



ANTI-DOPING RULES

الألعاب الإفريقية

JEUX AFRICAINS
AFRICAN GAMES
JOGOS AFRICANOS

RABAT 2019
19 - 31 AOÛT





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W E L C O M E A F R I C A



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INTRODUCTION

PREFACE: THESE ANTI-DOPING RULES ARE ADOPTED AND IMPLEMENTED IN ACCORDANCE WITH THE 2019 AFRICAN GAMES ORGANIZING COMMITTEE'S (COJAR) RESPONSIBILITIES UNDER THE CODE, AND IN FURTHERANCE OF COJAR'S CONTINUING EFFORTS TO ERADICATE DOPING IN SPORT.

These Anti-Doping Rules are rules governing the conditions under which sport is played. Aimed at enforcing anti-doping principles in a global and harmonized manner, they are distinct in nature from criminal and civil laws, and are not intended to be subject to or limited by any national requirements and legal standards applicable to criminal or civil proceedings.

When reviewing the facts and the law of a given case, all courts, arbitral tribunals and other adjudicating bodies should be aware of and respect the distinct nature of these Anti-Doping

Rules implementing 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.

The COJAR Executive Board formally adopts these Anti-Doping Rules in accordance with COJAR's responsibilities under the Code.

The President of COJAR appoints a Medical and Anti-Doping Commission which is responsible for implementing these Anti-Doping Rules.



FUNDAMENTAL RATIONALE FOR THE CODE AND COJAR'S ANTI-DOPING RULES

Anti-doping programs seek to preserve what is intrinsically valuable about sport.

This intrinsic value is often referred to as «the spirit of sport». It is the essence of Olympism; the pursuit of human excellence through the

dedicated perfection of each person's natural talents. It is how we play true. The spirit of sport is the celebration of the human spirit, body and mind, and is reflected in values we find in and through sport, including:

- ETHICS, FAIR PLAY AND HONESTY
 - HEALTH
- EXCELLENCE IN PERFORMANCE
- CHARACTER AND EDUCATION
 - FUN AND JOY
 - TEAMWORK
- DEDICATION AND COMMITMENT
- RESPECT FOR RULES AND LAWS
- RESPECT FOR SELF AND OTHER PARTICIPANTS
 - COURAGE
- COMMUNITY AND SOLIDARITY

Doping is fundamentally contrary to the spirit of sport.



SCOPE OF THESE ANTI-DOPING RULES

These Anti-Doping Rules shall apply automatically to (a) COJAR; (b) all Athletes entered in one of COJAR's Events or who have otherwise been made subject to the authority of COJAR for a future Event; (c) all Athlete Support Personnel supporting such Athletes; (d) other Persons participating in the activities of COJAR; and (e) any organization, body or entity operating (even if only temporarily) under the authority of COJAR.

Athletes entered in one of COJAR's Events or who have otherwise been made subject to the authority of COJAR for a future Event are automatically bound by these Anti-Doping Rules as a condition of eligibility to participate in such Events.

The Athlete Support Personnel supporting such Athletes and other Persons participating in the activities of COJAR are automatically bound by these Anti-Doping Rules as a condition of such support/participation.

Organizations, bodies or entities operating (even if only temporarily) under the authority of COJAR are automatically bound by these Anti-Doping Rules as a condition of their participation in COJAR's activities.

These Anti-Doping Rules shall apply to all Doping Controls over which COJAR has jurisdiction.



01 | 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 2.10 OF THESE ANTI-DOPING RULES.



02 | 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 each Athlete's personal duty to ensure that no Prohibited Substance enters his or her body. Athletes are responsible for any Prohibited Substance or its Metabolites or Markers found to be present in their Samples. Accordingly, it is not necessary that intent, Fault,

negligence or knowing Use on the Athlete's part be demonstrated in order to establish an anti-doping rule violation under Article 2.1.

[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.]



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 B Sample is split into two bottles and the analysis of the second bottle confirms the presence of the Prohibited Substance or its Metabolites or Markers found in the first bottle.

[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.]

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

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

2.2 USE OR ATTEMPTED USE BY AN ATHLETE OF A PROHIBITED SUBSTANCE OR A PROHIBITED METHOD

[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.]

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

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

[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.)]

2.3 EVADING, REFUSING OR FAILING TO SUBMIT TO SAMPLE COLLECTION

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

[Comment to Article 2.3: 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. 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.]

2.4 WHEREABOUTS FAILURES

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

2.5 TAMPERING OR ATTEMPTED TAMPERING WITH ANY PART OF DOPING CONTROL

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

[Comment to Article 2.5: 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, or altering a Sample by the addition of a foreign substance. 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.]

2.6 POSSESSION OF A PROHIBITED SUBSTANCE OR A PROHIBITED METHOD

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

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



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

2.7 TRAFFICKING OR ATTEMPTED TRAFFICKING IN ANY PROHIBITED SUBSTANCE OR PROHIBITED METHOD

2.8 ADMINISTRATION OR ATTEMPTED ADMINISTRATION TO ANY ATHLETE IN-COMPETITION OF ANY PROHIBITED SUBSTANCE OR PROHIBITED METHOD, OR ADMINISTRATION OR ATTEMPTED ADMINISTRATION TO ANY ATHLETE OUT-OF-COMPETITION OF ANY PROHIBITED SUBSTANCE OR ANY PROHIBITED METHOD THAT IS PROHIBITED OUT-OF-COMPETITION

2.9 COMPLICITY

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an anti-doping rule violation, Attempted anti-doping rule violation or violation of Article 10.12.1 of the Code by another Person.

2.10 PROHIBITED ASSOCIATION

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

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

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



criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed; or

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

In order for this provision to apply, it is necessary that the Athlete or other Person has previously been advised in writing by an Anti-Doping Organization with jurisdiction over the Athlete or other Person, or by WADA, of the Athlete Support Person's disqualifying status and the potential Consequence of prohibited association and that the Athlete or other Person can reasonably avoid the association. The Anti-Doping Organization shall also use reasonable efforts to advise the Athlete Support Person who is the subject of the notice to the Athlete or other Person that the Athlete Support Person may, within 15 days, come forward to the Anti-Doping Organization to explain that the criteria described in Articles 2.10.1 and 2.10.2 do not apply to him or her. (Notwithstanding Article 15, this Article applies even when the Athlete Support Person's disqualifying conduct occurred prior to the effective date provided in Article 25 of the Code.)

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

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

[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. 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.]



03 | PROOF
OF DOPING



3.1 BURDENS AND STANDARDS OF PROOF

COJAR shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether COJAR 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, the standard of proof shall be by a balance of probability.

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

3.2 METHODS OF ESTABLISHING FACTS AND PRESUMPTIONS

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

[Comment to Article 3.2: For example, COJAR 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.]

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

3.2.2 WADA-accredited laboratories, and other laboratories approved by WADA, are presumed to have conducted Sample analysis and custodial procedures in accordance with

the International Standard for Laboratories. The Athlete or other Person may rebut this presumption by establishing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding. If the Athlete or other Person rebuts the preceding presumption by showing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the Adverse Analytical Finding, then COJAR shall have the burden to establish that such departure did not cause the Adverse Analytical Finding.

[Comment to Article 3.2.2: 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. If the Athlete or other Person does so, the burden shifts to COJAR to prove to the comfortable satisfaction of the hearing panel that the departure did not cause the Adverse Analytical Finding.]

3.2.3 Departures from any other International Standard or other anti-doping rule or policy set forth in the Code or these Anti-Doping Rules which did not cause an Adverse Analytical Finding or other anti-doping rule violation shall not invalidate such evidence or results. If the Athlete or other Person establishes a departure

from another International Standard or other anti-doping rule or policy which could reasonably have caused an anti-doping rule violation based on an Adverse Analytical Finding or other anti-doping rule violation, then COJAR shall have the burden to establish that such departure did not cause the Adverse Analytical Finding or the factual basis for the anti-doping rule violation.

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

3.2.5 The Disciplinary Commission 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 Disciplinary Commission) and to answer questions from the Disciplinary Commission or COJAR.



04 | 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.

4.2 PROHIBITED SUBSTANCES AND PROHIBITED METHODS IDENTIFIED ON THE PROHIBITED LIST

4.2.1 Prohibited Substances and Prohibited Methods

Unless provided otherwise in the Prohibited List and/or a revision, the Prohibited List and revisions shall go into effect under these Anti-Doping Rules three months after publication by WADA, without requiring any further action by COJAR.

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

4.2.3 SPECIFIED SUBSTANCES

For purposes of the application of Article 10, all Prohibited Substances shall be Specified Substances except substances in the classes

of anabolic agents and hormones and those stimulants and hormone antagonists and modulators so identified on the Prohibited List. The category of Specified Substances shall not include Prohibited Methods.

[Comment to Article 4.2.3: The Specified Substances identified in Article 4.2.3 should not in any way be considered less important or less dangerous than other doping substances. Rather, they are simply substances which are more likely to have been consumed by an Athlete for a purpose other than the enhancement of sport performance.]

4.3 WADA'S DETERMINATION OF THE PROHIBITED LIST

WADA's determination of the Prohibited Substances and Prohibited Methods that will be included on the Prohibited List, the classification of substances into categories on the Prohibited List, and the classification of a substance as prohibited at all times or In-Competition only, is final and shall not be subject to challenge by an Athlete or other Person based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.

4.4 THERAPEUTIC USE EXEMPTIONS (“TUES”)

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

4.4.2 Athletes who wish to Use a Prohibited Substance or a Prohibited Method in connection with the Event and do not already have a TUE should apply to COJAR’s TUE Committee (the «TUEC») for a TUE as soon as the need arises and in any event (save in emergency or exceptional circumstances) at least 30 days before the Event. The TUEC shall promptly evaluate the application in accordance with the International Standard for Therapeutic Use Exemptions and render a decision as quickly as possible, which decisions shall be reported via ADAMS. The provisions of the International Standard for Therapeutic Use Exemptions and the specific COJAR protocols posted on its website shall be complied with during the whole process and

applied automatically. TUEs granted by the TUEC shall be effective for COJAR’s Events only.

[Comment to Article 4.4.2: Article 4.4.4.1 of the Code requires a Major Event Organization to ensure a process is available for an Athlete to apply for a TUE if he or she does not already have one. A Major Event Organization may appoint its own TUEC or may outsource this function to a suitably qualified third party.]

4.4.3 Where the Athlete already has a TUE granted by his or her National Anti-Doping Organization or International Federation, he/she should apply to the TUEC for recognition of that TUE. If that TUE meets the criteria set out in the International Standard for Therapeutic Use Exemptions, the TUEC must recognize it. If the TUEC decides the TUE does not meet those criteria and so refuses to recognize it, it must notify the Athlete promptly, explaining its reasons.

4.4.4 A decision by COJAR not to recognize or not to grant a TUE may be appealed by the Athlete exclusively to the independent TUE Appeal Committee established by COJAR for that purpose. If the Athlete does not appeal (or the TUE Appeal Committee decides to



uphold the refusal to grant/recognize the TUE and so rejects the appeal), the Athlete may not Use the substance or method in question in connection with the Event, but any TUE granted by his/her National Anti-Doping Organization or International Federation for that substance or method remains valid outside of that Event.

4.4.5 WADA may review COJAR's decisions on TUEs at any time, whether upon request by those affected or on its own initiative. If the TUE decision being reviewed meets the criteria set out in the International Standard for Therapeutic Use Exemptions, WADA will not interfere with it. If the TUE decision does not meet those criteria, WADA will reverse it.

4.4.6 A failure to take action 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.



05 | TESTING AND INVESTIGATIONS





5.1 PURPOSE OF TESTING AND INVESTIGATIONS

Testing and investigations shall only be undertaken for anti-doping purposes. They shall be conducted in conformity with the provisions of the International Standard for Testing and Investigations and the specific protocols of COJAR supplementing that International Standard.

5.1.1 Testing shall be undertaken to obtain analytical evidence as to the Athlete's compliance (or non-compliance) with the strict prohibition on the presence/Use of a Prohibited Substance or Prohibited Method. Test distribution planning, Testing, post-Testing activity and all related activities shall be conducted by COJAR in conformity with the International Standard for Testing and Investigations. COJAR shall determine the number of finishing placement tests, random tests and target tests to be performed in accordance with the criteria established by the International Standard for Testing and Investigations. All provisions of the International Standard for Testing and Investigations shall apply automatically in respect of all such Testing.

5.1.2 Investigations shall be undertaken:

5.1.2.1 in relation to Atypical Findings, in accordance with Article 7.3, gathering intelligence or evidence (including, in particular, analytical evidence) in order to determine whether an anti-doping rule violation has occurred under Article 2.1 and/or Article 2.2; and

5.1.2.2 in relation to other indications of potential anti-doping rule violations, in accordance with Articles 7.4 and 7.5, gathering intelligence or evidence (including, in particular, non-analytical evidence) in order to determine whether an anti-doping rule violation has occurred under any of Articles 2.2 to 2.10.

5.1.3 COJAR may obtain, assess and process anti-doping intelligence from all available sources, to inform the development of an effective, intelligent and proportionate test distribution plan, to plan Target Testing, and/or to form the basis of an investigation into a possible anti-doping rule violation(s).



5.2 AUTHORITY TO CONDUCT TESTING

5.2.1 Subject to the jurisdictional limitations for Event Testing set out in Article 5.3 of the Code, COJAR shall have In-Competition Testing authority for the Event Period and Out-of-Competition Testing authority over all Athletes entered in one of its future Events or who have otherwise been made subject to the Testing authority of COJAR for a future Event. At the request of COJAR, any Testing during the Event Period outside of the Event Venues shall be coordinated with COJAR.

5.2.2 COJAR may require any Athlete over whom it has Testing authority to provide a Sample at any time and at any place.

[Comment to Article 5.2.2: Unless the Athlete has identified a 60-minute time-slot for Testing between the hours of 11pm and 6am, or has otherwise consented to Testing during that period, COJAR will not test an Athlete during that period unless it has a serious and specific suspicions that the Athlete may be engaged in doping. A challenge to whether COJAR had sufficient suspicion for Testing in that period shall not be a defense to an anti-doping rule violation based on such test or attempted test.]

5.2.3 Subject to Article 5.3.1 of the Code, COJAR shall have exclusive authority to initiate and direct Testing at the Event Venue during the Event Period. In accordance with Article 5.3.1 of the Code, not only COJAR but also other Anti-Doping Organizations with Testing authority over Athletes participating at the Event may test such Athletes during the Event Period outside of the Event Venues. Such Testing shall be coordinated with COJAR.

5.2.4 WADA shall have In-Competition and Out-of-Competition Testing authority as set out in Article 20.7.8 of the Code.

5.3 DELEGATION OF RESPONSIBILITY, OVERSEEING AND MONITORING OF DOPING CONTROL

5.3.1 COJAR has the authority to appoint any Sample Collection Authority (as defined in the International Standard for Testing and Investigations) it deems appropriate to collect Samples on its behalf. Such Sample Collection Authority shall comply with the Code and the International Standard for Testing and Investigations in respect of such Testing.

5.3.2 The COJAR Medical and Anti-Doping Commission will be responsible for overseeing all Doping Control conducted by COJAR and/

or any Sample Collection Authority collecting Samples under its authority.

5.3.3 Doping Control may be monitored by members of the COJAR Medical and Anti-Doping Commission or by other qualified Persons so authorized by COJAR.

5.4 TEST DISTRIBUTION PLANNING

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

5.5 COORDINATION OF TESTING

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

5.6 ATHLETE WHEREABOUTS INFORMATION

5.6.1 Where an Athlete is in a Registered Testing Pool, COJAR may access his/her Whereabouts Filings (as defined in the International Standard for Testing and Investigations) for the period for which the Athlete is subject to COJAR's Testing authority. COJAR will access the Athlete's Whereabouts Filings not via the Athlete but rather via the International Federations or National Anti-Doping Organization that is receiving the Athlete's Whereabouts Filings. COJAR will not require the Athlete to file any different whereabouts information with it.

5.6.2 Where an Athlete is not in a Registered Testing Pool in the period for which the Athlete is subject to COJAR's Testing authority, COJAR may require him/her to provide such information about his/her whereabouts in that period as it deems necessary and proportionate in order to conduct Testing upon him/her, up to and including information equivalent to the Whereabouts Filings that an Athlete would have to make in accordance with Annex I of the International Standard for Testing and Investigations if he/she were in a Registered Testing Pool.



5.6.3 Whereabouts information relating to an Athlete shall be maintained in strict confidence at all times, shall be used exclusively for the purposes set out in Article 5.6 of the Code, and shall be destroyed in accordance with the International Standard for the Protection of Privacy and Personal Information once it is no longer relevant for these purposes.

5.7 RETIRED ATHLETES RETURNING TO COMPETITION

5.7.1 An Athlete in a Registered Testing Pool who retires and then wishes to return to active participation in sport may not participate in COJAR's Events until he/she has given his/her International Federation and National Anti-Doping Organization written notice of his/her intent to resume competing and has made him/herself available for Testing for a period of six months, including (if requested) complying with the whereabouts requirements of Annex I of the International Standard for Testing and Investigations. WADA, in consultation with the relevant International Federation and National Anti-Doping Organization, may grant an exemption to the six-month written notice rule where the strict application of that rule would be manifestly unfair to an Athlete. This decision may be appealed under Article 12. Any

competitive results obtained in violation of this Article 5.7.1 shall be Disqualified.

5.7.2 If an Athlete retires from sport while subject to a period of Ineligibility, the Athlete shall not resume competing in COJAR's Events until the Athlete has given six months prior written notice (or notice equivalent to the period of Ineligibility remaining as of the date the Athlete retired, if that period was longer than six months) to his/her International Federation and National Anti-Doping Organization of his/her intent to resume competing and has made him/herself available for Testing for that notice period, including (if requested) complying with the whereabouts requirements of Annex I of the International Standard for Testing and Investigations.

5.8 INDEPENDENT OBSERVER PROGRAM

COJAR shall authorize and facilitate the Independent Observer Program at its Event(s).



06

SAMPLE
ANALYSIS



SAMPLES SHALL BE ANALYZED IN ACCORDANCE WITH THE FOLLOWING PRINCIPLES:

6.1 USE OF ACCREDITED AND APPROVED LABORATORIES

For purposes of Article 2.1, Samples shall be analyzed only in laboratories accredited or otherwise approved by WADA. The choice of the WADA-accredited or WADA-approved laboratory used for the Sample analysis under these Anti-Doping Rules shall be determined by COJAR.

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

6.2 PURPOSE OF ANALYSIS OF SAMPLES

6.2.1 Samples shall be analyzed to detect Prohibited Substances and Prohibited Methods and other substances as may be directed by

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

[Comment to Article 6.2.1: For example, relevant profile information could be used to direct Target Testing or to support an anti-doping rule violation proceeding under Article 2.2, or both.]

6.2.2 COJAR shall ask laboratories to analyze Samples in conformity with Article 6.4 and Article 4.7 of the International Standard for Testing and Investigations.

6.3 RESEARCH ON SAMPLES

No Sample may be used for research without the Athlete's written consent. Samples used for purposes other than Article 6.2.1 shall have any means of identification removed such that they cannot be traced back to a particular Athlete.



6.4 STANDARDS FOR SAMPLE ANALYSIS AND REPORTING

Laboratories shall analyze Samples and report results in conformity with the International Standard for Laboratories. To ensure effective Testing, WADA has adopted the Technical Document for Sport Specific Analysis (TDSSA), referenced at Article 5.4.1 of the Code, which establishes risk assessment-based Sample analysis menus appropriate for particular sports and sport disciplines, and laboratories shall analyze Samples in conformity with those menus, except as follows:

6.4.1 COJAR may request that laboratories analyze its Samples using more extensive menus than those described in the TDSSA.

6.4.2 COJAR may request that laboratories analyze its Samples using less extensive menus than those described in the TDSSA only if it has satisfied WADA that, because of the particular circumstances of the country or sport, as set

out in its test distribution plan, less extensive analysis would be appropriate.

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

[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.]



6.5 FURTHER ANALYSIS OF SAMPLES

Any Sample may be stored and subsequently subjected to further analysis for the purposes set out in Article 6.2.1: (a) by WADA at any time; and/or (b) by COJAR at any time before both the A and B Sample analytical results (or A Sample result where B Sample analysis has been waived or will not be performed) have been communicated by COJAR to the Athlete as the asserted basis for an Article 2.1 anti-doping rule violation. Such further analysis of Samples shall conform with the requirements of the International Standard for Laboratories and the International Standard for Testing and Investigations.



07 | RESULTS
MANAGEMENT



7.1 RESPONSIBILITY FOR CONDUCTING RESULTS MANAGEMENT

7.1.1 COJAR shall be responsible for results management and the conduct of hearings for anti-doping rule violations arising under these Anti-Doping Rules in relation to the consequences that are specified at Articles 9, 10.1 and 10.2.1.

7.1.1.1 COJAR shall appoint a Doping Review Panel during the games consisting of a Chair and six other members with experience in anti-doping. When a potential violation is referred to the Doping Review Panel by COJAR, the Chair of the Doping Review Panel shall appoint one or more members of the Panel (which may include the Chair) to conduct the review discussed in this Article 7. No Person may be a member of the Doping Review Panel dealing with a specific case if he/she (i) has the same nationality as the Athlete or other Person concerned; (ii) has any declared or apparent conflict of interest with such Athlete or other Person, the National Olympic Committee, the National Federation or International Federation of such Athlete or other Person, or with any Person involved in the case in any way whatsoever; or (iii) in any way

whatsoever, does not feel him/herself to be free and independent.

7.1.2 Responsibility for results management and the conduct of hearings for anti-doping rule violations arising under these Anti-Doping Rules in relation to Consequences that extend beyond COJAR's Event (e.g., period of Ineligibility for other Events) shall be referred to the applicable International Federation.

7.2 REVIEW OF ADVERSE ANALYTICAL FINDINGS FROM TESTS INITIATED BY COJAR

Results management in respect of the results of tests initiated by COJAR (including any tests performed by WADA pursuant to agreement with COJAR) shall proceed as follows:

7.2.1 The results from all analyses must be sent to COJAR in encoded form, in a report signed by an authorized representative of the laboratory. All communication must be conducted confidentially and in conformity with ADAMS.

7.2.2 Upon receipt of an Adverse Analytical Finding, COJAR shall conduct a review to determine whether: (a) an applicable TUE has been granted or will be granted as provided





in the International Standard for Therapeutic Use Exemptions, or (b) there is any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the Adverse Analytical Finding.

7.2.3 If the review of an Adverse Analytical Finding under Article 7.2.2 reveals an applicable TUE or departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Adverse Analytical Finding, the entire test shall be considered negative and the Athlete, the Athlete's National Anti-Doping Organization, the Athlete's International Federation and WADA shall be so informed.

7.2.4 If the review of an Adverse Analytical Finding under Article 7.2.2 does not reveal an applicable TUE or entitlement to a TUE as provided in the International Standard for Therapeutic Use Exemptions, or departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Adverse Analytical Finding, COJAR shall promptly notify the Athlete, and simultaneously the Athlete's National Anti-Doping Organization, the Athlete's

International Federation and WADA, in the manner set out in Article 13.1, of: (a) the Adverse Analytical Finding; (b) the anti-doping rule violated; (c) the Athlete's right to promptly request the analysis of the B Sample or, failing such request, that the B Sample analysis may be deemed waived; (d) the scheduled date, time and place for the B Sample analysis if the Athlete or COJAR chooses to request an analysis of the B Sample; (e) the opportunity for the Athlete and/or the Athlete's representative to attend the B Sample opening and analysis in accordance with the International Standard for Laboratories if such analysis is requested; and (f) the Athlete's right to request copies of the A and B Sample laboratory documentation package which includes information as required by the International Standard for Laboratories.

7.2.5 Where requested by the Athlete or COJAR, arrangements shall be made to analyze the B Sample in accordance with the International Standard for Laboratories. An Athlete may accept the A Sample analytical results by waiving the requirement for B Sample analysis. COJAR may nonetheless elect to proceed with the B Sample analysis.



7.2.6 The Athlete and/or his representative shall be allowed to be present at the analysis of the B Sample. Also, a representative of COJAR shall be allowed to be present.

7.2.7 If the B Sample analysis does not confirm the A Sample analysis, then (unless COJAR takes the case forward as an anti-doping rule violation under Article 2.2) the entire test shall be considered negative and the Athlete, the Athlete's National Anti-Doping Organization, the Athlete's International Federation and WADA shall be so informed.

7.2.8 If the B Sample analysis confirms the A Sample analysis, the findings shall be reported to the Athlete, the Athlete's National Anti-Doping Organization, the Athlete's International Federation and to WADA.

7.3 REVIEW OF ATYPICAL FINDINGS

7.3.1 As provided in the International Standard for Laboratories, in some circumstances, laboratories are directed to report the presence of Prohibited Substances, which may also be produced endogenously, as Atypical Findings, i.e., as findings that are subject to further investigation.

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

7.3.3 If the review of an Atypical Finding under Article 7.3.2 reveals an applicable TUE or a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Atypical Finding, the entire test shall be considered negative and the Athlete, the Athlete's National Anti-Doping Organization, the Athlete's International Federation and WADA shall be so informed.

7.3.4 If that review does not reveal an applicable TUE or a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the Atypical Finding, COJAR shall conduct the required investigation or cause it to be conducted. After the investigation is



completed, either the Atypical Finding will be brought forward as an Adverse Analytical Finding, in accordance with Article 7.2.4, or else the Athlete, the Athlete's National Anti-Doping Organization, the Athlete's International Federation and WADA shall be notified that the Atypical Finding will not be brought forward as an Adverse Analytical Finding.

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

7.3.5.1 If COJAR determines the B Sample should be analyzed prior to the conclusion of its investigation, it may conduct the B Sample analysis after notifying the Athlete, with such notice to include a description of the Atypical Finding and the information described in Article 7.2.4(d) - (f).

7.3.5.2 If COJAR is asked (a) by another Major Event Organization shortly before one of its Events, or (b) by a sport organization responsible for meeting an imminent deadline for selecting team members for an International Event or

National Event, to disclose whether any Athlete identified on a list provided by the other Major Event Organization or sport organization has a pending Atypical Finding, COJAR shall so advise the other Major event Organization or sports organization after first providing notice of the Atypical Finding to the Athlete.

7.4 REVIEW OF WHEREABOUTS FAILURES

7.4.1 COJAR shall refer potential filing failures and missed tests (as defined in the International Standard for Testing and Investigations) to whichever of the Athlete's International Federation and National Anti-Doping Organization receives that Athlete's whereabouts filings and so has responsibility for results management of whereabouts failures by that Athlete.

7.4.2 Where an Athlete who is not in a Registered Testing Pool is required to submit whereabouts information to COJAR in accordance with Article 5.6.2, but fails to do so, COJAR may impose the following consequences upon him or her:

a) A warning given to the Athlete with information from his/her National Anti-Doping Organization.



b) Temporary suspension of Event accreditation with information from his/her National Anti-Doping Organization.

7.5 Review of Other Anti-Doping Rule Violations Not Covered by Articles 7.2 – 7.4

COJAR shall conduct any follow-up investigation required into a possible anti-doping rule violation not covered by Articles 7.2 to 7.4. At such time as COJAR is satisfied that an anti-doping rule violation has occurred, it shall promptly give the Athlete or other Person (and simultaneously the Athlete's or other Person's National Anti-Doping Organization, the Athlete's International Federation and WADA) notice of the anti-doping rule violation asserted, and the basis of that assertion.

7.6 PROVISIONAL SUSPENSIONS

7.6.1 Mandatory Provisional Suspension: If analysis of an A Sample has resulted in an Adverse Analytical Finding for a Prohibited Substance that is not a Specified Substance, or for a Prohibited Method, and a review in accordance with Article 7.2.2 does not reveal an applicable TUE or departure from the International Standard for Testing and Investigations or the International Standard for

Laboratories that caused the Adverse Analytical Finding, a Provisional Suspension shall be imposed upon or promptly after the notification described in Article 7.2.4.

7.6.2 Optional Provisional Suspension: In case of an Adverse Analytical Finding for a Specified Substance, or in the case of any other anti-doping rule violations not covered by Article 7.6.1, COJAR may impose a Provisional Suspension on the Athlete or other Person against whom the anti-doping rule violation is asserted at any time after the review and notification described in Articles 7.2-7.5 and prior to the final hearing as described in Article 8.

7.6.3 Where a Provisional Suspension is imposed, whether pursuant to Article 7.6.1 or Article 7.6.2, the Athlete or other Person shall be given either: (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 final hearing in accordance with Article 8 on a timely basis after imposition of the Provisional Suspension. Furthermore, the Athlete or other Person has a right to appeal from the Provisional Suspension in accordance with Article 12.2 (save as set out in Article 7.6.3.1).



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

7.6.4 If a Provisional Suspension is imposed based on an A Sample Adverse Analytical Finding and subsequent analysis of the B Sample does not confirm the A Sample analysis, then the Athlete shall not be subject to any further Provisional Suspension on account of a violation of Article 2.1. In circumstances where the Athlete (or the Athlete's team) has been removed from a Competition based on a violation of Article 2.1 and the subsequent B Sample analysis does not confirm the A Sample finding, then if it is still possible for the Athlete or team to be reinserted without otherwise affecting the Competition, the Athlete or team may continue to take part in the Competition. In addition, the Athlete or team may thereafter take part in other Competitions in the same Event.

7.6.5 In all cases where an Athlete or other Person has been notified of an anti-doping

rule violation but a Provisional Suspension has not been imposed on him or her, the Athlete or other Person shall be offered the opportunity to accept a Provisional Suspension voluntarily pending the resolution of the matter.

[Comment to Article 7.6: Athletes and other Persons shall receive credit for a Provisional Suspension against any period of Ineligibility which is ultimately imposed.]

7.7 RESOLUTION WITHOUT A HEARING

7.7.1 An Athlete or other Person against whom an anti-doping rule violation is asserted may admit that violation at any time, waive a hearing, and accept the consequences that are mandated by these Anti-Doping Rules or (where some discretion as to Consequences exists under these Anti-Doping Rules) that have been offered by COJAR.

7.7.2 Alternatively, if the Athlete or other Person against whom an anti-doping rule violation is asserted fails to dispute that assertion within the deadline specified in the notice sent by COJAR asserting the violation, then he/she shall be deemed to have admitted the violation, to have waived a hearing, and to have accepted



the consequences that are mandated by these Anti-Doping Rules or (where some discretion as to Consequences under these Anti-Doping Rules) that have been offered by COJAR.

7.7.3 In cases where Article 7.7.1 or Article 7.7.2 applies, a hearing before a hearing panel shall not be required. Instead COJAR shall promptly issue a written decision confirming the commission of the anti-doping rule violation and the Consequences imposed as a result. COJAR shall send copies of that decision to other Anti-Doping Organizations with a right to appeal under Article 12.2.2, and shall Publicly Disclose that decision in accordance with Article 13.3.2.

7.8 NOTIFICATION OF RESULTS MANAGEMENT DECISIONS

In all cases where COJAR has asserted the commission of an anti-doping rule violation, withdrawn the assertion of an anti-doping rule violation, imposed a Provisional Suspension, or agreed with an Athlete or other Person on the imposition of Consequences without a hearing, COJAR shall give notice thereof in accordance with Article 13.2.1 to other Anti-Doping Organizations with a right to appeal under Article 12.2.2.

7.9 RETIREMENT FROM SPORT

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



08

RIGHT TO A FAIR
HEARING



8.1 SETTING UP A DISCIPLINARY COMMISSION

The COJAR President shall immediately set up a Disciplinary Commission of three experts.

8.2 HEARINGS FOLLOWING COJAR'S RESULT MANAGEMENT

8.2.1 When COJAR sends a notice to an Athlete or other Person asserting an anti-doping rule violation, and the Athlete or other Person does not waive a hearing in accordance with Article 7.7.1 or Article 7.7.2, then the case shall be referred to the Disciplinary Commission for hearing and adjudication.

8.2.2 Hearings shall be scheduled and completed within a reasonable time. Hearings held in connection with Events that are subject to these Anti-Doping Rules may be conducted by an expedited process where permitted by the Disciplinary Commission.

8.2.3 The Disciplinary Commission shall determine the procedure to be followed at the hearing.

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

8.2.5 The Disciplinary Commission shall act in a fair and impartial manner towards all parties at all times.

8.2.6 The Disciplinary Commission shall issue a timely reasoned decision. That decision shall be Publicly Disclosed as provided in Article 13.3 and may be appealed as provided in Article 12. The principles contained at Article 13.3.6 shall be applied in cases involving a Minor.



09

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.

[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.]



10 | SANCTIONS
ON INDIVIDUALS



10.1 DISQUALIFICATION OF RESULTS IN THE EVENT DURING WHICH AN ANTI-DOPING RULE VIOLATION OCCURS

An anti-doping rule violation occurring during or in connection with an Event may, upon the decision of the Disciplinary Commission, lead to Disqualification of all of the Athlete's individual results obtained in that Event with all Consequences, including forfeiture of all medals, points and prizes, except as provided in Article 10.1.1.

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

[Comment to Article 10.1: 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 FINA World Championships).]

10.1.1 If the Athlete establishes that he or she bears No Fault or Negligence for the violation,

the Athlete's individual results in the other Competitions shall not be Disqualified, unless the Athlete's results in Competitions other than the Competition in which the anti-doping rule violation occurred were likely to have been affected by the Athlete's anti-doping rule violation.

10.2 INELIGIBILITY

10.2.1 Should an Athlete or other Person be found to have committed an anti-doping rule violation before he/she has actually participated in a Competition at the Event or, in the case where an Athlete or other Person has already participated in a Competition at the Event but is scheduled to participate in additional Competitions at the Event, the Disciplinary Commission may declare the Athlete or other Person ineligible for such Competitions at the Event in which he/she has not yet participated, along with other Consequences which may follow, such as exclusion of the Athlete and other Persons concerned from the Event and the loss of accreditation.

10.2.2 In accordance with Article 7.1.2, responsibility for results management in terms of sanctions beyond the Event itself shall be referred to the applicable International



Federation. In this context, the Consequences for anti-doping rule violations as mentioned and specified under the following Articles of the Code shall apply:

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

Article 10.3 Ineligibility for Other Anti-Doping Rule Violations

Article 10.4 Elimination of the Period of Ineligibility where there is No Fault or Negligence

Article 10.5 Reduction of the Period of Ineligibility based on No Significant Fault or Negligence

Article 10.6 Elimination, Reduction, or Suspension of Period of Ineligibility or other Consequences for Reasons Other than Fault

Article 10.7 Multiple Violations

Article 10.11 Commencement of Ineligibility Period

Article 10.12 Status During Ineligibility

10.3 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.

[Comment to Article 10.3: 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.]

10.4 ALLOCATION OF CAS COST AWARDS AND FORFEITED PRIZE MONEY

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



10.5 FINANCIAL CONSEQUENCES

[NOTE: Under this Article, the Major Event Organization may provide for the proportionate recovery of costs from or the imposition of financial sanctions on Athletes and other Persons who commit anti-doping rule violations. However, the Major Event Organization may only impose financial sanctions in cases where the maximum period of Ineligibility otherwise applicable has already been imposed. Financial sanctions may only be imposed where the principle of proportionality is satisfied. No recovery of costs or financial sanction may be considered a basis for reducing the Ineligibility or other sanction which would otherwise be applicable under the Code. For those Major Event Organizations that do not want to make provision for recovery of costs or financial sanctions, this Article should simply read «Article 10.5 intentionally left blank.»]

10.6 AUTOMATIC PUBLICATION OF SANCTION

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

[Comment to Article 10: Harmonization of sanctions has been one of the most discussed and

debated areas of anti-doping. Harmonization means that the same rules and criteria are applied to assess the unique facts of each case. Arguments against requiring harmonization of sanctions are based on differences between sports including, for example, the following: in some sports the Athletes are professionals making a sizable income from the sport and in others the Athletes are true amateurs; in those sports where an Athlete's career is short, a standard period of Ineligibility has a much more significant effect on the Athlete than in sports where careers are traditionally much longer. A primary argument in favor of harmonization is that it is simply not right that two Athletes from the same country who test positive for the same Prohibited Substance under similar circumstances should receive different sanctions only because they participate in different sports. In addition, flexibility in sanctioning has often been viewed as an unacceptable opportunity for some sporting organizations to be more lenient with dopers. The lack of harmonization of sanctions has also frequently been the source of jurisdictional conflicts between International Federations and National Anti-Doping Organizations.]



11 | CONSEQUENCES
TO TEAMS



11.1 TESTING OF TEAM SPORTS

Where more than one member of a team in a Team Sport has been notified of an anti-doping rule violation under Article 7 in connection with an Event, COJAR shall conduct appropriate Target Testing of the team during the Event Period.

11.2 CONSEQUENCES FOR TEAM SPORTS

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

11.3 EVENT RULING BODY MAY ESTABLISH STRICTER CONSEQUENCES FOR TEAMS SPORTS

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

[Comment to Article 11.3: For example, COJAR could establish rules which would require Disqualification of a team from the Event based on a lesser number of anti-doping rule violations during the period of the Event.]



12 | APPEALS



12.1 DECISIONS SUBJECT TO APPEAL

Decisions made under these Anti-Doping Rules may be appealed as set forth below in Article 12.2 through 12.6 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.

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

12.1.2 CAS Shall Not Defer to the Findings Being Appealed. In making its decision, CAS need not give deference to the discretion exercised by the body whose decision is being appealed.

[Comment to Article 12.1.2: CAS proceedings are de novo. Prior proceedings do not limit the evidence or carry weight in the hearing before CAS.]

12.1.3 WADA Not Required to Exhaust Internal Remedies. Where WADA has a right to appeal under Article 12 and no other party has appealed a final decision within COJAR's process, WADA may appeal such decision directly to CAS without having to exhaust other remedies in COJAR's process.

Comment to Article 12.1.3: Where a decision has been rendered before the final stage of COJAR's process (for example, a first hearing) and no party elects to appeal that decision to the next level of COJAR's process (e.g., the Managing Board), then WADA may bypass the remaining steps in COJAR's internal process and appeal directly to CAS.]

12.2 APPEALS FROM DECISIONS REGARDING ANTI-DOPING RULE VIOLATIONS, CONSEQUENCES, PROVISIONAL SUSPENSIONS, RECOGNITION OF DECISIONS AND JURISDICTION

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 months' notice requirement for a retired Athlete to return to Competition under Article 5.7.1; a decision by WADA assigning results management under Article 7.1 of the Code; a decision by COJAR not to bring forward an Adverse Analytical Finding or an Atypical Finding as an anti-doping rule violation, or a decision not to go forward with an anti-doping rule violation after



an investigation under Article 7.5; a decision to impose a Provisional Suspension as a result of a Provisional Hearing; COJAR's failure to comply with Article 7.6; a decision that COJAR lacks jurisdiction to rule on an alleged anti-doping rule violation or its Consequences; and a decision by COJAR not to recognize another Anti-Doping Organization's decision under Article 14 may be appealed exclusively as provided in this Article 12.

12.2.1 In cases arising from the Event, the decision may be appealed exclusively to CAS.

[Comment to Article 12.2.1: CAS decisions are final and binding except for any review required by law applicable to the annulment or enforcement of arbitral awards.]

12.2.2 Persons Entitled to Appeal. 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) COJAR; (c) the relevant International Federation; (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.

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

12.2.3 Cross Appeals and other Subsequent Appeals Allowed. Cross appeals and other subsequent appeals by any respondent named in cases brought to CAS under the Code are specifically permitted. Any party with a right to appeal under this Article 12 must file a cross appeal or subsequent appeal at the latest with the party's answer.

[Comment to Article 12.2.3: 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.]

12.3 FAILURE TO RENDER A TIMELY DECISION

Where, in a particular case, COJAR or the Disciplinary Commission 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 COJAR or the Disciplinary Commission 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 COJAR.

[Comment to Article 12.3: 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 COJAR to render a decision before WADA may intervene by appealing directly to CAS. Before taking such action, however, WADA will consult with COJAR and give COJAR an opportunity to explain why it has not yet rendered a decision.]

12.4 APPEALS RELATING TO TUES

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

12.5 NOTIFICATION OF APPEAL DECISIONS

Any Anti-Doping Organization that is a party to an appeal shall promptly provide the appeal decision to the Athlete or other Person and to the other Anti-Doping Organizations that would have been entitled to appeal under Article 12.2.2 as provided under Article 13.2.

12.6 TIME FOR FILING APPEALS

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

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

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

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



13

CONFIDENTIALITY
AND REPORTING



13.1 INFORMATION CONCERNING ADVERSE ANALYTICAL FINDINGS, ATYPICAL FINDINGS, AND OTHER ASSERTED ANTI-DOPING RULE VIOLATIONS

13.1.1 Notice of Anti-Doping Rule Violations to Athletes and other Persons Notice to Athletes or other Persons of anti-doping rule violations asserted against them shall occur as provided under Articles 7 and 13 of these Anti-Doping Rules. Notice to an Athlete or other Person who is a member of a National Federation may be accomplished by delivery of the notice to the National Federation.

13.1.2 Notice of Anti-Doping Rule Violations to National Anti-Doping Organizations, International Federations and WADA Notice of the assertion of an anti-doping rule violation to National Anti-Doping Organizations, International Federations and WADA shall occur as provided under Articles 7 and 13 of these Anti-Doping Rules, simultaneously with the notice to the Athlete or other Person.

13.1.3 Content of an Anti-Doping Rule Violation Notice Notification of an anti-doping rule violation under Article 2.1 shall include: the Athlete's

name, country, sport and discipline within the sport, the Athlete's competitive level, whether the test was In-Competition or Out-of-Competition, the date of Sample collection, the analytical result reported by the laboratory, and other information as required by the International Standard for Testing and Investigations.

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

13.1.4 STATUS REPORTS

Except with respect to investigations which have not resulted in notice of an anti-doping rule violation pursuant to Article 13.1.1, National Anti-Doping Organizations, International Federations and WADA shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Article 7, 8 or 12 and shall be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.

13.1.5 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 COJAR has made Public Disclosure or has failed to make Public Disclosure as required in Article 13.3.

13.1.6 COJAR shall ensure that information concerning Adverse Analytical Findings, Atypical Findings, and other asserted anti-doping rule violations remains confidential until such information is Publicly Disclosed in accordance with Article 13.3, and shall include provisions in any contract entered into between COJAR and any of its employees (whether permanent or otherwise), contractors, agents and consultants, for the protection of such confidential information as well as for the investigation and disciplining of improper and/or unauthorized disclosure of such confidential information

13.2 NOTICE OF ANTI-DOPING RULE VIOLATION DECISIONS AND REQUEST FOR FILES

13.2.1 Anti-doping rule violation decisions rendered pursuant to Article 7.8, 8.2.4, 10.4 of the Code, 10.5 of the Code, 10.6 of the Code,

10.12.3 of the Code or 12.5 shall include the full reasons for the decision, including, if applicable, a justification for why the greatest possible Consequences were not imposed. Where the decision is not in English or French, COJAR shall provide a short English or French summary of the decision and the supporting reasons.

13.2.2 An Anti-Doping Organization having a right to appeal a decision received pursuant to Article 13.2.1 may, within fifteen days of receipt, request a copy of the full case file pertaining to the decision.

13.3 PUBLIC DISCLOSURE

13.3.1 The identity of any Athlete or other Person who is asserted by COJAR to have committed an anti-doping rule violation may be Publicly Disclosed by COJAR only after notice has been provided to the Athlete or other Person in accordance with Article 7 and simultaneously to WADA and the National Anti-Doping Organization and International Federation of the Athlete or other Person in accordance with Article 13.1.2.



13.3.2 No later than twenty days after it has been determined in a final appellate decision under Article 12.2.1, or such appeal has been waived, or a hearing in accordance with Article 8 has been waived, or the assertion of an anti-doping rule violation has not been timely challenged, COJAR must Publicly Report the disposition of the matter, including the sport, the anti-doping rule violated, the name of the Athlete or other Person committing the violation, the Prohibited Substance or Prohibited Method involved (if any) and the Consequences imposed. COJAR must also Publicly Report within twenty days the results of final appeal decisions concerning anti-doping rule violations, including the information described above.

13.3.3 In any case where it is determined, after a hearing or appeal, that the Athlete or other Person did not commit an anti-doping rule violation, the decision may be Publicly Disclosed only with the consent of the Athlete or other Person who is the subject of the decision. COJAR shall use reasonable efforts to obtain such consent. If consent is obtained, COJAR shall Publicly Disclose the decision in its entirety or in such redacted form as the Athlete or other Person may approve.

13.3.4 Publication shall be accomplished at a minimum by placing the required information on COJAR's website or publishing it through other means and leaving the information up for the longer of one month or the duration of any period of Ineligibility.

13.3.5 Neither COJAR, nor any of its officials, 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 the Athlete or other Person against whom an anti-doping rule violation is asserted, or their representatives.

13.3.6 The mandatory Public Reporting required in Article 13.3.2 shall not be required where the Athlete or other Person who has been found to have committed an anti-doping rule violation is a Minor. Any optional Public Reporting in a case involving a Minor shall be proportionate to the facts and circumstances of the case.

13.4 STATISTICAL REPORTING

COJAR shall, after each Event under its jurisdiction, publish a general statistical report of its Doping Control activities, with a copy provided to WADA. COJAR may also publish



reports showing the name of each Athlete tested and the date of each Testing.

13.5 DOPING CONTROL INFORMATION CLEARINGHOUSE

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

13.6 DATA PRIVACY

13.6.1 COJAR may collect, store, process or disclose personal information relating to Athletes and other Persons where necessary and appropriate to conduct their anti-doping activities under the Code, the International Standards (including specifically the International Standard for the Protection of

Privacy and Personal Information) and these Anti-Doping Rules.

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



14

APPLICATION
AND RECOGNITION
OF DECISIONS



14.1

Subject to the right to appeal provided in Article 12, Testing, hearing results or other final adjudications of any Signatory which are consistent with the Code and are within that Signatory's authority, shall be applicable worldwide and shall be recognized and respected by COJAR.

[Comment to Article 14.1: The extent of recognition of TUE decisions of other Anti-Doping Organizations shall be determined by Article 4.4 and by the International Standard for Therapeutic Use Exemptions.]

14.2

COJAR shall recognize the measures taken by other bodies which have not accepted the Code if the rules of those bodies are otherwise consistent with the Code.

[Comment to Article 14.2: Where the decision of a body that has not accepted the Code is in some respects Code compliant and in other respects not Code compliant, COJAR shall attempt to apply the decision in harmony with the principles of the Code. For example, if in a process consistent with the Code a non-Signatory has found an Athlete to have committed an anti-doping rule violation on account of the presence of a Prohibited Substance in his or her body but the period of Ineligibility applied is shorter than the period provided for in these Anti-Doping Rules, then COJAR shall recognize the finding of an anti-doping rule violation and may conduct a hearing consistent with Article 8 to determine whether the longer period of Ineligibility provided in the Code should be imposed.]



15

STATUTE OF
LIMITATIONS



NO ANTI-DOPING RULE VIOLATION PROCEEDING MAY BE COMMENCED AGAINST AN ATHLETE OR OTHER PERSON UNLESS HE OR SHE HAS BEEN NOTIFIED OF THE ANTI-DOPING RULE VIOLATION AS PROVIDED IN ARTICLE 7, OR NOTIFICATION HAS BEEN REASONABLY ATTEMPTED, WITHIN TEN YEARS FROM THE DATE THE VIOLATION IS ASSERTED TO HAVE OCCURRED.



16

COJAR COMPLIANCE
REPORTS TO WADA



COJAR WILL REPORT TO WADA ON COJAR'S COMPLIANCE WITH THE CODE IN ACCORDANCE WITH ARTICLE 23.5.2 OF THE CODE.



17 | EDUCATION



COJAR SHALL PLAN AND MONITOR INFORMATION, EDUCATION AND PREVENTION PROGRAMS FOR DOPING-FREE SPORT ON AT LEAST THE ISSUES LISTED AT ARTICLE 18.2 OF THE CODE, AND SHALL SUPPORT ACTIVE PARTICIPATION BY ATHLETES AND ATHLETE SUPPORT PERSONNEL IN SUCH PROGRAMS.



18

AMENDMENT AND
INTERPRETATION OF
ANTI-DOPING RULES



18.1

These Anti-Doping Rules may be amended from time to time by COJAR. They may be issued in English and/or in French. In case of inconsistency, the French version of these Anti-Doping Rules shall prevail.

18.2

These Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.

18.3

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

18.4

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

18.5

These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the Code and shall be interpreted in a manner that is consistent with applicable provisions of the Code. The Introduction shall be considered an integral part of these Anti-Doping Rules.

18.6

The comments annotating various provisions of the Code and these Anti-Doping Rules shall be used to interpret these Anti-Doping Rules.



19 | INTERPRETATION
OF THE CODE



19.1

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.

19.2

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

19.3

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.

19.4

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.

19.5

The Code shall not apply retroactively to matters pending before the date the Code is accepted by a Signatory and implemented in its rules. However, pre-Code anti-doping rule violations would continue to count as «First violations» or «Second violations» for purposes of determining sanctions under Article 10 for subsequent post-Code violations.

19.6

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



20

ADDITIONAL ROLES
AND RESPONSIBILITIES
OF ATHLETES AND
OTHER PERSONS



20.1 ROLES AND RESPONSIBILITIES OF ATHLETES

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

20.1.2 To be available for Sample collection at all times.

[Comment to Article 20.1.2: 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.]

20.1.3 To take responsibility, in the context of anti-doping, for what they ingest and Use.

20.1.4 To inform medical personnel of their obligation not to Use Prohibited Substances and Prohibited Methods and to take responsibility to make sure that any medical treatment received does not violate these Anti-Doping Rules.

20.1.5 To disclose to COJAR any decision by a non-Signatory finding that the Athlete committed an anti-doping rule violation within the previous ten years.

20.1.6 To cooperate with Anti-Doping Organizations investigating anti-doping rule violations.

20.1.7 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 the present rules for the 12th edition of the African Games.

20.2 ROLES AND RESPONSIBILITIES OF ATHLETE SUPPORT PERSONNEL

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

20.2.2 To cooperate with the Athlete Testing program.

20.2.3 To use his or her influence on Athlete values and behavior to foster anti-doping attitudes.

20.2.4 To disclose to COJAR any decision by a non-Signatory finding that he or she committed an anti-doping rule violation within the previous ten years.

20.2.5 To cooperate with Anti-Doping Organizations investigating anti-doping rule violations.



20.2.6 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 the present rules for the 12th edition of the African Games.

20.2.7 Athlete Support Personnel shall not Use or Possess any Prohibited Substance or Prohibited Method without valid justification.

20.2.8 Use or Possession of a Prohibited Substance or Prohibited Method by an Athlete Support Personnel without valid justification may result in a charge of misconduct under the present rules for the 12th edition of the African Games.



21 | DEFINITIONS



ADAMS:

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

Administration:

Providing, supplying, supervising, facilitating, or otherwise participating in the Use or Attempted Use by another Person of a Prohibited Substance or Prohibited Method. However, this definition shall not include the actions of bona fide medical personnel involving a Prohibited Substance or Prohibited Method used for genuine and legal therapeutic purposes or other acceptable justification and shall not include actions involving Prohibited Substances which are not prohibited in Out-of-Competition Testing unless the circumstances as a whole demonstrate that such Prohibited Substances are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

Adverse Analytical Finding:

A report from a WADA-accredited laboratory or other WADA-approved laboratory that,

consistent with the International Standard for Laboratories and related Technical Documents, identifies in a Sample the presence of a Prohibited Substance or its Metabolites or Markers (including elevated quantities of endogenous substances) or evidence of the Use of a Prohibited Method.

Adverse Passport Finding:

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

Anti-Doping Organization:

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

Athlete:

Any Person who 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." For purposes of these Anti-Doping Rules, an Athlete is defined as set out in the Scope section of the Introduction to these Anti-Doping Rules.

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 the applicable International Federation.

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 10.12.1 of the Code; (c) Provisional Suspension means the Athlete or other Person is barred temporarily from participating in any Competition or activity prior to the final decision at a hearing conducted under Article 8; (d) Financial Consequences

means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and (e) Public Disclosure or Public Reporting means the dissemination or distribution of information to the general public or Persons beyond those Persons entitled to earlier notification in accordance with Article 13. Teams in Team Sports may also be subject to Consequences as provided in Article 11.

Contaminated Product:

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

Disqualification:

See Consequences of Anti-Doping Rule Violations above.

Doping Control:

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



Event:

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

Event Venues:

Those venues so designated by COJAR.

Event Period:

The period commencing on the date of the opening of the Games Village (13 August 2019) up until and including the day of the closing ceremony (31 August 2019).

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 or other Person's degree of Fault include, for example, the Athlete's or other Person's experience, whether the Athlete or other Person is a Minor, special considerations such as impairment, the degree of risk that should have been perceived by the Athlete and the level of care and investigation exercised by the Athlete in relation to what should have been the perceived level of risk. In assessing

the Athlete's or other Person's degree of Fault, the circumstances considered must be specific and relevant to explain the Athlete's or other Person's departure from the expected standard of behavior. Thus, for example, the fact that an Athlete would lose the opportunity to earn large sums of money during a period of Ineligibility, or the fact that the Athlete only has a short time left in his or her career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of Ineligibility under Article 10.5.1 or 10.5.2 of the Code.

[Comment: The criteria for assessing an Athlete's degree of Fault is the same under all Articles where Fault is to be considered. However, under Article 10.5.2 of the Code, 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.]

Financial Consequences:

See Consequences of Anti-Doping Rule Violations above.

In-Competition:

For purposes of these Anti-Doping Rules, "In-Competition" means the period commencing



twelve hours before the Competition in which the Athlete is scheduled to participate through to the end of such Competition and the Sample collection process related to such Competition.

Independent Observer Program:

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

Individual Sport:

Any sport that is not a Team Sport.

Ineligibility:

See Consequences of Anti-Doping Rule Violations above.

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.

[Comment: Consistent with the International Standard for Testing and Investigations, the International Federation 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.]

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. For purposes of these Anti-Doping Rules, the Major Event Organization is COJAR.

Marker:

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

Metabolite:

Any substance produced by a biotransformation process.

Minor:

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

National Anti-Doping Organization:

The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-

doping rules, direct the collection of Samples, the management of test results, and the conduct of hearings at the national level. If this designation has not been made by the competent public authority(ies), the entity shall be the country's National Olympic Committee or its designee.

National Event:

A sport Event or Competition involving International- or National-Level Athletes that is not an International Event.

National Federation:

A national or regional entity which is a member of or is recognized by an International Federation as the entity governing the International Federation's sport in that nation or region.

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 Minor, for any violation of Article 2.1, the Athlete must also establish how the Prohibited Substance entered his or her system.

No Significant Fault or Negligence:

The Athlete or other Person's establishing that his or her Fault or negligence, when viewed in the totality of the circumstances and taking into account the criteria for No Fault or Negligence, was not significant in relationship to the anti-doping rule violation. Except in the case of a Minor, for any violation of Article 2.1, the Athlete must also establish how the Prohibited Substance entered his or her system.

[Comment: For Cannabinoids, an Athlete may establish No Significant Fault or Negligence by

clearly demonstrating that the context of the Use was unrelated to sport performance.]

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.

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

Prohibited List:

The List identifying the Prohibited Substances and Prohibited Methods.

Prohibited Method:

Any method so described on the Prohibited List.

Prohibited Substance:

Any substance, or class of substances, so described on the Prohibited List.

Provisional Hearing:

For purposes of Article 7.6, an expedited abbreviated hearing occurring prior to a hearing under Article 8 that provides the Athlete with notice and an opportunity to be heard in either written or oral form.

[Comment: 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 7.6, is a full hearing on the merits conducted on an expedited time schedule.]

Provisional Suspension:

See Consequences of Anti-Doping Rule Violations above.

Publicly Disclose or Publicly Report:

See Consequences of Anti-Doping Rule Violations above.

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 5.6 of the Code and the International Standard for Testing and Investigations.

Sample or Specimen:

Any biological material collected for the purposes of Doping Control.

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

Signatories:

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

Specified Substance:

See Article 4.2.3.

Strict Liability:

The rule which provides that under Article 2.1 and Article 2.2, it is not necessary that intent,



Fault, negligence, or knowing Use on the Athlete's part be demonstrated by the Anti-Doping Organization in order to establish an anti-doping rule violation.

Substantial Assistance:

For purposes of Article 10.6.1 of the Code, a Person providing Substantial Assistance must: (1) fully disclose in a signed written statement all information he or she possesses in relation to anti-doping rule violations, and (2) fully cooperate with the investigation and adjudication of any case related to that information, including, for example, presenting testimony at a hearing if requested to do so by an Anti-Doping Organization or hearing panel. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

Tampering:

Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly; obstructing, misleading or engaging in any fraudulent conduct to alter results or prevent normal procedures from occurring.

Target Testing:

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

Team Sport:

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

Testing:

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

Trafficking:

Selling, giving, transporting, sending, delivering or distributing (or Possessing for any such purpose) a Prohibited Substance or Prohibited Method (either physically or by any electronic or other means) by an Athlete, Athlete Support Person or any other Person subject to the jurisdiction of an Anti-Doping Organization to any third party; provided, however, this definition shall not include the actions of «bona fide» medical personnel involving a Prohibited used Substance 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.

TUE:

Therapeutic Use Exemption, as described in Article 4.4.

UNESCO Convention:

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

Use:

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

WADA:

The World Anti-Doping Agency.

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





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