain Potential Multiple Violations

10.9.3.1 For purposes of imposing sanctions under Article 10.9, except as provided in Articles 10.9.3.2 and 10.9.3.3, an anti-doping rule violation will only be considered a second violation if FIL can establish that the *Athlete* or other *Person* committed the additional anti-doping rule violation after the *Athlete* or other *Person* received notice pursuant to Article 7, or after FIL made reasonable efforts to give notice of the first anti-doping rule violation. If FIL cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction, including the application of *Aggravating Circumstances*. Results in all *Competitions* dating back to the earlier anti-doping rule violation will be *Disqualified* as provided in Article 10.10.⁵⁴

10.9.3.2 If FIL establishes that an *Athlete* or other *Person* committed an additional anti-doping rule violation prior to notification, and that the additional violation occurred twelve (12) months or more before or after the first-noticed violation, then the period of *Ineligibility* for the additional violation shall be calculated as if the additional violation were a stand-alone first violation and this period of *Ineligibility* is served consecutively, rather than concurrently, with the period of *Ineligibility* imposed for the earlier-noticed violation. Where this Article 10.9.3.2 applies, the violations taken together shall constitute a single violation for purposes of Article 10.9.1.

10.9.3.3 If FIL establishes that an *Athlete* or other *Person* committed a violation of Article 2.5 in connection with the *Doping Control* process for an underlying asserted anti-doping rule violation, the violation of Article 2.5 shall be treated as a stand-alone first violation and the period of *Ineligibility* for such violation shall be served consecutively, rather than concurrently, with the period of *Ineligibility*, if any, imposed for the underlying anti-doping rule violation. Where this Article 10.9.3.3 is applied, the violations taken together shall constitute a single violation for purposes of Article 10.9.1.

10.9.3.4 If FIL establishes that an *Athlete* or other *Person* has committed a second or third anti-doping rule violation during a period of *Ineligibility*, the periods of *Ineligibility* for the multiple violations shall run consecutively, rather than concurrently.

⁵⁴ [Comment to Article 10.9.3.1: The same rule applies where, after the imposition of a sanction, FIL discovers facts involving an anti-doping rule violation that occurred prior to notification for a first anti-doping rule violation – e.g., FIL shall impose a sanction based on the sanction that could have been imposed if the two (2) violations had been adjudicated at the same time, including the application of *Aggravating Circumstances*.]

10.9.4 Multiple Anti-Doping Rule Violations during Ten (10) Year Period

For purposes of Article 10.9, each anti-doping rule violation must take place within the same ten (10) year period in order to be considered multiple violations.

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

In addition to the automatic *Disqualification* of the results in the *Competition* which produced the positive *Sample* under Article 9, all other competitive results of the *Athlete* obtained from the date a positive *Sample* was collected (whether *In-Competition* or *Out-of-Competition*), or other anti-doping rule violation occurred, through the commencement of any *Provisional Suspension* or *Ineligibility* period, shall, unless fairness requires otherwise, be *Disqualified* with all of the resulting *Consequences* including forfeiture of any medals, points and prizes.⁵⁵

10.11 Forfeited Prize Money

If FIL recovers prize money forfeited as a result of an anti-doping rule violation, it shall take reasonable measures to allocate and distribute this prize money to the *Athletes* who would have been entitled to it had the forfeiting *Athlete* not competed.⁵⁶

10.12 *Financial Consequences*

10.12.1 Where an *Athlete* or other *Person* commits an anti-doping rule violation, FIL may, in its discretion and subject to the principle of proportionality, elect to (a) recover from the *Athlete* or other *Person* costs associated with the anti-doping rule violation, regardless of the period of *Ineligibility* imposed and/or (b) fine the *Athlete* or other *Person* in an amount up to 10`000 Euros only in cases where the maximum period of *Ineligibility* otherwise applicable has already been imposed.

10.12.2 The imposition of a financial sanction or the FIL's recovery of costs shall not be considered a basis for reducing the *Ineligibility* or other sanction which would otherwise be applicable under these Anti-Doping Rules.

10.13 Commencement of *Ineligibility* Period

Where an *Athlete* is already serving a period of *Ineligibility* for an anti-doping rule violation, any new period of *Ineligibility* shall commence on the first day after the current period of *Ineligibility* has been served. Otherwise, except as provided below, the period of *Ineligibility* shall start on the date of the final hearing decision providing for *Ineligibility* or, if the hearing is waived or there is no hearing, on the date *Ineligibility* is accepted or otherwise imposed.

⁵⁵ [Comment to Article 10.10: Nothing in these Anti-Doping Rules precludes clean *Athletes* or other *Persons* who have been damaged by the actions of a *Person* who has committed an anti-doping rule violation from pursuing any right which they would otherwise have to seek damages from such *Person*.]

⁵⁶ [Comment to Article 10.11: This Article is not intended to impose an affirmative duty on FIL to take any action to collect forfeited prize money. If FIL elects not to take any action to collect forfeited prize money, it may assign its right to recover such money to the *Athlete(s)* who should have otherwise received the money. "Reasonable measures to allocate and distribute this prize money" could include using collected forfeited prize money as agreed upon by FIL and its *Athletes*.]

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

Where there have been substantial delays in the hearing process or other aspects of *Doping Control*, and the *Athlete* or other *Person* can establish that such delays are not attributable to the *Athlete* or other *Person*, FIL or CAS ADD, if applicable, may start the period of *Ineligibility* at an earlier date commencing as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred. All competitive results achieved during the period of *Ineligibility*, including retroactive *Ineligibility*, shall be *Disqualified*.⁵⁷

10.13.2 Credit for *Provisional Suspension* or Period of *Ineligibility* Served

10.13.2.1 If a *Provisional Suspension* is respected by the *Athlete* or other *Person*, then the *Athlete* or other *Person* shall receive a credit for such period of *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed. If the *Athlete* or other *Person* does not respect a *Provisional Suspension*, then the *Athlete* or other *Person* shall receive no credit for any period of *Provisional Suspension* served. If a period of *Ineligibility* is served pursuant to a decision that is subsequently appealed, then the *Athlete* or other *Person* shall receive a credit for such period of *Ineligibility* served against any period of *Ineligibility* which may ultimately be imposed on appeal.

10.13.2.2 If an *Athlete* or other *Person* voluntarily accepts a *Provisional Suspension* in writing from FIL and thereafter respects the *Provisional Suspension*, the *Athlete* or other *Person* shall receive a credit for such period of voluntary *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed. A copy of the *Athlete* or other *Person*'s voluntary acceptance of a *Provisional Suspension* shall be provided promptly to each party entitled to receive notice of an asserted anti-doping rule violation under Article 14.1.⁵⁸

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

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

⁵⁷ [Comment to Article 10.13.1: In cases of anti-doping rule violations other than under Article 2.1, the time required for an Anti-Doping Organization to discover and develop facts sufficient to establish an anti-doping rule violation may be lengthy, particularly where the *Athlete* or other *Person* has taken affirmative action to avoid detection. In these circumstances, the flexibility provided in this Article to start the sanction at an earlier date should not be used.]

⁵⁸ [Comment to Article 10.13.2.2: An *Athlete*'s voluntary acceptance of a *Provisional Suspension* is not an admission by the *Athlete* and shall not be used in any way to draw an adverse inference against the *Athlete*.]

10.14 Status During *Ineligibility* or *Provisional Suspension*

10.14.1 Prohibition Against Participation During *Ineligibility* or *Provisional Suspension*

No *Athlete* or other *Person* who has been declared *Ineligible* or is subject to a *Provisional Suspension* may, during a period of *Ineligibility* or *Provisional Suspension*, participate in any capacity in a *Competition* or activity (other than authorized anti-doping *Education* or rehabilitation programs) authorized or organized by any *Signatory*, *Signatory's* member organization, or a club or other member organization of a *Signatory's* member organization, or in *Competitions* authorized or organized by any professional league or any international- or national-level *Event* organization or any elite or national-level sporting activity funded by a governmental agency.

An *Athlete* or other *Person* subject to a period of *Ineligibility* longer than four (4) years may, after completing four (4) years of the period of *Ineligibility*, participate as an *Athlete* in local sport events not sanctioned or otherwise under the authority of a *Code Signatory* or member of a *Code Signatory*, but only so long as the local sport event is not at a level that could otherwise qualify such *Athlete* or other *Person* directly or indirectly to compete in (or accumulate points toward) a national championship or *International Event*, and does not involve the *Athlete* or other *Person* working in any capacity with *Protected Persons*.

An *Athlete* or other *Person* subject to a period of *Ineligibility* shall remain subject to *Testing* and any requirement by FIL to provide whereabouts information.⁵⁹

10.14.2 Return to Training

As an exception to Article 10.14.1, an *Athlete* may return to train with a team or to use the facilities of a club or other member organization of FIL's or other *Signatory's* member organization during the shorter of: (1) the last two months of the *Athlete's* period of *Ineligibility*, or (2) the last one-quarter of the period of *Ineligibility* imposed.⁶⁰

10.14.3 Violation of the Prohibition of Participation During *Ineligibility* or *Provisional Suspension*

Where an *Athlete* or other *Person* who has been declared *Ineligible* violates the prohibition against participation during *Ineligibility* described in Article 10.14.1, the results of such participation shall be *Disqualified* and a new period of *Ineligibility* equal in length to the original period of *Ineligibility* shall be added to the end of the original period of *Ineligibility*. The new period of *Ineligibility*, including a reprimand and no period of *Ineligibility*, may be adjusted based on the *Athlete* or other *Person's* degree of *Fault* and other circumstances of the case.

⁵⁹ [Comment to Article 10.14.1: For example, subject to Article 10.14.2 below, *Ineligible Athletes* cannot participate in a training camp, exhibition or practice organized by their National Federation or a club which is a member of that National Federation or which is funded by a governmental agency. Further, an *Ineligible Athlete* may not compete in a non-*Signatory* professional league (e.g., the National Hockey League, the National Basketball Association, etc.), Events organized by a non-*Signatory* International Event organization or a non-*Signatory* national-level Event organization without triggering the Consequences set forth in Article 10.14.3. The term "activity" also includes, for example, administrative activities, such as serving as an official, director, officer, employee, or volunteer of the organization described in this Article. *Ineligibility* imposed in one sport shall also be recognized by other sports (see Article 15.1, Automatic Binding Effect of Decisions). An *Athlete* or other *Person* serving a period of *Ineligibility* is prohibited from coaching or serving as an *Athlete Support Person* in any other capacity at any time during the period of *Ineligibility*, and doing so could also result in a violation of Article 2.10 by another *Athlete*. Any performance standard accomplished during a period of *Ineligibility* shall not be recognized by FIL or its National Federations for any purpose.]

⁶⁰ [Comment to Article 10.14.2: In many Team Sports and some individual sports (e.g., ski jumping and gymnastics), *Athletes* cannot effectively train on their own so as to be ready to compete at the end of the *Athlete's* period of *Ineligibility*. During the training period described in this Article, an *Ineligible Athlete* may not compete or engage in any activity described in Article 10.14.1 other than training.]

The determination of whether an *Athlete* or other *Person* has violated the prohibition against participation, and whether an adjustment is appropriate, shall be made by the *Anti-Doping Organization* whose *Results Management* led to the imposition of the initial period of *Ineligibility*. This decision may be appealed under Article 13.

An *Athlete* or other *Person* who violates the prohibition against participation during a *Provisional Suspension* described in Article 10.14.1 shall receive no credit for any period of *Provisional Suspension* served and the results of such participation shall be *Disqualified*.

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

10.14.4 Withholding of Financial Support during *Ineligibility*

In addition, for any anti-doping rule violation not involving a reduced sanction as described in Article 10.5 or 10.6, some or all sport-related financial support or other sport-related benefits received by such *Person* will be withheld by FIL and its *National Federations*.

10.15 Automatic Publication of Sanction

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

ARTICLE 11 CONSEQUENCES TO TEAMS

11.1 Testing of Teams

Where one (1) member of a team (outside of *Team Sports*) has been notified of an anti-doping rule violation under Article 7 in connection with an *Event*, the ruling body for the *Event* shall conduct appropriate *Target Testing* of all members of the team during the *Event Period*.

11.2 Consequences for Teams

11.2.1 An anti-doping rule violation committed by a member of a team in connection with an *In-Competition* test automatically leads to *Disqualification* of the result obtained by the team in that *Competition*, with all resulting *Consequences* for the team and its members, including forfeiture of any medals, points and prizes.

11.2.2 An anti-doping rule violation committed by a member of a team occurring during or in connection with an *Event* may lead to *Disqualification* of all of the results obtained by the team in that *Event* with all *Consequences* for the team and its members, including forfeiture of all medals, points and prizes, except as provided in Article 11.2.3.

11.2.3 Where an *Athlete* who is a member of a team committed an anti-doping rule violation during or in connection with one (1) *Competition* in an *Event*, if the other member(s) of the team establish(es) that he or she/they bear(s) *No Fault* or *Negligence* for that violation, the results of the team in any other *Competition(s)* in that *Event* shall not be *Disqualified* unless the results of the team in the *Competition(s)* 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.

ARTICLE 12 SANCTIONS BY FIL AGAINST OTHER SPORTING BODIES

When FIL becomes aware that a *National Federation* or any other sporting body over which it has authority has failed to comply with, implement, uphold, and enforce these Anti-Doping Rules within that organization's or body's area of competence, FIL has the authority and may take the following additional disciplinary actions:

- 12.1** Exclude all, or some group of, members of that organization or body from specified future *Events* or all *Events* conducted within a specified period of time.
- 12.2** Take additional disciplinary actions with respect to that organization's or body's recognition, the eligibility of their members to participate in FIL's activities, and/or fine that organization or body based on the following:
 - 12.2.1** Four (4) or more violations of these Anti-Doping Rules (other than violations involving Article 2.4) are committed by *Athletes* or other *Persons* affiliated with that organization or body during a twelve (12) month period. In such event: (a) all or some group of members of that organization or body may be banned from participation in any FIL activities for a period of up to two (2) years and/or (b) that organization or body may be fined in an amount up to 10'000 Euros.
 - 12.2.2** Four (4) or more violations of these Anti-Doping Rules (other than violations involving Article 2.4) are committed in addition to the violations described in Article 12.2.1 by *Athletes* or other *Persons* affiliated with that organization or body during a twelve (12) month period. In such event, that organization or body may be suspended for a period of up to four (4) years.
 - 12.2.3** More than one *Athlete* or other *Person* affiliated with that organization or body commits an anti-doping rule violation during an *International Event*. In such event, that organization or body may be fined in an amount up to 10'000 Euros.
 - 12.2.4** That organization or body has failed to make diligent efforts to keep FIL informed about an *Athlete's* whereabouts after receiving a request for that information from FIL. In such event, that organization or body may be fined in an amount up to 10'000 Euros per *Athlete*, in addition to reimbursement of all of the FIL costs incurred in *Testing* that organization's or body's *Athletes*.
- 12.3** Withhold some or all funding or other financial and non-financial support to that organization or body.
- 12.4** Get that organization or body to reimburse FIL for all costs (including but not limited to laboratory fees, hearing expenses and travel) related to a violation of these Anti-Doping Rules committed by an *Athlete* or other *Person* affiliated with that organization or body.

ARTICLE 13 RESULTS MANAGEMENT: APPEALS ⁶¹

13.1 Decisions Subject to Appeal

⁶¹ [Comment to Article 13: The object of the Code is to have anti-doping matters resolved through fair and transparent internal processes with a final appeal. Anti-doping decisions by Anti-Doping Organizations are made transparent in Article 14. Specified Persons and organizations, including WADA, are then given the opportunity to appeal those decisions. Note that the definition of interested Persons and organizations with a right to appeal under Article 13 does not include Athletes, or their National Federations, who might benefit from having another competitor Disqualified.]

Decisions made under the *Code* or these Anti-Doping Rules may be appealed as set forth below in Articles 13.2 through 13.7 or as otherwise provided in these Anti-Doping Rules, the *Code* or the *International Standards*. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise.

13.1.1 Scope of Review Not Limited

The scope of review on appeal includes all issues relevant to the matter and is expressly not limited to the issues or scope of review before the initial decision maker. Any party to the appeal may submit evidence, legal arguments and claims that were not raised in the first instance hearing so long as they arise from the same cause of action or same general facts or circumstances raised or addressed in the first instance hearing.⁶²

13.1.2 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.⁶³

13.1.3 WADA Not Required to Exhaust Internal Remedies

Where WADA has a right to appeal under Article 13 and no other party has appealed a final decision within FIL's process, WADA may appeal such decision directly to CAS without having to exhaust other remedies in FIL's process.⁶⁴

13.2 Appeals from 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 not to grant an exception to the six (6) months notice requirement for a retired *Athlete* to return to *Competition* under Article 5.6.1; a decision by WADA assigning *Results Management* under Article 7.1 of the *Code*; a decision by FIL 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*; FIL's failure to comply with Article 7.4; a decision that FIL lacks authority to rule on an alleged anti-doping rule violation or its *Consequences*; a decision to suspend, or not suspend, *Consequences* or to reinstate, or not reinstate, *Consequences* under Article 10.7.1; failure to comply with Articles 7.1.4 and 7.1.5 of the *Code*; failure to comply with Article 10.8.1; a decision under Article 10.14.3; a decision by FIL not to implement another *Anti-Doping Organization's* decision under Article 15; and

⁶² [Comment to Article 13.1.1: The revised language is not intended to make a substantive change to the 2015 Code, but rather for clarification. For example, where an *Athlete* was charged in the first instance hearing only with *Tampering* but the same conduct could also constitute *Complicity*, an appealing party could pursue both *Tampering* and *Complicity* charges against the *Athlete* in the appeal.]

⁶³ [Comment to Article 13.1.2: CAS proceedings are *de novo*. Prior proceedings do not limit the evidence or carry weight in the hearing before CAS.]

⁶⁴ [Comment to Article 13.1.3: Where a decision has been rendered before the final stage of FIL's process (for example, a first hearing) and no party elects to appeal that decision to the next level of FIL's process (e.g., the *Managing Board*), then WADA may bypass the remaining steps in FIL's internal process and appeal directly to CAS.]

a decision under Article 27.3 of the *Code* may be appealed exclusively as provided in this Article 13.2.

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

In cases arising from participation in an *International Event* or in cases involving *International-Level Athletes*, the decision may be appealed exclusively to CAS.⁶⁵

13.2.2 Appeals Involving Other *Athletes* or Other *Persons*

In cases where Article 13.2.1 is not applicable, the decision may be appealed to an appellate body, in accordance with rules adopted by the *National Anti-Doping Organization* having authority over the *Athlete* or other *Person*.

The rules for such appeal shall respect the following principles: a timely hearing; a fair, impartial, *Operationally Independent* and *Institutionally Independent* hearing panel; the right to be represented by counsel at the *Person's* own expense; and a timely, written, reasoned decision.

If no such body as described above is in place and available at the time of the appeal, the decision may be appealed to CAS in accordance with the applicable procedural rules.

13.2.3 *Persons* Entitled to Appeal

13.2.3.1 Appeals Involving *International-Level Athletes* or *International Events*

In cases under Article 13.2.1, the following parties shall have the right to appeal to CAS: (a) the *Athlete* or other *Person* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) FIL; (d) the *National Anti-Doping Organization* of the *Person's* country of residence or countries where the *Person* is a national or license holder; (e) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (f) WADA.

13.2.3.2 Appeals Involving Other *Athletes* or Other *Persons*

In cases under Article 13.2.2, the parties having the right to appeal to the appellate body shall be as provided in the *National Anti-Doping Organization's* rules but, at a minimum, shall include the following parties: (a) the *Athlete* or other *Person* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) FIL; (d) the *National Anti-Doping Organization* of the *Person's* country of residence or countries where the *Person* is a national or license holder; (e) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (f) WADA.

⁶⁵ [Comment to Article 13.2.1: CAS decisions are final and binding except for any review required by law applicable to the annulment or enforcement of arbitral awards.]

For cases under Article 13.2.2, WADA, the International Olympic Committee, the International Paralympic Committee, and FIL shall also have the right to appeal to CAS with respect to the decision of the appellate body.

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

13.2.3.3 Duty to Notify

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.

13.2.3.4 Appeal from Imposition of *Provisional Suspension*

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.

13.2.3.5 Appeal from Decisions under Article 12

Decisions by FIL pursuant to Article 12 may be appealed exclusively to CAS by the *National Federation* or other body.

13.2.4 Cross Appeals and other Subsequent Appeals Allowed

Cross appeals and other subsequent appeals by any respondent named in cases brought to CAS under the *Code* are specifically permitted. Any party with a right to appeal under this Article 13 must file a cross appeal or subsequent appeal at the latest with the party's answer.⁶⁶

13.3 Failure to Render a Timely Decision by FIL

Where, in a particular case, FIL 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 FIL 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 FIL.⁶⁷

13.4 Appeals Relating to TUEs

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

⁶⁶ [Comment to Article 13.2.4: This provision is necessary because since 2011, CAS rules no longer permit an Athlete the right to cross appeal when an Anti-Doping Organization appeals a decision after the Athlete's time for appeal has expired. This provision permits a full hearing for all parties.]

⁶⁷ [Comment to Article 13.3: Given the different circumstances of each anti-doping rule violation investigation and Results Management process, it is not feasible to establish a fixed time period for FIL to render a decision before WADA may intervene by appealing directly to CAS. Before taking such action, however, WADA will consult with FIL and give FIL an opportunity to explain why it has not yet rendered a decision.]

13.5 Notification of Appeal Decisions

FIL shall promptly provide the appeal decision to the *Athlete* or other *Person* and to the other *Anti-Doping Organizations* that would have been entitled to appeal under Article 13.2.3 as provided under Article 14.2.

13.6 Time for Filing Appeals⁶⁸

13.6.1 Appeals to CAS

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

- (a) Within fifteen (15) days from the notice of the decision, such party/ies shall have the right to request a copy of the full case file pertaining to the decision from the *Anti-Doping Organization* that had *Results Management* authority;
- (b) If such a request is made within the fifteen (15) day period, then the party making such request shall have twenty-one (21) days from receipt of the file to file an appeal to CAS.

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

- (a) Twenty-one (21) days after the last day on which any other party having a right to appeal could have appealed, or
- (b) Twenty-one (21) days after WADA's receipt of the complete file relating to the decision.

13.6.2 Appeals Under Article 13.2.2

The time to file an appeal to an independent and impartial body in accordance with rules established by the *National Anti-Doping Organization* shall be indicated by the same rules of the *National Anti-Doping Organization*.

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

- (a) Twenty-one (21) days after the last day on which any other party having a right to appeal could have appealed, or
- (b) Twenty-one (21) days after WADA's receipt of the complete file relating to the decision.

ARTICLE 14 CONFIDENTIALITY AND REPORTING

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

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

⁶⁸ [Comment to Article 13.6: Whether governed by CAS rules or these Anti-Doping Rules, a party's deadline to appeal does not begin running until receipt of the decision. For that reason, there can be no expiration of a party's right to appeal if the party has not received the decision.]

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

If at any point during *Results Management* up until the anti-doping rule violation charge, FIL decides not to move forward with a matter, it must notify the *Athlete* or other *Person*, (provided that the *Athlete* or other *Person* had been already informed of the ongoing *Results Management*).

Notice shall be delivered or emailed to *Athletes* or other *Persons*. If the notification takes place via *National Federations*, the *National Federations* shall confirm the notification to the FIL.

14.1.2 Notice of Anti-Doping Rule Violations to *National Anti-Doping Organizations* and WADA

Notice of the assertion of an anti-doping rule violation to the *Athlete's* or other *Person's National Anti-Doping Organization* and WADA shall occur as provided under Articles 7 and 14, simultaneously with the notice to the *Athlete* or other *Person*.

If at any point during *Results Management* up until the anti-doping rule violation charge, FIL decides not to move forward with a matter, it must give notice (with reasons) to the *Anti-Doping Organizations* with a right of appeal under Article 13.2.3.

Notice shall be delivered or emailed.

14.1.3 Content of an Anti-Doping Rule Violation Notice

Notification of an anti-doping rule violation shall include: the *Athlete's* or other *Person's* name, country, sport and discipline within the sport, the *Athlete's* competitive level, whether the test was *In-Competition* or *Out-of-Competition*, the date of *Sample* collection, the analytical result reported by the laboratory, and other information as required by the *International Standard for Testing and Investigations* and *International Standard for Results Management*.

Notification of anti-doping rule violations other than under Article 2.1 shall also include the rule violated and the basis of the asserted violation.

14.1.4 Status Reports

Except with respect to investigations which have not resulted in a notice of an anti-doping rule violation pursuant to Article 14.1.1, the *Athlete's* or other *Person's National Anti-Doping Organization* and WADA shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Article 7, 8 or 13 and shall be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.

14.1.5 Confidentiality

The recipient organizations shall not disclose this information beyond those *Persons* with a need to know (which would include the appropriate personnel at the applicable *National Olympic Committee*, *National Federation*, and team in a *Team Sport* until FIL has made *Public Disclosure* as permitted by Article 14.3.

14.1.6 Protection of Confidential Information by an Employee or Agent of the FIL

FIL shall ensure that information concerning *Adverse Analytical Findings*, *Atypical Findings*, and other asserted anti-doping rule violations remains confidential until such information is *Publicly Disclosed* in accordance with Article 14.3. FIL shall ensure that its employees (whether permanent or otherwise), contractors, agents, consultants, and *Delegated Third Parties* are subject to fully enforceable contractual duty of confidentiality and to fully enforceable procedures for the investigation and disciplining of improper and/or unauthorized disclosure of such confidential information.

14.2 Notice of Anti-Doping Rule Violation or violations of *Ineligibility* or *Provisional Suspension* Decisions and Request for Files

14.2.1 Anti-doping rule violation decisions or decisions related to violations of *Ineligibility* or *Provisional Suspension* rendered pursuant to Article 7.6, 8.2, 10.5, 10.6, 10.7, 10.14.3 or 13.5 shall include the full reasons for the decision, including, if applicable, a justification for why the maximum potential sanction was not imposed. Where the decision is not in English or French, FIL shall provide an English or French summary of the decision and the supporting reasons.

14.2.2 An *Anti-Doping Organization* having a right to appeal a decision received pursuant to Article 14.2.1 may, within fifteen (15) days of receipt, request a copy of the full case file pertaining to the decision.

14.3 Public Disclosure

14.3.1 After notice has been provided to the *Athlete* or other *Person* in accordance with the *International Standard for Results Management*, and to the applicable *Anti-Doping Organizations* in accordance with Article 14.1.2, the identity of any *Athlete* or other *Person* who is notified of a potential anti-doping rule violation, the *Prohibited Substance* or *Prohibited Method* and the nature of the violation involved, and whether the *Athlete* or other *Person* is subject to a *Provisional Suspension* may be *Publicly Disclosed* by FIL.

14.3.2 No later than twenty (20) days after it has been determined in an appellate decision under Article 13.2.1 or 13.2.2, 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 otherwise been timely challenged, or the matter has been resolved under Article 10.8, or a new period of *Ineligibility*, or reprimand, has been imposed under Article 10.14.3, FIL must *Publicly Disclose* the disposition of the anti-doping matter, including the sport, the anti-doping rule violated, the name of the *Athlete* or other *Person* committing the violation, the *Prohibited Substance* or *Prohibited Method* involved (if any) and the *Consequences* imposed. FIL must also *Publicly Disclose* within twenty (20) days the results of appellate decisions concerning anti-doping rule violations, including the information described above.⁶⁹

14.3.3 After an anti-doping rule violation has been determined to have been committed in an appellate decision under Article 13.2.1 or 13.2.2 or such appeal has been

⁶⁹ [Comment to Article 14.3.2: Where *Public Disclosure* as required by Article 14.3.2 would result in a breach of other applicable laws, FIL's failure to make the *Public Disclosure* will not result in a determination of non-compliance with Code as set forth in Article 4.1 of the *International Standard for the Protection of Privacy and Personal Information*.]

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, FIL may make public such determination or decision and may comment publicly on the matter.

- 14.3.4** 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. FIL shall use reasonable efforts to obtain such consent, and if consent is obtained, shall *Publicly Disclose* the decision in its entirety or in such redacted form as the *Athlete* or other *Person* may approve.
- 14.3.5** Publication shall be accomplished at a minimum by placing the required information on the FIL's website and leaving the information up for the longer of one (1) month or the duration of any period of *Ineligibility*. It will be removed immediately after the expiry of the indicated time periods.
- 14.3.6** Except as provided in Articles 14.3.1 and 14.3.3, no *Anti-Doping Organization*, *National Federation*, or WADA-accredited laboratory, or any official of any such body, shall publicly comment 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*, other *Person* or their entourage or other representatives.
- 14.3.7** The mandatory *Public Disclosure* required in Article 14.3.2 shall not be required where the *Athlete* or other *Person* who has been found to have committed an anti-doping rule violation is a *Minor*, *Protected Person* or *Recreational Athlete*. Any optional *Public Disclosure* in a case involving a *Minor*, *Protected Person* or *Recreational Athlete* shall be proportionate to the facts and circumstances of the case.

14.4 Statistical Reporting

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

14.5 Doping Control Information Database and Monitoring of Compliance

To enable WADA to perform its compliance monitoring role and to ensure the effective use of resources and sharing of applicable *Doping Control* information among *Anti-Doping Organizations*, FIL shall report to WADA through ADAMS *Doping Control*-related information, including, in particular:

- (a) *Athlete Biological Passport* data for *International-Level Athletes* and *National-Level Athletes*,
- (b) Whereabouts information for *Athletes* including those in *Registered Testing Pools*,
- (c) *TUE* decisions, and
- (d) *Results Management* decisions,

as required under the applicable *International Standard(s)*.

- 14.5.1** To facilitate coordinated test distribution planning, avoid unnecessary duplication in *Testing* by various *Anti-Doping Organizations*, and to ensure that *Athlete Biological Passport* profiles are updated, FIL shall report all *In-Competition* and *Out-of-Competition* tests to WADA by entering the *Doping Control* forms into ADAMS in accordance with the requirements and timelines contained in the *International Standard for Testing and Investigations*.
- 14.5.2** To facilitate WADA's oversight and appeal rights for *TUEs*, FIL shall report all *TUE* applications, decisions and supporting documentation using ADAMS in accordance with the requirements and timelines contained in the *International Standard for Therapeutic Use Exemptions*.
- 14.5.3** To facilitate WADA's oversight and appeal rights for *Results Management*, FIL shall report the following information into ADAMS in accordance with the requirements and timelines outlined in the *International Standard for Results Management*: (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*; (c) whereabouts failures; and (d) any decision imposing, lifting or reinstating a *Provisional Suspension*.
- 14.5.4** The information described in this Article will be made accessible, where appropriate and in accordance with the applicable rules, to the *Athlete*, the *Athlete's National Anti-Doping Organization*, and any other *Anti-Doping Organizations* with *Testing* authority over the *Athlete*.

14.6 Data Privacy

- 14.6.1** FIL may collect, store, process or disclose personal information relating to *Athletes* and other *Persons* where necessary and appropriate to conduct its *Anti-Doping Activities* under the *Code*, the *International Standards* (including specifically the *International Standard for the Protection of Privacy and Personal Information*), these *Anti-Doping Rules*, and in compliance with applicable law.
- 14.6.2** Without limiting the foregoing, FIL shall:
- (a) Only process personal information in accordance with a valid legal ground;
 - (b) Notify any *Participant* or *Person* subject to these *Anti-Doping Rules*, in a manner and form that complies with applicable laws and the *International Standard for the Protection of Privacy and Personal Information*, that their personal information may be processed by FIL and other *Persons* for the purpose of the implementation of these *Anti-Doping Rules*;
 - (c) Ensure that any third-party agents (including any *Delegated Third Party*) with whom FIL shares the personal information of any *Participant* or *Person* is subject to appropriate technical and contractual controls to protect the confidentiality and privacy of such information.

ARTICLE 15 IMPLEMENTATION OF DECISIONS

15.1 Automatic Binding Effect of Decisions by Signatory Anti-Doping Organizations

- 15.1.1** A decision of an anti-doping rule violation made by a *Signatory Anti-Doping Organization*, an appellate body (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 FIL and its *National Federations*, as well as every *Signatory* in every sport with the effects described below:

- 15.1.1.1** 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) automatically prohibits the *Athlete* or other *Person* from participation (as described in Article 10.14.1) in all sports within the authority of any *Signatory* during the *Provisional Suspension*.
- 15.1.1.2** 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) in all sports within the authority of any *Signatory* for the period of *Ineligibility*.
- 15.1.1.3** A decision by any of the above-described bodies accepting an anti-doping rule violation automatically binds all *Signatories*.
- 15.1.1.4** A decision by any of the above-described bodies to *Disqualify* results under Article 10.10 for a specified period automatically *Disqualifies* all results obtained within the authority of any *Signatory* during the specified period.
- 15.1.2** FIL and its *National Federations* shall recognize and implement a decision and its effects as required by Article 15.1.1, without any further action required, on the earlier of the date FIL receives actual notice of the decision or the date the decision is placed into ADAMS.
- 15.1.3** A decision by an *Anti-Doping Organization*, a national appellate body or CAS to suspend, or lift, *Consequences* shall be binding upon FIL and its *National Federations* without any further action required, on the earlier of the date FIL receives actual notice of the decision or the date the decision is placed into ADAMS.
- 15.1.4** Notwithstanding any provision in Article 15.1.1, however, a decision of an anti-doping rule violation by a *Major Event Organization* made in an expedited process during an *Event* shall not be binding on FIL or its *National Federations* unless the rules of the *Major Event Organization* provide the *Athlete* or other *Person* with an opportunity to an appeal under non-expedited procedures.⁷⁰

15.2 Implementation of Other Decisions by Anti-Doping Organizations

FIL and its *National Federations* may decide to implement other anti-doping decisions rendered by *Anti-Doping Organizations* not described in Article 15.1.1 above, such as a *Provisional Suspension*

⁷⁰ [Comment to Article 15.1.4: By way of example, where the rules of the Major Event Organization give the Athlete or other Person the option of choosing an expedited CAS appeal or a CAS appeal under normal CAS procedure, the final decision or adjudication by the Major Event Organization is binding on other Signatories regardless of whether the Athlete or other Person chooses the expedited appeal option.]

prior to a *Provisional Hearing* or acceptance by the *Athlete* or other *Person*.⁷¹

15.3 Implementation of Decisions by Body that is not a *Signatory*

An anti-doping decision by a body that is not a *Signatory* to the *Code* shall be implemented by FIL and its *National Federations*, if FIL finds that the decision purports to be within the authority of that body and the anti-doping rules of that body are otherwise consistent with the *Code*.⁷²

ARTICLE 16 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 (10) years from the date the violation is asserted to have occurred.

ARTICLE 17 EDUCATION

FIL shall plan, implement, evaluate and promote *Education* in line with the requirements of Article 18.2 of the *Code* and the *International Standard for Education*.

FIL may decide to request *Athletes* to complete *Educational* activities before and/or during their participation to selected *Event* (e.g: Youth World Championships) as a condition of such participation. The list of *Events* for which *Athletes* will be required to complete *Educational* activities as a condition of participation will be published on FIL's website.

Failure by the *Athlete* to complete *Educational* activities as requested by FIL may result in the imposition of sanction under FIL's disciplinary rules, unless the *Athlete* provides to FIL a justification for such failure, which shall be assessed by FIL on a case by case basis.

ARTICLE 18 ADDITIONAL ROLES AND RESPONSIBILITIES OF NATIONAL FEDERATIONS

18.1 All *National Federations* and their members shall comply with the *Code*, *International Standards*, and these Anti-Doping Rules. All *National Federations* and other members shall include in their policies, rules and programs the provisions necessary to ensure that FIL may enforce these Anti-Doping Rules (including carrying out *Testing*) directly in respect of *Athletes* (including *National-Level Athletes*) and other *Persons* under their anti-doping

⁷¹ [Comment to Articles 15.1 and 15.2: Anti-Doping Organization decisions under Article 15.1 are implemented automatically by other Signatories without the requirement of any decision or further action on the Signatories' part. For example, when a National Anti-Doping Organization decides to Provisionally Suspend an Athlete, that decision is given automatic effect at the International Federation level. To be clear, the "decision" is the one made by the National Anti-Doping Organization, there is not a separate decision to be made by the International Federation. Thus, any claim by the Athlete that the Provisional Suspension was improperly imposed can only be asserted against the National Anti-Doping Organization. Implementation of Anti-Doping Organizations' decisions under Article 15.2 is subject to each Signatory's discretion. A Signatory's implementation of a decision under Article 15.1 or Article 15.2 is not appealable separately from any appeal of the underlying decision. The extent of recognition of TUE decisions of other Anti-Doping Organizations shall be determined by Article 4.4 and the International Standard for Therapeutic Use Exemptions.]

⁷² [Comment to Article 15.3: Where the decision of a body that has not accepted the Code is in some respects Code compliant and in other respects not Code compliant, FIL, other Signatories and National Federations should attempt to apply the decision in harmony with the principles of the Code. For example, if in a process consistent with the Code a non-Signatory has found an Athlete to have committed an anti-doping rule violation on account of the presence of a Prohibited Substance in the Athlete's body but the period of Ineligibility applied is shorter than the period provided for in the Code, then FIL and all other Signatories should recognize the finding of an anti-doping rule violation and the Athlete's National Anti-Doping Organization should conduct a hearing consistent with Article 8 to determine whether the longer period of Ineligibility provided in the Code should be imposed. FIL or other Signatory's implementation of a decision, or their decision not to implement a decision under Article 15.3, is appealable under Article 13.]

authority as specified in the Introduction to these Anti-Doping Rules (Section “Scope of these Anti-Doping Rules”).

- 18.2** Each *National Federation* shall incorporate these Anti-Doping Rules either directly or by reference into its governing documents, constitution and/or rules as part of the rules of sport that bind their members so that the *National Federation* may enforce them itself directly in respect of *Athletes* (including *National-Level Athletes*) and other *Persons* under its anti-doping authority.
- 18.3** By adopting these Anti-Doping Rules, and incorporating them into their governing documents and rules of sport, *National Federations* shall cooperate with and support FIL in that function. They shall also recognize, abide by and implement the decisions made pursuant to these Anti-Doping Rules, including the decisions imposing sanctions on *Persons* under their authority.
- 18.4** All *National Federations* shall take appropriate action to enforce compliance with the *Code*, *International Standards*, and these Anti-Doping Rules by *inter alia*:
- (i) conducting *Testing* only under the documented authority of FIL and using their *National Anti-Doping Organization* or other *Sample* collection authority to collect *Samples* in compliance with the *International Standard* for *Testing* and Investigations;
 - (ii) recognizing the authority of the *National Anti-Doping Organization* in their country in accordance with Article 5.2.1 of the *Code* and assisting as appropriate with the *National Anti-Doping Organization's* implementation of the national *Testing* program for their sport;
 - (iii) analyzing all *Samples* collected using a WADA-accredited or WADA-approved laboratory in accordance with Article 6.1; and
 - (iv) ensuring that any national level anti-doping rule violation cases discovered by *National Federations* are adjudicated by an *Operationally Independent* hearing panel in accordance with Article 8.1 and the *International Standard* for *Results Management*.
- 18.5** All *National Federations* shall establish rules requiring all *Athletes* preparing for or participating in a *Competition* or activity authorized or organized by a *National Federation* or one of its member organizations, and all *Athlete Support Personnel* associated with such *Athletes*, to agree to be bound by these Anti-Doping Rules and to submit to the *Results Management* authority of the *Anti-Doping Organization* in conformity with the *Code* as a condition of such participation.
- 18.6** All *National Federations* shall report any information suggesting or relating to an anti-doping rule violation to FIL and to their *National Anti-Doping Organizations* and shall cooperate with investigations conducted by any *Anti-Doping Organization* with authority to conduct the investigation.
- 18.7** All *National Federations* shall have disciplinary rules in place to prevent *Athlete Support Personnel* who are *Using Prohibited Substances* or *Prohibited Methods* without valid justification from providing support to *Athletes* under the authority of FIL or the *National Federation*.
- 18.8** All *National Federations* shall conduct anti-doping *Education* in coordination with their *National Anti-Doping Organizations*.

ARTICLE 19 ADDITIONAL ROLES AND RESPONSIBILITIES OF FIL

- 19.1** In addition to the roles and responsibilities described in Article 20.3 of the *Code* for International Federations, FIL shall report to WADA on FIL's compliance with the *Code* and the *International Standards* in accordance with Article 24.1.2 of the *Code*.
- 19.2** Subject to applicable law, and in accordance with Article 20.3.4 of the *Code*, all FIL board members, directors, officers, and those employees (and those of appointed *Delegated Third Parties*) who are involved in any aspect of *Doping Control*, must sign a form provided by FIL, agreeing to be bound by these Anti-Doping Rules as *Persons* in conformity with the *Code* for direct and intentional misconduct.
- 19.3** Subject to applicable law, and in accordance with Article 20.3.5 of the *Code*, any FIL employee who is involved in *Doping Control* (other than authorized anti-doping *Education* or rehabilitation programs) must sign a statement provided by FIL confirming that they are not *Provisionally Suspended* or serving a period of *Ineligibility* and have not been directly or intentionally engaged in conduct within the previous six (6) years which would have constituted a violation of anti-doping rules if *Code*-compliant rules had been applicable to them.

ARTICLE 20 ADDITIONAL ROLES AND RESPONSIBILITIES OF ATHLETES

- 20.1** To be knowledgeable of and comply with these Anti-Doping Rules.
- 20.2** To be available for *Sample* collection at all times.⁷³
- 20.3** To take responsibility, in the context of anti-doping, for what they ingest and *Use*.
- 20.4** To inform medical personnel of their obligation not to *Use Prohibited Substances* and *Prohibited Methods* and to take responsibility to make sure that any medical treatment received does not violate these Anti-Doping Rules.
- 20.5** To disclose to FIL and their *National Anti-Doping Organization* any decision by a non-*Signatory* finding that the *Athlete* committed an anti-doping rule violation within the previous ten (10) years.
- 20.6** To cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.
Failure by any *Athlete* to cooperate in full with *Anti-Doping Organizations* investigating anti-doping rule violations may result in a charge of misconduct under FIL's disciplinary rules.
- 20.7** To disclose the identity of their *Athlete Support Personnel* upon request by FIL or a *National Federation*, or any other *Anti-Doping Organization* with authority over the *Athlete*.
- 20.8** Offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control* by an *Athlete*, which does not otherwise constitute *Tampering*, may result in a charge of misconduct under FIL's disciplinary rules.

ARTICLE 21 ADDITIONAL ROLES AND RESPONSIBILITIES OF ATHLETE SUPPORT PERSONNEL

- 21.1** To be knowledgeable of and comply with these Anti-Doping Rules.

⁷³ [Comment to Article 20.2: With due regard to an *Athlete's* human rights and privacy, legitimate anti-doping considerations sometimes require *Sample* collection late at night or early in the morning. For example, it is known that some *Athletes* *Use* low doses of EPO during these hours so that it will be undetectable in the morning.]

- 21.2** To cooperate with the *Athlete Testing* program.
- 21.3** To use their influence on *Athlete* values and behavior to foster anti-doping attitudes.
- 21.4** To disclose to FIL and their *National Anti-Doping Organization* any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten (10) years.
- 21.5** To cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.
Failure by any *Athlete Support Personnel* to cooperate in full with *Anti-Doping Organizations* investigating anti-doping rule violations may result in a charge of misconduct under FIL's disciplinary rules.
- 21.6** *Athlete Support Personnel* shall not *Use* or *Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification.
Any such *Use* or *Possession* may result in a charge of misconduct under FIL's disciplinary rules.
- 21.7** Offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control* by *Athlete Support Personnel*, which does not otherwise constitute *Tampering*, may result in a charge of misconduct under FIL's disciplinary rules.

ARTICLE 22 ADDITIONAL ROLES AND RESPONSIBILITIES OF OTHER PERSONS SUBJECT TO THESE ANTI-DOPING RULES

- 22.1** To be knowledgeable of and comply with these Anti-Doping Rules.
- 22.2** To disclose to FIL and their *National Anti-Doping Organization* any decision by a non-*Signatory* finding that they committed an anti-doping rule violation within the previous ten (10) years.
- 22.3** To cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.
Failure by any other *Person* subject to these Anti-Doping Rules to cooperate in full with *Anti-Doping Organizations* investigating anti-doping rule violations may result in a charge of misconduct under FIL's disciplinary rules.
- 22.4** Not to *Use* or *Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification.
- 22.5** Offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control* by a *Person*, which does not otherwise constitute *Tampering*, may result in a charge of misconduct under FIL's disciplinary rules.

ARTICLE 23 INTERPRETATION OF THE CODE

- 23.1** The official text of the *Code* shall be maintained by WADA and shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.
- 23.2** The comments annotating various provisions of the *Code* shall be used to interpret the *Code*.

- 23.3** The *Code* shall be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of the *Signatories* or governments.
- 23.4** The headings used for the various Parts and Articles of the *Code* are for convenience only and shall not be deemed part of the substance of the *Code* or to affect in any way the language of the provisions to which they refer.
- 23.5** Where the term “days” is used in the *Code* or an *International Standard*, it shall mean calendar days unless otherwise specified.
- 23.6** The *Code* shall not apply retroactively to matters pending before the date the *Code* is accepted by a *Signatory* and implemented in its rules. However, pre-*Code* anti-doping rule violations would continue to count as “First violations” or “Second violations” for purposes of determining sanctions under Article 10 for subsequent post-*Code* violations.
- 23.7** The Purpose, Scope and Organization of the World Anti-Doping Program and the *Code* and Appendix 1, Definitions, shall be considered integral parts of the *Code*.

ARTICLE 24 FINAL PROVISIONS

- 24.1** Where the term “days” is used in these Anti-Doping Rules, it shall mean calendar days unless otherwise specified.
- 24.2** These Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.
- 24.3** These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the *Code* and the *International Standards* and shall be interpreted in a manner that is consistent with applicable provisions of the *Code* and the *International Standards*. The *Code* and the *International Standards* shall be considered integral parts of these Anti-Doping Rules and shall prevail in case of conflict.
- 24.4** The Introduction and Appendix 1 shall be considered integral parts of these Anti-Doping Rules.
- 24.5** The comments annotating various provisions of these Anti-Doping Rules shall be used to interpret these Anti-Doping Rules.
- 24.6** These Anti-Doping Rules shall enter into force on 1 January 2021 (the “Effective Date”). They repeal previous versions of FIL’s Anti-Doping Rules.
- 24.7** These Anti-Doping Rules shall not apply retroactively to matters pending before the Effective Date. However:
- 24.7.1** Anti-doping rule violations taking place prior to the Effective Date count as “first violations” or “second violations” for purposes of determining sanctions under Article 10 for violations taking place after the Effective Date.
- 24.7.2** Any anti-doping rule violation case which is pending as of the Effective Date and any anti-doping rule violation case brought after the Effective Date based on an anti-doping rule violation which occurred prior to the Effective Date, shall be governed by the substantive anti-doping rules in effect at the time the alleged anti-doping rule violation occurred, and not by the substantive anti-doping rules set out in these Anti-Doping Rules, unless the panel hearing the case determines

the principle of “lex mitior” appropriately applies under the circumstances of the case. For these purposes, the retrospective periods in which prior violations can be considered for purposes of multiple violations under Article 10.9.4 and the statute of limitations set forth in Article 16 are procedural rules, not substantive rules, and should be applied retroactively along with all of the other procedural rules in these Anti-Doping Rules (provided, however, that Article 16 shall only be applied retroactively if the statute of limitations period has not already expired by the Effective Date).

- 24.7.3** Any Article 2.4 whereabouts failure (whether a filing failure or a missed test, as those terms are defined in the *International Standard for Results Management*) prior to the Effective Date shall be carried forward and may be relied upon, prior to expiry, in accordance with the *International Standard for Results Management*, but it shall be deemed to have expired twelve (12) months after it occurred.
- 24.7.4** With respect to cases where a final decision finding an anti-doping rule violation has been rendered prior to the Effective Date, but the *Athlete* or other *Person* is still serving the period of *Ineligibility* as of the Effective Date, the *Athlete* or other *Person* may apply to FIL or other *Anti-Doping Organization* which had *Results Management* responsibility for the anti-doping rule violation to consider a reduction in the period of *Ineligibility* in light of these Anti-Doping Rules. Such application must be made before the period of *Ineligibility* has expired. The decision rendered may be appealed pursuant to Article 13.2. These Anti-Doping Rules shall have no application to any case where a final decision finding an anti-doping rule violation has been rendered and the period of *Ineligibility* has expired.
- 24.7.5** For purposes of assessing the period of *Ineligibility* for a second violation under Article 10.9.1, where the sanction for the first violation was determined based on rules in force prior to the Effective Date, the period of *Ineligibility* which would have been assessed for that first violation had these Anti-Doping Rules been applicable, shall be applied.⁷⁴
- 24.7.6** Changes to the *Prohibited List* and *Technical Documents* relating to substances or methods on the *Prohibited List* shall not, unless they specifically provide otherwise, be applied retroactively. As an exception, however, when a *Prohibited Substance* or a *Prohibited Method* has been removed from the *Prohibited List*, an *Athlete* or other *Person* currently serving a period of *Ineligibility* on account of the formerly *Prohibited Substance* or *Prohibited Method* may apply to FIL or other *Anti-Doping Organization* which had *Results Management* responsibility for the anti-doping rule violation to consider a reduction in the period of *Ineligibility* in light of the removal of the substance or method from the *Prohibited List*.

⁷⁴ [Comment to Article 24.7.5: Other than the situation described in Article 24.7.5, where a final decision finding an anti-doping rule violation has been rendered prior to the Effective Date and the period of *Ineligibility* imposed has been completely served, these Anti-Doping Rules may not be used to re-characterize the prior violation.]

APPENDIX 1 DEFINITIONS⁷⁵

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*.

Aggravating Circumstances: Circumstances involving, or actions by, an *Athlete* or other *Person* which may justify the imposition of a period of *Ineligibility* greater than the standard sanction. Such circumstances and actions shall include, but are not limited to: the *Athlete* or other *Person* *Used* or *Possessed* multiple *Prohibited Substances* or *Prohibited Methods*, *Used* or *Possessed* a *Prohibited Substance* or *Prohibited Method* on multiple occasions or committed multiple other anti-doping rule violations; a normal individual would be likely to enjoy the performance-enhancing effects of the anti-doping rule violation(s) beyond the otherwise applicable period of *Ineligibility*; the *Athlete* or *Person* engaged in deceptive or obstructive conduct to avoid the detection or adjudication of an anti-doping rule violation; or the *Athlete* or other *Person* engaged in *Tampering* during *Results Management* process. For the avoidance of doubt, the examples of circumstances and conduct described herein are not exclusive and other similar circumstances or conduct may also justify the imposition of a longer period of *Ineligibility*.

Anti-Doping Activities: Anti-doping *Education* and information, test distribution planning, maintenance of a *Registered Testing Pool*, managing *Athlete Biological Passports*, conducting *Testing*, organizing 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 Organization*, as set out in the *Code* and/or the *International Standards*.

Anti-Doping Organization: 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 Organizations* that conduct *Testing* at their *Events*, International Federations, and *National Anti-Doping Organizations*.

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

⁷⁵ [Comment to Definitions: Defined terms shall include their plural and possessive forms, as well as those terms used as other parts of speech.]

Anti-Doping Organization has elected to exercise its authority to test and who competes below the international or national level, then the *Consequences* set forth in the *Code* must be applied. For purposes of Article 2.8 and Article 2.9 and for purposes of anti-doping information and *Education*, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the *Code* is an *Athlete*.⁷⁶

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

Athlete 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.

Code: The World Anti-Doping Code.

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

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; (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 14. 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.

⁷⁶ [Comment to Athlete: Individuals who participate in sport may fall in one of five categories: 1) International-Level Athlete, 2) National-Level Athlete, 3) individuals who are not International- or National-Level Athletes but over whom the International Federation or National Anti-Doping Organization has chosen to exercise authority, 4) Recreational Athlete, and 5) individuals over whom no International Federation or National Anti-Doping Organization has, or has chosen to, exercise authority. All International- and National-Level Athletes are subject to the anti-doping rules of the Code, with the precise definitions of international and national level sport to be set forth in the anti-doping rules of the International Federations and National Anti-Doping Organizations.]

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 FIL 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 FIL, or individuals serving as independent contractors who perform *Doping Control* services for FIL (e.g., non-employee *Doping Control* officers or chaperones). This definition does not include CAS.

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, *TUEs*, *Sample* collection and handling, laboratory analysis, *Results Management*, and investigations or proceedings relating to violations of Article 10.14 (*Status During Ineligibility or Provisional Suspension*).

Education: The process of learning to instill values and develop behaviors that foster and protect the spirit of sport, and to prevent intentional and unintentional doping.

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

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

Event Venues: Those venues so designated by the ruling body for the *Event*.

Fault: *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 behavior. Thus, for example, the fact that an *Athlete* would lose the opportunity to earn large sums of money during a period of *Ineligibility*, or the fact that the *Athlete* only has a short time left in a career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of *Ineligibility* under Article 10.6.1 or 10.6.2.⁷⁷

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

In-Competition: 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*.

Independent Observer Program: 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 program.

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

⁷⁷ [Comment to *Fault*: The criterion for assessing an *Athlete's* degree of *Fault* is the same under all Articles where *Fault* is to be considered. However, under Article 10.6.2, no reduction of sanction is appropriate unless, when the degree of *Fault* is assessed, the conclusion is that No Significant *Fault* or Negligence on the part of the *Athlete* or other *Person* was involved.]

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

Institutional Independence: Hearing panels on appeal shall be fully independent institutionally from the *Anti-Doping Organization* responsible for *Results Management*. They must therefore not in any way be administered by, connected or subject to the *Anti-Doping Organization* responsible for *Results Management*.

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

International-Level Athlete: *Athletes* who compete in sport at the international level, as defined by each International Federation, consistent with the *International Standard for Testing and Investigations*. For the sport of luge, *International-Level Athletes* are defined as set out in the Scope section of the Introduction to these Anti-Doping Rules.⁷⁹

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

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

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

Metabolite: Any substance produced by a biotransformation process.

Minimum Reporting Level: The estimated concentration of a *Prohibited Substance* or its *Metabolite(s)* or *Marker(s)* in a *Sample* below which WADA-accredited laboratories should not report that *Sample* as an *Adverse Analytical Finding*.

Minor: A natural *Person* who has not reached the age of eighteen (18) years.

National Anti-Doping Organization: The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of *Samples*, the management of test results, and the conduct of *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 recognized by FIL as the entity governing FIL's sport in that nation or region.

⁷⁹ [Comment to *International-Level Athlete*: Consistent with the *International Standard for Testing and Investigations*, FIL is free to determine the criteria it will use to classify *Athletes* as *International-Level Athletes*, e.g., by ranking, by participation in particular *International Events*, by type of license, etc. However, it must publish those criteria in clear and concise form, so that *Athletes* are able to ascertain quickly and easily when they will become classified as *International-Level Athletes*. For example, if the criteria include participation in certain *International Events*, then the *International Federation* must publish a list of those *International Events*.]

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

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

No Fault or Negligence: The *Athlete* or other *Person's* establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had *Used* or been administered the *Prohibited Substance* or *Prohibited Method* or otherwise violated an anti-doping rule. Except in the case of a *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.

Operational Independence: This means that (1) board members, staff members, commission members, consultants and officials of the *Anti-Doping Organization* with responsibility for *Results Management* or its affiliates (e.g., member federation or confederation), as well as any *Person* involved in the investigation and pre-adjudication of the matter cannot be appointed as members and/or clerks (to the extent that such clerk is involved in the deliberation process and/or drafting of any decision) of hearing panels of that *Anti-Doping Organization* with responsibility for *Results Management* and (2) hearing panels shall be in a position to conduct the hearing and decision-making process without interference from the *Anti-Doping Organization* or any third party. The objective is to ensure that members of the hearing panel or individuals otherwise involved in the decision of the hearing panel, are not involved in the investigation of, or decisions to proceed with, the case.

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

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

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

Possession: The actual, physical *Possession*, or the constructive *Possession* (which shall be found only if the *Person* has exclusive control or intends to exercise control over the *Prohibited Substance* or *Prohibited Method* or the premises in which a *Prohibited Substance* or *Prohibited Method* exists); provided, however, that if the *Person* does not have exclusive control over the *Prohibited Substance* or *Prohibited Method* or the premises in which a *Prohibited Substance* or *Prohibited Method* exists, constructive *Possession* shall only be found if the *Person* knew about the presence of the *Prohibited Substance* or *Prohibited Method* and intended to exercise control over it. Provided, however, there shall be no anti-doping rule violation based solely on *Possession* if, prior to receiving notification of any kind that the *Person* has committed an anti-doping rule violation, the *Person* has taken concrete action demonstrating that the *Person* never intended to have *Possession* and has renounced *Possession* by explicitly declaring it to an *Anti-Doping Organization*. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a *Prohibited Substance* or *Prohibited Method* constitutes *Possession* by the *Person* who makes the purchase.⁸⁰

⁸⁰ [Comment to Possession: Under this definition, anabolic steroids found in an Athlete's car would constitute a violation unless the Athlete establishes that someone else used the car; in that event, FIL must establish that, even though the Athlete did not have exclusive control over the car, the Athlete knew about the anabolic steroids and intended to have control over them. Similarly, in the example of anabolic steroids found in a home medicine cabinet under the joint control of an Athlete and spouse, FIL must establish that the Athlete knew the anabolic steroids were in the cabinet and that the Athlete intended to exercise control over

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 (16) years; (ii) has not reached the age of eighteen (18) 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.⁸¹

Provisional Hearing: For purposes of Article 7.4.3, 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.⁸²

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 Organization*; provided, however, the term shall not include any *Person* who, within the five (5) years prior to committing any anti-doping rule violation, has been an *International-Level Athlete* (as defined by each International Federation consistent with the *International Standard for Testing and Investigations*) or *National-Level Athlete* (as defined by each *National Anti-Doping Organization* consistent with the *International Standard for Testing and Investigations*), 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 Organization*.⁸³

Regional Anti-Doping Organization: A regional entity designated by member countries to coordinate and manage delegated areas of their national anti-doping programs, which may include the adoption and implementation of anti-doping rules, the planning and collection of *Samples*, the management of results, the review of *TUEs*, the conduct of hearings, and the conduct of *Educational* programs at a regional level.

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

them. The act of purchasing a *Prohibited Substance* alone constitutes *Possession*, even where, for example, the product does not arrive, is received by someone else, or is sent to a third party address.]

⁸¹ [Comment to *Protected Person*: The Code treats *Protected Persons* differently than other *Athletes* or *Persons* in certain circumstances based on the understanding that, below a certain age or intellectual capacity, an *Athlete* or other *Person* may not possess the mental capacity to understand and appreciate the prohibitions against conduct contained in the Code. This would include, for example, a Paralympic *Athlete* with a documented lack of legal capacity due to an intellectual impairment. The term "open category" is meant to exclude competition that is limited to junior or age group categories.]

⁸² [Comment to *Provisional Hearing*: A *Provisional Hearing* is only a preliminary proceeding which may not involve a full review of the facts of the case. Following a *Provisional Hearing*, the *Athlete* remains entitled to a subsequent full hearing on the merits of the case. By contrast, an "expedited hearing", as that term is used in Article 7.4.3, is a full hearing on the merits conducted on an expedited time schedule.]

⁸³ [Comment to *Recreational Athlete*: The term "open category" is meant to exclude competition that is limited to junior or age group categories.]

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).

Sample or Specimen: Any biological material collected for the purposes of *Doping Control*.⁸⁴

Signatories: Those entities accepting the *Code* and agreeing to implement the *Code*, as provided in Article 23 of the *Code*.

Specified Method: See Article 4.2.2.

Specified Substance: See Article 4.2.2.

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

Substance of Abuse: See Article 4.2.3.

Substantial Assistance: For purposes of Article 10.7.1, 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, 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 Organization* 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 Organization* or *TUE* committee or hearing panel, procuring false testimony from witnesses, committing any other fraudulent act upon the *Anti-Doping Organization* 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*.⁸⁵

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.

⁸⁴ [Comment to *Sample or Specimen*: It has sometimes been claimed that the collection of blood *Samples* violates the tenets of certain religious or cultural groups. It has been determined that there is no basis for any such claim.]

⁸⁵ [Comment to *Tampering*: For example, this Article would prohibit altering identification numbers on a *Doping Control* form during *Testing*, breaking the B bottle at the time of B *Sample* analysis, altering a *Sample* by the addition of a foreign substance, or intimidating or attempting to intimidate a potential witness or a witness who has provided testimony or information in the *Doping Control* process. *Tampering* includes misconduct which occurs during the *Results Management* process. See Article 10.9.3.3. However, actions taken as part of a *Person's* legitimate defense to an anti-doping rule violation charge shall not be considered *Tampering*. Offensive conduct towards a *Doping Control* official or other *Person* involved in *Doping Control* which does not otherwise constitute *Tampering* shall be addressed in the disciplinary rules of sport organizations.]

Testing Pool: The tier below the *Registered Testing Pool* which includes *Athletes* from whom some whereabouts information is required in order to locate and *Test the Athlete Out-of-Competition*.

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 and the *International Standard for Therapeutic Use Exemptions* are met.

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

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

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

WADA: The World Anti-Doping Agency.

Without Prejudice Agreement: For purposes of Articles 10.7.1.1 and 10.8.2, a written agreement between an *Anti-Doping Organization* and an *Athlete* or other *Person* that allows the *Athlete* or other *Person* to provide information to the *Anti-Doping Organization* in a defined time-limited setting with the understanding that, if an agreement for *Substantial Assistance* or a case resolution agreement is not finalized, the information provided by the *Athlete* or other *Person* in this particular setting may not be used by the *Anti-Doping Organization* against the *Athlete* or other *Person* in any *Results Management* proceeding under the *Code*, and that the information provided by the *Anti-Doping Organization* in this particular setting may not be used by the *Athlete* or other *Person* against the *Anti-Doping Organization* in any *Results Management* proceeding under the *Code*. Such an agreement shall not preclude the *Anti-Doping Organization*, *Athlete* or other *Person* from using any information or evidence gathered from any source other than during the specific time-limited setting described in the agreement.



FIL-ETHIKCODE

Ausgabe 2022

Beschlossen beim 70. FIL-Kongress in Hall in Tirol / AUT

www.fil-luge.org

FIL Ethik-Code

I Ethik-Grundsätze der FIL

Die FIL ist die oberste Behörde in allen Fragen, die den Rodelsport betreffen. Sie ist alleiniger Vertreter des Internationalen Rodelsports und vertritt die Interessen des Rodelsports weltweit, soweit die Rodelsportdisziplinen von ihr anerkannt sind. Die FIL anerkennt den Kunstbahnsport und den Naturbahnsport.

Die FIL erlaubt keinerlei Diskriminierung gegenüber ihren Mitgliedern sowie sonstigen, der FIL verbundenen Personen und Institutionen aus politischen, rassistischen, religiösen oder anderen Gründen. Sie schützt die Persönlichkeitsrechte aller Beteiligten.

Die FIL, deren Tätigkeit nicht auf Gewinn gerichtet ist, bezweckt:

- den Rodelsport weltweit zu entwickeln, zu überwachen, zu fördern und zu lenken;
- den Rodelsport im Rahmen und im Geist der internationalen olympischen Sportbewegung und der Olympic Charter zu führen;
- die Zielsetzungen der nationalen Föderationen in Form von Hilfe in Theorie und Praxis zu unterstützen;
- die Zusammenarbeit mit anderen internationalen Sport- und Sportwissenschaftsorganisationen;
- die Organisation und Förderung des Sportverkehrs;
- die Veranstaltung von Weltmeisterschaften, Kontinental-Meisterschaften, Welt- und Kontinentalcups sowie weiteren vom Kongress oder von der Exekutive genehmigte Wettkämpfen;
- die Einrichtung und Aufrechterhaltung einer höchsten Berufungsinstanz für Proteste und andere Rechtsfragen aus internationalen Rodelwettbewerben sowie für alle Fragen, welche die FIL-Statuten und FIL-Reglemente betreffen;
- die Förderung des Austausches von Erfahrungen und Erkenntnissen aus der Entwicklung des Rodelsports auf internationaler Ebene;
- die Setzung verbindlicher Regeln für alle Rodeldisziplinen;
- die Anerkennung jener internationaler Rodelwettbewerbe, die in Übereinstimmung mit den Statuten und Reglement der FIL durchgeführt werden;
- die Setzung der erforderlichen Maßnahmen, um sicherzustellen, dass die geltenden Statuten und Reglements bei den von der FIL anerkannten Wettbewerben beachtet werden;

- die Setzung möglichst wirksamer Maßnahmen zur Unfallverhütung und ausreichender medizinischer Versorgung;
- die Rücksichtnahme auf die Umwelt;
- die Gewährleistung des „Fair-Play“ – Prinzips sowie der Regel- und Gesetzestreue;
- die Transparenz der Verbandsführung und der Vergabe und Durchführung sportlicher Veranstaltungen;
- die umfassende Dokumentation des Rodelsportes, insbesondere durch Speicherung und Sicherung von Film-, Bild- und Tonmaterial;
- die Werbung für und mit dem Rodelsport.

II Konkretisierung der Handlungsanleitungen

1. Adressatenkreis des FIL-Ethik-Codes

Der FIL-Ethik-Code richtet sich an alle Mitglieder der FIL (NFs), Organe einschließlich deren Mitglieder und Beauftragten (wie zum Beispiel Trainer und Kampfrichter) der FIL, alle Athleten und sonstigen Beteiligten an FIL-Wettbewerben und Trainingsveranstaltungen sowie alle sonstigen Personen, die mitgliedschafts- oder vertragsrechtlich den Statuten, Beschlüssen und Anordnungen der FIL-Organe unterstellt sind, einschließlich aller Personen, welche Kunstbahnen und Naturbahnen für den Rodelsport einrichten und unterhalten sowie Geräte oder Anlagen für diese Bahnen liefern oder installieren.

2. Die konkreten Handlungsanleitungen

Alle Handlungen, die für die FIL oder im Interesse der FIL einschließlich der ihr angeschlossenen Verbände, Vereine, Organe und Athleten erbracht werden, müssen den in Abschnitt I niedergelegten Ethik-Grundsätzen sowie den ethischen Anforderungen nachfolgender Handlungsanleitungen genügen:

- 2.1** Die Chancengleichheit der Athleten in Training und Wettkampf (sportlicher Wettbewerb) ist zu wahren.
- 2.2** Die gesundheitliche Integrität aller am sportlichen Wettbewerb Beteiligten ist zu wahren.
- 2.3** Die Intimsphäre sowie die persönliche und sexuelle Integrität aller am sportlichen Wettbewerb Beteiligten sind zu wahren, auch bei der Durchführung der Dopingkontrollen und der Einrichtung von Umkleideräumlichkeiten und WCs.
- 2.4** Die persönliche Würde und Ehre, gegenseitiger Respekt und Wertschätzung der Persönlichkeitsrechte sind zu gewährleisten.

- 2.5** Behinderten und Opfern von Schadensfällen ist Schutz und Hilfestellung zu gewähren, auch im Verhältnis zu Medien und der öffentlichen Meinung.
- 2.6** Die körperliche Integrität und Sicherheit der Athleten und von anderen am sportlichen Wettbewerb Beteiligten sind bei Ausrüstung, Sportgerät und Sportanlagen zu gewährleisten.
- 2.7** Die Integrität der sportlichen Wettbewerbe ist in jeder Hinsicht zu gewährleisten, insbesondere:
 - 2.7.1** die Transparenz des Bewerbungsverfahrens und des Vergabeverfahrens sowie die Einheitlichkeit der Bewerbungsausschreibung für alle Bewerber,
 - 2.7.2** die Unabhängigkeit der Vergabeentscheidungen von unlauterer Beeinflussung durch finanzielle oder andere Maßnahmen,
 - 2.7.3** die Gewährleistung einheitlicher Trainingsmöglichkeiten im Geiste des „Fair-Play“,
 - 2.7.4** die Gewährleistung der Neutralität und der Regeltreue aller am sportlichen Wettbewerb beteiligten Offiziellen, einschließlich der Jury und Kampfrichter,
 - 2.7.5** die regelmäßige Durchführung von Doping-Kontrollen innerhalb und außerhalb von sportlichen Wettbewerben auf der Basis des FIL Anti-Doping-Codes,
 - 2.7.6** die Transparenz bei Kontrollen der Ausrüstung von Athleten und ihren Sportgeräten gemäß den Vorschriften der IRO,
 - 2.7.7** die Bekämpfung von Manipulationen der sportlichen Wettbewerbe und ihrer Ergebnisse und die Durchführung aller sportlichen Wettbewerbe nach dem Grundsatz des „Fair-Play“.
 - 2.7.8** durch die Überwachung und Durchsetzung der Verbote gemäß Art. 1 und Art. 2 und der Regel des Artikel 6 des „Code der Olympischen Bewegung zur Prävention von Wettbewerbsmanipulationen“ (als Anhang beigefügt)
- 2.8** Die Grundsätze des Umweltschutzes und der Nachhaltigkeit bei der Errichtung und dem Betrieb von Sportstätten sind einzuhalten.
- 2.9** Das Recht aller Mitgliedsverbände (NFs) auf Gleichbehandlung im Rahmen sportlicher Wettbewerbe und der Verbandsführung ist einzuhalten.
- 2.10** Interessenskonflikte sind offenzulegen und, soweit möglich, strikt zu vermeiden.
- 2.11** Die Führung des Verbandes und aller Ämter ist im Hinblick auf religiöse, politische, rassistische und geschlechtliche Aspekte neutral und ohne jede Diskriminierung zu erledigen.
- 2.12** Die sportliche Leistung aller Athleten im sportlichen Wettbewerb ist zu fördern, auch durch entsprechende Entwicklungsprogramme der FIL.

- 2.13** Die Transparenz, die Neutralität bei der Auswahl und die Gewährleistung der Internationalität bei Personalentscheidungen ist zu gewährleisten
- 2.14** Die Verquickung privater Interessen mit Verbandsinteressen der FIL und / oder ihrer nationalen Föderationen ist strikt zu vermeiden und kann allenfalls nach deren Offenlegung durch das zuständige Organ akzeptiert werden.
- 2.15** Die Annahme und / oder das Versprechen von finanziellen oder ideellen Vorteilen im Zusammenhang mit der Planung, dem Abschluss und der Abwicklung von Geschäften für die FIL oder ihren nationalen Föderationen ist verboten.
- 2.16** Alle Finanztransaktionen zugunsten oder zu Lasten der FIL sind gegenüber dem Kongress als FIL-Organ und gegenüber den zuständigen Prüfungsorganen der FIL transparent zu gestalten und offenzulegen.
- 2.17** Die Transparenz der Vergütungen aller Mitglieder der FIL-Organe und der FIL-Beauftragten und Geschäftspartner ist zu gewährleisten.
- 2.18** Ein konkreter, mit Tatsachen begründeter Korruptionsverdacht ist gegenüber dem zuständigen FIL-Organ offenzulegen.
- 2.19** Alle Handlungen sind zu unterlassen, die das Risiko des Verlustes der Gemeinnützigkeit und der steuerlichen Integrität gefährden könnten.
- 2.20** Wenn auf dem relevanten Beschaffungsmarkt ein spürbarer Wettbewerb vorhanden ist, besteht bei der Beschaffung von Gegenständen und Dienstleistungen im Wert von mindestens 50.000 € die Pflicht, mindestens drei Konkurrenzangebote einzuholen. Sollte nach etwaigen zwingenden gesetzlichen Vorschriften eine Ausschreibungspflicht bestehen, so sind diese Vorschriften einzuhalten.
- 2.21** Die Führung des Verbandshaushaltes muss den Grundsätzen der Sparsamkeit genügen.
- 2.22** Die Verbandsführung soll sich, soweit tunlich, bezahlbar und sinnvoll, um angemessenen Versicherungsschutz zur Absicherung von Risiken des sportlichen Wettbewerbs und der Tätigkeit von Organen und Beauftragten der FIL bemühen.

III Verfahren bei Verdacht von Verstößen gegen den FIL Ethik-Code

1. Zuständige Ermittlungsorgane

- 1.1** Zuständige Ermittlungsorgane der FIL sind der FIL-Ethik-Beauftragte sowie die aus drei Mitgliedern bestehende FIL-Ethik-Kommission. Beide Organe sind durch den Kongress zu wählen. Auf Antrag der Exekutive können alle Mitglieder des Rechtsausschusses personenidentisch zu Mitgliedern der FIL-Ethik-Kommission gewählt werden.

- 1.2** Der FIL-Ethik-Beauftragte und die FIL-Ethik-Kommission werden jeweils bis zu demjenigen Kongress gewählt, der im selben Jahr wie die nächsten Olympischen Winterspiele abgehalten wird.
- 1.3** Der FIL-Ethik-Beauftragte und die FIL-Ethik-Kommission sind unabhängig und neutral und keinen Weisungen unterworfen. Der FIL-Ethik-Beauftragte ist kein Mitglied der Exekutive und darf auch keinem anderen Organ der FIL angehören. Die FIL-Ethik-Kommission ist kein Mitglied der Exekutive und darf auch keinem anderen Organ mit Ausnahme des Rechtsausschusses angehören.

2. Anzeige von Verstößen gegen den FIL-Ethik-Code

Eine Anzeige wegen eines Verstoßes gegen den FIL-Ethik-Code kann jedes FIL-Organ, jede nationale Föderation, jeder Athlet und jeder sonstige Dritte einreichen, der sich durch den angeblichen Verstoß gegen den FIL-Ethik-Code beeinträchtigt fühlt. Eine Anzeige kann auch anonym erfolgen. Die Anzeige von Verstößen gegen den FIL-Ethik-Code sind beim FIL-Ethik-Beauftragten einzureichen.

Hält der FIL-Ethik-Beauftragte einen Verstoß gegen den FIL-Ethik-Code für möglich, so wirkt er bei leichten Verstößen auf eine Selbstverpflichtung zur Beseitigung der Verletzung des FIL-Ethik-Codes hin. Wird eine Selbstverpflichtung nicht akzeptiert oder ist die Verletzung des FIL-Ethik-Codes als schwerwiegend einzuschätzen, so beantragt der FIL-Ethik-Beauftragte bei der FIL-Ethik-Kommission die Einleitung eines Ermittlungsverfahrens, soweit keine vorrangige Zuständigkeit des Schiedsgerichts gegeben ist. Hält der FIL-Ethik-Beauftragte einen Anfangsverdacht bezüglich einer Verletzung des FIL-Ethik-Codes nicht für gegeben, stellt er das Verfahren ein.

3. Durchführung von Ermittlungen

Auf Antrag des FIL-Ethik-Beauftragten leitet der Vorsitzende der FIL-Ethik-Kommission ein Ermittlungsverfahren ein und führt nach Anhörung des Betroffenen die Ermittlung und Aufklärung von Verstößen gegen den FIL-Ethik-Code durch. Bei Bedarf kann der Vorsitzende der FIL-Ethik-Kommission auch die anderen Mitglieder der Kommission hinzuziehen. Die FIL-Ethik-Kommission kann auch dritte Personen im Zusammenhang mit den Ermittlungen befragen oder einschalten.

4. Abschlussverfügung der FIL-Ethik-Kommission

Besteht nach der Einschätzung der FIL-Ethik-Kommission ein hinreichender Verdacht bezüglich eines Verstoßes gegen den FIL-Ethik-Code, so kann sie je nach der Schwere des Vergehens die nach eigenem Ermessen angemessenen vorläufigen Sanktionen verhängen, ohne aber die Entscheidung in der Hauptsache vorwegzunehmen. Insbesondere kann die FIL-Ethik-Kommission Betroffene vorläufig von ihren Ämtern und Funktionen auf einen Zeitraum von maximal 90 Tagen suspendieren und/oder sonstige Tätigkeiten untersagen. Athleten können bei dringendem Tatverdacht einer Wettkampfmanipulation oder eines schweren

Verstoßes gegen den FIL-Ethik-Code auf einen Zeitraum von maximal 90 Tagen vorläufig gesperrt werden.

Außerdem beantragt die FIL-Ethik-Kommission die Durchführung eines Verfahrens beim Schiedsgericht der FIL.

Die FIL-Ethik-Kommission stellt das Verfahren ein, wenn sich als Ergebnis ihrer Ermittlungen kein hinreichender Tatverdacht ergeben hat oder die Verstöße des FIL-Ethik-Code als geringfügig einzustufen sind und gegebenenfalls gegen Verhängung einer Ordnungsbuße erledigt werden können.

5. Sanktionierung von Verstößen gegen den FIL-Ethik-Code

Das Schiedsgericht hat bewiesene Verstöße gegen den FIL-Ethik-Code mit denjenigen Sanktionen zu bestrafen, die hierfür in den Statuten der FIL vorgeschrieben sind. Das Schiedsgericht entscheidet auch über die Kosten der Ermittlungen und des Schiedsverfahrens. Im Falle einer Verfahrenseinstellung kann das Schiedsgericht auf Antrag der FIL-Ethik-Kommission die Ermittlungskosten ganz oder teilweise dem Antragsteller auferlegen, dessen Antrag als rechtsmissbräuchlich einzustufen ist.

6. Verfahrensablauf

Das Schiedsverfahren zur Beurteilung von Ethik-Verstößen ist unter Ausschluss der Öffentlichkeit zu führen. Die Ergebnisse dieses Schiedsverfahrens können von der FIL-Ethik-Kommission in geeigneter Weise unter Wahrung der Persönlichkeitsrechte der Beteiligten veröffentlicht werden.

7. Weitere anwendbare Vorschriften und Inkrafttreten

Im Übrigen sind die Statuten und die Rechts- und Verfahrensordnung der FIL sowie der IOC Code of Ethics ergänzend anzuwenden.

Der „Olympic Movement Code on the Prevention of the Manipulation of Competitions“ gilt in der folgenden Fassung der Artikel 1,2 und 6:

Artikel 1 - Begriffsbestimmungen

- 1.1 „Vergünstigungen“ bezeichnen den direkten oder indirekten Empfang bzw. die Bereitstellung von Geldmitteln oder deren Gegenwerten wie beispielsweise, jedoch nicht auf diese beschränkt, Schmiergeldern, Vorteilen, Präsenten und anderweitigen Annehmlichkeiten einschließlich, jedoch ohne Beschränkung auf diese, Gewinnen und/oder potenziellen Gewinnen als Folge von Wetteinsätzen; die vorangegangenen Ausführungen erstrecken sich nicht auf offizielle Preisgelder, Antrittsprämien oder Zahlungen, die im Rahmen eines Sponsoring oder sonstiger vertraglicher Vereinbarungen erfolgen;
- 1.2 „Wettbewerb“ bezeichnet jeden sportlichen Wettbewerb, jedes Turnier, jeden Wettkampf oder jede Veranstaltung, die gemäss den Richtlinien eines Sportverbandes oder dessen angeschlossenen Organisationen, bzw. die,

gegebenenfalls, in Übereinstimmung mit den Regeln eines anderen kompetenten Sportverbandes, ausgerichtet werden;

- 1.3 "Insider-Informationen" bezeichnen Informationen in Bezug auf jegliche Wettbewerbe, über die eine Person auf Grund seiner oder ihrer Position hinsichtlich einer Sportart oder eines Wettbewerbes verfügt; hiervon ausgenommen sind alle Informationen, die bereits veröffentlicht wurden oder allgemein bekannt sind, die interessierten Mitgliedern der Öffentlichkeit leicht zugänglich sind oder die gemäss den für den jeweiligen Wettbewerb maßgeblichen Richtlinien und Bestimmungen verlautbart worden sind;
- 1.4 "Teilnehmer" bezeichnet jede natürliche oder juristische Person, die einer der folgenden Kategorien angehört:
- a. „Athlet“ bezeichnet jede Person bzw. alle Gruppen von Personen, die an sportlichen Wettbewerben teilnimmt bzw. teilnehmen;
 - b. "Personal zur Unterstützung der Athleten" bezeichnet jeden Betreuer, Trainer, Manager, Agenten, das Mannschaftspersonal, die Mannschaftsfunktionäre, das medizinische Personal bzw. die Angehörigen der Heilhilfsberufe, die mit Athleten, welche an sportlichen Wettbewerben teilnehmen oder sich auf diese vorbereiten, zusammenarbeiten oder diese behandeln; ferner werden damit alle anderen Personen bezeichnet, die mit den Athleten arbeiten;
 - c. "Funktionär" bezeichnet jede Person, die Eigentümer, Anteilseigner, Führungskraft oder Mitarbeiter von Einrichtungen ist, welche sportliche Wettbewerbe ausrichten und/oder fördern; hierzu zählen ferner Schiedsrichter, Jurymitglieder sowie alle übrigen akkreditierten und verpflichteten Personen. Darüber hinaus umfasst der Begriff auch Funktionäre und Mitarbeiter des Sportverbandes oder, gegebenenfalls, einer anderweitigen Sportorganisation bzw. eines Sportvereins, die/der den Wettbewerb anerkennt.
- 1.5 "Sportwetten, Wetten, Wettgeschäft" bezeichnet jeden Wetteinsatz in Form einer Einlage in Geldwert verbunden mit der Erwartung eines Gewinnes in Geldwert, der von einem künftigen und ungewissen Ereignis in Bezug auf den sportlichen Wettbewerb abhängig ist.

Artikel 2 - Zuwiderhandlungen

Das nachfolgend beschriebene Verhalten stellt, wie in diesem Artikel festgelegt, eine Zuwiderhandlung gegen diesen Code dar:

2.1 Wettgeschäft

Wettgeschäfte in jeder Beziehung hinsichtlich des Sportes des Teilnehmers.

2.2 Manipulation sportlicher Wettbewerbe

Eine vorsätzliche Herbeiführung, Handlung oder Unterlassung, die auf eine missbräuchliche Änderung des Ergebnisses oder des Verlaufes eines sportlichen Wettbewerbs gerichtet ist, um den sportlichen Wettbewerb gänzlich oder teilweise seines unberechenbaren Charakters zu berauben, mit dem Ziel, sich selbst oder anderen Personen einen unzulässigen Vorteil zu verschaffen.

2.3 **Korruptes Verhalten**

Das Anbieten, Fordern, Empfangen, Suchen oder Akzeptieren eines Vorteils im Zusammenhang mit der Manipulation eines Wettbewerbs bzw. jede andere Form von Korruption.

2.4 **Insider-Informationen**

2.4.1. Die Verwendung von Insider-Informationen zum Zwecke von Wettgeschäften, jede Form einer Manipulation von sportlichen Wettbewerben bzw. alle anderweitigen korrupten Zwecke, unabhängig davon, ob diese von einem Teilnehmer ausgehen oder über eine andere Person/Einrichtung verfolgt werden.

2.4.2. Die Offenlegung von Insider-Informationen an irgendeine Person / Einrichtung, unabhängig davon, ob damit ein Vorteil verbunden ist oder nicht, bei welcher dem Teilnehmer bekannt war oder hätte bekannt sein müssen, dass diese Offenlegung dazu führen könnte, dass die Informationen zu Zwecken von Wettgeschäften, zu irgendeiner Art von Manipulation von Wettbewerben oder für anderweitige korrupte Ziele verwendet werden.

2.4.3 Das Verschaffen und/oder die Annahme eines Vorteils für die Bereitstellung von Insider-Informationen; hierbei ist es unerheblich, ob eine Insider-Information tatsächlich bereitgestellt worden ist.

2.5 **Unterlassene Berichterstattung**

2.5.1 Unterlassene Berichterstattung an die zuständige **FIL** bzw. an die betreffende Melde-/Berichtseinrichtung oder -behörde bei der ersten sich bietenden Gelegenheit über sämtliche Details jeglicher Annäherungen oder Aufforderungen, die der Teilnehmer dahingehend erhält, sich auf ein Verhalten oder Vorgänge einzulassen, die auf eine Verletzung dieses Codes hinauslaufen könnten.

2.5.2 Unterlassene Berichterstattung an die zuständige **FIL** bzw. an die betreffende Melde-/Berichtseinrichtung oder -behörde bei der ersten sich bietenden Gelegenheit über sämtliche Details eines jeden Vorfalles, einer jeden Tatsache oder Angelegenheit, die dem Teilnehmer bekannt werden (bzw. über welche dieser vernünftigerweise hätte unterrichtet sein sollen); diese schließen auch Annäherungen und Aufforderungen ein, die ein anderer Teilnehmer dahingehend erhält, sich auf ein Verhalten einzulassen, das auf eine Verletzung dieses Codes hinauslaufen könnte

2.6 **Unterlassene Zusammenarbeit**

2.6.1 Unterlassene Zusammenarbeit bei jeglichen von der **FIL** durchgeführten Ermittlungen hinsichtlich einer möglichen Verletzung dieses Codes einschließlich, jedoch ohne Beschränkung auf, unterlassene präzise, vollständige und ohne ungebührliche Verzögerung erfolgte Bereitstellung von Informationen und/oder Unterlagen und/oder Zugang oder Unterstützung, wie von der **FIL** angefordert, als Teil solcher Ermittlungen.

2.6.2 Behinderung oder Verzögerung von durch die **FIL** durchgeführten Ermittlungen hinsichtlich einer möglichen Verletzung dieses Codes einschließlich, jedoch ohne Beschränkung auf, Verschleierung, Verfälschung oder Zerstörung jedweder Unterlagen oder anderweitiger Informationen, welche für die Ermittlungen von Belang sein könnten.

2.7 Anwendung der Artikel 2.1 bis 2.6

- 2.7.1 Für die Festlegung, ob eine Verletzung begangen worden ist, sind folgende Punkte nicht relevant:
- a. ob der Teilnehmer an dem betreffenden Wettbewerb teilnimmt oder nicht;
 - b. ob das Ergebnis des Wettbewerbs, auf welchen die Wette geschlossen worden ist oder geschlossen werden sollte;
 - c. ob irgendein Vorteil oder eine anderweitige Zuwendung tatsächlich gewährt oder empfangen worden ist oder nicht;
 - d. Art oder Ergebnis der Wette;
 - e. ob die Anstrengungen oder die Leistung des Teilnehmers in dem betreffenden Wettbewerb durch die in Frage stehenden Handlungen oder Unterlassungen beeinträchtigt worden sind (oder dies erwartet werden könnte) oder nicht;
 - f. ob das Ergebnis des betreffenden Wettbewerbs durch die in Frage stehenden Handlungen oder Unterlassungen beeinträchtigt worden sind (oder dies erwartet werden könnte) oder nicht;
 - g. ob die Manipulation einen Verstoß gegen die technischen Vorschriften der **FIL** beinhaltet oder nicht;
 - h. ob bei dem Wettbewerb die zuständigen nationalen oder internationalen Repräsentanten der **FIL** anwesend waren oder nicht.
- 2.7.2 Jede Form von Hilfestellung, Anstiftung oder Bestrebung durch einen Teilnehmer, die in einer Verletzung dieses Codes gipfeln könnte, wird so behandelt, als ob die Verletzung begangen worden ist, egal ob nun eine solche Handlung tatsächlich zu einer Verletzung geführt hat und/oder ob diese Verletzung vorsätzlich oder fahrlässig begangen worden ist oder nicht.

Artikel 6 – Gegenseitige Anerkennung

- 6.1 Vorbehaltlich des Rechts auf Widerspruch müssen alle Entscheidungen, die von einem Sportverband in Übereinstimmung mit diesem Code durchgeführt werden, von allen anderen Sportorganisationen anerkannt und respektiert werden.
- 6.2 Alle Sportorganisationen müssen die Entscheidung(en) einer anderen Sportorganisation oder eines zuständigen Gerichts, die keine Sportorganisation im Sinne dieses Codes ist, anerkennen und respektieren.

Ansonsten gelten die Verfahrensregeln und Sanktionen der FIL-Statuten und die FIL Rechts- und Verfahrensordnung und der FIL-Ethik-Code.

Der FIL-Ethik-Code tritt mit Beschlussfassung während des 70. FIL-Kongresses 2022 in Kraft.

Fassung vom 18.06.2022